



Cliffe and Cliffe Woods Residents' Development Group

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Land to the East and West of Church
Street, Cliffe, Rochester

Statement of Case

Town and County Planning Act 1990 (As Amended) - Section 78

The Town and Country Planning (Inquiries Procedure) (England) Rules
2000

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1) Introduction

a) The Proposed Development

1.1 An application by Trenport Investments Ltd (“the Appellant”) was submitted to and validated by Medway Council (“MC”) on 2nd February 2022 for:

Outline application with all matters reserved except for (access) for a residential development of up to 250 dwellings and a mixed-use community hub together with associated infrastructure including public open space and community facilities comprising a replacement sports ground and pavilion, with accesses from Church Street, Cooling Road and Buttway Lane.

The application was put before the MC planning committee on 19th October 2022, with committee members unanimously voting to refuse planning permission. The decision notice was issued on the 11th November giving the reasons for refusal.

1.2 It is considered that the proposed development will have a range of far-reaching negative impacts on the local and neighbouring communities, including:

- The scale and location of the proposed development site will destroy the historic layout (RPS Group, 2021) and character of the village.
- It is likely that the Levelling-up and Regeneration Bill (UK Government, 2023) will have Royal Assent before the inquiry sits, thus removing the requirement for MC to secure a 5 year land supply and arbitrary housing targets.
- The average semi-detached house price¹ in Cliffe is £383,000 (Rightmove, 2023) whilst comparable new builds are being sold for £424,9952 (Redrow, 2023). Affordable houses in this price bracket will likely be marketed for £339,996, given the average wage of local residents is £26,756 (Think Plutus, 2023) this means a couple with no dependants can only afford a mortgage of £254,000 (Money Supermarket, 2023), still well below the “affordable” pricing bracket.
- Given the wide range in the demographic of Cliffe’s population and salary, a wide range of property types will be required including starter homes, family homes and retirement homes. No details of the dwelling types have been presented and no evidence of research into the types of housing the community requires has been provided.
- The details given in the application with regards to the replacement proposal do not provide any assurance that the offering will be comparable or compliant with MC’s Playing Fields standards or Sports England guidelines. There is also no evidence provided to show that the appellant has considered the safety of users when considering the new location. There are no statements from Kent Police or Design Out Crime Groups to provide assurances that the proposal is safe for all users.
- The quoted figure of 9.22 hectares of semi natural open space (SNOS) for “recreation purposes” is misleading. This being that recommendations by RSPB detail that the buffer

¹ House price data correct as of October 2022

² Comparable houses from the new Cliffe Woods development for the “Letchworth” type, 3-bed semi-detached

zone located to the West of the development should be created with gorse (RSPB, 2022) and the like to discourage dog walkers etc from using the area.

- The natural open space referred to in the application, is currently high grade farmed land.
- The change of use from agricultural to SNOS may negatively impact on protected species that are established users of the current site. Species such as House Martins require open spaces for hunting and mud for nest building, while Corn Buntings nest and hunt on the open ground provided by agriculture.
- Open space within the proposed development is quoted at 14 hectares or 60% of the site, this is compared to the current 100%, 23.15ha of open space of visual amenity.
- The proposed community hub contains no details of any of the much-needed services required by the community. The village and surrounding areas are severely lacking in the provision of healthcare such as doctors and dentists, but no provision has been made for these. Thus, is it likely that the community hub will provide no meaningful social value offering to the village.
- The proposed pavilion on the new sports facility is not detailed and no assurances on the management and upkeep have been outlined. Whilst a building of this type would be valued it is not clear how, given the limited interaction with the community, the pavilion would service the community or how it would be of a higher quality than the existing. Given the relatively low level of S106 allocation for the relocated sports facility it is unclear how the Appellant will adequately fund the provision of the entire sports facility, including pavilion, to a high standard.
- Whilst the inclusion of footpaths and cycle ways through the development is welcomed, the access and egress points to these routes are mainly onto existing unsuitable infrastructure, thus creating routes to nowhere beyond the development site.
- The provision of increased bus service is only funded for a limited period, given the remote location of the site, it is unlikely that a bus service will continue to be economically viable once additional funding has been exhausted.
- The provision of car parking spaces along Church Street will create a hazard to road users on an already challenging stretch of road where a pedestrian crossing is also proposed. This parking provision will also remove the current off-street parking by blocking access to adjacent residences driveways.
- Providing electric vehicle charging points within the development exclusively, will likely have a low uptake from local residents due to the geographic location of the points compared to residents' properties.
- Whilst biodiversity is proposed to be increased by greater than 20% this will include the creation of historically non-local habitats. By increasing the amount of flora without a detailed impact assessment on the local native species, the creation of increased biodiversity could severely negatively impact the local population of wildlife food sources, breeding habitats and mobility.
- No details provided on how financial and non-financial planning obligation contributions will be specific to impacted area of the village of Cliffe and its residents. There are also no details provided specifying how upkeep and maintenance of community assets are to be provided for the lifetime of the asset.

b) Medway Council's Reasons for Refusal

1.3 Reason for Refusal № 1

The proposed development, by reason of its scale (equating to approximately a 25% increase on the size of Cliffe Village) will result in unacceptable harm to the character of this historic village and will therefore be harmful to the character, appearance and amenity of the locality. Such development would be contrary to Policies S1, S2 and BNE1 of the Medway Local Plan 2003 and the objectives of paragraph 130 of the National Planning Policy Framework 2021.

1.4 Reason for Refusal № 2

The proposal would result in a significant increase in vehicular movement along the B2000 through the villages of Cliffe Woods and Cliffe where the road is narrow and there are a significant number of residential properties fronting onto the road. Such a significant increase in vehicular movement would result in harm to the amenity that occupiers of those properties closest to the road could reasonably expect to enjoy, by virtue of increased noise, air pollution and general congestion through the villages. The proposal is therefore contrary to Policies BNE2 and T2 of the Medway Local Plan 2003 and the objectives of paragraphs 119 and 130 of the National Planning Policy Framework 2021.

1.5 Reason for Refusal № 3

The proposed re-locate the APCM Sports Ground to the northern end of the village, to the rear of residential properties, with no direct overlooking from public land or passing traffic and accessed by a narrow single track Buttway Lane, which has no footpath, will be of inferior quality to the existing APCM sports ground. The existing sports ground is more in the centre of the village, served by public footpaths and well overlooked from public land where users feel safe and secure and as a result the sports ground is well used by the local community for formal and informal recreational purposes and is an asset of community value. This is therefore considered to be contrary to Policy L3 of the Medway Local Plan 2003 and the objectives of paragraph 84, 92 and 99 of the National Planning Policy Framework 2021.

1.6 Reason for Refusal № 4

Cliffe is a village at the very end of the B2000 and a significant distance from the nearest Town of Strood. The B2000 has no footpaths and due to its narrow width, lack of street lights and the speed of vehicles using it, does not encourage its safe use by pedestrians or cyclists. The existing bus service is irregular, expensive, poorly used and its timings do not encourage use by commuters or those wanting to travel into or back from the Town in the evening. The village is also served by limited facilities and services. As a result, the existing village is not considered to be sustainably located and the proposed expansion would be car dominated and does not represent sustainable development. This is contrary to Policies T3 and T4 of the Medway Local Plan 2003 and the core objective in the National Planning Policy Framework 2021 of presumption in favour of sustainable development.

1.7 All the above reasons are substantiated in section 5 in this document.

c) Statement of Case Structure

1.8 The structure of this Statement of case is laid out on the below section and details the case the Cliffe and Cliffe Woods Residents' Development Group ("CCW RDG") intends to make at the Public Inquiry including the documents to be referred to as evidence.

- Part 2 details the Statement of Common Ground.
- Part 3 details the relevant Planning Policy.
- Part 4 details the current site and surrounding areas.
- Part 5 details the CCW RDG's case for upholding the MC's decision for refusal.
- Part 6 provides a Summary.

2) Statement of Common Ground

2.1 At the time of writing there has been no communication between the Appellant and the CCW RDG.

2.2 The CCW RDG will work with the Appellant, MC and other Rule 6 parties to create a Statement of Common Ground prior to the start of the Inquiry.

3) Planning Policy

3.1 The Development Plan for this proposal will comprise of the following:

- Medway Local Plan (2003)
- Cliffe and Cliffe Woods Neighbourhood Plan (Draft, September 2021)

The Medway Local Plan (2003) is still recognised as the official Local Plan however it is noted that some sections of the plan are outdated but still relevant to this proposal. The Cliffe and Cliffe Woods Neighbourhood Plan, whilst at draft stage, is due to be put up for public vote on 4th May 2023 (prior to Inquiry date) and will likely receive a majority vote in favour of adopting the Neighbourhood plan. The Neighbourhood Plan should be given appropriate weight of consideration as per paragraph 49 of the National Planning Policy Framework ("NPPF"). The policies contained with the documents forming the development plan will be referenced in the CCW RDG's case upholding the reasons for refusal.

3.2 The National Planning Policy Framework and the National Planning Practice Guidance ("PPG") will be used to demonstrate that the development does not meet current guidance and will be referred to in the case for each reason for refusal, with particular emphasis on sustainable development.

3.3 Alongside national policy MC has produced a number of local policy documents that will be referred to including:

- Medway Landscape Character Assessment (2011)
- Medway Strategic Land Availability Assessment (2019)
- Habitat Regulation Assessment (2018)
- Health and Care Act 2022

4) The Proposed Site and Surrounding Areas

a) The Proposed Site

- 4.1 The proposed site is in the village of Cliffe, a small village located at the end of the B2000 and extends to both sides of Church Street with the land on the West extending up to Buttway Lane. The development site will increase the number of dwellings within the village by over 23%.
- 4.2 The site includes the current APCM sports field of two football pitches, two tennis courts, a pavilion and a mixed use sports field. The field is overlooked on three sides by housing backing onto the fields. The West of the playing field backs onto a lit public highway with footpaths and good lines of visibility to all areas of the field. The field has multiple access points all with good visibility from the road and surrounding properties.
- 4.3 The proposed sports facility site by contrast has three access points, one vehicular via the single track Buttway Lane with no pedestrian access, one pedestrian access that exits directly onto the main road with no pedestrian refuge, and one access in the remotest part of the site leading to a remote unlit footpath to the new development. The site has no clear lines of site to any highway or other regularly publicly used area. On the North and East sides housing backs on to the field but a line of dense trees prevents any lines of sight. High voltage power cables currently intersect the entire site running East to West.
- 4.4 The village of Cliffe historically has been constructed in two distinct areas, the main bulk of dwellings are constructed around the St Helens church with a second area, known originally as Norwood Corner, which developed on the Southern edge of Cliffe. Over time, development has occurred, radiating South-Easterly in direction from St Helen's church and, at Norwood Corner, in East & Westerly directions to include dwellings along Higham and Cooling Roads. This separation of Cliffe & Norwood Corner is historic, first visible on Ordinance survey maps from 1888 (RPS Group, 2021) and as part of the character of the village, infilling the two areas would destroy this unique feature of Cliffe, changing the village feel to a more enclosed town like structure.
- 4.5 Several bus stops are located in the village of Cliffe, the Norwood Close and Village Club stops often prevent traffic flow when a bus is picking up or dropping off passengers due to the narrow highway in Cliffe village. Upon arriving at the Six Bells pub the bus is then required to complete a three point turn due to Cliffe being at the "end of the road" and no suitable circular route around Cliffe.
- 4.6 Cycling within Cliffe is generally not advised due to the narrow highway, parked cars and volume of traffic. Whilst traffic calming measures are in place at various points along Church Street the proposed highway improvements will remove two of these. Although most of the road network within Cliffe is lit and limited to 30mph the routes out of Cliffe are not. There are three choices of route when exiting Cliffe by bicycle; along West Street (National Cycle Route 179) which is an unlit, single carriageway with a national speed limit; along Reed Street (National Cycle Route 179) which is unlit beyond the last dwelling, single carriageway with a national speed limit; and along the B2000 which is an unlit, narrow carriageway with a national speed limit and heavy HGV use.
- 4.7 The site is subject to an Area of Local Landscape Importance ("ALLI") owing to its long views and historic character.

b) Surrounding Area

- 4.8 The surrounding area around Cliffe comprises of open agricultural areas with small clusters of dwellings and farmsteads scattered across the landscape.
- 4.9 The largest local residential area to Cliffe is the village of Cliffe Woods accessed by the B2000 by vehicle some 2.4 kilometres away. Although a footpath exists between the two villages it is seldom used due to the fact it passes through remote and challenging areas of farmland away from the main highway.
- 4.10 Whilst Cliffe has some local amenities such as corner shops, a pub and a take away, many essential services such as a Post Office, Pharmacy, Cafe and the like are located in Cliffe Woods and further afield. To access these services to which many older people rely on requires a vehicle. The closest hospital is 5.3 miles away, petrol station 4.1 miles, dentist 3.3 miles, supermarket 3.9 miles, Secondary comprehensive School 3 miles, Grammar school 5.6 miles, Sports centre 4 miles, swimming pool 3.1 miles, Childrens centre 4.8 miles, Mental Health Team 4.8 miles, and library 3.6 miles away.
- 4.11 Further to the South lies the edge of the main urban areas of the Medway Towns including Wainscott, Strood, Rochester, Chatham and Gillingham, again only realistically accessible by vehicle.
- 4.12 The nearest Railway station is located in Higham approximately 5.2 kilometres away on the shortest route of unlit, single carriageway country lanes with national speed limits.
- 4.13 On the very edge of the Eastern border of the site is a RAMSAR, SPA, ESA and SSSI protected RSPB reserve on the Nationally Significant site of the Thames Estuary. The west lies a further RSPB reserve and further protected estuary habitats of the Thames and Medway Rivers.

5) The Groups Case

a) Reason for Refusal No 1

- 5.1 ***“The proposed development, by reason of its scale (equating to approximately a 25% increase on the size of Cliffe Village) will result in unacceptable harm to the character of this historic village and will therefore be harmful to the character, appearance and amenity of the locality. Such development would be contrary to Policies S1, S2 and BNE1 of the Medway Local Plan 2003 and the objectives of paragraph 130 of the National Planning Policy Framework 2021.”***
- 5.2 The MC Strategic Land Availability Assessment (“SLAA”) (2019) has marked the parcel of land where the proposed site is located to be in every aspect considered by the SLAA unsuitable. Up until 2018 each update had marked the land as “Unsuitable due to impact on agricultural land and landscape impact”.

- 5.3 The NPPF para 11a states that ***“all plans should promote a sustainable pattern of development that seeks to: meet the development needs of their area; align growth and infrastructure; improve the environment; mitigate climate change (including by making effective use of land in urban areas) and adapt to its effects;”*** The proposed plans do not show any alignment to growth or infrastructure or any environmental or climate change mitigations for the increase in vehicular traffic or construction traffic during the build phase. We contest that para 11d be implemented in this case owing to the fact the Neighbourhood Plan is very close to be ratified and will have been voted on prior to the Public Inquiry where it is likely to receive a majority vote in favour of adoption.
- 5.4 NPPF para 130c states that ***“Planning policies and decisions should ensure that developments: are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);”*** This is contrary to the proposed design. The village of Cliffe historically has been constructed in two distinct areas. This separation is historic and part of the character of the village, infilling the two areas would destroy this unique feature of Cliffe, changing the village feel to a more enclosed town like structure.
- 5.5 The Built Heritage document submitted to the MC planning portal by RPS on behalf of the Appellant states that proposed road improvements to Station Road will require ***“removal of two of the Pimples that currently form part of this line.”*** and ***“This will result in harm to their collective significance”***. As these is historic WWII anti-tank pimples form part of the character and appearance of the village it is not in line with NPPF para 130c.
- 5.6 The Cliffe and Cliffe Woods Neighbourhood Plan policy SUSDEV4 states that ***“All new development, particularly on Greenfield site land, should be sensitive to the landscape”*** and ***“development proposals should demonstrate how they conserve, enhance, or strengthen the character and distinctive features of the landscape”***. Both statements are not reflected in the proposed development plans by virtue of scale.

- 5.7 The Medway Local Plan Policy S1 states ***“Outward peripheral expansion onto fresh land, particularly to the north and east of Gillingham, will be severely restricted.”*** In the case of the proposed development the statement regarding Gillingham has no relevance but the policy is very clear that expansion on to fresh land should be severely restricted. The Medway Local Plan Policy S2 states ***“a sustainable approach to the location and mix of new development, to provide local communities with a range of local facilities, (including transport measures to serve development)”*** There was a lack of consultation at the preliminary stages of the proposed development as shown in the CCW RDG letter of objection. The Design South East (acting on behalf of Transport) consultation, advised to be undertaken by Medway Council, was flawed. The list of ‘community members’ to be invited was compiled by the appellant. The Parish Council were also asked to contribute, by providing a list of groups, organisations and interested parties from the village. At no time were the PC responsible for ensuring the appellant had appropriately researched the contact details of the invite list. They were also not responsible for ensuring that the appellant appropriately advertised the events on social media and local newspapers when no responses to the invitations were received from members of the community. The Community were in essence not invited and no genuine attempt made by the appellant, thus feedback was not achieved. Design South East provided the CCW RDG with the list of invitees and their associated contact details. The majority of which showed that there was not a route to contact. This has resulted in the views and opinions of local residents being ignored and therefore any feedback regarding the appearance of the proposal at design stage was not received. Had the appellant appropriately consulted, the significant concerns relating to the newly proposed APCM location would have been raised.
- 5.8 The Medway Local Plan Policy BNE1 states ***“respecting the scale, appearance and location of buildings, spaces and the visual amenity of the surrounding area;”*** The loss of arable land will remove a historic part of the character of Cliffe. The land located to the West of Church Street has been farmed continually for at least 100 years and provides views out towards the Thames which, combined with the view to the East of Church Street, creates a unique characteristic and appearance. The construction of dwellings on currently open arable land will likely force the seasonal population of House Martins and other protected species such as Corn Buntings to other locations or cause their population to fail altogether. The local wildlife both indigenous and seasonal form an essential component of Cliffe’s character. The infill between the historically separate areas of Cliffe of the area to the North of Millcroft Road and Norwood Corner form part of the character of the village. Filling this gap in is contrary to policy BNE1.
- 5.9 The true environmental impact of the application was never fully assessed by the Environmental Statement (“ES”) submitted by the Appellant. New and superseding documents were submitted to the MC planning portal after the submission of the ES that had a direct impact on the contents of the EIA. Therefore neither the CCW RDG, MC or any other statutory consultees responded have confidence in the validity of the ES. As such the true impact of the development cannot be assessed on the environmental aspects that form a key part of the villages character.

b) Reason for Refusal № 2

- 5.10 ***“The proposal would result in a significant increase in vehicular movement along the B2000 through the villages of Cliffe Woods and Cliffe where the road is narrow and there are a significant number of residential properties fronting onto the road. Such a significant increase in vehicular movement would result in harm to the amenity that occupiers of those properties closest to the road could reasonably expect to enjoy, by virtue of increased noise, air pollution and general congestion through the villages. The proposal is therefore contrary to Policies BNE2 and T2 of the Medway Local Plan 2003 and the objectives of paragraphs 119 and 130 of the National Planning Policy Framework 2021.”***
- 5.11 In the Transport Assessment by i-Transport (Assessment of Junctions) on behalf of Appellant submitted to the MC planning portal, the effect of the increased traffic from the development is clearly demonstrated. The report details how queuing traffic at road junctions will increase creating standing traffic and thus “result in harm to the amenity” of residents whose properties neighbour the highway as per MC Local Plan policy BNE2.
- 5.12 The Medway Local Plan Policy T2 states ***“Proposals which involve the formation of a new access, or an intensification in the use of an existing access, will only be permitted where: the access is not detrimental to the safety of vehicle occupants, cyclists and pedestrians;”*** The proposed road improvements to Church Street will present road users with 3 more additional hazards including the installation of a pedestrian crossing on an already challenging stretch of road by a children play area. The proposal also removes the current traffic calming measures and uses visibility splays below the recommended size.
- 5.13 NPPF para 119 states that development be promoted whilst ***“ensuring safe and healthy living conditions.”*** and NPPF para 130f states that developments should ***“create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users”*** Any increase in traffic volumes will impact the amenity of neighbouring residents by reducing the current levels of safety and reducing air quality whilst increasing noise. In addition, the effect of the development on the wider community should be considered, placing additional traffic load on areas such as the Four Elms roundabout that is already subject to the worst air quality in Kent is unacceptable and will cause direct harm to residents.
- 5.14 As part of the investigation work undertaken by the CCW RDG a questionnaire was completed by residents and users of the B2000. One of the findings of this questionnaire was the level of underreporting of accidents along the B2000 is high. This is especially the case of residents who’s properties front onto the B2000. Any increase in traffic volumes will also increase the frequency of the issues experienced by these residents.

c) Reason for Refusal № 3

- 5.15 ***“The proposed re-locate the APCM Sports Ground to the northern end of the village, to the rear of residential properties, with no direct overlooking from public land or passing traffic and accessed by a narrow single track Buttway Lane, which has no footpath, will be of inferior quality to the existing APCM sports ground. The existing sports ground is more in the centre of the village, served by public footpaths and well overlooked from public land where users feel safe and secure and as a result the sports ground is well used by the local community for formal and informal recreational purposes and is an asset of community value. This is therefore considered to be contrary to Policy L3 of the Medway Local Plan 2003 and the objectives of paragraph 84, 92 and 99 of the National Planning Policy Framework 2021.”***
- 5.16 The Medway Local Plan Policy L3 states ***“Development which would involve the loss of existing formal open space, informal open space, allotments or amenity land will not be permitted unless: alternative open space provision can be made within the same catchment area and is acceptable in terms of amenity value;”*** The proposed relocated sport facility fails to provide acceptable levels of amenity value due to a reduction in safety with regards to access and egress to the site, as well as a reduction in safety for users of the site due to poor visibility and lack of sight-lines to the relocated grounds. It is our intention to demonstrate the reduction in amenity offered by the relocated sports ground as part of the inquiry.
- 5.17 Relocation of the APCM sports will result in the loss of high grade, best and most versatile (BMV) arable land (this is on top of the loss of BMV land for other significant areas of the development). The Appellant has shown most of the development sites to be grades 2-3a, which conflicts with the land classifications shown by MagicMaps and Medway councils own Strategic Land Availability Assessment, which mark the sites as being Grades 1-2. It should also be noted that, contrary to what the Appellant claims in their Agricultural Land Classification, the methods used to classify the agricultural land do not follow Ministry of Agriculture, Fisheries and Food (MAFF) revised guidelines and criteria for grading the quality of agricultural land (1988) (Ministry of Agriculture, Fisheries and Food (MAFF) , 1988) as irrigation of the site is not considered. The Appellant’s own assessments show that draughtiness is the limiting factor for the land classification awarded, but they do not explain that the frequently utilised irrigation has been omitted from their calculations, which is against guidance³. Including irrigation in the land assessments ‘will usually upgrade land by no more than one grade or subgrade’ (Ministry of Agriculture, Fisheries and Food (MAFF) , 1988), which will be in line with historical land classifications.
- 5.18 NPPF para 84 states ***“Planning policies and decisions should enable: the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship.”*** Whilst a replacement of the existing APCM had been proposed there is no reason, other than for the sole purpose of development, that the sports facilities should be required to be relocated.

³ MAAP 1988 Section 3.4 Droughtiness

5.19 NPPF para 92b states ***“Planning policies and decisions should aim to achieve healthy, inclusive and safe places which: are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion – for example through the use of attractive, well-designed, clear and legible pedestrian and cycle routes, and high quality public space, which encourage the active and continual use of public areas;”***

The proposed location of the of the sports facilities does not align with the NPPF guidance on safety and is also iterated in para 97a. The lack of visibility and sight lines on the proposed location, coupled with the lack of provision for lighting will create an area that is conducive to an increase in antisocial behaviour. The guidance from Sports England and Design out Crime is clear and consistent that lines of sight should be established to promote a feeling of safety and to reduce crime, the current proposal actively removes lines of sight.

The proposed replacement sports facilities (APCM offering) is not developed due to this being an Outline Planning Application. The APCM relocation is a vital component of the development proposal. If the APCM cannot be moved due to an inadequate, unsafe or comparable offering, then houses cannot be built. The details given in the application with regards to the replacement proposal do not provide any assurance that the offering will be comparable or compliant with MC’s Playing Fields standards or Sports England guidelines. There is also no evidence provided to show that the appellant has considered the safety of users when considering the new location.

In addition, the provision of access to the proposed site is not safe or well designed. The vehicle access via Buttway Lane will encourage pedestrian access from the North of the village to access the site via a public single carriage way road with no footpaths. The pedestrian access to the East onto Church Street has no safe refuge for pedestrians with egress directly into the carriageway. The access to the South will be along a long remote pathway enclosed by hedgerows with no lines of sight from the new sports facilities or the new development.

- 5.20 NPPF para 92c states ***“enable and support healthy lifestyles, especially where this would address identified local health and well-being needs – for example through the provision of safe and accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts that encourage walking and cycling.”*** The CCW RDG intends to show that the community will most likely use the proposed site less than the current APCM on grounds of safety alone. Thus, a probable reduction in healthy lifestyles and wellbeing will occur as a direct result.
- 5.21 NPPF para 93c states ***“To provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should: guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community’s ability to meet its day-to-day needs;”*** The CCW RDG currently holds the Asset of Community Value for the APCM playing fields that are a prized and important facility within Cliffe. The current location of the APCM services the whole of the village with good access from Church Street. The Norwood Corner section of the village would find the relocated sports facility location harder to get to. The daily needs of this cohort such access to open spaces, will be impacted as the current facilities provided by the APCM will be removed.
- 5.22 NPPF para 99b states ***“Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless: the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location;”*** The current proposals show no meaningful details of the relocated sports facilities design, therefore any assessment of the quantity or quality in the context of comparison cannot be made. Additionally, the community consultation on what the requirements of residents has not been properly or thoroughly undertaken to adequately assess the suitability of any detailed designs. Lastly no meaningful assessment has been conducted on the effects of additional residents generated from the development needs with regards to sports facilities.
- 5.23 The Neighbourhood Plan policy E&H1 states ***“Development proposals that result in any loss of existing public green spaces as shown on the maps, across all types within the Neighbourhood Plan area will be supported only where replacement green spaces which are suitably located and equal or superior (in terms of size and quality) are provided for public use.”*** The Neighbourhood Plan is closely aligned with the NPPF and local plan policies on the relocation of sports facilities and only bolsters the MC reason for refusal.
- 5.24 The Medway Local Plan Policy S1 states ***“Outward peripheral expansion onto fresh land, particularly to the north and east of Gillingham, will be severely restricted.”*** In the case of the proposed development the statement regarding Gillingham has no relevance but the policy is very clear that expansion on to fresh land should be severely restricted.

d) Reason for Refusal № 4

- 5.25 ***“Cliffe is a village at the very end of the B2000 and a significant distance from the nearest Town of Strood. The B2000 has no footpaths and due to its narrow width, lack of street lights and the speed of vehicles using it, does not encourage its safe use by pedestrians or cyclists. The existing bus service is irregular, expensive, poorly used and its timings do not encourage use by commuters or those wanting to travel into or back from the Town in the evening. The village is also served by limited facilities and services. As a result, the existing village is not considered to be sustainably located and the proposed expansion would be car dominated and does not represent sustainable development. This is contrary to Policies T3 and T4 of the Medway Local Plan 2003 and the core objective in the National Planning Policy Framework 2021 of presumption in favour of sustainable development.”***
- 5.26 The proposed community hub contains no details of any of the much-needed services required by the community. The village is currently serviced by 2 convenience businesses, 1 village hall, 2 clubs, 1 pub, 1 take away and a doctors surgery that closed for face-to-face patient appointments in March 2020 and remains a pharmacy, nurse and administrative base only. The appellants reporting includes at least 2 amenities that have been closed for extensive periods. The village and surrounding areas are severely lacking in the provision of healthcare such as doctors and dentists, but no provision has been made for these. Thus, is it likely that the community hub will provide no meaningful social value offering to the village;
- 5.27 The Medway Local Plan Policy T3 states ***“Development proposals shall provide attractive and safe pedestrian access.”*** Whilst this may be true for footpaths within the development, the access and egress points to these footpaths often exit into single carriageway roads with national speed limits and force pedestrians to walk along the carriageway to reach a connecting footpath. The footpaths the proposed site includes allow access within the development but does not improve or add new routes to any destinations outside the proposed site.

5.28 The provision of increased bus service is only funded for a limited period, given the remote location of the site, it is unlikely that a bus service will continue to be economically viable once additional funding has been exhausted; In 2022, Kent County Council announced a number of cuts to bus services across the County. They stated that 'Bus use in Kent, as with rest of the UK has only partially recovered since the pandemic and it is currently estimated that local use of buses stands at around 80% of pre-pandemic levels, with the use in the off-peak being much less than this. Throughout the pandemic and to date, many services are only being sustained because of the financial support being provided by Government and from Kent County Council ("KCC"), through protected levels of reimbursement on the English National Concessionary Travel Scheme and previously the Kent Travel Saver. Current Government support in the form of a Local Transport Fund (LTF), is paid to Local Transport Authorities (LTAs) and to operators directly. This funding ceases at the end of September and Government have made clear that there is to be no extension or replacement of this financial support. Therefore, all LTAs have been tasked by the Department for Transport ("DfT"), with working with operators, to re-base the bus network to a sustainable level, post funding, taking account of revised patterns of use and the other cost / operational factors.' Cliffe has limited bus services and should you need to commute to a local hospital or dentist, local travellers are required to take 2 buses. The journey to the local hospital is in excess of 1 hour and does not provide a solution for travelling at night or over the weekend periods. The expectation that the appellant will provide a temporary solution whereby the residents of the 250 homes will travel via bus is totally unrealistic. The expectation that post the temporary funding period, that the Local Authority or Kent County Council will continue to fund this temporary services is also unrealistic.

5.29 The Medway Local Plan Policy T4 states ***"Major trip attracting development proposals should make provision for cycle facilities related to the site."*** Again, provision within the development site is catered for but routes beyond the confines of the site boundary are not considered.

5.30 The NPPF para 11dii states ***"where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless; 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."*** "The development will impact two of the overarching objectives of the NPPF.

Social; Poor design partly through the lack of effective community engagement as per NPPF para 126, access to healthcare.

Environmental; The loss of BMV farmland and the associated ecosystems in accordance with NPPF 174a & b as a function of the scale of the proposed development.

5.31 Access to Health and Care. The Health Impact Assessment provided by the appellant is factually inaccurate and does not consider the impact of increasing our village by 23%. The Cliffe practice has 13 GPs – There are 15,623 patients registered at the practice – 1,201 patients per GP. This does not include additional patients linked to approved or in construction planning applications, circa 300+ new dwellings. The HIA does not consider that ALL of these GPs are part time. This potentially means that the Practice only has the equivalent of 6.5 FULL TIME GPs – therefore this means that each full-time equivalent GP has 2,400 patients – UK average is 2,098 patients per GP.

The HIA fails to consider that Cliffe Surgery closed for face-to-face patient appointments in March 2020 and remains a pharmacy, nurse and administrative base only. The closest surgery to the village for face-to-face appointments is Cliffe Woods. There is no safe pedestrian footpath from Cliffe to Cliffe Woods.

The closest Acute care hospital is Medway Maritime Hospital which is located 5.3 miles from the village. The only way to get to this site is via ambulance, car or, during operational hours, a bus that runs once an hour. The closest Dentist is over 3 miles away. As above, a vehicle is required.

The Health and Care Act 2022 builds on the proposals for legislative change set out by NHS England in its Long Term Plan, while also incorporating valuable lessons learnt from the pandemic to benefit both staff and patients. The Act focuses to remove the traditional divide between hospitals and family doctors, between physical and mental health and between the NHS and Council led services. The Act received Royal Assent in April 2022, yet the appellants HIA fails to consider the Act.

To Achieve the requirements of the Act, Health and Care will move towards a focus on health at Place and Neighbourhood level. At Place level, this will require planning of localised services and secondary and community Care. At Neighbourhood level, the Act requires multiple services central to the PCN's to work together to provide a range of services.

The nature and location of Cliffe will make it very difficult for the Integrated Care System and Primary Care Networks to meet the objectives of the Act. The rural geography and current GP offering mean that with the best of intentions, residents in villages such as Cliffe, will continue to have to commute to access health and care provisions at community, primary, tertiary and Acute levels. It is extremely concerning that the appellants HIA does not consider the Act or the rural remote geography of the development site. More concerning is that the reporting skews the statistics required to support decision making. There is no mention in the HIA that the GP's associated with Cliffe Practice are all Part Time. There is also no mention of how the new residents will travel and access the closest hospital 5.3 miles away, dentist 3.3 miles, Childrens centre 4.8 miles and Mental Health Team 4.8 miles away.

As such the HIA proves only to demonstrate that the development proposal is unsustainable and will not support the health and care needs of the existing community and the new community that it brings.

- 5.32 The NPPF para 112a states ***“Within this context, applications for development should: give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport”*** It is the intention of the CCW RDG to provide evidence that the only two routes for walking and cycling between Cliffe and Cliffe Woods (and beyond) are not suitable, thus creating a complete dependency on vehicles to access services not available in Cliffe.
- 5.33 The provision to fund additional bus services to development does not satisfy NPPF para 130a due to the lack of provision for the lifetime of the development.
- 5.34 The Cliffe and Cliffe Woods Neighbourhood Plan policy SUSDEV5 para c states that ***“All major new development proposals must be supported by a statement demonstrating infrastructure sufficiency to support the proposal. An assessment of existing infrastructure provision should be undertaken which addresses: Accessibility, capacity, and availability of existing infrastructure in the area where this is to be relied upon to support a development proposal.”***
- 5.35 The Government Association, on behalf of Public Health England, published the document **Health and Wellbeing in rural areas** in 2017. It must be recognised that the health and care system post covid is under extreme stress and postdates this publication. The publication outlines four social and economic factors that have a disproportionate impact on people's health in rural communities. These include:
- *poverty – 15 per cent of households in rural areas live in relative poverty after housing costs are taken into account, as compared with 22 per cent in urban areas*
 - *housing – house prices tend to be higher in rural areas and more households experience deeper fuel poverty*
 - *employment – in 2015 77 per cent of working age people in rural areas were in employment, as compared with 73 per cent in urban areas: household incomes in rural areas can be lower due to part-time or seasonal working*
 - *access to transport – rural residents travel longer distances than their urban counterparts and spend longer travelling*

This development brings no improved health benefits to the existing or new community. There will be no employment, there will be no improved access to transport to enable resident to access health and care.

The **Medway Joint Strategic Needs Assessment, includes an assessment of Strood Rural Ward Health and Well-being Profile**. The publication dated is 14/09/2022. The primary indicators show that access to Hospital in the Strood Rural Ward is scored as ‘worse’ when compared across England. What is not considered is that the Geography of Cliffe places the village at the furthest point of the Ward further impacting health and well-being access and outcomes. The profile also shows that the age profile in Strood Rural is higher in all categories over the age of 35 than the rest of Medway. The application includes no health or social well being services or benefits for the older community. Concerning statistics show that in the Strood Rural area, more Acute condition prevalence, where a hospital is required, such as stroke, coronary heart disease, heart failure and atrial fibrillation rank Strood rural in the top 5 highest prevalence of 22 Wards. Conditions that require an ambulance or fast transportation to an acute setting, that rely on the B2000 as the only route of passage.

The profile also reports that Access to hospital within 45 minutes by public transport or walking is the third worst in Medway and significantly below the access profile averages across England.

6) Summary and Conclusion

6.1 Reason for Refusal № 1:

The CCW RDG will show that the proposed development will severely impact the character of the village in a negative way.

6.2 Reason for Refusal № 2:

The CCW RDG will show that the proposed development will severely impact the amenity of residents owing to increased traffic noise, air pollution and congestion.

6.3 Reason for Refusal № 3:

The CCW RDG will show that the proposed development will provide a vastly inferior sports facility compared to the existing APCM grounds.

6.4 Reason for Refusal № 4:

The CCW RDG will show that the proposed development will severely impact the already strained services in Cliffe and local area and that accessing these will be impossible to do sustainable manner owing to the high car dependency.

Appendix 1 – Case Reference Documents

The CCW RDG will refer to the Appellants planning application to MC including documents submitted as supplementary information.

The CCW RDG will refer to the resident's objections including our own letter of objection and statutory responses received and uploaded to the MC planning portal.

The CCW RDG will refer to the guidance on agricultural land classification issued by the MAFF.

The CCW RDG may wish to refer to information made available prior to the Public Inquiry.

Health and Care Impact Assessment – produced by CCW RDG

Designing Out Crime – A designers guide

Sport England Planning Guidance

Medway Landscape Character Assessment (2011)

Medway Strategic Land Availability Assessment (2019)

Medway Strategic Land Availability Assessment (2017)

Habitat Regulation Assessment (2018)

Health and Care Act 2022

The CCW RDG may wish to refer to information made available prior to the Public Inquiry.

Appendix 2 – References

- Ministry of Agriculture, Fisheries and Food (MAFF) . (1988). *Revised guidelines & criteria for grading the quality of agricultural land*.
- Money Supermarket. (2023, 02 06). *How Much Can I Borrow*. Retrieved from Money Supermarket: <https://www.moneysupermarket.com/mortgages/how-much-can-i-borrow/>
- Redrow. (2023, 02 06). *Oakleigh Fields, Cliffe Woods*. Retrieved from Redrow: <https://www.redrow.co.uk/developments/oakleigh-fields-cliffe-woods-212757#homes>
- Rightmove. (2023, 02 06). *Market trends in ME3*. Retrieved from Rightmove: <https://www.rightmove.co.uk/house-prices-in-my-area/marketTrendsTotalPropertiesSoldAndAveragePrice.html?searchLocation=me3&sellersPriceGuide=Start+Search>
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