

MC/26/0194

Date Received: 5 February 2026

Location: Land at Buckland Road and Higham Road, Cliffe, Rochester, Kent

Proposal: Outline application with some matters reserved (appearance, landscaping, layout and scale) for the construction of up to 100 residential dwellings including affordable housing with provision of vehicular, pedestrian and cycle access from Higham Road, public open spaces, sustainable urban drainage systems, landscaping, infrastructure and earthworks.

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Ward: Strood Rural

Case Officer: Hannah Gunner

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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 26 August 2026.

RECOMMENDATION - REFUSAL

1. The proposed development would be contrary to the spatial strategy of the adopted Development Plan. The development of an unallocated, greenfield site outside of settlement boundaries for a use which does not require a countryside location is contrary to Policies S1, S2, BNE25 and H11 of the Medway Local Plan 2003. It would also be contrary to the Spatial Development Strategy of the emerging Medway Local Plan 2041, which, through the allocation of sites, promotes urban regeneration, as well the planned expansion of identified suburban neighbourhoods and rural villages which includes Cliffe but not this site.
2. The proposed footpaths at Higham Road and displacement of parking to the on-site car park would result in a negative impact on the residential amenity of existing residents and would adversely impact the rural nature of the street. This is contrary to Policy BNE1 and BNE2 of the Medway Local Plan 2003; and paragraphs 109, 110, 115, 117 and 135 of the NPPF.
3. The proposed development would result in unacceptable landscape and visual impacts through the loss of the agricultural surrounds of Cliffe, detachment of village from its rural setting and urbanisation of the settlement

edge. It would give rise to a wide range of significant adverse landscape and visual effects that would not maintain the character, amenity of functioning of the countryside contrary to Policies BNE25, and S4 of the Medway Local Plan 2003; Policies S2 and S4 of the emerging Medway Local Plan 2041; Policy SUSDEV4 of the Neighbourhood Plan and paragraph 135 of the National Planning Policy Framework.

4. The proposed development would result in the loss of 5.18ha of Grade 3a Best and Most Versatile (BMV) agricultural land, in circumstances where there is not an overriding need to develop the site, and it has not been demonstrated that the development has been proposed on land of the lowest grade. This is contrary to paragraphs 187 and 188 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, L4, T3, T4, T6, CF2, CF4 and CF6 of the Medway Local Plan 2003, Policy S24 of the emerging Local Plan and paras 56 – 59 of the NPPF.

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

Site and Proposal

The application is in outline with all matters reserved except for vehicular, pedestrian and cycle access from Higham Road. The proposal is for the erection of up to 100 dwellings (C3) (including 25% affordable housing); public open space; sustainable urban drainage systems; landscaping; infrastructure and earthworks.

The application includes a Parameter Plan, which identifies the extent of development and green infrastructure, a Site Access Plan, which details the proposed accesses from Higham Road, and off-site highways works plans, which detail the proposed footpath provision on nearby streets. These plans, along with the Site Location Plan, have been submitted for determination.

An Illustrative Masterplan and suite of Technical Reports have been submitted with the application. The reports comprise the following which will be considered throughout this Report:

- Agricultural Land Classification Survey;
- Air Quality Impact Assessment;
- Arboricultural Impact Report;
- Archaeological Desk-Based Assessment;
- Biodiversity Net Gain Assessment;
- BNG Metric;
- Built Heritage Statement;
- Climate Change & Energy Statement;
- Construction Noise Assessment;

- Design & Access Statement;
- Ecological Impact Assessment;
- Energy Statement;
- Flood Risk and Drainage Strategy;
- Landscape and Visual Impact Assessment;
- Lighting Strategy;
- Phase 1 and 2 Geo-environmental Investigations;
- Planning Statement;
- Residential Travel Plan;
- Technical Note to assist Habitat Regulations Assessment;
- Transport Assessment.

Further documents have been submitted throughout the consideration of the application in response to consultations:

- Planning Letter;
- Highways Response Note;
- Air Quality Assessment;
- Ecology Technical Note;
- Highways Response Note 2;
- Construction and Commercial Noise Assessment;
- Highways Response Note 3.

The site and area

The application site is a 5.18 hectare, rectangular parcel of agricultural land to the south-west of Cliffe, a village on the Hoo Peninsula. The site is currently in use as a commercial orchard and comprises rows of farmed pear trees.

The northern boundary adjoins Higham Road, a narrow two-way road with hedgerows running the width of the site. To the north-east of the site, two-storey residential dwellings front both sides of the road with an incomplete network of footpaths leading to the Church Street / Station Road mini-roundabout.

Buckland Road borders the site to the west. A shelter belt of trees has been planted on this boundary. There is no footpath along Buckland Road. Immediately beyond the road is the Eternal Lake Nature Reserve – flooded former quarries now home to varied bird species – which is part of the South Thames Estuary and Marshes Site of Special Scientific Interest (SSSI), Special Protection Area (SPA) and RAMSAR. The RSPB Cliffe Pools site is also close to the north-west of the site.

Public Right of Way (PRoW) (no.RS58A) runs along the eastern boundary of the site. It is tightly enclosed by the mature vegetation of the site boundary and rear garden fences of properties at Symonds Road. The rear elevations of these properties (and Cliffe Men's Social Club) are visible from within the site.

The field immediately to the south, also a commercial orchard, is in the same ownership and is shown as remaining in agricultural use with access through the development site. Further agricultural fields are to the south-east. PRoW RS58A

runs diagonally (north-east to south-west) through the field to the south and continues across Buckland Road to the western side of the nature reserve. Immediately west of the nature reserve is the Brett Aggregates site. HGV traffic connected with this operation passes the site on Buckland Road.

The site is within Flood Zone 1 where there is a low risk of fluvial or tidal flooding. There is a small area of medium to high risk of surface water flooding to the south-east corner where there is a natural depression in the ground level.

The Council's mapping as reproduced in the Cliffe & Cliffe Woods Neighbourhood Plan (NP) shows the site as Grade 1 agricultural land. The land has been assessed by the applicant to be Subgrade 3a agricultural land. Grade 3a is still classified as best and most versatile.

Cliffe is a settlement of approximately 2,500 residents. There is a historic core to the north with a conservation area around the Grade I listed St Helen's Church. The rest of the village is predominantly 20th Century dwellings with 19th Century buildings interspersed. Cliffe is currently in two parts with agricultural fields and a sports ground either side of Church Street separating them. Site allocation (SR51) in the emerging Local Plan provides for the development of 250 dwellings joining the two parts, which accords with an appeal allowed in November 2023 (APP/A2280/W/22/3313673 – Land to the East and West of Church Street).

Existing services and facilities in the village include a social club, village hall, local shops, public house and primary school. Bus services are available and provide connectivity to the larger urban areas of Medway.

Proposed development

General layout

The 100 dwellings are proposed to the eastern two-thirds of the site within a residential development area of 3.25ha. A spine street is illustrated running north to south with smaller roads branching from it to provide access to the dwellings. The residential buildings will be predominantly two storeys with some 2.5 storey houses and apartments indicated.

The western part of the site is shown as landscape planting and public open space (1.93ha) with a play area, specimen trees planted and an expanse of improved grassland. This would provide an approximately 60-metre-wide buffer between new built form and the nature reserve. There will be a Sustainable Urban Drainage Systems (SUDS) basin to the south-west corner ringed with replacement scrub planting and further trees.

Vehicular and pedestrian access

Vehicular and pedestrian access from Higham Road is proposed to the north-east corner of the site. A new priority junction will provide vehicular access. It is proposed to reduce the speed limit of the road through the relocation of the 30mph speed limit sign to the west of the proposed access.

A 3.7-metre-wide shared footway and cycleway is proposed at the site entrance. This has been widened since the original submission of the application to allow its use as an emergency vehicle access. A 2.0-metre-wide footway would be provided to this section of Higham Road to connect to the existing footway to the east of the site. This will involve a build out, such that traffic would be required to give way to allow for an uninterrupted footway.

Further road narrowing, footpath creation and crossings are proposed to provide a 2.0 metre footway from the site access along Higham Road to the mini-roundabout junction at Station Road and Church Street.

The existing on-street parking capacity would be significantly reduced by the proposed access and footpath works. A community car park is proposed for circa 27 cars at the north-east corner of the site adjacent to the vehicular access. This has been included to accommodate the displaced on-street parking along Higham Road.

Enhancements would be made to the bus stops on Church Street. A road build out is proposed to the northbound stop with an uncontrolled pedestrian crossing to the southbound stop created.

Housing density, mix and type

The application documents indicate a provision of 75 market dwellings and 25 affordable housing dwellings – equating to 25% provision.

In total there would be:

- 10 one-bedroom apartments;
- 3 two-bedroom apartments;
- 19 two-bedroom houses;
- 42 three-bedroom houses;
- 26 four-bedroom houses.

Of the 25 affordable dwellings there would be:

- 7 one-bedroom apartments;
- 3 two-bedroom apartments;
- 4 two-bedroom houses;
- 7 three-bedroom houses;
- 4 four-bedroom houses.

Relevant Planning History

No planning applications have previously been made at the site.

The Agent submitted representations on the Regulation 18 and Regulation 19 drafts of the emerging Local Plan promoting the site for inclusion as an allocation for residential development. The site is not allocated in the submitted Local Plan (Regulation 22) and, therefore, not part of the Local Plan strategy. It was considered

within the Land Availability Assessment (LAA) and Sustainability Appraisal (SA) and not selected.

Representations

The application has been advertised on site, in the press and by individual neighbour notification to the owners and occupiers of neighbouring properties. Southern Water, National Highways, National Grid, National Planning Casework Unit, Active Travel England, KCC Biodiversity, KCC Archaeology, UK Power Networks, The Environment Agency, Royal Society for Protection of Birds (RSPB), Campaign to Protect Rural England Kent (CPRE) Natural England, The Countryside Charity, Kent Police and Cliffe & Cliffe Woods Parish Council have also been consulted.

139 letters of representation have been received objecting to the application. Concerns were raised regarding:

- Erosion of greenfield buffers between village and the marshes, leading to long-term habitat fragmentation and ecological degradation;
- Council's policy (BNE37) explicitly protects traditional orchards as priority habitats;
- The orchard provides essential shelter food and breeding grounds for numerous species of birds, insects and small mammals;
- Loss of trees and soil coverage will increase surface water runoff;
- Increased surface water flooding on Buckland Road;
- An open spring and associated flooding has recently occurred on Symonds Road;
- Removing an existing natural drainage depression and replacing it with an indicative engineered infiltration system;
- Site is located adjacent to Eternal Lake Nature Reserve and within a sensitive ecological landscape;
- Disruptive for wildlife and local RSPB Cliffe Pools;
- Residential development gives a credible pathway for likely significant effects to internationally designated estuarine habitats of Cliffe / Hoo Peninsula;
- Habitat urbanisation and fragmentation of existing green corridors;
- Increased recreational pressure, light pollution, domestic cat predation of birds and small mammals and noise impacts;
- Wildlife will be badly affected and we would lose common sightings of bats and birds;
- The B2000 is already congested, unable to cope with current traffic levels and in a poor state of repair;
- Lack of infrastructure in Cliffe and surrounding areas;
- Introducing additional homes potentially housing 250-300 new residents without any new healthcare, education or community amenities is wholly unsustainable;
- Current bus service is infrequent and unreliable;
- Cumulative impact with Trenport scheme would almost double the size of the village without any improvement in local facilities;
- The development would place unmanageable pressure on already limited facilities without any provision for expanding them;

- Local GP surgeries are oversubscribed. NHS dental provision is extremely limited. Local primary and secondary schools are heavily oversubscribed;
- Unacceptable to build all these houses in an area supplied by one narrow road in and out. The B2000 must now be one of the busiest roads in the area;
- There are already three new housing estates being worked on enough is enough;
- Significant number of HGVs movements already damaging the narrow, unsuitable roads in the area;
- Higham Road is not suitable to serve a development of this scale;
- The tight turn into Higham Road will create havoc with lorries in and out;
- Both Higham Road and Station Road are heavily used with traffic flow through the village constrained by road width, on-street parking, and pedestrian movement;
- Parking on Higham Road and surrounding roads is currently virtually impossible for existing residents and the plans will mean even less parking is available;
- The provision of additional parking within the site is a diversion tactic, as inevitably this will be used by the new residents and their visitors;
- Cannot be assumed affected properties would want to use proposed car park rather than parking legally on the highway as they currently do;
- Removing parking from Higham Road is not just an inconvenience; it is a fundamental change to how residents are able to live in their homes;
- How will the car park spaces be allocated or made available;
- Noise, light and activity caused by car park is incompatible with quiet residential amenity;
- Higham Road cannot deal with the volume of traffic a building site would bring;
- Increasing traffic by potentially hundreds of additional vehicles would worsen congestion and create a safety risk for drivers, pedestrians and cyclists;
- If the proposed Higham Road footpath is made this will mean that cars will no longer be able to park on the road. The majority of properties on Higham Road have two cars and parking outside their houses only;
- The footpaths are unnecessary as pedestrian access to the B2000 already exists via New Road;
- Vehicles will be displaced onto surrounding streets including Station Road and Symonds Road;
- There will be an increased volume of traffic on further restricted roads;
- Such a large development is disproportionate to the scale of Cliffe;
- The loss of open countryside and the orchard's green space will permanently change the village's rural setting, replacing it with an urban-style estate;
- Seasonal blossoms and sense of peace provided by orchard will be lost forever;
- Taking away a historic piece of green land. Kent cannot be considered 'the garden of England' when soon the garden will only consist of concrete;
- The setting of Cliffe is defined by its agricultural heritage and open landscape;
- Would ruin the traditional farming scenery and natural aesthetic of the area; affecting local businesses and the natural environment;
- Tranquil views over orchards and rolling fields would be replaced with new buildings;

- Two and a half storey houses and apartments will be out of character with Higham Road and Symonds Road;
- New houses will be too close to gardens of Symonds Road properties, fundamentally changing the sense of space and causing visual intrusion.

Southern Water have provided standing advice regarding existing assets, distribution main clearance distances, excavation practices, tree planting and SuDS features. They have confirmed that there is adequate capacity in the local sewerage network to accommodate foul flow for the development but noted surface water flows should not be accommodated in the network. A condition is suggested regarding landscaping proposals in proximity of public apparatus.

National Highways have no objection from a Strategic Road Network perspective subject to the imposition of a condition requiring a Construction Traffic Management Plan.

Active Travel England (ATE) following a high-level review has determined that standing advice should be issued and encourages the Council to consider this as part of its assessment of the application.

KCC Ecology are satisfied with the range of ecological surveys carried out and with the Biodiversity Net Gain (BNG) information submitted. They note that the site is currently an intensively managed orchard and, therefore, their view is that appropriate mitigation for species present could be implemented within the site. Through any future Reserved Matters Application, they suggest changes to the open space provision to increase nesting and foraging opportunities for birds and bats, which could include the creation of a traditional orchard or creation of scrub or woodland coppice. They note that vegetated site boundaries would be enhanced and that the hedgerow to the adjacent designated sites are dense. Provided lighting is designed to minimise light spill into the open space, it is likely that any light spill into the SSSI can be avoided or minimised. As the open space is considered a migration route for nocturnal bats, it must only receive minimal light spill – such details should be considered at RMA stage.

They advise the Council to adopt the conclusions of the Shadow Habitats Regulation Assessment submitted – that the proposal will not have an adverse impact on designated sites, subject to a SAMMS payment. It is agreed that the site is not functionally linked to the designated sites, whilst appropriate lighting design and a Construction Environment Management Plan would avoid adverse impacts.

KCC Ecology consider that the stated 12% gain in habitat units and 33% gain in hedgerow units could be achieved. The BNG metric should be revised in line with a detailed design submitted at RMA stage and these gains should be secured by S106 or conservation covenant for a 30 year period.

Conditions are suggested relating to:

- Ecological Mitigation Strategy;
- Ecological Enhancement Plan;
- Habitat Management and Monitoring Plan (HMMP);

- Demonstration of enhancement and habitat creation works being implemented;
- External Lighting Plan;
- Requiring the submission of monitoring reports.

KCC Archaeology consider that the desk-based assessment has generally considered an appropriate range of information sources and provides a reasonable account of the site's archaeological background. Although they do not fully agree with the conclusions on the potential or significance of archaeology that might be present.

For all periods the applicant's assessment suggests that any archaeology present will be of only local (or potentially regional) significance. We do not agree that this is necessarily the case. The site has a moderate theoretical potential for Palaeolithic remains, which if present would almost certainly be of greater than local importance. Similarly, the presence of an Anglo-Saxon cemetery to the south, demonstrates the presence of archaeology of at least regional importance in the area. As such the potential for archaeology of regional or even national importance cannot yet be ruled out, although based on present understanding the likelihood of remains of national significance being present is not considered high.

A condition is recommended that a programme of archaeological evaluation and investigation is carried out prior to any RMA stage, so that the findings can inform detailed design and site layout.

The Environment Agency have no specific comments to make on this proposal.

Natural England stated it is not able to provide specific advice on this application and, therefore, has no comment to make on its details. They referred to their standing advice for developments near to statutory nature conservation sites.

Kent Wildlife have not commented on the application.

RSPB have objected to the proposal due to concerns around recreational and urbanisation impacts on the surrounding designated areas and wildlife.

CPRE have objected to the application on the grounds that the proposed housing estate will constitute unsustainable development in the countryside, specifically: it is not Plan-led development; is not in a sustainable location; highway impacts; loss of best and most versatile agricultural land; and impact on biodiversity and the Eternal Lakes Nature Reserve, which is part of the South Thames Estuary and Marches SSSI and SPA.

Kent Police have welcomed further discussions with the applicant/agent about site specific designing out crime approaches and have provided additional advice with respect to lighting, boundary treatments, natural surveillance and other approaches that could be implemented within the development.

Cliffe & Cliffe Woods Parish Council strongly objects to the proposed development. The Parish cites ecological impact, unsafe pedestrian access,

increased traffic and car dependency, pressure on local services and harm to the rural landscape. They highlight that the site is not allocated in the emerging plan and was previously rejected. In their view, the proposal represents an unsustainable and premature development.

In terms of ecological impact, the proximity to the Eternal Lake Nature Reserve and environmentally sensitive sites is noted.

Limited footways and unsafe pedestrian crossings at Higham Road are raised in the context of significantly increased pedestrian movements along an already hazardous route.

Limited community facilities in Cliffe will increase car dependency, as residents will need to travel to Cliffe Woods, Higham, Strood and beyond for essential services. With limited public transport, the majority of these trips will be made by car, increasing pressure on the B2000, which is already congested and subject to a volume of HGV movements and safety concerns. This conflicts with NPPF para. 105 – development should be focused in sustainable locations – and para. 111 – development should be refused if it results in an unacceptable impact on highway safety.

A cumulative impact will be caused with the approved access for the 250 dwelling (Trenport) site. The cumulative impact of 350 new dwellings has not been assessed, without which the application is incomplete and unsound.

Pressure on local services and infrastructure, such as healthcare, school places, public transport, utilities and drainage, would increase without the provision of credible mitigation or infrastructure contributions.

The site sits in an open rural landscape that separates Cliffe from surrounding settlements. The development would erode the village's rural character and create visual intrusion near the nature reserve.

Eternal Lake is hydrologically sensitive. The hard surfacing associated with the development would increase surface water run off and potential contamination.

Approving development here would undermine the plan-led approach required by NPPF para 15 and para 24 requirement for consistency with emerging plans.

The site was rejected following assessment during the Medway's Call for Sites (Stage 2). The Council has already determined that the site is unsuitable for allocation due to environmental, sustainability, and infrastructure constraints.

Given the scale of development pressure on the Hoo Peninsula, approving this application in isolation would result in piecemeal, uncoordinated growth. This conflicts with NPPF para. 22 – requiring long-term strategic planning for infrastructure and NPPF para. 68 – requiring strategic planning for housing supply.

St Mary Hoo Parish Council has objected to the application for the following reasons:

- Unallocated development in the countryside;
- Unsustainable location,
- Car dependence and highways concerns;
- Ecology, nightingales and Habitat Regulations;
- Permanent harm to the landscape and rural character;
- Loss of BMV agricultural land and cumulative pressure.

Councillor Pearce has submitted two objections. The first cites legal and procedural matters that they consider must be resolved before any lawful decision can be made. He queries the proposals compliance with Habitat Regulations and highlights that outline permission must not be granted unless the competent authority is satisfied that no development likely to adversely affect the integrity of a European habitat site could be carried out under the permission. He raises concerns as to the impacts of construction noise and lighting upon the nearby SSSI, SPA and RAMSAR sites. The effectiveness of the Birdwise / SAMMS mitigation strategy in protecting these sites is questioned

His second objection letter opposes the development for reasons of:

- Conflict with the development plan;
- Ecological impacts;
- Urbanisation effects;
- Loss of best and most versatile agricultural land;
- Lack of sustainable transport and poor accessibility;
- Impacts on the landscape and rural character;
- Infrastructure capacity;
- Design;
- Archaeology and
- Noise.

Councillor Mrs Turpin has submitted two representations. The first, on behalf of a local resident, raising concerns with a burst sewage pipe between Cliffe and Cliffe Woods and the resultant tankers impacting the flow of the B2000. The issue is likely to continue to happen considering the age of the pipe and increasing population of the two villages.

In the second representation she strongly objects to the application as it is outside the development area of Cliffe and would extend the village envelope setting a precedent for more development in future. Such would lead to the loss of more and more farmland which cannot be readily returned to food production. She states that the B2000 is already a difficult road for regular uses, it is deteriorating due to HGV use and is not a road that cyclists or pedestrians would use due to its narrowness and perceived danger. Public transport is not regular enough to be relied upon, making any development in Cliffe car dependent.

Concern is raised with the access via Higham Road, a narrow country road that is already struggling with existing houses. Increasing traffic flow here will cause

frequent issues with cars backing up. Residents have expressed concern with how the character of the village will be altered through this development cumulative with the 250 new homes at Church Street.

She also cites sewage and drainage issues and alarming environmental concerns due to the close proximity with the South Thames Estuary and Marshes SSSI.

Councillor Williams asks that the development be refused. He objects to

- The high reliance on the car;
- Congestion on the B2000;
- Poor road surfaces;
- Inadequate bus services;
- Unsuitability of local roads for cyclists and pedestrians;
- The loss of valuable productive agricultural farm land which threatens food security;
- Limited school places;
- Impacts on flora and fauna of nearby SSSI and Cliffe Pools;
- Regular problems with sewerage systems, and
- The detrimental effect on the quality of residents lives that the development would cause.

Development Plan

The Development Plan for the area comprises the Medway Local Plan 2003 (the Local Plan) and the Cliffe & Cliffe Woods Neighbourhood Plan (made in 2023).

The Local Plan is out of date and in accordance with the National Planning Policy Framework 2024 (NPPF), due weight may be given to the policies contained within it according to their degree of consistency with the Framework.

The policies referred to within this document and used in the processing of this application have been assessed against the NPPF and are generally considered to conform. Where non-conformity exists, this will be highlighted and addressed in the appraisal section below.

The Medway Landscape Character Assessment 2011 (the MLCA), as updated June 2024 is also applicable.

Cliffe & Cliffe Woods Neighbourhood Plan (NP) was adopted in May 2023 (less than five years ago) and forms part of the Local Development Plan. It recognises that the parish will have to play its part in meeting the number of homes Medway needs. It does not, however, contain policies and allocations to meet an identified housing requirement.

The Final draft (Regulation 22) Local Plan - Medway Local Plan 2041 was submitted to the Inspectorate for examination in December 2025. The first phase of hearings have been scheduled by the Local Plan Inspectors to begin in September 2026. 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 moderate weight and this is addressed in the Planning Appraisal section below.

Planning Appraisal

Principle

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

The site is located outside of the settlement of Cliffe, as defined in the proposal maps of the adopted Local Plan, and lies within open countryside. As such, the principle of the proposed development conflicts with the development strategy of the Local Plan. Adopted policies S1 and S2 seek to prioritise development within the existing urban fabric, through a brownfield first approach, and then strategically sustainable sites using a sequential approach to location.

Policy BNE25 of the Local Plan sets out the approach to development in the open countryside and states such will only be permitted where 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. Which are:

- It is on a site allocated for that use;
- The development essentially demands a rural location; or
- It would involve the re-use or adaption of an existing built-up area.

The development of the site does not adhere to the policy approach and does not meet with any of these exceptions and thus, conflicts with Policy BNE25.

Policy H11 concerns residential development in rural areas and states that unless the site is allocated for housing or an exceptional justification can be made, housing in rural areas will be restricted to minor developments within the confines of the existing villages and settlements. The application proposes major development outside of a rural settlement and is contrary to H11.

The NPPF is a material consideration when determining planning applications. At paragraph 11 it confirms that planning decisions should apply a presumption in favour of sustainable development. Para. 11d) stipulates that for decision-making this means:

- c) approving development proposals that accord with an up-to-date development plan without delay; or*

d) *where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date⁸, granting permission unless:*

- i the application of policies in this Framework that protect areas or assets of particular importance⁷ provides a strong reason for refusing the development proposed; or*
- ii any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.*

The age of the Local Plan, the Council's inability to demonstrate a five-year housing land supply (which is currently below 3 years), and failure of the Housing Delivery Test (the Council had only delivered 72% of its target number of dwellings) engages the *tilted balance* stipulated by NPPF para. 11d.

This is despite a significant increase in the number of homes delivered since 2020, compared with preceding years and indeed the highest levels of delivery Medway has had since its inception in 1998. These levels of delivery have generally been sustained until a sharp decline in net completions between 2024/2025 where only 634 homes were built below the target of 1,636 set by the government's standard method (Annual Monitoring Report, 2025). This means that an action plan should be prepared, a buffer of 20% should be applied to the local housing need and a presumption in favour of sustainable development applies.

Limited weight should still be afforded to the Local Plan as the spatial strategy promoted the coherent development of the area as per the priority given to a plan-led system in legislation. Adopted policies that seek to control the supply of housing land (including S1, S2, BNE25 and H11) are to be considered out of date, with the weight applicable to them reduced. The Inspector in the recent appeal¹ relating to 800 dwellings outside of Wainscott found that BNE25 (i) is designed to maintain the character, amenity and functioning of the countryside and in this respect is compliant with NPPF para. 135 to which particular regard should be had when assessing the *tilted balance*, as well as with NPPF para. 187(b). Consequently, any conflict with BNE25 still attracts medium weight.

Protected areas, listed in Footnote 7, include SSSIs to which the site is adjacent. However, as discussed below, the potential impacts of the development upon this protected area do not provide a strong reason for refusal.

Relevant key policies, referred to by Footnote 9, to which particular regard should be paid include NPPF paragraphs 110, 115, 129, 135 and 139. These policies are set out here and discussed throughout this appraisal.

¹ Appeal Decision 6002071, made 9th July 2026 – Land off Lower Rochester Road, Wainscott.

The increased weight to be given to the adverse impacts of development, as referred to in NPPF para. 14, does not apply in this case as the Neighbourhood Plan does not include housing allocations.

The NPPF pursues sustainable development through three interdependent objectives that are to be pursued in mutually supportive ways: economic; social; and environmental. Sustainable development should secure gains across each of these objectives.

Para. 61 of the NPPF seeks to significantly boost the supply of homes by ensuring that a sufficient amount and variety of land can come forward where it is needed and that the needs of groups with specific housing requirements are addressed.

Para. 72 requires that local authorities should have a clear understanding of the land available in their area and from this, planning policies should identify a sufficient supply and mix of sites across the plan period.

The NPPF also provides a narrative in terms of housing proposals in rural areas at paragraph 83, which states that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Para. 82 requires that decisions should be responsive to local circumstances and support housing developments that reflect local needs.

Paragraph 110 of the NPPF states that the planning system should actively manage patterns of growth to address transport issues and that significant development should be focussed on locations which are, or can be made, sustainable. While this emphasises limiting the need to travel and offering genuine travel choices, it recognises that opportunities to maximise sustainable travel will vary between urban and rural areas.

NPPF para, 115 requires site allocations and decisions to ensure that:

'sustainable transport modes are prioritised...; safe and suitable access to the site can be achieved for all users; the design of streets, parking areas, other transport elements.... standards reflect current national guidance...; and any significant impacts from the development on the transport network (in terms of capacity and congestion) or on highway safety, can be cost effectively mitigated to an acceptable degree through a vision-led approach'.

Paragraph 129 encourages the efficient use of land, taking into account, the need for housing types, availability and capacity of infrastructure and services, the desirability of maintaining an area's prevailing character and setting, and the importance of securing well-designed spaces.

Paragraph 135 states that developments should be visually attractive; sympathetic to local character and history, including the surrounding built environment and landscape setting; establish or maintain a sense of place; whilst optimising the potential of the site to accommodate an appropriate amount and mix of development.

Paragraph 139 stipulates that significant weight should be given to development that reflects local design guidance and outstanding or innovative designs that promotes high levels of sustainability.

These national policy directives must be considered when weighing adverse impacts against benefits in the determination of this application.

Regulation 22 Medway Local Plan 2041

The Local Planning Authority is progressing the Medway Local Plan 2041 to replace the Medway Local Plan 2003. The allocated sites will provide the amount of housing and commercial land required to meet the borough's up-to-date targets. The Regulation 22 Local Plan has provided for a housing need of 24,540 over the plan period, equating to 1,636 new homes per year. This is the Local Housing Needs requirement as per the government's standard method formula. The Local Plan provides for housing land supply through implementation of schemes with planning permission – 'pipeline' sites, new site allocations, and allowance for 'windfall' sites. The supply provided in the draft plan consists of: Pipeline sites (with planning consent, not completed or allocated) – 1,762; Local Plan allocations – 21,194; and Windfall sites – 1,584. This provides a small buffer on supply over need.

The Spatial Development Strategy sets out a 'brownfield first' approach, using previously developed land to bring forward opportunities for investment in urban centres. However, the development strategy recognises that greenfield sites also provide an important component of land supply, as the regeneration of brownfield sites will not meet the full need. It is also recognised that some of the brownfield sites could take longer to be developed, and this could impact on housing supply earlier in the plan period. A mix of lower density housing on the edges of Medway's towns and villages will assist in providing for greater choice in the housing market. Around 30% of the plan's housing is, therefore, directed to Medway's rural areas.

Emerging policies S2 and S4 seek to protect and enhance the natural environment and biodiversity including the natural beauty of the landscape and require that development proposals demonstrate how they respect and respond to the character, key sensitivities, and qualities of the relevant landscape character areas. In addition, NPPF para 187 states that decisions should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, as well as recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services.

The application site is not allocated for housing development in the Regulation 22 Local Plan 2041. It was considered within the Land Availability Assessment (LAA) and Sustainability Appraisal (SA) but was not selected. Consequently, the development is contrary to the emerging spatial strategy which carries moderate weight in the determination of this application.

The Inspector determining the recent Wainscott appeal supported the Council's position that the emerging plan should be given moderate weight. The Inspector stated it was clear that much thought and work has gone into deciding the housing allocations in the plan, an approach that is encouraged in legislation and national

policy, and that the Council should be afforded due credit for this.

NPPF para. 49 allows for weight to be given to relevant policies in emerging plans according to: the stage of preparation of the plan; the extent of unresolved objections to relevant policies; and the degree of consistency with policies in the NPPF.

In determining whether this proposal is acceptable, the decision maker needs to consider the impact of the development on the wider landscape, habitat sites and/or designated sites, irreplaceable habitats such as ancient woodland, agricultural land, designated heritage assets, flood risk, matters of sustainability, and the various environmental issues discussed under the relevant headings below. An assessment must then be made as to whether:

“Any adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places, and providing affordable homes, individually or in combination.”

Accordingly, the planning application should be assessed against all relevant development plan and national policies before completing an overall assessment of impacts and benefits within the Planning Balance.

Housing Mix, Density and Affordable Housing

Policy H10 of the Local Plan supports a mix of house types and sizes suited to the needs of different people. This should include smaller units and housing for the elderly or persons with disabilities. Emerging policy T2 looks to continue this aim by requiring a sufficient range of sustainable housing options to meet the needs of a growing and changing population.

NP policy H7 considers housing type and tenure, again requiring development to reflect housing need including for bungalows and small family accommodation. NP policy H8 states that development on greenfield sites should be at no more than 30 dwellings per hectare to maintain the rural character of the area, its sustainability and promote good health impacts from improved residential quality.

NPPF para. 61 also seeks to significantly boost the supply of homes and address the needs of groups with specific housing requirements. With regard to appropriate densities para. 129 supports development that makes efficient use of land, taking into account a) the need for different housing types, other forms of development and land available, c) the capacity of infrastructure and services, and d) the desirability of maintaining an area's prevailing character and setting.

Overall, the proposed development would provide up to 100 residential units with an indicative housing mix of one-, two-, three- and four-bedroom dwellings. Almost one third of the proposed housing would be one or two bedrooms and different housing types are provided. Considering the developable area, as shown on the parameter plan, the proposed density would equate to 31 dph. The development is broadly acceptable in terms of housing mix and density.

Policy H3 of the Local Plan requires a proportion (minimum of 25%) of residential developments to be affordable housing where there is an identified need and where the development is of a substantial scale as defined within the Local Plan.

Emerging policy T3 of the (Regulation 22) Medway Local Plan 2041 sets a higher threshold for the level of affordable housing required in high value areas, including the Hoo Peninsula strategic sites and suburban greenfield sites. The policy requires 30% of all residential units proposed, to be delivered as affordable housing in these high value areas. In lower value areas the policy sets a lower threshold at 25% for greenfield sites.

Based on the evidence work to support the emerging Local Plan the site is not a strategic site nor within a high value area.

On this basis 25% affordable housing provision is considered to be compliant with both the adopted Local Plan and the (Regulation 22) Medway Local Plan 2041.

In view of the above the proposal is, therefore, considered acceptable with regard to policies H3 and H10 of the Local Plan, policies H7 and H8 of the Neighbourhood Plan, emerging policy T3 and the expectations of the NPPF.

Other Uses and Local Services

NP policy H1 states that major housing development on greenfield sites in the parish will be encouraged to contribute to sustainable development by including uses other than housing that are appropriate to the size and location of the site.

The development includes an area of public open space to the western portion of the site, which also provides a buffer to the nature reserve to the west. According to the applicant, this would provide for recreational purposes in an accessible proximity to the new housing and those existing in this part of the village. While it could be argued that the open space will benefit prospective residents it is questionable whether it is fully accessible for existing residents. Whether the suds contributes to useable open space will also be based on its detailed design and potentially it should be excluded from the open space calculation.

The proposed open space adheres to some degree with the NP policy and NPPF para. 125 – which encourages multiple benefits from urban and rural land through a mix of uses, including improving public access to the countryside.

Design and Layout

Local Plan Policy SA4 seeks a high-quality built environment, with landscape mitigation where appropriate and that development responds appropriately to its context, reflecting a distinct local character.

Policy BNE1 states that the design of development should be appropriate in relation to the character, appearance and functioning of the built and natural environment and satisfactory in terms of scale, mass, proportion, details, and materials.

Emerging Policy T1 requires development to be of high-quality design that makes a positive contribution and responds appropriately to the character and appearance of its surroundings. Designs should interpret the prevailing pattern of plot size and layout relating to the surrounding context position within proposed fabric / edge conditions.

NP policy SUSDEV4 stipulates that greenfield development should be sensitive to the landscape and be of a height that does not impact adversely on views from the surrounding countryside.

NPPF para. 131 emphasises the importance of good design, which is a key aspect of sustainable development. Key policy para. 135 says that developments should be visually attractive; sympathetic to local character and history, including the surrounding built environment and landscape setting; establish or maintain a sense of place; whilst optimising the potential of the site to accommodate an appropriate amount and mix of development.

The application seeks outline planning permission with matters of appearance and scale reserved.

The Design and Access Statement (DAS) notes key design drivers and concepts. These are stated as: *Land use* – locating the housing towards north and east of the site adjacent to the existing housing to read as a logical extension of the village; *Landscape setting* – including a generous landscape buffer to the west due to the wider landscape setting and presence of the SSSI; *Placemaking* – present positive frontages to north, west and southern edges with new homes addressing landscaped areas and a winding avenue through the site with buildings behind a green verge of varying widths; *Ecologically sensitive* – layout considered in response to the site's ecological baseline and proximity to designated wildlife areas.

The Illustrative Masterplan shows one way in which the housing development could be laid out within the land use areas of the Parameter Plan. The residential parcel would extend the built form of Cliffe significantly to the west beyond the current edge. An attempt is made to soften this through the open space buffer to the Nature Reserve. However, the loss of the agricultural edge of the village would be apparent and would affect the landscape setting, character and sense of place of this part of Cliffe.

Building heights are not indicated by an associated Parameter Plan. The Planning Statement says the development will likely be two-storey with potential for up to two and half storeys in some locations creating variation in the roofscape and street scene. Two storey building heights would compare to the existing scale of the village and thus demonstrate some sympathy to local character. Two and a half storey buildings, including apartments, would, however, be more prominent in views into the village from the surrounding countryside.

The outline proposal is limited in what it can show in terms of design and layout. Although what is shown is at odds with the landscape setting and sense of place of the host village. In this regard the development is considered to conflict with adopted policy SA4, NP policy SUSDEV4 and key policies of the NPPF.

Landscape and Visual Impact

The application site is not within any nationally important landscape designations. Nor is it identified within an area of local landscape importance in the adopted proposal maps. It is not considered a valued landscape as per NPPF para. 187(a).

The Medway Local Character Assessment (2024) identifies the site in Landscape Character Area F1: Cliffe. The strategy and management guidelines for the area support the enhancement of rural character, retention and regeneration of hedgerows, softening of settlement edges and protection of visual and recreational qualities.

The site is, however, immediately adjacent to the Eternal Lakes Nature Reserve which is part of the South Thames Estuary and Marshes SSSI, SPA and RAMSAR. These sites of biodiversity value are noted in para. 187(a). To be addressed below with regard to ecological considerations.

The site is within the countryside. The intrinsic character and beauty of which must be recognised by planning decisions – para 187(b).

Policy BNE25 of the Local Plan states that development in the countryside will only be permitted if it maintains, and where possible enhances the character, amenity and functioning of the countryside. As the Inspector of the Wainscott appeal stated BNE25 retains medium weight. Policies S2 and S4 of the (Regulation 22) Medway Local Plan 2041 also seek to protect and enhance the natural environment and biodiversity including the natural beauty of the landscape.

Neighbourhood Plan policy *SUSDEV4: Character* requires new development, particularly that on greenfield land, to be sensitive to the landscape and be of a height that does not impact adversely on views from the surrounding countryside. NP policy *SUSDEV4* resists proposals that would result in the visual or physical merging of Cliffe and Cliffe Woods.

An LVIA supports the application and assesses the likely effects of the development on the landscape. The LVIA considers the site to be located *'within a landscape that, while rural in origin, is notably influenced by surrounding infrastructure and settlement and that the presence of nearby residential development, transport corridors, and industrial activity contributes to a transitional character between countryside and settlement edge'*.

It contends that the site is largely contained to local receptors, with any views limited by vegetation, built form and topography. Where visible the site is seen in the context of existing settlement and infrastructure, notably the Brett Aggregates transport corridor.

The LVIA considers the overall landscape effects on the Wider Study Area (as defined by 'Landscape Character Areas A1: Cliffe Pools and F3: Cliffe') have been assessed as minor adverse at Year 1, reducing to minor/negligible adverse at Year 15. Effects on the Character of the Site have been assessed as major/moderate adverse at Year 1, reducing to moderate adverse at Year 15. The nature of the

proposed development is not uncharacteristic within the receiving landscape context, retaining and enhancing the characteristic shelterbelts.

Mitigation and enhancement measures are proposed to reduce any effects and comply with management guidelines. Such measures include: better management and bolstering of boundary trees and hedgerows; public open space and SUDs designed to provide a parkland type setting; planting along southern boundary to mitigate views towards the development; wide verges of green space and specimen trees along the main spine road internally; surrounding of car parking area by hedgerows.

The review of the applicant's LVIA provided by the LPA's landscape consultant states the following in relation to landscape effects:

"For the assessment of landscape effects of the proposals on LCA F1 the table at Appendix 6 highlights some key characteristics identified in the 2024 landscape character assessment and refers to the site having commercial orchards rather than the traditional orchards highlighted as a key sensitivity. The reference to the site here is presumably a mistake as this part of the assessment is concerned with the wider LCA F1. The assessment does not mention other identified elements of character and sensitivity such as the visual exposure of the edge of the village, the development pressure it is facing and the weak structure of the landscape generally. Beyond this the assessment is focussed on the scale of the development relative to the LCA, that the perception of the change would be limited in area and that the shelterbelts would be enhanced; this latter point being more applicable to the site than the LCA. Again, the assessment does not grapple at all with the existing form of development and the relationship this physical change would have with this form.

The LVIA considers the magnitude of change at Year 1 to be Small and the overall effect to be Minor adverse. This review considers this to be an underassessment and considers the magnitude of change to be greater at a level of Medium, defined at Table 3 as "Partial alteration to key elements, features, qualities or characteristics, such that post development the baseline situation will be largely unchanged but noticeable despite discernible differences". Whilst this definition is termed in a somewhat tortuous manner, a mid-range magnitude of effect is appropriate in this case. The overall level of effect should be Major-Moderate adverse using the sliding scale matrix at Appendix 2 Table 5 and this review's assessment of High-Medium sensitivity for LCA F1.

This review does not accept that the landscape mitigation proposals would have a material beneficial effect to the outcome of the assessment such that the longer term landscape effects on LCA F1 would be reduced to Negligible and Minor/Negligible adverse overall. It is inconceivable that the development of 100 homes plus other built infrastructure would have "Negligible to no perceptible change" on the landscape of LCA F1, as defined at Appendix A Table 3. This is a wholly unreliable assessment and simply wrong. This review considers that the provision of planting to strengthen the shelterbelts plus the other landscape elements are positive in landscape terms but, on their own, they cannot completely negate the effects of the built part of the development as the outcome of the assessment is, in effect, concluding.

The LVIA assesses the magnitude of change at the site to be Large. This is evidently correct, although the overall assessment of Major/Moderate adverse is skewed downwards by the underassessment of the site's landscape sensitivity, as set out above. Based on a High-Medium sensitivity for the site, the overall assessment of landscape effect should be Major adverse. Again, as with the Year 15 assessment for LCA F1, the introduction of these landscaping measures cannot substantially reduce the level of landscape change to the site, and this part of the assessment is not accepted.

Using the LVIA's methodology, the appropriate assessment findings for the site and its immediate surrounds should be large-scale effects, that are long term and wide in extent, which is a High magnitude adverse landscape effect. Combined with Medium sensitivity, this gives rise to an overall Major-Moderate adverse landscape effect which is at the upper end of significance.

The assessments above are based on the assumed landscape baseline which appears to exclude the consented scheme for 250 units. If the consent were to be included in the baseline then, in the judgement of this review, the consolidated settlement pattern that will be delivered when this permission is built out, would be even more substantially impacted by the proposals because they protrude beyond the settlement building line and edge, and would not confirm with that clear linear form. This is all the more crucial given the visual exposure of these edges in the landscape and the weak structure of that landscape that allows for this exposure. As set out above, the LVIA fails to address these critical points, these being matters that the 2023 appeal Inspector considered closely as central to his decision as to the acceptability of that scheme".

In relation to visual effects, the report provided by the LPA's landscape consultant states the following:

"The assessment of visual effects is set out at Appendix 7. This review considers that the methodology and approach for this part of the assessment is suitable but does not accept many of the findings to be appropriate, largely due to an underassessment of the magnitude of visual change.

Whilst this review accepts that the real viewshed of the proposals would be relatively confined, and from fieldwork, less than indicated by the illustrated ZTV, the main issue is with the assessment on the visual effects on nearby receptor groups. The key locations from where this development would be seen would be from the PRoW along the eastern part of the site and its extension down to the junction of Buckland Road with Rectory Road to the south-west of the site, sections of Rectory Road and Buckland Road to the south and west, from that part of Higham Road next to the site to the immediate north, from sections of West Street to the north-west and from the PRoW to the north of the site from West Street to Clife Recreation Ground. From all of these locations, which effectively surround the site other than the existing residential part of the village to the east, the development would be visible, would be seen to protrude out into the countryside away from the existing development edge and would be visually prominent. The new development would evidently contrast with the existing development in terms of development density, development form (noting that this is illustrative) and quite likely in overall development height given the

ZTVs use of a 10.5m high building. The increase in density beyond that of the existing adjoining settlement along Symonds Road would be evident and its curvilinear form, rather than the more linear structured form of the village, would be out of keeping. There would be significant harm to the visual amenity of the users of these publicly accessible locations, visual harms that the design of the scheme has failed to address”.

The report concludes that:

- 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 a wide range of significant adverse landscape and visual effects that would not maintain the character, amenity or functioning of the countryside.
- The proposals are contrary to Policy S4.
- The proposals would be harmful and contrary to three of the objectives of the Landscape Character Assessment for the host landscape character area (F1: Cliffe).
- The development proposals would give rise to a wide range of significant adverse landscape and visual effects that would not respect and respond to the character, key sensitivities and qualities of Landscape Character Area F1: Cliffe and, for the reasons set out above, would be harmful and contrary to the specific Development Management Guidelines for this landscape character area.
- The proposals are contrary to emerging policies S2 and S4.
- The proposals are contrary to policy SUSDEV4 of the Neighbourhood Plan.
- The proposals are contrary to para 135 c) of the NPPF which requires that developments are sympathetic to local character and history, including the landscape setting.

The application proposals will undoubtedly change the character and function of this existing greenfield site. The site will change from an agricultural field to a residential estate. The application proposals will give rise to landscape harm and the harm caused by the proposed development to the area's landscape would be permanent.

Loss of Agricultural Land

NPPF para. 187(b) states that planning decisions should recognise ‘the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland’.

Footnote 65 of para. 188 dictates that where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of higher quality.

NP policy *Econ&Emp1: Agriculture* resists the loss of BMV agricultural land Grades 1-3 unless there is a proven need for sustainable development which demonstrates benefits which far outweigh the loss of food growing space in the neighbourhood area, and its contribution to national food security.

Natural England states that 'High quality agricultural land is valued because of its important contribution to food production, and it also offers much greater potential than poorer land for growing alternative fuel/energy crops'. Natural England observes that land protection policy 'is relevant to all planning applications, including those on smaller areas but it is for the planning authority to decide how significant are agricultural land issues ...'.

The site is currently a commercial pear orchard and clearly has an agricultural value. The Council have previously considered the site to be Grade 1 – excellent. The Agricultural Land Classification Survey submitted shows the land is Grade 3a. Regardless of this, the development would result in the loss of 5.18ha of BMV land.

The application has put forward submissions about the principle of development in terms of housing land supply. It has not, however, proven a need for sustainable development which demonstrates benefits far outweighing the loss of this food growing space.

In this respect the proposal is contrary to the NPPF and Neighbourhood Plan policy.

This conflict is considered against the amount of BMV land in Medway and that much of the lower quality land in the area is located in protected wildlife areas. The use of BMV land for development needs to be considered in the context of the need for the proposed development and the general high quality of agricultural land in the locality. As the (Regulation 22) Medway Local Plan 2041 has demonstrated, through its proposed Spatial Development Strategy it is unlikely that the Council could meet its housing land supply requirements without the loss of some agricultural land of Grade 3a or lower.

Approximately 8,845 hectares of Medway's land is farmed. The site would make up less than 1% of the total BMV land in Medway and, therefore, it is accepted that this proposal would not amount to a significant loss of BMV land.

However, the loss of this land is still to be weighed in the planning balance. It is considered that there is no overriding need to use further BMV land for housing development as the emerging Local Plan makes provision for sufficient housing land to deliver the identified need without allocating the application site. The allocations within the emerging Plan already include sites which comprise BMV land. As the Council is addressing the housing need through planned release of BMV land in the emerging Local Plan there is no overriding need to use further BMV land.

Highways and Transport

Policies T1, T2 and T13 of the Local Plan state 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.

Local Plan policy BNE1 requires the design of development to be appropriate in relation to the character, appearance and functioning of the built and natural environment. Policy BNE2 safeguards the amenities enjoyed by nearby and adjacent properties in relation to, inter alia, activity levels and traffic generation.

Policies DM15 and DM18 of the (Regulation 22) Medway Local Plan 2041 require 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).

NPPF para. 109 requires development proposals to use a vision-led approach to transport solutions that deliver well-designed, sustainable and popular places. This should involve pursuing opportunities to promote walking, cycling and public transport use. Para. 110 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. Para. 116 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.

A Transport Assessment and Residential Travel Plan were originally submitted with the application. Further submissions were made by the applicant in response to consultations.

Access and pedestrian connectivity

A single point of vehicular access is proposed to the north-east corner of the site onto Higham Road. Higham Road is a narrow, two-way road with incomplete footpaths and a high level of on-street parking, including at the proposed access point.

The Road Safety Team suggested moving the site access to the west to ease the potential for vehicle conflict with respect to parked vehicles, the existing residential property boundaries and vehicles turning in and out of the site. Notwithstanding this, the applicant has retained the original access point.

Adjacent to the vehicle access, would be a pedestrian and cycle access. This involves a build-out into Higham Road to connect into the existing footpath in front of no 29. The applicant states that the build-out would be similar in width to a parked car and would not cause the deflection of vehicles closer to the house frontages that

about the road. The applicant predicts that the development could generate an additional 53 vehicle trips per hour, and that the residents will be aware that they need to step into the carriageway, as is currently done so. The applicant has further stated that the proposed build-out will make it safer for residents, as they will be able to cross onto the proposed footpath to continue their journey. From the plans proposed, the build-out does not have a dropped kerb, nor a plan for a formal crossing. However, Highways Officers have deemed the footway build-out acceptable at this stage.

Priority signage would be introduced with priority given to eastbound traffic. Those approaching the site from the Church Street / Station Road roundabout side of Higham Road will have to concede to those travelling towards the roundabout. The applicant has provided vehicle speed details, stating that there are no recorded speed issues along Higham Road - with 28.8mph recorded for westbound traffic and 25.5mph recorded for eastbound traffic. The applicant has also provided a visibility splay to show that there is suitable stopping sight distance.

Swept path analysis has been provided for fire tenders, refuse vehicles, removals vans and 7.5t panel vans, showing that site access and egress from both directions is possible with a standard 6m radii. While technically feasible, the swept paths for the larger vehicles show the limitations of the proposed junction, with the track vehicles having to occupy both sides of the carriageway on multiple occasions and coming close to colliding with other vehicles on the carriageway. Following consultation with Highways Officers, the Applicant has submitted revised plans showing a wider 10m junction radius. This will create more space for vehicles to manoeuvre reducing the potential for conflict between vehicles at the access. Although a degree of driver co-operation is likely to be needed in practice.

Highways Officers raised concerns with the proposed build-out at the access and the resultant displacement of parked cars. The parking of vehicles within the visibility splays of the junction could occur. While the applicant is willing to contribute towards a TRO, if such parking were to occur, the visibility splay for the proposed junction and the forward visibility from the build-out would be blocked. Further to this, the implementation of the TRO would be subject to the statutory process, which could mean that no measures are ultimately put in place. However, Highways Officers have accepted that a TRO is likely to be approved on highways safety grounds.

The proposed pedestrian and cycle access would link up to the off-road cycle route to the north that connects to the relocated sports ground and residential parcel that forms part of the SR51 allocation.

Attempts have been made to improve pedestrian connectivity to the east and prioritise pedestrian movement over vehicular use. The creation of a 'continuous' 2.0m footpath along Higham Road to Church Street / Station Road roundabout is proposed. Tactile surface crossing points would be introduced outside no 17 – no 22 opposite and then across New Road. The existing footpath east of New Road would be continued, via a footpath built out in front of five dwellings (no 10 – no 2). It would then link up to another tactile crossing over Church Street at the roundabout being improved through transport works associated with allocation SR51. This crossing arrives near to the southbound bus stop at Church Street.

Highways initially raised concerns regarding the further narrowing of Higham Road to provide this footpath. Through additional submissions the Applicant has demonstrated to Highways Officers that the proposed footpaths are consistent with a vision-led approach. They note that the 2.0m footway is preferable from a pedestrian accessibility perspective and that the submitted modelling indicates that the associated one-way shuttle operation would not result in a severe highway capacity impact. This conclusion is supported by the relatively low baseline traffic volumes recorded on Higham Road.

The northbound bus stop on Church Road can be reached from the site via New Road which has footpaths either side but is subject to kerb parking. An alleyway from New Road provides access to Church Street coming out by the bus stop. This is currently a flag on the road. Another build out of footpath is proposed here to improve the bus stop area and provide another tactile crossing. The built-out footpath would be in front of several houses with cars parked in front gardens / driveways.

The intention to improve the pedestrian environment is acknowledged and the acceptance of the Highways Officers is noted. However, there remain residential amenity concerns with the usability of the resultant environment, displacement of parking and effects of road-narrowing on vehicle movements on already constrained roads.

A number of local services and community facilities are positioned in the central part of Cliffe. A convenience store, medical practice, play area, village club, recreation ground, allotments, memorial hall, nursery and primary school are close to one another approximately 500 metres north of the proposed site access. These services are within a reasonable walking distance or short cycle from the site.

Consultees have suggested that a pedestrian route is created through the site to the west to connect with Eternal Lake Nature Reserve, where there is a café, farm shop and recreational walking routes. The applicants have said it is not possible to provide this connection.

Consultees also suggested improving the PRow corridor along the eastern boundary of the site by incorporating it into a generous green corridor. The applicants have responded that they are not able to do so.

Whilst the scheme proposes highways works, these measures have the potential to create conflicts between road and footpath users and cyclists. The surroundings roads are currently difficult to navigate due to limited widths, tight junctions and on-street parking. The development, along with the SR51 allocation, would add a significant number of vehicular and pedestrian movement onto this street network, potentially exacerbating the highway safety concerns of local residents.

The community car park is proposed to accommodate the displaced on-street parking around the site access and along Higham Road. Highways Officers have accepted that details of how the community car park would be managed could be dealt with at reserved matters stage.

No evidence has been provided to show that local residents support the shared car park. Approximately 25 local residents currently use Higham Road to park their vehicles. This is a long-established arrangement which will be removed as a result of the development. Many of the objections received have raised concerns on these grounds. As a result of the development they would be required to park their car up to 180 metres away from their property in a shared car park with limited visibility/overlooking.

The applicant considers it reasonable to assume that residents would walk up to 200 metres to a parking space. They reference the Lambeth Parking Survey Methodology to support this claim. This methodology is used to demonstrate whether local streets (usually in an urban environment) can accommodate overspill parking that may be caused by a new development. The applicant is referencing this methodology to justify the removal of existing car parking spaces.

The impact the shared car park has on the amenity of local residents needs to be considered. NPPF para 110 recognises that opportunities to maximise sustainable transport measures differ in urban and rural areas. It is reasonable to presume that residents of urban and rural areas differ in their expectations of travel modes and practicalities. A resident of a densely populated urban centre, with a choice of transport modes, may be more likely to park their vehicle at distance from their home. Whereas a resident of a rural village may be less willing to do this. There are also the practicalities of dropping off shopping or getting children in and out of house and car. Where such a changed situation is imposed upon unsupportive residents this amenity impact must be considered against the applicant's justification for the shared car park.

The applicant has stated that the size of the proposed car park will be discussed with the council, to ensure a suitable number of parking spaces will be provided. They anticipate that up to 27 vehicles could be displaced from parking on Higham Road. The applicant has also stated that this car park would only seek to replace displaced car parking, meaning there would be no net increase of parking opportunities locally. The applicant states this may encourage the use of existing driveways and garages rather than perpetuating car dependency.

NP policy INFRA4: Parking – Cars and Cycles states that, as far as possible, shared parking areas should be clearly visible from the property they serve. At this stage, it is unclear who would use the shared parking area and which property it could be seen from.

The application scheme includes a number of highways proposals as referenced above. Highways Officers do not object to these proposals and consider the access, car park and footpath works to be acceptable with regard to adopted policies T1, T2 and T3.

However, for the reasons set out above, these proposals are considered to create detrimental impacts to residential amenity in conflict with adopted policies BNE1 and BNE2.

Public Transport, vision and residual effects

The bus stops at Church Street are served by two semi-regular daily bus routes: the 133 to Chatham which arrives at 30 – 60 minute frequencies; and the 417 to Gravesend which arrives three times a day. Three school bus services also serve the village.

The 133 bus route is currently supported by developer contributions from another development. The applicant is willing to make a financial contribution towards local public transport services, with a sum to be agreed as part of the S106 agreement. In the absence of a response from the local bus company the applicant has put forward a proposed contribution calculated based on the financial amounts agreed through other recent developments. The sum proposed is £157,217 (£1,572.71), which would be paid to Medway Council to make the improvements they see fit to local public transport. Highways Officers have confirmed that the mechanism for providing a public transport contribution is acceptable in principle. However, the final contribution amount remains subject to further review, discussion and agreement through the S106 process.

Higham railway station is approximately 4.5 kilometres to the south-east of the site. It provides for train services to larger towns of Kent and into London. The railway station can be reached via Buckland Road and is within a reasonable distance for cyclists. Buckland Road is on the Heron Trail cycle route. Signs outside the site provide directions along the route to the railway station.

Highways Officers queried whether the proposals would result in adverse queuing at the mini-roundabout at Church Street / Station Road when existing on-street parking and informal one-way shuttle conditions were accounted for. Additional submissions indicated to Highways Officers that the junction would continue to operate within capacity and the development is not considered to result in a severe residual impact on the highway network.

In regard to the junction modelling, the applicant has stated that only a three second delay will be caused, resulting in a 36 second delay in total. The 2025 observed, and the 2030 base show a delay of 28 and 29 seconds respectively. With the 2030 + committed developments, that delay is increased to 33 seconds, and with the 2030 base + committed developments + development, this increased to 36 seconds, an increase delay of 8 seconds. However, as the modelling does not show any junction is close to capacity, this is deemed acceptable.

The applicant has also stated that strategic modelling is not required as this development is 'up to 100 dwellings' and not over. This is also deemed acceptable.

The applicant has outlined the transport vision for this site - 'Connected Cliffe.' The Applicant states the vision would be delivered through footway improvements on Higham Road, the provision of a shared footway/cycleway within the site, improved access to bus stops on Church Street, cycle parking at dwellings, the implementation of the Travel Plan, and potential connections to the wider cycle network. The applicant has also quantified this with baseline and vision modal splits, which show that public transport trips will increase from 55 to 84 daily trips, on foot trips will

increase from 21 to 32 trips and bicycle trips will increase from 3 to 15 trips.

Summary of Highways

The proposed development has been carefully assessed against the relevant Local Plan policies and the NPPF. The submitted information raised concerns about the prospect of an adverse impact on highway safety, particularly conflicts between vehicle movements and the usability of footways on Higham Road. Subsequent submissions by the applicant have provided sufficient information such that Highways Officers do not object to the proposal.

The NPPF expects development to promote sustainable transport and offer a genuine choice of transport modes. The Framework (para. 109) requires proposals to ensure patterns of movement, streets, parking and other transport considerations contribute to making high-quality places. The development is unlikely to create severe residual cumulative effects on either the local or strategic road network. Amendments have shown the prioritising of sustainable modes and an improved environment for the movement of people and vehicles in technical terms.

Consequently, the proposal is considered acceptable in transport and highway terms and to comply with Policies T1, T2, T3, T4, T13 and T14 of the Local Plan, Policies SA9, DM15 and DM18 of the (Regulation 22) Medway Local Plan 2041 and paragraphs 109, 110, 115 and 116 of the NPPF.

However, there remains concern in respect of the residential amenity impacts of displaced parking, the community car park and footpath provision. In this regard the proposal is considered to conflict with adopted policies BNE1 and BNE2 and NPPF para.135.

South Thames Estuary and Marshes Site of Special Scientific Interest (SSSI), Special Protection Area (SPA) and RAMSAR.

Adopted policy BNE35: International and National Nature Conservation Sites confirms that development will be refused where it would materially harm, directly or indirectly, the scientific or wildlife interest of designated sites.

The site is immediately adjacent to the South Thames Estuary and Marshes SSSI and Thames Estuary and Marshes SPA and Ramsar site. The potential impacts of the development upon this designated site is a key consideration. The 5,289 hectare area stretches from Gravesend in the west, around the northern and eastern banks of the Hoo Peninsula, to the mouth of the River Medway. The Eternal Lakes Nature Reserve forms part of the protected area.

The designated site comprises a range of important habitats including mudflats, saltmarsh, grazing marsh and stretches of shingle. Inland are freshwater lagoons and some patches of deciduous woodland. Over 20,000 migratory waterfowl use this site in the winter. Species such as greater-white fronted goose, teal, grey plover, shelduck and curlew are present in internationally important numbers.

Being a commercial pear orchard, the application site is a very different habitat to that within the designated site. KCC Ecology agree with the applicant's conclusion that the site is not functionally linked land. Wintering bird surveys were carried out in 2024- 2025. No specific species identified as a qualifying feature of the Thames Estuary & Marshes SPA and Ramsar were recorded on the site and the Wider Survey Area (WSA). However, Black-headed Gull, Common Gull, Herring Gull, Canada Goose, Greylag Goose and Mallard from the waterbird assemblage (qualifying features) were recorded flying over the site and WSA. None of these species were recorded to be foraging, wintering, loafing or breeding within the site or interacting with the site.

The terrestrial habitats associated with these species include arable farmland and grassland habitats. Whilst grassland is present on site, these are limited to the very edges, with the dominance of the orchard tree species present throughout. Due to the low number of birds recorded within the site, and the fact that these species were recorded only flying over and not landing, the site is not considered functionally linked to the Thames Estuary & Marshes SPA and Ramsar.

Recreational Disturbance

The increased residential population proximate to the Eternal Lakes Nature Reserve could be harmful to its functionality through additional recreation and urbanising impacts. The RSPB have objected to the proposal on this basis. The Applicant has responded noting that the Nature Reserve (along with nearby Cliffe Pools RSPB site) provide visitor facilities, including cafes and walking paths to actively encourage public access.

Additionally, the proposal incorporates a 60m buffer along the western boundary to minimise potential impacts arising from light, noise, urbanisation, and domestic predators such as cats. Buckland Road then separates the site and the adjacent Thames Estuary and Marshes SPA/Ramsar.

This buffer would provide for day to day recreation for residents of the new housing, reducing the probability of intensive recreational activities at the Nature Reserve.

Moreover, Medway Council has measures in place to manage the potential impacts from increased recreational pressure on Thames Estuary and Marshes SPA and Ramsar site, and Medway Estuary and Marshes SPA and Ramsar site, in the form of a strategic solution. Natural England has advised that this solution will be reliable and effective in preventing adverse effects on the integrity of those European Sites falling within the 6km Zone of Influence (ZOI) from the recreational impacts associated with this residential development.

Natural England advises that the specific measures (including financial contributions) identified in the strategic solution, in this case the North Kent Strategic Access and Monitoring Strategy (SAMMS), can prevent harmful effects from increased recreational pressure on those European Sites within the ZOI.

The HRA prepared by the applicant concludes that the proposal will not result in adverse effects on the integrity of any of the designated sites, on the basis that the

strategic solution will be implemented by way of mitigation. KCC Ecology concur that the proposal will not have an adverse impact subject to a payment of the SAMMS tariff.

Subject to the implementation of the identified mitigation measures and the imposition of appropriate planning conditions, the proposed development is not expected to give rise to any unacceptable ecological impacts.

No objections are raised with respect to adopted Policies BNE35, BNE36, BNE37, BNE39, BNE41, BNE42 and BNE43, emerging Policy S1, S2 and T1 and paragraphs 136, 187(a) and 193 of the NPPF.

Habitat Regulation Assessment

A Report to Inform a Habitats Regulations Assessment (HRA) (Ref; 5403 HRA, updated April 2025) was submitted alongside the application to inform an assessment under the Habitat Regulations of the proposed development at the site, identifying whether the specific proposals are likely to result in an adverse effect on integrity of any international designations.

A review of the Medway Local Plan Habitats Regulations Assessment (HRA) identifies several potential impact pathways relevant to the designated sites referenced above. These include:

- Habitat fragmentation and loss;
- Disturbance (including recreational and noise-related disturbance);
- Changes to the hydrological regime and water levels;
- Changes to water quality;
- Reduced air quality.

These pathways have, therefore, been considered within the assessment to ensure that all potential effects on the identified European and nationally designated sites are appropriately addressed.

An initial assessment determined that the proposals do not relate to the management of the designations. A screening exercise has been undertaken to identify whether the proposed development could result in a likely significant effect on European designations, both alone and in-combination with other plans and projects. The screening exercise has concluded that in the absence of mitigation, potential for a likely significant effect is predicted in relation to visitor pressure (recreational disturbance) to Medway and Thames Estuary and Marshes. Loss of functionally linked land for SPA bird species using these designations was also screened in. Therefore, an Appropriate Assessment is required with respect to these effect types.

Ecology

The application is accompanied by a Preliminary Ecological Appraisal (PEA). The site was surveyed in September 2024 with existing habitats, land uses and the

potential for supporting protected species assessed. Separate wintering birds surveys were also carried out, as noted.

The site is dominated by the intensive pear orchard. Although habitats present consist of managed grassland between the orchard trees; small areas of neutral grassland around the edges; hedgerows and tree lines to the boundaries; and some bramble. None of the habitats are of particular quality nor significant size. As such there are limited suitable habitats for protected species on site.

Nine species of bats were recorded within the site – including Common and Soprano pipistrelle, Nathusius pipistrelle and daubentons bats. All trees with the potential to support roosting bats are to be retained through the development.

No reptiles were recorded on site. The management of the existing grassland makes reptile presence unlikely.

No evidence of badgers was recorded within the site.

The northern hedgerow provides limited potential for dormice, but no evidence of their presence was found.

The areas of ruderal vegetation and grassland of longer sward height have limited potential to support foraging Great Crested Newts. The adjacent lakes at the Nature Reserve are suboptimal waterbodies for newts. There are no records of licences being obtained for newts suggesting they are not present in the area.

Due to lack of suitable habitat, the site was not considered suitable for other protected species such as otters or water voles.

KCC Ecology were satisfied that the site does not provide suitable habitat to support any notable presence of protected species. It is their view that appropriate mitigation for any species present could be implemented within the site. The changes to the open space would have to be implemented to increase nesting and foraging opportunities for birds and bats and this could be through the creation of traditional orchard (through the enhancement of the existing orchard) or the creation of scrub/woodland coppice within the site. However, this is something that can be addressed via the reserved matters if planning permission is granted.

The proposal does not raise ecological concerns and is considered acceptable with regard to adopted policies BNE37: Wildlife habitats, BNE38: Wildlife corridors and stepping stones; and BNE39: Protected Species.

Ecological Enhancements and Biodiversity Net Gain (BNG)

Under the Environment Act 2021 and the Town and Country Planning Act 1990 (as amended), all planning applications for development (unless exempt) must deliver at least 10% biodiversity net gain (BNG) shown via use of the Statutory Biodiversity Metric prior to commencement of any development.

KCC Ecology has reviewed the information submitted by the applicant pertaining to BNG. The submitted metric details on-site gains of 12% for habitats and 33% for hedgerows. Neutral grassland areas would be created on site and hedgerows bolstered. These gains are likely achievable as they proposed within the open space.

It is advised, however, that the metric is reviewed and updated with any future reserved matters applications. The neutral grassland gains indicated constitute significant on-site gains which should be subject to S106 agreement or conservation covenant to secure management over a 30-year period. A Habitat Management and Monitoring Plan would need to be produced and align with the biodiversity gain plan and detailed landscaping plans.

By providing ecological enhancement and measurable net gains for biodiversity the proposal would comply with emerging Policy S2 and NP Policy E&H2.

Flooding and Drainage

The Lead Local Flood Authority (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.

The site lies entirely within Flood Zone 1, which is defined as land having less than a 1 in 1,000 annual probability of river or sea flooding.

Consultation with Southern Water has confirmed that there is currently adequate wastewater capacity to accommodate flows from the development.

On the basis of the above, it is considered that the proposed development accords with flooding and drainage policy requirements. In view of the above, and subject to conditions the proposal would be in accordance with Local Plan Policy CF13, draft Policy DM1 and NPPF paras 181 and 182.

Noise

The site is bordered by existing residential dwellings to the east and north-east, a Nature Reserve to the west and agricultural fields to the south. A future residential use is unlikely to be subject to adverse noise impacts.

Cliffe Men's Social Club is close to the eastern boundary of the site and that noise from entertainment events at the venue is a potential impact on future residents. However, the frequency of events at the venue does not warrant particular mitigation, particularly as proposed dwellings will be no closer to the venue than those existing on Symonds Road.

There is a substantial commercial operation to the west of the site (Day Aggregates). However, given the distance to that site an acoustic assessment can be conditioned.

The proposed residential use is unlikely to cause adverse noise impacts upon existing surrounding uses. The open space buffer west of the residential parcel

would reduce any potential impacts associated with the operational phase of the new housing estate.

There would be noise generated through the construction phase of any development. A Construction Noise Assessment has been submitted and details possible mitigation measures to reduce any associated noise emissions where practicable.

Construction-related noise and vibration issues can be managed through the implementation of a Construction Environmental Management Plan (CEMP) which can be secured by condition.

The proposal is considered to comply with adopted policy BNE2, draft policy DM4 and NPPF paras. 187 and 198.

Air Quality

An Air Quality Assessment has been submitted as part of the application. The Environmental Protection Officer is satisfied that on the basis of predicted impacts in the assessment there will be negligible impact at relevant receptors – in this case residents of nearby properties.

An updated Assessment was sought as the original calculations did not use the source sector costs required in the Council's air quality planning guidance, meaning the air quality damage cost value for the development had been undervalued. An updated Assessment was submitted to the satisfaction of the Environmental Protection Officer subject to a condition securing an air quality mitigation scheme.

In view of the above, and subject to a condition requiring the submission of an Air Quality Emissions Mitigation Statement giving full details of the measures that will be implemented as part of the development with regards to road transport emissions, as well as further details of dust control measures, no objection is raised with regards to adopted Policy BNE24, draft Policy DM3 and NPPF paras. 187 and 199.

Lighting

The proposal will result in an increase in light emissions in the form of street lighting and light spill from the proposed dwellings. The proximity of the site to the South Thames Estuary SSSI and Thames Estuary and Marshes SPA and RAMSAR and any adverse impacts potentially caused by increased lighting needs to be considered.

A Lighting Strategy has been submitted as part of the application. The report identifies the environmental zone of the site as 'E2: Rural / low district brightness: Sparsely inhabited rural areas, village'. The site and area are, therefore, sensitive to increased lighting levels. Potential effects include increase in sky glow, site aura and light presence and increase in light glare.

Solutions to mitigate these potential effects have been considered in the Lighting Strategy. Recommendations made by the Bat Conservation Trust could also be incorporated.

KCC Ecology note that the illustrative masterplan shows an enhanced western site boundary and that the hedgerow adjacent to the designated sites are dense. Therefore, provided that lighting is designed to minimise any light spill into the proposed open space, it is likely that any lighting impact into the adjacent designated sites can be avoided or minimised.

As an outline application, with an illustrative layout, a detailed lighting plan cannot be submitted. A detailed lighting plan and confirmed mitigation strategy would be required as part of any future reserved matters application.

For the purposes of the outline application the proposal is considered to comply with adopted Policy BNE5.

Contamination

The agricultural use of the land is unlikely to have led to contamination. The Phase 1 Geo-Environmental Desk Study and Phase 2 Site Investigation submitted with the application confirms that the site does not pose a significant soil contamination risk. The assessments show that there are no identified contamination risks which would adversely impact the proposed development or future residential occupiers.

The development would comply with adopted Policy BNE23, draft Policy DM2, and NPPF paras. 196–197.

Climate Change and Energy Efficiency

Planning policy, at a national and local level, supports the drive toward a low-carbon future, to increase the use and supply of renewable energy and ensure development is resilient to climate change.

A Climate Change and Energy Statement (dated December 2025) has been submitted with the application and demonstrates how the Applicant seeks to meet these aims. It details a fabric first approach to sustainable construction and considers a range of renewable energy sources. Through a combination of fabric-first measures and the installation of air-source heat pumps and PV panels, the scheme could deliver an approximate 60% reduction in carbon dioxide emissions compared with the Part L: 2021 baseline. In this way, the proposal responds positively and directly to the declared Climate Emergency.

The sustainability strategy for the development is based on the following principles:

- The dwellings will be highly energy efficient and orientated to maximise solar gain;
- There will be no natural gas connection to the site;
- Heating and hot water will be supplied via low carbon air source heat pumps;
- Solar photovoltaic panels will be installed where required by regulations;

- The development will be designed and specified to adapt to climate change:
 - Overheating will be managed through design;
 - Retention of existing trees and additional planting will provide more comfortable microclimates in warmer weather;
 - Landscape design will provide multi-functional benefits, supporting increased biodiversity and enhancing the overall aesthetic;
 - The development will employ a combination of highly efficient fixtures, fittings and appliances to reduce domestic water use to achieve the 110/l/p/d target;
 - Surface water will be managed through the integration of SuDS.
- Electric vehicle charging points will be installed;
- High quality broadband will be provided;
- Construction and operational waste will be managed in accordance with the principles of the Waste Hierarchy;
- The use of sustainable building materials will be prioritised.

Further details of these measures can be requested as a condition and demonstrated as part of any future reserved matters application. The implementation of such measures and principles would comply with adopted Policy BNE4, accord with draft policies S1 and DM6 and NPPF paras. 161 and 164.

Heritage

The site contains no heritage assets (either designated or non-designated). Cliffe Conservation Area is more than 900 metres to the north-east and would not be impacted by the development. A Grade II* Listed building; The Rectory House is located circa 574 metres beyond the site's southern boundary. Two Grade II listed buildings: Granary at Buckland Farm and Barn at Buckland Farm are located circa 580 metres beyond the site's south-west boundary.

The potential for the setting of these heritage assets to be affected by the proposed development has been assessed in the submitted Built Heritage Statement - in accordance with adopted Policy BNE18, draft Policy S8, and paragraph 207 of the NPPF.

Although The Rectory House faces the application site, it is enclosed by vegetation and well set back from Rectory Road, where several dwellings are sited. The asset does not maintain views with the application site, which is considered to make a negligible positive contribution only to its significance as indicative of its historical wider landscape setting.

The Granary at Buckland Farm faces inwards towards the stables, barn and farmyard. It maintains no intervisibility with the application site. Views out from the application site towards the south-west lack intervisibility with the listed building.

The Barn at Buckland Farm similarly shares no intervisibility with the application site. The Built Heritage Statement draws attention to the very distant intervisibility

between the stable / cart yard roof attached to the barn (and arguably curtilage listed) from the slightly elevated areas of the site.

The statement concludes that the proposed development would cause extremely negligible, less than substantial harm to the setting and significance of The Rectory House and the Granary and Barn at Buckland Farm. This is a reasonable assessment.

The Proposed Development was also assessed as causing no harm to the setting and significance of Irvine Terrace and extremely negligible, less than substantial harm to the setting and significance of Oast Cottage – two nearby non-designated assets.

In line with the NPPF, this represents a very low level of less-than-substantial harm to designated and non-designated heritage assets, which is to be weighed against the wider public benefits of the scheme in the planning balance.

Overall, the proposal is considered acceptable in heritage terms and to comply with adopted and draft local policies.

Archaeology

An Archaeological Desk-Based Assessment has been carried out to inform the application. KCC Archaeology consider that this provides a reasonable account of the site's archaeological background in line with the requirements of NPPF para. 207. They do not, however, fully agree with the stated conclusions on the potential or significance of archaeology that might be present.

The consultee notes that the geotechnical site investigation works identified the presence of a 'substantial dissolution feature' within the south-east quadrant. This could act as a 'capture point' for Palaeolithic artefacts and other palaeo-environmental evidence. KCC Archaeology do not agree with the applicant's assertion that Palaeolithic evidence is unlikely.

They also do not agree that the site has moderate potential for Prehistoric and Romano-British deposits. There is good evidence for widespread salt production being carried out on Hoo Peninsula in the Late Bronze Age and Early Iron Age. In the Romano-British period the area acted as a focus for a pottery industry. Recent archaeological evidence suggest salt working and pottery manufacture were carried out at a massive scale. A concentration of pottery sites has been recorded in the area around Cliffe and Higham.

Moreover, the chance discovery of an Anglo-Saxon cemetery to the south highlights the potential for important Anglo-Saxon archaeology to be found away from the main settlement focus of Cliffe village.

The applicant's assessment suggests that any archaeological deposits present on site will be of only local (or potentially regional) significance. KCC Archaeology disagree. The consultee considers that the site has moderate potential for Palaeolithic remains, which if present would almost certainly be of greater than local

importance. Similarly, the potential for Anglo-Saxon archaeology of regional, or even national importance, cannot be ruled out.

KCC Archaeology, therefore, suggest a phased condition attached to any outline planning consent that a programme of archaeological field evaluation works is carried out prior to any reserved matters application.

Subject to conditions requiring an archaeological field evaluation and the submission of a post-excavation assessment report, the proposal is considered to accord with adopted Policy BNE21, draft Policy DM9 and NPPF paras. 207–212.

Amenity

There are two main amenity considerations, firstly the impact of the proposed development on neighbours and secondly the living conditions which would be created for potential occupants of the development itself. Local Plan Policy BNE2, draft Policy T1 and NPPF para. 135 relate to the protection of these amenities.

Neighbouring Amenity

The application is outline with only an illustrative layout provided. The Parameter plan does, however, confirm that the proposed residential parcel is to the eastern two-thirds of the site adjacent to the existing dwellings at Symonds Road. This is considered an appropriate relationship within a village context.

Although the detailed layout of dwellings will be subject to further consideration at the reserved matters stage, it has been demonstrated through the Parameter Plan that sufficient separation distances can be achieved to safeguard the amenity of existing properties to the east. This will be assessed in detail as part of future reserved matters submissions.

It is acknowledged that existing residents along Symonds Road will experience a loss of view due to the introduction of built form into what is currently an open expanse of agricultural fields. However, loss of view is not a material planning consideration.

The DAS indicates that the housing estate would comprise predominantly two-storey dwellings with some two and a half storey buildings to add visual interest. It is not anticipated that adverse overbearing impacts or loss of light would be caused to existing residences by dwellings of this scale. Notwithstanding this, scale would be considered in detail in future reserved matters applications.

The off-street shared parking area to the north-east of the site is proposed to accommodate displaced on-street parking along Higham Road. This proposed solution raises amenity implications, as discussed above.

In combination the community car park and associated footpaths on Higham Road, would create a more urban environment contrary to the existing rural character of Cliffe.

In this respect the proposal is considered contrary to adopted Policies BNE1, BNE2 and NPPF para. 135.

The construction of the development itself would lead to noise and dust emissions to nearby residential properties. It is recommended that a condition is imposed requiring a Construction Environmental Management Plan (CEMP). This should clearly set out the measures that would be put in place during construction to mitigate this.

Future Occupiers Amenity

The details of the proposed dwellings - internal space, natural light ingress, outdoor amenity space, relationships with one another - would be considered in future reserved matters applications. All dwellings would be required to comply with the Government's Technical Housing Standards (2015) and provide sufficient private outdoor amenity space in accordance with the Medway Housing Design Standards.

Subject to the appropriate conditions being imposed, no objections are raised in terms of the impact on amenities of the future occupiers of the new dwellings.

S106 Matters

The Community Infrastructure Levy Regulations 2010 provide that in relation to any decision on whether or not to grant planning permission to be made after 6 April 2010, a planning obligation (S106 agreement) may only be taken into account if the obligation is:

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

The obligations proposed 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 Developer Contributions Guide:

- i) £168,171.50 towards a strategic environmental programme on the Hoo Peninsula to protect designated sites and areas of significant flood risk, either now or in the future. To include conservation and enhancement of Lodge Hill SSSI, the Medway Estuary and Marshes SPA, Ramsar site and SSSI.
- ii) £23,550 to improve equipment and facilities at Medway Mobile Libraries and/or the local history library at Medway Archives Centre and/or libraries in the vicinity.

- iii) £26,129 towards the provision of enhancements of community facilities within the vicinity to benefit residents of the development and the local community.
- iv) £11,168 towards programme delivery for young people (ages 8-19 and up to 25 with additional needs) in the Cliffe and peninsula area. This could include facilities, providing access, supplies, equipment, and/or instructors.
- v) £24,500 to assist with public realm improvements in Strood town centre and its gateways (greening, street furniture, paving, lighting, signage).
- vi) £24,677 for the provision, improvement and promotion of waste and recycling services to cover the impact of the development.
- vii) £34,719 towards Hoo Sports Centre for facility improvements and extensions including gym extension.
- viii) £7,781 towards improvements to PROW's RS58A, RS337, RS71. The improvements would include but not limited to signage, lighting, surfacing, accessibility enhancements.
- ix) £2133,955 Primary and community care - Towards refurbishment, reconfiguration and or extension to healthcare facilities, including general practices and Healthy Living Centres, within a 5-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.

To allow the contribution to be used towards professional fees associated with feasibility or development work for existing or new premises projects.

- x) £645,661.34 towards mainstream nursery/primary education within a radius of 2 miles from the development site, and/or SEND education within Medway. Towards mainstream or SEND secondary/sixth form education within Medway.
- xi) £363,835 to enhance open space facilities within the vicinity of the development.
- xii) £35,016 for **Bird Disturbance Mitigation (SAMMs)** to make financial contribution to take mitigating measures to protect wintering birds habitat areas from the additional footfall/visitors that will result from the development.
- xiii) In the region of £157,217 towards local bus service improvements.
- xiv) £186,581.00 towards off-site strategic highway schemes.

- xv) 25% of all housing to be provided as affordable housing.

PLANNING BALANCE

While the emerging plan is not yet adopted, it is at an advanced stage (submitted for examination, December 2025 with examination hearings to commence in September 2026). In accordance with NPPF paragraph 49, **moderate weight** can appropriately be given to the emerging plan. This weighs against the proposal, as the site does not form part of the allocations comprising the Council's spatial strategy for meeting identified housing need.

Harms

The proposal represents a residential development on a greenfield site outside the settlement boundary of Cliffe. As such, it conflicts with the spatial strategy of the adopted Medway Local Plan (2003), including Policies S1, S2, BNE25 and H11, which collectively seek to restrict development in the countryside unless specific exceptions are met, ensure that development maintains or enhances the character, amenity and functioning of the countryside, and limit new housing in rural areas to sites allocated for that purpose or where an exceptional justification can be demonstrated. It is considered that reduced negative weight must be afforded to this conflict with the adopted development plan policies given that it is out of date. However, the proposal would also conflict with the spatial strategy of the emerging Local Plan which is given greater weight. Overall, this harm is afforded **moderate negative weight** in the planning balance.

The proposed footpaths at Higham Road and displacement of parking to the on-site car park would result in a negative impact on the residential amenity of existing residents and would adversely impact the rural nature of the street. This is contrary to Policy BNE1 and BNE2 of the Medway Local Plan 2003. As these policies do not seek to restrict housing development they can be given additional weight. This harm is also contrary to the Spatial Development Strategy and Policy T26 of the emerging Medway Local Plan 2041 and paragraphs 109, 110, 115, 117 and 135 of the NPPF. Overall, this harm is given **significant negative weight** in the planning balance.

The proposed development would result in unacceptable landscape and visual impacts through the loss of the agricultural surrounds of Cliffe, detachment of village from its rural setting and urbanisation of the settlement edge. It would give rise to a wide range of significant adverse landscape and visual effects that would not maintain the character, amenity of functioning of the countryside contrary to Policies BNE25, and S4 of the Medway Local Plan 2003; Policies S2 and S4 of the emerging Medway Local Plan 2041; Policy SUSDEV4 of the Neighbourhood Plan and paragraph 135 of the National Planning Policy Framework. Overall, this harm is given **significant negative weight** in the planning balance.

The scheme also conflicts with paragraph 187 of the NPPF, by resulting in the loss of open countryside and 5.18ha of Grade 3a Best and Most Versatile (BMV) agricultural land. There would also have been an identified conflict with Policy BNE48 of the Local Plan, which sought to protect Best and Most Versatile (BMV) agricultural land from loss. However, Policy BNE48 was not "saved" under the

transitional provisions of the Planning and Compulsory Purchase Act 2004 and its associated Saving Directions, meaning its lifespan was not extended beyond the initial three-year post-adoption period. Consequently, Policy BNE48 no longer forms part of the Development Plan and cannot be afforded weight in the determination of this application. Notwithstanding this, the policy remains consistent with paragraph 187 of the NPPF, which is still a relevant consideration and has been assessed earlier in this report. Overall, this harm is given **limited negative weight** in the planning balance.

It is noted that the Council cannot currently demonstrate a five-year supply of deliverable housing sites as required by paragraph 78 of the NPPF (currently at less than 3 years), and, therefore, the most relevant policies relating to the supply of housing are considered out-of-date. In such circumstances, paragraph 11(d) of the NPPF is engaged, requiring that planning permission be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the NPPF taken as a whole.

However, simply because the presumption in favour of sustainable development has been engaged, that does not mean that development plan policies relevant for the supply of housing should be ignored. Rather it is for the decision maker to decide how much weight should be afforded to them.

In assessing the proposed development against the policies in the NPPF as a whole, as well as relevant Local Plan policies, the NPPF indicates that there are three dimensions to sustainable development: economic, social and environmental. It is, therefore, appropriate to balance the assessment of the development as set out above, against the Local Plan policies and policies in the NPPF in these terms.

Benefits

Economic

The new residents will generate more demand for local services and facilities, and this would contribute to boosting the local economy and vitality of the surrounding area. The development would also boost the local economy in the form of direct, indirect and induced jobs from the construction of the development and within the proposed Local Centre and School once operational. As these benefits would be both short-and long-term, **moderate positive weight** is given to this.

The planning obligations set out in the s106 include a range of financial contributions to make the proposal acceptable. These financial contributions are intended to mitigate the effects of the development and render it acceptable in planning terms. Accordingly, **neutral weight** is attributed to this. In addition, and although Council Tax receipts would be created for Medway, they are not benefits, as they are collected or paid to mitigate the additional demand that the new homes would bring on services that Medway provides. These matters, therefore, attract **neutral weight**.

Social

The development would deliver up to 100 new dwellings towards housing land supply, of which 25% would be affordable dwellings contributing to the identified need in the Medway area at a time when delivery is well below the annual requirement. It is anticipated that the proposal could contribute to the number of dwellings delivered in Medway in the next five years although not all the proposed dwellings would be likely to be delivered in this timeframe. Overall, the proposal would also provide a suitable mix of house types and sizes to reflect what is required locally. The proposal would, therefore, make a useful contribution to the supply of housing in the forms identified and help address the existing shortfalls. Accordingly, **significant positive weight** is attached to the provision of market and affordable housing.

Provision of a continuous footway along Higham Road would also promote walking and cycling and provide an alternative to the private vehicle. However, this is largely mitigation associated with the delivery of housing in a countryside location. As such this would carry no more than **limited positive weight**.

Environmental

The proposed development will incorporate a high level of energy efficiency through a fabric-first approach, and all dwellings would be equipped with electric vehicle charging points. The Climate Change Statement submitted alongside the application states that climate and energy measures would achieve a circa 60% CO₂ reduction from 2021 Part L baseline. While such measures are increasingly common in modern residential schemes, they nonetheless represent a clear environmental benefit and contribute positively to the scheme's overall sustainability credentials. These features are, therefore, afforded **moderate positive weight** in the planning balance.

Local Plan Policy BNE25 requires new development to conserve and enhance the natural environment, while paragraph 193(d) of the NPPF seeks to ensure that proposals secure measurable net gains for biodiversity. In addition, Policy S2 of the Regulation 22 Medway Local Plan 2041 requires development to achieve a minimum 10% BNG, consistent with national legislation. A BNG Metric and accompanying Assessment have been submitted with the application, demonstrating that the scheme would deliver an uplift of 12% in habitat units and 33% in hedgerow units, thereby exceeding statutory and emerging policy requirements and contributing positively to local biodiversity enhancement and the wider national objective of reversing biodiversity decline. However, as the site currently comprises undeveloped greenfield land and the increase does not significantly exceed the 10% minimum requirement, the net gain achieved is afforded **limited positive weight** in the planning balance.

The proposed development would deliver approximately 1.93 hectares of open space, including a play area and SuDS features which would be accessible to the wider community. This would provide meaningful benefits for health, wellbeing and community cohesion. However, as this provision is required primarily as mitigation and would largely benefit future occupiers of the development itself, it is afforded

limited positive weight in the overall planning balance.

Conclusion on Planning Balance and Reasons for Refusal

The planning system should be genuinely plan-led. The development plan directs development to suitable locations to enable strategic growth and development to help meet the objectively assessed needs of the Council by providing for the development of housing, employment, retail and other necessary development.

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 is engaged.

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

However, it is considered that the harm in terms of: the conflict with the spatial strategies of the existing and emerging local plans; the wide range of significant adverse landscape and visual effects that that would not maintain the character, amenity or functioning of the countryside; the amenity harm to existing residents through the loss of on street car parking and creation of a car park; and the loss of 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 is agreed which provided all of the planning obligations required for the development.

The application is being referred for Committee determination due to the proposal being a major development and the position regarding the emerging Local Plan. It should be noted that in the National Scheme of Delegation coming forward after 31 October 2026, applications of this type would usually be considered by Planning Committee rather than under officer delegated powers, as they relate to major residential on a non-allocated site.

Background Papers

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

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