

MC/25/0006

Date Received: 3 January 2025
Location: Land off Lower Rochester Road, Wainscott, Rochester Medway
Proposal: Outline application with some matters reserved (appearance, landscaping, layout and scale) for demolition of existing buildings, the erection up to 800 dwellings (use class C3), 2-Form Entry primary school, mixed use local centre (use class E and F2), retirement living (use class C2), associated works and public open space. Approval is sought for the principal means of vehicular access from Lower Rochester Road and Higham Road.

Applicant Agent Richborough
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Ward: Strood Rural
Case Officer: Planning Consultant
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Recommendation of Officers to the Planning Committee, to be considered and determined by the Planning Committee at a meeting to be held on 17 December 2025.

It should be noted that the applicant has indicated their intention to submit an appeal to the Planning Inspectorate against the Council's non-determination of this application. Accordingly, this scheme is being considered at Committee to enable the Council to confirm what would have been the decision had they been able to determine the application.

Recommendation - Refusal

1. The proposed development would be contrary to the spatial strategy of the adopted Development Plan. The development of an unallocated, greenfield site outside of settlement boundaries for a use which does not require a countryside location is contrary to Policies S1, S2, BNE25 and H11 of the Medway Local Plan 2003. It would also be contrary to the Spatial Development Strategy of the emerging Medway Local Plan 2041, which, through the allocation of sites, promotes urban regeneration, as well the planned expansion of identified suburban neighbourhoods and villages not including Wainscott.
2. The proposed development is not in a location which is, or would be made, sustainable. The limited accessibility to services and facilities by sustainable transport modes would result in an over-reliance on private car movements. This is contrary to Policies S2, T3, T4, T6 and BNE25 of the Medway Local

Plan 2003; the Spatial Development Strategy and Policy T26 of the emerging Medway Local Plan 2041; and paragraphs 110, 115 and 117 of the NPPF.

3. The proposed development would result in unacceptable landscape and visual impacts. It would have a substantial and significantly adverse impact on the local landscape character; give rise to substantial and significant adverse visual effects, particularly on residents and users of the Public Rights of Way and highways in the vicinity of the site; be contrary to three of the four purposes of the designation as an Area of Local Landscape Importance; and have an adverse visual effect on the character of the Lower Rochester Road/Dillywood Lane (a designated rural lane) around the site contrary to Policies BNE1, BNE25, BNE34 and BNE47 of the Medway Local Plan 2003; the Spatial Development Strategy and Policies S2 and S4 of the emerging Medway Local Plan 2041 and paragraphs 131, 135 and 187 of the National Planning Policy Framework.
4. The proposed development would result in the loss of a substantial amount (48ha) of Grade 1, 2 and 3a Best and Most Versatile (BMV) agricultural land, in circumstances where there is not an overriding need to develop the site, and it has not been demonstrated that the development has been proposed on land of the lowest grade. This is contrary to Policy BNE48 of the Medway Local Plan 2003 and paragraphs 187 and 188 of the National Planning Policy Framework.
5. Insufficient information has been submitted to allow a full assessment of the development in terms of highways safety or impacts on the road network. The proposal has therefore not demonstrated compliance with Policies, T1, T2, T3, and T4 of the Medway Local Plan 2003; Policies DM18 of the emerging Medway Local Plan 2041; and paragraphs 115, 116 and 118 of the NPPF.
6. In the absence of a completed Section 106 Agreement, the development will not provide the necessary affordable housing or infrastructure contributions contrary to Policies S6, H3, L4, T3, T4, T6, CF2, CF4 and CF6 of the Medway Local Plan 2003, Policy S24 of the emerging Local Plan and paras 56 – 59 of the NPPF.

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

Proposal

The application is in outline with all matters reserved except for access. The scheme proposed comprises up to 800 dwellings, a 2 form entry primary school, a local centre, an area of retirement living (C2) and associated works. Detailed approval is sought for the proposal principal means of vehicular access from Lower Rochester Road and Higham Road.

The application is supported by a location plan, a demolition plan and an access and land use parameters plan all of which are to be determined with the application. The

Transport Assessment includes detailed primary and secondary access plans which are also to be determined with the application. These access plans have been the subject of revisions following consultation responses from the highways authorities which are referred to later in this report.

Illustrative plans are also provided including a masterplan, building heights plan, density plan and access and movement plan. These plans are not for determination as part of the application.

The application proposes up to 800 dwellings of which 30% would be affordable (up to 240 dwellings) arranged in three main areas across the site. These areas are transected by open space corridors. A total area of some 25.06ha of open space is proposed and this will include Neighbourhood Equipped Area of Play (NEAP), a Multi-Use Games Area (MUGA), locally equipped areas of children’s play (LEAP), a Local Area of Play (LAP), circular walks with meeting points, play and/or exercise such as a trim-trail route, areas of retained ‘traditional orchard’ and new orchard, allotments and/or “community gardens”, areas of woodland, wet woodland, wildflower and bulb planting, retained and reinstated hedgerows within the site and swales and attenuation basins that form the sustainable drainage system.

The housing would comprise a mix of apartments, detached, semi-detached and terraced houses. The proposed dwelling mix in terms of size and tenure is as follows:

Dwelling Type	Open Market	Affordable	Total
1 bedroom	10%	25%	14%
2 bedroom	10%	41%	34%
3 bedroom	43%	27%	38%
4+ bedroom	17%	7%	14%

The scheme proposes a local centre towards the centre of the site which would include a care home (class C2) along with retail, commercial and community uses. A primary school is also proposed near the front of the site close to the main vehicular access from Lower Rochester Road.

A new three-arm roundabout is proposed to form the new vehicular access from Lower Rochester Road. A new priority junction is also proposed from Higham Road. The proposal also includes provision of a new pedestrian and cycle access from Dillywood Lane to the north west and pedestrian accesses from Bunters Hill Road to the north east. There are existing public rights of way (PRoWs) accesses in the southern part of the site which would be retained. New hard and soft landscaping is proposed along the PRoWs within the site boundaries.

The hedgerow boundaries to Dillywood Lane, Bunters Hill Road and Lower Rochester Road are proposed to be retained with additional planting. The tree lined

southern boundary to the verge of the A289 is also to be retained. New planting will include trees, hedges, shrub planting, climbers, bulbs and wild-flowers.

Chronology of Scheme

The original application was submitted on 30 December 2024 and was validated on 14 January 2025.

In April 2025 further photomontages were submitted forming part of appendix 7.2 to the Environmental Statement.

In August 2025 an addendum to the Environmental Statement and additional appendices were submitted in relation to Ecology and Biodiversity. This presented the findings of updated ecological surveys of the site.

In September 2025 an updated Transport Assessment was submitted along with a Travel Plan.

In October 2025 a number of additional documents were submitted in response to consultee comments on the scheme. These comprised a flood risk addendum, an emissions mitigation statement, utilities assessment and technical notes regarding transport and highways matters.

On 4 November 2025 a further technical note regarding transport and highways matter was submitted in response to further comments from consultees. This was followed by a further technical note on transport and highways which was submitted on 27 November 2025.

Site Area/Density

Site Area: 50 hectares (124 acres)

Site Density: 39dph (16dpa) overall net, based on residential development area of 20.33ha (50 acres)

Relevant Planning History

None relevant.

Representations

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

The following have also been consulted:

Active Travel England, NHS Medway Clinical Commissioning Group, Southern Gas Networks, UK Power Network, Southern Water Services, Environment Agency, Natural England, KCC Police, Kent Wildlife Trust, RSPB, KCC Archaeological Officer, KCC Biodiversity Officer, Cliffe and Cliffe Woods Parish Council, Frindsbury Extra Parish Council, Higham Parish Council, Chatham World Heritage and Social Regeneration and the following Medway Council departments; Landscaping, Urban

Design, Flood Drainage, Integrated Transport, Environmental Protection, Planning Policy, Affordable Housing, Heritage, Integrated Youth, Library Services, Waste Minimisation Team, Economic Development, Greenspaces, Education and Schools, Public Health, Public Footpaths and Conservation and Listed Buildings.

176 letters of representation have been received, some of these are multiple letters from the same person or same household. The letters object to the proposal for the following reasons:

- Increase in noise pollution.
- Increase in air pollution.
- Increase in light pollution.
- Increase in carbon emissions.
- Destruction of woodland, orchards and farmland.
- Destruction of existing crop producing farms, national food security concern.
- Loss of nearly 50ha of BMV agricultural land including Grade 1 and 2, major permanent adverse impact which cannot be mitigated.
- Development of Grade 1 and 2 agricultural land is not sustainable.
- Detrimental impact on local farmers and agricultural economy.
- Loss of farmland and open countryside which is part of local cultural heritage.
- Concern over significant additional traffic movements that would result from 800 new homes.
- Concern that additional traffic movements would cause bypass to back up towards the A2.
- Concern over potential for rat runs to be created.
- Concern that improving 4 Elms Roundabout would be insufficient to mitigate traffic impacts.
- Other significant housing developments in the area have already resulted in a tangible adverse impact on traffic.
- Concern that additional vehicular access points will exacerbate traffic issues.
- Concern over higher risk of traffic accidents.
- Concern regarding pedestrian safety particularly crossing roads in the vicinity.
- Higham Road not equipped to handle the anticipated traffic volume and not suitable for HGVs.
- No traffic data provided for Higham Road.
- Higham Road is not suitable for a bus route.
- Parking currently on both sides of Higham Road so it is narrow and cannot easily accommodate emergency vehicles.
- B2000 is dangerous already and not fit for purpose, cannot handle more traffic.
- Detrimental impact on local roads including B2000, Hollywood Lane, Higham Road and off slip from A289 to the B2000.
- Cumulative impact on traffic with approved schemes in the area has not been assessed.
- Road access to and from Strood/Rochester/Chatham is restricted by a two lane each way road bridge over the river.
- No provision for dedicated cycle paths.
- No safe walking route to the train station, people will not walk there.

- No footways on Lower Rochester Road or Higham Road.
- Limited bus services will result in reliance on private vehicles for new residents.
- Plans for visitor parking are not adequate.
- No reference or consideration to key transport strategies such as the Bus Service Improvement Plan and Local Cycling & Walking Infrastructure Plan.
- Additional population and transportation would not be supported by existing local infrastructure including roads, public transport, utilities and Council services such as refuse collection and green space maintenance.
- Impact on views from existing properties.
- Negative impacts on existing residents' state of mind and quality of life.
- Negative impact on existing property values.
- Schools cannot accommodate additional population.
- GP surgeries, dentists and other NHS services already over capacity, cannot accommodate additional population.
- Loss of green spaces.
- Overdevelopment.
- Excessive scale for this area.
- Overcrowding.
- Concern that none of the social housing will be for local families.
- Overlooking and impact on privacy and light for existing residents.
- Would dominate surrounding properties due to scale and proximity.
- Loss of rural character and identity of the local area and community.
- Concern that Wainscott will no longer be classed as a village.
- Narrowing of the gap between the villages of Wainscott and Cliffe Woods.
- Lack of adequate consultation with local residents.
- Lack of transparency in decision making process.
- No benefit to Medway or the local area.
- No requirement for a new primary school; there are 5 local primary schools.
- No provision for secondary education.
- Insufficient capacity at local wastewater treatment facilities.
- No requirement for retirement properties and community centre, this is already happening nearby (Cliffe Woods).
- Applicant has not contacted the owner of Sole Street Farm (immediately adjacent to the application site) to discuss the application or its impact.
- No provision in the existing or emerging Local Plan for this development.
- Medway has identified sufficient sites for residential and employment uses in the emerging Local Plan without bringing this site forward for development.
- Conflicts with Strategic Objective in Local Plan relating to the development of greenfield land. *"The development of greenfield sites should be restricted to those well related to the structure of the urban area and avoiding visual intrusion into the surrounding countryside, particularly the valuable urban fringe"*.
- Site is immediately adjacent to Green Belt and performs the same functions set out in the NPPF by checking unrestricted sprawl of large built up areas and assisting in safeguarding the countryside from encroachment.
- Development of this scale should go through Local Plan process to ensure is it considered as part of the wider spatial strategy.

- It undermines the emerging Local Plan process.
- It will prejudice the delivery of emerging allocated sites and coordinated planned growth.
- Adverse consequences for planning policy and protection of the countryside due to scale and location.
- Would set precedent for further urban sprawl beyond the settlement boundary.
- Damage to/loss of open countryside.
- Significant expansion of urban area and major incursion into the countryside.
- In direct contravention of the Landscape Character Assessment.
- Lies within a designated Area of Local Landscape Importance.
- Loss of habitat and biodiversity.
- Impact on/potential harm to existing and protected wildlife.
- The existing wildflower meadow with significant plant species diversity recognised as neutral grass in good condition should not be included in the BNG enhancement proposals as there are no reasonably likely habitat improvements that would be suitable given the soil and topography.
- The BNG baseline habitats plan omits reference to approximately 50m of hedgerow in good condition adjacent to Dillywood Lane.
- There is an existing diverse assemblage of bird species on the site including several species which are red or amber listed. These would be lost due to the loss of farmland habitat with no reasonable means of mitigation.
- Limited facilities in Wainscott requiring people to use cars to access facilities further away.
- Unsustainable location.
- Unsustainable development.
- Not in keeping with existing architectural style and density of the area.
- Not needed in this area.
- Concern about high pressure gas pipeline and oil pipeline crossing the site.
- A better option is a brownfield site less than a mile away (form MOD site at Chattenden) which has been acquired by Homes England but not yet developed.
- Development around Brickhouse Farm and Stone House Farm will adversely affect setting of listed buildings.
- Impact on Conservation Area.
- Risk of groundwater flooding.
- PROW should not be compromised by the development.
- Concern that current dwellings will be demolished.
- Concern that SUDS features appear to be located at the high point of the site.
- Landscape impact of filling in the open space between Higham and Cliff Woods.
- Concern that there will be an increase in crime.
- There are existing brownfield sites in the Limehouse Wharf area of Rochester which should be developed first.
- Loss of green space that contributes to climate mitigation and residents' well being.
- Insufficient ecological surveys have been undertaken in order to assess the environmental impact.

- Concern that 30% affordable housing provision will not meet the needs of local families.
- Concern that the new homes will be isolated from the community due to the separation from existing towns by a busy road.
- No safe and accessible walking or cycling route to connect to the surrounding area.
- Concern regarding the proximity of the development to an Air Quality Management Area (AQMA).

Active Travel England have advised that it is not currently in a position to support this application and requests further assessment, evidence, revisions and/or dialogue as set out in this response.

1.0 Background

Active Travel England (ATE) welcomes the opportunity to provide recommendations on this planning application. It is understood that the site is not allocated in the Medway Local Plan, and this represents ATE's first involvement with the site.

2.0 Summary

ATE has reviewed the application against the criteria outlined in the updated ATE planning assessment toolkit, national planning policy, and active travel design guidance. The following key issues require further consideration:

- No identifiable trip generation for active modes and no Travel Plan.
- No active travel route audit and lack of critical evaluation of existing network.
- Distant from many key services with A289 being an exacerbating factor for severance.
- No provision for offsite active travel improvements.
- Approach to active travel infrastructure in the site.
- Commitment to meeting LTN 1/20 standards for cycle parking.

3.0 Areas of Concern

1. Trip Generation and Travel Plan Targets

Expected trip rates for walking, wheeling, and cycling journeys are not clearly provided in the Transport Assessment (TA) and appear to only be identified for vehicle trips. Trip rates should be provided for walking, wheeling, and cycling journeys as all-day trips rather than just covering peak hours. The TRICS data included in the appendices of the report provides trip rate calculations for various land uses throughout the day, but the specific breakdown of walking and cycling trips is not clearly presented.

A Travel Plan has not been identified in the submission, despite being referred to. The Travel Plan should be provided and include modal share targets for active travel over a five-year monitoring period. Measures should also be outlined to address any shortfalls if targets are not met. ATE recommends adopting a broad vision-led

approach to establish robust and forward-looking targets for sustainable transport, as outlined in the updated NPPF, rather than relying on historic trends.

2. Active Travel Route Audit

Section 4.0 Sustainable Travel of the TA includes a 'Summary of Baseline Conditions' for walking and cycling. However, this is a high-level factual report of immediate conditions only and lacks thorough or critical analysis of the existing active travel network. The chapter focuses on facilities within the surrounding area, all of which are significantly further than the 800m walking distance of residential areas, which may be accessed comfortably on foot.

Given the size and scale of this development, a full Active Travel Route Audit should be undertaken. This assessment should be supported by maps showing active travel routes to key destinations, supplemented with photographs and comments on deficiencies to inform potential areas of improvement. Consideration should be given to:

- The National Design Guide.
- Inclusive Mobility Guidance.
- The five core design principles outlined in LTN 1/20 should be applied when assessing the quality of cycle routes and are also beneficial for walking routes.

3. Accessibility

The presence of the A289 creates high levels of severance, raising concerns about the accessibility of the proposals and the limited ability to access distant services via active modes. This presents challenges for creating street layouts that allow for easy pedestrian and cycle connections within and between neighbourhoods, in line with NPPF Para 96a.

The TA notes a preferred maximum walking distance of 1200m to 2000m, which is less desirable. It is, therefore, concerning that most existing services are at or near this preferred maximum distance.

Cycling can replace walking for greater distances, and the TA acknowledges that five miles (or 8km) is an acceptable distance. While some key services are proposed within the site, which is essential to addressing accessibility concerns, they are not comprehensive. As a result, residents will still rely on services beyond the site.

When assessing access to public services, it is essential to consider the quality of existing routes to inform potential offsite improvements. The surrounding active travel infrastructure appears limited. There are two primary routes into the site that provide access for all modes. Additional pedestrian-only access points are indicated on the Access and Land Use Parameter Plan, providing onward routes towards primary services located south in Wainscott and Strood. Further commentary is provided in the next section.

Public transport journeys typically start and end with active travel. Developments should ideally be within 400m of a high frequency bus stop to be considered well located for accessing public transport or 800m from a rail station, as specified in ATE standing advice note 2.9. The Transport Assessment states that the nearest bus stop is at Dillywood Lane, approximately 420m the centre of the site. Whilst this is noted, ATE would suggest that the whole site should be within 400m of a bus stop, not just the centre.

4. Offsite Active Travel Infrastructure

Primary access from Lower Rochester Road

Lower Rochester Road currently consists of:

- A shared-use footway/cycleway along the eastern side of the carriageway, varying in width between 1.8m and 2.5m.
- Some verge separation as the path approaches the A289 bridge.
- A speed limit of 40mph along the site frontage, reducing to 30mph near the A289 bridge.

The existing shared footway/cycleway falls short of both LTN 1/20 and Inclusive Mobility standards, mainly due to insufficient width. Shared-use paths should be a minimum of 3.0m in width and contains a buffer to account for 40mph speed limit. Segregation is preferable and should consider vehicle speeds, volume, and pedestrian/cycle use. ATE has concerns regarding the quality and safety of the existing provision along Lower Rochester Road.

Roundabout Access: The proposed access to the site from Lower Rochester Road will be via a newly formed roundabout. Paragraph 10.7.1 of LTN 1/20 states that roundabouts account for around 20% of all reported cyclist killed or seriously injured (KSI) casualties, and standard UK geometry can be hazardous for cyclists. The current proposals, shown in 'Site Access Roundabout Lower Rochester Road,' demonstrate little provision for active travel. The roundabout has been designed in a manner that could increase vehicle speeds with flared exists and lacks crossing facilities for pedestrians and cyclists. This approach is of concern and is not supported.

The applicant should consider whether a roundabout is necessary at this junction and explore alternative approaches. If improvements to the current arrangement are to be made, the applicant should refer to Section 10.7 of LTN 1/20 and integrate high-quality crossing facilities that prioritise pedestrians and cyclists. Given the number of trips that will be generated by this large mixed-use development, speed reductions to 30mph as a minimum should also be implemented to reflect the changed residential character of the area.

Onward Improvements: The access plan is annotated with 'Improvements to foot/cycle routes on Higham Lane to be discussed with Medway'. Further details are required to assess the feasibility of delivering the necessary walking and cycling infrastructure improvements towards the junction with Hollywood Lane double roundabout, which has been the site of multiple incidents (TA Appendix A.2) and

beyond. These improvements should align with the previously mentioned guidance and the Medway Local Cycling and Walking Infrastructure Plan (LCWIP).

Public Right of Way (PRoW): A Public Right of Way (PRoW) runs through the southern half of the site, connecting Lower Rochester Road to Higham Road. This route could serve as a key east-west link and provides two dedicated pedestrian access points into the site at its closest proximity to built-up areas, a benefit recognised in the Design and Access Statement (DAS). The application should ensure:

- Access is enhanced and effectively integrated into the development.
- Resurfacing is undertaken to improve accessibility.
- The path is widened to accommodate both pedestrians and cyclists.
- Better lighting and signage are installed to enhance safety.
- Connections are established to new footways and cycleways within the development, considering onward connections to the National Cycle Network will also be beneficial.

Bunters Hill: Bunters Hill is part of the NCN and currently lightly trafficked with a rural character. The proposed development will introduce urbanising effects. Steps should be taken to evaluate whether a vehicle access point from Bunters Hill is necessary. The proposed junction includes a wide radius, increasing risks for cyclists.

Closing both Bunters Hill and Dillywood Lane to all but existing local access traffic would mitigate the risk of increased vehicle use along these narrow routes, which are unsuitable for higher traffic volumes and could compromise cyclist safety.

Higham Road:

- A 1.8m footway exists along the eastern end of Higham Road.
- The road transitions into Bunters Hill Road, which lacks dedicated pedestrian and cycling infrastructure.

The TA does not outline specific upgrades to Higham Road as part of the development.

South of the site, along Higham Road, footpaths appear narrow in sections and are impacted by pavement parking, reducing the usable space for individuals using mobility aids and pushchairs. Given that this is one of only two southern access routes into the site, measures should be taken to enhance the walking and cycling environment along this corridor, including upgrades to the Hollywood Lane double roundabout. This route is likely to be preferable for pedestrians and cyclists due to lower traffic volumes and improved natural surveillance compared to Lower Rochester Road.

There is currently no information regarding necessary upgrades north along Bunters Hill Road or how increased traffic volumes will be managed. Further clarification should be provided.

5. Placemaking and Site Permeability

Placemaking:

The proposals are currently in outline form, limiting the level of detail available on placemaking. However, the Design and Access Statement (DAS) indicates large areas of open space between residential parcels. While open space is welcome, the proposed low density may reduce passive surveillance and increase journey distances, discouraging active travel. The layout should be refined to better align with NPPF paragraph 129c, which encourages efficient land use to promote sustainable travel modes.

The applicant should consider creating a strong frontage with Lower Rochester Road rather than setting the development back. This helps reduce vehicles speeds as drivers become aware they are in a residential area.

Street Typologies:

ATE does not support shared-use walking and cycling infrastructure within the development site unless it meets the limited acceptable scenarios outlined in LTN 1/20 (see paragraph 6.5.6 and section 1.6 (2)). Instead, segregated infrastructure should be prioritised.

Permeability:

Permeability is also a concern, as the A289 creates a significant barrier to an integrated street network, in line with Para 96a of the NPPF. All proposed pedestrian and cycle accesses should be secured by condition at this stage.

6. Cycle Parking

Limited information has been provided on cycle parking. Parking should align with either local standards or LTN 1/20, whichever is greater. The location of cycle parking should be as convenient as car parking spaces, and routes to and from cycle parking should not be obstructed.

4.0 Next Steps

ATE requests that the Local Planning Authority shares this response with the applicant's agent. We would welcome additional details and amendments in line with the above comments, with a view to providing a further response/appropriate wording for conditions as required.

ATE's further comments dated 16 September 2025 stated:

ATE understands that the application has since been amended and is receipt of an updated Transport Assessment (20/08/2025) and a Travel Plan (09/07/2025). It has not been possible to identify a note which directly addresses specific concerns previously raised by ATE.

ATE has reviewed the Transport Assessment and Travel Plan and remains concerned and unsupportive of the approach being taken to active travel.

ATE is, therefore, maintaining a deferral response with further context provided below.

1.0 Background

Active Travel England (ATE) welcomes the opportunity to comment on this further consultation. ATE previously submitted a response dated 5 February 2025 recommending deferral of the application pending further information.

2.0 Summary

ATE understands that the application has since been amended and is receipt of an updated Transport Assessment (20/08/2025) and a Travel Plan (09/07/2025). It has not been possible to identify a note which directly addresses specific concerns previously raised by ATE.

ATE has reviewed the Transport Assessment and Travel Plan and remains concerned and unsupportive of the approach being taken to active travel.

ATE is, therefore, maintaining a deferral response, with further context provided below:

3.0 Areas of Concern

1. Trip Generation and Travel Plan Targets

It was suggested that the TA needed to provide trip rates for walking, wheeling, and cycling (not just vehicles) across the whole day. It has not been possible to identify this information within the updated Transport Assessment (TA).

A Travel Plan was requested with five-year active travel targets and measures to address any shortfalls in meeting those targets. A Travel Plan has now been submitted; however, no targets have been provided for walking and cycling. Setting refined and forward-looking modal targets from the outset would better align with the 'vision-led' principles of the revised NPPF and strengthen the case for prioritising active travel infrastructure over continued reliance on unsustainable modes through a 'predict and provide' methodology. At present, it remains unclear how the current approach differs from the traditional predict and provide model, despite an assertion that vision led principles have been adopted.

2. Active Travel Route Audit

A full, detailed audit of walking and cycling routes was requested, with maps, photos, and analysis against national guidance (e.g. LTN 1/20 and Inclusive Mobility), rather than just a high-level overview. This assessment has not been provided, and the matter, therefore, remains outstanding.

3. Accessibility

Concerns were raised regarding barriers to active travel such as the A289, long walking distances to services, and limited public transport access. The provision of an Active Travel Route Audit would have helped to establish an understanding of the quality of existing routes and ensured the whole site was within walking distance of bus stops and rail connections. It is accepted that some facilities will be provided onsite, however, onward trips beyond the site have not been properly assessed.

4. Offsite Active Travel Infrastructure

The TA states that 'there is also potential for short car trips to be substituted for cycle trips, and for longer trips to be substituted by a combination of cycle and public transport trips.' However, based on the updated offsite infrastructure, no attempt has been made to deliver adequate LTN 1/20 compliant provision, despite paragraph 4.11 of the TA suggesting infrastructure had been designed to meet LTN 1/20 standards. To be clear, LTN 1/20 discourages shared-use paths in most cases, particularly in urban areas, and promotes high-quality, segregated infrastructure as the standard. If shared-use infrastructure is to be provided, it should be designed to accommodate cycle traffic appropriately, rather than being treated simply as a widened 3.0m footway.

Primary access from Lower Rochester Road

ATE previously raised concerns that the shared-use footway/cycleway was too narrow, failed to meet LTN 1/20 and Inclusive Mobility standards, and presented safety risks due to vehicle speeds and lack of segregation. ATE also highlighted that no pedestrian or cycle crossing facilities were proposed as part of the roundabout access arrangements. ATE recommended reconsidering the justification for a roundabout access in light of the high degree of risk posed to cyclists. No identifiable improvements or changes have been made as part of the updated TA; therefore, prior concerns remain outstanding.

Onward Improvements: No response has been provided on this matter, which remains outstanding.

Public Right of Way (PRoW): No obvious response has been received on this matter, which remains outstanding.

Higham Road/Bunters Hill: No obvious response has been received on these matters, which remain outstanding.

5. Placemaking and Site Permeability

ATE previously set out that the site layout needed to promote active travel by refining density, creating active street frontages, prioritising segregated walking and cycling routes over shared-use paths, and overcoming severance caused by the A289 to ensure permeability. No response has been identified to address these concerns, which, therefore, remain outstanding.

The indicative layout of the primary school and local centre, located close to the site access along the main spine road through the site, appears likely to encourage access by private motor vehicle. It is evident that the proposals have been designed primarily to accommodate vehicle use and traffic flow through the site, with minimal consideration given to the negative consequences for active travel.

6. Cycle Parking

Previous concerns raised in relation to cycle parking provision remain extant.

4.0 Next Steps

ATE requests that the Local Planning Authority shares this response with the applicant's agent. We would welcome additional details and amendments in line with the above comments, with a view to providing a further response/appropriate wording for conditions as required.

ATE's further comments dated 17 November 2025 stated:

1.0 Background

Active Travel England (ATE) welcomes the opportunity to comment on this further consultation.

ATE previously submitted responses dated 5 February 2025 and 16 September 2025 recommending deferral of the application pending further information.

ATE understands that the application has since been amended and is now in receipt of the *Routes for Active Travel Road Audit Assessment* dated 17.10.2025.

ATE has reviewed this document and other submitted materials and is satisfied that some matters have been addressed; however, a number of issues remain outstanding.

ATE is, therefore, maintaining a deferral response, with further context provided below regarding those prior matters of concern.

2.0 Summary

1. Trip Generation and Travel Plan Targets

The following concerns were identified previously:

- The Transport Assessment (TA) lacked all-day trip rates for walking, wheeling, and cycling.
- No five-year walking or cycling targets were included within the Travel Plan.
- It remained unclear how the proposal differs from a traditional predict-and-provide model despite claims to the contrary.

Despite a refinement of trip rates being presented, it has still not been possible to identify all-day trip rates for active modes. These should be provided to fully understand demand throughout the day.

The Travel Plan explains 'a minimum reduction of 15% in single-occupancy car journeys'; therefore, no targets have been provided for active modes. Such targets should be set at this stage to fully support a vision-led approach.

2. Active Travel Route Audit

An *Active Travel Road Audit Assessment* dated 17.10.2025 has been submitted. The level of assessment and evidence provided is considered acceptable, and this matter has, therefore, been partially addressed.

Whilst the suggested improvements are welcomed, it remains unclear how these will be secured at the outline stage. Steps should be taken now to establish feasibility and an appropriate financial mechanism to deliver the necessary improvements within the scope of this outline application.

3. Accessibility

Whilst A289 severance and distances to services remain a concern, the preparation of the Active Travel Route Audit has identified several deficiencies to be addressed as part of these proposals. Addressing these will assist in improving overall accessibility.

4. Off-site Active Travel Infrastructure

Primary access from Lower Rochester Road:

ATE previously raised concerns that the shared-use footway/cycleway failed to meet LTN 1/20 and Inclusive Mobility standards, and posed risks due to vehicle speeds. ATE also noted the absence of pedestrian or cycle crossing facilities on the roundabout eastern arm access into the site, recommending that the justification for a roundabout be reconsidered in light of the risks posed to cyclists.

Whilst some commentary on the design approach has been provided within the Technical Note, the design itself remains unchanged, with no clear crossing facility on the eastern arm providing access into the site. This results in severance of the existing shared-use facility along Lower Rochester Road with no crossing facility being provided.

This is the primary access serving the school and local centre and will, therefore, be required to support multimodal journeys. It will be in high demand, both for residents on the site and for those accessing services from dwellings south-west of the A289. Despite this, no facilities for active modes are provided. The approach, therefore, remains unsupported.

In addition, the shared-use route along Lower Rochester Road does not appear to include a buffer between the facility and the highway, despite the road being subject to a 40 mph limit. This has not been addressed within the Active Travel Road Audit.

Public Right of Way:

No response appears to have been provided on this matter, which remains outstanding.

Higham Road / Bunters Hill:

No response appears to have been provided on these matters, which also remain outstanding.

5. Placemaking and Site Permeability

ATE previously stated that the site layout needed to promote active travel by refining density, creating active street frontages, prioritising segregated walking and cycling routes over shared-use paths, and addressing severance caused by the A289 to ensure permeability. No response has been identified on this matter.

There appears to be an obvious opportunity to create a strong frontage onto Lower Rochester Road, which would naturally slow traffic and reinforce that drivers are entering a residential area. The current proposals are set back from the road and will continue to encourage higher vehicle speeds and vehicle dominance. This should be reconsidered. Moreover, this would create the opportunity to improve active travel provision along Lower Rochester Road across the site access and onwards.

ATE also highlighted that the indicative layout has been designed primarily to accommodate vehicle movement through the site, with limited consideration of the negative consequences for active travel. Again, no response has been identified. It remains unclear why the proposals facilitate vehicular through-traffic from Lower Rochester Road through the site to Higham Road. This is likely to encourage unnecessary vehicular movements, and the approach should be reconsidered to provide a modal filter or bus gate.

6. Cycle Parking

Previous concerns regarding cycle parking provision remain outstanding.

3.0 Next Steps

ATE requests that the Local Planning Authority shares this response with the applicant's agent. We would welcome additional details and amendments in line with the above comments, with a view to providing a further response/appropriate wording for conditions as required.

It is noted that additional information has been provided by the applicant in relation to highways matters and a response is awaited on these from ATE.

HSE have advised that they do not advise, on safety grounds, against the granting of planning permission.

As the proposed development is within the Consultation Distance of a major hazard pipeline you should consider contacting the pipeline operator before deciding the case. There are two particular reasons for this:

- The operator may have a legal interest (easement, wayleave etc.) in the vicinity of the pipeline. This may restrict certain developments within a certain proximity of the pipeline.
- The standards to which the pipeline is designed and operated may restrict occupied buildings or major traffic routes within a certain proximity of the pipeline. Consequently, there may be a need for the operator to modify the pipeline, or its operation, if the development proceeds.

HSE's advice is based on the situation as currently exists, our advice in this case will not be altered by the outcome of any consultation you may have with the pipeline operator.

Further comments from HSE submitted on 1 September 2025 state:

We note that you have previously used HSE's Land-Use Planning Webapp on 31st January 2025 (HSL-250131063315-308) which provided a response of DO NOT ADVISE AGAINST. On inspecting this response, however, it would appear that the webapp was used incorrectly to generate this advice as the type of development was described only as "Workplaces". Please can you run the webapp again for this application in order to determine the correct response for this proposal. The following are examples of usage which should be considered for this proposal (please note this is not exhaustive and you should familiarise yourself with the full list of usages via our methodology - HSE: Land use planning - HSE's land use planning methodology):

- Workplaces (for offices, factories, warehouses etc).
- Housing.
- Indoor use by public.
- Transport Links.
- Institutional accommodation and education.
- Very large outdoor use by public.

Further comments from HSE submitted on 17 September 2025 conclude:

HSE's Land Use Planning team would not advise against the granting of planning permission for outline application MC/25/0006 if the following three conditions are included in the decision:

- The density of housing in the middle consultation zone of the Rochester/River Medway high pressure gas pipeline (the area extending to 50m on either side of the pipeline) should not exceed 40 dwellings per hectare.

- The nursery and care home/retirement living facility should be located outside of the outer consultation zone of the Rochester/River Medway high pressure gas pipeline i.e. more than 105 m from pipeline, and
- Should any changes to the layout of the development be proposed after the outline permission has been granted, HSE's Land Use Planning advice should be obtained again before reserved matters are determined.

Reason: To protect people at the development from a major accident at the high pressure gas pipeline.

Cliffe and Cliffe Woods Parish Council have advised that they wish to object to the application as follows:

Although this development is outside of the Cliffe and Cliffe Woods Parish Council, it will have a major impact on the main route to the villages of Cliffe and Cliffe Woods:

- Major disruption during the construction.
- Significant additional pressure on the junction with the A289 (London Bound/return).
- Additional pressure on the junction with Brompton Farm Road/Hollywood Lane/Hoo Road (Four Elms Roundabout) as only access to Hoo/Medway Tunnel. Alternative access via Higham Road is restricted by speed bumps along its length.
- The additional pressure will be generated on the Highparks Medical Practice which covers the proposed development area (consultation is currently underway on the proposal by the practice to close one of their surgeries at Higham (1 of 4).

The Environment Agency have advised that they have no objection to the proposed development but have the following comments to make.

Flood Risk

Informative - surface water

Excess surface water should be routed away from development on the site so that the water is able to flow freely as shown in the outline drainage strategy drawing (drawing number: 27817_01_230_02 (revision: D); produced by: MEC Consulting Group Ltd; dated: 19 December 2024). This would be a matter for the Lead Local Flood Authority to consider as they are responsible for surface water flooding.

Groundwater and Contaminated Land

The Environment Agency's Approach to Groundwater Protection

We recommend the applicant reviews our groundwater position statements in 'The Environment Agency's approach to groundwater protection', available from gov.uk. This publication sets out our position for a wide range of activities and developments, including:

- Waste management.

- Discharge of liquid effluents.
- Land contamination.
- Ground source heat pumps.
- Cemetery developments.
- Drainage.

Land contamination: risk management and good practice

We recommend that the applicant should:

- Follow the risk management framework provided in Land Contamination: Risk Management, when dealing with land affected by contamination.
- Refer to our Guiding principles for land contamination for the type of information that we require in order to assess risks to controlled waters from the site - the local authority can advise on risk to other receptors, such as human health.
- Consider using the National Quality Mark Scheme for Land Contamination Management which involves the use of competent persons to ensure that land contamination risks are appropriately managed.
- Refer to the contaminated land pages on gov.uk for more information.

Drainage and infiltration

Only clean uncontaminated water should drain to the surface water system. Roof drainage shall drain directly to the surface water system (entering after the pollution prevention measures). Appropriate pollution control methods (such as trapped gullies and interceptors) should be used for drainage from access roads and car parking areas to prevent hydrocarbons from entering the surface water system. There should be no discharge into land impacted by contamination or land previously identified as being contaminated. There should be no discharge to made ground. There must be no direct discharge to groundwater, a controlled water.

Discharge of treated sewage effluent

If you are proposing a non-mains drainage solution the following form should be completed and submitted with any application:

<https://www.gov.uk/government/publications/foul-drainage-assessment-form-fda1>

The discharge of domestic sewage may be subject to General Binding Rules (GBRs) under the Environmental Permitting (England & Wales) Regulations 2016, which provide a statutory baseline of good practice. You can find more information online at <https://www.gov.uk/permits-you-need-for-septic-tanks/permits> or contact us on 03708 506506. If your proposal cannot meet the GBRs then a permit will likely be required.

Piling

Piling can result in risks to groundwater quality by mobilising contamination when boring through different bedrock layers and creating preferential pathways. It should, therefore, be demonstrated that any proposed piling will not result in contamination

of groundwater. If piling is proposed, a Piling Risk Assessment should be undertaken to confirm the proposed design does not pose risks to the groundwater. This should be in accordance with our guidance document "*Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination: Guidance on Pollution Prevention. National Groundwater & Contaminated Land Centre report NC/99/73*".

Waste on-site

The CL:AIRE Definition of Waste: Development Industry Code of Practice (version 2) provides operators with a framework for determining whether or not excavated material arising from site during remediation and/or land development works is waste or has ceased to be waste. Under the Code of Practice:

- excavated materials that are recovered via a treatment operation can be reused on-site providing they are treated to a standard such that they are fit for purpose and unlikely to cause pollution.
- treated materials can be transferred between sites as part of a hub and cluster project.
- some naturally occurring clean material can be transferred directly between sites.

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed on-site operations are clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

We recommend that developers should refer to:

- The position statement on the Definition of Waste: Development Industry Code of Practice.
- The waste management page on GOV.UK.

Waste to be taken off-site

Waste soil that must be disposed of site is subject to waste management legislation. You must ensure that handling, transport, treatment and disposal of the waste is in line with the legislation, which includes:

- Duty of Care Regulations 1991.
- Hazardous Waste (England and Wales) Regulations 2005.
- Environmental Permitting (England and Wales) Regulations 2016.
- The Waste (England and Wales) Regulations 2011.

Developers should ensure that all wastes are adequately assessed and characterised in line with 'Technical Guidance WM3-Guidance on the classification and assessment of waste' and that the permitting status of any proposed treatment or disposal activity is clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

Waste assessment and classification

It is the producer's legal responsibility to correctly classify a waste prior to it being moved off site. The procedure of which is described in the WM3 Guidance on the classification and assessment of waste:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/719394/Waste-classification-technical-guidance-WM3.pdf

Under Section 34 of the Environmental Protection Act 1990 (the Waste Duty of Care), you are required to ensure the description of the waste you produce is accurate and contains all the information you are in a position to provide. This includes chemical analysis.

Please note that our comments are based on the details available to us at the time of writing. If any subsequent changes are made to the application, please reconsult us.

Fisher German LLP on behalf of Exolum Pipeline System Ltd comments as follows.

We confirm that our client's High-Pressure Oil Pipeline Apparatus will be affected by the application as indicated in the attached plan(s) and we must, therefore, OBJECT for the following key reasons:

- The application has the potential to contravene Exolum's ability to Safely access and maintain its assets under their legal rights as set out in Part IV of The Energy Act 2013, and
- Due to the potential for breach(s) of the Health & Safety at Work Act 1974 with specific concerns around Regulation 15 of the Pipeline Safety Regulations 1996 and the potential for any subsequent work close to the High-Pressure Pipeline to impact both the Safety of the pipeline and those doing the work.

We note in this specific case the development would run directly over the pipeline so would risk the integrity of the pipeline and potentially hinder access for maintenance and repair works.

It is, therefore, critical that all Construction and Design work affecting a High-Pressure Pipeline is discussed and agreed with Exolum before the objection can be removed and before any work on site.

NOTE: The location plan(s) supplied are intended for general guidance only and should not be relied upon for detailed design, excavation or construction purposes. No guarantee is given regarding the accuracy of the information provided in the plans and to verify the true location of the High-Pressure Pipeline at site contact MUST be made with Exolum to arrange a site visit.

My client must be consulted to ensure the proposal has no impact on their High-Pressure Pipeline apparatus.

Frindsbury Extra Parish Council comments as follows.

The Parish Council expresses significant concerns regarding the proposed development and strongly objects to the proposal in its entirety. These concerns have been shared by a large majority of residents directly impacted by the development on Higham Road, as well as by residents across the Parish, who are already experiencing the effects of extensive development in the area.

The following points have been compiled from discussions at the Parish Council meeting, input from attending residents, and comments made via social media. We respectfully request that these concerns be carefully considered during the determination of the application.

Landscape and Surrounding Areas

Both Councillors and residents attending the Parish meeting strongly opposed the development of 800 homes on the outskirts of Wainscott, which would span across the clear settlement boundary of the A289 between the urban area and the surrounding open countryside. The land proposed for development is predominantly classified as Grade 1 and 2 agricultural soil, representing a significant loss of valuable farming land.

Although this land is not designated green belt, it is valuable open countryside which should this proposal be approved, we fear it would set a precedent for further encroachment into the surrounding agricultural countryside land, which currently serves as a vital 'green lung' between Wainscott, Cliffe Woods, and Higham.

Councillors have also raised concerns regarding the impact on local habitats and biodiversity. The farmland in question is home to several bird species, including Starlings, Greenfinch, Skylarks, and Whitethroats — many of which are classified as amber or red list species, and some of which are migratory. It is also important to note that Chattenden Woods and the Lodge Hill Site of Special Scientific Interest (SSSI), a habitat for nightingales, lies around one mile from the proposed site.

Air quality is another significant concern for both Councillors and residents. The air quality around the A289 and Four Elms Hill already exceeds national limits for NO₂ pollution, as evidenced by the Medway Council 2024 draft Air Quality Annual Status Report, which states:

"The main source of NO₂ air pollution in Medway is road traffic emissions from major roads, including the A289."

Despite the long-standing exceedance of these limits, no mitigation measures have been implemented, as confirmed by the 2022 Air Quality Annual Status Report: "An AQAP for Four Elms Hill AQMA is currently being developed, but has been delayed with permission from Defra to coincide with the release of the new Medway Local Plan."

Medway Council has declared the Four Elms area as an Air Quality Management Area (AQMA) due to exceedances of the annual mean NO₂ Air Quality Objective.

The proximity of the proposed development to this area, combined with the loss of green space and hedgerows, raises serious concerns about the health implications for both future residents of the development and those currently living in an area already burdened by poor air quality.

Additionally, the considerable number of other residential developments being completed or proposed in surrounding areas such as Manor Farm behind the Maritime School, Cliffe Woods, Cliffe, Chattenden, and Hoo will place further strain on local amenities. This includes overburdened services such as doctors' surgeries, which are already struggling to meet demand due to staffing shortages. Also Schools are a concern, The Maritime Secondary school currently only has a few year groups admitted but once all years are present the school will be at capacity as children from as far as Cliffe, Cliffe Woods, Higham, Chattenden, Wainscott, Upnor and Strood will be in attendance as its their closest option.

Parking and Highways

The proposed development is located outside of the Wainscott Urban Area, an area that has a definite settlement boundary as evidenced by the A289. This area already experiences significant traffic congestion, particularly when issues occur on the A289 or Four Elms Hill, which frequently come to a standstill. The junction where the A289 intersects with the B2000 Lower Rochester Road is not fit for purpose, as traffic backs up on the A289, a 70mph road, preventing vehicles from turning right towards Wainscott due to the volume of traffic on the B2000. The junction and B2000 are also heavily used by large articulated lorries. Impatient drivers frequently resort to using alternative routes, such as turning left towards Cliffe woods then turning in the private driveway at Sole Street Farm or using the narrow Dillywood Lane and Bunters Hill Road to reach the peninsula. This stretch of road has been the site of numerous serious accidents, some of which have been fatal. Approving this development would exacerbate congestion, introducing a minimum of 1,600 additional residents vehicles, plus vehicles from the school, community centre and retirement complex and staff to already congested roads.

From Richborough's own documents it states Peak traffic increase (both in and out of the development) is split into the 3 separate phases as follows (reference 6.1 – 6.13 Hub Transport Ltd)

Phase 1 (300 units)	am (8am – 9am)	144 movements
	pm (5pm – 6pm)	141 movements
Phase 2 (600 units)	am (8am – 9am)	351 movements
	pm (5pm – 6pm)	317 movements
Phase 3 (800 units)	am (8am – 9am)	425 movements
	pm (5pm – 6pm)	388 movements

This is more or less only 1 vehicular movement for every 2 units during these peak periods which seems very light given most dwellings have a minimum of 2 vehicles. The data uses the TRICS database between 01.01.2016 – 14.05.2024 which

includes a protracted period of COVID lockdown and no travel periods which means these figures will not be accurate.

The proposed access via Higham Road is equally concerning. Higham Road is a country lane that already experiences parking and traffic issues due to its use as a rat run to Islingham Farm Road and out to the Peninsula. The road is currently a 20mph road and HGVs are not permitted. Many properties along Higham Road lack driveways and rely on street parking, further limiting space for passing vehicles. The suggestion of introducing a bus route along this stretch of road is unfeasible given the current infrastructure limitations. The Highways report states priority will be given to the new development entry and exit and references that existing Higham Road users will give way to that access which is unacceptable. (Reference 5.4 – 5.9 Hub Transport Ltd). Also, no consideration has been investigated into the effects from Higham Road onto Hollywood Lane, this is completely unsatisfactory.

It has also come to the attention of the Parish Council that the enhancement works Richborough are proposing for the Four Elms roundabout has already been proposed and agreed with a signed section 106 document from the Medway One Kingsnorth site in Hoo. "TA1" from Hub Transport Ltd shows very clearly that Richborough are aware of the existing agreement with Medway Council for previously agreed improvements to the Four Elms Roundabout – (reference 5.13 – 5.16). The Parish Council, therefore, wish to seek clarification if Richborough are suggesting taking responsibility for the improvements, as "1701245 Letter to FPEC" implies (even if only by omission) about the works, statements on the consultation documents mentioning a left turn lane on the Four Elms roundabout and the information provided when Richborough came to give a presentation to the Parish lead us to believe this might be the case and they were conducting the works themselves.

Conclusion

The Parish Council respectfully urges that the views of local residents and Councillors be given due consideration to protect the wellbeing of both current and future residents. We trust that the planning officers will take these concerns into account when making their decision and object to this development.

Section 106 Agreement

If Medway Council are so inclined to accept this development, the Parish Council wish to seek section 106 contributions for further road improvements at the A289/B2000 junction next to the proposed site for the adjoining slip road joining the B2000 and the implementation of a new slip road leading from the B2000 joining the A289 heading towards Four Elms roundabout and Medway tunnel to reduce traffic traveling through Wainscott to get to Medway tunnel.

The Parish Council would also seek further funds for a new allotment site. The Parish currently rents land in a location next to a dual carriageway which is not a healthy environment, and the site can only be accessed by footbridge or a long walk through a field, making the site difficult to access. We wish to provide facilities in the area which will inspire local residents to come together to grow their own food but to

also engage with local schools and disability groups to bring people from all walks of life together.

We want to create an allotment society where residents of all ages and walks of life can engage together and share their knowledge, skills and produce. We have been approached by Wainscott School and the nursery requesting allotment plots which currently we do not have the capacity for but this is something we would love to offer to local schools. Allotment gardening is a very rewarding pastime and can contribute greatly to the quality of people's lives both mentally and physically. We also want to make sure the site is inclusive and accessible for those with disabilities, which is not something we have seen in Medway. To do this we want to create a car park, proper pathways and raised bed plots for those with mobility issues.

Medway Council Environmental Protection has advised as follows in relation to noise and air quality.

Please note the issues related to the potential district heating network and the air quality damage cost calculations.

Noise

Road traffic noise

Road traffic noise has been addressed in the assessment, informed by baseline surveys at key points on the site as well as consideration of future noise levels.

For the proposed residential properties, acoustic performance specifications have been provided, however, because final designs and layouts are not available, and could be subject to change, the following condition will be required:

Prior to the commencement of the development hereby permitted, a scheme of acoustic protection against road traffic noise shall be submitted and approved in writing by the Local Planning Authority. The scheme shall include full 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 is occupied and shall thereafter be maintained in accordance with the approved details.

I am particularly concerned about the noise impacts associated with development traffic growth at receptors along Higham Road, where the increases is 5.2dB which is a significant increase in the absence of any additional mitigation for any affected residential properties. I would like to understand what cumulative noise increases are at the affected receptors on Higham Road.

The proposed MUGA tucked away in the corner to the west of the site could be source of noise and anti-social behaviour issues especially if there is no actual/perceived surveillance of the area by users. Can you clarify the nature of the MUGA please? In particular if any boundary fencing will be erected around it as this can cause noise issues with ball impacts?

Mixed use local centre

The potential for noise issues will depend on types of uses, opening hours, types of plant and the proximity to residential properties. I note that uses are indicated as C2, C3, E and F2. No specific layouts have been provided so it is not possible to make any informed comments. This will probably require a range of conditions to guard against all eventualities, and assuming a worst-case scenario. If apartments are to be proposed then we will also be mindful of undesirable internally layouts between units causing noise transfer issues (e.g bedrooms next to living rooms). Any food uses which requires a kitchen extract system will require particular consideration in terms of both noise and odour. Class E and F have the greatest potential for causing issues given the wide variety of different businesses which could occupy any units.

So, the following conditions will be required:

Control of Cooking Smells and Noise

Prior to the commencement of the development hereby permitted, a scheme for the extraction and treatment of cooking fumes, including details for the control of noise and vibration from the system, shall be submitted and approved in writing by the Local Planning Authority. Noise from the extraction system (LAeq,T) shall be at least 10dB(A) below the background noise level (LA90,T) at the nearest residential facade, when assessed in accordance with BS4142:2014. The approved scheme shall be implemented before the development is brought into use and thereafter be maintained in accordance with the approved details.

Undesirable layout

The separating partition(s) between the bedroom and living/kitchen/dining room of any separately occupied residential unit shall resist the transmission of airborne sound such that the weighted standardised level difference (DnT,W +Ctr) shall not be less than 50 decibels as measured and calculated in accordance with BS EN ISO 16283-1 2014.

Commercial above or below residential

The partition(s) between any residential unit and any E and F use hereby permitted shall resist the transmission of airborne sound such that the weighted standardised level difference (DnT,W +Ctr) shall not be less than 60 decibels as measured and calculated in accordance with BS EN ISO 16283-1 2014.

Plant noise

Prior to the commencement of the development hereby permitted, acoustic assessment shall be undertaken to determine the impact of noise arising from the mechanical plant. The noise rating level (L_{Ar},Tr) of mechanical plant shall be at least 10dB below the background noise level (L_{A90,T}) at the nearest residential facade. All measurements shall be defined and derived in accordance with BS4142: 2014. The results of the assessment and details of any mitigation measures shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented before the development is brought into use and thereafter be maintained in accordance with the approved details.

Transmission of noise between residential and commercial premises

Prior to the commencement of the development hereby permitted, a scheme of acoustic protection to prevent noise transfer between any residential unit and any Class E and F use shall be submitted and approved in writing by the Local Planning Authority. The scheme must demonstrate that the internal noise levels within the residential units will conform to the indoor ambient noise levels for dwellings identified by BS8233 2014: Guidance on Sound Insulation and Noise Reduction for Buildings. All works which form part of the approved scheme shall be completed before any part of the development is occupied and shall thereafter be maintained in accordance with the approved details.

Hours for deliveries

No commercial goods shall be loaded, unloaded, stored or otherwise handled and no vehicles shall arrive or depart any Class E or F use within the application site outside the hours 07:00 to 19:00 Monday to Friday, 08:00 to 18:00 Saturday or at any time on Sunday or Bank Holidays.

In addition to the above I would recommend that suitable restrictions are place on the opening hours of any Class E and F uses to protect amenity.

District heating compound

It is not clear what the nature of this will be, and what mechanical plant may be present. Any noise impacts will need to be considered (covered by the above mechanical plant condition), as well as other emissions if relevant (e.g. air pollutants).

If any combustion plant is to be placed in this area earmarked for the district heating compound, then an air quality assessment will be required up front before permission is granted. I thereby will raise an objection to the granting of planning permission until further clarification is provided.

Primary school

The only potential noise issues for the primary school will be any mechanical plant (which would be covered by the above mechanical plant condition) and any MUGA provided.

Can you just get clarification if a MUGA is to be provided or not, and if so would there be any perimeter fencing and any community use outside of school hours?

Air quality

Please note that the comments below relate specifically to the impacts upon human health. Any impacts upon sensitive habitats are not within of the Environmental Protection Team. Further consultation with Natural England on this aspect of the air quality assessment may be required.

The air quality assessment focusses on road transport, however, it has not considered potential air quality impacts associated with the district heating network (see above).

The road traffic impacts of the development (over and above those associated with the future baseline and committed developments) indicate that there is unlikely to be a significant impact upon local air quality in the 2031 opening year. Concentrations are modelled receptors indicate likely compliance with the relevant air quality objectives, including at locations in any of the AQMAs.

A damage costs assessment has been undertaken, and this will determine the scale of an air quality mitigation scheme to offset the development related road transport emissions. The calculations underpinning the damage costs are provided in Appendix K, but it is not clear what source sector costs have been used. The Medway Air Quality Planning Guidance requires the use of Road Transport Uramn Big costs, as this reflects the total population of Medway. The calculations will need to be revised if they are based upon another sector cost as this would result in an underrepresentation of the damage costs associated with the development.

The damage costs assessment indicates that no HGVs have been included, yet the traffic flow data included Appendix F, for example for Lower Rochester Road, indicate an increase from the 2031 Do nothing to 2031 Do something scenario (which takes into account the development. This potentially results in an underrepresentation of the damage costs associated with the development.

Once the above matters regarding the district heating network and damage costs have been addressed, I should be able to advise further.

The applicant met with the Council officer on 29 September to discuss the comments set out above and submitted an Emissions Statement to address the key points.

The applicant also submitted the following summary of the discussion with the officer:

Based on the discussion, an Emissions Statement has been produced to address the key points. This document does not alter the conclusions of the ES or the residual effects reported within it. As such, no amendments to the ES are required and the submitted ES remains valid to support the application.

There was one outstanding point, in regard to the potential for a district heat compound and need for further details in respect of noise and emissions. Whilst this is referenced in several parts of the submission, it is only in the context that the potential for a heat compound will be “explored” at reserved matters stage. It does not form part of the proposals at this stage and it is not relied upon. On this basis, it is understood that the queries in respect of this element do not need to be addressed.

During the discussion with Stuart, the matter of the suggested conditions was also considered. It was agreed that reference to “mechanical” could be removed from the wording below, to allow for passive means to also be considered.

“Prior to the commencement of the development hereby permitted, a scheme of acoustic protection against road traffic noise shall be submitted and approved in writing by the Local Planning Authority. The scheme shall include full 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 is occupied and shall thereafter be maintained in accordance with the approved details.”

The Council's officer commented on 30 October as follows:

I can confirm the applicant's email reflects most of the conversation which took place and the approach/wording for the revised road transport noise condition is acceptable.

The officer also confirmed that he would provide amended wording for a condition to cover mitigation when he had reviewed the submitted Emissions Statement.

In respect of the district heat network compound, it was confirmed that as the parcel of land is shown only indicatively on illustrative plans and is not shown on any of the plans to be approved it will not form part of the permission.

The Council officer further commented on 31 October as follows:

I am happy to accept the emissions mitigation assessment which now accurately quantifies the air quality damage costs associated with the development related road transport emissions. The calculated damage costs will form the basis of the provision of air quality mitigation in accordance with our planning guidance. This can be secured by condition:

No development shall take place until an Air Quality Emissions Mitigation Statement has been submitted to and approved in writing by the Local Planning Authority. The Mitigation Statement shall be prepared in accordance with the Medway Air Quality Planning Guidance, and shall specify 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 approved MEC Consulting Emissions Mitigation Assessment dated October 2025, reference 27817-ENV-0403. The development shall be implemented, and thereafter maintained, entirely in accordance with the measures set out in the approved details.

Higham Parish Council have commented as follows:

Higham Parish Council feel it is in the best interest of parishioners to provide comments about the proposed outline planning application.

Our councillors have concerns that the development is not part of the Medway Plan, as well as the following:

- The proposal for 800 new homes with a primary school and mixed-use local centres is creating a new village within an already highly populated area.
- Roads around the proposed development are not suitable and already congested and wouldn't cope with such an increase in vehicles.
- Existing doctor surgeries and hospitals in the local are already overwhelmed with lengthy wait times for appointments and the proposed development would only add to the pressure on these facilities, which will continue to negatively impact people's health.

Please consider our comments carefully when deciding on this planning application

Medway Council Environmental Services comments in relation to contamination that The Phase I Geo-Environmental Desk Study December 2024 Report Ref: 27817-GEO-0401 Rev A by MEC Consulting Group Ltd is in line with current guidance and, based on the findings, recommends an intrusive investigation due to the potential for contamination on the site. I, therefore, recommend a land contamination condition be attached to a permission.

Contamination Condition

1. *Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until conditions 2 to 4 have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified in writing by the Local Planning Authority until condition 5 has been complied with in relation to that contamination.*
2. *An intrusive site investigation, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, including risks to groundwater, whether or not it originates on the site. The scheme shall be submitted to and approved in writing by the Local Planning Authority prior to*

commencement of the development. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report shall be submitted to and approved by the Local Planning Authority prior to the commencement of development. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;*
- (ii) an assessment of the potential risks to:*
 - human health.*
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes.*
 - adjoining land.*
 - groundwaters and surface waters.*
 - ecological systems.*
 - archaeological sites and ancient monuments.*
- (iii) an appraisal of remedial options, and proposal of the preferred option(s).*

This must be conducted in accordance with DEFRA and the Environment Agency's 'Land Contamination Risk Management document (LCRM)'.

- 3. A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and submitted to and approved in writing by the Local Planning Authority prior to commencement of the development. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.*
- 4. The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of any development (other than development required to enable the remediation process to be implemented) unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given not less than two weeks written notification prior to the commencement of the remediation scheme works. Following completion of the measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and submitted to and approved in writing by the Local Planning Authority prior to the bringing into use of the development.*
- 5. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 2, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 3, which is subject to the approval in writing of the Local Planning Authority.*

Following completion of the measures identified in the approved remediation scheme a verification report providing details of the data that will be collected in order to demonstrate that the works set out in condition 3 are complete and identifying any requirements for longer term monitoring of pollutant linkages, maintenance and arrangements for contingency action must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 4.

Also, the demolition and construction during the development will have an impact on the surrounding properties. In order to reduce the potential for nuisance caused by works the following condition should be applied.

Construction Environmental Management Plan

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; measures to control noise affecting nearby residents; wheel cleaning/chassis cleaning facilities; dust control measures; pollution incident control 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, unless any variations are otherwise first submitted to and approved in writing by the Local Planning Authority.

Medway Council Environmental Services in relation to waste refers the applicant to the Council's "Waste Management Requirements for New Developments" document (2019) to inform their waste strategy.

Medway Council Conservation Officer comments as follows in relation to heritage impact.

SUMMARY

The application is accompanied by the Scoping Report and its Heritage Statement in Appendix 6.1. I've reviewed this statement along with the indicative Development Framework Plan in Appendix 1.3. My comments relate only to the standing heritage that could be affected by the proposals, which include the designated heritage assets nearby (listed farm houses as set out in the heritage statement) and the non-designated heritage assets in the form of the historic farmsteads. I understand that archaeological effects and historic landscape effects advice will be covered elsewhere, though it is important to note that the landscape characterisation on the Kent Historic Environment Record identifies it as part field patterns and part horticultural land, with Stone House Farm forming a hamlet with the Stone Horse inn, and so identified as a settlement in between the field patterns character. There is, therefore, some crossover in my comments with the historic landscape. Whilst not explicitly referenced, I've referred to Historic England's Good Practice Advice Note 3: 'The Setting of Heritage Assets'.

It is very difficult to assess potential harm to heritage assets when an application, particularly one as large as this, is in outline form with only access not

reserved. However, referring to the potential for harm indicatively based on the Development Framework and the Demolition Plan, to summarise, less than substantial harm would be caused to the significance of Sole Street Farmhouse (grade II listed) and Sole Street Farm through the change of character (tranquility, intensification and change of use, rural to residential suburban character) to their setting, as an individual listed building and as a recognisable grouping of farmstead buildings surrounded by arable fields. Paragraphs 208, 212, 213 and 215 of the NPPF apply. As there will be a meaningful distance between the other historic farmsteads and their listed farmhouses in the vicinity, Stone House Farm and Brickhouse Farm, including the indicative buffers, the harm to the change in character of their surroundings is likely to be at the very low end of less than substantial. The nature of the harm is the same, however, in that this rural part of the Hoo Peninsula demonstrating the evolution of farming in the Frindsbury and Higham area will be fundamentally altered in character by the development as indicated in the supporting documentation to the application. Fields given over to arable land, orchard and chalk pits, rural activities, will be converted to a large scale residential development with associated infrastructure, school and local centre. Harm will be caused, by total loss, to the non-designated heritage asset (NDHA) of Blacklands Farm, as indicated in the demolition plan and the indicative layout. Paragraph 216 of the NPPF, therefore, applies, where the LPA is instructed to make a balanced judgement on the extent of harm (here it is total loss) and level of significance of the asset.

HERITAGE IMPACT

As above, the application is accompanied by a thorough heritage statement which acts mainly as a DBA for existing and potential archaeology but also includes the designated heritage assets in the vicinity, namely the three listed farmhouses discussed above. The statement includes an assessment of the contribution of the site to the significance of these heritage assets, and the effect of the indicative development on this. The proposal is, indicatively, a significantly large development within the countryside outside the containment of the A289 Hasted Road and, therefore, has the potential (being in outline form) to drastically alter the character of the area north of this road within the Hoo Peninsula.

Farmstead Significance

The Historic England Hoo Peninsula Landscape Project identifies the evolving character of farming on the peninsula, the practice of which resulted in the settlement pattern which is distinctive to the area. This is important as a character analysis in understanding the real contribution of the site to the significance of the listed farm houses and farmsteads as part of their setting, and, therefore, the likely effect on significance. The following excerpts from the project document *Hoo Peninsula, Kent: Hoo Peninsula Historic Landscape Project (Historic England, 27 September 2013)* are relevant to this application:

'In medieval Kent gavelkind tenure, where inherited land was divided between all sons rather than passed to just the eldest, resulted in farmers holding arable parcels scattered through many fields, rather than just a few main ones around a village. As land was shared out, new dwellings were constructed in some of these scattered

parcels, meaning that medieval farmers were more likely to live in farmsteads and hamlets dispersed throughout the fields, rather than in villages. The resulting patterns of land ownership meant that farmsteads were sited in relation to scattered rather than ring-fenced holdings and that some land within a parish would be held by people who didn't live there, as tithes for Higham from 1841 show, for example. This pattern appears to have been typical across the peninsula, suggesting that its land was valued by people living further afield.' (Page 63).

'In the 19th century farmsteads with dispersed layouts (comprising two or three working buildings) were replaced with buildings grouped around courtyards. These courtyard farmsteads became the dominant type on Hoo, reflecting intensification and the increasing importance of manure from yard-fed cattle for hops, arable and fruit. Today farmsteads with random arrangements of buildings reflect the earlier, less intensive agricultural regime and are found across the central ridge. By the end of the 19th century many farmsteads with loose courtyard groups had been remodelled into regular courtyard layouts (linked ranges surrounding a yard, often with a detached farmhouse), possibly at the same time as their fields were reorganised, in order to create interlinked, labour-efficient buildings (Fig 67). These types of farms are located in or around villages, perhaps reflecting changing labour needs' (Page 68).

Sole Street Farm and Farmhouse

Sole Street Farm is located within the red line of the outline application. The development Framework indicatively shows a green buffer to the farmstead including the soft landscaping around the proposed western access point. The farmstead includes the grade II listed early 16th century farmhouse with a good survival of timber frame. The farmstead is in a regular 'L' shaped courtyard with buildings to three sides of the yard, the farmhouse noted as being in a detached central position (KCC HER record). The farmstead is only just post-medieval (1540) but demonstrates neatly the evolution of farmsteads in this part of the Hoo Peninsula, as above. These scattered, but formal, farmsteads are an important part of the heritage of the Hoo Peninsula, being located outside of concentrated residential areas. The applicant's heritage statement identifies less than substantial harm on the low to mid end to the farmhouse, and I agree with this, but would also add harm to the farmstead as an NDHA. Referring to Historic England's GPA3, there will be, no matter the exact volume of development at a reserved matters stage, a significant change to the definition and grain of the surrounding landscape, the openness of that surrounding, and the longstanding rural character so important to the historic landscape character of this part of the Hoo Peninsula. The farmhouse and farmstead together will lose its tranquil, isolated character by the indicative change to its surroundings, including the proximity of the access road. This change would be permanent, with the suburbanisation, activity and lighting effects of a large residential development. Paragraph 215 of the NPPF applies.

Stone House (Stone Horse) Farmhouse and Farmstead and Brickhouse Farmhouse and Farmstead

Each of these farmsteads is located to the west of the proposed development, with at least one large field between them and the extent of indicative development the

other side of Lower Rochester Road. The current road layout is the same as that on the 1897-1900 OS map series, with Stonehorse (as it is on this map) Farm forming a hamlet at a crossroads to the north at Dillywood Lane and Stonehorse Lane, and Brickhouse Farm leading off from Stonehorse Lane to the south. Stone House Farmhouse is a grade II listed 18th century house (possibly earlier), and the farmstead identified on the KCC HER as an 18th century regular courtyard multi-yard farm with oast and farmhouses detached in a central position. Brickhouse Farmhouse is grade II listed and dates from 1677. The farmstead is identified as a 17th century farmstead in a regular courtyard U-plan. Only the farmhouse remains from the original farm buildings, though the layout is still apparent around the farmhouse, with newer development to the south.

The proposed layout of the development in the Development Framework document will alter the rural surroundings of the farmsteads and have a cumulative impact on Brickhouse Farm which is already affected by the busy A289 to the south. As the historic Lower Rochester Road has always formed a buffer between these two farmsteads and there is, according to the heritage statement, no historic association of the fields in the site with these farmsteads, the harm caused by the change in character and intensification of use to these farmhouses and farmsteads is at the low end. Brickhouse Farmhouse has also had a change of character to its surroundings with its relatively recent small residential development to the south, so the change in character will not be as marked as that to Stonehouse. In any case, harm would be the result and so paragraphs 215 and 216 apply. I disagree with the conclusion of the heritage statement that no harm would be caused. The reason given for this is generally that the land in the 'immediate' surrounds will not be affected, but this ignores the fundamental change to the wider setting as part of the characteristic farming settlement of this part of the Hoo Peninsula. It is inaccurate to state that the site does not contribute to the significance of any of these heritage assets purely due to proximity and lack of historic association, and co-visibility being only 'incidental'.

Blackhurst Farm NDHA

Blackhurst Farm is noted on the Kent County Council Historic Environment Record as being a post medieval regular courtyard farmstead with buildings to three sides of the yard incorporating an L-plan element, and the farmhouse detached side on to the yard. It is noted on the HER as having been significantly altered, but the plan form is very similar to that on the 1897-1900 OS map series on the KCC HER website. The heritage statement assesses each of the buildings individually, but this type of assessment is misleading as the heritage significance is formed not just from the age of the buildings in the farmstead, but their spatial relationship and use as well. We can, therefore, consider it to be a non-designated heritage asset characteristic of farmstead typologies on this part of the Hoo Peninsula. I disagree that it is an NDHA of low value, as per the heritage statement. The indicative layout shows the land to be allocated partly to development plots and partly 'land for biodiversity enhancement'. There is no real justification for its total loss. Paragraph 208 of the NPPF directs local planning authorities to identify the particular significance of any heritage asset (note this includes NDHAs) and 'take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal'. In my view, total demolition as indicated is, whilst the application is in

outline form, a material consideration at this stage given the weight that can be attributed in a reserved matters application to the demolition plan and development framework plan. This demolition could be avoided and, notwithstanding the harm to setting of a surrounding residential development, the farmstead incorporated into any proposal.

Paragraph 216 states that 'the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset'. The farmstead form is an integral part of the rural farmland character of this part of the Hoo Peninsula, and the proposal is for total loss. The heritage statement also concludes that paragraph 216 applies, but does not consider that other alternatives to demolition should be sought, as per paragraph 208.

CONCLUSION

Whilst it is difficult to assess level of harm to heritage assets from an outline application where all elements other than access are reserved, indicatively there will be heritage harm to three designated and three non-designated heritage assets. Harm at the mid point of less than substantial will be caused to the grade II listed Sole Street Farmhouse, and at the low end of less than substantial to Brickhouse Farmhouse and Stonehouse Farmhouse. Harm will also be caused to the non-designated heritage asset historic farmsteads associated with each of these listed buildings.

High Halstow Parish Council comments as follows:

The Parish Council and local residents strongly oppose the proposed development of 800 homes on the outskirts of Wainscott, as it extends beyond the clear settlement boundary established by the A289, encroaching upon valuable agricultural and greenbelt land. The site in question consists of predominantly Grade 1 and 2 agricultural land, the loss of which would represent a significant and irreversible reduction in high-quality farmland.

The current Local Plan clearly states:

The development of greenfield sites should be restricted to those well-related to the structure of the urban area, avoiding visual intrusion into the surrounding countryside, particularly the valuable urban fringe.

Additionally, the National Planning Policy Framework (NPPF) on Green Belt policy states:

The Government attaches great importance to Green Belts, with the fundamental aim being to prevent urban sprawl by keeping land permanently open and to identify the essential characteristics of Green Belts as being their openness and permanence.

The proposed development appears to contradict these principles and, if approved, would set a dangerous precedent for further encroachment into surrounding greenbelt land. This land currently serves as an essential green lung between Wainscott, Cliffe Woods, and Higham, helping to preserve the rural character of the area and prevent the merging of distinct settlements.

Furthermore, concerns have been raised regarding the impact on local biodiversity. There is no clear commitment to the preservation of hedgerows, which are crucial habitats for local wildlife. The farmland in question is home to several bird species, including Starlings, Greenfinch, Skylarks, and Whitethroats, many of which are classified as amber or red list species. It is also important to note the close proximity of Chattenden Woods and the Lodge Hill Site of Special Scientific Interest (SSSI), a recognised habitat for nightingales.

Air Quality and Environmental Health

Air pollution is a major concern for both residents and Councillors. The area surrounding the A289 and Four Elms Hill already exceeds national limits for NO₂ pollution. The 2024 draft Air Quality Annual Status Report states:

The main source of NO₂ air pollution in Medway is road traffic emissions from major roads, including the A289

Despite longstanding exceedances, no mitigation measures have been implemented. The 2022 Air Quality Annual Status Report confirms:

An AQAP for Four Elms Hill AQMA is currently being developed, but has been delayed with permission from Defra to coincide with the release of the new Medway Local Plan.

Medway Council has designated Four Elms Hill as an Air Quality Management Area (AQMA), meaning air pollution levels already pose a risk to public health. The loss of green space and hedgerows due to this development would further exacerbate poor air quality, impacting both existing and future residents.

Impact on Local Infrastructure and Services

The proposed development would add considerable strain to local infrastructure, which is already under significant pressure due to existing and planned developments in the area, including those at Manor Farm, Cliffe Woods, Cliffe, Chattenden, and Hoo.

Particular concerns include:

Healthcare.

Local GP surgeries are already struggling to meet demand due to staffing shortages. An increase in population without a corresponding expansion of medical services would worsen this situation.

Education.

" The Maritime Secondary School is currently admitting year groups in phases, but once at full capacity, it will serve children from Cliffe, Cliffe Woods, Higham, Chattenden, Wainscott, Upnor, and Strood. This raises concerns about whether sufficient school places will be available for families moving into the new development.

Traffic, Highways, and Parking Concerns.

Settlement

The proposed development is located outside the Wainscott Urban Area, beyond the established settlement boundary of the A289. The existing road network is already heavily congested, particularly when incidents occur on the A289 or Four Elms Hill.

Key concerns include:

A289 / B2000 Junction. This junction is already unfit for purpose, with frequent traffic build-ups and safety concerns due to fast-moving vehicles attempting to turn onto the B2000. It is also heavily used by large lorries, adding to congestion and safety risks.

Increased Traffic Volumes The development would introduce at least 1,600 additional vehicles, plus traffic from schools, community centres, and service vehicles, significantly worsening congestion in an area already prone to gridlock.

Higham Road Access" Higham Road is a narrow country lane that already suffers from parking and traffic issues due to its use as a shortcut. Many properties on this road lack driveways, forcing residents to park on the street. The proposal to introduce a bus route along Higham Road is unfeasible given the current road layout and infrastructure limitations.

Medway Council Highways comments dated 15 January 2025 confirmed that pre-application advice had been provided and that the conclusion of the pre-application discussions was that significant improvements will be required to support this development to ensure that alternative transport besides private car use is not only possible, but is an encouraged and attractive option. Advice provided at the pre-application stage should be incorporated into the application, particularly in relation to walking/cycling accessibility and public transport, including bus stop provision.

The following comments are made in relation to the application scheme:

Residential Vehicle Parking On-Site

As outlined during pre-application discussions, it is expected that parking will be provided within Medway's maximum parking standards.

In the DAAS, the Applicant outlines that dwellings will have driveways for off street parking, with additional parking available on the street to allow ample space for

residents and visitors. The DAAS states that parking provision will be in line with Emerging Policy at the detailed design stage. Detailed plan of parking provision will be required at this stage.

As stated during pre-application, it is preferable for parking to be provided unallocated where possible so that the overall quantum can be reduced as each bay would receive greater utility. Each dwelling is required to have electric vehicle charging provision.

Cycle parking is required for all dwellings, and this should be high-quality, secure and sheltered. The DAAS states that cycle parking provision will be in line with Emerging Policy at the detailed design stage. Detailed plans of cycle parking provision will be required at this stage. Cycle parking can be provided for housing by sheds of a minimum size of 1.4m x 2m, provided these sheds can be accessed via routes without steps or going through the inside of houses, in-line with LTN 1/20 guidance.

Refuse and Servicing

Requirements for refuse collection were discussed at pre-application.

It is acknowledged that details such as residential parking and refuse collection are reserved matters and are not necessarily actionable at the outline stage, however, these items are mentioned to ensure any masterplanning sufficiently accounts for these items.

Access Arrangements

It is proposed to have two main vehicle accesses to the site – a roundabout on the southwestern side on Lower Rochester Road (B2000), and a junction with Higham Road / Bunters Hill Road on the northeastern side.

It is proposed for the primary site access to be via a roundabout on Lower Rochester Road in the southwestern corner of the site. Confirmation that a junction of this scale would be necessary for a development of this size is required as roundabouts are not necessarily conducive to encouraging pedestrian and cycle movements.

Plans of preliminary roundabout design including HGV tracking and forward visibility splays are provided. Forward visibility splays of 120m on the roundabout approach are detailed in the Transport Assessment (TA). For the observed speeds of up to 43mph longer visibility splays will be required. Confirmation that the proposed junction can accommodate existing demand and forecast development growth for the opening year and a future year is required. The operational and strategic modelling approach is to be discussed in a meeting planned for February 2025. A Stage 1/2 Road Safety Audit (RSA) will be required of the proposed design.

Plans of the proposed change of priority between Higham Road/Bunters Hill Road and the site access junction are provided. Plans show visibility splays for 85 percentile speeds of 17-20mph. Clarity is required in relation to these visibility splays, they should be set back from the stop line by 2.4m and are not configured

correctly. Vehicle tracking plans for HGV are provided, further tracking of refuse vehicle, fire tender and buses should be provided where appropriate. HGV track plots suggest significant over sweeping of the opposing carriageway which should be reviewed. A Stage 1/2 RSA will be required of the proposed design. Confirmation that the proposed junction can function operationally and accommodate existing demand and forecast development growth for the opening year and a future year is required.

Both site access junctions are required to demonstrate a high level of pedestrian and cycle provision, and form part of continuous pedestrian and cycle links between the site and the nearby urban areas.

Off-site Active Travel Improvements

Advice provided during pre-application engagement should be followed in relation to off-site active travel improvements. Proposed off-site improvements should be detailed as part of a S278 package of works. A robust and thorough Travel Plan is also expected for the various uses on the site.

Off-site Highways Works

As discussed during pre-application off-site highway works that were to be made through the Hoo Infrastructure Fund are no longer coming forward. Proposed off-site works are required to be justifiable independent of any such improvements and the scheme should not assume these measures are coming forward.

The vehicle distribution exercise indicates there would be only a modest impact on the Four Elms Roundabout. This should be confirmed through further detailed modelling. If Medway move forward with a Four Elms Roundabout improvement scheme, a reflective contribution towards this may be sought.

It is important to ensure that the proposals do not have an unacceptable traffic impact on Wainscott, especially given that a significant proportion of traffic will be routing through the centre of the area. Appropriate capacity improvements may, therefore, be sought, however, the sustainable travel offering is expected to be the key item. Given the scale of the proposals, substantial improvements to nearby active travel and public transport are required, and should be detailed as part of any submission.

Modelling

The pre-application meeting had a focus on the modelling scope, this will be discussed further during meetings in February 2025. The modelling is expected to be undertaken using the Medway VISUM model for distribution and network modelling.

Key junctions are also expected to be modelled locally using Junctions 10/11, including the site access junctions and others to be determined. Modelling scope is to be determined and will be informed by strategic model outputs, indicating which junctions would be most significantly impacted. Modelling of SRN junctions is expected to be agreed with National Highways. It is envisioned that the requirements

of National Highways and Medway Highways can align, to avoid the applicant producing two separate assessments. However, this will be subject to ongoing discussions.

It is expected for baseline traffic to be derived from the VISUM model, validated/adjusted against freshly undertaken survey data. Future year traffic would be generated through TEMPro and committed developments, in a methodology to be agreed with Medway Highways as the scheme progresses.

The future year to use for assessment is subject to further discussion and agreement. Given the scale of the development and long timeframe until scheme completion, a future year scenario may be some years off and it would be best to agree the detail of the methodology closer to the time of modelling and once a firmer scheme proposal is provided.

Turning count data should be collected across key junctions in the survey scope to inform model calibration. ATC surveys have been undertaken at site accesses for the purpose visibility splays.

As development continue to progress through planning, it is required for the applicant to reach out to Medway Highways in advance of producing the updated flows, and a list of committed developments can be agreed at that time.

Travel Plan

A Framework Travel Plan will be required as part of the Application.

Summary

These Highways Comments relate to the outline application with some matters reserved, seeking approval for the principal means of vehicular access from Lower Rochester Road and Higham Road.

At the pre-application stage, it was advised that the planning submission be supported by a detailed Transport Assessment including modelling to be agreed with Medway Highways and National Highways. The package of sustainable transport measures will also be vital. A Travel Plan is also expected for this development.

At this stage, the access arrangements do not provide sufficient detail and information to demonstrate they can be viably implemented. Meetings are planned for February 2025 to discuss requirements and methodology for operational and strategic modelling to assess the proposals.

Medway Council Highways commented further on 10 September 2025 as follows:

Sustainable Accessibility

In Chapter 4 of the transport submission Sustainable Accessibility is considered. The Applicant provides link-based walking and cycling distance isochrones showing proximity to bus stops and railway stations. There are existing bus stops within an

800m walking distance of the site entrances, this does not account for travel distance within the site. Whilst there may be bus stops within 800m of the site, existing bus services are not high frequency and do not cover extensive routes.

Table 9 of the submission, showing distances from the site to selected local amenities, does not show the site is well located within walking distance of a range of facilities. Identified primary schools tend to be >1km from the site, with secondary schools >2km away. If a plan of amenities were provided it would not show that the site is in a sustainable location, where trips to local services are within reasonable walking and cycling distances.

Bus services – The Transport Assessment suggests that an hourly bus service serves the site Monday to Saturday, alongside dedicated school services. Services are perceived as being regular, but are not frequent enough to become an attractive alternative to private car.

Proposed bus service – The TA suggests that the Applicant intends to work with operators to extend an existing route into the site. It is felt that this intervention will be to the detriment of the existing (poor) service, affecting timetables and journey lengths of the existing service. The preferred solution would be to provide additional service(s) to complement the existing infrastructure.

Train services – The TA states that Strood station is more than 2K from the site which equates to a 30 min walk/13 min cycle. This is in excess of preferred walking distances. Stations may have suitable services levels and frequencies, but are not deemed to be accessible in terms of walking and cycling access standards.

Access Arrangements

It is proposed to have two main vehicle accesses to the site – a roundabout on the southwestern side on Lower Rochester Road (B2000), and a junction with Higham Road on the northeastern side. From a review of the latest plans submitted, access junction designs do not appear to have evolved since the January 2025 submission, hence previous comments remain valid. Medway Highways have consulted further with colleagues from the Medway Road Safety team to supplement previous comments.

Primary Access - Lower Rochester Road:

It remains that the primary site access is proposed to be via a roundabout on Lower Rochester Road in the southwestern corner of the site. Medway Highways maintain that roundabouts are not necessarily conducive to encouraging pedestrian and cycle movements. Highways also require confirmation that the proposed design meets DMRB standards and any departures from standard should be identified. In particular, suitability of entry angles and deflections require confirmation.

Appropriateness of visibility 'through' the roundabout also requires confirmation. The Applicant would also be required to enter into a S278 agreement in the future. A Stage 1/2 Road Safety Audit (RSA) will be required of the proposed design and does not appear to have been undertaken at this stage.

Plans of preliminary roundabout design including HGV tracking and forward visibility splays are provided. Forward visibility splays of 120m on the roundabout approach are detailed in the Transport Assessment (TA). For the observed speeds of up to 43mph longer visibility splays will be required, this has not altered in the latest submission.

The Applicant provides modelling results for the proposed Lower Rochester Road (B2000) junction for each development phase which suggests that forecast development growth for the opening year and future years can be accommodated. It should be acknowledged that the junction design and hence the modelling may need to be revised to meet design and safety requirements as outlined above. Commentary on the trip generation and distribution which are applied to the models is provided below.

Secondary Access - Higham Road:

Plans of the proposed change of priority for Higham Road and the secondary site access junction were provided. Following the January 2025 submission the Applicant confirmed that the junction is planned to be built to the north-west of Islingham Farm Road. Plans show visibility splays for 85 percentile speeds of 17-20mph. Clarity is required in relation to these visibility splays, they should be set back from the stop line by 2.4m and still do not appear to be configured correctly. The vicinity of the changed priority junction with Islingham Farm Road and the A289 bridge and embankment need to be considered from a safety perspective as part of a Stage 1/2 RSA which will be required for the proposed design.

Vehicle tracking plans for HGV were provided previously. Tracking of a refuse vehicle is provided in the most recent submission. The standard Medway refuse vehicle should be used for tracking. Fire tender and bus tracking are not provided in the submission. HGV and refuse vehicle track plots suggest significant over sweeping of the opposing carriageway which should be reviewed, this is a significant safety concern. Discussions with Medway Road Safety concluded that the give-way arrangement proposed is not appropriate as drivers may just drive through the junction without giving way. A clear stop line at a more clearly demarked T-junction is likely to provide a safer configuration and should be considered.

Modelling to confirm that the proposed secondary access junction can function operationally and accommodate forecast development growth for the opening year and a future year is provided and suggests the junction operates to an acceptable degree. Albeit the junction design and hence the modelling may need to be revised to meet design and safety requirements as outlined above.

As previously, both site access junctions are required to demonstrate a high level of pedestrian and cycle provision, and form part of continuous pedestrian and cycle links between the site and the nearby urban areas. Drawings suggest that improvements to pedestrian and cycle routes will be discussed with Medway, details and outcomes of these discussions are not provided. Understanding how pedestrian and cycle facilities will be enhanced and integrated with local network is key to understanding how the transport vision for the site will be delivered.

Internal layout: Limited detail is provided at this stage, further information will be required at a subsequent stage of the planning process.

Off-site Active Travel Improvements

Advice provided during pre-application engagement should be followed in relation to off-site active travel improvements. Proposed off-site improvements should be detailed as part of a S278 package of works. A robust and thorough Travel Plan is also expected for the various uses on the site.

Traffic Generation

As previously stated, it is important to ensure that the proposals do not have an unacceptable traffic impact on Wainscott, especially given that a significant proportion of traffic is likely to be routing through the centre of the area. Appropriate capacity improvements may, therefore, be sought, however, the sustainable travel offering is expected to be the key aspect of delivering the transport vision of the site. Given the scale of the proposals, substantial improvements to nearby active travel and public transport are required, details of how the transport vision is expected to be realised are not provided in the most recent submission.

If Medway move forward with a Four Elms Roundabout improvement scheme, a reflective contribution towards this may be sought.

Trip Rates:

A TRICS assessment has been undertaken for the residential, care home and primary school aspects of the development. A change in input parameters for each residential development phase is applied, this is deemed unnecessary, particularly in-terms of date range and location. The traffic generation for each land-use on the site should reflect the transport vision of the site, but this has not been accounted for in the scheme appraisal, specifically for residential and education elements of the development.

The Applicant makes reference to an area of influence informing the scope of the assessment, a plan of junctions in scope would be appreciated, alongside confirmation of how the area of influence was determined. Four Elms roundabout is excluded from the assessment based on low levels of development impact.

Modelling

Medway Highways advocated use of the Medway Modelling Approach, it is unclear the extent to which this has been followed.

We acknowledge and appreciate that the Applicant has undertaken VISUM modelling as per the Modelling Approach. In subsequent email communications the Applicants consultants confirm that the 2041 Reference Case and 2041 Reference Case + Development form the basis of the appraisal, which is appreciated.

For junction appraisal the Applicant provides assessments of both demand and actual flows, the rationale for this is unclear. Medway Highways need to understand the discrepancy between demand and actual flows. If there are significant discrepancies between demand and actual flows why is this and how does it relate to wider strategic model performance.

In assessing the local junction performance we assume that input traffic flows presented reflect a 'worst case' scenario rather than reflecting the transport vision for the development, this does not align with the Medway Modelling Approach and required by National guidance.

Junction Modelling:

Inputs to junction models may change as a result of comments provided above.

A289 off-slip – the Applicant acknowledges that no base model has been prepared, which has the potential to undermine the process and may undermine the forecast models and designs, the Applicant accepts this and has the opportunity to rectify. It was noted in previous comments that turning count data should be collected across key junctions in the survey scope to inform model calibration.

A289 on-slip – delays and queues from the site to the north are very significant and are likely to block back to the off-slip, which could in turn block back to the through carriageway, this needs to be addressed. From an operational perspective the on/off slips should be assessed as a linked junction to confirm management of queues on slip roads and junction interoperability. The Applicant also needs to confirm that proposed changes are deliverable on-site, in terms of providing signals on the bridge.

For a series of junctions including the Higham Road/Hoo Road/Wainscott Road (Linked) Double Mini Roundabouts, Sans Pereil roundabout and Upnor roundabout, these are forecast to be operating over capacity in the reference case and may require mitigation from a pool of development contributions.

Travel Plan

A Framework Travel Plan has been provided as part of the Application. We note that the desired walking distance for schools is 2km and 800m for town centres. The specified distance from the site to the nearest school is 2km and to the nearest town centre is 2.5km. These are both over the desired distance meaning that it is unrealistic to assume that future residents will choose to walk for education trips and to amenities within the town centre. As an alternative, the main viable transport would be by bus. However, we note uncertainty as to whether a new bus route will be funded or not. Currently, the bus provisions near the site are not regular and would prove a barrier to enabling sustainable travel. With this in mind, there should be a contingency plan in place in case the proposed additional route is not funded. If the bus route is funded, it should be in place upon first occupancy. If not, this would be a further barrier to residents using public transport upon occupation of the site. Furthermore, there should be more emphasis on arranging bus vouchers / fare discounts for the residents.

Due to distance from the train station, Medway Highways do not believe travelling by train is a realistic mode of travel, however, it would be worthwhile to include cycle journey times from the site to the station in the travel plan as this would make it more attractive for commuters.

The Travel Plan should also include an action plan of further policies and initiatives if modal shift targets are not met.

Summary

These Highways Comments relate to the outline application with some matters reserved, seeking approval for the principal means of vehicular access from Lower Rochester Road and Higham Road.

At this stage, the access arrangements do not provide sufficient detail and information to demonstrate they can be viably and safely implemented. Additional information required:

- Stage 1/2 Road Safety Audit (RSA) of primary and secondary accesses.
- Primary access confirmation of meeting DMRB standards and any departures from standard.
- Confirmation of how pedestrian and cycle facilities at access junctions will be enhanced and integrated with local network to contribute to realising the transport vision for the site.
- Confirmation of operation and buildability of A289 on/off slips and their interaction to ensure that movement along the A289 is not impeded.

Further information is also required to confirm

- How the sustainable transport vision for the site is to be realised
 - Mode share targets
 - Trip internalisation
 - Vision led trip generation.
- Travel demand from the site can be suitably accommodated on the local road network.

It is noted that additional information has been provided by the applicant in relation to highways matters and a response is awaited on these from Medway Council Highways.

Kent County Council's Ecological Advice Service comments as follows:

SUMMARY – FURTHER INFORMATION REQUESTED

We have reviewed the ecological information submitted in support of this application and advise that **further** information is requested from the applicant prior to determination of the planning application. This includes:

- The results of five scheduled wintering bird surveys.
- The results of an additional bat emergence survey for building 'B1'.

- The results of bat emergence surveys/endoscope surveys for trees assessed as PRF-M which are to be pruned/felled.
- eDNA survey results or an IACPC for great crested newts (GCN); and
- A revised Shadow HRA (contingent on the results of incomplete wintering bird surveys).

ECOLOGICAL CONSTRAINTS AND MITIGATIONS

The submitted Environmental Statement (ES) (Wardell Armstrong, December 2024) (Chapter 8: Biodiversity) is based on several incomplete surveys and needs additional work before we can recommend determination.

The ES considers impacts to bats, badgers, breeding and wintering birds, reptiles and great crested newts (GCN). Conclusions are drawn and outline mitigation measures are recommended despite the fact that the following details are outstanding:

- Wintering bird surveys are incomplete (results needed for December 2024 through March 2025; five surveys not yet carried out).
- Bat emergence and endoscope surveys are incomplete (building 'B1' needs one more emergence survey and five trees which are referred to T24, T27, T28, T29 and T49 have been assessed as PRF-M and are proposed for pruning/felling [see ES 8.1.78] and, therefore, require full surveys); and
- No GCN surveys have been conducted on the two ponds within 500m of the site; the applicant intends to carry out eDNA surveys on this pond or pursue District Level Licensing (DLL) (it is not clear which) but no survey results have been submitted, nor has an IACPC.

All of the above are material considerations and need to be reconciled prior to determination. This is in accordance with paragraph 99 of the ODPM Circular 06/05 which states: *"It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision."*

Surveys which have been completed include:

- Reptile surveys (these have concluded that the site supports low populations of common lizard and grass snake); ES 8.3.43 recommends *"translocation to an off-site receptor site, surveys of the receptor site, exclusion fencing, and a trapping programme (minimum 60 days)."* Three years of post-completion monitoring are proposed (8.4.40).
- Breeding bird surveys (these have concluded that there are between three to five skylark territories onsite; it is not clear how many, see ES 8.1.93 & 8.3.33); offsite mitigation (three skylark plots per lost territory) will be required.
- Bat activity surveys (these have concluded that the site supports a bat assemblage of 'local' importance, with 90% of activity being from common pipistrelle bats, 7.8% from soprano pipistrelle bats, 0.8% from Noctules and <0.4% each from Myotis, Plecotus, Leisler's and Nathusius's pipistrelle bats); onsite mitigation will be required (sensitive lighting scheme,

- retention/enhancement of boundary vegetation); and
- Badger surveys (there are two active outlier setts onsite and one disused sett); the need for a mitigation licence from Natural England is noted in ES 8.1.137.

A Framework Ecological Mitigation and Enhancement Strategy (Tyler Grange, December 2024) has been submitted but this is of little use until surveys are completed. Once the full suite of ecological surveys has been completed, the following conditions are likely to be required:

- A sensitive lighting strategy for bats.
- A full enhancement strategy (including integral bat and bird features in new houses on a 1:1 ratio).
- A Habitat Management and Monitoring Plan (HMMP).
- A CEMP.
- A full mitigation strategy for reptiles.
- A full mitigation strategy for skylarks; and
- A full mitigation strategy for badgers.

Mitigation measures for roosting bats and wintering birds may be required depending on the results of outstanding surveys.

DESIGNATED SITES

A Shadow Habitats Regulations Assessment (sHRA) (Tyler Grange, December 2024) has been submitted. It is quite misleading that section 7.7 of the sHRA states *“[the] information provided in this report, as well as the other reports referenced provides the competent authority with sufficient information to carry out an Appropriate Assessment”*, yet in section 5.4 it is noted that *“[a] full assessment cannot be made until completion of the [wintering bird] survey work.”*

We discourage Medway Council from adopting the conclusions of the sHRA until wintering bird surveys are completed. This is because the application site may yet be found to constitute ‘functionally linked land’ (FLL) and may, therefore, need to be *“scrutinised in the same legal framework just as are the direct effects of acts carried out on the protected site itself”*. It is common to request two years of wintering bird surveys to rule out functional linkage. In this instance, one year of surveys is acceptable, but we currently do not have that.

Whilst the sHRA considers recreational effects (to be mitigation in accordance with agreed North Kent SAMMS), air quality effects (also see ES 8.3.51) and water quality effects (also see ES 8.3.52) to National Site Network (NSN) designated sites, all effects are scoped out at the appropriate assessment stage subject to mitigation. We will review these conclusions in due course (on receipt of survey results and an updated sHRA, if required).

BIODIVERSITY NET GAIN (BNG)

Under the Environment Act 2021 and the Town and Country Planning Act 1990 (as amended), all planning applications received in England (with a few exemptions)

must deliver at least a 10% biodiversity net gain (BNG) from the 12 February 2024 and all minor applications from the 2 April 2024. Where required, the Defra Statutory Metric will need to be used to demonstrate a minimum 10% biodiversity net gain. Local policy may request a higher level of net gain. Significant gains will need to be secured for at least 30 years.

Biodiversity net gain is a statutory requirement of this proposed development. References to the biodiversity value of any habitat or habitat enhancement are to its value as calculated in accordance with the biodiversity metric.

This is an outline application, so the submitted Statutory Biodiversity Metric (Tyler Grange, December 2024) is taken as indicative only. The ES (8.1.136) confirms that biodiversity gains to be delivered over the 49.49ha site include traditional orchard creation, tree planting, SUDs creation and the creation/enhancement of ~5ha of natural/semi-natural greenspace. The submitted metric accords with these statements and indicates that the baseline value of the site (129.13 habitat units and 10.15 hedgerow units) will be increased by 10.55% and 92.69%, respectively. Habitat losses are anticipated across primarily low distinctiveness habitats (including large areas of cereal and non-cereal cropland and intensive orchards) as well as medium distinctiveness neutral grassland. However, all trading rules are met in the metric (losses can be compensated for onsite).

The user comments in the metric are highly useful in detailing habitat creation/enhancement proposals with reference to The Statutory Biodiversity Metric – Technical Annex 1: Condition Assessment Sheets and Methodology (July 2024).

We are confident that 10% biodiversity gains can be delivered onsite, with full details being required at the Biodiversity Gain Plan and HMMP stage (pre-commencement). Biodiversity gains on this site will need to be secured via S106 to ensure monitoring and remediation over a 30-year period. Condition wording can be provided on receipt of the required information (detailed above).

Kent County Council's Ecological Advice Service further commented on 17 September 2025 as follows:

SUMMARY – NO FURTHER INFORMATION REQUESTED

We have reviewed the ecological information submitted in support of this application and advise that no further information is requested from the applicant prior to determination of the planning application.

ECOLOGICAL CONSTRAINTS AND MITIGATIONS

Our previous comments of 13 February 2025 included requests for the following ecological information prior to determination of the planning application:

- The results of five scheduled wintering bird surveys (a total of six wintering bird surveys have now been conducted; the site is not considered Functionally Linked Land due to lack of qualifying species from the Medway/Thames Estuary and Marshes SPA/Ramsar sites).

- The results of an additional bat emergence survey for building 'B1' (surveys complete; roosting bats presumed absent from the structure).
- The results of bat emergence surveys/endoscope surveys for trees assessed as PRF-M which are to be pruned/felled (surveys complete; roosting bats presumed absent from these trees, suitably remains 'PRF-M' for trees T24, T29 and T49).
- eDNA survey results or an IACPC for great crested newts (GCN) (ponds 1 and 2, both within 250m of site, could not be accessed for surveys; a precautionary approach is recommended as pond 1 is separated from the site by the B2000 and extensive areas of unsuitable habitat and pond 2 is almost 500m away and separated from the site by development); and
- A revised Shadow HRA (contingent on the results of incomplete wintering bird surveys) (no longer needed).

All of our previous requests for further information have been addressed and the results of the updated surveys do not necessitate any changes to the Environmental Statement. As such, we are able to recommend determination and suggest condition wording (below).

DESIGNATED SITES

We previously advised that the submitted Shadow Habitats Regulations Assessment (sHRA) (Tyler Grange, December 2024) was limited by the fact that surveys for wintering birds were incomplete and the potential for the site to constitute Functionally Linked Land1 (FLL) was, therefore, unknown. These surveys have since been completed. Qualifying bird species associated with nearby designated sites were not present on the application site in significant numbers and the application site is, therefore, not considered to constitute FLL.

Other potential effects highlighted in the sHRA include recreational effects (to be mitigated in accordance with the adopted North Kent SAMMS), air quality effects (see ES 8.3.51) and water quality effects (see ES 8.3.52) to National Site Network (NSN) designated sites. Such effects are scoped out at the appropriate assessment stage subject to mitigation.

As such, the conclusions of the sHRA can be adopted by Medway Council for the purposes of carrying out a full HRA. No adverse effect to any NSN site is anticipated as a result of the proposed development.

BIODIVERSITY NET GAIN (BNG)

Under the Environment Act 2021 and the Town and Country Planning Act 1990 (as amended), all planning applications received in England (with a few exemptions) must deliver at least a 10% biodiversity net gain (BNG) from 2 April 2024. Where required, the Statutory Biodiversity Metric will need to be used to demonstrate a minimum 10% biodiversity net gain. Local policy may request a higher level of net gain. Significant gains will need to be secured for at least 30 years.

Biodiversity net gain is a statutory requirement of this proposed development. References to the biodiversity value of any habitat or habitat enhancement are to its value as calculated in accordance with the biodiversity metric.

This is an outline application, so the submitted Statutory Biodiversity Metric (Tyler Grange, December 2024) is taken as indicative only. The ES (8.1.136) confirms that biodiversity gains to be delivered over the 49.49ha site include traditional orchard creation, tree planting, SUDs creation and the creation/enhancement of ~5ha of natural/semi-natural greenspace. The submitted metric accords with these statements and indicates that the baseline value of the site (129.13 habitat units and 10.15 hedgerow units) will be increased by 10.55% and 92.69%, respectively. Habitat losses are anticipated across primarily low distinctiveness habitats (including large areas of cereal and non-cereal cropland and intensive orchards) as well as medium distinctiveness neutral grassland.

The user comments in the metric are highly useful in detailing habitat creation/enhancement proposals with reference to The Statutory Biodiversity Metric – Technical Annex 1: Condition Assessment Sheets and Methodology (July 2024).

We are confident that 10% biodiversity gains can be delivered onsite, with full details being required at the Biodiversity Gain Plan and HMMP stage (pre-commencement). Onsite biodiversity gains are considered significant. Government guidance states:

“The maintenance of these significant enhancements must be secured with a legal agreement (planning obligation or conservation covenant) or planning condition for 30 years in the same way as off-site gains. LPAs will consider the most appropriate mechanism and this will need to be agreed at the planning permission stage.” It is our view that significant on-site gains should be subject to a S106 agreement or conservation covenant to secure a monitoring fee and ensure enforceability over a 30-year period. Monitoring fees should always be secured for significant on-site gains as these will be subject to 30 years of monitoring reports which will need to be reviewed by the LPA at their own cost. Verna have created a tool to calculate BNG monitoring fees.

RECOMMENDED CONDITIONS/INFORMATIVES

Note: The deemed condition of planning permission relating to biodiversity gain as per Schedule 7A 13(1) of the Town and Country Planning Act 1990 will apply by default but should be referred to in the decision notice as an informative. The condition is that the development may not be begun unless:

- (a) a biodiversity gain plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan

LIGHTING: *Prior to commencement of works above slab level, a sensitive lighting strategy which has been designed to minimise impacts on biodiversity shall be submitted to and approved in writing by the local planning authority. The strategy shall:*

- a) *Identify areas/features on-site where disturbance could occur to bat*

roosting sites and/or foraging/commuting routes.

b) Provide appropriate, scaled plans to show how and where external lighting shall be installed.

c) Detail technical specifications for the external lighting.

d) Provide commentary clearly explaining how the Bat Conservation Trust's 'Guidance Note 8 Bats and Artificial Lighting at Night' (or subsequent update) has been considered during the lighting design process.

e) Provide lighting contour plans depicting expected lux levels on the horizontal plane (and vertical plane where necessary), so that it can be clearly demonstrated that areas to be lit shall not disturb the activity of relevant ecological receptors; and

f) Present this information so as to enable non-lighting professionals to understand the avoidance and mitigation measures proposed.

All external lighting shall be installed in accordance with the specifications and locations set out in the approved strategy and be maintained thereafter.

Reason: To limit the impact of light pollution from artificial light in accordance with the NPPF 2024, paragraph 198(c). With consideration for bats and other nocturnal wildlife in accordance with the NPPF 2024, paragraph 187(d).

HMMP: *The development shall not commence until a Habitat Management and Monitoring Plan (the HMMP), prepared in accordance with the approved Biodiversity Gain Plan, and based on up-to-date habitat condition assessment information (as determined by a suitably qualified ecologist), has been submitted to, and approved in writing by, the local planning authority and including:*

a) a non-technical summary.

b) the roles and responsibilities of the people or organisation(s) delivering the HMMP.

c) the planned habitat retention, creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan.

d) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development; and

e) the monitoring methodology and frequency in respect of the retained, created or enhanced habitat to be submitted to the local planning authority.

The retained, created and/or enhanced habitat specified in the approved HMMP shall be managed and maintained in accordance with the approved HMMP. Monitoring reports shall be submitted to local planning authority in writing in accordance with the methodology and frequency specified in the approved HMMP.

Reason: To ensure the development delivers the required biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990.

CEMP: *No development shall be undertaken (including any site and/or vegetation clearance) until a Construction Environmental Management Plan (CEMP) which contains full details of the precautionary and mitigation measures outlined in the*

Environmental Statement (Chapter 8) (Wardell Armstrong, December 2024) and Framework Ecological Mitigation and Enhancement Strategy (Tyler Grange, December 2024) has been submitted to and approved in writing by the local planning authority. The CEMP shall be based on up-to-date ecological survey information, as advised by a suitably qualified ecologist, and include the following details:

- a) Retained tree and hedgerow protection measures in accordance with BS 5837:2012.*
- b) Mitigation measures for reptiles, including a full translocation strategy which accords with the Natural England guidance note 'Reptiles: advice for making planning decisions' (April 2025).*
- c) A badger mitigation strategy which accords with the Natural England guidance note 'Badgers: advice for making planning decisions' (April 2025);*
- d) Precautionary measures (which may be presented as a series of method statements) to avoid impacts to great crested newts, nesting birds and roosting bats.*
- e) The role and responsibilities of an Ecological Clerk of Works (ECoW) or similarly competent person(s); and*
- f) Copies of any protected species mitigation licences issued by Natural England as required.*

The approved CEMP shall be adhered to and implemented throughout the construction period in accordance with the approved details.

Reason: To protect biodiversity in accordance with the NPPF 193, to avoid an offence under the Wildlife and Countryside Act 1981 (as amended) and Protection of Badgers Act 1992 and with consideration for Species of Principal Importance under the Natural Environment and Rural Communities Act 2006.

EMES: *Prior to commencement of works above slab level, an Ecological Mitigation and Enhancement Strategy (EMES) which is based on the Environmental Statement (Chapter 8) (Wardell Armstrong, December 2024) and Framework Ecological Mitigation and Enhancement Strategy (Tyler Grange, December 2024) shall be submitted to and approved in writing by the local planning authority. The EMES shall include full details of the following ecological enhancement and mitigation measures:*

- a) Compensation for the loss of three skylark territories with the provision of nine skylark plots and/or the adequate provision of increased winter seed resources and protection of mitigation areas with use of signage and fencing as outlined in the Environment Statement 8.4.31.*
- b) Long-term management, monitoring and remediation details for the reptile receptor site(s) as outlined in the Environment Statement 8.4.34.*
- c) Model and location details of integral bat and bird boxes which are to be clearly depicted in elevations drawings and provided in accordance with BS 42021:2022 on a 1:1 ratio to residential units.*
- d) Provision of other ecological enhancements outlined in the Framework EMES, including provision of insect boxes/structures, 'bug hotels', additional bird/bat boxes to be affixed to mature trees and the creation of 'hedgehog highways'.*

For avoidance of doubt, habitat creation and enhancement measures are to be detailed in a separate HMMP. Monitoring reports shall be submitted to local planning authority in writing in accordance with the methodology and frequency specified in the approved EMES.

Reason: To protect and enhance biodiversity in accordance with paragraphs 187, 192 and 193 of the National Planning Policy Framework (December 2024), and in order for the Council to comply with Part 3 of the Natural Environment and Rural Communities Act 2006.

Kent County Council's Archaeological Officer commented as follows:

I previously provided detailed comments on the archaeological potential of the site at the EIA Scoping stage (see attached) and I am pleased to see that the recommendations and advice given there has been largely taken into account in the preparation of the ES chapter on Archaeology and Built Heritage. I welcome the provision of a geophysical survey and the inclusion of specialist Palaeolithic assessment.

Please note, that in my advice below I am focusing on the impacts of the scheme on archaeology. I recommend that the views of your council's conservation officer are sought on the scheme in respect of the impacts on built heritage assets (including the setting of listed buildings) and on the impact on the landscape character of the area. I note that several of the built heritage assets affected by the scheme relate to historic farmsteads and agricultural use of the landscape. In this respect I would note the clear and appreciable historic and functional link between such farmsteads and the agricultural landscape around them. In any planning decision to consideration should be given to how the landscape character of the area contributes to our understanding of the significance of the historic and listed farmsteads. For the affected listed farmsteads the statutory duty under section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 applies which requires the decision-taker to have special regard to the effect of the proposal on listed buildings and the desirability of preserving the building or its setting.

Archaeological background

I have set out detailed comments on the archaeological potential of the proposed development site in the attached scoping response. Since providing this advice the applicant has prepared a Heritage Statement (including archaeological desk-based assessment) and carried out geophysical survey of part of the proposed development site.

The desk-based assessment includes specialist assessment of the site's Palaeolithic interest, but it is disappointing that this does not fully follow KCC's standard requirements for a desk-based assessment and walkover survey for areas with known Palaeolithic potential as recommended at the scoping stage. Nevertheless, the specialist assessment rightly notes that the proposed development site is in a "landscape with demonstrated potential for Palaeolithic archaeology of international significance" and that "the available evidence suggests that the site has high potential for Palaeolithic archaeology".

For later periods the desk-based assessment notes that there is a ring ditch of presumed Bronze Age date within the development site (in an area currently used as orchards). I note that a second (additional) ring-ditch, possibly a double ring-ditch, is recorded within the site on the Kent Archaeological Society's on-line 'archaeological features mapping'. The applicant's desk-based assessment assigns local significance to the identified ring-ditch, but I do not agree with this assessment. The ring-ditch(es) are likely to be of at least regional significance and dependent on their level of archaeological interest could yet be of national importance. I, therefore, suggest that the site has a high potential for Prehistoric archaeology of at least regional importance but that this potential currently appears to be focussed within only part of the site.

The applicant's desk-based assessment suggests that there is a low potential for archaeology of other periods (Romano-British onwards). I suggest that this is a reasonable assessment based on current understanding, although it is possible that this may change through further archaeological investigation.

Recommendations

The applicant's ES suggests that archaeological mitigation will be required and that this can take the form of a programme of archaeological investigation and recording along with the subsequent publication of the results. I do not agree with this suggestion. The site has the potential for Palaeolithic remains of high or very high (potentially international) importance and for post Palaeolithic archaeology of regional (or greater) importance. Should important archaeology be present the presumption, in accordance with the provisions of the NPPF, should be for that archaeology to be preserved in situ so that harm is avoided or minimised. The greater the significance, the greater the presumption that archaeology should be preserved. The applicant's desk-based assessment acknowledges that there is the potential for Palaeolithic archaeology of the highest importance.

Important archaeology will not be present across the whole site, however. For example, the most significant Palaeolithic archaeology might be expected in dolines (deep depressions/capture points formed by the solution of the underlying chalk) and, therefore, are likely to be discrete (and potentially deep). Similarly, the area where ringditches have been identified is localised in the northern part of the site. Given the outline nature of the application and the parameters set out I suggest that provision should be made for a detailed programme of archaeological and geoarchaeological evaluation (including specialist Palaeolithic evaluation) to be carried out in advance of any reserved matters application, so that the future detailed layout and design of the site can be tailored to allow the preservation in situ of important archaeology. Where archaeology is not to be preserved in situ provision should be made for its appropriate investigation and recording in line with the mitigation recommendations in the ES. Provision should be made for the dissemination of the archaeological investigations by means of an appropriate programme of archaeological reporting, publication and deposition of the archive. I suggest that such an approach could be secured by means of a phased condition attached to any forthcoming planning consent. The following covers what would be required:

Archaeology

To assess, manage and mitigate the impacts of development on archaeological remains:

- A) Prior to the submission of any reserved matters application the applicant (or their agents or successors in title) shall have submitted a report to the local planning authority for approval which details the results of a programme of archaeological field evaluation works, including geoarchaeological and specialist Palaeolithic evaluation. The evaluation shall have been carried out in accordance with a written specification and timetable which has been submitted to and approved in writing by the local planning authority in writing.
- B) Following completion of archaeological evaluation works, no development shall take place until the applicant or their agents or successors in title, has agreed and secured the implementation of any safeguarding measures to ensure preservation in situ of important archaeological remains and/or undertaken further archaeological investigation and recording. The agreed safeguarding measures and/or further archaeological investigation and recording shall be carried out in accordance with a written specification and timetable which. has been submitted to and approved in writing by the local planning authority.
- C) The archaeological safeguarding measures, investigation and recording shall be carried out in accordance with the agreed specification and timetable.
- D) Within 6 months of the completion of archaeological works an archaeological Post-Excavation Assessment Report shall be submitted to and approved in writing by the local planning authority. The Post-Excavation Assessment Report shall be in accordance with Kent County Council's requirements and include:
 - 1. a description and assessment of the results of all archaeological investigations that have been undertaken in that part (or parts) of the development;
 - 2. an Updated Project Design outlining measures to analyse and publish the findings of the archaeological investigations, together with an implementation strategy and timetable for the same;
 - 3. a scheme detailing the arrangements for providing and maintaining an archaeological site archive and its deposition following completion.
- E) The measures outlined in the Post-Excavation Assessment Report and Updated Project Design shall be funded by the developer and implemented in full and in accordance with the agreed timings.

Reason: To ensure that features of archaeological interest are properly examined and recorded in accordance with policy BNE21 of the Medway Local Plan and the National Planning Policy Framework.

Additionally, given the scale of the development and the potential for the presence of important archaeological remains, I suggest that opportunities should be sought and secured for the delivery of public heritage benefits. The NPPF notes that heritage assets are an irreplaceable resource which can make a positive contribution to the quality of life of existing and future generations (NPPF 202), and highlights the need to make information gathered as part of the development management process publicly accessible (NPPF 206 & 218). Public benefit can take a range of forms (see Public benefit | ClfA), including through on-site interpretation. It is suggested that the following conditions could be applied to secure the delivery of public benefit and on-site archaeological interpretation:

Heritage benefit

No development shall take place until a Heritage Engagement Strategy has been submitted to and approved in writing by the Local Planning Authority. The Heritage Engagement Strategy shall include proposals for the interpretation of the site's historical and archaeological interest and for public engagement with the archaeology and heritage of the site.

and

Prior to the occupation of the development, details of on-site interpretation to be incorporated within the development will have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall be prepared in accordance with the Heritage Engagement Strategy required under Condition X and shall include detail of the location, design, dimensions and materials of proposed on-site interpretation works. The approved details shall be implemented in full prior to the first occupation of the development hereby permitted and retained and maintained thereafter.

Reason: To ensure a satisfactory visual appearance and to ensure the development makes a positive contribution to local character and distinctiveness.

Finally, I note that the proposed development includes for the demolition of Blacklands Farm, which is a non-designated heritage asset. Your council's conservation officer should be consulted on the demolition of this historic farmstead. If your council is minded to agree the demolition of this non-designated heritage asset, it would be appropriate (in line with the recommendations of the ES) for the farmstead to be subject to a programme of historic building recording. The following covers what would be required:

Historic building recording

No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of building recording in accordance with a written specification and timetable which has been submitted to and approved by the Local Planning Authority.

Reason: To ensure that historic building features are properly examined and recorded.

Kent Fire and Rescue Service comment that:

Applicants should be aware that in the event of planning permission being granted, the Fire & Rescue Service would require the access routes, hardstanding and turning facilities onsite to meet the requirements of Approved Document B, Volume 1:2019, Table 13.1.

Applicants should be aware that in the event of planning permission being granted the Fire and Rescue Service would require emergency access, as required under the Building Regulations 2010, to be established. I draw your attention to the access driveway which should be a minimum of 3.7 metres in width. Where there is a pinch point due to gates etc the width may be reduced to a minimum of 3.1 metres. The driveway is required to allow a fire engine to reach a location, a maximum of 45 metres from the furthest point within in the dwelling. The distance of 45 metres may be extended up to 90 metres for a house with no floor more than 4.5m above ground level or 75m for houses and flats having one floor more than 4.5m above ground level, on the provision of a domestic fire suppression system installed to the appropriate standard.

Fire Service access and facility provisions are a requirement under B5 of the Building Regulations 2010 and must be complied with to the satisfaction of the Building Control Authority. A full plans submission should be made to the relevant building control body who have a statutory obligation to consult with the Fire and Rescue Service.

Kent Police DOCO makes the following recommendations for the layout and design of this scheme:

Dwellings / Retirement Living

1. Consideration should be given to the provision of informal association spaces for members of the community, particularly young people. These must be subject to surveillance but sited so that residents will not suffer from possible noise pollution, in particular the green spaces surrounding the site, any parking areas/ courts and pedestrian routes. These areas must be well lit and covered by natural surveillance from neighbouring properties.
2. Perimeter, boundary and divisional treatments must be a minimum of 1.8m high. Any alleyways to have secure side gates, which are lockable from both sides, located flush to the front building line.
3. To meet SBD guidance we would strongly recommend the installation of pavements on both sides of the roads to avoid vehicle and pedestrian conflict and promote safer spaces for families. It is now common practice to have some shared vehicle/ pedestrian areas on secondary routes. If pavements cannot be installed in these shared spaces, we strongly recommend traffic calming measures, especially where there is a curvature in the road.
4. Parking - To help address vehicle crime, security should be provided for Motorbikes, Mopeds, Electric bikes and similar. SBD or sold secure ground or wall anchors can help provide this. We advise against the use of parking courts as they can create an opportunity for crime. Where unavoidable, the areas must be covered by natural surveillance from an "active" window e.g.

lounge or kitchen and sufficient lighting – the same recommendations apply to on plot parking bays. In addition, we request appropriate signage for visitor bays to avoid conflict and misuse. If car ports are unavoidable, we recommend they be lit and painted in a light colour to optimize surveillance opportunities. For car parks, we recommend the Safer Parking Scheme, which follows CPTED guidance from both the police and the British Parking Association.

5. New trees should help protect and enhance security without reducing the opportunity for surveillance or the effectiveness of lighting. Tall slender trees with a crown of above 2m rather than low crowned species are more suitable than “round shaped” trees with a low crown. New trees should not be planted within parking areas or too close to street lighting. Any hedges should be no higher than 1m, so that they do not obscure vulnerable areas.
6. Lighting - Please note, whilst we are not qualified lighting engineers, any lighting plan should be approved by a professional lighting engineer (e.g. a Member of the ILP), particularly where a lighting condition is imposed, to help avoid conflict and light pollution. Bollard lighting should be avoided, SBD Homes 2019 states: “18.3 Bollard lighting is purely for wayfinding and can be easily obscured. It does not project sufficient light at the right height making it difficult to recognise facial features and as a result causes an increase in the fear of crime. It should be avoided.” Lighting of all roads including main, side roads, cul de sacs and car parking areas should be to BS5489-1:2020 in accordance with SBD and the British Parking Association (BPA) Park Mark Safer Parking Scheme specifications and standards.
7. All external doorsets (a doorset is the door, fabrication, hinges, frame, installation and locks) including folding, sliding or patio doors and individual flat entrance doors to meet PAS 24: 2022 UKAS certified standard, STS 201 or LPS 2081 Security Rating B+. Please note PAS 24 is a minimum-security standard, and communal doors may require a higher standard, such as STS or LPS.
8. Windows on the ground floor or potentially vulnerable e.g. from flat roofs or balconies to meet PAS 24: 2022 UKAS certified standard, STS 204 Issue 6:2016, LPS 1175 Issue 8:2018 Security Rating 1/A1, STS 202 Issue 7:2016 Burglary Rating 1 or LPS 2081 Issue 1.1:2016 Security Rating A. Glazing to be laminated. Toughened glass alone is not suitable for security purposes.
9. For cycle storage, we advise on the use of ground/ wall SBD or sold secure anchors within a lockable shed or storage area. Bin storage must also be secure with access control.
10. Mail delivery to meet SBD TS009 are strongly recommended for buildings with multiple occupants along with a freestanding post box of SBD/Sold Secure approved Gold standard. If mail is to be delivered within the lobby, there must be an access-controlled door leading from the lobby to the apartments/ stairs on the ground floor to prevent access to all areas.
11. CCTV is advised for all communal entry points and to cover the mail delivery area.
12. Bedroom windows on the ground floor require a defensive treatment to deflect loitering, especially second bedrooms often used by children.
13. We recommend “A GUIDE FOR SELECTING FLAT ENTRANCE DOORSETS 2019” for buildings featuring multiple units, any covered access must deflect loitering that can stop residents and their visitors from using it without fearing

- crime. Entrance doors must be lit and designed to provide no hiding place.
14. For the main communal doors audio/visual door entry systems are required. We strongly advise against trade buttons and timed-release mechanisms, as they permit unlawful access and have previously resulted in issues with Crime and ASB.
 15. Security Compartmentation is required in larger apartment blocks (over 25 units) or fewer in densely populated buildings or areas of higher crime. It helps reduce the opportunity for crime, the taking over the home of a vulnerable person in order to create a base for criminality and unauthorised free access throughout the building. It can be achieved with formal access control on lifts, staircases and lobby doorsets on all floors.
 16. Defensible spaces. Corner properties require well established boundaries to avoid desire lines across front gardens. This can be provided by using hedges or knee rails/ fences, for example.
 17. Blank Walls. It is important to avoid the creation of windowless elevations and blank walls immediately adjacent to public spaces. This type of elevation tends to attract graffiti, inappropriate loitering, and ball games. The provision of a 1m buffer zone using either a 1.2 – 1.4m railing or a 1m mature height hedge with high thorn content should address those issues.
 18. Vehicle mitigation may be required on pedestrian routes, to prevent mopeds or similar vehicles accessing the area and causing nuisance.
 19. Open space. Open space areas must be well lit and boundaries must be clearly defined to avoid conflict or ball games causing nuisance. For any LAP or LEAP, we recommend fencing at a minimum height of 1.2m and vandal resistant play equipment. Consideration should be given to a single dedicated entry and exit point to enable adult control/supervision.
 20. Community areas/ gardens will also require more natural surveillance, appropriate boundary treatments and access control as they generally attract Crime, ASB and nuisance. It is also advised that tools and equipment that are either of high value, or can be used to commit an offence are either not left overnight or secured in lockable storage areas.
 21. Public Footpaths should be at least 3 metres wide to allow people to pass without infringing personal space and to accommodate passing wheelchairs, cycles and mobility vehicles. Consideration should be given to the provision of informal association spaces for members of the community, particularly young people.
 22. Planting. We would recommend dense / prickly planting to ensure individuals stay on pedestrian routes, and do not create desire lines. or spaces where potential offenders can hide from view.

Primary School

23. We recommend the use of the Secured By Design (SBD) principles for this proposal to show commitment to crime prevention and community safety.
24. For doorsets and windows, please refer to SBD New Schools 2014 guide for recognised security standards products of a Police preferred specification.
25. Vehicle mitigation barriers are recommended for wide pedestrian areas and near the main entrance to avoid conflict and to safeguard pedestrians.
26. SBD prefers one entrance area at the perimeter of the site serving both vehicles and pedestrians or separate entrances that are located in close

proximity to one another to aide mutual supervision. The entrance should be gated and when the school is closed and unoccupied, the gates must be locked. Access control of these gates is essential, and a full audio-visual access control system should be installed. CCTV coverage to monitor access and egress.

27. Formal recreation spaces such as multi-use games areas and external all-weather sport facilities may encourage trespass outside of normal school hours. Perimeter security is paramount as previously discussed.
28. Secure storage for play and sports equipment, including seasonal storage for goalposts etc, should, where possible, be provided within the main building, with ready secured access from outside.
29. Regarding renting out facilities or community use, the layout of the building must allow visitors access to be restricted to those areas only preventing any further access. Door access control may be required.
30. From a security and child safety aspect, we recommend that all fire exits are alarmed to alert staff should these be opened.
31. A security alarm system should be installed and utilized when the building is not in use.
32. Landscaping. Trees should be pruned so that they do not provide climbing aids, which may compromise the secure boundary.
33. Waste bins should be kept in a secure enclosure, ideally away from the building as bins can be used as a means to commit crime, be a climbing aid or even an arson hazard.
34. Lighting. Appropriate lighting will be required. Please refer to the SBD guide.
35. We recommend CCTV coverage of the main entrances/exits and remote areas that tend to be unsupervised due to the lack of natural surveillance and can potentially attract anti-social gathering.
36. Secure cycle racks are required as previously discussed, and ideally covered by CCTV to prevent cycle theft. We strongly advise SBD and Sold Secure standard certified cycle storage that has passed testing as they offer additional security. In addition, we advise the inclusion of SBD and Sold Secure standard certified wall or ground anchors.

Mixed Use Local Centre

37. We recommend boundary treatments be a minimum of 2m and the installation of lockable gates to the sides of the unit to provide controlled access to the rear. These gates must be flush to the building line to optimize surveillance.
38. We recommend natural surveillance for parking areas. As a secondary layer of security, we would also recommend CCTV be installed to further monitor use. We also strongly recommend gating access roads/ parking areas to prevent nuisance parking and misuse out of hours.
39. Defined pedestrian routes to/ from the building are recommended to improve safety and avoid pedestrian and vehicle conflict.
40. Cycle storage must be well lit and with natural surveillance. We recommend the sold secure or SBD recommended products for additional security.
41. Lighting - Please note, whilst we are not qualified lighting engineers, any lighting plan should be approved by a professional lighting engineer (e.g., a Member of the ILP), particularly where a lighting condition is imposed, to help avoid conflict and light pollution. we recommend that a suitable lighting policy

is installed to ensure that the units and staff have safe access to and from the units and to help deflect criminality. External lighting to conform to minimum standard of BS5489-1:2020.

42. CCTV to be installed, especially in areas with limited natural surveillance such as rear of the units, utility areas/ bin stores and on the access/ exit road. We also recommend cameras in the following areas to keep users safe and monitor their movements; any access points, any tills or other areas where cash handing might take place, any stairs, emergency access doors, lifts, loading/ unloading areas, car park and reception, main office/ safe. The CCTV must not infringe any lighting plan.
43. We strongly recommend alarms, with an auto-dial function, be installed on all external doors, including emergency exits.
44. All external doorsets (a doorset is the door, fabrication, hinges, frame, installation, and locks) including folding or sliding to meet PAS 24: 2022 UKAS certified standard, STS 201 or LPS 2081 Security Rating B+. Please Note, PAS 24: 2012 tested for ADQ (Building Regs) has been superseded and is not suitable for this development.
45. Windows on the ground floor to meet PAS 24: 2022 UKAS certified standard, STS 204 Issue 6:2016, LPS 1175 Issue 8:2018 Security Rating 1/A1, STS 202 Issue 7:2016 Burglary Rating 1 or LPS 2081 Issue 1.1:2016 Security Rating A. Glazing to be laminated. Toughened glass alone is not suitable for security purposes. Any curtain walling and fixings should be tested and meet BS EN 1627:2011 and/or be certified to LPS 1175: Issue 7, SR1 or STS 202: Issue 3, BR1.
46. Any Shutters should be as close to the building line as possible and must avoid the creation of a recess. Shutters must be certificated to LPS 1175: Issue 7, SR2; STS 202: Issue 3, BR2; Sold Secure Gold or PAS 68:2013
47. Bin Stores must be secure, lit and, if in an area with limited natural surveillance we recommend CCTV cameras be installed. We also strongly advise against placing this store close enough to the building that it can be used as a climbing aid into the building when closed. Please note where there is a mixed-use building, residential and commercial bins must be segregated.
48. If any buildings are to have roof access for maintenance of solar panels and lift shafts etc., we recommend that ladders/ access doors to these areas are securely locked so that members of the public are unable to access this area. We also required CCTV to cover this area in order to monitor unauthorized access.
49. If access control is being considered. The Access Control, Doorsets and Windows should also meet SBD Commercial 2015 advised standards. Any public access to commercial units should be restricted to one main public/visitor entrance into the building. Reception, Audio/Visual systems linking to the reception or personnel managing access control is essential for businesses that could attract crime risk (we can advise). For doorsets, we recommend minimum standards of PAS 24:2022, LPS 1175: Issue 7, SR2, STS 201 or STS 202: Issue 3, BR2. Units may require additional strengthening for some uses.

If approved, site security is required for the construction phase. There is a duty for the principle contractor "to take reasonable steps to prevent access by unauthorised persons to the construction site" under the Construction (Design and Management)

Regulations 2007. The site security should incorporate plant, machinery, supplies, tools and other vehicles and be site specific to geography and site requirements.

We welcome a discussion with the applicant/agent about site specific designing out crime.

If the points above are not addressed, they can affect the development and local policing.

The Lead Local Flood Authority (LLFA) commented as follows on 23 February 2025:

Recommendation: Objection – Further Information Required.

This response has been provided upon reviewing the documents submitted with the planning application.

After reviewing the submitted information, it is noted that the intended discharge method for this site is through infiltration. The submitted Flood Risk Assessment highlights that the total storage volume proposed on the site is 18,871.84m³, which will be provided through a series of infiltration basis to manage the flow created for all events. The report also mentions that additional drainage features such as rain gardens, permeable paving and swales will be used to provide additional storage and act as a first line of treatment to improve the quality of run off within the area. It is noted that within the BRE Testing completed the worst-case infiltration rate of 2.89x10-5m/s.

Although the submitted documents highlight the drainage on the site can be managed a review of relevant documentation has raised some concerns with this proposal.

The Strategic Flood Risk Mapping from Medway Council's Local Flood Risk Strategy Technical Appendix 2 Groundwater Assessment Figure 6 Infiltration SUDS Suitability Map, it suggests the site has 'opportunities for bespoke infiltration SUDS' but also suggests 'very significant constraints are indicated'. The infiltration rate of 10-5 does not match what would be expected from this area and, therefore, the LLFA would request some further information to ensure that the site can be effectively drained.

For this application we would request that there is a safety factor include within the application based on the potential for poor infiltration. We would ask that further BRE 365 infiltration testing is completed in the exact position of the proposed SUDS features to ensure that the required SUDS on site are met through design. In addition to this would it be possible to look at alternative locations for the SUDS elements, currently they are all located along the Southern Boundary, and it may present a better scheme with a management train if the SUDS can be spread across the site.

The LLFA would recommend considering a combination of enhanced features to deal with infiltration based on the findings of the Strategic Flood Risk Assessment. A broader drainage scheme, spread across the site may provide an enhanced

infiltration. This may include rain gardens, infiltration trenches, extensive permeable paving, green roofs and rainwater harvesting.

Following receipt of additional information, the LLFA commented on 24 June 2025 as follows:

Recommendation: Approval – Subject to Conditions.

This response has been provided upon reviewing the documents submitted with the planning application.

After reviewing the submitted information, it is noted that the intended discharge method for this site is through infiltration. The submitted Flood Risk Assessment highlights that the total storage volume proposed on the site is 18,871.84m³, which will be provided through a series of infiltration basins to manage the flow created for all events. The report also mentions that additional drainage features such as rain gardens, permeable paving and swales will be used to provide additional storage and act as a first line of treatment to improve the quality of run off within the area. It is noted that within the BRE Testing completed the worst-case infiltration rate of 2.89x10⁻⁵m/s.

We would ask that further BRE 365 infiltration testing is completed in the exact position of the proposed SUDS features to ensure that the required SUDS on site are met through design.

Condition: No development shall take place until a scheme based on sustainable drainage principles, has been submitted to and approved in writing by the Local Planning Authority in consultation with the Lead Local Flood Authority.

The scheme shall include (where applicable):

- i. Details of the design of the scheme (in conjunction with the landscaping plan where applicable).
- ii. A timetable for its implementation (including phased implementation).
- iii. Operational maintenance and management plan including access requirements for each sustainable drainage component.
- iv. Proposed arrangements for future adoption by any public body, statutory undertaker or management company.

The development shall be undertaken in accordance with the agreed scheme.

Reason: To manage surface water during and post construction and for the lifetime of the development as outlined at Paragraph 168 of NPPF.

Condition: 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 168 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.

Condition:

No development shall commence until details of a Construction Surface Water Management Plan (CSWMP) detailing how surface water and storm water will be managed on the site during construction (including demolition and site clearance operations) is submitted to and agreed in writing by the local planning authority in consultation with the LLFA. The CSWMP shall be implemented and thereafter managed and maintained in accordance with the approved plan for the duration of construction.

The approved CSWMP and shall include method statements, scaled and dimensioned plans and drawings detailing surface water management proposals to include:

- i. Temporary drainage systems.
- ii. Measures for managing pollution / water quality and protecting controlled waters and watercourses.
- iii. Measures for managing any on or offsite flood risk

The development shall be undertaken in accordance with the agreed details.

Reason: To manage surface water during and post construction and for the lifetime of the development as outlined at Paragraph 168 of NPPF.

Lower Medway Internal Drainage Board commented on 10 November 2025 as follows:

The application site is located within a river catchment that drains into the Lower Medway Internal Drainage Board's district. However, the proposed drainage strategy for the site involves managing surface water through on-site storage in ponds and infiltration techniques. Therefore, the proposal does not significantly impact the interests of the Drainage Board. Medway Council's Drainage Department, which acts as the Lead Local Flood Authority, is the appropriate body to address the surface water drainage design.

If minded to grant permission, the Board would advise that planning conditions are imposed to ensure development is in line with the Flood Risk Assessment and Drainage Strategy including that prior to development, a full scheme for surface water disposal and a Construction and Environment Management Plan (CEMP), both based on SuDS principles, are submitted to and approved by the local planning authority and the schemes verified on site. In addition, it would be prudent to formally condition permission that prior to development, a maintenance schedule for the permanent SuDS features is submitted to and approved by the local planning

authority. It should specify ownership, a timetable for implementation, and provide a management and maintenance plan for the lifetime of the development. All SuDS should be located in accessible areas, and the plan should be based on guidance in the CIRIA SuDS Manual 2015.

National Grid commented that an assessment had been carried out with respect to NGET apparatus and the proposed work location. Based on the search area entered in the LSBUD system for assessment the search area was found to not affect any NGET apparatus.

National Highways have commented on three occasions as follows:

April 2025:

Recommend that planning permission not be granted for a specified period.

It is recommended that the application should not be determined for a period of three months until 1 July 2025.

This recommendation can be replaced, renewed, or reviewed during the three-month period, or at its end, dependent on progress made with regards to the outstanding matters.

We will be concerned with proposals that have the potential to impact on the safe and efficient operation of the SRN, in this case, particularly within the vicinity of the M2.

We have reviewed the application and submitted supporting information, focusing on the Transport Assessment and the Travel Plan. Our response is set out below. Action points for the applicant are highlighted in underlined.

Policy Context

The national policy for the Strategic Road Network is the Department for Transport (DfT) Circular 01/2022: Strategic road network and the delivery of sustainable development. The submitted Transport Assessment (TA) does not reference this policy. The Circular includes a requirement for development to be vision-led, which is also an expectation of the National Planning Policy Framework (December 2024).

There is a need for reference and adherence to DfT Circular 01/2022.

A vision-led approach for the development is required. The vision should set out how traffic impacts will be minimised by maximising opportunities for sustainable travel and internalising movements as far as possible. The vision should be clear how it meets the relevant requirements of DfT Circular 01/2022.

Trip Rates and Trip Generation

Residential - The TA includes residential trip rates which have been obtained from the TRICS database version 7.11.3. The TA contains separate trip rates which have

been developed for each of the three phases of the development. This is deemed to be unnecessary, and we would request that one residential trip rate is adopted and then used to calculate the trip generation associated with each phase of the development. Accordingly, we have confined our review to the trip rates associated with 800 dwellings.

The TRICS trip rates contained within the TA for 800 dwellings are shown in Table 2 below. It is seen that the 800 dwellings are forecast to generate 425 two-way vehicle trips during the AM peak and 388 two-way vehicle trips during the PM peak.

Table 2 : Residential Vehicle Trip Rates – 800 dwellings

Peak Period	Trip Rate (per dwelling)		Trips		Total
	In	Out	In	Out	
AM	0.155	0.376	124	301	425
PM	0.334	0.151	267	121	388

Source: TA Table 13 (HTP, December 2024)

We have concluded that the trip rates which are presented for the 800 dwellings are acceptable as 'pre-vision' trip rates.

The trip rates are required to be 'vision led' and require to be reviewed considering the vision for the development and those measures which are proposed to achieve the aims of the vision (see above comments on adherence to DfT Circular 01/2022).

Care Home - The TA includes care home trip rates which have been obtained from the TRICS database version 7.11.3 as shown in Table 3 below. It is seen that the care is forecast to generate 13 two-way vehicle trips during the AM peak and 7 two-way vehicle trips during the PM peak.

Table 3 : Care Home Trip Rates – 80 bed

Peak Period	Trip Rate (per bedroom)		Trips		Total
	In	Out	In	Out	
AM	0.087	0.070	7	6	13
PM	0.037	0.049	3	4	7

Source: TA Table 14 (HTP, December 2024)

We have concluded that the trip rates which are presented are acceptable.

2FE Primary School - The TA includes 2FE primary school trip rates which have been obtained from the TRICS database version 7.11.3 as shown in Table 4 below. It is seen that the primary school is forecast to generate 265 two-way vehicle trips during the AM peak and 19 two-way vehicle trips during the PM peak.

Table 4 : 2FE Primary School Trip Rates – 420 pupils

Peak Period	Trip Rate (per pupil)		Trips		Total
	In	Out	In	Out	
AM	0.344	0.287	144	121	265
PM	0.017	0.028	7	12	19

Source: TA Table 15 (HTP, December 2024)

We have concluded that the trip rates which are presented are acceptable as 'pre-vision' trip rates.

The trip rates are required to be ‘vision led’ and require to be reviewed considering the vision for the development and those measures which are proposed to achieve the aims of the vision (see above comments on adherence to DfT Circular 01/2022).
 Trip Distribution/Assignment

The trip distribution within the TA is based on 2011 Census travel to work data for Medway 004 middle super output area (MSOA). The presented data has been reviewed and is concluded to be in order. It is seen that the trip assignment demonstrates that 46% of trips will travel to/from the SRN at M2 J1, as follows:

- A289 Hasted Road and A2 west – 25.2% of trips
- A289 Hasted Road and M2 east – 20.8% of trips

The trip distribution and assignment has been reviewed and is concluded to be acceptable.

While the provided trip distribution is suitable for the residential development, the trip distribution for the care home and the primary school should also be provided.

Assessment Scenarios

The TA notes that the development will be undertaken in three phases, with the development to be included within each phase as shown in Table 5 below. It is seen that the residential element is to be developed in three phases, while the care home, primary school and local centre will be provided as part of phase 2. We note from the below table that the residential development shown at each phase is the cumulative total e.g. at phase 2 the total residential quantum will be 800 dwellings. We suggest that this table is revised to show the residential quantum which is to be constructed at each phase, to avoid misunderstanding.

Table 5 : Phasing of the Proposed Development

Estimated Year	Phase	Residential Dwellings	Care Home	2 FE Primary School	Local Centre
2029	1	300			
2032	2	800	80 bedrooms	420 pupils	Shop and community facilities
2036	3	800			

Source: TA Table 16 (HTP, December 2024)

In accordance with the requirements of DfT Circular 01/2022, as there is no up-to-date local plan, the assessment should reflect ‘all relevant development that is consented or allocated where there is a reasonable degree of certainty will proceed within the next 3 years and include the full amount of development to be built’. We, therefore, request that assessment is undertaken based on the initial development opening year, considering all of the development quantum. In the event that mitigation is identified then additional assessment can be undertaken to identify the ‘trigger point’ when the mitigation should be implemented.

Modelling

We acknowledge that the applicant is willing to plug the proposal into the strategic transport model (VISUM) being developed to inform and test the emerging Local Plan scenarios.

We can confirm that based upon the presented trip generation and trip assignment there is a requirement for assessment of M2 J1.

Details of the VISUM model need to be provided, including:

- model calibration and validation
- future year scenarios
- committed development assumptions
- reference case
- how this proposed development will be treated in the model.

We are happy to meet with the applicant to discuss the scope further and what needs to be addressed in the modelling for it to be compliant with the requirements of DfT Circular 01/2022.

Collision Analysis

There is a requirement for collision analysis to be undertaken at M2 J1 using STATS19 data for the most recent five-year period for which data is available. The need for collision analysis at other locations will be advised upon following review of the network modelling results.

Travel Plan

The Travel Plan (TP) includes the following stated objectives:

- *To reduce the reliance on the private car and to minimise the number of single occupancy car traffic movements to/from the site.*
- *To encourage the use of sustainable modes of travel, particularly walking and cycling to nearby the site from nearby residential areas.*
- *To encourage car sharing between employees of the site by raising awareness of its benefits; and*
- *To minimise, where possible, the impact of the site on the local area.*

The TP aims to achieve a 5% reduction in single occupancy car journeys made to and from the site within five years of full occupation compared to the base value.

The measures contained within the TP comprise measures to promote and encourage the use of sustainable transport modes. There are no physical measures included such as walking / cycling facilities and provision of public transport facilities. For a development of this scale, it is reasonable to expect significant physical measures to be provided to encourage the reduction in travel by private car.

The vision for the development should be defined (see above comments on adherence to DfT Circular 01/2022), then those measures which are proposed to achieve the aims of the vision should be identified. The proposed measures are not deemed to be sufficient to support the 5% reduction in vehicle trip rates noted above.

The TP includes for monitoring to be undertaken annually, together with setting targets.

At such time the vision for the site is finalised, a review of the TP will be required to ensure alignment with the vision.

Other Matters

Given the location of the application site a Construction Traffic Management Plan (CTMP) will need to be prepared, agreed with National Highways, and implemented. At the appropriate stage of the planning process, we are minded to recommend a suitable planning condition in relation to the preparation, agreement, and adherence to a CTMP.

This represents our initial requirements based upon the information submitted in support of this application at the time of preparing this response.

Conclusion

Given the above, it is currently not possible to determine whether the application would have an unacceptable impact on the safety, reliability and/or operational efficiency of the SRN.

National Highways currently recommends that planning permission not be granted (other than a refusal if the Council so wishes) for a period of three months until 1 July 2025 to allow the applicant to resolve the outstanding matters.

This recommendation can be replaced, renewed, or reviewed during the three-month period, or at its end, dependent on progress made with regards to the outstanding matters.

July 2025:

Recommend that planning permission not be granted for a specified period.

Reasons

We have engaged with this application since it was first submitted.

Our representations to date, the last being dated 1 April 2025, set out our concerns and requirements.

At this point in time, we are not objecting to the application. Rather we are seeking necessary evidence to facilitate our assessment of the application. The concerns and requirement remain those set out in our 1 April 2025 response.

To allow the submission and assessment of the required evidence we are, therefore, obliged to extend our holding Recommendation until 1 October 2025.

This recommendation can be replaced, renewed, or reviewed during the Holding period, or at its end, dependent on progress made with regards to the outstanding matters. And it does not preclude the Council from either refusing the application if it so wishes or agreeing a planning extension of time.

Overall Conclusions/ Recommendation

Given the above, it remains not possible to determine whether the application would have an unacceptable impact on the safety, reliability and/or operational efficiency of the SRN (the tests set out in DfT Circular 01/2022 and MHCLG NPPF 2024).

In light of the above, National Highways currently recommends that planning permission not be granted for a period expiring on 1 October 2025 to allow the applicant to resolve the outstanding matters.

1 October 2025:

Recommendation: that planning permission not be granted for a specified period.

It is recommended that the application should not be determined for a period expiring on 5 January 2026.

This recommendation can be replaced, renewed, or reviewed during the holding period, or at its end, dependent on progress made with regards to the outstanding matters.

Reasons

We have reviewed the application and the submitted supporting documents from the SRN perspective. The SRN in the vicinity of the site comprises A2 Trunk Road/ M2. The nearest junctions are M2J1-3.

We will be concerned with proposals that have the potential to impact on the safe, reliable and/or efficient operation of the SRN (the tests set out in DfT C1/22 and MHCLG NPPF2024).

We provided a Holding recommendation dated 1 April 2025 setting out our initial concerns and requirements. Given that no response had been received, the HR was extend on 1 July 2025, expiring on 1 October 2025.

On 10 September we received direct from the case officer further submissions by way of an updated Transport Assessment, that is now also available via the application webpage.

We have assessed the submissions and would comment as follows:

Background

1. National Highways was previously consulted by Medway on 5 September 2024 with regard to the Environmental Impact Assessment (EIA) scoping opinion, with the National Highways response dated 9 September 2024 highlighting the need for a Transport Assessment (TA) and the need to adhere to Department for Transport (DfT) Circular 01/2022.
2. A meeting was subsequently held between the applicant, National Highways

and its spatial advisors Jacobs SYSTRA Joint Venture (JSJV) on 11 November 2024, with key points highlighted by National Highways and JSJV including:

- Vision-led approach to be adopted which seeks to reduce transport demand.
 - TA scoping note to be produced to detail modelling methodology, including consideration of modelling software, vision led trip rates, phasing and Lower Thames Crossing (LTC).
3. National Highways was consulted by Medway on 11 March 2025 and asked to review documents submitted in association with the planning application. The submitted documents included a TA and a Travel Plan (TP), both prepared by Hub Transport Planning (HTP) and dated December 2024. The National Highways Planning Response (NHPR) dated 1 April 2025 included the following comments:
- Reference and adherence to be made to DfT Circular 01/2022.
 - Trip rates to be vision led, residential trip generation to be forecast using one trip rate.
 - Assessment scenarios to be in accordance with DfT Circular 01/2022.
 - Several details requested to be provided in association with the Medway VISUM model, prior to confirming suitability for proposed assessment.
 - From review of the presented data there is a requirement for assessment at M2 J1, including four merge / diverge locations associated with the M2 mainline and two merge / diverge locations associated with the A289 / A2.
 - Assessment requirements for Lower Thames Crossing (LTC) arrangement at M2 J1 to be advised following review of network modelling results.
 - Collision analysis to be undertaken at M2 J1.
4. National Highways has been consulted by Medway on 10 September 2025 and asked to review documents submitted in association with the planning application. The submitted documents include an updated TA (HTP, August 2025) and an updated TP (HTP, July 2025).

Transport Assessment Review

Policy Context

5. We previously noted the following:
- *'There is a need for reference and adherence to DfT Circular 01/2022, this is currently not included within the TA. The transport vision for the development is required to be provided, including for example, but not necessarily limited to, noting the desire for the need to travel to be minimised, for public transport to be a preferred travel choice and for travel by private vehicle to be minimised. The transport vision should*

explain how the aims are in line with the DfT Circular 01/2022.

- *The measures which are proposed to achieve the aims of the transport vision are required to be documented.'*

6. The TA has been reviewed and the above points have not been addressed and remain outstanding.

Trip Rates and Trip Generation

Residential

7. We previously noted that:

- *'The TA contains separate trip rates which have been developed for each of the three phases of the development. This is deemed to be unnecessary, and we would request that one residential trip rate is adopted and then used to calculate the trip generation associated with each phase of the development. Accordingly, we have confined our review to the trip rates associated with 800 dwellings.*
- *The trip rates are required to be 'vision led' and require to be reviewed considering the vision for the development and those measures which are proposed to achieve the aims of the vision'*

8. The TA has been reviewed and the above points have not been addressed and remain outstanding.

Care Home

9. We previously concluded that trip rates which are presented are acceptable and these have not changed.

2FE Primary School

10. We previously noted that:

- *'The trip rates are required to be 'vision led' and require to be reviewed considering the vision for the development and those measures which are proposed to achieve the aims of the vision.'*

11. The TA has been reviewed and the above point has not been addressed and remains outstanding.

Assessment Scenarios

12. With regard to the assessment scenarios we previously noted that:

- *'The residential development shown at each phase is the cumulative total e.g. at phase 2 the total residential quantum will be 800 dwellings. We would suggest that this table should be revised to show the residential quantum, which is to be constructed at each phase, to avoid*

misunderstanding.

- *In accordance with the requirements of DfT Circular 01/2022, as there is no up-to-date local plan, the assessment should reflect 'all relevant development that is consented or allocated where there is a reasonable degree of certainty will proceed within the next 3 years and include the full amount of development to be built'. We, therefore, request that assessment is undertaken based on the initial development opening year, considering all of the development quantum. In the event that mitigation is identified then additional assessment can be undertaken to identify the 'trigger point' when the mitigation should be implemented.'*

13. The TA has been reviewed and the above points have not been addressed and remain outstanding.

VISUM Modelling

14. With regard to the VISUM modelling we previously noted the following:

- *'The TA notes that following discussion with Medway it is proposed to assess the impact of the development using the Medway VISUM model which is managed by Jacobs on behalf of MC.*
- *The TA notes the following with regard to the VISUM modelling:*
 - *Scope of assessment to be agreed with MC officers prior to commissioning of the model runs*
 - *Modelling will also be discussed with National Highways regarding the need for modelling to consider impact on the SRN*
- *We confirm that based on the presented trip generation and trip assignment there is a requirement for assessment of M2 J1.*
- *We confirm that we would require to understand a number of key issues associated with the VISUM model, including:*
 - *Details of the model calibration and validation*
 - *Details of the future year scenarios included within the model, including development quantum and growth factors*
 - *Details of committed development assumptions within the model and confirmation from MC that these are accurate*
 - *Details of the Reference Case within the model which this development scenario will be compared against*
 - *Details of how this development will be included within the VISUM, including trip generation and trip distribution (this is assumed to be based on data within the TA, however, we would require this to be clarified)*
 - *Details of how the recently approved Lower Thames Crossing (LTC) is to be considered (as required by DfT Circular paragraph 49 which states 'planned improvements to the SRN or local road network should also be considered in any assessment where there is a high degree of certainty that this will be delivered')*
- *Subject to review of provision of further details with regard the proposed VISUM modelling, it may be concluded that it is preferable for assessment of M2 J1 to be undertaken based on current year traffic*

flows, factored to the assessment year, committed development added and then development traffic added in the usual manner.'

15. The TA notes that:

- *'This section provides a summary of the Kent County Council Multi-Modal Strategic Transport Model (Kent Transport Model, KTM) assessment process undertaken to evaluate the potential impacts of proposed development on the local and strategic highway network across Kent. The model has been developed using the VISUM software and provides multi-modal strategic modelling for Kent and surrounding areas.'*

16. We note reference to KTM, the model which should be used is the Medway Transport Model (MTM) as was advised in the earlier version of the TA.

17. The TA does not specifically address the above points; however, the TA does note that the following modelling scenarios have been considered:

- *'Do Something (DS) – 2041 Proposed Development + Committed Development Scenario*
- *Reference Case – Medway Local Plan 2041'*

18. We would note the two identified scenarios are unclear as to what they contain, we would typically expect a Reference Case and then a Reference Case + Development, however, from the descriptions provided it is not clear if this is what has been undertaken.

19. We would also note that since we our original 1 April response, we have separately been provided with additional information relating to the development and use of the MTM. In addition to the above action points we would, therefore, note that:

- The calibration and validation of the MTM has been accepted previously by National Highways and does, therefore, not need to be provided
- **The 2041 Reference Case scenario for the MTM should contain 'committed developments and committed infrastructure schemes between 2019 Base Year and 2041', sites allocated within the adopted Local Plan which are not yet developed and including 'full build out of trips at MedwayOne development site' – this is the 2041 Reference Case model which has recently been developed for use in the Medway Local Plan (Regulation 19, 2025) which has recently been approved by National Highways**
- **MC should be consulted to ensure all committed developments are included within the 2041 Reference Case model, in the event there are committed developments which are not included within the approved 2041 Reference Case model, these should be added**

- **Assessment scenarios should comprise 2041 Reference Case and 2041 Reference Case + Development**
- **The MTM scenarios should be undertaken only with LTC, there is no requirement for without LTC**

Junction Assessment

20. **Appendix I of the TA contains VISUM output data, this is referred to as VISSUM data and should be corrected.**
21. **We note that the TA contains no traffic flow information for the SRN. Traffic flow information, comprising diagrams and summary tables demonstrating the impact of the development, should be provided for both M2 J1 and M2 J2.**
22. **As previously highlighted, the junction assessment requirements will comprise as a minimum merge / diverge assessment at M2 J1. The junction assessment requirements at M2 J2 will be clarified following review of the traffic flow forecasts at that junction.**

Collision Analysis

23. We previously stated that:

- *There is a requirement for collision analysis to be undertaken at M2 J1 using STATS19 data for the most recent five-year period for which data is available. The need for collision analysis at other locations will be advised upon following review of the network modelling results.*

24. **The TA has been reviewed and the above point has not been addressed and remains outstanding. 2020/2021 as covid years do not count towards the five year period but data for these years can be included for completeness.**

Travel Plan Review

25. We previously reviewed the TP and noted the following:

- *'The measures contained within the TP are seen to comprise measures to promote and encourage the use of sustainable transport modes. There are no physical measures included such as walking / cycling facilities and provision of public transport facilities. For a development of this scale we expected significant physical measures to be provided to encourage the reduction in travel by private car.*
- *The vision for the development should be defined, then those measures which are proposed to achieve the aims of the vision should be identified. The proposed measures are not deemed to be sufficient*

to support the 5% reduction in vehicle trip rates noted above.

- *The TP includes for monitoring to be undertaken annually, together with setting targets.*
- *At such time the vision for the site is finalised, a review of the TP will be required to ensure alignment with the vision.'*

26. The TP has been reviewed and the above points have not been addressed and remain outstanding.

Construction Traffic Management Plan

27. Given the location of the application site a Construction Traffic Management Plan (CTMP) will need to be prepared, agreed with National Highways, and implemented.

28. Our standard condition is as follows:

Pre-Commencement Condition: Construction Traffic Management Plan

No works shall commence on the site hereby permitted (including site clearance or preparation) until the details of a Construction Traffic Management Plan have been submitted to and approved in writing by the local planning authority (who shall consult with National Highways). Thereafter the construction of the development shall proceed in strict accordance with the approved Construction Traffic Management Plan.

Reason: To ensure that the A2 Trunk Road and M2 Motorway continue to be an effective part of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980 and to satisfy the reasonable requirements of road safety and paragraph 115 of the National Planning Policy Framework (2024).

Informative: The CTMP shall include details (text, maps and drawings as appropriate) of the scale, timing and mitigation of all construction related aspects of the development. It will include, but is not limited to: site hours of operation; numbers, frequency, routing and type of vehicles visiting the site; travel plan and guided access/egress and parking arrangements for site workers, visitors and deliveries; plus sheeting of loose loads and wheel washing and other facilities to prevent dust, dirt, detritus etc from entering the public highway (and means to remove if it occurs).

The applicant/ Council should confirm they are content to accept the above condition as part of any consent.

Overall Conclusion

While National Highways have no objection to the principle of the development, we have identified various matters requiring the submission of further evidence, amendments and/or clarifications.

At this time, therefore, that it has not been demonstrated that the proposed development would not have an unacceptable impact on the safety, reliability and/or operational efficiency of the SRN (the tests set out in national transport and planning policy in DfT Circular 01/2022 and MHCLG NPPF 2024).

On this basis we are obliged to submit this Holding Recommendation.

It is recommended that the application should not be determined for a period expiring on 5 January 2026.

This recommendation can be replaced, renewed, or reviewed during the holding period, or at its end, dependent on progress made with regards to the outstanding matters.

It is noted that additional information has been provided by the applicant in relation to highways matters and a response is awaited on these from National Highways.

Natural England commented that it is not able to provide specific advice on this application and, therefore, has no comment to make on its details.

Medway Council Open Space and Outdoor Formal Sport Officer commented on 3 April 2025 that:

A contribution to enhance open space facilities within the vicinity is required in line with the Medway Guide to Developer Contributions and Obligations. The following comments are also made:

On-site open space provision

Feedback is:

- The application indicates some open space will be provided on-site but not all the typologies have been included such as outdoor sport. A development of this scale should be providing all these facilities on site for its new residents. A breakdown of on-site open space requirements based on the projected new residents is illustrated below, alongside the proposed and with my notes. The Design & Access Statement (DAS) refers to 25.05 hectares of open space being provided along with table showing a breakdown of on-site typologies but this is difficult to read (very pixelated). The inner table within the diagram is illegible – please can this be resent?
- Any areas of SUDS cannot be included in this calculation.

- The design seems to be heavily compromised by existing utilities on site. Linear greenspaces have been created which will offer limited provision for facilities such as outdoor sports.
- I previously submitted comments as part of the pre-app for this application and note that my comments have not been taken forward. These are:
 - *The proposal states: “Green and Blue Infrastructure & Public Open Space (including SuDS) – 22.9ha (56.5 acres)” is to be provided. This needs to be identified by the open space typologies and individual quantities. SuDS does not usually form part of the open space.*
 - *Biodiversity Net Gain is an additional requirement and should not compromise the on site open space provision.*
See comments below re orchards and in typology table below.
 - *Open spaces appear to be isolated.*
Its difficult to read the Proposed Development Framework Plan on page 56 of the Design & Access Statement. It looks like a ballcourt (MUGA) is proposed above the school but it is hidden away and should be located within a larger area of open space providing a connection with other facilities such as play.
 - *Concern for play areas over pipelines.*
 - *What are the community growing spaces? Community orchards require a skill to maintain them and are not classified as allotments. Applicants are encouraged to consider allotments and community gardens instead which would have much greater benefit for the residents.*
I still see reference to ‘orchards’ and ‘communal food growing corridor’ but these cannot be classified as allotments and I have concern about this. There is already a shortfall of allotments in the area and new residents will increase demand for allotment plots. As such these proposed orchard/communal food growing corridors should be combined into one larger area to create a suitable allotment site and this should be located alongside the proposed Community Hub. There should then be liaison with the local parish council to see whether they would want to take on the ownership of the allotment site, and then the layout and a suitable commuted sum should be agreed for their future upkeep. Any BNG to offset any loss of existing orchards should be included within the BNG, not within the on-site open space provision.

Breakdown of open space typologies:

Typology	Medway standard (hectare per 1000 people)	Required on-site
		1,952
Parks & Gardens	0.4/1000	0.78
Play	0.08 /1000	0.16

Proposed on-site	Notes
4.58	
0.51	Would be helpful to know the breakdown of LEAPs and NEAPs along with their individual sizes

Amenity Greenspace	0.74 / 1000	1.44	6.76	
Natural Greenspace	1.35/1000	2.64	6.25*	Looks like BNG has been included within the Natural Greenspace figure as well. This should be discounted
Outdoor Sport	0.5/1000	0.98	-	Should be provided on site
Allotments	0.18/1000	0.35	1.3	Question inclusion of orchards and communal growing corridor
Total	3.26/1000	6.34	25.05*	

ha

*Within this total 3.13 ha has been included for 'biodiversity habitat enhancement' but that is BNG and should not form part of the open space. It also looks like some of the BNG has been included within the Natural Greenspace figure as well. Also 2.52ha of SUDS has been included within the total. These should all be discounted.

Future maintenance

Any open space provision on site will require the applicant to put in place 3rd party management arrangements as Medway Council Greenspaces will not accept responsibility for this.

Conditions

- If this application is approved then details of the play and open space areas should be conditioned. This should include all landscaping elements, equipment, fencing and signage.
- The future management and maintenance of all open space areas should be included in the landscape management & maintenance plan for the whole site.
- All play features should have a post installation inspection before being opened to the public. Any faults/defects should be remedied.

Further comments were received on 10th October 2025 following a response from the applicant. These comments were as follows:

Overall - For a major development of this scale and its location a wide range of open space provision should be provided on site. This is to ensure the development is sustainable and provides high quality facilities for the new residents to enjoy within walking and cycling distance of home, rather than having to drive to existing facilities which are further afield.

No outdoor sport provision proposed - a major development of this scale and in its location should be addressing this.

My comment on linear greenspaces offering limited provision for facilities such as outdoor sports – the developer response is “...the corridors are approximately 50-60m in width and provide an optimal location for informal outdoor sport, including kickabout areas...”. However, outdoor sport is more for formal sport provision such as football pitches, tennis courts etc not just an informal kickabout space. 50-60m width is not sufficient for these formal facilities. It would be better having a larger central area with these facilities, along with the ballcourt together which can be accessed easily by the residents.

Design & Access Statement under Considerations (page 43) says: Four gas main pipes cross the site, and some areas around them must remain undeveloped due to easements. These areas should be kept as open space with limited uses allowed and positively integrated into the design. It should be noted that these areas will have limited uses so will restricts its open space potential.

MUGA/ballcourt – the response is too vague at this stage. Location of this MUGA is key as ballcourts need to be set a minimum distance from housing not to cause noise issues (Fields in Trust and Sport England guidance). Also they should be well located and accessible. If this cannot be determined at outline stage then it needs to be conditioned that the MUGA will be provided and the location and details agreed with the council before taking forward.

Allotments/growing spaces – I note the developer refers to comments by the parish council about the allotments. Is there evidence that the developer has had direct discussions with the parish council re taking on the allotments, how they want them laid out and any future maintenance commuted sum to manage these in the long-term? This needs to be provided. I note the parish council’s comments on allotments in their February 2025 letter below:

‘The Parish Council would also seek further funds for a new allotment site. The Parish currently rents land in a location next to a dual carriageway which is not a healthy environment, and the site can only be accessed by footbridge or a long walk through a field, making the site difficult to access. We wish to provide facilities in the area which will inspire local residents to come together to grow their own food but to also engage with local schools and disability groups to bring people from all walks of life together.

We want to create an allotment society where residents of all ages and walks of life can engage together and share their knowledge, skills and produce. We have been approached by Wainscott School and the nursery requesting allotment plots which currently we do not have the capacity for but this is something we would love to offer to local schools. Allotment gardening is a very rewarding pastime and can contribute greatly to the quality of people’s lives both mentally and physically. We also want to make sure the site is inclusive and accessible for those with disabilities, which is not something we have seen in Medway. To do this we want to create a car park, proper pathways and raised bed plots for those with mobility issues’.

Also, how many allotments plots could be provided within the area proposed? Which area is proposed as allotments as the green infrastructure strategy plan shows possible allotments/orchards across various locations which won’t work. The size of

the allotment site is key to make sure the plots are practical so one large allotment site should be provided, not disjointed small spaces. Are these the allotment areas proposed – the labelling is not that clear. If so, one large allotment site should be provided:

Also still not clear what the food growing corridors are shown on the plan and what form these will take. Can we request more information on this please. Also the drainage feature reference for wildlife needs further explanation of what this is. This plan differs to the one in the DAS. Just to reiterate: community orchards, if the community are expected to take ownership, do need specialist training. The National Allotment Society have previously advised that community orchards are not allotments.

Medway Council's Public Rights of Way and Access Officer comments that there would be great loss of enjoyable recreational countryside scenery. Although in the design and access statement there is comments that PROW RS118 will remain, there is an opportunity to create a bridle circular route around the boundary of the development. As a bridle way, cyclists and pedestrians are also catered for. The addition of bridleways could also link to the RS76 heading to Cliffe Woods and Chattenden.

I have concerns about the primary access points to the development. The comment in the transport document suggest the A289 junction is within capacity, this is not what is experienced. Higham Road, with the speed restriction and speed cushions is not suitable for the demand the development will put on the network.

As per the NPPF pedestrians and cyclist should have priority. However, with the lack of reliable public transport the attractiveness to walk to the local convenience shop will be outweighed by the number of private vehicles using the road.

Where the two parcels have been identified for BNG enhancement, is there an opportunity to create a circular walk around the boundary. This would be more suitable to the parcel adjacent to the Stone Horse PH. The area is known for dog walkers and families and could provide an offering of open space, linking into PROW RS134.

In terms of S106 requests. As mentioned, there are many PROWs in the area creating circular walks. To ensure Medway and the developer meets policy guidelines, I would request the amount of **£60,000** (£75 x 800) This would go to improving signage, lighting, surfacing, furniture if required and accessibility improvements.

Southern Gas Networks commented that:

There are two high pressure pipelines in the vicinity of the proposed works. We have sent a copy of your correspondence to our local engineer who will be in contact separately. In the meantime, SGN formally object to this planning application until such time as detailed consultation has taken place.

These pipe lines are registered with the HSE as a major accident hazard pipeline.

The High Pressure Pipeline Engineer requested an outline of the works to go ahead and stated that a site meeting would be required to give them a little more detail of the job, as they need to know exactly how close the works will be in relation to the high pressure pipeline. If within 3m, then hand dig techniques and RAMS will be requested.

Southern Water commented that:

There is currently inadequate capacity within the foul sewerage network to accommodate a foul flow of 8.18l/s for the above development at manhole reference TQ75716003. The proposed development would increase flows to the public sewerage system which may increase the risk of flooding to existing properties and land. Additional off-site sewers or improvements to existing sewers will be required to provide sufficient capacity to service the development. Southern Water has a duty to provide Network capacity from the point of practical connection (point of equivalent or larger diameter pipe) funded by the New Infrastructure Charge.

Southern Water aim to provide this within 24 months following the date that planning has been granted for developments not identified as strategic sites in our current business plan. Strategic sites are larger developments and will often take longer than 24 months for a full solution to be provided.

Please note, the assessment that has been undertaken has used an assumed pump rate of 8.18l/s. This has been calculated using Southern Water's modelling specifications.

Medway Council's Urban Design Officer commented as follows:

EXTERNAL ISSUES & RELATIONSHIPS

There is very little design resolution due to the outline nature of this application and so urban design issues are at best sketchy.

The project is clearly an un-planned play at odds with the emerging local plan. It is as a result overtly opportunistic at odds with a planned response to development in Medway. The question is, what really is the ambition here? It is silent regarding any logic for further growth surrounding the site in a strategic way and so the context is purely the rural landscape. As a result, it makes little contribution beyond unit No's on this site; yet it exhibits weak / no clearly defined edges. This begs the question – 'how far do you take it' and why / how, would we manage its growth, or containment to avoid constant development pressure / adverse impacts in the longer term should the application succeed.

A uniform approach to buffers at boundaries of the proposed development oversimplifies the requirements to manage impacts at varying boundary locations / conditions around the site, especially in positions of higher ground. As a result, the relatively formulaic approach to all boundaries undermines any potential for distinctiveness at the scheme edges, where impacts need to be most carefully & sensitively managed.

The NE corner (high point) of the site and its surrounding routes are an example of just this condition. Given the sensitivity and levels outlined above, it is questionable whether the northern parcels & greenway should be considered for development at all.

A general question regarding boundaries given the unclear development relationships presented in the outline is, 'what do the boundaries protect / manage, in what direction and in what way'? IE – managing visual impacts of development from surrounding countryside. Composing developmental relationships to create a satisfying developmental composition within the countryside. Providing visual and psychological connection to the surrounding landscape from this new place etc. EIR-6. I have seen no reference to a site disposal / phasing strategy. I would suggest we would want some control over this if possible. Likewise individual development briefs and design codes for each development parcel should be available prior to any later applications, should this application succeed, including affordable & self-build.

INTERNAL ISSUES & RELATIONSHIPS

The project exhibits very much a simple / practical constraints driven plan / scheme with little placemaking springing from embedded landscape or local rural settlement characterisation. As a result, the scheme is 'on' rather than 'in' the site / land, the scheme appears as a superimposition at odds with local character / surroundings. What is this place and how does the sum of the parts form a whole beyond a collection of individual pieces is a question unanswered by the material presented.

Densities are not defined nor sections provided. As a result, character areas are poorly defined, overly diagrammatic and make little sense. The material presents unproven thoughts as & on a plan diagram, rather than varying densities as corresponding varying morphologies, that each exhibit the DNA of individual character & distinctiveness. As a result, despite some reference to existing field patterns as green routes, the plan appears overly homogenous and not information that convinces one, 'this is a varied place to live, work and play'.

Given the lack of a wider strategy and lack of LP Reg 19 compatibility, a typical density distribution with a dense urban centre is perhaps questionable, over a more innovative approach to distributed density. Lack of clarity on densities yet No's of storeys provided, means the centre is likely between 60 – 100 dpa. It is questionable if this is compatible with such a rural location as a single development and invites either scale being too large or further development pressure here, from which the visual impacts will be felt far and wide.

The No's of storeys when not related to topography do not mean much for height calibration and offer no clear relationship with the ground / levels that might drive place making. As a result, levels for the tops of proposed buildings are unknown and make little sense of any proposals for wider impact mitigation.

Medway Council's consultant on landscape and visual impact conducted a review of the submitted LVIA and concluded on 25 May 2025 as follows:

It is essential that LVIA methodologies are in accordance with this guidance. GLVIA3 allows for variation in the scope and approach of assessments proportionate with the scale, type and likely effects of the development. This review confirms that the methodology used for the LVIA is in accordance with the 'boundaries' of the approach recommended by GLVIA3.

This review considers that the scope of the LVIA is broadly appropriate, although there are several areas where the scope of the assessment could be more explicit, particularly around the definitions and meaning of the various levels of effects assessed and the assessment of landscape value should have followed the guidance in TGN 02/21. The review, however, does not agree with some of the findings, assessments and conclusions of the LVIA, particularly in respect of the landscape and residual effects.

In conclusion, whilst this review is not an LVIA in itself, this review has identified a number of important baseline considerations and substantive landscape and visual effects that are of particular relevance to judgements for the planning balance and the ultimate planning decision. These are as follows:

- The development would have substantial and significant landscape character effects both at Year 1, Year 15 and thereafter (i.e. the residual effects), notwithstanding the landscape mitigation envisaged by the LVIA, both at the Site and within the 'Local Landscape'. The LVIA does not adequately define the area of 'Local Landscape', which is problematic for understanding the LVIA, but this review has defined an area of landscape including the Site to include those parts of the four landscape character areas within the ZTV that it considers to be the appropriate landscape unit for the assessment.
- The development would have a substantial and significant visual effect upon residents and walkers/pedestrians of the Public Rights of Way and highways at the boundaries of the Site. These would be permanent (i.e. residual) effects. The review notes that the magnitude and significance of the visual effects fall away as distance from the Site and development increases. The review accepts that although in the round this is a landscape that is relatively visually open, the general proposition offered by the LVIA that the nature of the landscape, its rolling topography and vegetative cover, and the location of the Site in this respect, does restrict overall visibility of the development proposals and the magnitude of the effects at distance.
- The review considers that the design and mitigation response to the development location along the north-east and north-west boundaries is inadequate and that a much more sensitive response, along the lines developed for other boundaries should have been employed for this especially sensitive edge, particularly in terms of its rural character. In general, the other design and mitigation responses, as highlighted in the LCVIA's mitigation section, are considered to be appropriate responses, in principle, but considerable care would still be required at the Reserved Matters stage in designing this out, in both urban design and landscape terms, including building heights.
- This review finds the proposal to be in conflict with 2003 Local Plan Policies BNE 25: Development in the Countryside, as it would have a substantial and significant permanent effect on the character, amenity and functioning of the

countryside, BNE 34: Areas of Local Landscape Importance, as it would be contrary to three of the four purposes of the designation, and BNE 47: Rural Lanes because of the development's visual effect on the rural character of these lanes.

The applicant provided a letter dated 2 July 2025 in response to these comments. The letter was reviewed by Medway Council's consultant on landscape and visual impact who further commented as follows:

The following is a response to the letter prepared by Tyler Grange entitled 'Response to Landscape Consultant comments', dated 2 July 2025. The references to "noted" below, should be interpreted to mean that the response is understood but that the level of agreement or disagreement reached is not altered.

3.4 – noted

3.6 – response not accepted. A fuller consideration of the NCA is standard practice in LVIA and should have been undertaken in this case.

3.8 – noted

3.9 – noted

3.11 – noted

3.12 – noted

3.13 – noted

3.18 – updated assessment welcomed and accepted position on value noted

3.20 – the response defines the 'local landscape' as "assumed to be the area from which the Proposed Development would likely be visible and would impact upon".

This is helpful but a fuller explanation is still required, for example with references to the ZTV and the various landscape character areas that would be included in the local landscape. Any differences between this and the local landscape area defined by the Enplan Review would be useful to identify.

3.21 – noted

3.22 – noted

3.33 – the review was not critical of the viewpoint selection; it was requesting that the LVIA address the potential for effects on this key characteristic of the Chattenden Ridge LCA, in particular views towards the Kent Down National Landscape. The response that the development will not impact on these long views is noted.

3.41 – the response is noted but the degree to which Wainscott influences the assessment of landscape susceptibility remains a professional difference of judgement.

3.42 – noted

3.44 – noted

3.45 – the response misrepresents the review in one respect. The review states that the landscape scheme "would not alter the degree of landscape significantly". This is different to the response which states that the review assesses the landscape scheme to make "no difference".

3.47 – the response misrepresents the review in one respect. The review is evidently not suggesting that only physical landscape changes should be assessed, it expressly sets out those perceptual ones that form part of judgements about landscape effects.

3.48 – as with paragraph 3.45, the response misrepresents the review.

3.49 – response not accepted. We may continue to disagree about the susceptibility of pedestrian users of Bunters Hill Road/Higham Road, but the response does not address the pedestrian users of Dillywood Lane, especially the eastern part beside the site, which is the primary matter raised in paragraph 3.49.

3.50 – noted

3.53 – noted

3.54 – noted

3.55 – the responses interpretation of the wording of Policy BNE 34, “Helps to maintain the separate identity of Higham”, that this is not a “spatial point” is not accepted. The ALLI is essentially a spatial policy relating to an area with defined boundaries. It envisages, in effect, no landscape change within this area in order to maintain the separate identity of Higham, as well as the other matters that the policy addresses.

3.57 – noted

3.58-9 – the response is not accepted. Visual amenity is an aspect of amenity. The reference to amenity in Policy BNE 47 should not be read to exclude visual amenity.

3.61 Table 4 – first response noted

3.61 Table 4 – second response noted

3.62 – noted with reference to 3.45 above

3.63 – noted with reference to 3.45 above

The above does not alter the conclusions reached in the Enplan Review at paragraph 4.3.

Medway Council’s consultant on Planning Policy commented on 12 June 2025 as follows:

The Outline Planning Application provides limited details for approval. This response is confined to the strategic issues relating to the proposal. Detailed policy issues are not addressed at this stage.

Principal policies of relevance are:

S1: Development Strategy

S2: Strategic Principles

BNE25: Development in the Countryside

BNE34: Areas of Local Landscape Importance

BNE47: Rural Lanes

BNE48: Agricultural Land

The progression of the emerging Medway Local Plan 2041 is discussed in relation to the site and the LPA’s spatial strategy. The impact of the NPPF 2024 updates is also considered.

Assessment against adopted development plan – Medway Local Plan 2003

The site is located in the countryside, outside any defined settlement boundary. Adopted Policy S1: Development Strategy prioritises development within the urban fabric, encouraging the redevelopment and recycling of brownfield land in urban areas. The proposal conflicts with the adopted brownfield land first strategy (which is compatible with NPPF paragraph 124).

Policy S2: Strategic Principles stipulates a sustainable approach to the location and mix of new development and the adoption of a sequential approach to the location of major development. The site is predominantly greenfield land and separated from the urban area of Wainscott by a busy dual carriageway.

Policy S2's sustainable approach to the location of development seeks to provide local communities with a range of local facilities, (including transport measures to serve development and sensitivity in the use of energy and natural resources). This approach is consistent with NPPF paragraph 110, which requires the planning system to actively manage patterns of growth to focus on locations that are, or can be made, sustainable through limiting the need to travel and offering a genuine choice of transport modes.

The site is located approximately 650metres from the nearest bus stop on Dillywood Lane; 2.1km from the nearest railway station at Strood; and 2.8km from Higham railway station. Such distances would not encourage pedestrian means of transport to local travel connections.

The town centres, retail offers and services of Strood and Rochester are approximately 2.2km and 2.8km south respectively. Such distances and the expanse of built-up area and highway infrastructure in between the site and these centres would not encourage sustainable means of travel.

The site is set to the north of the urban edge of Wainscott, across a busy dual carriageway. The A289 is a significant visual and physical barrier between the site and Wainscott. This barrier would discourage sustainable modes of transport and render future residents reliant on the private car.

The NPPF allows for locations to 'be made sustainable' and introduces a 'vision-led approach' to transport solutions (paras 109 and 110). The proposal offers only the possibility of extending an existing bus service into the site. The limited potential offer and lack of detail do not demonstrate a vision-led solution. Enhanced cycle and pedestrian connections are suggested at Lower Rochester Road and National Cycle Route 1 (along Higham Road / Bunters Hill Road) with a cycle path also through the development site. However, these cycle connections lead to a bridge over the dual carriageway from Lower Rochester Road, which presents an unsatisfactory route for cyclists and a narrow bridge at Higham Road without scope for a dedicated cycle path.

Some services and facilities, including a primary school and mixed-use local centre, would be provided within the development. These would remove a degree of future resident's travel needs. However, the limitations of this provision, and that they are required to mitigate the housing scheme, do not make the development sustainable in terms of transport and accessibility to services and facilities.

The Local Plan resists inappropriate development in the countryside and protects valued landscapes. Policy BNE25: Development in the Countryside permits development: on a site allocated for that use; where the use essentially demands a countryside location; or where the redevelopment of an existing built-up area is achieved. The proposal does not satisfy any of the specified criteria of BNE25.

The site is not allocated for residential-led mixed-use development in the adopted plan. Nor is the site considered suitable for allocation in the emerging Local Plan. The predominantly residential development does not essentially demand a countryside location. No agricultural, forestry or outdoor recreation uses are proposed. The site is largely greenfield and not an existing built-up area or previously developed land.

The site is within an Area of Local Landscape Importance (ALLI), specifically the Dillywood Lane ALLI. These landscape areas are protected by adopted Policy BNE34: Areas of Local Landscape Importance.

Dillywood Lane is described as 'a gently undulating, visually diverse area of orchards and mixed farmland'. Four functions of the landscape area are identified:

- Creates an attractive rural setting to the Medway Towns Northern Relief Road, contributing to the positive image of the borough.
- Connects to the South East of Higham Upshire ALLI in Gravesham.
- Constitutes an established rural landscape in close proximity to a large urban area.
- Helps to maintain separate identity of Higham.

Development within an ALLI should be sited, designed and landscaped to minimise harm to the area's landscape character and function. Development may be permitted where the economic and social benefits are so important that they outweigh the local priority to conserve the area's landscape. It is for the decision-maker to consider whether the economic and social benefits of the proposal outweigh the priority to protect the valued landscape.

In policy terms, the proposal is considered to conflict with the three retained functions of the ALLI and conflict with Policy BNE34. Gravesham is removing the corresponding ALLI designation, so that function falls away.

The site currently contributes to the attractive rural setting of the A289, when seen from the junction of the dual carriageway with Lower Rochester Road, at the gateway to Wainscott. The development will compromise this rural setting. The development would result in the loss of an established rural landscape proximate to the urban area. The separate identity of Higham would be threatened by filling in much of the spatial gap between the village and Wainscott.

In terms of landscape value, the NPPF (para 188) requires LPAs to distinguish between the hierarchy of international, national and locally designated sites and allocate land with the least environmental or amenity value. The amenity value of the site derives chiefly from its presence as an established rural landscape, bounded by rural lanes, proximate to the urban area. It contributes to a sense of openness as one exits the dense urban form. There is greenfield land with less amenity value in the borough that is set to be allocated in preference to this site.

The site contains high-quality agricultural land which would be lost and taken out of the food production chain. As recognised by the application documents, the site includes 'Best and Most Versatile agricultural land'. There exists 2.3hectares of

Grade 1 land, 30.8hectares of Grade 2 land and 14.0hectares of Grade 3a land. A total loss of 48.2hectares of productive farmland would result.

The economic, environmental and social impact of the loss of high value agricultural land in close proximity to a large urban area is to be weighed in the planning balance. The adverse effect on important rural lanes protected by Policy BNE47: Rural Lanes also needs to be considered.

The Applicant accepts there is conflict with Policy BNE48: Agricultural Land which protects 'Best and Most Versatile agricultural land'. The Access and Land Use Parameter Plan shows the loss of some of the highest graded agricultural land and retention of areas with a lower grading. BNE48 requires lower grade land to be developed in preference to higher grade land. The proposal fails to do this.

Despite their age, these policies are part of the adopted Development Plan. It is acknowledged that the NPPF has moved towards a more hierarchical approach to the consideration of landscape value (paragraph 188) and includes no, in principle, restriction of residential development in the countryside.

Notwithstanding this, the NPPF promotes a brownfield land first approach (para 124) similar to policies S1 and S2. The NPPF also requires policies and decisions to recognise the intrinsic character and beauty of the countryside, including the best and most versatile agricultural land, trees and woodlands (para 187). These strategic policies, therefore, continue to carry weight.

Emerging Medway Local Plan 2041

The LPA is progressing the Medway Local Plan 2041 to replace the Medway Local Plan 2003. The Regulation 19 pre-submission draft Local Plan is to be published in June 2025.

The Regulation 19 plan will confirm the LPA's preferred development sites. The preferred sites will allocate the amount of housing and commercial land required to meet the borough's up-to-date targets.

The Regulation 18 Local Plan (published in 2024) provided for a housing need of 28,500 over the plan period – equating to 1,667 new homes per year. The Land Availability Assessment (LAA), that informed the Regulation 18 plan, contained sites with potential to provide circa 38,000 new homes. The LPA identified four broad categories for where development could take place: urban regeneration (11,151); suburban growth (9,680); rural development (14,736); and Green Belt loss (2,649). The application site was considered as part of the 'rural development' category and rejected.

The site was assessed as part of the Land Availability Assessment 2023 (Site ID: SR17). The site (SR17) was considered as one of the 'Reasonable Alternative Strategic Sites' in the Interim Sustainability Appraisal. SR17 was rejected due to: 'Loss of BMV agricultural land. The development could lead to coalescence between settlements. Potential adverse impact on listed building. Beyond reasonable walking distance to current public transport services.

The application site is not one of the LPA's preferred sites. It is not required to fulfil the borough's needs for the plan period.

11 residential led (mixed-use) strategic sites were selected, as they were considered more appropriate to deliver the vision and strategic objectives of the new Local Plan. Substantial greenfield sites south of Hoo, east of Chattenden and in Lordswood have been selected. The selected sites better relate to the existing urban areas of the borough.

The proposal would not comply with the core objectives of the emerging Local Plan:

- Prepared for a sustainable and green future.
- Supporting people to lead healthy lives.
- Strengthening our communities.
- Boost pride in Medway through quality and resilient development.

National Planning Policy Framework (NPPF, 2024)

The NPPF updates in December 2024 made significant changes to important aspects of the planning system. None of these changes alter the LPA's planning policy position. The NPPF retains that the planning system should be genuinely planned (para 15). The Framework also maintains that the intrinsic character and beauty of the countryside and the best and most versatile agricultural land should be protected (para 187).

Paragraph 62 stipulates adherence to the updated Standard Method for calculating housing need. The updated Standard Method reduces the housing need of Medway from 1,667 homes per year (as cited in the Regulation 18 Plan) to 1,594 homes per year.

Conclusion and Policy Position

The proposal raises significant policy concerns, particularly:

- Conflict with the brownfield land first approach of the adopted spatial strategy, expressed by Policy S1.
- The development does not align with the sequential approach to major development set out in Policy S2.
- Conflict with adopted countryside protection Policy BNE25.
- Adverse impact on an area of landscape value and conflict with Policy BNE34.
- Loss of a significant amount of best and most versatile agricultural land in conflict with Policy BNE48.
- Concerns over sustainability and infrastructure delivery.
- Inconsistency with the objectives and spatial strategy of the emerging Local Plan.

Medway Council's education department commented as follows:

The development of 800 homes obliges the developer to provide a 1FE primary facility and contribute towards a secondary provision through a S106 contribution. 775 homes is the rule of thumb to require a 1FE primary provision.

1FE primary provisions are not favoured by the DfE or Medway due to their poor educational and financial viability. The preferred school size is 2FE or 3 FE. Indeed, the DfE who are the final decision makers on new schools rarely sign off on new 1FE schools unless under exceptional circumstances.

The developer has referenced a 2FE school on the development. This causes a number of issues for school place planning and the wider education estate. Having a 2FE school on the site will cause a potential over provision of school places and risks the viability not only at this school but also at other local schools where a number of schools may not fill to required levels. It will also likely lead to increased travel patterns into the development causing additional congestion around the development and poorer air quality than necessary on the site.

The question also remains as to who will fund the new 2FE school, given that the development is only obliged to fund 1FE and that would not be sufficient funding to complete the new 2FE build, and Medway does not have, nor is inclined to need to top up the funds to enable the complete construction. Of course, should the developer be offering to build the new 2FE school to our specification then so be it. If the developer is looking to fulfil their obligation by providing the land and 1FE funding for the council to build out a 2FE school, then that is not acceptable and is not needed.

Further concerns sit with the location of the development itself in relation to other local educational establishments. If a new 2FE school is built, then that impacts upon Temple Mill School which is only a short walk away and currently a 1FE school. (We are looking to expand this school as part of the local plan infrastructure delivery plan as part of the large West of Strood development.)

For families to walk between the site and Temple Mill or from Strood and the site is a challenging walk along a busy road and junction which will need to be crossed at least twice. Whilst pathways are in place, this would not be considered a particularly safe or healthy route for young families to make particularly at peak traffic times. It is likely, therefore, that parents will drive to the schools adding to traffic volumes and pollution.

In summary the development and the proposed school do not provide a satisfactory solution for education and merely cause further issues and concerns for viable school places, with either too much provision (the 2FE school) or enough provision if no school is provided and a s106 contribution is made to expand another local school (Temple Mill), but both options cause concerns over road safety, increased traffic, and safe routes to school along poor air quality routes.

It would have been helpful had the developer approached the education department from the outset to discuss these matters, as most developers do, where concerns

could have been shared and resolutions sought, but unfortunately no engagement was offered prior to the application nor since.

On the basis that no practical, sustainable or viable educational options are available the education department at Medway Council does not support this development.

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 2024 (NPPF) and are generally considered to conform. Where non-conformity exists, this is addressed in the Planning Appraisal section below.

The Emerging Local Plan has been agreed by Full Council for Reg 19 publication, consultation and, following any changes required as a result of the consultation exercise, submission to the Inspectorate for examination. The policies within this version of the emerging plan have weight in the determination of planning (and associated) applications. Due to the stage of the emerging Local Plan, the existence of relevant adopted Policies in the Medway Local Plan (2003) and guidance in the NPPF it is considered that the proposal falls to be considered with regard to the adopted policies and guidance in the NPPF although the emerging Local Plan policies are given some weight and this is addressed in the Planning Appraisal section below.

Planning Appraisal

Environmental Impact Screening

Following receipt of a formal request for a scoping opinion in August 2024, the Council issued its scoping opinion on 3rd October 2024 setting out that the Environmental Impact Assessment to be submitted with the application should address the impact of development with regard to the following:

- Consideration of Alternatives.
- Archaeology & Built Heritage.
- Landscape & Visual.
- Biodiversity.
- Transport and Access.
- Air Quality.
- Acoustics.
- Ground Conditions.
- Climate Change.
- Socio-economics.
- Agricultural Land & Soils.
- Cumulative Effects.

Principle of Development/Spatial Strategy

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires applications for planning permission be determined in accordance with the Development Plan unless material considerations indicate otherwise.

The site is located outside the built confines of Wainscott as defined in the proposal maps to the Local Plan and in the Hogmarsh Valley Area of Local Landscape Importance (ALLI). Policies S1 and S2 of the Plan establish the spatial strategy of the adopted local plan. They seek to prioritise development within the existing urban fabric, including the redevelopment and recycling of under-used and derelict land within the urban area, followed by strategically sustainable sites using a sequential approach to location.

Policy BNE25 of the Local Plan sets out the approach for development in the open countryside. This policy states that development in the countryside will only be permitted if it maintains or enhances the character, amenity and functioning of the countryside, offers a realistic chance of access by a range of transport modes and meets one of the listed exceptions; namely that it is on a site allocated for that use; the development essentially demands a rural location, or it would involve the re-use or adaptation of an existing built-up area. The development would not meet any of these exceptions and, therefore, quite apart from the impact on the character of the countryside and sustainability of the location (which are considered below), locating development of this type in this countryside location would be contrary to this policy.

Policy H11 of the Local Plan concerns residential development in rural areas and states that unless the site is allocated for housing in the local plan or an exceptional justification can be made, housing in the rural area will be restricted to minor developments within the confines of the existing listed villages and settlements. The application scheme is for a major development which would be outside of the confines of an existing settlement and would be contrary to this policy.

Consequently, the proposed development would not accord with the overall development strategy as set out in the Local Plan. As addressed below, the proposal is also considered to be contrary to the spatial strategy established in the emerging Medway Local Plan 2041.

Sustainable location/accessibility

Policy S2 specifies that the development strategy set out in policy S1 will focus on, amongst other things, a sustainable approach to the location and mix of new development, providing local communities with a range of local facilities, (including transport measures to serve development and sensitivity in the use of energy and natural resources). This is reinforced in BNE25 which only permits development in the countryside which offers a realistic chance of access by a range of transport modes.

This approach is consistent with the NPPF, including paragraphs 110, which requires the planning system to actively manage patterns of growth and to focus on locations

that are, or can be made, sustainable through limiting the need to travel and offering a genuine choice of transport modes.

The site is located approximately 650m from the nearest bus stop on Dillywood Lane; 2.1km from the nearest railway station at Strood; and 2.8km from Higham railway station. The town centres, retail offers and services of Strood and Rochester are approximately 2.2km and 2.8km south respectively. Such distances and the expanse of built-up area and highway infrastructure in between the site and these centres would not encourage sustainable means of travel. It is noted that the Chartered Institution of Highways and Transportation (CIHT) guidance in “Planning for Walking” (2015) indicates that people will walk up to 400m to bus stops (outside of town centres) and up to 800m to railway stations.

There are some facilities in Wainscott including a medical centre and pharmacy, local shops, pubs, a primary school and a nursery. These are within approximately 1.2km – 1.8km of the site.

In addition, the site is set to the north of the urban edge of Wainscott, across a dual carriageway. The A289 is a significant visual and physical barrier between the site and Wainscott. This barrier would discourage sustainable modes of transport and render future residents reliant on the private car.

ATE noted the absence of pedestrian or cycle crossing facilities on the roundabout eastern arm access into the site and recommended that the justification for a roundabout be reconsidered in light of the risks posed to cyclists.

Whilst some commentary on the design approach has been provided within the further submitted Technical Note, the design itself remains unchanged, with no clear crossing facility on the eastern arm providing access into the site. This results in severance of the existing shared-use facility along Lower Rochester Road with no crossing facility being provided.

This is the primary access serving the proposed school and local centre and will, therefore, be required to support multimodal journeys. It will be in high demand, both for residents on the site and for those accessing services from dwellings south-west of the A289. Despite this, no facilities for active modes are provided.

In addition, the shared-use route along Lower Rochester Road does not appear to include a buffer between the facility and the highway, despite the road being subject to a 40 mph limit. This has not been addressed within the Active Travel Road Audit.

The NPPF allows for locations to ‘be made sustainable’ and introduces a ‘vision-led approach’ to transport solutions (paras 109 and 110). The proposal offers only the possibility of extending an existing bus service into the site. The limited potential offer and lack of detail do not demonstrate a vision-led solution. Enhanced cycle and pedestrian connections are suggested at Lower Rochester Road and National Cycle Route 1 (along Higham Road / Bunters Hill Road) with a cycle path also through the development site. However, these cycle connections lead to a bridge over the dual carriageway from Lower Rochester Road, which presents an unsatisfactory route for

cyclists and a narrow bridge at Higham Road without scope for a dedicated cycle path.

Some services and facilities, including the primary school and mixed-use local centre, would be provided within the development. These would remove a degree of future residents' travel needs. However, the limitations of this provision, and that they are required to mitigate the housing scheme, do not make the development sustainable in terms of transport and accessibility to services and facilities.

Landscape Character, Visual Impacts and Functioning of the Countryside

The review of the submitted LVIA undertaken by the Council's consultant is set out above. In summary it concludes as follows:

- The development would have substantial and significant adverse landscape character effects both at Year 1, Year 15 and thereafter (i.e. the residual effects) both at the site and within the 'Local Landscape', notwithstanding the landscape mitigation envisaged by the LVIA.
- The development would have substantial and significant adverse visual effects upon residents and walkers/pedestrians of the Public Rights of Way and highways at the boundaries of the site. These would be permanent (i.e. residual) effects. It is noted that the magnitude and significance of the visual effects fall away as distance from the site and development increases.
- The impacts of the scheme are exacerbated, in part, because of the design and mitigation response to the development location along the north-east and north-west boundaries which is inadequate and a much more sensitive response, along the lines developed for other boundaries should have been employed for this especially sensitive edge, particularly in terms of its rural character.
- It is considered that the proposal is in conflict with Local Plan policies BNE 25: Development in the Countryside, as it would have a substantial and significant adverse permanent effect on the character, amenity and functioning of the countryside; BNE 34: Areas of Local Landscape Importance, as it would be contrary to three of the four purposes of the designation; and BNE 47: Rural Lanes because of the development's visual effect on the rural character of these lanes.

Officers agree with these observations.

Policy BNE25 requires all development in the countryside to maintain, and where possible enhance, the character, amenity and functioning of the countryside. This proposal would cause significant harm to character, amenity and functioning of the countryside.

Policy BNE34 states that development will only be permitted in ALLI if it does not materially harm the landscape character and function of the area, or the social and economic benefits are so important that they outweigh the local priority to conserve

the area's landscape. The development would have a significant adverse impact on the landscape character and function, notwithstanding the social and economic benefits that would result from the development, it is considered that it would be contrary to this policy.

Policy BNE47 states that development served by, and/or affecting, the important rural lanes defined on the proposals map will only be permitted where there is no adverse effect upon the value of the lane in terms of its landscape, amenity, nature conservation, historic or archaeological importance. This proposal would adversely affect the landscape character and amenity of Lower Rochester Road/Dillywood Lane, and would be contrary to this policy.

It is also considered that the proposal would conflict with paragraphs 131, 135 and 187 of the National Planning Policy Framework.

Layout and Design

It is noted that this is an outline application and consequently there is limited design resolution at this stage. As a result, the comments on urban design issues are high level and general.

The urban design officer makes a number of comments on the proposals including the following:

- the site is not allocated for development in either the adopted or the emerging local plan and is not in accordance with the development strategy.
- The scheme does not make any reference to further growth around the site and its context is only the existing rural landscape.
- It does not make any contribution to the strategic development of the area other than the provision of additional units of housing and does not create any clearly defined edges.
- The uniform approach to buffers at the site boundaries is considered to be an over-simplification of the requirements to manage impacts at different locations which have varying conditions, especially in positions where the ground level is higher. The relatively formulaic approach limits the potential for distinctiveness to the scheme edges. In particular, the north east corner of the site which is the highest level is of high sensitivity and it is considered that this area is not suitable for development given the likely landscape impacts (see section on landscape).
- The overall layout of the scheme largely appears to be driven by constraints on the site (such as the pipelines crossing the site necessitating open space corridors through the middle of the development areas). As a result there is little placemaking or consideration of the local settlement and rural character. The scheme appears to be at odds with the local character and the immediate surroundings of the site.

Policy S4 concerns landscape and urban design. It requires development to respond appropriately to its context, reflecting a distinct local character. The development is not considered appropriate in the context of the landscape characteristics of the site and surrounding area to the north of the A289 dual carriageway together with its

proximity and relationship to the settlement of Wainscott. The development would be contrary to this policy.

Policy BNE1 sets out general principles for built development which requires it to be appropriate in relation to the character, appearance and functioning of the environment. The policy seeks to ensure the design of new development is satisfactory in terms of scale, mass, layout and siting; respects the appearance of the surrounding area; and provides well structured, practical and attractive areas of open space.

As set out above, the scale of development is not considered appropriate in this location outside of the development boundary and in the context of the relationship to Wainscott. It is out of character with the rural nature of the immediate surroundings. The areas of open space on the site are located mainly in two corridors which cross the site as indicated on the proposed parameter plan. There is a necessity to keep these areas free from development as there are existing utility pipelines in these locations. The location of the open space within the development has been largely governed by the presence of the pipelines which comprises one of the constraints of the site. The resulting open space corridors are not considered to be well structured. In summary, the development would be contrary to this policy.

Best and Most Versatile Agricultural Land

The site contains high-quality agricultural land which would be lost and taken out of the food production chain. As recognised by the application documents, the site includes 'Best and Most Versatile agricultural land'. There exists 2.3 ha of Grade 1 land, 30.8 ha of Grade 2 land and 14 ha of Grade 3a land. There would be an overall loss of 48.2 ha of productive high value agricultural land which would have an economic, environmental and social impact. This would be contrary to Local Plan policy BNE48: Agricultural Land which protects 'Best and Most Versatile agricultural land'. The Access and Land Use Parameter Plan shows the loss of some of the highest graded agricultural land and retention of areas with a lower grading. BNE48 requires lower grade land to be developed in preference to higher grade land. The proposal fails to do this and is, therefore, contrary to policy BNE48.

The site contains high-quality agricultural land which would be lost and taken out of the food production chain. As recognised by the application documents, the site includes 'Best and Most Versatile agricultural land'. There exists 2.3 ha of Grade 1 land, 30.8 ha of Grade 2 land and 14 ha of Grade 3a land. There would be an overall loss of 48.2 ha of productive high value agricultural land which would have an economic, environmental and social impact. The Access and Land Use Parameter Plan shows the loss of some of the highest graded agricultural land and retention of areas with a lower grading within the site.

Local Plan policy BNE48: Agricultural Land at part iv) requires lower grade land to be developed in preference to higher grade land. The proposal fails to do this both within the application site and in the wider area. No assessment has been provided to demonstrate there are no other potential sites of a lower quality of agricultural land that could accommodate the development as required by part iii) of policy BNE48.

It is considered that there is no overriding need to use BMV (a requirement of part i) of policy BNE48) as the emerging Local Plan makes provision for sufficient housing land to deliver the identified need without allocating the application site. The allocations within the emerging Plan already include sites which comprise BMV land. As the Council is addressing the housing need through planned release of BMV land in the emerging Local Plan there is no overriding need to use further BMV land.

Type and mix of development

Although this is an outline application, the illustrative masterplan in the DAS and the Access and Land Use Parameters Plan identify the areas for development including the locations of the various land uses which comprise residential (including retirement living), a primary school and a community hub/local centre in addition to areas of public open space (including food growing space, children's play areas and a MUGA) and landscaping.

The proposed residential element is for up to 800 units with 30% affordable housing provision to be secured via a S106 Agreement. This exceeds the 25% affordable housing requirement set out in the supporting text to policy H3: Affordable Housing. The proposed mix of units is set out in the table at the start of this report and this is in accordance with Local Plan policy H10: Housing Mix insofar as it provides a range of house types and sizes including smaller units and accommodation to meet the needs of elderly people.

The proposed 2FE primary school would be located close to the main site entrance.

Policy CF6 of the Local Plan concerns primary schools. The policy allocates sites for new primary school provision and states that development which would prejudice the implementation of those proposals will not be permitted. The application site is not one of the sites identified to provide new primary school facilities. The policy goes on to note that in order to provide for additional facilities, existing schools may be expanded including Wainscott Primary School, which is only some 1.25km from the application site. It is not considered that a primary school on the application site would be in accordance with this policy as it would not expand the existing school in Wainscott and is not a site allocated for this purpose.

The Council's education officer has indicated that the applicant has not engaged with them to discuss the need for a school or how this would best be delivered. It is noted that developments which provide 775 new dwellings equate approximately to the need for a 1FE primary school. However, 1FE schools are generally not financially viable. The applicant proposes a 2FE school on the site. The application site is not considered to be appropriate for a primary school because if it is intended to serve only the development, it would be approximately half full and would not be financially viable. If it is intended to serve the wider area, the location of the site outside of existing settlements and the poor pedestrian and cycle access across a busy road would likely result in most children being transported to and from the school via private car journeys. There is also the possibility that the viability of existing schools in the area could be affected if pupils are redirected to this proposed new school.

The Council's education team have considered whether an alternative solution would be to fund expansion of an existing primary school in the area. The expansion of an existing school (Temple Mill School) by 1FE would allow it to accommodate the additional pupils arising from the development whilst ensuring that the school remains viable. However, it would be challenging for families with young children to walk between the application site and Temple Mill School as it requires walking along a busy road and junctions which will require crossing. There are pathways in place but these are not considered a particularly safe or healthy route for young families, especially at peak times. The likelihood is that there would be reliance on private car journeys to take children between the application site and the school.

The Council's education team are seeking to plan strategically for primary school provision in the area. Applicants for other sites which are coming forward for housing development have engaged with the Council's education team to establish the likely numbers of additional pupils and the most suitable location for additional school facilities. This engagement has allowed the Council to determine the overall likely number of equivalent form entries which would be required. They can then plan whether a new school would be appropriate or whether the expansion of existing schools would be preferable. Regardless of the approach taken, whether a school is built on site or a S106 contribution is made towards expansion of an existing school, the Council's education department do not consider that this site would be a suitable location for a new primary school and do not support this proposal.

Highways Impact

Policy T1 requires that, in order for development to be permitted, the highway network has adequate capacity to cater for traffic generated by development and that it will not significantly add to the risk of road traffic accidents. The consultation responses from National Highways, the Highway Authority and Active Travel England in respect of this application raise a number of concerns which have not been fully addressed by the applicant and they are not currently able to conclude whether the highway network has adequate capacity or whether there would be a significant additional risk of accidents. In light of this, the proposals are contrary to this policy.

National Highways (NH) has provided comments on the application on several occasions and has requested additional information. The most recent comments from NH dated 1st October 2025 set out a number of outstanding matters which have not been satisfactorily addressed by the applicant (as set out in the consultation section above). NH's position is that it has not been demonstrated that the proposed development would not have an unacceptable impact on the safety, reliability and/or operational efficiency of the SRN. On this basis they have submitted a holding objection to the development.

Medway highways officer's comments also set out a requirement for further information to be submitted in order to demonstrate that the access arrangements can be viably and safely implemented. Further information is also requested on proposed pedestrian and cycle facilities at access junctions and how these will be integrated into the local network along with details as to how the sustainable transport vision for the site would be realised. Information is also required to confirm

that travel demand from the site can be suitably accommodated on the local road network.

Active Travel England (ATE) have also provided comments on the application on several occasions and has requested additional information. The most recent comments from ATE dated 17 November 2025 take account of the submission from the applicant of 24 October 2025 and set out matters which have not yet been satisfactorily addressed (as set out in the consultation section above). ATE's position is that it is "not currently in a position to support this application and requests further assessment, evidence, revisions and/or dialogue".

It is noted that the applicant submitted further information on 4 and 26 November 2025 in response to these comments from NH, the Highways Authority and ATE. They have not yet had time to review and respond to these. A further update may be provided prior to the committee meeting.

In light of the above, at the current time the application is contrary to the NPPF and Local Plan policy T1 as it has not been demonstrated that the highway network has adequate capacity to cater for the development nor that it will not significantly add to the risk of accidents. It has also not been demonstrated that it would not generate significant HGV movements on residential roads which is also contrary to Local Plan policy T1. It is contrary to Local Plan policy T2 as it has not been demonstrated that the new access would not be detrimental to the safety of vehicle occupants, cyclists and pedestrians.

It is contrary to Local Plan policies T3 and T4 as it has not demonstrated the provision of safe and convenient footpaths, attractive and safe pedestrian access or suitable new and enhanced cycle routes. There is no clear provision of new public transport facilities, only the mention of a potential bus service extension. Therefore, the proposals are contrary to Local Plan policy T6.

Heritage Assets

The Council's heritage officer notes that it is very difficult to assess potential harm to heritage assets on an application of this scale when it is in outline form. However, they have assessed the potential for harm to heritage assets based on the submitted Development Framework and Demolition Plan.

There are 3 designated heritage assets in the vicinity. These are the 3 listed farmhouses Sole Street Farmhouse, Stone House Farmhouse and Brickhouse Farmhouse. There are 4 non-designated heritage assets; the farmsteads associated with each of the listed Farmhouses and Blackhurst Farm.

The conclusion is that less than substantial harm would be caused to the significance of Sole Street Farmhouse (grade II listed) and Sole Street Farm through the change of character (tranquillity, intensification and change of use, rural to residential suburban character) to their setting, as an individual listed building and as a recognisable grouping of farmstead buildings surrounded by arable fields. The level of harm caused to Sole Street Farmhouse would be in the mid-range of less than substantial harm.

As there will be a meaningful distance between the other historic farmsteads and their listed farmhouses in the vicinity, Stone House Farm and Brickhouse Farm, including the indicative buffers, the harm to the change in character of their surroundings is likely to be at the low end of less than substantial.

The NPPF, paragraph 215, states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. This test is addressed in the planning balance section of the report below.

It is also noted that harm will be caused by total loss of the non-designated heritage asset of Blacklands Farm. The heritage officer considers that this loss could be avoided and the farmstead incorporated into the proposals. Paragraph 216 of the NPPF, therefore, applies, where the LPA is instructed to make a balanced judgement on the extent of harm and level of significance of the asset. While it is noted that this is a non-designated heritage asset, the officer disagrees with the assessment of this asset in the applicant's submitted heritage statement as being of low value. Furthermore, it is considered that the total loss of the asset could be avoided.

Therefore, it is considered that this harm should be afforded moderate weight in the planning balance.

Open Space (including sports provision and allotments)

The proposal includes the provision of green infrastructure and open space on the application site. While the overall quantum of open space provision exceeds the policy requirements, there is some clarification required on what has been included.

It appears that some biodiversity habitat enhancement areas have been included within the stated total but BNG habitat should not be counted towards public open space. Some 2.52ha of SuDS has also been included within the total which should be discounted. The area stated for allotments also appears to include orchards and communal growing corridors. These are not clearly defined but the National Allotment Society have previously advised that community orchards are not allotments.

In addition, it is noted that there is no formal outdoor sports provision on the site which should be included for a development of this scale in this location. The proposed width of the open space corridors which cross the site (around 50-60m) would not allow for sports facilities such as football pitches and tennis courts. The requirement for outdoor sports provision in the Local Plan is to seek formal sports provision, not simply informal kickabout space.

Limited details are provided regarding proposals for the MUGA and the indicative location on the illustrative masterplan is not considered suitable as it is isolated and located on the northern edge of the development site at the furthest distance from the existing settlement. Even though the scheme is in outline form, it needs to be demonstrated that a suitable location for the MUGA can be achieved.

The open space areas also largely follow the gas mains that cross the site as these areas must remain undeveloped due to easements. However, this also means these areas will have limited uses and this restricts their potential as open space.

The proposed arrangements for the allotments are also not clear. It is not stated whether the applicant will provide these including future management/maintenance or whether they will simply provide the land to the Parish Council for this purpose. Taking into account the Parish Council's comments requesting an inclusive and accessible allotments with a car park, appropriate pathways and raised beds etc, the indicative location shown on the masterplan would not be suitable. The plan also shows the allotments and orchards divided over various locations which is impractical. The proposed allotments and orchard areas should be combined into a single larger area to create a suitable allotment site, ideally located close to the proposed community hub. Further clarification is required on the proposed provision of orchards and allotments in terms of long term maintenance arrangements and ownership.

In light of the above, the scheme is not currently considered to comply with BNE1 of the Local Plan which requires development to include well structured, practical and attractive areas of open space nor to comply with L4 of the Local Plan which sets out the required provision of types of open space including open space for formal recreation activities. Notwithstanding this, the submitted Land Use and Access Parameter Plan identifies the primary land uses including areas of open space. It is considered that the Parameter Plan could provide sufficient flexibility at the Reserved Matters stage to incorporate the required formal sports and other open space provision but the application as currently proposed does not comply with these policies.

Ecology and BNG

The County Council's ecologist has reviewed all the submitted ecological information including that submitted in response to their earlier questions. They have concluded that the application is acceptable in terms of ecological impact subject to the imposition of appropriate conditions concerning lighting, a Habitat Management and Monitoring Plan, a Construction Environmental Management Plan and an Ecological Mitigation and Enhancement Strategy.

With regard to Biodiversity Net Gain, the applicant has indicated they will provide a BNG of 10.55% habitat units and 92.69% hedgerow units on the site. The County ecologist is confident that the required 10% BNG can be delivered on site.

Noise

The development would result in noise impacts associated with development traffic growth. The Council's Environmental Protection Officer notes that the increase in noise at receptors along Higham Road will be 5.2dB which is a significant increase in the absence of any additional mitigation. Sources of noise on the site include the MUGA, the mixed use local centre, the district heating compound and the primary school. At this stage the final design/construction details are unknown. As such it will be necessary to impose a number of conditions in relation to acoustic protection

against road traffic noise, partitions between residential units and between residential and commercial, plant noise, transmission of noise between residential and commercial, hours for deliveries to protect future occupiers. Clarification would also be required regarding perimeter fencing to the MUGA and proposed community use. This would be provided at Reserved Matters stage and further conditions may be appropriate at that time.

Subject to the imposition of these conditions and further detail to be provided as appropriate within Reserved Matters applications, no objection is raised with regard to Policy BNE2 of the Local Plan and paragraphs 135, 187 and 198 of the NPPF.

Air Quality

The comments from the Council's Environmental Protection Officer raised some further queries regarding the air quality assessment. Following a meeting with the applicant and submission of further information, the Environmental Protection Officer has no objection subject to the imposition of appropriate conditions.

Consequently, the development is acceptable in terms of air quality under Policy BNE24 of the Local Plan and paragraph 192 of the NPPF.

Contamination

A Phase 1 Geo-Environmental Desk Study has been submitted as part of the application (December 2024 Report Ref: 27817-GEO-0401 Rev A by MEC Consulting Group Ltd). The report is in line with current guidance and, based on the findings, recommends an intrusive investigation due to the potential for contamination on the site. Subject to conditions requiring further intrusive site investigations and remediation if applicable along with a Construction Environmental Management Plan, no objection is raised in regard to Policy BNE23 of the Local Plan and paragraphs 196 and 197 of the NPPF.

Flood Risk

The LLFA has confirmed, following receipt of additional information from the applicant, that they do not object to the proposals on grounds of flood risk or surface water drainage subject to the imposition of conditions.

The Environment Agency also has no objection to the proposed development in terms of flood risk and surface water drainage.

The majority of the site is located in Flood Zone 1 with some areas within Flood Zone 2 and 3, mostly at the southern part of the site in areas which are not proposed for built development. Local Plan policy CF13 restricts development within areas of tidal flood risk where (inter alia) it introduces residential living and sleeping accommodation below the estimated flood level. Given the lack of in principle objections from the consultees and the opportunity to ensure residential accommodation is not within flood risk areas at the detailed design stage, it is considered that the proposal would be in accordance with policy CF13 through the submission of Reserved Matters application(s).

Public Rights of Way (PROW)

The PROW and Access Officer commented that the development would result in a great loss of enjoyable recreational countryside scenery. Some opportunities are identified for additional PROW and circular walks which could form part of a Reserved Matters application.

The officer requests a contribution via the S106 Agreement towards improving signage, lighting, surfacing, furniture if required and accessibility improvements. It is considered that through the implementation of suitable circular walks and links to PROW within a Reserved Matters application and along with the S106 contribution, the development would comply with Local Plan policy L10 which seeks to protect existing PROWs.

Archaeology

Kent County Council's Archaeological Officer has provided comments on the proposal and raises no objection to the development subject to the imposition of relevant conditions to secure archaeological evaluation works and associated reports, a heritage engagement strategy and historic building recording. Compliance with policy BNE21 concerning development affecting potentially important archaeological sites could be achieved by such conditions.

Climate Change and Energy Efficiency

The applicant has submitted a Climate Change and Energy Efficiency Statement (Ref; 552890FM19AUG24DV01_SS, dated December 2024) which can be summarised as follows:

- Incorporation of water efficiency measures in design to reduce potable water consumption to 110 litres/per person/per day.
- Provision of a new primary school, local centre and retail facilities to serve proposed residents.
- Improvements to pedestrian and cycle links to public transport nodes, including Higham and Strood railway stations.
- Incorporation of sustainable transport measures such as EV charging provision and cycle parking provision in accordance with emerging policies as well as the opportunity to extend an existing bus service.
- Delivery of a landscape and open space strategy.
- Incorporation of SuDS measures in the form of swales, infiltration basins, rain gardens and permeable paving to reduce surface water run-off and provide climate change adaptation.
- Commitment to enhancing the site biodiversity through the incorporation of ecological enhancement measures including SuDS features planted with native riparian species, land dedicated to natural and semi-natural greenspace to enhance habitat connectivity, bat and bird boxes, new hedgerows and tree planting.
- Commitment to designing in accordance with the principles of the energy hierarchy using a combination of passive and active measure including fabric efficiency, shading design and low carbon and renewable technologies,

considering the use of air source heat pumps (ASHPs) and photovoltaic (PV) panels at detailed design stage.

If the development were considered to be acceptable, a condition is recommended for an energy efficiency and climate change verification report to be submitted to provide further details of these measures. With such a condition imposed the proposal is in accordance with Policy BNE4 of the Local Plan and paragraph 164 of the NPPF.

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 £337.49 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. This tariff should be collected for new dwellings, either as new builds or conversions (which includes HMOs and student accommodation). Giving a total contribution of £269,992.

These strategic SAMMS mitigation measures are being delivered through Bird Wise North Kent, which is the brand name of North the Kent Strategic Access Management and Monitoring Scheme (SAMMS) Board, and the mitigation measures have been informed by 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. Further information regarding the work being undertaken is available at The Bird Wise website which can be found at <https://northkent.birdwise.org.uk/about/>.

A decision from the Court of Justice of the European Union 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. Given the need for the application to contribute to the North Kent SAMMS, there is a need for an appropriate assessment to be carried out as part of this application. This was undertaken for this proposal.

The Appropriate Assessment concluded that:

'Having considered the proposed mitigation and avoidance measures to be provided in-perpetuity through the secured contribution to the Bird Wise scheme, Medway Council conclude that with mitigation, the plan or project will have no adverse effect on the integrity of the European protected site(s).'

'Having made this appropriate assessment of the implications of the plan or project for the site(s) in view of that site's conservation objectives, and having consulted Natural England and fully considered any representation received, the authority may now agree to the plan or project under regulation 63 of the Conservation of Habitats and Species Regulations 2017'.

The potential impacts of the scheme could be addressed through the provision of a contribution towards the SAMMS and this would be secured through a S106 Agreement.

S106 Matters

Policy S6 of the Local Plan states conditions and/or legal agreements should be used to make provision for additional demand for local services generated by new developments.

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 (S106 Agreement) may only be taken into account if the obligation is:

- necessary to make the development acceptable in planning terms;
- directly related to the development; and
- fairly and reasonably related in scale and kind to the development.

The Approved Guide to Developers Contribution (2018) sets the Council's detailed approach towards ensuring that the demands generated by new developments is properly provided for by way of financial contributions made by the developer towards the provision of new and improved infrastructure and services. The Guide sets out comprehensive advice on how financial contributions will be calculated in respect of a broad range of different services.

In accordance with Guide to Developer Contribution the following contributions have been requested in respect of this application:

- Contributions towards improved Education provision comprising:
 - Nursery: £1,516,192.00.
 - Primary: £2,551,932.34 (£3,721,568.00 x 24 full year groups out of 35).
 - Secondary: £2,948,728.00.
 - Sixth form: £0.00.
 - Total: £7,016,852.34.
- Contribution towards Sports Facilities to include:
 - Hoo Sports Centre
 - Environmental improvements.
 - New boilers and solar panelling.
 - New changing room village.
 - Studio refurbishments.
 - Replacement windows on poolside.
 - Strood Sports Centre
 - Sports Hall refurbishment including replacement sports equipment.
 - New changing room village.
 - Refurbish sauna and steam.
 - Soccer pitch improvements.
 - Reception refurbishment.

- New conference equipment.
- Improved café furniture.

Any contribution will be added in as partnership money to improve works in those areas: £267,704.

- Contribution towards improved equipment and facilities at Strood Library and/or libraries in the vicinity = £181,584.
- Contribution towards visit access improvement schemes at Upnor Castle, Rochester Castle & the Guildhall = £313,024.
- Contribution towards Health to support the creation of additional capacity in Health Care premises required as a result of the increase in housing and resulting patient registrations = £695,288.
- Contribution towards Public Rights of Way (PROW) towards the improvement of signage, lighting surfacing and furniture if required = £60,000.
- Contribution towards public realm to assist with improvements in Strood Centre and its gateways (greening, street furniture, paving, lighting, signage etc) = £196,000.
- Contribution to enhance open space facilities within the vicinity of the development in consultation with the parish council = £2,592,329.60.
- Contribution towards Medway's Metropolitan park - Great Lines Heritage Park = £136,438.40.
- Contribution towards community facility to benefit residents of the development and the local community = £195,968.
- Contribution to support youth Development in the Medway = £861,12.00.
- Contribution for the provision, improvement and promotion of waste and recycling services to cover the impact of the development = £185,072.
- Contribution to fund strategic measures across the Thames, Medway and Swale Estuaries = £269,992.
- Contribution towards internal and external modernisation and extension to Frindsbury Extra Memorial Hall to accommodate the expected increase in population = £110,000.

These requests have been calculated in accordance with the Approved Developers Contribution Guide (2018, updated 2025) and based on the quantum and location of the development and are thereby considered to comply with the CIL Regulation Tests.

Local Finance Considerations

There are no local finance considerations.

Emerging Local Plan

The Regulation 19 version of the emerging Plan was published for consultation in June 2025. The Local Development Scheme indicates that the Plan was proposed to be submitted to the Secretary of State in November 2025 and, following examination, adoption is estimated to be December 2026. A pre-examination checklist was submitted in November 2025 to the Planning Inspectorate and the response to this

confirmed that the emerging Plan is ready for examination. It will now be submitted in December 2025.

While the Plan, which sets out the overall strategy for future planning policy in the District, is not yet adopted it is a relevant consideration. The emerging Plan has not yet been examined. However, it is at a reasonably advanced stage and can, therefore, be given moderate weight.

The emerging Plan will cover the period up to 2041. The Local Housing Needs requirement set out in the Plan (which comes from the Medway Local Housing Needs Assessment) is defined through use of the government standard method formula. The annual need for 1,636 homes a year has been projected over the 15 years of the plan period to 2041, resulting in a need to plan for 24,540 homes in total. The Plan allocates new development sites to provide some 21,194 new dwellings. This is in addition to an allowance of 1,762 dwellings on sites with permission but not yet completed and some 1,584 dwellings on windfall sites. Consequently, the emerging Plan provides for the required 24,540 dwellings over the Plan period.

The site allocations set out where new development will be directed across Medway, in line with the spatial strategy. This spatial strategy takes a “brownfield first” approach and seeks to deliver sustainable development which makes full provision for Medway’s development needs. The strategy is intended to tackle the negative impacts of climate change including by reducing reliance on cars, reducing the need to travel and providing for sustainable travel choices. It prioritises regeneration, making the best use of previously developed land and directing investment to urban waterfront and centre opportunity areas.

The spatial strategy provides for a range of development needs, Growth in different parts of the urban, suburban and rural areas will reflect their distinctive character and identity, the potential for a mix of development, and the need for upgrades in infrastructure and services.

Outside of the urban regeneration areas, the expansion of *identified* suburban neighbourhoods and villages will be supported, where the principles of sustainable development can be met, and where unacceptable impacts on infrastructure and the environment can be avoided. Wainscott is not a suburban neighbourhood which is identified for expansion.

The application site is not a brownfield site, is not within an existing urban area and is not one of the suburban neighbourhoods or villages identified for expansion.

Furthermore, as explained above, the site is not sustainably located and would increase the reliance on cars rather than reducing it and would not make sufficient provision for sustainable travel choices. The proposal would have an unacceptable impact on the countryside and would not reflect the rural character of the area. Therefore, development would not represent a sustainable expansion of Wainscott. Consequently, this application would not accord with the spatial strategy in the emerging Local Plan.

The site allocations within the emerging Plan are the product of the assessment of land availability and a site selection process. This has identified specific, deliverable sites for years one to five of the plan period and specific, developable sites or broad locations for growth for years six to 10 and, where possible, for years 11 to 15 of the plan period. The application site was submitted to the Council for consideration as part of the Call for Sites. This submission proposed development of the quantum and nature of the application scheme. The site was identified within the Land Availability Assessment Report 2025 as being available but was assessed as being neither suitable nor achievable. Consequently, it is not one of the sites allocated for development within the emerging Plan.

The Council has set out 4 strategic objectives for the emerging Local Plan as follows:

1. Prepared for a sustainable and green future.
2. Supporting people to lead healthy lives and strengthening our communities.
3. Securing jobs and developing skills for a competitive economy.
4. Boost pride in Medway through quality and resilient development.

The proposal would not comply with objectives 1, 2 and 4.

With regard to objective 1, the site is not in a sustainable location and the development would not make it sustainable. It would also result in the loss of best and most versatile agricultural land. The site would be separated from nearby built-up areas and lack sustainable access opportunities increasing reliance on journeys by private car.

With regard to objective 2, the lack of suitable cycle and pedestrian links to Wainscott and other existing settlements, services and facilities as well as the PRow and cycle route network would be contrary to the objective of supporting people to lead healthy lives through a genuine choice of transport modes. The isolation of the site due to the busy road with limited crossing options would be contrary to the aim of strengthening communities.

With regard to objective 4, the proposal would encroach upon land that serves to separate neighbouring authorities and would fail to respect the distinct identities and characteristics of the surrounding settlements. It would also be contrary to the aim of reducing car dependency.

The emerging Plan provides the Spatial Development Strategy for the Borough including that it meets the full provision for Medway's development needs. The strategy seeks to support development which contributes to the conservation and enhancement of the natural and built environment and the Council's ambitions for sustainable growth. The Council has a commitment to achieving net zero carbon and tackling the negative impacts of climate change. These include reducing reliance on cars and providing for sustainable travel choices. The proposed development fails to meet these aims as it is in an unsustainable location which will result in additional reliance on private car movements.

Draft policy S1: Planning for Climate Change states that new development will be required to contribute to the mitigation of and adaptation of climate change though

(inter alia) effective spatial planning and placemaking. This includes: directing the spatial strategy for growth to locations that provide better access to services or which are capable of delivering improved services; reducing the need for travel; designing for walking and cycling and providing for sustainable and low carbon transport choice. This reflects the spatial strategy in the adopted Local Plan seeking to direct and prioritise development within the existing urban fabric and to take a sustainable approach to the location of development. The application site being unsustainably located in terms of access to facilities and services would be contrary to this policy.

Draft policy S2: Conservation and Enhancement of the Natural Environment requires development to protect and enhance the natural environment and biodiversity including the natural beauty of the landscape.

Draft policy S4: Landscape protection and enhancement states that development should seek to conserve and enhance Medway's rural and urban landscape character and local distinctiveness and reflect the diversity and importance of Medway's landscapes. It requires development to demonstrate how it respects and responds to the character, key sensitivities and qualities of the relevant landscape character areas. Development proposals will be required to demonstrate that they will enhance, restore or create landscapes.

Draft policy S24: Infrastructure Delivery sets out that development will be expected to deliver new or improved infrastructure through the use of planning obligations and contributions.

Draft policy T26: Accessibility Standards requires major proposals for new homes to describe how they meet accessibility standards within 15 minutes for local destinations by sustainable transport methods. This includes 15 minute walking distance from primary schools; 15 minute walking or cycling or bus journey distance from secondary schools; 15 minute walking or cycling distance from 'top-up' grocery shopping and 15 minute walking distance from places to exercise. It also sets maximum distances from major new development to bus stops. For core bus corridors the maximum distance is 500m and this reduces to 400m for single high frequency routes and to 300m for less frequent routes.

Planning Balance

Habitats Regulations

The preliminary issue for consideration is the requirements of the Habitat and Species Regulations 2017. Without mitigation, the proposal would have an impact on the Special Protection Areas of the Thames Estuary and Marshes and the Medway Estuary and Marshes. However, it is considered that this can be addressed through a contribution towards strategic mitigation measures to be secured by Section 106 Agreement. Assuming this is secured, then the Council would not be required to refuse planning permission under Regulation 63 of the Habitats Regulations.

Compliance with the Development Plan

Under section 38(6) of the Planning and Compulsory Purchase Act 2004, the starting

point for determination of the application is the Development Plan which currently comprises the 2003 Medway Local. As set out above, there are a significant number of breaches of the Development Plan policies, including policies concerning the spatial strategy, sustainable location, impact on the countryside, use of agricultural land, landscape and visual effects and highway impacts. Overall, it is concluded that the scheme is not considered to be in accordance with the Plan as a whole.

Material Considerations

It is, therefore, necessary to consider whether there are material considerations which outweigh this breach.

The NPPF is an important material consideration. Paragraph 11(d) applies where proposals are in conflict with the development plan. This means that, where policies which are most important for determining the application are out of date, permission should be granted unless (i) ‘footnote 7’ policies provide a strong reason for refusing the development proposed; or (ii) adverse impacts of the proposal would significantly and demonstrably outweigh the benefits of the scheme, having particular regard to (amongst other things) directing development to sustainable locations.

It is acknowledged that the Medway Local Plan is out of date for the purposes of paragraph 11(d). The Local Plan was adopted in 2003 and the Council does not currently have a five-year housing land supply. As of 31 March 2024 Medway's 5 year housing land supply stands at 3.1 years.

The only ‘footnote 7 policy’ applicable is those relating to designated heritage assets. However, applying the test in paragraph 215 of the NPPF, it is considered that the public benefits arising from the proposed development outweigh low-moderate less than substantial harm identified to the Sole Street Farm and Farmhouse. Thus whilst this harm weighs in the planning balance, it does not of itself provide a strong reason for refusal.

Harms of the proposal

The table below sets out a summary of the harms resulting from the proposal and the weight that is given to each (the weighting scale is: substantial, significant, moderate, limited, none):

Harm	Weight
Conflict with spatial strategy of the existing and emerging Local Plans	Significant
Location of the site is unsustainable in terms of access to services and facilities	Substantial
Unacceptable landscape impacts as development would have a substantial and significant permanent effect on the character, amenity and functioning of the countryside.	Substantial

Development contrary to three of the four purposes of the designation as an Area of Local Landscape Importance	Significant
Visual effect on the character of the rural lanes around the site	Significant
Loss of Grade 1, 2 and 3a Best and Most Versatile (BMV) agricultural land	Moderate
Potential highways safety and capacity issues as well as impacts on the wider road network (insufficient information provided to assess this)	Significant
Less than substantial harm to designated heritage assets and impact on non-designated heritage assets including total loss of one non-designated heritage asset	Moderate
Lack of formal outdoor sports provision, lack of clarity on quantity of open space, MUGA provision and allotments	Moderate

The proposed development is located in the countryside outside of settlement boundaries. The site is not allocated for residential-led mixed-use development in the adopted plan. The predominantly residential development does not require a countryside location. No agricultural, forestry or outdoor recreation uses are proposed. The site is largely greenfield and not within an existing built-up area or previously developed land. It is clearly contrary to the spatial strategy of the existing Local Plan. Whilst that strategy is now somewhat aged, there remains a significant public benefit in having plan-led planning decisions. Furthermore, the site was not considered suitable for allocation in the emerging Local Plan, and the development is inconsistent with the spatial strategy in the emerging Local Plan. The harm to the delivery of the spatial strategies of the existing and emerging Local Plan of the Local Plan including development being located outside of existing settlement boundaries is given significant weight.

The location of site is unsustainable in terms of access to services and facilities and the presumption in favour of sustainable development is not considered to apply to this scheme. Future occupiers of the development would be largely reliant on cars for access to services, facilities, and public transport. This would be contrary to policies in the existing and emerging plan, as well as those policies in the NPPF that require development to be focussed on locations that either are or can be made, sustainable, by limiting the need to travel and offering a genuine choice of transport modes. The harm caused by a major development in an unsustainable location is given substantial weight.

The proposal would have unacceptable landscape impacts as the development would have a substantial and significant adverse permanent effect on the character, amenity and functioning of the countryside contrary to policy BNE25: Development in the Countryside. This harm is given substantial weight.

The development would also be contrary to three of the four purposes of the designation as an Area of Local Landscape Importance (ALLI) and, therefore, contrary to policy BNE34. The weight given to this harm is significant.

The proposal would also have a harmful visual effect on the character of the rural lanes around the site contrary to policy BNE47 and this is given significant weight.

The development would result in the loss of 48.2 ha of Grade 1, 2 and 3a Best and Most Versatile agricultural land contrary to policy BNE48. This includes the loss of some of the highest quality agricultural land, 2.3 ha of Grade 1 land and 30.8 ha of Grade 2 land. It is acknowledged that there is a large quantity of BMV land in the district and some of this will be required to meet the Council's future housing needs. However, this land will be released in a plan-led way, in which the loss of BMV is factored into the overall assessment of the suitability of the allocation. Accordingly, this harm is afforded moderate weight.

Insufficient information has been submitted to allow a full assessment of the development in terms of highways safety and capacity as well as impacts on the wider road network and, therefore, currently the proposal is contrary to the NPPF and the Local Plan. Until and unless it can be demonstrated that the proposal would not have unacceptable impacts on highway safety or capacity, this conflict must be afforded significant weight against the proposal.

The Council's heritage officer has indicated that the scheme would result in harm to three designated and impact on three non-designated heritage assets as well as the total loss of a non-designated heritage asset. The harm to one of the designated heritage assets would be at the mid point of less than substantial, at the low end of less than substantial to the other two designated heritage assets and there would be a total loss of a further non-designated heritage asset. These impacts are afforded moderate weight in the overall planning balance, particularly as it is considered that the total loss of the non-designated heritage asset could be avoided.

While the overall quantum of open space provision exceeds the policy requirements, it is noted that there is no formal outdoor sports provision on site and some of the BNG habitat and SuDS areas have been incorrectly included in the total stated within the submission documents. There are also a number of concerns relating to the proposed green infrastructure and open space which include the location of the MUGA, the limited potential of the open space in the easement areas of the gas main as well as the proposed locations and long term arrangements for the community orchards and allotments. It has not been adequately demonstrated that the proposed elements of green infrastructure and open space could be achieved on site at the level stated and in the locations shown. This is afforded moderate weight in the planning balance.

The above assessment assumes that the planning obligations outlined above are secured in full. Without a legal agreement in place, the application fails to mitigate the development, with regard to the provision of affordable housing and necessary infrastructure contributions. This would be afforded substantial weight in the planning balance.

Benefits of the proposal

The table below sets out a summary of the benefits of the proposal and the weight that is given to each (applying the same weighting scale as to harms):

Benefit	Weight
Delivery of open market housing including retirement living/care home	Substantial
Delivery of affordable housing	Substantial
Provision of community space	Limited, required to support development
Provision of a primary school	Limited
Provision of retail units	Moderate
Creation of jobs on site in the community hub, retail units, care home and school	Significant/Moderate
Creation of jobs during the construction phase and increased spend in the local community from additional residents	Moderate
Biodiversity net gain of 10.55% habitat units and 92.69% hedgerow units	Moderate
Provision of some 20ha of green infrastructure and open space	Limited
Provision of improvements to pedestrian and cycle infrastructure	Limited, required to support development
Potential improvements to bus services	Limited, required to support development

It is recognised that the proposed development would bring forward a number of benefits. In particular, the provision of affordable housing is an important benefit to which substantial weight is afforded. The level of provision of affordable housing offered is 30% which exceeds the policy requirement of 25% and this is, therefore, acknowledged as a substantial benefit.

The provision of open market housing and retirement living/care home is a benefit to which substantial weight is afforded given the Council's assessment of the current housing land supply.

The provision of community facilities within the local centre/community hub is beneficial but the facilities are not clearly defined in the application submission. The applicant refers to a community meeting space which could also act as flexible office space. Furthermore, some provision of community space would likely be necessary to support the proposed development so overall this is given limited weight as a benefit.

The provision of a Primary school on the site could be considered a benefit. However, the comments from the Council's education team indicate that a 1FE school (which would largely meet the needs of the proposed development) would likely be unviable. It is also likely that a 2FE school on the site would require significant traffic movements to transport pupils from the surrounding area to the site

and may impact on the viability of other existing schools in the immediate vicinity. This is not considerable to be a sustainable location for a new school. Therefore, this is given limited weight as an overall benefit.

The provision of retail units within the local centre/community hub is also a benefit. While the details of such provision are not clearly defined it is appreciated that a convenience store or similar would potentially reduce the need for residents to leave the site via private car movements and consequently this is given moderate weight as a benefit.

The proposals would create employment opportunities on the site at the school, care home, retail units and community hub. This benefit is afforded significant/moderate weight.

The proposals would give rise to economic benefits in the form of construction jobs and a contribution to the local economy through local spending. These benefits are afforded moderate weight, tempered somewhat by the temporary nature of the construction work.

With regard to Biodiversity Net Gain, the applicant is able to provide a BNG of 10.55% habitat units and 92.69% hedgerow units on the site. New development is now expected to provide a minimum of 10% BNG on site so this is a very modest increase above the statutory minimum in terms of habitat units. However, it is a significant increase above the statutory minimum in terms of hedgerow units. Therefore, overall the BNG is a benefit to which moderate weight is afforded.

The proposal includes the provision of green infrastructure and open space on the application site. This is a requirement for development. It is acknowledged that the quantum of open space provided goes beyond the minimum requirements of policy and this constitutes a benefit. It appears that some biodiversity habitat enhancement areas and SuDS areas have been incorrectly included within the stated total of open space so the exact amount of additional provision above the policy requirements is unclear. However, given that the green infrastructure and open space does exceed policy requirements it is afforded some weight, albeit limited, as a benefit of this scheme.

Provision of improvements to pedestrian and cycle infrastructure will be beneficial but given the location of the site these will be essential to serve the development and are, therefore, given limited weight as a benefit of the scheme.

Improvements to bus services would be a benefit although it is noted that these are described as potential improvements and it is not clear whether and how these would be delivered. Even if improvements are provided it is considered that these would be necessary to serve the proposed development and therefore this is given limited weight as a benefit.

Conclusions and Reasons for Refusal

The Council acknowledges that it is unable to demonstrate a five-year supply of deliverable housing land and, therefore, the relevant Development Plan policies

which are most important in the determination of the application are out of date and the tilted balance applies. It is also noted that the Council's latest Housing Delivery Test (HDT) measurement is 72% which also engages the presumption in favour of sustainable development.

The proposal would contribute a significant number of additional units to the supply of housing, although a limited amount of this would be likely to be delivered within 5 years. It would also bring with it associated social and economic benefits. It would also provide a primary school, care accommodation for elderly residents and some retail provision.

However, for the reasons outlined above, it is considered that the harm, in terms of the conflict with the spatial strategies of the existing and emerging local plans, the unsustainable location and inaccessibility to facilities by sustainable modes of transport, the significant adverse impact on the character and appearance of the area, the adverse impact on the functions of the Dillywood Lane ALLI and the character of the Lower Rochester Road/Dillywood Lane rural lane, the loss of a substantial amount of BMV agricultural land, the lack of adequate provision of outdoor formal sports areas, lack of clarity on green infrastructure including location of the MUGA and allotments, the unsuitable location for a primary school and the impact on designated and non-designated heritage assets (including the total loss of one non-designated heritage asset) would significantly and demonstrably outweigh the benefits of the development when assessed against the NPPF as a whole.

This is a judgement reached even without taking into account the harm caused by the failure of the application to demonstrate that it would not have an unacceptable impact in terms of highways safety or on the road network; and assuming that a section 106 would be agreed which provided all of the planning obligations. These are additional potential harms of the development.

The application is being referred for Committee determination due to the extent of representations received and due to the proposal being a major development. It should be noted that the applicant has submitted an appeal against the non-determination by the Council of the application and, therefore, the Council is no longer in a position to determine it. The appeal was submitted on 28 November 2025 and the applicant/appellant has requested that it be dealt with by means of an Inquiry to be held in the new year. Accordingly, this committee meeting is to decide what the Council's decision would have been if it had been able to determine the application.

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/>