

**MC/25/2538**

Date Received: 29 December 2025

Location: Land to the south of Moor Street and east of Meresborough Road, Rainham

Proposal: Outline planning application (with all matters reserved other than access) for up to 150no. dwellings, including public open space, landscaping and associated works.

Applicant Bellway Homes Limited

Agent DHA Planning  
Mrs Lucy Wilford Eclipse House  
Eclipse Park  
Sittingbourne Road  
Maidstone  
ME14 3EN

Ward: Rainham South East

Case Officer: Nick Roberts

Contact Number: 01634 331700

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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 1 July 2026.**

**Recommendation – Refusal subject to referral to the Secretary State as required under The Town and Country Planning (Consultation) (England) Direction 2026.**

- 1 The proposed development results in unacceptable harm to the following designated heritage assets within the vicinity including the Moor Street Conservation Area: less than substantial harm on the mid to low end of the scale will be caused to West Moor Farmhouse and Westmoor Cottage. A low level of less than substantial harm will be caused to the grade II listed East Moor Street Cottages, Pooh House, Moor Street House and The Cows. The harm would be at the mid to high end of less than substantial to the Conservation Area, taking into consideration cumulative and direct effect on that part of its setting which contributes to its significance and its heritage significance as open land. The proposed development also results in harm to non-designated heritage assets. Cumulatively these harms result in less than substantial harm contrary to policies BNE12, BNE14 and BNE18 of the Medway Local Plan 2003, policies S8, DM9 and DM10 of the emerging Medway Local Plan 2041 and para 215 of the NPPF.
- 2 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 and BNE25 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.

- 3 The proposed development would result in unacceptable landscape and visual impacts. It would negatively impact the distinctive settlement identity, particularly between the hamlet of Moor Street and the urban area of Rainham. It would give rise to adverse landscape and visual effects that would not maintain the character, amenity or functioning of the countryside and would be contrary to two of the four purposes of the designation as an Area of Local Landscape Importance contrary to Policies BNE1, BNE25 and BNE34 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 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 paras 187, 188 and footnote 65 of the National Planning Policy Framework.
- 5 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, 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 150 dwellings including 25% affordable housing, public open space, landscaping and associated works. Detailed approval is sought for the proposal principal means of vehicular access from Moor Street.

The application is supported by a location plan and existing block plan. Also submitted are a framework parameter plan and a proposed access arrangement plan, both of which are to be determined with the application.

An illustrative sketch layout plan and an illustrative landscape masterplan are also provided. These plans are not for determination as part of the application.

The application proposes up to 150 dwellings of which 25% would be affordable (up to 38 dwellings) arranged in three main areas across the site. These residential areas are divided by areas of green space or by retained traditional orchards. A total minimum area of 2.81ha of open space is proposed and this will include a locally

equipped area of children's play (LEAP), 4no. Local Areas of Play (LAP), areas of retained traditional orchard, amenity areas, meadows and attenuation basins that form the sustainable drainage system.

A new access point is proposed to form the vehicular access from Moor Street. The proposal also includes provision of an emergency access from Meresborough Road which would also provide a pedestrian and cycle connection into the site. This emergency access is not for determination in detail within the current application.

There are existing public rights of way accesses surrounding and across the site which would be retained and improvements would be provided. This would include provision of an alternative route for part of PRow GB13.

The proposal also includes off-site improvements to pedestrian crossings and a bus stop in the vicinity.

### **Site Area/Density**

Site Area: 7.8 hectares (19 acres)  
Site Density: 30dph (12.5dpa) overall net, based on residential development area of 5ha (12 acres) although exact density varies from 35 – 41dph.

### **Relevant Planning History**

The Site has not been subject to any previous planning applications, however, there are a number of recent applications in the local area that are of relevance.

#### Land West of Meresborough Road and South of Moor Street

MC/23/0246	Construction of 9 dwellings with associated access and parking. Decision: Refused Decided: 11 May 2023 Appeal: APP/A2280/W/23/3332412 - Dismissed 18 July 2024
MC/20/1705	Outline planning application with some matters reserved (access, appearance, landscaping and scale) for the development of up to 66 residential dwellings with associated parking and landscaped areas - Re-submission of MC/19/0188. Decision: Refused Decided: 5 March 2021 Appeal: APP/A2280/W/21/3274932 – Dismissed 25 April 2022

MC/19/0188

Outline planning application with some matters reserved (appearance and scale) for the development of up to 130 residential dwellings with associated parking and open space.

Decision: Refused

Decided: 23 July 2019

Appeal: APP/A2280/W/19/3240339 -

Dismissed 30 July 2020

#### Land East of Mierscourt Road and South of Oastview

MC/15/4539

Construction of 134 dwellings with associated parking, access, landscaping and infrastructure works.

Decision: Approval with Conditions

Decided: 18 November 2016

#### Land North of Moor Street and East of Otterham Quay Lane

MC/21/3125

Construction of 66 residential dwellings (including 25% affordable housing), together with open space, landscaping, drainage, access, parking and associated works.

Decision: Refused

Decided: 24 October 2022

Appeal: APP/A2280/W/22/3310119 – Allowed  
22 June 2023

#### Land East of Seymour Road

MC/21/2225

Construction of up to 48 dwellings including associated access, parking, landscaping and open space with all matters reserved (except access).

Decision: Refused

Decided: 21 October 2022

Appeal: APP/A2280/W/22/3311965 – Allowed  
22 June 2023

#### Proposed Allocation in Emerging Local Plan

The application site was part of a much larger site considered for allocation in the emerging Local Plan as an eastern extension of Rainham. It was included in the potential areas for Suburban Expansion option to accommodate the housing requirement for Medway. The site was not taken forward in the subsequent Regulation 19 version of the Plan, nor the Regulation 22 version.

## 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, Southern Gas Networks, UK Power Network, Southern Water Services, Historic England, Natural England, KCC Police, KCC Archaeological Officer, KCC Biodiversity Officer, Chatham World Heritage and the following Medway Council departments; Landscaping, Urban Design, Flood and Drainage, Highways, Strategic Transport, Environmental Protection, Planning Policy, Affordable Housing, Heritage and Conservation, Youth Services, Library Services, Waste Services, Trees, Economic Development, Greenspaces, Education and Schools, Public Health and Public Footpaths, Sport Leisure and Tourism.

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

- Loss of open land;
- Loss of land of ecological value;
- Loss of visual separation between built areas;
- Harm to settlement identity;
- Overdevelopment;
- Not in keeping with the character of the surrounding area;
- Additional pressure on local infrastructure;
- Problems with gas and water supply;
- Increased traffic raising highway safety concerns;
- Cumulative highway impacts;
- Insufficient detail on how impacts on biodiversity, flood risk and neighbouring amenity would be avoided;
- Poor air quality/increase in air pollution;
- Additional noise and light pollution;
- Harm to wildlife using the land currently;
- Impact on the Conservation Area;
- Impact on listed buildings;
- Many new dwellings have already been permitted in Rainham;
- Harm to landscape character and ALLI;
- Erosion of settlement boundaries and urban sprawl;
- Incremental encroachment into countryside rather than planned or sustainable extension;
- Negative impact on local road conditions;
- Loss of agricultural land;
- Disturbance from construction activity;
- Concerns regarding surface water drainage;
- Concern that dwellings will not be affordable for local people;
- Potential overlooking and residential amenity concerns;

- Lack of reliable public transport in the area;
- Impact on horses and associated uses in the area;
- Impact on public footpaths.

**Active Travel England** have advised that their standing advice should be issued.

**Historic England** responded on 28 January 2026 to confirm that they are not offering advice on this application and that they suggest seeking the views of the Council's specialist conservation advisors.

**Kent County Council's Ecological Advice Service** commented on 13 March 2026 and again on 13 April 2026 in response to further submissions from the applicant.

Confirmation is required of the number of ponds present within 250m and a countersigned Great Crested Newt District Level Licence (DLL) impact assessment and conservation payment certificate (IACPC). Further information to show location and state if tree T86 with bat roost is to be lost, (with a mitigation strategy if to be lost).

We are **satisfied** with the BNG information provided and off-site gains will be required with the current proposals.

**Table 1:** To show a summary of our review of submitted biodiversity net gain information.

Percentage Net Gain Required	Percentage Net Gain/Loss Reported for Area Habitats	Percentage Net Gain/Loss Reported for Linear Habitats	Net Gain Proposed: 1 – all on-site; 2 – no significant on-site and off-site; 3 - significant on-site and off-site	On-site 'significant' Net Gains Proposed (Yes/No)
10%	-14.46%	+159.41%	3- significant on-site and off-site	Y

Using the national and local guidance regarding significance, we consider that the on-site biodiversity net gain (excluding private gardens) should be treated as significant and so requires securing for 30-years.

## DETAILED COMMENTS

### **BATS**

The submitted ecological report outlined that the proposed development has the potential to have detrimental effects on bats and further survey were undertaken.

It was noted that as many trees have suitable features for bats the site is considered as having local/district level importance for bats. A sensitive lighting scheme will be required, and this can be conditioned.

## **HAZEL DORMOUSE**

Suitable habitat is present within the site for dormice and surveys were carried out in Jul 25. Evidence of dormouse was found present outside the application site, in the boundary of the adjacent field. As the site is well connected through hedgerows the ecologist has taken a precautionary view and assumed presence within the site and that a European protected species licence is required for vegetation clearance and precautionary measures have been proposed. Details relating to the need for the works to be carried out under a Natural England licence and the mitigation measures need to be include within a construction and ecological management plan (CEMP), which can be conditioned.

## **REPTILES**

Reptile surveys were carried out in September 2025, which is within the survey season. Common lizard only was recorded with a peak count of 4 adult, indicating a low population. The reptiles were recorded around the central orchard, near to the eastern boundary and western boundary. Most of these locations are areas to be developed and as suitable habitat is proposed to be lost the ecologist has proposed a reptile translocation.

We, therefore, require further information on the location of a reptile receptor site to demonstrate that it can be achieved in that location with the proposed site layout, and a revised reptile mitigation strategy with this information.

The ecologist has stated that this cannot be provided at this stage, and we accept as the detailed design may change but we suggest that this can be submitted with an outline CEMP at the reserved matters stage, to include any receptor details and mitigation strategy.

## **GREAT CRESTED NEWTS**

There are multiple ponds within 250m of the site and presence absence surveys were not conducted as there was limited access to ponds. No GCN were identified on site, but precautionary mitigation has been provided and the documents detail that the applicant intends to follow the DLL route.

It is the intention of the applicant to compensate for potential impacts to great crested newts (GCN) by joining the Natural England District Level Licensing (DLL) scheme. The applicant needs to provide sufficient information to the local planning authority to give it confidence that, where appropriate, a Natural England mitigation licence can be issued post-determination.

We consider that if the ecologist is able to demonstrate that only pond P3 and P6 are located within the 250m zone, then it would be our view that a first stage conservation payment should not be required in this case and the applicant would be

able to apply for an IACPC without the need for the first stage conservation payment. However, we do acknowledge that Natural England who manage district level licencing in Kent may take a different view.

We, therefore, require information confirming the number of ponds present within 250m, and if the above information is correct regarding 2 ponds being present within 250m, an IACPC should be submitted.

## **BIRDS**

Upon review of the additional submitted information we agree with the conclusions and no bird surveys are required, including for ground nesting and birds associated with the designated site.

We note that there will be nesting birds using the site, located within the hedgerows, woodlands and orchards. We understand that some areas will be retained and consider that precautionary mitigation for breeding birds will be required, to be included within a CEMP. These areas of retained habitat would benefit buffering planting, to be included within the landscaping plan to provide some protection from impacts from the development, but recreational impacts and footpath locations should be considered in the final design.

## **SHADOW HABITATS REGULATIONS ASSESSMENT**

The proposal is within 1.47km of Medway Estuary and Marshes SPA//Ramsar site(s) and within the 6km zone of influence. Medway Council must consider the impact the proposal will have on these designated sites in accordance with the Conservation of Habitats and Species Regulations 2017 (as amended) and the National Planning Policy Framework (NPPF) 2024.

We consider that a shadow HRA is not required from the applicant to enable Medway Council to carry out an HRA.

As type of development may cause additional recreational disturbance, and likely significant effects on birds using the SPA and Ramsar sites. As such, the North Kent Strategic Access Management and Monitoring Strategy (SAMMS for Medway, Swale, Thames Estuary), applies and the applicant will be required to make a tariff payment which is based on the net number of additional dwellings/overnight accommodation proposed. The payment is to mitigate for additional recreational effects on the designated sites. The local planning authority must ensure that adequate means are in place to secure this mitigation before first occupation.

## **BIODIVERSITY NET GAIN (BNG)**

Having reviewed submitted information, we consider a 10% biodiversity net gain is a statutory requirement of this proposed development.

The habitat baseline must be correct prior to determination, but full details of how the proposals will deliver biodiversity gains are not strictly required until submission of

the pre-commencement Biodiversity Gain Plan. It is our view that the baseline information is correct.

Under the current design off-site compensation will be required for this development. There is an outstanding deficit of 8.57 habitat units in low and medium distinctiveness habitats. We are satisfied that sufficient units can be purchased from habitat banks within Kent.

Exact details of how off-site will be achieved must be addressed within the biodiversity gain plan to be submitted.

Information has been submitted with this application to give confidence that the biodiversity gain hierarchy can be effectively applied to this application, and how conditions should be applied should planning consent be granted.

We advise the local planning authority that there may be conditions attached to the decision notice should planning permission be granted that are linked to the biodiversity gain plan. Wording should be included in such conditions to ensure that it is clear that any documents/plans are produced in accordance with the 'approved biodiversity gain plan'. Relevant conditions where this is likely to be appropriate include soft and hard landscaping conditions, and any other ecology/biodiversity conditions. Other relevant conditions may include drainage conditions.

The proposed landscaping has included non-native species as ornamental planting within the scheme. We highlight that we would encourage using native species where possible but suggest that if non-native species are used that they have other wildlife benefits such as being suitable for pollinators.

**Kent Police DOCO** comments that SBD guidance is utilised to address designing out crime to show a clear audit trail for Designing Out Crime.

**The Lead Local Flood Authority (LLFA)** commented as follows:

The FRA states that the site is within Flood Zone 1 for fluvial and tidal flooding, with the principal risk being surface water (isolated areas of medium/ high risk within the site).

Surface water drainage is proposed via two attenuation basins (north and north-east), each containing three deep borehole soakaways discharging at 5 l/s per borehole (i.e. 15 l/s per basin), with roofs draining via water butts and roads via gullies/permeable paving.

The submitted strategy acknowledges a localised surface water issue at Area A associated with a depression and potential run-on from an upstream catchment retained by a ~900mm bund; if overtopped, storage currently occurs within the depression before overspill toward High Street. The applicant proposes an interception drainage feature to route overtopping flows to Basin 1, and notes an alternative could be flood compensation, to be progressed at Reserved Matters.

While the overall approach is appropriate in principle, the strategy relies on deep infiltration as the sole surface water mitigation strategy, and the submission confirms that infiltration testing has not been undertaken on the application due to constraints, relying on information from a site “immediately opposite” Moor Street.

Given the scale of the development and the reliance on deep borehole soakaways, the current submission does not provide certainty that the Drainage Strategy is deliverable as proposed, nor sufficient detail to confirm the existing Area A storage/bund overtopping scenario will be managed without increasing flood risk off-site.

Conditions are recommended.

**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 that they have no objection to the proposal.

**Natural England** commented as follows:

The proposed development has the potential to have a harmful effect on terrestrial Sites of Special Scientific Interest (SSSIs) and those Special Areas of Conservation (SACs), Special Protection Areas (SPAs) or Ramsar sites that they underpin.

#### Designated Sites

This development site is within the zone of influence (Zol) for recreational pressure impacts to one or more European Sites (habitats sites).

Within this Zol, proposals for any net increase in residential units will have a likely significant effect on the qualifying features of the European Site(s) (habitats site(s)) through increased recreational pressure when considered either alone or in combination with other plans and projects.

Your authority has measures in place to manage these potential impacts through a strategic solution which Natural England considers will be effective in preventing adverse impacts on the integrity of the site(s).

Notwithstanding this, Natural England advises that these measures should be formally checked and confirmed by your authority, as the competent authority, via an **appropriate assessment** in view of the Natural England Access to Evidence - Conservation Objectives for European Sites and in accordance with the Conservation of Habitats & Species Regulations 2017 (as amended).

Providing the appropriate assessment concludes that the measures can be secured, it is likely that Natural England will be satisfied that there will be no adverse effect on the integrity of the European Site(s) (habitats site(s)) in relation to recreational disturbance.

## Landscape advice

The proposed development is for a site within or close to a nationally designated landscape namely **Kent Downs National Landscape** (referred to in legislation as an Area of Outstanding Natural Beauty (AONB)).

Natural England has concluded that impacts on the nationally designated landscape and the delivery of its statutory purpose to conserve and enhance the area's natural beauty can be determined locally by the local planning authority, with advice from its landscape or planning officers, and from the relevant National Landscape Partnership or Conservation Board.

**Southern Gas Networks** commented that:

On the mains record you may see the low/medium/intermediate pressure gas main near your site. There should be no mechanical excavations taking place above or within 0.5m of a low/medium pressure system or above or within 3.0m of an intermediate pressure system. You should, where required confirm the position using hand dug trial holes.

**UK Power Networks** commented as follows:

Should your excavation affect our Extra High Voltage equipment (6.6 KV, 22 KV, 33 KV or 132 KV), please contact us to obtain a copy of the primary route drawings and associated cross sections.

**Southern Water** comments as follows:

As this site sits within a Southern Water Total Capture Zone (GW\_TCZ) a hydrological review is required, and we will provide any updates when this is completed.

Southern Water has undertaken a capacity check of the impact that the additional foul sewerage flows from the proposed development will have on the existing public sewer network. This study indicates that these additional flows may lead to a minor increased risk of impact on the sewer network. This can be addressed by condition.

Southern Water has completed a capacity assessment of the local network to determine our ability to provide a water supply to service the above proposed development. The assessment indicates that additional off-site mains or upgrades to existing infrastructure will be required to provide sufficient capacity.

Where Southern Water identifies that network reinforcement is necessary to support planned growth, and the developer intends to connect to the public water supply, we will request that the Local Planning Authority (LPA) apply relevant planning conditions.

Please note that, where there are separate systems available, Southern Water will not allow surface water to connect into the public foul sewer. If this is not possible, please provide evidence that all other options have been explored.

## **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 submitted 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**

### *Screening for Environmental Impact Assessment (EIA)*

The EIA Regulations set out which types of development may require an Environmental Impact Assessment ("EIA"). Whilst development types listed in Schedule 1 of the Regulations always require EIA, types listed in Schedule 2 could potentially require EIA where the site is in a "sensitive area" or exceeds one of the relevant criteria or thresholds set out in Schedule 2 and has the potential to result in likely significant environmental effects.

In this case, the proposed development does not fall within Schedule 2, part 10(b) of the EIA Regulations and is not considered to be an Environmental Impact Assessment (EIA) development, as defined by the EIA Regulations.

### *Background*

#### Planning History

The site has not been the subject of a previous planning applications, but the Planning History section above sets out a number of recent planning applications.

The Council approved an application for 134 dwellings (MC/15/4539) in November 2016 on land east of Mierscourt Road and south of Oastview – some distance from the application site. This L-shaped site adjoined the built-up area boundary of Rainham on two sides (north and west) and the landscape impacts of the proposals were assessed as being outweighed by the housing benefits provided by the scheme.

Applications MC/19/0188 and MC/20/1705 concerned the same site on land west of Meresborough Road and south of Moor Park Close on land at Orchard Kennels which lies immediately to the west of the application Site.

MC/19/0188 proposed 130 dwellings and was refused by the Council in July 2019. The subsequent appeal was dismissed and the Inspector concluded that the development would cause substantial harm to the character, amenity and function of the countryside and to the Mierscourt/Meresborough ALLI, contrary to the aims of Policies BNE25 and BNE34 of the Medway Local Plan. These harms outweighed the benefits of the proposed housing in the context of a 3.27 years' supply of housing land.

MC/20/1705 proposed a smaller development of 66 dwellings with landscape buffers on the eastern and southern boundaries. This proposal was refused permission by the Council in March 2021 and the subsequent appeal dismissed in April 2022. The Inspector considered that the proposals would cause significant harm to the character and appearance of the countryside, the ALLI and PROW and, therefore, conflict with the aims of Policies S4, BNE6, BNE25, BNE34 and L10 of the Medway Local plan and paras 92, 100 and 177 of the NPPF.

MC/23/0246 proposed a scheme of 9 dwellings with access and parking. The site comprised the northernmost part of the application site of the two previous schemes on land adjoining and south Moor Park Close. The application was refused in March 2024 and the subsequent appeal dismissed in July 2024. At the time of the decision the Council's housing land supply was 3.4 years. In dismissing the appeal, the Inspector considered that the proposal would conflict with Policy BNE25 of the Local Plan and the harms identified outweighed the benefits of new housing.

The site to the north of Moor Street benefits from an extant permission for 66 dwellings (APP/A2280/W/22/3310119) and is currently under construction by Bellway Homes. The application was refused by Members; however, planning permission was subsequently granted following an Appeal heard at Inquiry. This Appeal was heard alongside an Appeal by Esquire Developments for 48 dwellings on land east of Seymour Road, to the east of the Moor Street site (APP/A2280/W/22/3311965). The application was also refused by Members at Committee before being allowed at appeal.

#### Proposed Allocation in Emerging Local Plan

The application site was part of a much larger site considered for allocation in the emerging Local Plan as an eastern extension of Rainham. It was included in the potential areas for Suburban Expansion option to accommodate the housing requirement for Medway. The site was not taken forward in the subsequent Regulation 19 version of the Plan, nor the Regulation 22 version.

#### *Design Review Panel*

The application scheme was considered by the Design Review Panel (DRP) at pre-application stage. The DRP provided comments on the proposals and made a number of key recommendations which were as follows:

- 1 Embed sustainability principles into the masterplan and demonstrate how these have informed design decisions, especially the contribution made by the landscape.

- 2 Integrate the Landscape Character Area referenced historic field patterns, hedgerows, and route hierarchies into the structure of the masterplan to create a design rooted in local heritage and character.
- 3 Reinstate and strengthen key landscape concepts, such as green corridors, sustainable drainage systems (SuDS), swales, and tree belts, so they are clearly legible and visible in the site layout and connect into the wider landscape adjoining the site.
- 4 Consider relocating and redesigning play spaces to ensure safety, passive surveillance, and integration with landscape-led play opportunities such as the traditional orchard space.
- 5 Retain and enhance the existing orchards – both traditional and cherry – which are distinctive landscape assets and generators of character/identity and connect them into a strong east-west green route through the site.
- 6 Rather than creating suburban street patterns, revisit the movement network to create a clear, safe, well-connected route hierarchy which prioritises pedestrians and cyclists, reflects the historic paddock structure and responds to desire lines on site and through adjoining established neighbourhoods.
- 7 Reduce car parking provision and explore the delivery of alternative travel solutions, such as mobility hubs, cycle infrastructure and car clubs, as well as public transport.
- 8 Simplify and strengthen character areas to celebrate local identity, drawing on distinctive architectural features along Moor Street, rather than suburban precedents.
- 9 Test alternative layout and built form options along sensitive rural edges and urban arrival points, considering how the proposed buildings will be a gateway to Rainham and a stronger, design-led response to the Moor Street Conservation Area.
- 10 Consider and describe whether the proposals are an extension of Rainham, or more locally associated with the historic cluster of development defined by the Moor Street Conservation Area.

It is noted that the illustrative masterplan with the submitted application scheme is the same as the pre-application proposal reviewed by the DRP.

### *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 Rainham as defined in the proposal maps to the Local Plan and is within the Mierscourt/Meresborough 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, apart from the impact on the character of the countryside (which is considered below), locating development of this type in this countryside location 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 adjacent to the eastern edge of Rainham and close to a range of services and facilities. The development proposes defined cycle and pedestrian routes through the site connecting to existing PRoWs and the existing wider network. It also proposes improvements to the PRoW on-site and off-site improvements to the pedestrian crossings and the closest bus stop. In addition to these proposals, the proximity to several regular bus services and the railway station would allow for future residents to have a genuine choice of sustainable transport modes. It is considered that the development location is 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 makes the following points:

- The submitted LVIA's landscape appraisal and summary fail to recognise the role the site plays in maintaining a countryside break between Rainham and the hamlet of Moor Street; a small, linear historic settlement, without a settlement boundary, and a Conservation Area with six Listed Buildings (as identified on the LVIA's Figure 1), although elsewhere it recognises the presence of the Conservation Area and the need for a buffer for this as a constraint.
- As part of the assessment of landscape value of the site the LVIA recognises that the site lies within the Mierscourt/Meresborough Area of Local Landscape Importance (ALLI) which has been recognised as a locally valued landscape in various past appeal decisions.
- The assessment of landscape susceptibility for the site identifies that the area is already influenced by "*urban-edge features*" which "*exhibit a greater capacity to accommodate change*", but otherwise fails to grapple properly with the concept of susceptibility to the nature of the development proposed, i.e. the development of 150 new homes across the bulk of the site which would substantially alter the rural character of the site whilst noting that it would be possible to maintain and enhance the main existing vegetative features. The outcome of the assessment should be that the susceptibility of the site is *High* to the nature and scale of development proposed.
- The review considers that the landscape response to the site and development proposals are generally appropriate except in the extent of the buffer area in the north-east corner against the Conservation Area boundary. The Opportunities and Constraints Plan (Figure 6 in the LVIA) illustrate three areas of 'Medium Visibility'. The western of the three areas is broadly respected in the Framework Parameters Plan and the Illustrative Sketch Layout. The southern one is not, i.e. is proposed for development, but this does not relate to the Conservation Area constraint identified, it relates to views from the public footpath GB12. The north-eastern area is set against the Conservation Area and is exposed to views from this part of it. The Framework Parameters Plan and the Illustrative Sketch Layout partially respect this area but not wholly. In this regard, the review considers that the Framework Parameters Plan and the Illustrative Sketch Layout do not provide a sufficient buffer for the Conservation Area and this should be reconsidered.
- The submitted LVIA concludes that the magnitude of landscape effect on the site would be *Large* and *Medium* at Years 1 and 15 respectively. With the site of *medium* landscape sensitivity, these combine to be *Moderate to Major Adverse* and *Moderate to Minor Adverse* overall significance. The review considers that the overall significance of the landscape effects should be *Major Adverse* at both Years 1 and 15 (*Large* magnitude and *Medium-High* sensitivity combining). Whilst it is accepted that the landscape enhancement

would develop, the nature of the change through the built development would remain the overriding factor in the change in character.

- For LCA (Landscape Character Area) E2, the submitted LVIA considers that the magnitude of effect would be *Small* at both Year 1, which combining with the *medium* sensitivity would result in overall *Minor Adverse* significance. The review agrees with this assessment. However, for Year 15 the LVIA considers that the development proposals would have a beneficial effect, defined as *Negligible*, so minor. For similar reasons as for the overall effects on the site at Year 15, as set out above, this review does not agree with this and considers that the development proposals would still have a *Small Adverse* overall effect at Year 15.
- The site lies outside of settlement boundary of Rainham and within countryside for planning purposes. Policy BNE25: Development in the Countryside of the 2003 Medway Local Plan sets out that development will only be permitted if it maintains, and where possible, enhances the character, amenity and functioning of the countryside and is allocated for that use or of a use specific to the countryside. In terms of uses, the development proposals are evidently contrary to Policy BNE25 in principle. In respect of character, amenity and functioning of the countryside, the development proposal would give rise to adverse landscape and visual effects that would not maintain the character, amenity or functioning of the countryside.
- The 2024 Medway Landscape Character Assessment sets out 'Development Management Guidance' for the host landscape character area (E2: Moor Street and Meresborough) and the development proposals would be harmful and contrary to the following objectives:
  - To conserve and enhance the rural character of the intensively farmed area, including the setting of rural Conservation Area at Moor Street.
  - To seek to encourage the traditional farming practice and maintain and restore traditional orchards, retaining and enhancing the area's strong sense of place and associations of the Kent Fruit Belt.
  - To conserve the local distinctiveness of historic buildings and hamlets and their rural setting, including Meresborough and Moor Street, by resisting inappropriate or unsympathetic development.
  - Resist proposals for highway upgrading to retain the rural character of the roads/lanes and their verges.
  - Avoid large scale urban/housing extensions within this working rural agricultural landscape characterised by its low-density dispersed settlement pattern.
  - Maintain the open landscape as a buffer to prevent the further eastward expansion of the Rainham urban area and avoid linear coalescence of development along roads, maintaining distinctive settlement identity,

particularly between the hamlet of Moor Street and the urban area of Rainham to the west.

- Conserve the rural character in southern areas and consider the rural setting of Meresborough and Moor Street.
- The proposals would, however, have the potential to partially comply with several of the other objectives including:
  - Conserve the traditional pattern and structure of the landscape by improving the continuity of hedgerows/shelter belts.
  - Encourage regular management of hedgerow boundaries and shelter belts, including along rural lanes.
  - Increase the extent of native deciduous woodland/tree cover, particularly around the urban area and other sub-urbanising influences, using locally occurring species.
  - Protect the valued recreational use of the landscape (PRoW), seeking opportunities to further enhance opportunities for informal access and enjoyment through well maintained linked routes through farmland.
  - Involve local communities in the management of orchards, particularly those connected to existing/new development, promoting local engagement and understanding.
  - Integrate new development, through the use of native shelter belts, hedgerows and woodlands.
- For the reasons above, the development would conflict with Local Plan Policy S4: Landscape and Urban Design Guidance
- The 'Function' of the Mierscourt/Meresborough ALLI is as a buffer zone, "helping to counteract outward pressure of urban sprawl and maintaining the separation of settlements". The LVIA makes a case that the proposed development does not comprise urban sprawl. The review does not accept this case as at a primary level all such development outwards from an existing edge represents to some degree urban sprawl by definition. The degree to which it is perceived as urban sprawl is clearly important and whilst these development proposals would evidently expand the edge of Rainham outwards and protrude into the countryside, the perception of this would to some degree mitigated by the character of the boundaries of the site and, in time, by the landscape mitigation. Nevertheless, the development proposals are considered to be contrary to the function of this ALLI and to parts (i) and (iii) of the of the listed general functions set out policy BNE34.
- The site is not allocated for development in the submission draft of the Medway Local Plan 2041. Draft Policy S2: Conservation and Enhancement of the Natural Environment requires development to protect and enhance the natural environment including the natural beauty of the landscape. For the reasons set out above the development proposals are considered to be contrary to this policy.

- Draft Policy S4: Landscape protection and enhancement sets out that the Council attaches great importance to the distinctiveness and quality of the landscape in defining Medway's character and the intrinsic character and beauty of the countryside. Development proposals should demonstrate how they respect and respond to the character, key sensitivities, and qualities of the relevant landscape character areas, as detailed in the Medway Landscape Character Assessment. The development proposals would give rise to a range of adverse landscape and visual effects that would not respect and respond to the character, key sensitivities and qualities of Landscape Character Area E2: Moor Street and Meresborough and, for the reasons set out above, would be harmful and contrary to the specific Development Management Guidelines for this landscape character area.
- There are two primary landscape issues with the proposals that give rise to them being contrary to these policies. The first is the almost inevitable landscape effects of developing on a greenfield site in the countryside. Most proposals of this nature give rise to some degree of adverse effects, as do these. In this case, the scheme and the landscape strategy is well considered, except in the case of one matter as discussed below, and the potential landscape enhancements would be beneficial in themselves especially given the relatively poor condition of the landscape of the site and the existing landscape features.
- However, these benefits would not fully offset the landscape harms of the development to the countryside and the functions of the ALLI, and especially because of that part of the built development in the north-eastern part of the site against the Moor Street Conservation Area. The approach of the development proposals close to the Conservation Area is not only contrary to the Development Management Guidelines set out in the Medway Landscape Character Assessment but also apparently contrary to the LVIA's own strategy and Opportunities and Constraints study. These openly recognise and highlight this sensitivity, but the Framework Parameters Plan and the Illustrative Sketch Layout scheme do not fully reflect this. The north-eastern boundary of the built development edge should be reconsidered to reflect the LVIA's Figure 6 Opportunities and Constraints Plan and potentially 'redrawn' to an east-west line consistent with the present fenceline that runs east from the south-east corner of the existing orchard.

Officers agree with these observations. It is further noted that the DRP also stated that the proposals should demonstrate how they respond strategically to the character defined in Landscape Character Area E2 (as set out above). They stated that a deeper understanding of the relationship between landscape heritage and the emerging landscape design should be demonstrated in order for the scheme to be truly landscape-led.

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.

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

### *Best and Most Versatile Agricultural Land*

The site comprises high-quality 'Best and Most Versatile agricultural land' which would be lost. The whole site is Grade 1 land, so there would be an overall loss of 7.8 ha of high value agricultural land which could have an economic impact. This is contrary to paras 187 and 188 of the NPPF.

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. Furthermore, footnote 65 of the NPPF indicates that where development of agricultural land is necessary, areas of poorer quality land should be preferred. The application site comprises Grade 1 agricultural land which is the highest quality and so would be contrary to this aim of the NPPF.

The applicant has submitted a Note on the agricultural land classification of the site seeking to justify the loss of BMV land for this development. This states that footnote 65 of the NPPF identifies a threshold of "significant development". It goes on to state that Natural England's guidance on assessing development proposals on agricultural land identifies 20ha of BMV as the threshold for consulting Natural England. The note then draws the conclusion that as the application site is below this threshold, the loss of BMV cannot be considered significant. However, whilst it may be agreed that the size of the site is not significant, it does not automatically follow that the loss of the BMV land resulting from the development would also not be significant. It is acknowledged that the site is 7.8ha but it is also noted that the whole site is Grade 1 which is the highest quality of BMV agricultural land.

The ALC note provided by the applicant also states that Medway has a high proportion of BMV agricultural land. However, it is important to note that a new Predictive ALC map has recently been released which replaces the outdated Provisional ALC map. The new mapping indicates that throughout Medway the proportion of BMV agricultural land is reduced in general and the quantity of Grade 1 BMV land is significantly reduced. As a result, it is considered that seeking to protect the highest grade BMV agricultural land, such as the application site, has become more important. Whilst it is accepted that development on some BMV land will be necessary, as set out above, the Council has already sought to ensure a planned

release of such land for development through the housing land allocations in the emerging plan.

### *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 design issues are high level and general.

Policy S4 concerns landscape and urban design. It requires development to respond appropriately to its context, reflecting a distinct local character. As set out above, the development is not considered appropriate in the context of the landscape characteristics of the site and neighbouring Conservation Area. 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. For an outline application, the design cannot be fully assessed, and this would be considered as part of future reserved matters applications if the scheme were to be considered acceptable. The submitted parameter plans and illustrative layout demonstrate how the proposed quantum of development could be accommodated on site. However, as noted above, the illustrative layout does not provide an adequate buffer to the Conservation Area and would have an unacceptable impact in terms of landscape and visual effects. Therefore, it has not been demonstrated that this policy would be met by the development.

### *Type and mix of development.*

Although this is an outline application, the illustrative layout and the Framework Parameter Plan identify the areas for development including the locations of the proposed residential areas, public open space, children's play areas, retained orchard, the main site access and landscaping.

The proposed residential element is for up to 150 units with 25% affordable housing provision to be secured via a S106 Agreement. This meets the affordable housing requirement set out in the supporting text to policy H3: Affordable Housing.

### *Highways Impact*

Policies T1, T2 and T13 of the Local Plan states development proposals should not have a significant or unacceptable impact on highway safety or the existing road network and should make vehicle parking provision in accordance with the adopted standard. Policies DM15 and DM18 of the (Regulation 22) Medway Local Plan 2041 requires that development of over 50 homes should demonstrate how vehicle trip generation would be materially lower than the vehicle trip credit set in the Infrastructure Delivery Plan. It also requires that a Transport Assessment or

Transport Statement will need to be agreed with National Highways for development proposals that impact on the Strategic Road Network (SRN).

Paragraph 110 of the NPPF advises that significant development should be focused on locations which are, or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. Paragraph 116 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios.

National Highways have provided a consultation response confirming that they have no objection to the proposal.

Medway highways officers and Medway Strategic Transport officers commented that the application is acceptable in principle and requested clarification on a few detailed points. The applicant provided a further technical note on 14<sup>th</sup> April. Medway highways officers acknowledged the additional information and that further details would be set out in Reserved Matters applications. It is considered that subject to appropriate planning conditions and S106 contributions there are no highways objections to the proposals.

Active Travel England (ATE) have not provided specific comments on the proposals but have issued their standing advice note and requested to be notified of the outcome of the application.

In light of the above, the application accords with Local Plan policy T1 as it is considered that the highway network has adequate capacity to cater for the development and that it will not significantly add to the risk of accidents. It accords with Local Plan policy T2 as the new access would provide safe access to the site for vehicle occupants, cyclists and pedestrians.

It is considered that the proposals for the site including new pedestrian and cycle connections and the off-site works to pedestrian crossings would accord with Local Plan policies T3 and T4 as this would demonstrate the provision of safe and convenient footpaths, attractive and safe pedestrian access and suitable new and enhanced cycle routes. The proximity of the site to bus services and the proposed off site works to improve the closest bus stop would accord with Local Plan policy T6.

The scheme also complies with paras 110, 115 and 116 of the NPPF.

### *Heritage Assets*

The application site is adjacent to the Moor Street Conservation Area and there are 6 listed buildings in the vicinity, all but one of which are within the Conservation Area.

Also relevant to heritage impact is the national and county landscape character areas, with this area being traditionally within an agricultural fruit belt with associated field patterns and farming hamlets, of which Moor Street is one. The buildings and

spaces within and just outside the Conservation Area are highly evocative of the traditional farmed landscape of North Kent, outside of the main settlements.

It is very difficult to assess heritage impact from outline residential development applications due to the uncertainty of the features of the development that could have an impact on the setting of heritage assets. In this case, only the access is not reserved, and, therefore, it is possible to be definitive on the effect of this.

Notwithstanding that the following is critical in terms of assessing heritage impact:

Moor Street Conservation Area was designated for its special architectural and historic character and appearance. The buildings and spaces have altered over the 20th and 21st century, but the ribbon of medieval, high status yeoman's houses dotted along the road within the hamlet, and the farmstead typologies typical of the area, are still evident. For all to be appreciated, along with the Conservation Area as a whole, for their role in the history of the area, open land of a semi-rural character should be retained where crucial to this. Less than substantial harm on the mid to higher end of the scale would be caused to the Conservation Area, taking into consideration cumulative and direct effect on that part of its setting which contributes to significance, including the impact of the necessarily large, splayed vehicular access point on the A2. Less than substantial harm on the mid to low end of the scale will be caused to West Moor Farmhouse to the east, and Westmoor Cottage to the northwest, due to the access as well as the significant change in character of the land surrounding them which currently positively contributes to their heritage significance as open land. A low level of less than substantial harm will be caused to the grade II listed East Moor Street Cottages, Pooh House, Moor Street House and The Cows by changes to how they are experienced as rural dwellings within the conservation area, moving along the A2.

The proposal would also result in harm to non-designated heritage assets; West Moor Farmstead and three buildings within it.

The proposed development would result in harm to designated and non-designated heritage assets. Whilst any harm would be less than substantial, it would still represent a strong reason for refusal. Consequently, the harm must be weighed against the public benefits of the scheme as set out in para 215 of the NPPF. This test is addressed in the planning balance section of the report below.

### *Open Space*

The proposal includes the provision of a minimum of 2.81ha of open space which will include children's play areas (4 x LAPs and 1 x LEAP), amenity areas and informal greenspace. However, the outline nature of the application creates a significant degree of uncertainty regarding the delivery, distribution and functionality of the proposed open space typologies. The submitted layout is indicative only and the framework parameter plan incorporate areas of open space that also serve SuDS functions, further limiting certainty as to their usability. In addition, there remains no agreed position at this point, with matters including provision of allotments, the overall typology mix, and the extent to which multifunctional spaces can appropriately contribute toward open space.

Further open space details would be required as part of any Reserved Matters applications if the development were to be considered acceptable.

Suitable S106 contributions would be required along with appropriate conditions to clarify the details of play area provision and management and maintenance arrangements for all the open space areas.

If a Section 106 contribution is secured at a capped level this could be reviewed at the future reserved matters stage and adjusted when detailed design relating to these elements is agreed.

In light of the above, the scheme does not currently demonstrate full compliance with BNE1 of the Local Plan which requires development to include well structured, practical and attractive areas of open space nor with L4 of the Local Plan which sets out the required provision of types of open space. However, it is considered that the Framework Parameter Plan could provide sufficient flexibility at the Reserved Matters stage to incorporate the required open space provision subject to suitably worded conditions and S106 contributions.

### *Ecology and BNG*

No statutory nature conservation designations are located within or adjacent to the site. The proposal is within 1.47km of Medway Estuary and Marshes SPA/Ramsar site(s) and within the 6km zone of influence.

The County Council's ecologist has reviewed all the submitted ecological information including that submitted in response to their earlier questions. The comments from the County ecologist are summarised above in the consultation section.

They require confirmation of the number of ponds present within 250m and a countersigned Great Crested Newt District Level Licence (DLL) impact assessment and conservation payment certificate (IACPC) Further information to show location and state if tree T86 with bat roost is to be lost, (with a mitigation strategy if to be lost).

The submitted ecological reports indicate the presence or potential presence of various protected species. The County ecologist's conclusions on these are summarised as follows:

- Bats – further surveys recommended and a sensitive lighting scheme will be required. This can be secured by condition;
- Hazel dormouse – Can be addressed in an outline CEMP provided at Reserved Matters stage if the scheme is considered acceptable;
- Reptiles – recommendation that reptiles are retained on site where possible. A revised reptile mitigation strategy including information on a reptile receptor site will be required within an outline CEMP to be provided at Reserved Matters stage if the scheme is considered acceptable;

- Birds – it is agreed no further surveys are required. Precautionary mitigation for breeding birds will be required to be included within an outline CEMP provided at Reserved Matters stage if the scheme is considered acceptable.

The County Council's ecologist has concluded that the application is acceptable in terms of ecological impact subject to the imposition of appropriate conditions concerning bat surveys, lighting, a Habitat Management and Monitoring Plan and a Construction Environmental Management Plan.

With regard to Biodiversity Net Gain (BNG), the County ecologist confirms that they are satisfied with the information provided and that off-site gains will be required.

The applicant has indicated that there would be a deficit of 8.57 habitat units and the required 10% BNG would be provided through the purchase of off-site units. Exact details of how this will be achieved would need to be addressed within a Biodiversity Gain Plan which would be secured by condition.

### *Trees*

There are issues regarding the proposal as it does not currently demonstrate that several significant arboricultural impacts have been fully assessed.

It is considered that this matter can be addressed through an appropriate planning condition requiring the submission of further details, incorporating the recommendations set out within the Arboricultural Technical Note.

### *Noise*

The submitted acoustic assessment is acceptable and has set out the mitigation requirements for the development, including performance specifications for glazing and ventilators. Overheating will need to be considered with regard to the requirements of Part O to the Building Regulations. Conditions are recommended to secure the mitigation measures and to control noise during construction.

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 187 and 198 of the NPPF.

### *Air Quality*

The site is near to the former High Street, Rainham Air Quality Management Area which was recently revoked due to sustained monitored compliance with the nitrogen dioxide annual mean air quality objective.

The area is still sensitive to changes in air quality due to development and increases in vehicles using the A2.

Conservative assessment assumptions covering background concentrations and vehicle fleet emissions, represent a reasonable worst-case scenario for air quality impacts.

Predicted pollutant concentration in the opening year (2027), in combination with committed developments, are comfortably below the relevant air quality objectives.

The air quality impacts of the development are unlikely to be significant.

A condition will be required, as is usual, to secure the submission of a mitigation scheme to offset the damage costs.

Consequently, subject to the imposition of the condition, the development is acceptable in terms of air quality under Policy BNE24 of the Local Plan and paragraphs 187 and 199 of the NPPF.

### *Flood Risk*

The LLFA has confirmed that they do not object to the proposals on grounds of flood risk or surface water drainage subject to the imposition of conditions.

### *Public Rights of Way (PROW)*

PRoW GB12 has a prescribed width of 3m, and this must be protected and retained. This should be shown on the Development Framework Plan. Any refinement to surfacing, vegetation management or long-term treatment within that width can be addressed through a PROW Management Plan, informed by ecological advice and agreed with the Council prior to commencement.

This could be secured by condition should the application be considered acceptable.

### *Climate Change and Energy Efficiency*

The applicant has submitted a Renewal Energy Assessment (dated December 2025) which can be summarised as follows:

- The thermal performance of the proposed fabric will exceed Part L (2021) minimum requirements in terms of U-values and air tightness;
- Orientation has been considered in the design of the façades to ensure energy use is balanced through daylight provision and thermal comfort;
- The detailed design will follow recognised construction details to ensure insulation continuity for minimising thermal bridging;
- Solar control glass will be utilised to ensure solar gains are balanced to lower the heat demand but also assist in mitigating the risk of overheating;
- Light fittings of low energy types will be specified throughout the scheme.
- Incorporation of sustainable transport measures such as EV charging provision;
- Incorporation of SuDS measures;
- 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, including the use of air source heat pumps (ASHPs).

After the measures in the energy strategy have been accounted for, the proposed development could achieve an overall on-site reduction of 66% in regulated carbon dioxide emissions over Part L 2021. This equates to an annual saving of an estimated 104.32 tonnes in regulated CO2 emissions.

If the development were considered to be acceptable, a condition is recommended for a detailed energy efficiency and climate change report to be submitted to provide further details of these measures. With such a condition imposed the proposal would be 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) 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).

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. Subject to this, the proposal would be in accordance with Policies S6 and BNE35 of the Local Plan and paras 194 and 195 of the NPPF.

### *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 obligations proposed comply with these tests because they have been calculated based on the quantum and location of the proposal and are directly related to the development.

The following contributions are sought in accordance with Medway Council's 'draft' Developer Contributions Guide (December) 2025:

### NON-FINANCIAL

- Minimum 25% affordable homes;
- Implementation programme and delivery of off-site improvement work to pedestrian crossings and bus stop.

### FINANCIAL

- Up to £34,047.00 towards improvements to facilities and equipment at Rainham Library and/or Medway Mobile Libraries and/or any libraries in the vicinity (£226.98 per unit x 150 units);
- Up to £37,776.00 towards provision of enhancements of community facilities within the vicinity to benefit residents of the development and the local community (£251.84 per unit x 150 units);
- Up to £50,623.50 for Bird Disturbance Mitigation (SAMMs) to make financial contribution to take mitigating measures to protect wintering bird's habitat

areas from the additional footfall/visitors that will result from the development. (£337.49 per unit x 150 units);

- Up to £16,146.00 to support youth development and youth provision within the local vicinity (£107.64 per unit x 150 units);
- Up to £55,471.50 to assist with development of new square/civic space in Rainham town centre and improvements to the gateways (for example greening, bollards and signage) (£369.81 per unit x 150 units);
- Up to £35,676.00 for the provision, improvement and promotion of waste and recycling services to cover the impact of the development (£237.84 per unit x 150 units);
- Up to £50,194.50 towards improvements to the facilities at Medway Park and/or towards the refurbishment of the Strand Lido including a new flooring (£334.63 per unit x 150 units);
- Up to £11,250.00 towards improving long term PROW improvements in the vicinity, including surface upgrades, signage, accessibility improvements, lighting (where appropriate) and general maintenance (£75 per unit x 150 units);
- Up to £209,039.00 towards refurbishment, reconfiguration and or extension to healthcare facilities, including general practices and Healthy Living Centres, within a 3-mile radius of the development site or towards new healthcare facility to be provided in the community in line with the healthcare infrastructure strategy for the area (£1,393.59 per unit x 150 units);
- Up to £230,172.78 towards improvements to improving existing open space provision within Rainham (£1,534.49 per unit x 150 units);
- Education
  - Up to £455,235.00 towards provision of mainstream nursery education within a radius of 2 miles from the development site and/or SEND education within Medway;
  - Up to £989,692.71 towards provision of mainstream primary education within a radius of 2 miles from the development site and/or SEND education within Medway;
  - Up to £952,584.00 towards provision of secondary education within Medway;
  - Up to £250,680.00 towards provision of sixth form education within Medway.
- Up to £150,000 to improve existing bus service provision to accommodate the additional demand generated by the development and promote sustainable

transport (£1000 per unit x 150 units);

- £20,000 to improve existing bus stop infrastructure within the vicinity of the site including raised kerbs and clearway markings;
- Up to £181,650 as a proportional contribution towards highway interventions required across Medway to support Local Plan Growth, with the assumption that this development will have a proportional additional impact on scheme costs equivalent to the average contribution for two allocations north of Moor Street (RN30 and RN31) (£1,211 per unit x 150 units).

The requests above have been made in accordance with the 'draft' Medway Developer Contribution and Obligations Guide (December 2025) which forms part of the evidence base for the Emerging Local Plan. These have been assessed in terms of the tests as set out in paragraph 58 of the NPPF and Regulation 122 the Community and Infrastructure Levy Regulations 2010.

### *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 submitted to the Secretary of State in December 2025. 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.

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.

The application site is not a brownfield site, is not within an existing urban area and is not allocated for development.

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 Rainham. 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 periods. The application site was part of a much larger site which was previously considered in the Regulation 18 version of the emerging Plan as an eastern extension of Rainham. This was included in the potential areas for Suburban Expansion option to accommodate the housing requirement for Medway. The site was not taken forward in the subsequent Regulation 19 version of the Plan, nor the Regulation 22 version. 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 objective 4 as it would harm heritage assets including the Conservation Area and listed buildings, would encroach upon the countryside and would fail to respect the character of the landscape.

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 proposed development fails to meet these aims as it would require development of an unallocated site in the countryside which would result in unacceptable landscape and visual impacts and would lead to harm to heritage assets.

Draft policy S2: Conservation and Enhancement of the Natural Environment require

development to protect and enhance the natural environment and biodiversity including the natural beauty of the landscape. As set out in the section regarding landscape and visual impacts, the development proposals are considered to be contrary to this policy.

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. As set out above, the development proposals would give rise to a range of adverse landscape and visual effects that would not respect and respond to the character, key sensitivities and qualities of Landscape Character Area E2: Moor Street and Meresborough and, for the reasons set out in the LVIA review, would be harmful and contrary to the specific Development Management Guidelines for this landscape character area.

Draft policy S8: Historic Environment states that the Council remains committed to the conservation, enhancement and enjoyment of the historic environment including heritage assets. It seeks to ensure that development preserves or enhances the significance of designated and non-designated heritage assets and their settings. The development proposals are not considered to comply with this policy.

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.

## 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 breaches of the Development Plan policies, including policies concerning the spatial strategy, impact on the countryside, landscape and visual effects and heritage 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<sup>st</sup> March 2024, Medway's 5-year housing land supply stands at 3.1 years. It is also noted that the Council's latest Housing Delivery Test (HDT) measurement is 72%. As a consequence of both of these points, the policies which are most important in determining the application are out of date and, therefore, paragraph 11(d) of the NPPF would normally be engaged.

However, a 'footnote 7 policy' applicable to the development is that relating to designated heritage assets. Applying the test in paragraph 215 of the NPPF, it is considered that the public benefits arising from the proposed development would not outweigh the less than substantial harm at the mid to higher end of the scale identified to the Conservation Area along with less than substantial on the mid to low end of the scale to the grade II listed West Moor Farmhouse and Westmoor Cottage and the low level of less than substantial harm to the grade II listed East Moor Street Cottages, Pooh House, Moor Street House and The Cows. It is considered that these harms provide a strong reason for refusal such that the tilted balance would be disengaged.

### *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):

<b>Harm</b>	<b>Weight</b>
Less than substantial harm at the mid to high end of the scale to designated heritage asset (Conservation Area)	Substantial/Significant
Less than substantial harm at the mid to low end of the scale to designated heritage assets (listed buildings)	Significant/moderate
Conflict with spatial strategy of the existing and emerging Local Plans	Significant

Unacceptable landscape and visual impacts as development would have a permanent effect on the character, amenity and functioning of the countryside and a negative impact on the distinctive settlement identity, particularly between the hamlet of Moor Street and the urban area of Rainham	Substantial
Development contrary to two of the purposes of the designation as an Area of Local Landscape Importance	Significant
Loss of Grade 1 Best and Most Versatile (BMV) agricultural land	Limited/Moderate

The proposed development would result in harm to heritage assets. Whilst this harm would be less than substantial, it would still represent a strong reason for refusal. Consequently, the harm must be weighed against the public benefits of the scheme as set out in para 215 of the NPPF.

The heritage harm would be at the mid to high end of less than substantial to the Conservation Area, taking into consideration cumulative and direct effect on that part of its setting which contributes to significance. Less than substantial harm on the mid to low end of the scale will be caused to West Moor Farmhouse to the east, and Westmoor Cottage. A low level of less than substantial harm will be caused to the grade II listed East Moor Street Cottages, Pooh House, Moor Street House and The Cows. Overall, the heritage harms resulting from the application constitute a strong reason for refusal as set out in footnote 7 of the NPPF.

The proposed development is located in the countryside outside of settlement boundaries. The site is not allocated for development in the adopted plan. A 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.

In terms of uses, the development proposals are evidently contrary to Policy BNE25: Development in the Countryside in principle. In respect of character, amenity and functioning of the countryside, the development proposal would give rise to adverse landscape and visual effects that would not maintain the character, amenity or functioning of the countryside and would negatively impact the distinctive settlement identity, particularly between the hamlet of Moor Street and the urban area of Rainham. This harm is given substantial weight.

The development would also be contrary to two 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 development would result in the loss of 7.8 ha of Grade 1 Best and Most Versatile agricultural land contrary to paras 187, 188 and footnote 65 of the NPPF. This is the highest quality agricultural land. The applicant's submissions note 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. It is noted that the latest Predictive ALC map (available on the LandIS Portal, the National Soil Data Portal for England and Wales published in 2026) shows a reduction in BMV land throughout Medway compared to the previous map and that Grade 1 land in particular is significantly reduced. This increases the importance of protecting existing Grade 1 BMV land because, although the application site is of a modest size, it represents a more significant proportion of the total amount of highest quality BMV in Medway compared to that indicated on the previous ALC map. It is acknowledged that some BMV land will need to be developed to meet housing requirements. 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 limited/moderate weight.

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):

<b>Benefit</b>	<b>Weight</b>
Delivery of open market housing	Substantial
Delivery of affordable housing	Substantial
Creation of jobs during the construction phase and increased spend in the local community from additional residents	Moderate
Biodiversity net gain of 10% secured via off-site provision	Limited, required to support development
Provision of 2.81ha of green infrastructure and open space	Limited, required to support development
Provision of improvements to pedestrian and cycle infrastructure	Limited, required to support development
Provision of improvements to bus stop	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

meets the adopted policy requirement of 25%. It is noted that the emerging Local Plan would require provision of 30% affordable housing for this scheme.

The provision of open market housing is also a benefit to which substantial weight is afforded given the Council's assessment of the current housing land supply.

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 unable to provide the required 10% BNG on site. Off-site provision would be required. New development is now expected to provide a minimum of 10% BNG, preferably on site, so this proposal would not provide anything more than the minimum required. Consequently, this is given limited weight as a benefit.

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. However, the outline nature of the application creates a significant degree of uncertainty regarding the delivery, distribution and functionality of the proposed open space typologies. The submitted layout is indicative only and the framework parameter plan incorporate areas of open space that also serve SuDS functions, further limiting certainty as to their usability. In addition, there remains no agreed position at this point, with matters including provision of allotments, the overall typology mix, and the extent to which multifunctional spaces can appropriately contribute toward open space.

Notwithstanding the above, 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 are beneficial but these will largely be required to serve the development and are, therefore, given limited weight as a benefit of the scheme.

Improvements to the closest bus stop would also be a benefit although these will be limited and are largely required to serve the development. Consequently, this is given only limited weight as a benefit of the scheme.

### **Other Matters**

A new consultation requirement has been introduced by the Ministry of Housing, Communities and Local Government through The Town and Country Planning (Consultation) (England) Direction 2026. This Direction stipulates that where a local planning authority is minded to refuse planning permission for a development comprising 150 dwellings or more, the authority must first notify the Secretary of State.

Upon receipt of such notification, the Secretary of State is afforded a 21-day period within which to decide whether to exercise call-in powers in respect of the application. The Direction applies to all applications that had not been determined by the local planning authority prior to 11 May 2026.

In light of this requirement, should Members resolve to support the officer's recommendation to refuse planning permission, the application will need to be referred to the Secretary of State before a decision can be formally issued.

### **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. It is also noted that the Council's latest Housing Delivery Test (HDT) measurement is 72%. As a consequence of both of these points, the policies which are most important in determining the application are out of date and, therefore, paragraph 11(d) of the NPPF would normally be engaged.

The proposal would contribute additional units to the supply of housing, which could potentially be delivered within 5 years. It would also bring with it associated social and economic benefits, all of which are set out above.

However, footnote 7 of the NPPF sets out that impact on designated heritage assets is capable of comprising a strong reason for refusal such that the tilted balance would be disengaged. Applying the test in paragraph 215 of the NPPF, it is considered that the public benefits arising from the proposed development would not outweigh moderate to high less than substantial harm identified to the Conservation Area along with moderate to low less than substantial harm to 6 listed buildings. It is considered that this provides a strong reason for refusal such that the tilted balance would be disengaged.

It is noted that even if the tilted balance were engaged, in addition to the heritage harms, it is considered that the harm in terms of: the conflict with the spatial strategies of the existing and emerging local plans; the adverse landscape and visual effects on the character, amenity and functioning of the countryside and the distinctive settlement identity; the adverse impact on the functions of the Mierscourt/Meresborough ALLI; and the loss of Grade 1 BMV agricultural land would significantly and demonstrably outweigh the benefits of the development when assessed against the NPPF as a whole. On that basis, it is considered that the application of the tilted balance would not amount to a material consideration which justifies departure from the development plan per s.38(6) of the Planning and Compulsory Purchase Act 2004.

This is a judgement reached even assuming that a Section 106 would be agreed which provided all of the planning obligations.

The application is being referred for Committee determination due to the extent of representations received and due to the proposal being a major development, the

position regarding the emerging Local Plan and the likelihood of an appeal being lodged should the application be refused.

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### **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 on Medway Council's Website <https://publicaccess1.medway.gov.uk/online-applications/>