

Planning Application for AC Goatham & Sons

# PLANNING STATEMENT LAND AT PUMP LANE AND BLOORS FARM, RAINHAM

03 June 2019

Our Ref: VG/18-01527

---

## Contents

1	QUALITY ASSURANCE .....	1
2	INTRODUCTION .....	2
3	THE SITE.....	7
4	THE DEVELOPMENT PROPOSAL .....	10
5	PLANNING POLICY .....	19
6	PLANNING CONSIDERATIONS .....	39
7	PLANNING BENEFITS: ACHIEVING SUSTAINABLE DEVELOPMENT	61
8	PHASING AND SECTION 106 HEADS OF TERMS.....	69
9	CONCLUSIONS AND THE PLANNING BALANCE .....	72

## Appendices

Appendix 1	Pre-application package of information
Appendix 2	Pre-application response from the Council (19 November 2018)

## QUALITY ASSURANCE

This report has been prepared within the quality system operated at Rapleys LLP according to British Standard ISO 9001:2008.

Created by:	Vivienne Goddard - Associate MRTPI Vivienne.goddard@rapleys.com
Signature:	<u><i>Vivienne Goddard</i></u> Vivienne Goddard (Jun 3, 2019)
Checked by:	Duncan Parr - Partner MRTPI Duncan.parr@rapleys.com
Signature:	<u><i>Duncan Parr</i></u> Duncan Parr (Jun 3, 2019)

---

## 2 INTRODUCTION

- 2.1 This Planning Statement has been prepared on behalf of AC Goatham & Son in support of an outline application for land off Pump Lane and Bloors Farm, Rainham for:

*“Redevelopment of land off Pump Lane to include residential development comprising approximately 1,250 residential units, a local centre (with final uses to be determined at a later stage), a village green, a two form entry primary school, a 60 bed extra care facility, an 80 bed care home and associated access (vehicular, pedestrian, cycle): Outline application with access for consideration (matters reserved scale, appearance, landscaping and layout)-Environmental Impact Assessment Development”.*

- 2.2 AC Goatham and Son, confirm that the two sites, Pump Farm and Bloors Farm, Lower Rainham are available for redevelopment. The farms are no longer beneficially yielding sites and are not suitable to be retained as top fruit orchards, moving forward. Neither of the sites is appropriate or commercially viable for alternative agricultural uses.
- 2.3 The sites have been promoted for housing development through the Local Plan review. Representations have demonstrated a clear justification for designating these sites as a sustainable urban extension to contribute considerably to the Council’s very substantial housing requirements and to meeting what stands as a chronic shortfall within the district for the delivery of both market and affordable homes.
- 2.4 This planning application is brought forward in the context of a current Local Plan with no up to date “most important” policies by virtue of both the lack of a 5 year supply of deliverable housing sites and delivery (based on Housing Delivery Test), being less than 75% of the housing requirement over the previous 3 years. This will be compounded by a delayed emerging local plan that will inevitably result in even greater shortfalls in housing supply and delivery.
- 2.5 The Council fully acknowledges that it cannot demonstrate a five year (or, indeed, even a three year) supply of deliverable housing sites. Based on its adopted housing target of 1,000 homes per annum (Housing Position Statement adopted 2014) it cannot demonstrate a 5 year housing land supply. This shortfall becomes ever greater in the context of the identified Objectively Assessment Need of 1,281 as set out in the North Kent Strategic Market Assessment (2015) and the subsequent assessment of need for 1310 homes per annum based on the government’s Standard Methodology (StaM) shown in the Annual Monitoring Report (AMR) 2018. The recently introduced changes to calculating the StaM further increase the shortfall with the assessment of current need produced by Rapleys identifying a requirement of 1,659 dwellings per annum.
- 2.6 Furthermore, in terms of delivery using the Council’s anticipated trajectory central government figures identify a 3 year delivery trajectory of 1,883. This would result in a Housing Delivery Target (HDT) of only 47% of the overall requirement of 3,997 thereby failing the HDT test significantly.
- 2.7 The chronic housing shortage within the district is well reflected in the recent approval by Medway of an outline application for 450 dwellings in Gillingham (Reference MC/18/0556). Following a previous approval at appeal it is acknowledged in the officers report that *“having regard to the Secretary of State’s decision and notwithstanding the planning permissions that Medway Council have granted for housing development.... since the decision...Medway is not able to demonstrate a 5 year housing land supply. As such no greater weight can be afforded to Policies BNE25 and BNE34, relevant to the supply of housing land at the time of the public inquiry”*
- 2.8 The housing situation in Medway District, alongside wider delivery requirements in Kent is clearly evidenced by the obvious shortfalls outlined above and points to a critical situation

---

that requires redress via the delivery of the most suitable, available and sustainable housing sites.

- 2.9 In accordance with the requirements of Paragraph 11d of the NPPF the policies which are deemed “most important” for the determination of this housing application are, in the circumstances of the application, ‘out of date’. As such, the presumption in favour of sustainable development is engaged. This is acknowledged in the Council’s pre-application response to these proposals. Case law is clear that the lack of 5 years land supply is by itself a trigger for engaging the tilted balance without separately considering whether a policy is a ‘relevant’ policy for the purposes for the supply of housing or not.
- 2.10 Overall, the development would make a very significant, beneficial contribution to housing delivery and will contribute up to 310 affordable units and up to 60 much needed elderly care units. It is within the context of helping to meet critical housing need and achieving sustainable development that this scheme is to be considered.
- 2.11 The NPPF defines three objectives for sustainable development: economic, social, and environmental. The new village settlement has been developed with full regard to the key components of sustainability. The application proposes an eminently sustainable new village, characterised not least by:
- A mix of land uses, sustained by up to 1,250 new dwellings, including community facilities, a primary school and extra care provision;
  - Creation of a ‘village heart’ incorporating a village green and village centre with the commensurate level of facilities including retail provision to support the function of a settlement of this size;
  - Provision of extensive landscaping and open spaces with a green buffer encompassing the site. This comprises both formal and informal spaces (including children’s play spaces and dog walking areas) providing both recreation space and wildlife habitats;
  - Access and movement through the site via a low speed road network complemented by a network of pedestrian and cycle routes linking the different uses and neighbourhoods;
  - Enhanced connectivity with footpath/ cycleways allowing access through to Lower Rainham Road and Lower Twydall Lane; and
  - On-site wildlife, habitat and biodiversity improvements with enhanced hedgerows and trees on site, alongside a small community orchard, rough grassland and species-rich mixes, ponds and SuDs etc.
- 2.12 The proposed scheme therefore represents the development of a demonstrably sustainable site, of an appropriate scale, incorporating all necessary services and facilities to serve a new village community, with a school and care facility to benefit the surrounding existing settlements.
- 2.13 The site is also environmentally unconstrained. There are also no site constraints incapable of appropriate mitigation.
- 2.14 The supporting ecological reports confirm no protected species have been found on site. The planted orchards themselves are considered to have limited habitat value. The hedgerows and vegetation surrounding the site discloses the most habitat importance. The suggested mitigation measures to maintain habitat and biodiversity, including retaining and

---

enhancing the hedgerows as part of a green buffer have been incorporated into the masterplan.

- 2.15 In terms of off-site ecology the Ecological Advice Service at Kent County Council advised that the works were unlikely to have a significant effect on the Special Protected Areas (SPA) in the vicinity. The Information required for the Habitats Regulations produced by Ecology Solution assesses the potential significant effects of the development proposals on International / European designated sites within 10km of the application site (by straight line distance). Specific regard is had to the test under Regulation 63 of the Habitats Regulations.
- 2.16 The nearest site is Medway Estuary and Marshes SPA/ Ramsar, which is located 0.2km to the north of the application site at its closest boundary. It is separated from the application site by the B2004 Lower Rainham Road, agricultural fields and existing residential development in Lower Rainham. Due to this separation there would be no impact in terms of light and noise. Nor would there be any hydrological impacts.
- 2.17 With regard to air quality, air pollution adjacent to the site and in proximity to roads is dominated by emissions from vehicles. The Air Quality Assessment concludes that the change in pollutant concentrations attributable to traffic emissions associated with the operation phase of the Proposed Development (i.e. impacts on local air quality) are considered negligible in terms of impacts on human receptors.
- 2.18 In terms of impact on the surrounding environment specifically the Medway Estuary and Marshes SSSI/SPA) a series of mitigation measures in line with the MC Air Quality Planning Guidance are available to reduce emissions.
- 2.19 With regard to archaeology, the area of Lower Rainham is of important archaeological interest. The supporting report concludes that a suitable scheme of further investigation can be secured by a condition to ensure that any remains, if present, are adequately identified and recorded in advance of development.
- 2.20 There are no heritage assets located within the site. There are two conservation areas bordering the site: Lower Rainham Conservation Area (immediately north of Bloors Farm) and Twydall Conservation Area (west of Pump Farm). There are listed buildings in proximity of the Site. The Heritage Report produced by Rapleys concludes that the enclosed nature of the site and the limited building heights would not result in any material changes to the setting of either of the conservation areas and would not have an adverse impact on the setting of any listed building.
- 2.21 The Landscape Visual Impact Assessment (LVIA) prepared by Lloyd Bore confirms that although the character of the site would change by virtue of the development, this would not adversely change the prevailing landscape and visual character. The layout with the individual development parcels and green buffer maintains the function of the site.
- 2.22 The highways infrastructure can accommodate the identified traffic growth. The majority of local junctions are operating within capacity with only 2 out of 10 local junctions requiring works to meet capacity. The likely improvement works are set out in the supporting Transport Assessment. The timing and phasing of off-site highways measures would be agreed via S106 Heads of Terms. There are no required mitigation works to the strategic network.
- 2.23 Overall, and subject to the necessary consents, it is anticipated that building operations will commence on site January 2020 and that the development will be delivered over a 10 years period. The development will provide a diverse range of house types and sizes together with up to 25% affordable housing (subject to phasing/negotiation). The development will make a very considerable and important contribution towards the

---

Borough's unmet housing need and chronic deficiency in housing land supply. It will provide the district and locality with an exceptional opportunity to create a settlement of distinct character, comprehensively planned to meet future needs.

- 2.24 The proposed development constitutes EIA development. The application submission comprises the following:

#### FORMS

- Completed application forms including Ownership and Agricultural Holdings certificates;

#### APPLICATION PLANS

- Site Location Plan (Ref PL 010 Rev B);
- Parameter Plans;
  - Building Heights (Ref PL 004 Rev A);
  - Green and Blue Infrastructure (Ref PL 005 Rev A);
  - Land use (Ref PL 006 Rev A); and
  - Movement (Ref PL 007 Rev A).

#### ILLUSTRATIVE PLANS

- Indicative Recreation (Ref PL 008 Rev A);
- Masterplan (Ref PL 009 Rev B); and
- Indicative Phasing Plan (Ref PL 011 Rev A).

#### PLANNING DOCUMENTS

- Design and Access Statement prepared by PRC Architecture and Planning (February 2019);
- Planning Statement prepared by Rapleys (May 2019);
- Housing Report prepared by Rapleys (April 2019);
- Information for Habitat Regulations Assessment prepared by Ecology Solutions Ltd (May 2019);
- Flood Risk Assessment and Drainage Strategy prepared by PBA (January 2019);
- Noise and Vibration Impact Assessment prepared by PBA Peter Brett (October 2018);
- Utilities Assessment prepared by PBA Peter Brett (March 2019); and
- Statement of Community Involvement prepared by 'Your Shout' (February 2019).

#### ENVIRONMENTAL STATEMENT (ES)

##### Main Text and Chapters

##### Technical Appendices

- 1.1 Screening Opinion and Response (August 2018);
- 1.2 Scoping Report Rainham (August 2018);
- 1.3 Statement of Competence (May 2019);
- 8.1 Flood Risk Assessment and Drainage Strategy prepared by PBA Peter Brett (January 2019);
- 9.1 Phase 1 Ground Condition Assessment prepared by PBA Peter Brett (October 2018);
- 10.1 Transport Assessment prepared by David Tucker Associates (March 2019);
- 10.2 Framework Travel Plan prepared by David Tucker Associates (March 2019);
- 11.1 Landscape and Visual Impact Assessment prepared by Lloyd Bore (May 2019);
- 12.1 Air Quality Impact Assessment Approach prepared by PBA Peter Brett;
- 12.2 Traffic Data for AQ prepared by PBA Peter Brett;
- 12.3 Future Year emissions Calculations prepared by PBA Peter Brett;

- 
- 12.4 Model Verification prepared by PBA Peter Brett;
  - 12.5 DEFRA Background Concentrations prepared by PBA Peter Brett;
  - 12.6 Wind Rose prepared by PBA Peter Brett;
  - 12.7 Predicted Pollutant Concentrations prepared by PBA Peter Brett;
  - 13.1 Agricultural Land Classification and Soil Resources prepared by Reading Agricultural Consultants (December 2018);
  - 13.2 The Farm Business Horticulture and Agricultural Issues and Constraints prepared by Lambert and Foster (March 2019);
  - 14.1 Archaeological Desk Based Assessment prepared by Swale Thames Survey Company (January 2019);
  - 14.2 Pleistocene and Palaeolithic Desk Based Assessment - prepared by the University of Reading (November 2018);
  - 14.3 Heritage Setting Assessment prepared by Rapleys (May 2019);
  - 15.1 Preliminary Ecological Appraisal prepared by Ecological Planning and Research Ltd;
  - 15.2 Bat Activity Survey prepared by The Ecology Partnership;
  - 15.3 Badger Survey prepared by The Ecology Partnership;
  - 15.4 Breeding Bird Survey prepared by The Ecology Partnership;
  - 15.5 Reptile Survey prepared by The Ecology Partnership; and
  - 15.6 GCN eDNA Letter of Report prepared by The Ecology Partnership.



### 3 THE SITE

- 3.1 The Site is made up of two farms, Pump Farm (circa 23ha) and Bloors Farm (circa 25ha) ('the Site') which largely comprises Grade 2 (with some areas being Grade 1) agricultural land that is currently in use as commercial fruit orchards. The farms are separated by Pump Lane, which runs from north to south through the Site.
- 3.2 The majority of the Site is planted orchard within limited landscaping in the form of hedges surrounding the site and separating individual parts of the orchard.
- 3.3 The Site is part developed and includes a number of farm buildings used for storage and other uses in connection with the commercial orchard which are now at the end of their useful life.
- 3.4 The Site does not have open public access although we understand that dog walkers informally use the site. There is one public right of way within the site, a bridleway extending from Pump Lane in the West, crossing Bloors Farm in an easterly direction to Lower Bloor Lane. The proposals allow for material betterment in terms of improved access and recreational use of the site.

Figure1: Approximate Site Red Line Boundary



- 3.5 The Site is bounded to the north-west by agricultural fields; to the north and north-east partly by houses and the B2004 Lower Rainham Road and beyond this the Medway River Estuary; to the south by allotments and Lower Bloors Lane beyond which is Bloors Lane Community Woodland and to the west by a railway line and residential development.

---

### The Surrounding Context

- 3.6 The surrounding area is characterised by a mixture of suburban residential development and agricultural land. To the south of the Site on the other side of the rail line is the urban area of Rainham. Further to the north at the far side of Lower Rainham road are the marshes, which are a designated Country Park, within flood zone 3.
- 3.7 There are two conservation areas bordering the Site: Lower Rainham Conservation Area (immediately north of Bloors Farm) and Twydall Conservation Area (west of Pump Farm).
- 3.8 There are several Listed Buildings in proximity to the Site. The assets are all Grade II listed, as follows:
- Chapel House;
  - 497, 499 and 501 Lower Rainham Road (separate listings);
  - The Old House;
  - Bloors Place;
  - A range of outbuildings including Cart Lodge and Granary West of Bloors Place; and
  - Garden walls south and east of Bloors Place.

### Access

- 3.9 The Site straddles Pump Lane that runs north to south between the B2004 Lower Rainham Road and Beechings Way respectively. Pump Lane is a narrow road approximately 4m wide meaning there is limited opportunity for two-way vehicle passage.
- 3.10 Rainham train station is located approximately 2.5km south east of the proposed development site which is well within walkable and cyclable distance (29 and 8 minutes respectively). The station lies on the principal south east rail route. Train services are available directly to and from the main regional centres at London and Dover. There is a taxi rank and general drop-off/pick-up area immediately in front of the station entrance.
- 3.11 There are a number of bus stops located within the vicinity of the site. The closest is located on Beechings Way approximately 600m south of the centre of the development site. The second of which is located on Lower Rainham Road which runs along the site frontage and can be accessed approximately 600m north of the proposed development site. Regular services run to and from these stops routing through Lower Rainham and providing links to surrounding towns.
- 3.12 Existing walking and cycling facilities within the immediate vicinity of the site are limited especially along Pump Lane which runs through the centre of the site. The development offers much improved access with a new bus route and cycle routes through the site and access to the proposed open spaces, for both new and existing residents in the surrounding area. A series of designated dog walking routes would also be created within the site.

### Planning History

- 3.13 Following a review of the planning history of the site, there have not been any recent or relevant applications on the site. The history relates to the existing development of housing around Pump Farm:
- 24 November 2003 (ref: MC/02/2397) (outline planning permission; all matters reserved including access): granted for 23 dwellings on land at Pump Farm. The approval is subject to a s106 legal agreement requiring a financial contributions to the Riverside Country Park;
  - 21 March 2005 (MC/2004/2861): reserved matters approval pursuant to Condition 1 (siting, design and access) of planning permission MC/02/2397; and

- 
- 5 December 2005 (MC/05/1113): planning permission granted for the construction of a terrace of four houses in substitution of a terrace of three houses providing a total of 24 units (revision to application MC/2002/2397 and MC/2004/2861).

## 4 THE DEVELOPMENT PROPOSAL

- 4.1 Outline planning permission is sought for the “*Redevelopment of land off Pump Lane to include residential development comprising approximately 1,250 residential units, a local centre (with final uses to be determined at a later stage), a village green, a two form entry primary school, a 60 bed extra care facility, an 80 bed care home and associated access (vehicular, pedestrian, cycle); (Outline application with access for consideration (matters reserved scale, appearance, landscaping and layout)-Environmental Impact Assessment Development)*”.

### Overall Scale and Form of Development

- 4.2 The proposed masterplan scheme is residentially led with a range of uses (community, recreational, educational and commercial) to support a new village settlement. This is split into individual development plots allowing the creation of different character ‘neighbourhoods’ which will be built out over 10 phases over approximately 10 years. The Masterplan has had regard to the existing context of the Site, its relationship to the local and wider landscape, topography, views and the nature of the surrounding rural environment and has been fully informed by a range of technical reports.
- 4.3 Based on these findings, up to 1,250 dwellings are considered deliverable in design terms within the identified environmental parameters of the Site.
- 4.4 The core of the new development is a village green surrounded by the development parcels that respect the existing topography and pattern of orchards. A landscape green buffer is provided around the perimeter of the development plots and along the loop road to allow the development to blend within the natural landscape setting. The village green will be surrounded to the south east and east with new residential development and to the north by a new local centre.
- 4.5 Access is via a loop road with ‘off shoot’ roads serving the village centre and residential areas.
- 4.6 In terms of proposed building heights, the majority of the buildings across the site will be two storeys with a 9m ridge height. Occasional two and a half storey or three storey elements would create individual ‘feature’ buildings which would be scattered at appropriate locations through the development. The village centre buildings would have a ridge height up to 11m and a maximum of two storeys with commercial uses at ground level and residential above. The school would be single storey up to 7m.

### Proposed Housing

- 4.7 The development would comprise a mix of dwelling types and sizes together with extra care and sheltered accommodation. It is proposed that the residential accommodation would be provided as houses in a mix of 2, 3 and 4 bedrooms including 8 self-build plots. These would be arranged in combinations of terraces, semi-detached and detached houses. The only flats proposed are those located in the local centre. The mix is currently indicative, as this would be fixed at the appropriate Reserved Matters stage. However, the indicative mix and layout of the site are shown to confirm the deliverability of the site and that the proposed quantum of housing is achievable. The indicative mix is outlined in Table 1 below. This mix is tenure blind.
- 4.8 The proposed 60 bed extra care facility and the 80 bed care home further supports the mix of housing provided.

Table 1: Indicative Unit Mix

2 Bedroomed Houses	30%
3 Bedroomed Houses	50%
4+Bedroomed Houses	20%

### Landscape and Open Spaces

- 4.9 The layout and design of the scheme has been informed by an assessment of the character of the area, the detailed Landscape Visual Impact Assessment (LVIA) and ecological assessments. The details regarding the proposed development and how the layout and design have evolved are set out within the accompanying Design and Access Statement (DAS).
- 4.10 Significant areas of landscaping and public open space are proposed including the village green together with strategic landscape buffer zone around the site and landscaping between the individual development plots. A series of designated dog walking routes of varying distances are proposed through the site allowing improved access and maximising the recreational potential of the Site.
- 4.11 The principal objectives of the proposed landscaping are to ensure that the biodiversity is preserved through the green buffer zone and connective habitats through the Site, which include hedgerows, grass land, garden areas and public open space. It also further protects visual amenity and maintains the enclosure of the Site.
- 4.12 Open space provision also includes usable space with pedestrian and cycle ways, three equipped children's play areas, dog walking routes and improvements to the existing right of way with access through the site.

### Movement Strategy

- 4.13 The overall access and movement strategy is based on the principle of reducing the quantum of single occupancy car use associated with the site by maximising the potential for pedestrian and cycle movements, the use of existing public transport services, and the opportunities for car sharing.
- 4.14 The vehicle access and movement infrastructure within the site is based on the creation of a loop road. This would pass the primary school, loop across Pump Lane and return, allowing existing residents continued north-south access. Off shoot' roads from the main loop road serve the village centre and residential areas. The development will accommodate a network of pedestrian and cycle routes to facilitate sustainable forms of movement.
- 4.15 The Site as existing is enclosed and has notably limited connectivity with the surrounding area, the only public access being the bridleway. A comprehensive transport strategy has been carefully devised to maximise the accessibility of the Site for all modes of transport. The strategy provides for a bespoke design that provides good access to Lower Rainham for Local traffic, public transport, walking and cycling and, similarly, good access to the Trunk Road network for both long distance and commercial traffic.

- 
- 4.16 The development significantly opens up the access to the Site and improves both pedestrian and vehicular connectivity and movement through the Site and onto the surrounding transport network. Vehicular connections are provided by the proposed vehicle access from Lower Rainham Road and from Beechings Way and on to Pump Lane (south). Public transport access to the development will be via the two main vehicular access points to the north and south of the site.
- 4.17 Pedestrian movement would be considerably improved through a number of connection points via a series of footpath links to the site including from Lower Rainham Road (north), Lower Bloors Lane (east), and Lower Twydall Lane to the (west). The introduction of a series of walking routes and 'off-lead' dog walking areas promotes movement within the site which through the access points are fully accessible for those both within the Site and also the surrounding residential development. The access arrangements result in a site that is very well integrated with all surrounding land uses.
- 4.18 The Site is well located to ensure that the proposals will be fundamentally sustainable and accessible whilst complementing the overall expansion of Lower Rainham. The supporting Transport Assessment shows that the Site is very well located in terms of access to all other essential local facilities, including shopping, secondary education, leisure and services.

#### Local Centre

- 4.19 The proposed local centre comprises a strategic community hub containing a 2 form primary school and up to 1000 sq. m. of commercial and community space with final uses to be determined at a later stage. Residential use will also form part of the local centre with flats above the commercial uses. These are not destination uses but would provide the necessary facilities and service commensurate with a village settlement of this size.
- 4.20 The Site for the two form entry primary school is located close to the local centre hub area and is readily accessible on foot or cycle from the whole of the new development as well as the existing housing area to the south of the Site.

#### The Reasoned Justification for the Development

- 4.21 This Planning Statement sets out a comprehensively considered justification for the development of the Site, taking account of all relevant planning and material considerations. A principal (if not *the* principal) benefit is the substantial provision of up to 1250 new homes on an eminently sustainable site that is available now to meet a variety of evident housing needs and to make a very significant contribution to the chronic shortfall in the Council's housing supply and delivery.
- 4.22 In summary, the benefits of the scheme are considered to include:
- Very significant contribution to housing delivery on an available site;
  - Meeting a variety of housing needs (including affordable and older person accommodation) and in circumstances where the Council demonstrates a chronic shortfall;
  - Appropriate development of low yielding agricultural land that is not appropriate or viable neither for on-going orchard production nor for other agricultural uses. The land is not attractive to the continuation of such uses;
  - Benefits to the rural economy with the re-investment of funds into new agricultural business elsewhere, including at other sites within the district;
  - Provision of new community facilities including the provision of a new primary school and a village centre to serve the new village settlement creating an accessible and inclusive community;
  - Design and layout which responds to the existing landscape features of the Site and topography and incorporates landscape and habitat and biodiversity improvements;



- Promoting healthy communities with the introduction of accessible open space for recreational use, walking routes and dog walking areas for use by both new residents and existing housing in the vicinity;
- Significant improvements to access through the site and into the surrounding area including improvements to the bridleway, improved cycle ways and additional bus routes;
- Promoting sustainable transport being in proximity to a range of sustainable transport modes and improvements to bus routes and cycle provision; and
- Wider economic benefits, including in terms of job creation including construction jobs over approximately 10 years together with residential expenditure.

4.23 In addition to the conspicuous and very significant benefits of the proposal there are no adverse impacts in heritage terms; the form of the development would preserve the character and appearance of the conservation areas, and the setting of listed buildings would not be adversely affected. There are no adverse highways impacts. Mitigation works are required in respect of 2 junctions but beyond that the proposals can be satisfactorily incorporated into the local and strategic road network.

4.24 As explained there are no adverse impacts on the habitat or biodiversity on the surrounding sites including the SPA that cannot be sufficiently mitigated. There are no adverse impacts on the SPA in terms of noise, light or hydrological impacts. In terms of air quality, a series of mitigation measures in line with the Council's Air Quality Planning Guidance are readily available to reduce emissions.

4.25 With regard to the impact of recreational activity on the SPA, a range of open space and recreation facilities are proposed on site, reducing the need to travel to the County Park. In addition, contributions as required under the Thames, Medway & Swale Estuaries Strategic Access and Monitoring Strategy (SAMMs) will be provided together with proposed supplemental contributions towards other facilities in the locality.

#### APPLICATION CONTENT

4.26 In accordance with Town and Country Planning (Development Management Procedure) (England) Order 2012 Part 2 Article 4 and Planning Practice Guidance (PPG) (revision dates from March 2014), the outline planning application seeks approval for:

- **Use:** The principle of a residentially led mixed use development. Other land uses include sheltered and extra care accommodation, education, commercial uses in the village centre and open space.
- **Amount of Development:** The principle of up to 1,250 dwellings.

4.27 Table 2 identifies the scheme quantum.

**Table 2: Development Quantum Masterplan Application**

Land Use	Ha
Residential	32.1
Village Green	1.125
Local Centre	0.639
Primary School	2.603
Green/Blue Infrastructure	13.356

Care Home and Extra Care Facility	1.250
<b>TOTAL</b>	<b>51.07</b>

- **Scale Parameters:** Those Building Heights, Green and Blue Infrastructure, Land Use and Movement parameters outlined by parameter plan references PL004 Rev A, PL005 Rev A, PL006, Rev A and PL007 Rev A. These are the plans for which approval is sought.
- **Access:** Inclusive of accessibility for all access routes into the site and the primary vehicular and pedestrian routes within the site, as well as the way they link up to other roads and pathways outside the site. Planning approval is sought for all site accesses; to be secured by legal agreement.

4.28 As outlined, the following matters are therefore reserved, layout, scale, appearance and landscaping. Reserved Matters may be described as:

- **Appearance:** Aspects of a building or place which affect the way it looks, including the exterior of the development;
- **Scale:** Includes information on the size of the development, including the height, width and length of each proposed building
- **Landscape:** The improvement or protection of the amenities of the Site and the surrounding area, this could include planting trees or hedges as a screen; and
- **Layout:** Includes buildings, routes, parking and open spaces within the development and the way they are laid out in relation to buildings and the spaces outside the development.

#### The Application Documentation

4.29 The documents incorporated within the application are listed in the introduction of this Planning Statement.

4.30 The development proposal is EIA development and a full Environmental Statement (ES) has been submitted with the application accordingly. The information contained within the formal EIA Scoping Report (15 August 2018) was based on the anticipated maximum parameters.

4.31 The maximum parameters tested by the ES are those identified by the parameter plans. This has influenced other supporting documentation, such as the TA. A full outline of the methodology is provided in the ES. This was informed by the formal Scoping Response of 21 September 2018.

#### Pre-application Discussions

4.32 The NPPF outlines the need for effective consultation as part of the development process and advises on the importance of early engagement with the local authority and relevant stakeholder engagement when preparing a planning application.

4.33 A request for pre-application advice was initially sought on 18 September 2018 with the pre-application meeting on 1 November 2018 and a subsequent design meeting on 8 November 2018. The pre-application package included a comprehensive submission incorporating an indicative masterplan and design statement. The submission is included at **Appendix 1**. The Council's formal pre-application response was received on 19 November 2018. This correspondence is included at **Appendix 2**.



4.34 With regard to 5 year housing land supply it is stated in the Council's response that *"at present Medway does not currently possess a 5 year land supply for housing and a 20% buffer should be applied, as per paragraphs 11, 14 and 73 of the NPPF. This calculation is based on figures from the AMR 2016-2017...Figures for 2017-18 are not yet to be finalised and will be so by December 2018"*

4.35 In this regard it is stated: *"the housing policies are automatically out of date and the proposals need to be assessed against other 'relevant policies' with the level of weight attributed to them based on their conformity with the NPPF"*. Based on this assessment, it can be concluded that the 'tilted balance' in paragraph 11d of the NPPF applies and the decision should apply a presumption in favour of sustainable development.

4.36 In considering the principle of development the pre-application response suggests that in normal circumstances the proposal would in principle be unacceptable and contrary to Policy S1 that directs development to brownfield sites and also Policy BNE25 that restricts development in the countryside. However, the pre-application response advises: *"that the application of these policies is compromised by the lack of a 5 year housing supply and conformity with the NPPF. These policies are therefore out of date and in this regard, the principle of development needs to be assessed against the sustainability of the scheme through the 3 strands in the NPPF (economic, social, and environmental)"*.

4.37 The pre-application response provided an initial assessment of sustainability. Based on the information available at this time these are as follows:

#### Economic

- *"Development of the site would bring about short-term economic benefits through construction jobs. However this is very niche and would not supply work for the new residents of the proposed developments. These residents will need to find employment elsewhere and the proposal is not located within a sustainable distance existing employment sites that is a key consideration as per para 104"*.
- *"Overall, the site would bring about economic benefits, but these may not be sustainable, in the long term"*.

#### Social

- In considering the elements of affordable housing, housing mix and accessible services, it was stated: *"overall the site is felt to be relatively sustainable subject to design review from the social perspective"*.

#### Environmental

- It was suggested that the principle of development would harm the function of this area of local landscape importance as set out in Policy BNE34.
- In principle the site would be inappropriate due to the loss of high grade agricultural land although it was recognised that this also depended on viability and as part of an application it would be necessary to set out the economic potential of the agricultural elements of the site to justify its loss.

4.38 In terms of the individual elements of the scheme the following requirements were highlighted:

- The requirement for the provision of a 25% affordable housing contribution;
- In order for an extra care scheme to be viable it needs to provide a minimum of 60 units;
- There would be a need for a primary school, the minimum requirement being a 2 form entry primary school;

- Development should be kept away from areas at high risk from surface flooding;
- The site offers many options for SuDs which should be explored;
- The need for a design code to inform the forthcoming applications and drive the place making through the Site and to avoid ‘ordinary’ and ‘standard design’;
- The topography is an important issue and should be incorporated into the design at an early stage;
- The Site is considered to allow for some views out towards the estuary and it is considered important that the rural and open nature of the Site is recognised in bringing the design forward; and
- The Site is seen as acting as a green buffer and the loss of this function is why the Site in the past has not been viewed as an appropriate area for development.

4.39 The application has been progressed carefully in light of all of the above suggestions.

4.40 The pre-application response raised no concerns on heritage grounds.

4.41 Where there have been no comments raised on particular matters it is apparent that the Council have no concerns. Accordingly, the content of the pre-application response represents, from the perspective of the local planning authority, the fundamental issues to be addressed.

4.42 The PPG (D20-011-20140306) advises that whilst pre-application advice by a planning authority cannot be binding, it may prove a material consideration and may be given weight in the planning application process.

#### Stakeholder and Community Consultation

4.43 Full details of the community and stakeholder consultation are outlined in the Statement of Community Involvement prepared by Your Shout.

4.44 The proposals were publicised to the residents and commercial units surrounding the site by the distribution of an information leaflet. 7,632 copies of the leaflet were distributed including to elected representatives and key local groups and stakeholders. The objective of the leaflet was to communicate information about the scheme, and to seek feedback via the leaflet feedback form and through the consultation website that was also set up.

4.45 645 people sent in their feedback via Freepost and 388 people commented via the website. 43 people provided their feedback using the dedicated email address. 7 people used the Freephone line to share their feedback.

4.46 The themes of the responses centred on, securing a sufficient quantum of social and transport infrastructure, concerns regarding the increase in traffic to the area, the loss of existing green space and the affect on local wildlife, creating suitable access and flood risk.

4.47 The Applicant is committed to keeping local residents and stakeholders up to date on the progress of its application for a new community and will keep its community contact lines open throughout the planning process. Key application documents will be uploaded to the web site and it is the intension to hold a public exhibition.

#### Evolution of proposals following Consultation

4.48 Table 3 comprises the principle changes and clarifications made to the masterplan in response to comments from the pre-application process and discussions with residents and statutory consultees. The list is not exhaustive but rather a summary of the main masterplan amendments and additions.

**Table 3: Principal Changes**

Changes Made/ Additional design information provided	Reasoned justification for the changes
Incorporate the provision of a 60 unit extra care facility.	Request from the LPA at the pre-application stage.
The proposed school would be a 2 form entry primary school.	Requirement confirmed by the LPA at the pre-application stage.
The scheme is based on 25% affordable housing provision.	Requirement confirmed by the LPA at the pre-application stage.
Amendments to the development plots	Layout amended following the final loop road design
The proposed hamlet close to Pump lane at the edge of the site has been omitted	
Amendments to the road layout but keeping the principle of the loop road	
Introduction of additional planting and landscaping areas including additional structural planting to avoid building up to the road edge.	Based on ecological assessment and comments from consultation
Introduction of a network of footpaths and cycle ways linking the 'neighbourhoods'	

#### Local Plan Process

- 4.49 The Local Plan was adopted in 2003 and so pre-dates the introduction of the NPPF and the PPG. The Development Plan is notably very aged and has lamentably failed to deliver an adequate supply of housing land. The critical policies of the plan (including all saved policies) relevant to housing delivery are to be treated in the disposal of this application, as being out of date. The development plan has therefore shown itself not to be fit for purpose when viewed against the NPPF and the principal objectives of delivering sustainability and a sufficient supply of homes. The emerging plan is not at any advanced stage of preparation. Nor does this application in any event undermine any of its principal objectives, and the pursuit of sustainable housing development.
- 4.50 Paragraph 1.4 of the Local Development Scheme (LDS) acknowledges that “Medway is aware of its ageing Local Plan and is working towards publication of its draft plan to provide an updated development strategy and policy framework to manage Medway’s sustainable growth”. As it stands that development strategy and policy framework is therefore recognised as not sufficiently up to date to manage Medway’s sustainable growth.
- 4.51 With regard to the emerging local plan there have been three rounds of formal consultation - an Issues and Options stage in 2016, a Development Options stage in 2017, and a Development Strategy stage earlier in 2018 (Regulation 18).
- 4.52 The consultation on the Local Plan Regulation 18 Development Strategy identified the Hoo Peninsula as a strategic area for growth, with a rural town focused around Hoo St Werburgh. The work on the local plan has identified the lack of infrastructure capacity as a major constraint to growth. Accordingly, the Council is bidding to the government’s Housing Infrastructure Fund (HIF) for up to £170m of investment into strategic infrastructure to support the proposed growth in the local plan and specifically to secure the infrastructure needed to secure sustainable development on the Hoo Peninsula.

- 
- 4.53 Following the initial submission, in its spring statement 2018, the Government announced Medway's HIF Bid was shortlisted for the next stage of assessment. We understand that the final HIF bid was submitted to Homes England in March 2019 and that a decision is expected May 2019, although nothing has been confirmed at the time of submission.
- 4.54 In terms of progressing the Local Plan, the Update Report to Cabinet (18 December 2018) advised that the available options would be to publish a draft plan with two growth strategies showing what could be achieved with, and without HIF or, alternatively await the decision on the HIF bid. The preference being the latter, which would provide certainty and allow the council to clearly set out one preferred development strategy (para 3.5).
- 4.55 The *Housing Infrastructure Fund Bid- New Routes for Growth* report was submitted to Cabinet on 5 February 2019. The cabinet report recognises the need to link the development of the HIF proposal with the emerging growth options in the new Medway Local Plan. The HIF bid recognises the potential for strategic development on the Hoo Peninsula, and seeks to secure the resources that would be required to deliver a sustainable and attractive small rural town. It is stated: "*the HIF bid could address current shortfalls in infrastructure and services on the Hoo Peninsula, as well as making an important contribution to meeting the needs for homes, jobs and facilities for Medway's growing and changing population*" (para 2.4). It is further recognised that "*the Hoo Peninsular is currently considered to be somewhat isolated, with limited infrastructure and services*" (para 2.5).
- 4.56 The updated Local Development Scheme (LDS) was approved by Medway Council Cabinet on 18 December 2018. This was updated to align publication of the draft plan to the decision on the HIF bid and identifies the publication of the Draft Plan in Summer 2019. The criteria of the HIF are clearly focussed on the delivery of housing in the Hoo peninsula and the delivery of this funding is intrinsic to the growth strategy in the emerging Local Plan. Thus the timing and outcome of the HIF bid is fundamental to how the growth strategy in the emerging local plan is taken forward.
- 4.57 On this basis there remains considerable uncertainty as to how, if at all, the draft plan will progress meaningfully. There will also very likely be further delay at least whilst the evidence base and emerging policies are amended in order to reflect the outcome of the HIF bid. The current emerging growth strategy including the housing delivery is entirely dependent upon the HIF bid, which at the timing of this submission has not been confirmed as being successful, still less to the full extent of the bid.

---

## 5 PLANNING POLICY

- 5.1 This Section sets out the statutory development plan and the material considerations relevant to the determination of the application, including the NPPF and the PPG, the emerging local plan and the up-to-date evidence regarding land supply and delivery.

### The Development Plan

- 5.2 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, the determination of this application must be in accordance with the development plan unless material considerations indicate otherwise.
- 5.3 The Development Plan comprises a suite of ‘saved’ policies including those ‘saved’ from the Local Plan 2003. The majority of the policies contained in the Medway Local Plan 2003 were ‘saved’ by CLG direction in September 2007. Until such time as the emerging Medway Local Plan is adopted, the ‘saved’ policies of the Local Plan 2003 form part of the Development Plan for the purposes of the statutory test. These however cannot properly attract any (or, at best, very little) weight in the determination of this application unless they are up to date and consistent with the NPPF. As explained in this Planning Statement, there has been chronic development plan failure in the delivery of housing land, and all “most important” policies are to be treated as ‘out of date’ as well as being inconsistent with national policy. These policies do not attract any material weight in favour of refusing the development. Conspicuously therefore, the development plan does not provide for any policy resistance to approving the development. Indeed, the development is demonstrably in accordance with the development plan.
- 5.4 It is rightly acknowledged by Medway that their housing policies on amount and distribution are out of date and other policies fail to be tested for their conformity with the NPPF in order to guide the weight to be applied. Plainly, policies that do not support the delivery of housing (which indeed characterises the performance of relevant policies of the development plan) are not in accordance with the NPPF and should be given no weight.
- 5.5 The Medway Local Plan was adopted in 2003, before the introduction of the NPPF and the PPG. The revised NPPF was published in February 2019. There is no reason why the NPPF, with which this application is fully consistent, should not attract full weight in its determination.
- 5.6 The NPPF importantly applies a presumption in favour of sustainable development granting planning permission where there are no relevant development plan policies or the policies that are “most important” for determining the application are “out of date” (Para 11d). In any event the Council comes nowhere close to demonstrating a five year housing land supply.
- 5.7 In the circumstances of this application the tilted balance under paragraph 11d under the presumption in favour of sustainable development is engaged.
- 5.8 Accordingly, planning permission is to be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

### NATIONAL PLANNING POLICY FRAMEWORK

- 5.9 The National Planning Policy Framework (NPPF), published 19 February 2019, sets out the Government’s planning policies for England and how these should be applied. The NPPF applies the presumption in favour of sustainable development and the tilted balance where policies “most important” for determining the application are out of date and/ or the local planning authority is unable to demonstrate a five year supply of housing. In accordance

with the NPPF paragraph 11, is to grant planning permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

5.10 Paragraph 8 identifies 3 sustainability objectives:

*“a) an economic objective - to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;*

*b) a social objective - to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being; and*

*c) an environmental objective - to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy”.*

5.11 Plans and decisions should apply a presumption in favour of sustainable development (paragraph 11). Fundamentally, for decision-making this includes the following:

*“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-date, granting permission unless:*

*i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear 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”.*

5.12 The policies which have particular relevance to the proposal for a new settlement are set out below:

#### **Delivering a sufficient supply of homes**

5.13 Paragraph 60 states:

*“that to determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance - unless exceptional circumstances justify an alternative approach which also reflects current and future demographic trends and market signals. In addition to the local housing need figure, any needs that cannot be met within neighbouring areas should also be taken into account in establishing the amount of housing to be planned for”.*

5.14 Paragraph 61 requires that the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies, including but not limited to affordable housing, families with children and older people.



5.15 Paragraph 72 states that:

*“the supply of large numbers of new homes can often be best achieved through planning for large scale development such as new settlement provided they are well located and designed, and supported by the necessary infrastructure and facilities”.*

5.16 Paragraph 73 notes that to maintain supply and delivery local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years’ worth of housing against their housing requirement set out in adopted strategic policies or against their local housing need where the strategic policies are more than five years old.

*“The supply of specific deliverable sites should in addition include a buffer (moved forward from later in the plan period) of:*

*a) 5% to ensure choice and competition in the market for land; or*

*b) 10% where the local planning authority wishes to demonstrate a five year supply of deliverable sites through an annual position statement or recently adopted plan, to account for any fluctuations in the market during that year; or*

*c) 20% where there has been significant under delivery of housing over the previous three years, to improve the prospect of achieving the planned supply”.*

#### **Building a strong, competitive economy**

5.17 Paragraph 83 states that in order to support a prosperous rural economy decisions should enable *amongst other things* the development and diversification of agricultural and other land -based rural business and the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings and places of worship.

#### **Promoting Healthy Communities**

5.18 Paragraph 91 refers to the importance of the planning system in creating healthy, inclusive communities. It notes that planning policies and decisions should achieve places that promote opportunities for meetings between members of the community such as mixed-use developments, strong neighbourhood centres and active street frontages.

5.19 Paragraph 92 notes that to deliver the social, recreational and cultural facilities and services the community needs, planning decisions should plan positively for the provision of shared space, community facilities and other local services to enhance the sustainability of communities and residential environments.

5.20 Paragraph 94 states that the government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities.

5.21 Access to a network of high quality open spaces and opportunities for sports and physical activity is important for the health and wellbeing of communities (Paragraph 96).

5.22 Paragraph 98 requires that planning policies and decisions should protect and enhance public rights of way and access, including taking the opportunity to provide better facilities for users, for example by adding links to existing rights of way networks.

#### **Promoting Sustainable Transport**

5.23 Paragraph 102 requires that *“transport issues should be considered from the earliest stages of development proposals , so that:*

- 
- a) *the potential impacts of development on transport networks can be addressed;*
  - b) *opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, are realised - for example in relation to the scale, location or density of development that can be accommodated;*
  - c) *opportunities to promote walking, cycling and public transport use are identified and pursued;*
  - d) *the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account - including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains; and*
  - e) *patterns of movement, streets, parking and other transport considerations are integral to the design of schemes, and contribute to making high quality places”.*
- 5.24 Paragraph 108 notes that “in assessing specific applications it should be assured that:
- a) *appropriate opportunities to promote sustainable transport modes can be - or have been - taken up, given the type of development and its location;*
  - b) *safe and suitable access to the site can be achieved for all users; and*
  - c) *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”.*
- 5.25 Paragraph 109 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 would be severe.
- 5.26 Within this context Paragraph 110 considers that applications should:
- “a) 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, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;*
  - b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport;*
  - c) create places that are safe, secure and attractive - which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;*
  - d) allow for the efficient delivery of goods, and access by service and emergency vehicles; and*
  - e) be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations”.*
- 5.27 All developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed (Paragraph 111)”.



---

### Making efficient use of Land

- 5.28 Paragraph 117 states that *“planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions”*.
- 5.29 Paragraph 120 requires decisions to reflect changes in the demand for land. They should be *“informed by regular reviews of both the land allocated for development in plans, and of land availability”*.
- 5.30 Paragraph 122 states that *“planning policies and decisions should support development that makes efficient use of land, taking into account:*
- “a) the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;*
  - b) local market conditions and viability;*
  - c) the availability and capacity of infrastructure and services - both existing and proposed - as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;*
  - d) the desirability of maintaining an area’s prevailing character and setting (including residential gardens), or of promoting regeneration and change; and*
  - e) the importance of securing well-designed, attractive and healthy places”*.
- 5.31 Paragraph 123 recognises that where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site.

### Achieving well designed places

- 5.32 Section 12 seeks to achieve well designed places.
- 5.33 Paragraph 124 states that *“the creation of high quality buildings and places is fundamental to what the planning and development process should achieve and good design is a key aspect of sustainable development, creating better places in which to live and work and help make acceptable communities”*.
- 5.34 Paragraph 127 requires that *“planning policies and decisions should ensure that developments:*
- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
  - b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
  - c) 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);*
  - d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;*

---

*e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and*

*f) 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; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience”.*

- 5.35 Paragraph 131 states that in determining applications, great weight should be given to outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.

#### **Conserving and Enhancing the Natural Environment**

- 5.36 Section 15 of the NPPF relates to conserving and enhancing the natural environment.

- 5.37 Paragraph 170 states that decisions should contribute to and enhance the natural and local environment by:

*“a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);*

*b) recognising 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;*

*c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate;*

*d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;*

*e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and*

*f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate”.*

- 5.38 Paragraph 175 states that when determining planning applications, local planning authorities should apply the following principles;

*a) “if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;*

*b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed*

---

*clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;*

- c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists; and*
- d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity”.*

5.39 Paragraph 177 states that:

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

5.40 Paragraph 180 of the NPPF states that:

*“Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health and living conditions, as well as the potential sensitivity of the wider area to impacts that could arise from the development. In doing so, they should:*

- a) Mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development - and avoid noise giving rise to significant adverse impacts on health and quality of life;*
- b) Identify and protect tranquil areas which may have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason;*

5.41 Paragraph 182, states that:

*“Planning policies and decisions should ensure that new development can be integrated effectively with existing businesses and community facilities (such as places of worship, pubs, and music venues and sports clubs). Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or ‘agent of change’) should be required to provide suitable mitigation before the development has been completed”.*

#### **Conserving and enhancing the historic environment**

5.42 Paragraph 189 recognises that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance.

- 
- 5.43 As a minimum, the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary.
- 5.44 According to paragraph 192, in determining applications, local planning authorities should take account of the desirability of new development making a positive contribution to local character and distinctiveness.
- 5.45 Paragraph 193 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
- 5.46 Paragraph 194 advises that any harm to, or loss of, the significance of a designated heritage asset from development within its setting, should require clear and convincing justification.

#### Annex 1: Implementation

- 5.47 Paragraph 214 advises that policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).
- 5.48 Paragraph 215 confirms that The Housing Delivery Test will apply from the day following the publication of the Housing Delivery Test results in November 2018. For the purpose of footnote 7 in this Framework, delivery of housing which was substantially below the housing requirement means where the Housing Delivery Test results published in:
- a) November 2018 indicate that delivery was below 25% of housing required over the previous three years;
  - b) November 2019 indicate that delivery was below 45% of housing required over the previous three years;
  - c) November 2020 and in subsequent years indicate that delivery was below 75% of housing required over the previous three years.

#### PLANNING PRACTICE GUIDANCE (PPG)

- 5.49 The PPG is to be read alongside the NPPF. Set out below are considered to be the most relevant to the Development having regard to the principal considerations that impact upon their determination:
- Pre-submission;
  - Decision making;
  - Biodiversity;
  - Design;
  - Health and Wellbeing;
  - Open space and recreation;
  - Housing Needs.

#### Pre-Submission

- 5.50 The PPG states that pre-application engagement offers significant potential to improve both the efficiency and effectiveness of the planning application system and improve the quality of planning applications and their likelihood of success. This can be achieved by working collaboratively and openly with interested parties at an early stage to identify, understand

---

and seek to resolve issues and discussing the possible mitigation of the impact of a proposed development (Reference ID:20-001-20140306).

- 5.51 The PPG acknowledges that pre-application advice provided by the local planning authority cannot pre-empt the democratic decision making process or a particular outcome; the advice is however capable of being a material consideration and given weight in the planning application process (Reference ID: 20-011-20140306).
- 5.52 The PPG notes that a Planning Performance Agreement (PPA) is a project management tool which sets timescales for actions between the LPA and applicant and which should cover the pre-application and application stages but may also extend through to post-application stage. A PPA is capable of providing greater certainty and transparency in the process for determining large and/or complex planning applications (Reference ID: 20-016-20140306).

#### Decision making Process

- 5.53 The guidance states that the local planning authority may depart from the development plan policy if material considerations indicate that the plan should not be followed. As referred to in paragraphs 4.6-4.8 above there are a number of material considerations in the determination of this planning application (Reference ID: 21b-013-20140306).

#### Bio-diversity

- 5.54 PPG Natural Environment, details the commitment in the NPPF that planning should recognise the intrinsic character and beauty of the countryside (Reference ID:8-001-20140306).
- 5.55 In relation to biodiversity, any policy and decision-making should be seeking to increase biodiversity as part of wider Government and NPPF commitments. The guidance provides advice on how biodiversity should be taken into account in planning applications and mitigation in schemes that reduce biodiversity.
- 5.56 In relation to brownfield land, the guidance sets out NPPF principles to re-use brownfield land for new development wherever possible, provided that it is not of high ecological value.
- 5.57 The PPG notes some instances where air quality is relevant to planning application considerations; these include European designated wildlife sites (Reference ID: 32-005-20140306).

#### Design

- 5.58 The PPG contains various guidance paragraphs on design matters. It identifies that good quality design is an integral part of sustainable development (Reference ID:26-001-20140306). The PPG notes that development should seek to promote character in townscape and landscape by responding to and reinforcing locally distinctive patterns of development. It goes on to state that the opportunity for high quality hard and soft landscape design that helps to successfully integrate development into the wider environment, should be carefully considered from the outset (Reference ID:26-007-20140306).
- 5.59 The guidance also states that:
- *Planning should promote a network of greenspaces and public places that are attractive, accessible, safe and uncluttered and work effectively for all users. A system of open and green spaces that respect natural features and are easily accessible can be a valuable local resource and helps create successful places. The benefit of greenspaces will be enhanced if they are integrated into a wider green*

---

*network of walkways, cycleways, open spaces and natural and river corridors (Reference ID: 26-009-20140306).*

*- Planning should promote an inclusive environment that can be accessed and used by everyone (Reference ID:26-011-20140306).*

*- Planning should promote cohesive and vibrant neighbourhoods. The vitality of neighbourhoods is enhanced by creating variety, choice and a mix of uses to attract people to live, work and play in the same area. The guidance goes on to state that neighbourhoods should also cater for a range of demographic groups, especially families and older people (Reference ID:26-014-20140306).*

5.60 The guidance notes that a good mix of uses and tenures is important to making a place economically and socially successful, ensuring the community has easy access to facilities such as shops, schools, clinics, workplaces, parks and play areas (Reference ID:26-017-20140306).

5.61 The guidance states that the ability to move safely, conveniently and efficiently to and within a place will have a great influence on how successful it is (Reference ID:26-022-201400306).

5.62 It notes that a well-designed place is successful and valued (Reference ID: 26-015-20140306). Exhibiting qualities that:

- Be functional
- Support mixed uses and tenures
- Include successful public spaces
- Be adaptable and resilient
- Have a distinctive character
- Be attractive
- Encourage ease of movement

5.63 The PPG considers the design issues for different types of development, noting that:

*- Well designed housing should be functional, attractive and sustainable. It should also be adaptable. Affordable housing should be not distinguishable from the market housing and consideration should be given to the servicing of dwellings such as storage of bins and bicycles (Reference ID: 26-040-20140306).*

*- Successful streets are where traffic and other activities have been integrated successfully, and where buildings and spaces, and the needs of people, not just of their vehicles, shape the area. Public transport, and in particular interchanges, should be designed as an integral part of the street layout. To encourage people to walk, the quality of the walking experience is important.*

### Health and Wellbeing

5.64 The PPG provides advice on health and wellbeing, and recognises the history between planning and health. The built and natural environments are major determinants of health and wellbeing and are supported by the three dimensions to sustainable development.

5.65 Development proposals should support strong, vibrant and healthy communities and help create healthy living environments which should include making physical activity easy to do and create places and spaces to meet to support community engagement and social capital (Reference ID:53-002-20140306).



---

### Open Space and Recreation

- 5.66 The PPG states that open space should be taken into account in planning for new development. It notes that open space can provide health and recreation benefits to people living and working nearby, have an ecological value and contribute to green infrastructure, as well as being an important part of the landscape and the setting of built development, and an important component in achievement of sustainable development.
- 5.67 Public rights of way form an important component of sustainable transport links and should be protected or enhanced.

### Housing Need

- 5.68 Housing need is an unconstrained assessment of the number of homes needed in an area. Assessing housing need is the first step in the process of deciding how many homes need to be planned for. It should be undertaken separately from assessing land availability, establishing a housing requirement figure and preparing policies to address this such as site allocations (Reference ID:2a-001-20190220).
- 5.69 The NPPF expects strategic policy-making authorities to follow the standard method in this guidance for assessing local housing need.
- 5.70 The standard method uses a formula to identify the minimum number of homes expected to be planned for, in a way which addresses projected household growth and historic under-supply.
- 5.71 The standard method set out below identifies a minimum annual housing need figure. It does not produce a housing requirement figure (Reference ID: 2a-002-20190220).
- 5.72 The Government is rightly committed to ensuring that more homes are built and supports ambitious authorities who want to plan for growth, and to purposely provide for appropriate mechanisms for enabling delivery through planning policy. The standard method for assessing local housing need provides a minimum starting point in determining the number of homes needed in an area. It does not attempt to predict the impact that future government policies, changing economic circumstances or other factors might have on demographic behaviour. Therefore, there will be circumstances where it is appropriate to consider whether actual housing need is higher than the standard method indicates (Reference 2a-010-20190220).
- 5.73 The need to provide housing for older people is critical as the proportion of older people in the population is increasing. The National Planning Policy Framework defines older people for planning purposes, and recognises their diverse needs. They range from active people who are approaching retirement to the very frail elderly. The health and lifestyles of older people will differ greatly, as will their housing needs (ID:2a-017-20190220)

### DEVELOPMENT PLAN

- 5.74 The relevant 'saved' development plan policies are set out below. These policies must be read in the context of the NPPF and PPG and, to the extent they are out of date or inconsistent, they are in effect superseded. In the context of this application, all "most important" policies of the development plan either attract no or very little weight, taking full and proper account of the NPPF.

### Site Designations

- 5.75 The Site is not within a Conservation Area and there are no listed buildings on site. There are two conservation areas bordering the site, Lower Rainham Conservation Area which is





---

## RELEVANT 'SAVED' POLICIES OF THE LOCAL PLAN 2003

### General Development

- 5.84 **Policy BNE2: General Principles of Built Development** supports development which is appropriate in relation to the character, appearance and functioning of the built and natural environment by *inter alia*:

“(i) being satisfactory in terms of use, scale, mass, proportion, details, materials, layout and siting; and

(ii) respecting the scale, appearance and location of buildings, spaces and the visual amenity of the surrounding area”.

### Heritage and Archaeology

- 5.85 **Policy BNE14 Development within Conservation Areas** requires developments affecting the setting of a Conservation Area to achieve a high quality of design which will preserve or enhance the area’s historic or architectural character or appearance.
- 5.86 **Policy BNE18 Setting of Listed Buildings** supports development that would not adversely affect the setting of a listed building.
- 5.87 **Policy BNE21 Archaeological Sites** requires archaeological field evaluation to be carried out by an approved archaeological body before any decision on the planning application is made.

### Air Quality

- 5.88 **Policy BNE24 Air Quality** requires development likely to result in airborne emissions to provide a full assessment of the likely impact of these emissions. Development will be permitted where there are no unacceptable effects on the health, amenity or natural environment of the surrounding area taking account the cumulative effect of other proposed or existing sources of air pollution in the vicinity.

### Nature and Conservation

- 5.89 **Policy BNE35 International and National Nature Conservation Sites** gives long term protection to:
- “i. classified and potential Special Protection Areas (SPAs);
- ii. listed and proposed Ramsar sites;
- iii. National Nature Reserves;
- iv. Sites of Special Scientific Interest”.
- 5.90 Development that would materially harm, directly or indirectly, the scientific or wildlife interest of these sites will not be permitted unless the development is connected with, or necessary to, the management of the site’s wildlife interest (Policy BNE35).
- 5.91 **Policy BNE36 Strategic and Local Nature Conservation Sites** gives long term protection to:
- i. Sites of Nature Conservation Interest;
- ii. Designated and proposed Local Nature Reserves.
- 5.92 Development that would materially harm, directly or indirectly, the scientific or wildlife interest of these sites will not be permitted unless the development is connected with, or necessary to, the management of the site’s wildlife interest.

- 5.93 **Under Policy BNE37 Wildlife Habitat** “Development that would cause a loss, directly or indirectly, of important wildlife habitats or features not protected by policies BNE35 and BNE36 will not be permitted, unless:
- i. there is an overriding need for the development that outweighs the importance of these wildlife resources; and*
  - ii. no reasonable alternative site is (or is likely to be) available if ancient woodland, inter-tidal habitats and calcareous (chalk) grassland would not be lost; and*
  - iii. the development is designed to minimise the loss involved; and*
  - iv. appropriate compensatory measures are provided.”*
- 5.94 **Policy BNE38 Wildlife Corridors and Stepping Stones** supports development that “wherever practical, make provision for wildlife habitats, as part of a network of wildlife corridors or stepping stones.”
- 5.95 **Policy BNE39 Protected Species** seeks conditions and/or obligations sought, to ensure that protected species and/or their habitats are safeguarded and maintained.”
- 5.96 **Policy CF2 New Community Facilities** permits facilities where:
- (i) the size and scale of development being appropriate to the site; and*
  - (ii) the development having no detrimental impact on the countryside, residential amenity, landscape or ecology; and*
  - (iii) accessibility to the local population by a variety of means of transport, including public transport, cycling and walking.*

#### Transport

- 5.97 **Policy T1 Impact of Development** supports developments provided that:
- “(i) the highway network has adequate capacity to cater for the traffic which will be generated by the development, taking into account alternative modes to the private car; and*
  - (ii) the development will not significantly add to the risk of road traffic accidents; and*
  - (iii) the development will not generate significant H.G.V. movements on residential roads; and*
  - (iv) the development will not result in traffic movements at unsociable hours in residential roads that would be likely to cause loss of residential amenity”.*
- 5.98 **Policy T2 Access to the Highway** requires that proposals which involve the formation of a new access will only be permitted where:
- “(i) the access is not detrimental to the safety of vehicle occupants, cyclists and pedestrians; or*
  - (ii) can, alternatively, be improved to a standard acceptable to the council as Highway Authority”.*
- 5.99 **Policy T3 Provision for Pedestrians** requires developments to provide attractive and safe pedestrian access.
- 5.100 **Policy T3 Cycle Facilities** requires the provision for cycle facilities related to the site.

## 'SAVED' POLICIES CONSIDERED TO BE OUT OF DATE/NOT IN COMPLIANCE WITH THE NPPF

### Housing and Residential Development

- 5.101 **Policy H1 New Residential Development** identifies the proposal sites. This policy is rightly acknowledged by Medway as being out of date.
- 5.102 **Policy H3 Affordable Housing** seeks provision in settlements in rural areas with a population of 3,000 or fewer, developments which include 15 or more dwellings or where the site area is 0.5 hectare or more. Policy sets out a series of criteria on which the quantum will be negotiated on a site specific basis.
- 5.103 **Policy H3** is based on out of date housing figures and is therefore considered to be out of date.
- 5.104 **Policy H10 Housing Mix** requires sites larger than one hectare, where residential development is acceptable in principal, to provide a range and mix of house types and sizes. This will include smaller units of accommodation suited to the needs of one and two person households, the elderly or persons with disabilities and housing that can be adapted for such use in the future. This policy is based on out of date housing requirements.

### Development in the Countryside

- 5.105 **Strategic Policy S1 Development Strategy** priorities re-investment in the urban fabric and redevelopment of land within the urban area.

*"In recognition of their particular quality and character, long-term protection will be afforded to:*

- (i) areas of international, national or other strategic importance for nature conservation and landscape; and*
- (ii) the historic built environment, including the Historic Dockyard, associated sites and fortifications.*

*Outward peripheral expansion onto fresh land, particularly to the north and east of Gillingham, will be severely restricted. The open heartland of Medway at Capstone and Darland will be given long-term protection from significant development".*

- 5.106 **Policy BNE25 Development in the Countryside** supports such development if:
- (i) it maintains, and wherever possible enhances, the character, amenity and functioning of the countryside, including the river environment of the Medway and Thames, it offers a realistic chance of access by a range of transport modes; and is either;*
  - (ii) on a site allocated for that use; or*
  - (iii) development essentially demanding a countryside location (such as agriculture, forestry, outdoor or informal recreation); or*
  - (iv) a re-use or adaptation of an existing building that is, and would continue to be, in keeping with its surroundings in accordance with Policy BNE27; or*
  - (v) a re-use or redevelopment of the existing built-up area of a redundant institutional complex or other developed land in lawful use; or*
  - (vi) a rebuilding of, or modest extension or annex to, a dwelling; or*
  - (vii) a public or institutional use for which the countryside location is justified and which does not result in volumes of traffic that would damage rural amenity".*

- 5.107 **Policy BNE34 Areas of Local Landscape Importance** supports development within the areas of Local Landscape Importance defined on the Proposals Map if:

*“it does not materially harm the landscape character and function of the area; or  
the economic and social benefits are so important that they outweigh the local priority to conserve the area’s landscape”.*

*Development within an Area of Local Landscape importance should be sited, designed and landscaped to minimise harm to the area’s landscape character and function”.*

- 5.108 **Policy CF6 Primary Schools** specifically identifies sites for new facilities which is out of date and is based on housing policy and designations that are similarly out of date.

**Relevant Supplementary Planning Documents (SPD) and Supplementary Planning Guidance (SPG)**

Medway Guide to Developer Contributions and Obligations (2018)

- 5.109 Medway adopted planning obligations SPD in 2011. This document sets out the main areas where infrastructure provision will be sought as part of a proposed new development, and contains formulas for calculating financial obligations.

- 5.110 At this time no preliminary draft Community Infrastructure Levy (CIL) has been consulted on.

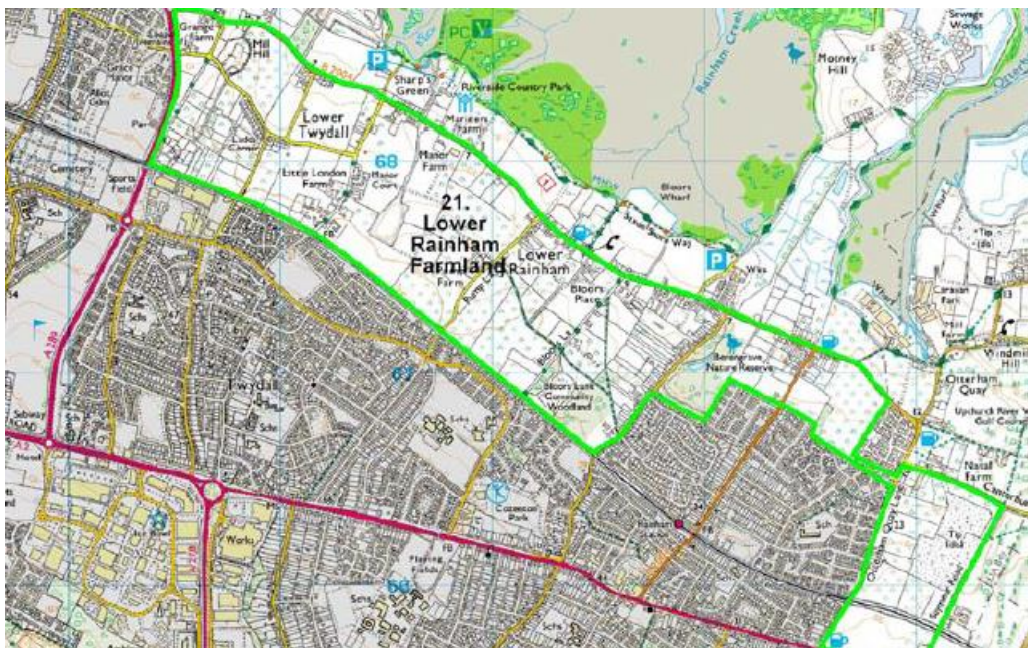
Medway Housing Design Standards (interim) - (November 2011)

- 5.111 Guidance sets out baseline standards that new homes should meet. Guidance recognises that at the outline stage applications will not include such details and applicants should demonstrate that compliance can be achieved in subsequent reserved matters applications. This can be shown through a selection of illustrative dwelling plans, an indication of proposed Gross Internal Floor Areas (GIAs) or sketch plans to outline dwelling footprints (page3).

Medway Landscape Character Assessment (2011)

- 5.112 The Site is within the area identified as Lower Rainham Farmland. The landscape type is defined as Urban Fringe. It forms part of the North Kent Fruit Belt Character Area.

**Figure 3: Extract from the Lower Rainham Farmland map (page 68)**





5.113 This Character Area is described as “a predominantly rural agricultural landscape characterised by a complex pattern of orchards, shelter belts, fields of arable, pasture and horticultural crops; divided by small blocks of woodland; gently rolling landform to south of A2 punctuated by two north/ south valley systems; landform flatter to north of A2 towards marshes” (page 67).

5.114 Within this Character Area is the Lower Rainham Farmland (Sub Area) describes as “flat, small to medium scale farmland -orchards, arable, rough grazing; neglected pockets of land and busy road gives transitional urban fringe character to the area with gradual trend towards suburbanisation in some localised areas; tranquil in many parts”.

The Kent Design Guide (2010)

5.115 The Kent Design Guide seeks to promote a “Common approach to the main principles which underlie Local Planning Authorities criteria for assessing planning applications. It also seeks to ensure that the best of Kent’s places remain to enrich the environment for future generations”. The KDG includes various sections which all outline expected standards and policies which new developments should adhere to, these being:

- “To be successful, any new development needs to be based on a good understanding of the local context;
- A rigorous investigation of the site will be required for all development;
- The design of new developments should be based on a network of linked spaces rather than on a standardised highway layout with buildings arranged around it;
- The landscape setting of a development site should be understood, extended and enhanced within the site.
- Developments should be permeable and linked to the surrounding network, allowing safe, direct routes for pedestrians and cyclists. Direct routes through developments should be provided for walkers and cyclists”

5.116 These overarching principles have informed the initial masterplan and the subsequent detail will be considered in the subsequent reserved matters application.

Kent County Council Local Transport Plan (KCC LTP4)

5.117 The LTP4 has been adopted and the document strategies and policies cover the period from 2016-2031. The LTP4 aims to ensure that Kent County grows in a consistent and sustainable manner. Proposals are supported that achieve key outcomes, these being:

- Outcome 1) Economic growth and minimised congestion: Deliver resilient transport infrastructure and schemes that reduce congestion and improve journey time reliability to enable economic growth and appropriate development, meeting demand from a growing population;
- Outcome 2) Affordable and accessible door-to-door journeys: Promote affordable, accessible and connected transport to enable access for all to jobs, education, health and other services;
- Outcome 3) Safer Travel: Provide a safer road, footway and cycleway network to reduce the likelihood of casualties, and encourage other transport providers to improve safety on their networks;
- Outcome 4) Enhanced Environment: Deliver schemes to reduce the environmental footprint of transport and enhance the historic and natural environment; and
- Outcome 5) Better Health and Wellbeing: Provide and promote active travel choices for all members of the community to encourage good health and wellbeing, and implement measures to improve local air quality.

---

Strategic Assessment Management and Mitigation Medway Council Interim Policy Statement (November 2015)

- 5.118 This policy statement sets out the Council’s position on a strategic approach to managing and mitigating the potential impact to the protected habitats of the Thames, Medway and Swale Estuary and Marshes Special Protection Areas and Ramsar sites. In advance of adopting an appropriate policy in an updated Medway Local Plan, the Council is establishing its commitment to a strategic mitigation and management approach, to satisfy the requirements of the Conservation and Habitats and Species Regulations, 2010.
- 5.119 Research that informed the policy statement concluded that a likely significant effect cannot be ruled out from residential developments within six kilometres of the coastal designated sites and from larger residential developments further away. This is therefore a consideration when determining planning applications. The proposed development at Pump/ Bloors Farm, falls within 250m of the designated sites.

**EMERGING LOCAL PLAN AND EVIDENCE BASE**

**Emerging Local Plan: Development Strategy**

- 5.120 The Emerging Medway Local Plan is currently at a very early stage of preparation and is only capable of attracting very limited weight.
- 5.121 It has progressed through an Issues and Options stage in 2016, a Development Options stage in 2017, and a Development Strategy stage earlier in 2018.
- 5.122 The Development Strategy (2018) identifies a key task for the Local Plan as being “*to manage growth to achieve a more successful, attractive Medway with healthier communities that share in the benefits of development. Development should be seen to deliver benefits - better housing for local people, higher quality jobs, new services and facilities such as schools and parks*” (paragraph 2.8).
- 5.123 The Development Strategy promotes the development of a new rural settlement on the Hoo Peninsula. It is recognised that “the limited access to the Hoo Peninsula, and particularly the junction of the A228 and A289 at Four Elms Roundabout, presents a constraint to growth”. Transport assessments carried out in preparation of the emerging Local Plan have confirmed severe impacts on the highways network arising from potential growth, if mitigations are not in place (paragraph 3.4.1). The introduction of a passenger rail service to the Hoo Peninsular with the potential use of the Grain freight line for passenger traffic is a major component of a sustainable growth plan (para 3.42).

**Medway Strategic Housing Land Availability Assessment SHLAA**

- 5.124 The July 2018 SHLAA provides for the third iteration of the SLAA following the commencement of the preparation of a new Local Plan for Medway. Previous versions were published in 2015 & 2017.
- 5.125 The SLAA must consider if land is ‘suitable’ for development, ‘available’ and ‘achievable’. Land is considered suitable for development if it is free from development constraints; land is considered available if it is being actively promoted; land is considered achievable if it is financially viable to develop.
- 5.126 Pump and Bloors Farms are identified in the SLAA July 2018 as being unsuitable. Pump Farm (SHLAA Ref 1061) due to the impact on agricultural land, landscape, heritage and isolation from local services and facilities. Bloors Farm (SHLAA Ref 750) due to distance from services and facilities and potential landscape impact. There is no explanation as to why the impact on agricultural land and heritage were not issues of concern for Bloors Farm.

5.127 The SHLAA 2017 identified Bloors Farm (SHLAA Ref 750) and Pump Farm (SHLAA Ref 1061) as not suitable but did not include any assessment or explanation.

5.128 The SLAA November 2015 was accompanied by Site Assessments for both sites. They were identified as having a development potential to provide 609 and 656 residential units, respectively. An overall conclusion considered both sites unsuitable for development unless identified constraints can be addressed. The constraints that were identified as unresolvable, are as follows:

Pump Farm (SLAA Ref: 1061)

- Landscape: due to the site being situated outside of the built up area, with an Area of Locally Valued Landscape of the Lower Farmland, which is considered to be sensitive to change and views from across the River are particularly sensitive. Development was therefore identified as being likely to have a detrimental impact upon locally valued landscapes.
- Agricultural land: as the site is situated on the best and most versatile (BMV) agricultural land.

Bloors Farm (SLAA Ref: 750)

- Agricultural land: as the site is situation on the best and most versatile agricultural land.

5.129 On all other assessment criteria, the sites' constraints were identified as either "unconstrained" or "anticipated that constraints can be resolved". Again it is not clear why the landscape impact of Bloors Farm was not considered to be the same as Pump Farm.

5.130 With regard to the agricultural land it should be noted that since the time of the initial SLAA (2015) the policy stance in the NPPF has changed. Paragraph 112 (2012) related to BMV agricultural land and stated that LPAs "should take into account the economic and other benefits of the best and most versatile agricultural land. It does not appear that this change was reflected in the subsequent SHLAA publications.

**Medway Local Plan -Emerging Evidence Base**

5.131 The emerging Medway Local Plan evidence base relevant to this submission is understood to comprise:

- Medway Strategic land Availability Assessment (2018);
- Strategic Housing Market Assessment (SHMA) (November 2015);
- North Kent SHENA: Medway Integrated Growth Needs Assessment technical Note (November 2015);
- Medway extra care needs analysis (2011);
- North Kent SHENA Retail and Commercial Leisure Assessment Part 1 (November 2016);
- Medway Village infrastructure audit (2017);
- Medway Infrastructure Position Statement (2017).

5.132 The evidence base is referred to as a relevant material consideration.

**POLICY SUMMARY**

5.133 The starting point for the consideration of this application is the Council's chronic housing shortage and the acknowledgement that it has no 5 year housing land supply as required by paragraph 73 of the NPPF, and in turn, in the circumstances of this application, the application of the tilted balance.

- 
- 5.134 Policy BNE25 *Development in the Countryside* only permits development in the countryside in limited situations. It restricts housing delivery and in the circumstances set out above it is therefore contrary to the NPPF which seeks the delivery of a sufficient supply of homes. There can be no in principle objection to the development of this site based on Policy BNE25.
- 5.135 Policy BNE34 *Areas of Landscape Importance* is further considered to be in conflict with the NPPF as it restricts sustainable housing development. Notwithstanding this the proposals are considered to be in compliance with the objectives of this policy which seeks to ensure proposals do not materially harm the landscape character and function of the area.
- 5.136 The proposal is to be considered in respect of the presumption in favour of sustainable development.



---

## 6 PLANNING CONSIDERATIONS

6.1 This Section sets out the key planning considerations relevant to the determination of the application, specifically informed by the contextual analysis of the sites' surroundings, and policy review.

6.2 As outlined in Section 5 the most important policies in the Development Plan for Medway for the determination of this proposal are out of date by virtue of both a lack of a 5 years housing land supply and failure to meet the HDT. Where policies which are "most important" for determining the application are out of date, paragraph 11d of the NPPF requires the application of the tilted balance, in keeping with the presumption in favour of sustainable development.

6.3 The relevant planning considerations may be summarised as follows:

1. Principle of Housing Development;
2. Housing Land Supply and Delivery;
3. Any loss of Agricultural Land;
4. The rural economy;
5. Landscape and Visual Impact;
6. Transport and Highways;
7. Heritage and Archaeology;
8. Housing Type, Mix and Affordable Housing;
9. Layout, Density and Design;
10. Provision of Community Facilities;
11. Ecology;
12. Air Quality;
13. Noise and Vibration;
14. Flood Risk and Drainage;
15. Ground Conditions; and
16. Utilities.

### PLANNING CONSIDERATIONS

6.4 In considering the acceptability of the sites for residential development the SHLAA 2018 identified the physical constraints that would need to be addressed as being:

- Pump Farm: impact on agricultural land, landscape, heritage and isolation from local services and facilities; and
- Bloors Farm: distance from services and potential landscape impact.

6.5 At the pre-application stage in assessing the sustainability of the site through the 3 strands set out in the NPPF, the formal response advised that the social benefits including the accessibility of the site make the proposal relatively sustainable. With regard to environmental sustainability, it is the loss of the high grade agricultural land and the harm to the function of the landscape that are both identified as factors that make the site not environmentally sustainable. It makes no mention of the impact to heritage.

6.6 Interpreting the pre-application response, it seems that the areas considered by Officers not to support the 3 strands of sustainability can fairly be summarised as:

- The perceived lack of economic benefits;
- Impacts on the transport network with specific reference to the new residents having to travel to existing employment sites;
- The landscape impact with specific reference made to the loss of the function of site as a green buffer; and
- The redevelopment of agricultural land.

### 1. The Principle of Housing Development

6.7 ‘Saved’ Policy S1 directs development to brownfield sites and places a blanket restriction on expansion onto fresh land outside the urban area. Supporting text recognises that derelict, damaged and previously developed land will be the first choice for new development, in preference to the release of fresh land. Policy BNE25 purports to restrict development in the countryside to limited circumstances including Criteria (v) which permits the redevelopment of developed land in lawful use. The Site includes farm buildings associated with the orchard use and is therefore developed in part. Policy therefore supports development on an element of the Site. Notwithstanding this, these policies are considered not to be in accordance with the NPPF and therefore out of date, being contrary to the fundamental objective of delivering a sufficient supply of homes. The pre-application response acknowledges Policy BNE25 is not in accordance with the NPPF. This stance has been taken in the determination of other residential schemes.

6.8 Policy BNE34 further seeks to restrict development in Areas of Local Landscape Importance. This policy is also considered to be contrary to the NPPFs requirement for sufficient housing delivery. Accordingly, it is considered that these Policies are ‘out of date’ and should be attributed no weight in the determination of these proposals.

6.9 Paragraph 11d of the NPPF states that decisions should apply a presumption in favour of sustainable development where policies which are most important for determining the application are out-of-date. Based on the lack of a 5 year housing land supply the above policies are out of date and the ‘tilted balance’ is engaged. Accordingly, the principle of development needs to be considered against the other relevant policies in the Local Plan and the sustainability of the site justified through the 3 objectives under the NPPF (economic, social and environmental).

6.10 In accordance with the requirements of the NPPF for the delivery of a sufficient supply of homes the proposed development provides a significant contribution to the housing land supply. In accordance with the health and wellbeing objectives of the NPPG and the PPG the intention is to create a well balanced community with the necessary mix of services and facilities including open space and access to the surrounding natural environment.

6.11 Accordingly, the development proposal should be approved, unless “any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this framework as a whole” (Paragraph 11d)

### 2. Housing Land Supply and Delivery

6.12 Medway do not have a specific, published position on their current housing supply. However both within the pre-application response and as part of the determination of other residential schemes the Council has acknowledged that it cannot demonstrate five years’ supply of housing land. Accordingly, the most relevant policies S1, BNE25 and BNE34 are considered to be “out of date”.

- 6.13 The Council's most recently published evidence is out of date and not fit for purpose. Within the local authority's most recently published evidence, there is a lack of clarity over both the housing requirement and the extent of anticipated supply. The latest Monitoring Report (December 2018) also lacks clarity with regard to the housing requirement. Despite the Strategic Housing Market Assessment (SHMA) of 2015 stating an Objectively Assessed Need of 1,281 dwellings per annum (dpa), followed by a subsequent assessment of need for 1310 dpa based on the initial version of the StaM (now amended) the LPA are still working against the figure given in their Housing Position Statement (adopted 2014) of 1,000 dpa.
- 6.14 In support of this application a separate housing assessment has been prepared by Rapleys, which sets out our assessment of the current housing position within Medway. This concludes a very significant shortfall in housing land supply consistent with a supply of between merely 1.78 and 2.51 years. The former is based on the Council's delivery trajectory whilst the latter is a very best case scenario.
- 6.15 In December 2018 a planning application for 210 dwellings at Land at Ratcliffe Highway was submitted by Gladman Homes. The appellant stated that the Council had a supply of 2.75 years; the Council estimated their supply to be approximately 3.00 and the Secretary of State found it (albeit on an evidence base unknown) to be approximately 3.6.
- 6.16 Irrespective of the conclusions of our assessment and any debate surrounding the precise level of shortfall, what is clear from the above is that the housing situation in Medway is critical and now falls to be addressed through the urgent (and not delayed) delivery of sustainable development sites.
- 6.17 This chronic undersupply is a clear example of a systematic and longstanding failure of the Council's current development strategy to support the required housing delivery in Medway and the wider region.
- 6.18 There is demonstrably no adequate development plan to ensure housing delivery. The emerging policy is continuing to suffer obvious delays and whilst the publication of the Local Plan Draft (Regulation 19 publication) may come forward during Summer 2019, it is most unlikely there will be an established position on housing land supply within the next couple of years.

#### **Summary of Rapleys' Housing Report**

- 6.19 Using methodologies put forward by Central Government, Rapleys have assessed the current housing situation as follows:
- The housing requirement is 1,659 dwellings per annum (dpa);
  - The completion rate against the Housing Delivery Test (HDT) is 47%; and
  - The housing land supply (on a very best case scenario) equates to 2.51 years.
- 6.20 By working towards a requirement figure of 1,000 dpa, Medway are failing to consider approximately 40% of their StaM minimum requirement (659 dpa). Even against the annual requirement of 1,000 units, they acknowledge an inability to demonstrate a five year land supply. Following a close review of the supply as the authority themselves understand it (and assessing this against the StaM) there would be a supply of only 2.51 years.
- 6.21 Not only is the Council's current target and future supply woefully inadequate, the HDT makes it clear that historic delivery has also been substantially below required figures. For the years 2015-2018, the HDT sets an annual requirement that is lower than the StaM (this is in recognition of the fact that the StaM only came into force in September 2018, and it would be onerous to retrospectively apply it to previous years). Even with a delivery target thus reduced, Medway have provided only 47% of its residential need over the period 2015-

18. This is a substantial shortfall, and will likely worsen in the coming years: the HDT will establish greater pressure on Medway as:

- the delivery rate triggering paragraph 11(d) rises to 75% (over the next two years); and;
- the StaM becomes incorporated into the requirement (gradually over the next three years, at which point the StaM will be the requirement of all three years in the period 2019-2021).

6.22 To give some context to the scope of this increase: the HDT currently sets a requirement of 3,997 units delivered over the previous three years. In 2021 it will be no lower than 4,977. Medway will need to provide all these units in order to pass the HDT, but in order to deliver 75% of this (and avoid a paragraph 11(d) scenario) they will need to demonstrate the delivery of 3,733 units over a three year period (2019-21). According to the current HDT results, Medway delivered 1,883 units over three years. If the rate of delivery remains the same, the HDT result in 2021 will be 37.8%.

6.23 According to our analysis (based on the latest housing trajectory published by the Council), Medway will fail the HDT in ten of the next 12 years (up to 2030). They will fall below the 75% threshold on six of these occasions.

6.24 The Rapleys report further provides an overview of the rate of need, delivery and supply of affordable housing within Medway. This is based on the suggested methodology set out in the PPG. The 2015 SHMA identifies a need of 744 affordable dwellings per annum. Rapleys have reviewed the data and suggest that the gross newly arising need (NAN) per year is 1,738 over the period 2020-2035.

6.25 The gross newly arising affordable need of 1,738 applies data from the 2015 SHMA (alongside other, more recent figures) to methods of assessment suggested by the PPG. As some of the data is therefore out of date, this figure is provisional: it is more than likely that up-to-date evidence would establish a higher requirement. Despite this, the newly arising need exceeds the minimum requirement represented by the StaM. In order to reflect a more achievable target, we have suggested that Medway seeks to deliver - as an absolute minimum - 50% of the gross figure (i.e. 869 dpa).

6.26 Despite this concession, the figure of 869 is 52% of the StaM minimum requirement. Even in the event that Medway are able to deliver their StaM in full, they will in all likelihood be unable to address the reduced affordable need as we have calculated it. This is without taking into consideration the existing shortfall of 5,029 (the number of households within Medway on the waiting list for housing) which averages to an under delivery of 1,006 affordable dwellings per annum.

6.27 Based on calculations of affordable housing need within Medway, it is clear that there is a pressing need to radically increase the rate of delivery within the area. Against the number of affordable units completed over the period 2012-2017, the number of households added to waiting lists represents 637% of the rate of delivery.

6.28 The evidence makes it clear that Medway suffers a chronic undersupply of housing, which is compounded further by an extreme shortfall of affordable housing.

### 3. Any loss of Agricultural Land

6.29 There is no Local Plan Policy relating specifically to agricultural land. In order to contribute to and enhance the natural and local environment the NPPF states that decisions should recognise the intrinsic character of and beauty of the countryside, and the wider benefits of natural capital and ecosystem services - including the economic and other benefits of the best and most versatile agricultural land (BMV) (Para 170).

- 
- 6.30 It is further recognised that where significant development of agricultural land is necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality (footnote 53).
- 6.31 The Natural England data on agricultural land Classification (ALC) classifies the quality of the agricultural land on the Site as Grade 1 and 2. A report prepared by Reading Agriculture provides a detailed assessment of the physical grading of the land with most of the site being limited to Grade 2.
- 6.32 The Glossary of the NPPF defines BMV agricultural land as “land in Grades, 1, 2 and 3a of the Agricultural Classification”.
- 6.33 Whilst the site is designated as Grade 2 agricultural land and as such does fall within the generic NPPF definition, part of the land is already developed, and furthermore, the level of protection afforded to this agricultural land should be considered in the context of Paragraph 170 that advises ‘recognising’ the economic and other benefits of (this) BMV. These benefits - in BMV terms - are shown to be negligible at best in relation to the Site.
- 6.34 Accordingly the approach to be taken to (and weight to be applied to) paragraph 170 should be consistent with whatever economic and other benefits the land is actually contributing to the natural and local environment. The actual contribution that the Site makes in BMV terms is to be viewed in terms of what is commercially appropriate and viable, moving forward.
- 6.35 Footnote 53 also advises that where significant development of agricultural land is demonstrated to be necessary - as it is in the present case (not least in the context of demonstrable development plan failure to deliver adequate housing land, and the extent of the housing land supply shortfall) - areas of poorer quality land should be preferred to those of a higher quality. This encompasses the consideration of such part of land that is already developed, as in the case of the Site.
- 6.36 The report *Farm Business - Horticultural and Agricultural Issues and Constraints* by Lambert and Foster discusses the appropriateness and viability of the Site for continued orchard use and for alternative agricultural uses, moving forward. This is assessed in Chapter 13 of the ES and is attached as a Technical Appendices at 13.2.

**a) Continued use for orchard operation**

- 6.37 The diminishing economic benefits of the orchards in their current form are shown not to be sustainable. The trees are now reaching maturity and the quality of the fruit trees and their respective ages makes these two orchards unsuitable and unviable with regard to the very significant level of reinvestment required for continued horticultural operation. Additionally, a large proportion of the stock would need to be replaced entirely since it is no longer a favoured variety by the major supermarket purchasers. Both orchards would require replanting within the next 4-5 years, at the latest.
- 6.38 To produce competitive modern-day high yielding stock will require significant investment and involve replanting the whole orchard either for AC Goatham or another fruit grower. It is estimated the required new trees, wire network, irrigation, water storage and general upgrade would have a very significant capital cost, in the region of £1.5m for the orchard to be replanted.
- 6.39 The operational requirements required to remain competitive would also mean a need for a significant increase in the levels of labour, infrastructure and equipment. With the facilities required in terms of machinery, packing facilities it would simply not be feasible to make each farm self-sufficient. In order even to begin to remain competitive, farms would need to be located in close proximity and introduce the pooling of resources on “hub farms”. The

---

Applicant confirms that it would be unviable to retain the land in orchard use. Any other potential orchard farmer would similarly need to inject this same level or greater investment. In accordance with Para 170 of the NPPF no net economic benefit (or material benefit) is considered to derive from any attempt to maintain the orchard.

- 6.40 The existing operation requires comprehensive machinery for planting, pruning, spraying, picking, hedge trimming and orchard mowing. None of the machinery is stored on the farm and the logistics of transporting machinery is becoming increasingly impractical, and could only be capable of being sustained through increased production. This is properly viewed as a disbenefit in terms of the contribution of this BMV land to the natural and local environment.
- 6.41 The Site is presently a commercial farm and, as such, apart from the peripheral vegetation it has no ecological value. Attempting to retain the orchard provides no benefits for improvements in terms of ecological value and it is likely that any future orchard, in order to maximise crops may need to encroach into the existing landscape buffer zone.

**b) Alternative Agricultural uses**

- 6.42 The report also assesses the options for alternative agricultural uses.
- 6.43 **Soft Fruit Farming** - an economically viable modern fruit farm would require polytunnels to optimise yield potential. This would unfeasibly require huge capital outlay and would also significantly change (and harm) the character of the landscape. The Applicant has no intention of venturing into soft fruit production.
- 6.44 Notwithstanding the planning constraints associated with providing such an extensive area of polytunnels (including glare from tunnels and significant levels of water run off and on local water supply) the proximity to an urban area is considered to be very unlikely to be attractive to commercial soft fruit growers. The Sites' topography and physical characteristics are not considered favourable for fruit farming. The lack of fruit growers in the area immediately demonstrates the unsuitability of the land for this farming system. It is therefore considered that the site would not be attractive to any soft fruit grower.
- 6.45 The introduction of polytunnels across the site would be a significant dis-benefit in terms of its impact on the landscape and the intrinsic character of the area. In taking the description of the Gillingham Riverside Area (ALLI), this being "*a rural landscape of orchards and arable fields*" such a use would not support this character. In the context of para 170 of the NPPF this would be a disbenefit when considering how the BMV contributes to the best agricultural land.
- 6.46 **Arable Farming** - The existing business would not diversify into arable farming operations. Such business needs significantly larger farming machinery and significant reliance on the use of contract farmers and their farm equipment. The required application of manures and spray cycles in such proximity to urban areas would have significant impact in terms of residential amenity.
- 6.47 **Livestock Farming** - It is not considered that the Site would be attractive to any third party live stock businesses and is not a farming system that AC Goatham and Sons would adopt.
- 6.48 **Pigs or Poultry** - Based on the good grade of the agricultural land, such farmers would be looking for cheaper farm land; and
- 6.49 **Diversification** - given the financial costs of orchard replacement, this could not be covered by diversification as part of the existing use and in would result in a redundant land use.



- 6.50 The Applicant has no intention in engaging in any other farming practice. Based on the assessment of the other uses it is not considered that any other farming use would be viable and the burdensome requirement requiring this would in practice result in an unused site.

**c) Other benefits to the rural economy**

- 6.51 The release of Bloors Farm and Pump Farm for other purposes will generate much-needed, additional funds that will enable the Applicant to continue to invest in more economical farms and that produce a meaningfully higher yield of fruit. Table 5 at page 29 of the Lambert and Foster Report provides examples where release of land for residential purposes has offered clear business growth for AC Goatham and Sons, reinvesting in orchards and increasing in levels of employment and fruit production. This would give rise to a substantive economic benefit in terms of the use of *other* BMV agricultural land.
- 6.52 Conversely, should the opportunity to re-invest elsewhere be lost, this would mean a considerable disbenefit.
- 6.53 In accordance with Para 170 the economic benefits of maximising what would be an alternative area of BMV agricultural land elsewhere in Medway or the wider area of Kent should be given very significant weight.
- 6.54 The re-investment of funds from the redevelopment of the Site would be in accordance with the objectives of para 83 of the NPPF by helping secure a prosperous rural economy, enabling the expansion of future rural business as well as the benefits in terms of accessible local services and homes that come with the sustainable development of the Site.
- 6.55 The development of the site for housing, as well as enabling the investment and delivery of a new high yielding farm provides the opportunity for improved ecology on site and increased landscaping which both allow substantive benefits to the natural and local environment.
- 6.56 In summary, neither retaining an orchard nor providing an alternative agricultural use provide sustainable economic or other benefits. A housing scheme allows reinvestment in an alternative site together with providing benefits in terms of ecological and landscape improvements. Notwithstanding the categorisation of the soil as BMV agricultural land, the NFFP does not prescriptively restrict its loss but simply requires decisions to have regard to the benefits of such land on the natural and local environment.
- 6.57 It is considered the overall benefits that can be delivered by the re-use of the land should be given substantial weight and in accordance with Para 170 of the NPPF can be seen to contribute to and enhance the natural and local environment and result in a net agricultural benefit in overall terms.

**4. The Rural Economy**

- 6.58 As detailed in the report by Lambert and Foster the orchard is at the end of its useful life and offers no future economic benefit. The development of the existing orchard for residential use allows the opportunity for investment in new high yielding farm enterprises which would have a greater benefit to the rural economy. The release of this land will enable AC Goatham and Sons to continue to invest in efficient farms that produce a higher yield of fruit whilst consolidating the primary activity of the business. The development will have no adverse impact on agricultural provision, whether viewed locally, regionally or nationally.
- 6.59 As well as allowing the reinvestment into a new farming enterprise the development provides the following additional economic benefits;



- Job creation: construction jobs for a period of circa 10 years for a range of derivative trades, including training opportunities. Additionally, the school and the care home together with the village facilities will each provide a range of employment provision together with a range of informal roles such as tradesman, gardens and cleaners which all contribute to the local economy;
- The creation of a village centre: providing a range of accessible local services of a scale commensurate with the size of the settlement;
- Resident expenditure from new homes;
- Other revenue sources: including Council Tax, New Homes Bonus and S106 financial contributions; and
- Improved public transport: potential new bus routes for both new and existing residents.

6.60 The above benefits further support the wider economic objective (Para 8a of the NFFP) and will help to promote a prosperous local economy (Para 83 of the NPPF). The further details of the economic benefits are set out in Section 7 of this Statement.

## 5. Landscape and Visual Impact

6.61 The Landscape and Visual Impact Assessment (LVIA) prepared by Lloyd Bore Ltd provides an appraisal of the landscape visual effects predicted to arise from development on the site with reference to the baseline analysis of the landscape and visual characteristics identified to inform the development proposals, including recommendations for mitigation. This is assessed in Chapter 11 of the ES and is attached at Appendix 11.1 of the ES.

6.62 In accordance with the Sites location in Lower Rainham farmland *Local Character Area* (LCA) this guidance seeks to “*resist further built development and introduce more positive landscape management systems*” (our emphasis). In this regard, the pre-application response identified that in considering the criterion of Policy BNE34 the principle of development would still harm the function of this area (our emphasis). There was no identified objection in terms of material harm to the character of the area.

6.63 In considering the assessments of the sites in the SHLAA the Landscape at Pump Farm was identified as being sensitive to change from views across the river. With regard to Bloors Farm, no reference was made in terms of reference to any landscape impact.

### Character Impact

6.64 The assessment of visual amenity was based on eight view points. Generally, views of the Site are limited to within 50m of the site boundary apart from the occasional medium distance views from east to west. Overall the site and proposed development is considered to have a moderate and contained visual envelope. As a result, it would affect a limited number of individuals on a local scale.

6.65 With regard to character of the area, the impact of the proposal has been assessed against National, Regional and Local Character Area characteristics. The proposed development is not considered to influence the character of the Greater Thames Estuary. On a regional level it is part of the Kent Fruit Belt ‘*predominantly a rural, agricultural landscape characterised by complex pattern of orchards shelterbelts, fields of arable and pasture and horticultural crops, and divided by small blocks of woodland.*’ The scale of the impact is assessed to be Minor at worst. The development is of a small scale when compared to the regional scale of the Fruit Belt Character Area. Changes resulting from the development would be restricted to a limited geographical area and would not be experienced across the wider character area as a whole.

6.66 At a local scale it is recognised in the LVIA that residential development would be out of character with the key characteristics of “*flat, small to medium scale mixed farmland -*

---

*orchards, arable, rough grazing. However the proposed development has been informed by the urban area of Twydall and Rainham which together with the railway line and Lower Rainham Road exert urban influence over the site."*

6.67 A number of key landscape design principles have informed the Masterplan in order to guide the implementation of a suitable landscape scheme for the proposed development. These are set out in detail within the supporting DAS. These include:

- Site levels and a balanced cut and fill strategy designed to avoid the need for disposal of excavated material off-site, or importation of fill, thereby avoiding indirect impacts to topography and landscape character beyond the site boundary;
- Building materials and colours have been selected to reduce the visual presence of the building within the landscape;
- The retention and reinforcement of existing boundary vegetation to screen views of the development; and
- The introduction of a diverse range of new vegetation habitats across the site, designed to increase site biodiversity and ecological value, and compensate for the reduction in site vegetation cover. These features include; areas of new orchard planting; standard hedgerow trees, native woodland buffer planting, naturalised ponds, ditches and swales features, and naturalised grassland meadows.

6.68 The LVIA concludes that the proposed development is of an appropriate type, scale, massing and appearance for its setting, and although the landscape and visual character of the Site itself would be fundamentally changed, this would not cause an adverse change in the prevailing landscape and visual character of the wider area.

6.69 Accordingly it is considered that the nature and form of the proposed residential development with the distinct patchwork of development parcels surrounded by a green buffer does not materially harm the landscape character of the area.

#### Function of the Area

6.70 The definition of function is *"an activity that is natural to or the purpose of a person or thing"*. The Site is a currently a planted orchard and performs the function of growing fruit for commercial production. This function necessitates the need for a range of farm machinery, storage facilities and living quarters for seasonal staff. The majority of the Site is covered by commercial trees together with associated farm buildings. Apart from the bridle way and unauthorised dog walking the site is not publically accessible. Neither is it an area of natural landscape or ecology. The function of the site is a commercial orchard. The impact of the proposals should be considered against this function.

6.71 Within the ALLI the 'function' of the site is identified as an important 'green buffer' which enhances the setting of the northern relief road and views of the river and the railway. In quantitative terms the 'buffer' is the planted orchard and the hedges surrounding the Site. The Site is enclosed and can only be glimpsed through the hedgerows and from the bridleway. It is therefore not perceived as a large open area that relates to its surroundings and it does not read as being a green buffer. In qualitative terms we therefore disagree with the ALLI in terms of the ability of the Site to act as a 'green buffer'.

6.72 The setting of the northern relief road and views of the river and railway can equally be enhanced by the landscaping and the green buffer zone that would encircle the new settlement. Thus, this same function can be achieved as part of the development.

6.73 The Gillingham Riverside Area ALLI identifies the orchards as part of a rural landscape that enhances the setting and allows attractive views. However, without ongoing reinvestment, which cannot economically be sustained, the appearance of the existing orchards will deteriorate and would ultimately result in redundant land. Notwithstanding this, the Site is

---

described in the LVIA as having a contained visual envelope with limited views. Thus the views into the existing orchard are contained and as commercial farm areas cannot be accessed. Thus, they have limited function in terms of enhancing the setting or allowing attractive views.

- 6.74 The present function of the Site is as an orchard and is identified as being part of a green buffer separating the built up areas. The constrained envelope of the Site means that the loss of the existing orchard itself does not compromise this function of the Site.
- 6.75 With regard to the impact of the proposed development, the layout and form has been carefully designed to ensure that the 'green buffer' is maintained. The substantial vegetation around the site maintains this separation. The use of the topography and low-rise development ensures that views into the site are limited further ensuring that the appearance of this green buffer is protected. Despite the development of the Site a green buffer will still exist between the Site and the surrounding developments.
- 6.76 The Site as a working farm currently has limited access with the only formal public access being along the bridleway. The proposals include opening up the access to the site allowing multiple routes through the site as well as improvements to the existing bridleway. This improves the function of the land by giving those that live in the vicinity the opportunity to utilise the Site. This supports the objective of paragraph 98 of the NPPF which seeks the protection and enhancement of public rights of way and access.
- 6.77 Accordingly, the proposed development protects this valued landscape in terms of its character, function and viability and is fully compliant with Paragraph 170 of the NPPF. Whilst it is considered that 'saved' Policy BNE34 is not in accordance with the NPPF and can therefore be attributed little weight, the development can be seen to conform to the policy objectives. The function of the green zone is retained and the layout of the development with the patchwork of individual development sites and the landscaped buffer keeping the Site visually discreet protects the character of the area.
- 6.78 Accordingly, it is considered that as required by Policy BNE34 the proposals do not materially harm the landscape character and function of the area. Notwithstanding this, the proposals have significant, economic, social and environmental benefits which Policy BNE34 recognises have the potential to outweigh the local priority to conserve the areas landscape.

## 6. Transport and Highways Issues

- 6.79 The application is supported by a Transport Assessment (TA), prepared by David Tucker Associates. This is assessed in Chapter 10 of the ES and is attached at technical appendix 10.1 of the ES. This considers the potential transport and highways impacts resulting from traffic generation on the capacity and safety of the surrounding road network and the implications for public transport and pedestrian and cycling movements.
- 6.80 The TA summarises that safe and suitable access can be achieved for all users, and appropriate mitigation measures can be introduced to sufficiently alleviate the potential impact of the development proposals as identified.
- 6.81 The Site is very well located for a range of sustainable transport modes with Rainham train station approximately 2.5km to the south east with a number of bus stops in the vicinity of the Site. There are options for additional bus services. Careful planning of the location and type of bus stops at the detailed design stage will ensure they are appropriately located throughout the development. The masterplan shows that it would be possible to provide high quality public transport accessibility to the Site.

- 6.82 In terms of traffic generation, the TA identifies that the increase in traffic volume would have a negligible impact on the surrounding local road network. This includes an assessment of the capacity at identified junctions and proposed improvement works identified to mitigate any impact. Additionally, it is identified that the construction phase of the development would also be unlikely to result in significant traffic impacts.
- 6.83 The assessment of traffic volume includes the cumulative levels of operational and construction traffic which based on the approximate 900 houses from development sites in the vicinity is considered to be negligible.
- 6.84 The trips associated with the local centre will be internal to the site or diverted trips from the local highway network. Therefore, this land use would not generate 'new' trips onto the local highway network in its own right.
- 6.85 Road traffic accident data within the vicinity of the site has been reviewed for the latest 5 year period. There are no road safety issues to report and no mitigation measures are required.
- 6.86 Accordingly in accordance with Policy T1 it is clear that the local highways network has adequate capacity and that it would not increase the risk of traffic accidents. In terms of short term construction traffic the timing and quantum of movements would be agreed as part of a Construction Environmental Management Plan (CEMP) to be provided at the Reserved Matters stage.
- 6.87 The highways layout is designed to improve connections through the Site and into the local area, with additional pedestrian and cycle connectivity. These 'links' as identified on the Masterplan will provide improved connectivity to the local area and nearby facilities. The overall connectivity would be improved by a series of off site improvement works including at the Railway Bridge at Pump Lane where a shuttle working scheme will provide a 2.5m wide combined footway/ cycleway and a 3m wide running carriageway.
- 6.88 The overarching design supports the aspirations of the Kent Design Guide which in terms of transport requires developments to be based on a network of linked spaces with a development that is permeable and linked to surrounding networks with direct routes for pedestrians and cyclists. The highways layout fully complies with all these aspirations. In accordance with Policies T2, T3 and T4 the new access is not detrimental to safety and actually improves the situation for pedestrians and cyclists.
- 6.89 In summary, the development is well placed in terms of connectivity to the surrounding road network. The TA submitted as part of the ES provides a full assessment of the strategic and local road network. This concludes that traffic can be adequately accommodated on the network with some localised improvements at junctions to mitigate specific impacts. The majority of the local junctions are operating within capacity and would continue to do so. Out of 10 local junctions, only 2 (Lower Rainham Road/Yokosuka Way/Gad Hill roundabout, and the Bloors Lane/A2 Local Road signal crossing) require widening works to meet capacity.
- 6.90 There are no required mitigation works for the wider strategic network.
- 6.91 The construction phase of the development is unlikely to result in significant traffic impacts. However, as with all major construction projects, a Construction Environmental Management Plan (CEMP) would be developed at the reserved matters stage. Given the additional traffic generated from the construction works is considered to be within the capacity of the local road network, and with the adoption of the CEMP the residual impact is considered to be insignificant.

- 6.92 A Framework Travel Plan has been prepared for the Proposed Development. This is assessed in Chapter 10 of the ES and is attached at technical appendix 10.2 of the ES. This is aimed at reducing vehicular trips associated with the Site and includes a set of measures to encourage travel by sustainable modes. The methodology of the TA is in accordance with the Kent Design Guide.
- 6.93 In accordance with Paragraph 102 of the NPPF, the potential impacts and required mitigation have been identified. The overall the pattern of movement is integral to the design of the scheme. There is no unacceptable impact on highways safety or the local or strategic road network and therefore the proposals are fully in accordance with Paragraph 109 of the NPPF and Local Plan Policies T1 and T2.
- 6.94 In accordance with Paragraph 110 of the NPPF and Policy T3 and Policy T4 the scheme gives priority to pedestrians and cycle movements through the scheme and the neighbouring areas.
- 6.95 In transport terms, the proposals therefore support the NPPF, Policies T1, T2, T3 and T4 the requirements of the Kent CC Local Transport Plan.

## 7. Heritage and Archaeology

- 6.96 The proposals are informed by an Archaeological Desk-Based Assessment produced by Swale and Thames Survey Company, a Pleistocene and Palaeolithic Desk- Based Assessment produced by the University of Reading and a Heritage Assessment prepared by Rapleys which has considered the potential impacts of the development on the heritage assets surrounding the Site. These are assessed in Chapter 14 of the ES and are attached at technical appendix 14.1, 14.2 and 14.3 of the ES.
- 6.97 The area of Lower Rainham is of important archaeological interest relating to the Palaeolithic period with findings along the north Kent coast including Palaeolithic and Neolithic finds located around the eastern and western half of the Site.
- 6.98 The assessment has shown that the area to be developed is within an area of high archaeological importance for the Prehistoric and Post Medieval periods with moderate and low/moderate chance for the Roman and Anglo-Saxon period respectively. All other periods are of low importance. In this regard a suitable scheme of further investigation can be secured by a condition to ensure that any remains, if present, are adequately identified and recorded in advance of development.
- 6.99 There are no heritage assets within the site but it is within the vicinity of two conservation areas and a number of Grade II listed buildings. The pre-application submission raised no issues in respect of heritage impact. In accordance with Paragraph 189 of the NPPF the supporting Heritage Assessment addresses the impact on the heritage assets within close proximity of the proposal site.
- 6.100 Fundamentally the scheme has been designed with a substantive green buffer around both the Site and between the individual development parcels. Additionally the layout uses the topography of the Site and has been informed by the identified viewpoints to minimise visual impact. The limited building heights further minimises their appearance.
- i. Listed Buildings in the vicinity
- 6.101 Chapel House has a frontage on to Pump Lane and is contained within its own land parcel which includes a garden area with mature vegetation and a garage to the rear. The Site is not immediately visible from the Chapel House due to the vegetation surrounding the rear garden area of Chapel House. Similarly, the Chapel House is not immediately visible from the Site. Therefore the Site does not form part of the setting of Chapel House.

---

Notwithstanding this, the development will not involve or introduce any material change to this part of Pump Lane. The masterplan responds well to the Chapel House land parcel by including a green buffer around its boundary with the Site which retains the existing character of the land adjacent to the rear of the property.

- 6.102 The Grade II listed, Pump Farmhouse is located on the western side of Pump Lane at approximately the halfway point of Pump Lane between Lower Rainham Road to the north-east and Beechings Way to the south-west. Pump Farmhouse is situated towards the rear of a relatively large land parcel which includes surrounding mature vegetation and a garage at the rear. The Farmhouse is set back from Pump Lane itself and is almost completely enclosed by a recent residential development at Russett Farm.
- 6.103 The development will not give rise to any impact on the setting of Pump Farmhouse. There is no proposed development within the environs of Pump Farmhouse. Once the development has been built out it will have either no or a negligible impact on Pump Farmhouse due to the maintained 'barrier' of the existing vegetation on the boundary with the Site to the east of Pump Farmhouse.
- 6.104 The Grade II listed, Bloors Place, the range of outbuildings including the cart lodge, the granary west of Bloors Place and the garden walls to the south and east can be assessed together as they form part of the same land parcel, referred to as Bloors Place. Bloors Place is located on the southern side of Lower Rainham Road to the north-west of the Site.
- 6.105 Bloors Place is sited within a large land parcel, which contains each of the listed structures; the land parcel also includes a large amount of mature vegetation, some other unlisted structures, a large green space and a pond to the north of the land parcel. The structures are within the centre of the land parcel and are hidden from surrounding views by Site vegetation.
- 6.106 Therefore the existing setting of the heritage assets at Bloors Place is characterised by the physical features of the land parcel as they are not readily visible from the public highway. The masterplan, which provides the parameter plans for future development shows that the Bloors Place land parcel remains untouched with the proposed retention of the planting barrier on the boundary.
- 6.107 It is considered that the development would have no adverse impact on the listed buildings located within the vicinity. In accordance with Policy BNE18 the development would not adversely affect the setting of any listed building.

ii. Conservation Areas

Lower Rainham Conservation Area

- 6.108 The Lower Rainham Conservation Area runs along Lower Rainham Road. The areas of the Conservation Area which are the closest to the proposal site are Chapel House and Bloors Place. There is no document defining the setting of the Lower Rainham Conservation Area and its features. However, the Lower Rainham Conservation area is centred on the Lower Rainham Road which can be characterised as a linear village like environment with a number of low density buildings of mixed use largely within residential use.
- 6.109 The proposed provision of the green buffer and other landscaping features such as additional hedgerows, grass planting and the community orchard ensure that the proposals do not result in significant changes to the setting of the Conservation Areas.

The Lower Twydall Conservation Area

- 6.110 The Lower Twydall Conservation Area runs along the southern end of Lower Twydall Lane, and contains five Grade II listed buildings, which have not been assessed due to their



location in relation to the Site, which will not have any impact on these listed buildings. The part of the conservation area in proximity to the development site is characterised by farmhouses surrounded by large parcels of land and substantial mature vegetation along the boundaries.

- 6.111 With regard to the Lower Twydall Conservation Area, again the provision of the green buffer and other landscaping features such as additional hedgerows, grass planting and the community orchard ensure that the development does not result in any or any material changes to the setting of the Conservation Areas.
- 6.112 In accordance with Policy BNE14 the proposals being brought forward are not considered to affect, still less materially so, the setting of the conservation area.
- 6.113 The Heritage Assessment therefore demonstrates that that the proposal is acceptable in heritage terms and meets the requirements of the NPPF as well as local policies BNE14, BNE18 and BNE21.
- 6.114 Medway's pre-application response is also entirely consistent with this assessment.

## 8. Housing Type, Mix and Affordable Housing

- 6.115 'Saved' Policy H10 relating to Housing Mix is considered to be out of date. However NPPF, paragraph 61 refers to the need to deliver a wide choice of high quality homes including affordable homes.
- 6.116 The application is made in outline and hence the housing mix will be fixed through the Reserved Matters stage. However, the objective is to create a balanced and mixed community and to ensure adequate ranges of types and tenures. In order to provide surety that a development of this quantum can be delivered and an appropriate mix can be achieved the indicative housing mix is set out in Section 5, Table 1. This confirms an extensive range of potential 2 to 4 bedroom properties, and provision for the elderly can be delivered. Using methodologies put forward by the Government, Rapleys have assessed the current housing requirement as 1,659 per annum (dpa). The Site could provide an outlet for a mixture of all private and affordable tenures to suit identified needs, such as private rented, intermediate and social tenures.
- 6.117 'Saved' Policy H3 *Affordable Housing* is based on out of date housing projections and therefore is considered to be out of date. However provision of 25% affordable housing is proposed, subject to the overall infrastructure mitigation package. The mix and layout of the proposed affordable housing will be determined through detailed Reserved Matters and in discussion with Medway housing officers.
- 6.118 Overall, the development will provide a substantial level of much needed affordable homes to meet highly specific local needs. As addressed in the Rapleys Housing Assessment, the shortfall in overall housing supply includes a shortfall in affordable housing provision (estimated to be 5,106 units over the period 2012-2017). 5,966 households were added to the waiting list for housing, and this is weighted against a total provision of 860 units over that time period. Accordingly, the proposals make a significant contribution to the affordable housing delivery with the contribution of up to 312 affordable units. This is a very considerable social benefit in terms of achieving overall sustainability.
- 6.119 Additionally all dwellings will comply with the minimum national space standards and will have the required amount of amenity space.
- 6.120 In these terms, the proposal is acceptable in terms of housing mix, size and affordable provision as required by paragraph 61 of the NPPF and overall supports the social objective of achieving sustainable development.



---

## 9. Layout, Density and Design

- 6.121 The overall approach to the design and the master planning of the site is outlined in the DAS. The layout and density of the development will be approved during the Reserved Matters process. However, the illustrative masterplan, landscaping plan and parameter plans have been very carefully co-ordinated and informed by the supporting technical documents, taking full account of the strengths and constraints of the Site.
- 6.122 The pre-application feedback in respect of design specifically identified the need to avoid 'ordinary' and 'standard' design and to ensure a varied scheme. The layout of the separate development plots with heavily landscape edges has been informed by the physical characteristics of the land and the recommendations of the habitat and biodiversity studies. The creation of individual development parcels allows the introduction of individual 'neighbourhood' character areas within the wider settlement allowing for variety in terms of density and function.
- 6.123 The landscaping forms a fundamental element of the layout with the mix of formal and informal spaces that serve as amenity space, wildlife habitat and corridors, and green buffers around the development plots and wider site. The pre-application response stressed the need to set out how the scheme would work, with the emphasis on landscape as well as architecture.
- 6.124 The Kent Design Guide provides guidance on creating successful layouts, recognising that new developments should be based on a network of linked spaces rather than a standardised highways layout. Guidance requires, amongst other matters, ease of movement with pedestrian and cycle priority, legibility with clear street hierarchy and some landmarks. Layouts should be of a human scale related to the number of people that use them and should avoid uniformity. The proposed layout follows these principles and includes a landscaped network of pedestrian and cycle ways with the village green and the services and facilities defining the heart of the village.
- 6.125 With regard to the built form, the building heights are commensurate with those in the vicinity and ensure minimal visual impact. This will be secured by the supporting parameter plans. The specific details of design will be controlled by planning condition and S106 obligations. In terms of materials and detailing it is intended there will be consistency with the local palette of materials but with variations within the distinct 'neighbourhood' areas to ensure sufficient variety.
- 6.126 Consideration has been given to the incorporation of SuDs into the design at this initial stage with the inclusions of swales as a mechanism for diverting surface water run off. They also provide further habitat, with the network of vegetated ditches being part of the landscaping and overall design.
- 6.127 The development is considered to reinforce the objectives of 'Saved' Policy BNE2 and respect the scale, appearance and visual amenity of the surrounding area. In accordance with Paragraph 127 of the NPPF, the proposal functions very well, provides good architecture, layout and appropriate landscaping and creates a place that is inclusive and accessible and which promotes health and wellbeing. The proposed layout and design support the objective of the NPPF by promoting healthy communities and has been developed in accordance with the guidance set out in the Kent Design Guide.

## 10. Provision of Community Facilities

- 6.128 The proposed village green lies at the heart of the village centre which itself contains facilities of a scale appropriate for this new village settlement. The village centre is not a destination in its own right but intended to support the function of the wider settlement. Additionally, the provision of the recreational and play space and the school all aid the

---

function of the settlement. The provision of a strong centre with active frontages directly supports the objectives of paragraphs 91 and 92 of the NPPF and guidance set out in the PPG that promotes healthy living environments. Place-making is fundamental to the scheme with the provision of the necessary infrastructure and facilities to support the creation of a sustainable village settlement.

- 6.129 The provision of open space and opportunities for recreation are fundamental elements to health and wellbeing in accordance with paragraph 98 of the NPPF and guidance set out in the PPG which further promotes the health and recreation benefits of open space.
- 6.130 The provision of the additional school places is directly in accordance with paragraph 98 of the NPPF providing places to meet the needs of both the new and existing residents.
- 6.131 Overall, the provision of these facilities supports the rural economy and provides significant social benefits and therefore contributes to the objectives of sustainable development as set out in paragraph 8 of the NPPF.
- 6.132 Furthermore it is recognised that additional off-site contributions may be sought for a variety of community uses and these will be delivered as part of the s106 agreement.

#### 11. On site Ecology and Habitat

- 6.133 An initial Preliminary Ecological Appraisal was undertaken by EPR Ltd in 2017. As a result of the initial assessment, further survey work undertaken across the site by the Ecology Partnership has included; bat surveys, bird surveys, eDNA surveys, badger and reptile surveys.
- 6.134 Due to the red line boundary being located approximately 230m south of the Medway Estuary and Marshes Special Protection Area (SPA), Ramsar site and Site of Special Scientific Interest (SSSI) a Habitat Regulations Screening Assessment has been undertaken.
- 6.135 These reports are assessed at Chapter 15 of the ES and are attached as technical appendices 15.1-15.6 of the ES.
- 6.136 No protected species have been found on site. A low population of common lizards, relatively low bat activity was recorded and largely common garden bird species. It is concluded that the habitat around the boundary of the site has the most importance and that the priority is to maintain the boundary treatments and allow connectivity of habitats through the Site. The orchard itself is considered to have limited habitat value.
- 6.137 The Masterplan has been carefully informed by recommendations from these assessments with the boundary features retained and bolstered, with a green buffer zone around the site and the individual development plots thereby providing connective green corridors for any commuting and foraging mammals or other species on site.
- 6.138 With regard to the impact on birds, it is identified that the species on site are largely common garden species and the loss of the orchard is mitigated by the introduction of gardens, new open space and grassland habitat and hedgerows between the plots. The Landscape Masterplan incorporates the retained and enhanced hedgerows with buffer strips along the bottom of wildflowers, and occasional mature trees, and the introduction of grassland with wildflowers as recommended.
- 6.139 With regard to reptiles, the majority of the habitat to be lost to the proposals is considered to be suboptimal for reptiles meaning they are not present within the centre of the Site. The areas of suitable reptile habitat are the hedgerows around the site. These areas are to be retained and improved and together with the back gardens of residential plots and care home will provide ideal habitat.

- 
- 6.140 In consideration of the FRADS the addition of swales as a mechanism for diverting surface water run off also provides further habitat improvements with the network of vegetated ditches being part of the landscaping and design package.
- 6.141 The development would not result in the loss of any important habitat. The orchard is regularly disturbed by machinery and subject to crop spraying. Some areas of habitat close to the Site are considered capable of being beneficial for the species identified by the ecological surveys. These are all to be retained and enhanced. In accordance with Paragraph 175 of the NPPF there is no resulting material harm to the biodiversity of the site. Indeed, the local biodiversity would be improved by the removal of the commercial farming operation and associated processes including crop straying which currently limits the level of biodiversity on site.
- 6.142 In accordance with Policy BNE37 and BNE39 there would be no loss of important wildlife habitats or protected species on site. The proposals provide wildlife corridors as required by Policy BNE38. Rather than causing any material harm to ecology it is considered that the ecology would be improved through the loss of the commercial farm and introduction of new and improved habitats.

## 12. Air Quality

- 6.143 The proposals are informed by an Air Quality Impact Assessment, undertaken by PBA Peter Brett. This is assessed at Chapter 12 of the ES and is attached as a technical appendix at 12.1 of the ES. The assessment identifies that the air pollution adjacent to the site and in proximity to roads is dominated by emissions from vehicles. The main pollutants of concern from road traffic exhaust releases are nitrogen dioxide (NO<sub>2</sub>) and particulates. These pollutants form the focus of the air quality assessment which assesses the impact of emissions of the aforementioned pollutants, based on the vehicular movements generated by the development.
- 6.144 The assessment demonstrated that the proposed development would result in a very negligible increase in pollutant concentrations and would not cause any exceedances of the statutory UK air quality objectives. The results also demonstrate that future residents would not be subject to pollutant concentrations that would exceed the statutory objectives. The Site is considered suitable for the development.
- 6.145 The assessment has identified potentially impacts on the adjacent Designated Site (Medway Estuary and Marshes SSSI/SPA). This has been informed by the report by Ecology Solutions which provides an assessment of the potential impacts on ecology.

## 13. International / European Designated Sites

- 6.146 A Habitat Regulations Screening Assessment is required to establish whether or not the plans, either alone or in combination with other plans or projects, will lead to adverse effects on the integrity of the SPA, in view of the conservation objectives of the Site. This initial determination is intended to ensure that all relevant plans and projects likely to have a significant effect on European sites are subject to an appropriate assessment.
- 6.147 The *Strategic Access Management and Mitigation Medway Council Interim Policy Statement* (November 2015) sets out the Council's position on a strategic approach to managing and mitigating the potential impact to the protected habitats of the Thames, Medway and Swale Estuary and Marshes Special Protection Areas and Ramsar sites.
- 6.148 The Council's research concluded that a likely significant effect cannot be ruled out from residential developments within 6 kilometres of the coastal designated sites and from larger residential developments further away. This is therefore a consideration when determining

---

planning applications. The proposed development at Pump / Bloors Farm falls within 250m of the designated sites.

6.149 The scoping assessment set out the direct and indirect impacts and the cumulative impacts of the proposal. The potential cumulative impacts are identified as follows:

- Increase in ‘wear and tear’ of the designated habitats through increase recreational impacts;
- Increase in bird disturbance from recreational impacts, impacting upon the qualifying features of the designated sites;
- Increase in pollution resulting from construction traffic and subsequent operational traffic altering the Nitrogen loading, with the potential for alteration of species composition and community structure within habitats (i.e. impacting upon integrity);
- Increase in dust/ noise disturbance during construction;
- Increase in pollution events within ditches linking to down stream habitats;
- Increase in demand for water resources and subsequent alteration in hydrology.

6.150 The response to the screening and scoping assessment included written advice from the Ecological Advise Service at Kent County Council. This acknowledged the site’s location within 500m of the Medway Estuary & Marshes SPA, RAMSAR, SSSI. This states that “*we are satisfied the works are unlikely to have a significant effect on the environment as the application will have to contribute to the Strategic Access Management and Monitoring scheme*”.

6.151 The screening identified that there are a number of uncertainties with regards to impacts and recommends that an appropriate assessment is undertaken to critically examine the impacts identified by the screening process and closely examine the effects on European sites and the potential for avoidance and mitigation.

6.152 A report *Information for Habitat Regulations Assessment* (May 2019) by Ecology Solutions is submitted as part of this application and provides an assessment of the potential impacts of the proposals on International / European Designated Sites. The assessment was undertaken in relation to the following sites (grouped as stated below):

- Medway Estuary and Marshes SPA / Ramsar Site;
- Thames Estuary and Marshes SPA / Ramsar Site;
- The Swale SPA / Ramsar Site;
- Queendown Warren SAC;
- North Downs Woodlands SAC; and
- Peter’s Pit SAC.

6.153 With the exception of Medway Estuary and Marshes SPA / Ramsar site, the application site is significantly separated from all other international / European designated sites in the locality by existing development in Gillingham and Chatham, open countryside and/or significant barriers (such as the River Medway). On this basis, it is considered that there would be no significant direct effects arising on any of these sites as a result of factors such as lighting or noise during the construction or operational phases of the development proposals.

Medway Estuary and Marshes SPA/ Ramsar

6.154 Medway Estuary and Marshes SPA / Ramsar site lies approximately 200 metres to the north of the application site at its closest point and is separated by agricultural fields and existing (albeit scattered) development along the B2004 Lower Rainham Road. Despite this considerable distance, on a precautionary basis further consideration has been afforded to the following potential pathways for significant effects:

- Direct impacts through lighting and noise (in respect of Medway Estuary and Marshes SPA / Ramsar site only);
  - Hydrological impacts (in respect of Medway Estuary and Marshes SPA / Ramsar site only);
  - Physical damage and degradation to habitats arising from an increase in recreation;
  - Disturbance effects (from dog walking / walking); and
  - Air quality impacts associated with increase in traffic emissions.
- 6.155 Based on the distance of the site and its separation by the Lower Rainham Road the potential lighting impacts could not be considered to be significant when the project is considered either alone or in combination with the existing baseline situation. With regard to noise, based on the Noise and Vibration Impact Assessment (Peter Brett Associates 2018) it is anticipated that noise levels would be much lower than those recorded along the road itself and given that the development proposals are for new residential development, including residential care and a primary school, it is considered that the development would not lead to any significant effect at the SPA / Ramsar site during the operational period.
- 6.156 In summary therefore, it is considered that the development proposals would be unlikely to give rise to any significant effects upon international / European designated sites as a result of lighting or noise impacts, either during the construction or operational periods, either alone or in combination with other plans or projects.
- 6.157 With regard to hydrological impacts given that the design of the development proposals incorporates appropriate measures including the delivery of a SuDS system (proposed irrespective of the international / European designated site), the risk of potential adverse effects (via hydrological pathways) occurring as a result of the development proposals are considered to be *de minimis* in nature.
- 6.158 Physical damage and degradation to habitat comes from visitor pressure including the effects on the habitat from walking, cycling and impact from dogs. With the exception of Medway Estuary and Marshes SPA / Ramsar site the application site is significantly separated from all other international / European designated sites. Significant distances by road mean it is unlikely new residents would regularly visit the SPA / SAC / Ramsar sites in any significant numbers.
- 6.159 Medway Estuary and Marshes SPA / Ramsar site lies approximately 200m to the north of the application site at its closest point. It is noted that there are a number of footpaths and public rights of way which lead to the north from Lower Rainham Road, which provide access to Riverside Country Park and the international / European designated site. There are no direct links proposed as part of the development but access remains possible via a number of pathways which lead to the north from Lower Rainham Road. It is recognised that there is a footpath network focused around the edge of the shoreline and estuary habitats, which are likely to be attractive to new residents. There is therefore the potential for a significant effect to arise on the integrity of Medway Estuary and Marshes SPA / Ramsar site through disturbance from informal recreation.
- 6.160 To mitigate against the effects a package of avoidance and mitigation measures are proposed comprising:
- Provision of enhancements to on-site public open space to maximise opportunities for informal recreation including a series of walking routes of varying distances, improvements to the bridleway and off-lead dog walking areas. This would reduce visits to the Estuary and Marshes for such activities and keep the access for those who specifically want to enjoy the marsh land habitat.
  - Provision of an appropriate financial contribution towards management and monitoring at the SPA / Ramsar sites, in accordance with the North Kent Coast SAMM; and

- Provision of further financial contributions towards off-site recreational opportunities in the local area.

6.161 In this regard it is considered that any potential effects to arise on the integrity of Medway Estuary and Marshes SPA / Ramsar site through disturbance from informal recreation can be sufficiently mitigated by reducing the need to visit the SPA through the provision of a range of new recreational facilities in much closer proximity, negating the need to make the car trip to the Country Park. This would be further supported by the financial contribution for the SAMM and additionally, further facilities in the surrounding area.

6.162 The nearest site is Medway Estuary and Marshes SPA/ Ramsar, which is 0.2km to the north of the Site at its closest boundary. It is separated from the Site by the B2004 Lower Rainham Road, agricultural fields and existing residential development in Lower Rainham. Due to this separation there would be no impact in terms of light and noise. Neither would there be any hydrological impacts.

6.163 The Riverside Country Park, part of which is within the SPA, lies between the Site and the Estuary. Whilst use of the park, which is owned by the Council, is clearly promoted with facilities such as a visitor centre, picnic area, café and trails it is recognised that this needs to be balanced against the physical damage and degradation to the habitat caused by visitors. Whilst it is likely that residents from the new settlement would visit the park, a series of measures are proposed to keep recreation away from the SPA. The proposals including open space, walking routes and off-lead dog walking areas on-site. Providing easily accessible space and facilities closer to the housing provides an alternative to using the Park and will reduce trips to the Country Park.

#### 14. Noise and Vibration

6.164 A Noise and Vibration Assessment has been prepared by PBA Peter Brett and is submitted as part of this application.

6.165 This assesses the current noise climate at the site and considers the suitability of the site for future residential use and for a new school. The survey locations and duration and guidance to be used to inform the assessment were agreed with the Environmental Protection Officer at Medway Council, 15 October 2018. In summary, the assessment confirmed that:

- The existing principle noise generations are the Chatham Main Line railway line, and the traffic along Lower Rainham Road and Pump Lane;
- In accordance with the relevant guidance, acceptable residential internal noise levels can be achieved across the majority of the site without the need for special acoustic mitigation measures. The exception is the facades directly facing Lower Rainham Road and enhanced acoustic glazing is likely to be required;
- External noise levels in amenity areas facing Lower Rainham Road and the railway line is likely to need mitigation, which could be achieved by appropriate acoustic screening; and
- It is considered that provided the site is designed so as to minimise noise levels in outdoor teaching areas as far as practicable (through appropriate building orientation), the site should be considered suitable for use as a school; although further assessment will be required at the detailed design stage.

6.166 Any required mitigation can be secured by an appropriate planning condition. The development therefore accords with Paragraphs 170, 180 and 182 of the NPPF.



---

## 15. Flood risk and Drainage

- 6.167 An Assessment of Drainage and Flood Risk (FRADS) has been undertaken by PBA Peter Brett and this has informed the proposals as well as appropriate flood resistance and resilience mitigation measures, where necessary. This is assessed in Chapter 8 of the ES and is attached at technical appendix 8.1 of the ES.
- 6.168 As the Site is a residential development its use is defined as 'more vulnerable' and as it lies within Flood Zone 1, this is identified as being compatible development therefore; there is no need for a Sequential Test, or an Exception Test.
- 6.169 As the Site is in Flood Zone 1 there is no need for any fluvial/tidal based flood mitigation measures. Ground water, sewer and infrastructure courses of flooding are also considered to be low risk.
- 6.170 There is generally a low risk of surface flooding across the site, with two potential up to medium risk flow routes are identified running through the centre of the western part of the site although there has been no surface water recorded on the site. A detailed SuDs strategy is provided at Section 6 of the FRADS. The overall SuDs approach for the site is to have a proposed network of swales and attenuation basins, which will also deal with the potential low/ medium risk flow routes. This demonstrates that the proposed development is appropriate and the proposed surface drainage strategy mean there is no increase in flood risk elsewhere, thus meeting the requirements of the NPPF.
- 6.171 Whilst there is high level information identifying that there might be groundwater flood risk, there is no evidence of historic groundwater flooding and it is stated that there is no evidence for there being a future risk across Medway.
- 6.172 There is a foul sewer crossing the site and a combined sewer running along the edge of Pump lane, but no recorded related flooding incidents.
- 6.173 In conclusion, this FRADS demonstrates that the proposed development is appropriate and the proposed surface drainage strategy mean there is no increase in flood risk elsewhere, thus meeting the requirements of the NPPF. The SuDs approach of swales and attenuation tanks has been considered as part of the indicative layout.

## 16. Ground Conditions

- 6.174 The proposals are informed by a Phase 1 Ground Conditions Assessment, comprising a Preliminary Ground Stability Risk Assessment and a Tier 1 Qualitative Contamination Risk Assessment prepared by PBA Peter Brett. This is assessed in Chapter 9 of the ES and is attached at technical appendix 9.1 of the ES which provides an assessment of the potential ground conditions and potential for any soil contamination at the Site.
- 6.175 Based on historical and current land use, the potential for contamination to be present at the Site is Very Low with very limited areas being Low. There are therefore no currently identified significant Geoenvironmental risks at the Site which would preclude development for the proposed end use.
- 6.176 A review of potential geological hazards has identified the risk of land instability or potentially adverse foundation conditions to be present, in general, to be high. This is due to the risk of solution features associated with the dissolution of the Seaford Chalk Formation underlying the Site.
- 6.177 It is considered that provided further characterisation of the ground is obtained through a Phase 2 intrusive ground investigation and subsequent remediation and/or mitigation measures are adopted (if required), and that appropriate design and construction methods are used for the development, this will, in themselves, provide mitigation against the



---

potential issues and reduce residual impacts to an acceptable level. At this stage a desktop assessment is sufficient and that the extent of intrusive works can be agreed by planning condition. In terms of ground conditions, the development therefore accords with NPPF paragraph 170.

## 17. Utilities

- 6.178 A Utilities Report undertaken by PBA Peter Brett to support the planning application has been informed by consultation with the relevant utility providers and regulatory bodies - Southern Water (Water/Waste Supply), SGN, UKPN and BT Open Reach.
- 6.179 From review of the existing infrastructure plans, current loading information and responses received from all utility providers, it has been confirmed that based on the currently proposed development, there is existing electricity, gas and telecom infrastructure within the vicinity of the site, which currently has sufficient capacity within the existing networks to provide new supplies to the development without the need for off-site reinforcement.
- 6.180 Southern Water has identified insufficient capacity within their existing potable water network to accommodate the proposed development, with off-site reinforcement works required at five locations.
- 6.181 With regard to drainage a Feasibility Study has been requested from SW, which will identify sewer capacity availability and constraints, and identify possible solutions and points of connection for both foul and surface water.
- 6.182 In line with the Utilities Report's recommendations, updated programme information will be shared with relevant parties at an early stage to ensure that utility provider programmes for off-site reinforcement works are integrated.

## Conclusions

- 6.183 From analysis of the 16 issues identified in Section 6 it is clear that the proposals are sustainable, are acceptable in principle, have no significant material adverse affects and provide many positive benefits.

---

## 7 PLANNING BENEFITS: ACHIEVING SUSTAINABLE DEVELOPMENT

- 7.1 The development will deliver a wide range of important planning benefits relative to the three (economic, social and environmental) objectives of sustainable development, as set out in paragraph 8 of the NPPF (2019).

### CONTRIBUTION TO HOUSING DELIVERY

- 7.2 This Statement correctly emphasises the significance of the development in terms of the chronic housing shortage in Medway and the urgent need for the delivery of sustainable housing sites. In accordance with the requirements of the NPPF for the delivery of a sufficient supply of housing, the provision of 1250 new homes would provide a very significant contribution to housing delivery on an available site.
- 7.3 The development would meet a variety of housing needs including the provision of affordable housing and older person accommodation. As set out in the Rapleys Housing Assessment the short fall in over all housing supply includes a shortfall in affordable housing provision, estimated to be 5,106 units over the period 2012-2017. The development would make a very significant contribution to affordable housing provision with the contribution of up to 310 affordable units. This is a very considerable social benefit in terms of achieving overall stability.
- 7.4 The provision of affordable housing requires developers reduce their profit margin in order to deliver residential units that are priced below market rates. This acts, in effect, as a privatised subsidy. The Government has estimated (in their consultation document *Supporting Housing Delivery through Developer Contributions*, March 2018) that the value of this subsidy in 2016/17 was over £4 billion. This includes £75.4 million secured through commuted sums.
- 7.5 Within the south east, the total value of in-kind affordable housing was equivalent to £876 million. This figure does not include commuted sums towards affordable housing.
- 7.6 Affordable housing is defined within the NPPF as being at least 20% of market value. The average property price within Medway as of March 2018 is £243,217. For a scheme of 1,250 units in Medway, providing a policy compliant 25% affordable at 20% market rates, this gives a minimum generated value equivalent to around £15 million.
- 7.7 The provision of affordable housing, by encouraging household formation, also has a multiplier effect on public finances: it will help to create more households, and in turn increase revenue generated by council tax (alongside local spending and the promotion of job creation).

### PROVISION OF COMMUNITY FACILITIES

- 7.8 The core of the new development is the ‘village heart’ incorporating a village green and village centre with the commensurate level of facilities including retail to support the function of the settlement. Additionally the provision of recreational and open space and the school all aid the function of the settlement and provide facilities for those living in the settlement as well as those living in the vicinity.
- 7.9 Place-making is fundamental to the scheme with the provision of the necessary infrastructure and facilities to support the creation of a sustainable settlement. Overall the provision of these facilities supports the rural economy and provides significant social benefits.
- 7.10 Increasing the quality and quantity of the retail offer in an area helps to increase expenditure within an area and (by extension) expand an area’s overall market share.

- 7.11 In 2012, Business in The Community announced the *Retail Development Investment Framework*, a system that helped businesses and developers to quantify the likely effect of development within an area. The template for providing this assessment is no longer available on the website, but an executive summary report of the concept is still available online.
- 7.12 To help provide an indication of the impact that retail development can have on an area, the report includes a case study of the Marshall's Yard development in Gainsborough. It shows that retail development has the potential to:
- increase the amount spent within an area;
  - help an area to improve its market share of local expenditure;
  - provide opportunity for local business; and
  - increase expenditure within the local supply chain.
- 7.13 The increased population will help ensure that the future viability of community facilities such as healthcare centres, post offices, and schools, is supported in the long term. The current proposal would support the viability of the wider area by boosting the local economy, delivering a policy-complaint amount of affordable housing, granting a boost to the local economy, and by funding (through planning obligations) improvements to local community facilities such as healthcare and education.
- 7.14 As shown in Table 5 1,250 units can increase the amount of local spend by around £32 to £36.5 million per year. Increased spending will further benefit the viability of local services. Using the data in the table above, the estimated increase in local annual spend is as follows:
- Health - £650,000;
  - Education - £650,000;
  - Restaurants/hotels - £3.5million;
  - Recreation/culture - £6million.

#### IMPROVED ON-SITE ECOLOGY AND BIODIVERSITY

- 7.15 The existing orchard is a commercial farm which in terms of ecology and biodiversity is not important habitat. As part of production it is necessary to spray and fertilise the crops. This process whilst not harmful to health will no longer be necessary. The halting of the commercial practices including crop spraying will be a benefit to the surrounding ecology and wildlife.
- 7.16 It is the hedgerows around the periphery of the site that are considered capable of being beneficial for the species identified. The proposals bolster the amount and diversity of habitat, with a buffer zone around the site and landscaping between the individual development plots to create a connected habitats to allow the movement of animals through the site. The introduction of enhanced hedgerows, the green buffer, the mix of grassland habitats, garden areas and mature trees are all intended to promote biodiversity.
- 7.17 The addition of swales as part of the SuDs package provides further habitat improvements. Overall, it is considered that there will be a net benefit in terms of on-site ecology and biodiversity.
- 7.18 The proposals do not result in the loss of important habitat but rather improve the existing situation. Thus the measures put in place make a significant contribution to protecting and enhancing the natural environment.

- 7.19 In respect of the sites location within 6Km of the Marshes the accompanying ecology report sets out the necessary measures that can be introduced to mitigate any impact specifically from additional visitors to the Country Park. The proposals will be subject to SAMM financial contributions to towards and to provide strategic access management measures across the north Kent marshes.

#### IMPROVED ACCESSIBILITY AND MOVEMENT

- 7.20 The Site is enclosed and has limited connectivity with the surrounding area, the only public access being the existing bridleway.
- 7.21 The development would significantly open up the access to the Site and improve both pedestrian and vehicular connectivity and movement through the Site and onto the surrounding transport network. Vehicular connections are provided by the proposed vehicle access from Lower Rainham Road and from Beechings Way and on to Pump Lane (south). Public transport access to the development will be via the two main vehicular access points to the north and south of the Site.
- 7.22 Pedestrian movement would be improved through a number of connection points via a series of footpath links to the site including from Lower Rainham Road (north), Lower Bloors Lane (east), and Lower Twydall Lane to the (west).
- 7.23 Improved public transport links create jobs for those operating within the sector directly, and increase the accessibility of employment opportunities for local residents without alternative means of transport.
- 7.24 The extent of the influence which transport has on the economy was detailed in The Eddington Transport Study, commissioned jointly by Chancellor of the Exchequer and the Secretary of State for Transport, and published in December 2006. The report examines links between transport and economic performance. It is extensive in scope. For the purposes of the current application, the most relevant impacts that transport infrastructure may have on the economy:
- **Increasing business efficiency** - through time savings and improved reliability for business travellers, freight and logistics operations.
  - **Increasing business investment and innovation** - supporting economies of scale and new ways of working.
  - **Supporting clusters and agglomerations of economic activity** - transport improvements can expand labour market catchments, improve job matching, and facilitate business-to-business interactions.
  - **Improving the efficient functioning of labour markets** - increasing labour market flexibility and the accessibility of jobs, facilitating geographic and employment mobility.
  - **Increasing competition by opening up access to new markets** - transport improvements can allow businesses to trade over a wider area, increasing competitive pressure and providing consumers with more choice.
- 7.25 The clear economic benefits of improved transport development are various and additionally meet the other two objectives underscoring sustainable development: social (from increased connectivity between communities), and environmental (from improved public transport reducing the collective carbon footprint of settlements).

## BENEFITS TO THE RURAL ECONOMY

- 7.26 The release of Bloors Farm and Pump Farm for other purposes will generate additional funds that will enable AC Goatham and Sons to continue to meaningfully invest in farms that produce a materially higher fruit yield.
- 7.27 Table 5 at page 29 of the Lambert and Foster Report provides examples. Where release of land for residential purposes has offered clear business growth for AC Goatham and Sons, reinvesting in orchards and increasing in levels of employment and fruit production. This would give rise to a substantive local economic benefit in terms of the use of other BMV agricultural land. Conversely, should the opportunity to re-invest elsewhere be lost, this would mean a considerable disbenefit.

## EMPLOYMENT PROVISION

- 7.28 The creation of the new settlement will contribute to employment provision primarily through construction jobs. It should be remembered that this is scheme will be phased over circa 10 years and will therefore provide jobs over a considerable period of time for a range of trades and occupations, including opportunities for training and skills development. This amount of employment is not insignificant.
- 7.29 Additionally, although not formal employment uses the school and the care homes together with the village facilities all provide a range of employment provision including skilled and non -skilled roles. The provision of 1250 new homes will also attract a range of informal roles such as tradesman, gardeners, cleaners etc. which holistically all contribute to the local economy.
- 7.30 In 2015, the Home Builders Federation (HBF) published *The Economic Footprint of House Building in England and Wales*, an assessment of the effects of residential development on both the nation and the local area. HBF claim that this was the first document of its kind to analyse the economic contribution of housebuilding at a national level. The report was updated in July 2018.
- 7.31 Estimating the number of jobs supported by the housebuilding industry, the report states that those provided as a direct result of housebuilding is 239,000 as of 2017 (i.e. employment opportunities for housebuilders and their sub-contractors). This equates to between 34 and 45% of the total number of jobs supported by the industry as a whole. The findings of the report are explained below.

**Table 4: Employment Regeneration**

Employment Impact	Lower estimate	% of total	Upper estimate	% of total
<b>Direct</b>				
<i>housebuilders and subcontractors</i>	239,000	44.8%	239,000	34.3%
<b>Indirect</b>				
<i>house building supply chain</i>	119,500	22.4%	186,420	26.7%
<b>Induced</b>				
<i>the wider economy</i>	174,470	32.7%	272,270	39.0%
<b>Total</b>	<b>532,970</b>	<b>100.0%</b>	<b>697,690</b>	<b>100.0%</b>

Note: Induced jobs are defined within the report as 'other workers across the wider economy, for example providing goods and services to house builder, subcontractor and supplier employees'.

7.32 Taking the full range of jobs supported (532,970 to 697,690) and the net additional number of dwellings created in England and Wales for the year 2016/17 (224,054), the report states that the ‘scale of employment supported by house building is equivalent to between 2.4 and 3.1 direct, indirect and induced jobs per new dwelling built’.

7.33 Apply this to the current proposal, a scheme of 1,250 dwellings may support up to 3,875 jobs. In this regard it should be remembered that this development will take 10 years to build out.

#### Skills and Training

7.34 In providing such employment opportunities, housebuilding does not merely support jobs, but also provides the means by which young, lower skilled workers can undertake apprenticeships and training. This improves the employability of the local workforce, and has a positive effect on the local economy.

### FINANCIAL BENEFITS

#### Resident Expenditure

7.35 New housing creates new residents, who contribute to the local economy through local expenditure. The creation of a new village settlement of 1250 new homes will contribute a significant amount of revenue into the local economy, supporting shops and local businesses, thereby indirectly supporting the function of Medways existing centres.

7.36 Every year, the Office of National Statistics publishes detailed household expenditure rates for countries and regions. The latest figures were published on 24 January 2019.

7.37 Taking the figures for England and the South East, the average spend per week comes to £809.10 nationally and £965.60 regionally. This is broken down in the table below:

Table 5 Resident Expenditure

Item	England		South East	
	Per week	Per annum	Per week	Per annum
Food and non-alcoholic drinks	59.00	3,068.00	64.10	3,333.20
Alcoholic drinks	11.60	603.20	12.10	629.20
Clothing and footwear	24.40	1,268.80	27.10	1,409.20
Fuel and power	76.50	3,978.00	77.40	4,024.80
Household goods and services	39.40	2,048.80	49.30	2,563.60
Health	7.50	390.00	10.00	520.00
Transport	79.40	4,128.80	99.10	5,153.20
Communication	17.10	889.20	18.60	967.20
Recreation and Culture	73.40	3,816.80	93.50	4,862.00
Education	7.70	400.40	10.10	525.20



Item	England		South East	
	Per week	Per annum	Per week	Per annum
Restaurants and hotels	49.50	2,574.00	53.90	2,802.80
Misc. goods and services	42.60	2,215.20	50.50	2,626.00
<b>All expenditure groups</b>	<b>488.10</b>	<b>25,381.20</b>	<b>565.70</b>	<b>29,416.40</b>
<b>Other</b>				
<i>holidays, tax, insurance, holidays, etc.</i>	321.00	16,692.00	399.90	20,794.80
<b>Total</b>	<b>£809.10</b>	<b>£42,073.20</b>	<b>£965.60</b>	<b>£50,211.20</b>

7.38 Taking expenditure items that are likely to be spent locally (totalled above as *All expenditure groups*), the annual expenditure is around £25,000 to £29,000 per dwelling per annum (depending on whether one uses the national or regional average).

7.39 Based on the above, the potential expenditure for a scheme of around 1,250 residential units in the south east is likely to be around £32 to £36.5 million per annum.

7.40 In addition to routine annual spending, there is also considerable one-off spending from first-time buyers seeking to furnish their homes. Research carried out by One Poll for Barratt Homes in August 2014 found that the majority of people spend £5,462 for this purpose, and levels of expenditure can rise to £10,000.

7.41 Taking £5,462 as an average, a development providing 1,250 units may provide a one-off boost of over £6.8 million, much of which will go into the local economy.

#### Other Sources of Revenue

7.42 Residential development of this size provides other revenue streams which contribute to public finances. For local authorities there are two principal sources: Council Tax; and New Homes Bonus.

7.43 Both are assessed against tax bands for residential properties, the established average for which is Band D: Band D covers properties valued between £68,001 and £88,000 as at 01 April 1991.

#### Council Tax

7.44 For the year 2019/2020, the council tax in Medway for Band D properties is £1,686.34.

7.45 For a scheme providing around 1,250 units, the total generated by council tax is therefore likely to be somewhere in the region of £2.1 million per annum.

#### New Homes Bonus

7.46 The New Homes Bonus is a fund reserved to incentivise local authorities to deliver housing, and is tied increases in council tax revenue. Increases in council tax renders Council's eligible for a financial bonus. An additional premium is applied to the delivery of affordable housing.

7.47 Using the Government's New Homes Bonus calculator for the year 2019/20 (published 29 January 2019) a scheme of 1,250 Band D units in Medway (including a policy compliant delivery of 25% affordable) will generate a total payment of over £6 million over four years, (£1,514,113 per annum).

7.48 This would provide a considerable increase to the amount of funding that Medway currently receives from the New Homes Bonus. In their monitoring report of December 2018, they state that £5.3 million was received for the year 2017/18.

#### Total Estimated Revenue

7.49 Based on the new homes bonus and council tax rates (and assuming that all units are valued at the average rate of Band D), 1,250 units will generate the following (this is an estimate as Council tax rates will be subject to change):

7.50 £2,897.63 per unit for the first four years (to account for the New Homes Bonus); and

7.51 £1,686.34 per unit thereafter.

#### S106 Financial Contributions

7.52 Within Medway itself, the latest monitoring report states that the council received a total of £2.8 million in S106 contributions and just over £122,500 in Habitats Regulations contributions.

#### SUMMARY OF ECONOMIC BENEFITS OF RESIDENTIAL DEVELOPMENT

7.53 Based on the analysis above, the estimated effect on a development of 1,250 units within Medway is set out below:

Table 6: Summary of Various Economic Benefits

	Per unit	Whole development	Type of revenue
Jobs	Up to 3.1	Up to 3,875	
Council Tax	£1,686.30	£2,107,925	Annual recurring
New Homes Bonus	£4,845	£6,056,452	One off
Residential spending	c. £29,416.40	c. £36,770,500	Annual recurring
Furnishing home	c. £5,462	c. £6,782,500	One off
Affordable housing	£12,180.31	£15,225,384	One off
<b>Total annual recurring</b>	<b>£31,102.70</b>	<b>£38,878,425</b>	
<b>Total one-off</b>	<b>22,487.31</b>	<b>£28,064,336</b>	

7.54 These figures are naturally estimates and have been calculated using the methods described above. However, they indicate that the scheme can:

- support up to 3,875 jobs;

- 
- generate a one-off, short term injection of direct and indirect funding into the local economy equivalent to over £28 million; and
  - provide an annual contribution of almost £39 million.

#### SUMMARY

- 7.55 The creation of a new village settlement with the provision of up to 1250 new homes provides a very significant contribution to much needed housing, including affordable housing in Medway.
- 7.56 The building of the development would take circa 10 years will provides a significant amount of jobs during the construction phase, as but one important part of a package of integrated economic benefits. Once completed employment opportunities will arise in connection with the school, the care home and facilities located within the new village settlement. A residential scheme of this size can reasonably be expected to generate substantial residential expenditure together with the other revenue from council tax and financial contributions.
- 7.57 The provision of community facilities, landscaping and recreational areas all contribute to the provision of a new settlement. Where, as here, these are complimented by accessibility benefits, the social objectives of health and wellbeing are actively promoted.
- 7.58 In environmental terms, the habitat and biodiversity of the site is shown to be improved from the existing situation and access greatly improved.
- 7.59 In accordance with the presumption in favour of sustainable development and paragraph 11d of the NPPF the scheme has been carefully assessed within the context of all 3 stated objectives (economic, social and environmental) of the NPPF together with all relevant development plan policies, and other national policy and guidance which speak to the promotion of these sustainability objectives.
- 7.60 In this context, the development would evidently give rise to many and various significant benefits which together demonstrate sustainable development.

## 8 PHASING AND SECTION 106 HEADS OF TERMS

8.1 This Section outlines:

- The proposed phasing of the development;
- Matters related to affordable housing delivery; and
- The mechanisms to ensure the development is acceptable in planning terms.

8.2 This Section sets out the topics that are proposed to be included within the Heads of Terms (HoTs).

8.3 The Heads of Terms are to be discussed with the local authority and other key stakeholders during the consideration of the application. The need and justification for the draft obligations, together with the extent to which the draft obligations satisfy the statutory and policy tests in respect of the proposed development, is subject to further review. As such this document is necessarily submitted on a 'without prejudice' basis and is subject to contract at this time.

8.4 The Applicant is the freehold owner of the Site, which is assembled and readily available for development.

8.5 In the Heads of Terms 'phased' means either financial payment by instalments or physical delivery in phases (which may be one or more - subject to negotiation).

### Phasing

8.6 The Indicative Phasing Plan SK006 identifies the phasing of the development and where appropriate the obligations will be apportioned to the Phases.

8.7 The development of each Phase will be carried out in accordance with the agreed Implementation Phasing Plan for that Phase.

8.8 Development phasing.

Table 7: Indicative units. As shown on Indicative Phasing Plan

Phase 1	235 units plus local centre, care home and extra care facility
Phase 2	388 units
Phase 3	382 units
Phase 4	245 units
	School phased according to Section 106 [?]

### Affordable Housing

8.9 Subject to financial viability, up to 25% of the residential units on any Phase will be Affordable Housing. The actual amount will be determined through a viability assessment.

8.10 The viability assessment will be based on an agreed methodology and, if required, the subject of agreed independent scrutiny including by an assessment valuer.

- 
- 8.11 Subject to viability and unless otherwise agreed with Medway the tenure mix of the Affordable Housing will be based on identified need to be agreed at the reserved matters stage.
- 8.12 The design and specification of the Affordable Housing and its surrounding areas, is to be similar to that of the housing for private sale.

#### Education and Community Uses

- 8.13 A 'village centre' will be provided as part of the development. The details of the uses will be agreed at the Reserved Matters stage. The 'village centre' will be provided in phase 1 of the development.
- 8.14 A 60 bed extra care facility and a 80 bed care home will be provided in Phase 1 of the development. The details of the uses will be agreed at the Reserved Matters stage.
- 8.15 2.6 hectares of land will be reserved and offered for the provision of a 2 form-entry primary school.
- 8.16 A financial contribution will be offered towards the provision of appropriate secondary school places.
- 8.17 A financial contribution in line with the requirements of Kent County Council will be provided in lieu of the provision of a variety of additional off site community facilities.
- 8.18 A financial contribution related in line with the requirements of Kent County Council will be to the investment in the existing provision of library services.
- 8.19 A financial contribution in line with the requirements of Kent County Council towards the provision of off site health care provision will be provided.

#### Green Infrastructure and open space provision

- 8.20 No less than 13.356 ha of green open space shall be provided on the development. This shall comprise:
- A village green as part of the village centre;
  - A series of linked strategic landscape areas which include a variety of habitat areas;
  - 3 children's play areas;
  - 4 designated dog walking routes of differing distances; and
  - 6 off-lead dog areas.
- 8.21 A financial contribution can be made, as appropriate, in respect of the provision of off-site additional indoor sports facilities.

#### Environment and Ecology

- 8.22 Flood mitigation in the form of the use of SuDs will be provided as part of the scheme with details to be agreed at the reserved matters stage.
- 8.23 Provision of an appropriate financial contribution towards management and monitoring at the SPA / Ramsar sites, in accordance with the North Kent Coast SAMM; and
- 8.24 The provision of further financial contributions towards off-site recreational opportunities in the local area.

---

#### Air Quality

- 8.25 The provision of an appropriate financial contribution can be made, as required, based on the emissions mitigation calculation as set out in the Medway Air Quality Planning Guidance.

#### Highways and Transport

- 8.26 A contribution will be proposed to bus service enhancements and provision will be made for on-site bus service infrastructure relating to the proposed development.
- 8.27 It is expected that highway improvements will be secured by planning condition and a s.38/278 agreement and therefore do not form part of the heads of terms for the section 106 agreement.

#### Waste and Recycling

- 8.28 An appropriate contribution will be made in respect of the collection and disposal of waste.



---

## 9 CONCLUSIONS AND THE PLANNING BALANCE

- 9.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 the application must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 9.2 The development is promoted in the context of an obvious and chronic housing shortage in Medway. The Council does not have a formal position on their current supply although it acknowledges that it cannot demonstrate a five year supply of deliverable housing sites. The Housing Report produced by Rapleys concludes a very significant shortfall in housing supply, consistent with a mere supply of between 1.78 and 2.51 years. Irrespective of any debate surrounding the precise level of shortfall it is irrefutable that the housing situation in Medway is critical and needs to be urgently redressed through the delivery of sustainable development sites.
- 9.3 Paragraph 11d of the NPPF states that decisions should apply a presumption in favour of the sustainable development where policies which are most important to determining the application are out of date. Based on the lack of a 5 years housing land supply the tilted balance is engaged, in the circumstances of the Site and development. The tilted balance is indeed engaged by virtue of the fact of the housing land supply shortfall alone.
- 9.4 'Saved' Policy S1 directs development to brownfield land and places a blanket restriction on expansion onto fresh land whilst Policy BNE25 restricts development in the countryside in limited circumstances. Policy BNE34 further seeks to restrict development in Areas of Local Landscape Importance. These policies do not accord with the NPPF in terms of supporting the delivery of a sufficient supply of homes. These policies are therefore out of date and should be attributed no weight in the determination.
- 9.5 The principle of development should be considered against the other relevant policies in the plan and the sustainability of the site justified through the 3 objectives under the NPPF (economic, social and environmental).
- 9.6 The aged and deficient Local Plan was adopted in 2003, before the introduction of the NPPF and the PPG. The current plan evidently provides no mechanism for securing the required amount of housing and the 'saved' policies of the plan relevant to housing delivery are recognised as being out of date. The current plan is therefore not considered to be fit for purpose. Moving forward there remains considerable uncertainty as to how the draft plan will progress. The emerging growth strategy which promotes the Hoo Peninsular is entirely dependent upon the HIF bid. The outcome of the bid is expected in May 2019 but was not decided at the time of this submission.
- 9.7 The scheme proposes the delivery of 1250 new homes, including affordable homes within a new sustainable village settlement with significant social infrastructure as part of a Masterplan that supports place making and the creation of a place that is truly inclusive and accessible, as well as one that promotes health and wellbeing. The design and layout respond to the sites existing landscape features and topography and incorporates landscape and habitat improvements. The development would allow good access through the Site with improved cycle ways and additional bus routes.
- 9.8 There is no materially adverse impact on highways infrastructure. There is no adverse impact on the habitat or biodiversity of the Site or on the adjoining SPA. More generally, the Site is environmentally unconstrained and there are no site constraints that could not be suitably mitigated to allow the development coming forward. The development will provide important ecological and environmental benefits.
- 9.9 The existing orchard crop is coming to the end of its natural life and the operational requirements in terms of increased levels of labour, infrastructure and equipment are

---

needed to remain competitive make a new or meaningful orchard operation unviable. The Site is also not appropriate or viable for alternative agricultural uses.

- 9.10 To the extent that the Site may fall within the broad definition of BMV agricultural land in the NPPF the level of protection afforded to the land needs to be considered in the context of paragraph 170 which invites recognition of the economic and other benefits of the BMV agricultural land. In its current form the site provides no opportunity for any meaningful ongoing economic benefits without very further substantial expenditure, which will not come forward and cannot reasonably be expected to come forward from any successor.
- 9.11 The provision of a housing scheme allows substantive economic benefits in terms of reinvesting in agricultural provision elsewhere and other benefits in terms of improved ecology and increased landscaping on site. It is considered that not enabling the Site to be brought forward under this application would present a substantial disbenefit to the natural and local environment. The benefits outlined should be given very substantial weight when considering how the scheme can contribute to and enhances the natural and local environment as required by Paragraph 170.
- 9.12 The NPPF identifies three chief objectives which the planning system should target in the pursuit of sustainable development: economic, social and environmental. In assessing the planning benefits of the scheme, the sustainability of the Site has been robustly assessed against the NPPF. These can principally be outlined as follows:

#### Economic benefits

- Job creation including construction jobs, and the employment created by the infrastructure on site together with indirect job creation;
- Estimated that a scheme of 1250 dwellings may support up to 3,875 jobs;
- Opportunities for training and apprenticeships as part of the above;
- Increased revenue streams including Council Tax payments and the New Homes Bonus. with an estimated revenue generation of £2,897 for the first 4 years;
- Financial contributions from s106 contributions including the Habitat Regulations contributions;
- Increased residential expenditures with the average spend per week identified as £809.10 benefitting the retail outlets within the new village and the surroundings town centres; and
- Improved public transport between the site and the surrounding settlements.

#### Social benefits

- Delivery of up to 1250 new residential dwellings including up to 310 affordable units with an overall mix and tenure that can meet an identified need;
- The provision of a 60 bed extra care facility and an 80 bed care home, and a two form primary school;
- The creation of a village centre with the facilities commensurate with a scheme of this size providing an accessible and inclusive settlement; and
- Provision of landscaping and a mix of formal and informal open space providing space for both recreation and improved ecology and biodiversity that support health and social wellbeing.

---

### Environmental Benefits

- The loss of a commercial orchard which requires the spraying of crops meaning it does not itself attract biodiversity;
- The retention and improvements to the existing habitat with additional hedgerows that provide the most biodiversity on site. Additional of a wider variety of habitats than currently exist on site including a maintained green buffer around the site;
- Mitigation measures and provision of s106 contributions including tariff in respect of impacts to the North Kent Marshes; and
- The detailed sustainability credentials will be agreed at the Reserved Matters stage and secured by planning conditions and/ or s106 agreement.

9.13 In summary, the development would provide for very substantial economic, social and environmental benefits. Upon careful analysis of the 16 issues identified in Section 6 of this Statement, it is well demonstrated that the development is acceptable in principle and eminently sustainable.

9.14 No significant adverse impacts would arise from the development. Rather, the development would provide for many and various very important benefits that separately and together should attract very significant weight.

9.15 Accordingly, planning permission should be granted pursuant to section 38(6) of the 2004 Act, the NPPF and all other relevant national policy and guidance.

---

## Appendix 1: Pre-Application Package of Information

DP/18-01307

18 September 2018

FAO: Mr. Dave Harris  
Development Management  
Medway Council  
Gun Wharf  
Dock Road  
Chatham  
Kent  
ME4 4TR

33 Jermyn Street  
London SW1Y 6DN

0370 777 6292  
info@rapleys.com  
rapleys.com

LONDON  
BIRMINGHAM  
BRISTOL  
EDINBURGH  
HUNTINGDON  
MANCHESTER

Dear Mr. Harris,

**Re: Pre-application request for proposed development at Pump and Bloors Farm, Lower Rainham, ME8 7TJ.**

We act on behalf of A C Goatham and Son (ACGS) and write to request pre-application advice for a strategic development consisting of a primarily residential development for up to 1,250 dwellings at the land at Pump and Bloors Farm, Lower Rainham ME8 7TJ.

This letter is accompanied by:

- a site location plan;
- completed application form;
- proposed masterplan and note;
- local plan representations dated 25 June 2018;
- strategic Land availability assessment (SLAA) pro forma dated 16 August 2018;
- EIA screening opinion letter dated 17 August 2018 ; and
- EIA scoping report dated 15 August 2018.

These existing documents set out the merits of the site in full detail. This letter therefore only summarises the key points and sets out the most up to date policy position.

A pre-application fee of £2,977.50 has been made separately by our client. This covers the preliminary advice fee, a meeting at Council offices and a written response.

## Site and Surroundings

The site is made up of two farms, Pump farm (circa 23ha) and Bloor's farm (circa 25ha) ('The Site') which is grade 1 agriculture land currently in use as commercial fruit orchards. The farms are separated by Pump Lane, which runs from north to south through The Site. The Site is bounded to the south by the Chatham Main Line railway, to the north by Lower Rainham Road, to the east by Lower Bloors lane and to the west by Lower Twydall Lane.

The Site is not within a Conservation Area but there are several Listed Buildings in close proximity to the Site – including Pump Farm House, Chapel House on Pump Lane; York Farm House, Manor House, Twydall Barn, Manor Barn on Twydall Lane and The Black House on Lower Rainham Road.

The Site is designated within an area of Local Landscape Importance in the adopted Medway Local Plan and is within Flood Zone 1.

The surrounding area is characterised by a mixture of suburban development and agricultural land, to the south of the site at the far side of the rail line is the urban area of Rainham. Further to the north at the far side of Lower Rainham road are the marshes, which are a designated County Park, within flood zone 3.

These physical and policy constraints have been carefully considered in development of the proposals for the site. As can be seen from the EIA scoping application an extensive consultant team has been appointed to assess all technical and policy issues.

### **Proposal**

The proposal is for a development of some 50ha of agricultural land for approximately 1,250 dwellings at Pump and Bloor's farm in Lower Rainham. The intention is to submit an outline application with access and general layout to be approved and other matters reserved.

The proposal includes vehicular and pedestrian access points which permeate the site and a high quality natural landscape. The proposal introduces a high quality residential development which is complemented by green spaces and landscape features, which provide the site with a green ecological and recreational lung.

The site is further enhanced by the inclusion of a commercial centre to provide amenities and services to the community whilst incorporating a new 'village green' area which further enhances the site and forms a green link which maintains the green corridor throughout the site. The scheme at this stage makes the provision of a primary school but will be subject to further discussion with the Education Authority and yourselves.

### **Planning History**

Following a review of the planning history of the site, there has not been any recent or relevant applications on the site, apart from an application (ref: MC/02/2397) for 23 dwellings which was approved in November of 2003.

### **Policy Considerations**

The adopted Development Plan for the site comprises the National Planning Policy Framework (NPPF) adopted July 2018 and the saved policies of the Medway Local Plan 2003 adopted in May 2003, updated in September 2007. Medway Council is currently preparing their future Local Plan which will guide development within the borough up to 2035. Representations have been made to the 2018, Regulation 18 consultation and August 2018 SLAA.

#### **National Planning Policy Framework 2018**

The Government published the National Planning Policy Framework (NPPF) in July 2018. The document sets out the Government's planning policies for England and how these should be applied.

The NPPF replaces all planning policy guidance and planning policy statements which previously formed the national tier of planning policy guidance. The National Planning Policy Framework must be taken into



account in preparing the development plan, and is a material consideration in planning decisions. Planning policies and decisions must also reflect relevant international obligations and statutory requirements. So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development.

### **Decision Taking**

In terms of decision taking, paragraph 11 advises that Local Planning Authorities (LPAs) should approve development proposals that accord with an up-to-date development plan without delay; or 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:

- the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed;
- 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.

In the context of the above the site is not within an area of particular importance as set out in footnote 6 of the NPPF. In our view the benefits of the proposal far outweigh any harm, and in the absence of an up to date plan and lack of a 5 year housing supply, the positive assumption should be applied.

In order to achieve sustainable development, the NPPF sets out several underpinning aims which provide the context of assessment of development proposals. The different aims – in so far as they are relevant to the assessment of this application – are set out below.

### **Delivering a sufficient supply of homes**

The NPPF confirms within paragraph 59 that the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.

### **Identifying land for homes**

The NPPF confirms within paragraph 72 that the supply of large numbers of new homes can often be best achieved through planning for larger scale development, such as new settlements or significant extensions to existing villages and towns, provided they are well located and designed, and supported by the necessary infrastructure and facilities. Working with the support of their communities, and with other authorities if appropriate, strategic policy-making authorities should identify suitable locations for such development where this can help to meet identified needs in a sustainable way. In doing so, they should:

- consider the opportunities presented by existing or planned investment in infrastructure, the area's economic potential and the scope for net environmental gains;
- ensure that their size and location will support a sustainable community, with sufficient access to services and employment opportunities within the development itself (without expecting an unrealistic level of self-containment), or in larger towns to which there is good access;
- set clear expectations for the quality of the development and how this can be maintained (such as by following Garden City principles), and ensure that a variety of homes to meet the needs of different groups in the community will be provided;

- make a realistic assessment of likely rates of delivery, given the lead-in times for large scale sites, and identify opportunities for supporting rapid implementation (such as through joint ventures or locally-led development corporations); and
- consider whether it is appropriate to establish Green Belt around or adjoining new developments of significant size.

### **Achieving well-designed places**

The NPPF advises within paragraph 124 that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve.

Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities

Furthermore the NPPF requires in paragraph 127 that planning policies and decisions should ensure that developments:

- will function well and add to the overall quality of the area, not just for the short-term but over the lifetime of the development;
- 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);
- 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 and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

However, as confirmed within paragraph 131, in determining applications, great weight should be given to outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.

### **Promoting healthy and safe communities**

The NPPF confirms in paragraph 92 that 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.

### **Medway Local Plan 2003 (Saved 2007)**

The most relevant policies to the site within the saved policies of the adopted local plan are outlined below.

**Policy BNE34** (Areas of Local Landscape Importance) states that within the areas of Local Landscape Importance defined on the Proposals Map, development will only be permitted if:

- it does not materially harm the landscape character and function of the area; or
- the economic and social benefits are so important that they outweigh the local priority to conserve the area's landscape.

Development within an Area of Local Landscape importance should be sited, designed and landscaped to minimise harm to the area's landscape character and function.

**Policy BNE48** (Agricultural Land) states that development that would cause a loss of the best and most versatile agricultural land (MAFF grades 1, 2 and 3a) will not be permitted. Exceptionally, development will be permitted when:

- there exists an overriding need for the development that is of more significance than the considerable weight to be afforded to protecting the best and most versatile agricultural land; and
- there exists a lack of suitable development opportunities on previously developed sites and land within the boundaries of existing developed areas; or
- either sufficient land in lower grades is unavailable, or available lower grade land has statutory landscape, wildlife, historic or archaeological designation which outweigh agricultural considerations; and
- where grade 1, 2 or 3a land needs to be developed and there is a choice between sites in different grades the development is proposed on land of the lowest grade.

**Further relevant policies within the saved policies of the Medway Local Plan include:**

- Policy BNE1 General Principles for Built Development;
- Policy BNE2: Amenity Protection;
- Policy BNE6: Landscape Design;
- Policy BNE47 Rural Lanes;
- Policy CF11: Renewable Energy;
- Policy H3: Affordable Housing;
- Policy S1 Development Strategy; and
- Policy S2 Strategic Principles.

**Emerging Local plan**

Medway Council is currently preparing a new Local Plan up to 2035. At present, there have been three rounds of consultation carried out; firstly a Regulation 18 Issues and Options Document was published for consultation in February 2016, with a further Regulation 18 consultation for a Development Options Document held in April 2017.

The Site was formerly promoted for housing development through the representations of Begur limited during the Development Options Document consultation in April 2017.

The Council has recently carried out a further Regulation 18 consultation on a Development Strategy Document in June 2018. We have submitted representations on behalf of ACGS to promote residential development at the site; a copy of these is included within the pre application package.

The Site has previously been identified in both the November 2015 and January 2017 Strategic Land Availability Assessment (SLAA). The January 2017 assessment notes the site is unsuitable, but does not include an assessment of the Site. However, the 2015 SLAA offers an assessment of both Pump and Bloors farms and identifies The Site as having the potential to provide 609 and 656 residential units respectively, subject to addressing constraints relative to landscape and agriculture. The current proposal will address these constraints as will be evidenced by the planning application package.

A further SLAA call for sites took place during August 2018 and in light of the above we submitted The Site for consideration on behalf of our client. Please see attached submitted SLAA pro forma which is included within the pre application package.

### **Other Policy considerations**

The current position relative to housing supply has been reviewed in light of recent Council committee reports where it is acknowledged that a five year housing land supply can not be demonstrated. We have also reviewed the Council's annual monitoring reports, the most recent of which dates from December 2017. Using this data and the historic undersupply of homes and trends, we have calculated that the current housing land supply is approximately three years, with this trend set to continue and worsen going forward.

### **Planning considerations**

In light of the above planning policy position and history of the site, the following are key considerations within the determination of proposal.

An EIA screening opinion letter and a scoping report have been submitted to the Council to seek to agree the scope of documents required for the application. These documents also form part of the pre-application package for ease of reference.

A full project team has been appointed to provide technical expertise which will form the information presented within the application package. An initial Masterplan has been produced which accompanies this pre application package. This has been informed by the appointed landscape consultant. An agricultural consultant has also been appointed to provide an assessment of The Site in terms of agricultural land.

A transport consultant has been appointed and is currently carrying out highway surveys within The Site environs. An Ecologist has been on site for the past number of weeks carrying out surveys throughout The Site. A multi-disciplinary consultancy has been appointed to provide scoping and technical information on flood risk and drainage, foul water, utilities, air quality, acoustics and land contamination. An archaeologist has also been instructed to carry out an assessment of The Site and selective trial trenching.

### **Principle of the proposed land use**

As outlined within the attached representation and noted within the 2015 SLAA assessment the site has a capacity for approximately 1,250 dwellings subject to addressing the identified constraints of the landscape designation and the use of agricultural land.

Notwithstanding the constraints identified by the 2015 SLAA, the planning benefits of the site are clear and the proposal should be supported. Not least, the current lack of a five year housing land supply indicates that new housing should be a priority within Medway. As evidenced by our representation and the summary information below the proposal is achievable and deliverable within the early part of the plan period.

A review of the available housing figures and their projected growth in housing indicates a significant shortfall in housing provision over the next five years and beyond. Therefore the proposed 1,250 homes would go some way to alleviate this shortfall as the site is both achievable and deliverable within the next five years. This is further discussed within our recent representations to the recent emerging plan consultation.

Given the location of The Site, it would lend itself in line with NPPF paragraph 72 to become a natural extension of the existing urban area of Rainham which is separated from The Site by the rail line at present. The proposal would incorporate the existing built up area by improving the link between the existing urban area and the proposal site for both pedestrian and vehicular access.

The proposal would improve the overall permeability of the area allowing for an increase in pedestrian and vehicular flow through the site which in turn would increase the connectivity of Rainham with the marsh County Park and the Estuary to the North of the site, providing a significant benefit to the current residents of Rainham.

The proposal would provide a sustainable residential development, which would be further complemented by new community facilities and landscaping, seeking to enhance the physical appearance of the site whilst providing much needed homes and facilities.

The proposal would provide a focal point for the area, by establishing a sensitively designed community core with much needed amenities and facilities, further strengthening the connection between the proposed development and the existing Rainham urban area.

The proposal includes new landscaping with the formation of a new village green and green ‘links’ throughout the site which form the green lung running through the site. The proposed green spaces also serve to provide an ecological benefit to the site.

The proposal would represent a highly sustainable urban extension to Rainham, which is both achievable and deliverable in the context of the current policy situation. In particular the proposal would represent a far more sustainable location, than for example the ‘Hoo Peninsula’ option outlined within the Councils Development Strategy Document which was out for consultation in June 2018. We have further expanded on this point within our recent representations. It doesn’t need the provision of substantial infrastructure to be delivered at an early stage in the plan process. It will help deliver the Council’s 5 year housing supply until large strategic sites can be delivered.

### **Loss of Agricultural land**

As noted within the attached representations, ACGS is one of the major fruit growers in the UK. They have confirmed that The Site will become surplus to core requirement as commercial orchards and will become available for redevelopment during the currency of the Local Plan process. This coincides with a discernible trend of considered future reinvestment by ACGS in other, comparatively preferential, sites located nearer to its hub farm operations. This point is fully explored within our recent representations.

An agricultural report is being prepared to provide the Council with further comfort that the existing agricultural land is not suitable for re-use. It is envisaged that this report will be informed by an operational report on behalf of the client outlining the nature of the commercial orchards and their limited lifespan. These documents will form part of an application package.

### **Landscape**

The Site is designated as an Area of Locally Valued Landscape; it is our view that there will be no significant impact on the landscape value. Robust evidence for this will be provided through the planning application processes. A detailed commentary is also explored in our recent representations.

The masterplan and commentary which is included within the pre application package, shows the indicative layout and potential access routes through the site as well as providing the logic and the overall strategy for the proposal. The attached masterplan has been reviewed by the appointed Landscape Consultant who

provided initial feedback on the proposed layout in terms of the impact on the landscape. A full landscape assessment will provide the framework for the final masterplan and will be submitted within a future planning application.

### Highways

An Initial analysis of The Site was carried out in terms of traffic impacts and the potential capacity of The Site. The initial analysis confirmed that the site is capable of supporting a capacity of some 1,250 new dwellings. At present there are further surveys being conducted on the highway network serving the site, which will inform a future planning application.

### Pre Application Advice Sought

In seeking pre-application advice, we request that the Local Authority provides, via preliminary advice, a meeting and subsequent written advice, guidance on the following:

- The principle of the proposed development;
- Design and layout of the proposed scheme;
- The key development management considerations; and
- The scope of the Planning Application and supporting documentation required.

I look forward to receiving acknowledgement of this request for pre-application advice. If you have any queries, or require further information, please do not hesitate to contact me on the number below.

Yours sincerely,



Duncan Parr (Sep 18, 2018)

### Duncan Parr

BA DUPI Dip TP FRGS MRTPI Cgeog MEWI  
Partner  
Town Planning  
duncan.parr@rapleys.com  
07795 175853



**Brief Design Statement**

**The site**

The land is located south of Lower Rainham Road, centred upon Pump Lane and extending, in part to Lower Bloors Lane to the east and to Lower Twydall Lane to the west. The southern-most boundary is formed of the railway.

With the exception of a pair of agricultural buildings and some static caravans, the site is otherwise entirely laid out to apple orchard, interspersed with occasional windbreaks of typical hedgerow species.

The land gently slopes downwards from south to north, and is constrained by further boundary planting, both on and off site.

There is a listed building, Pump Farmhouse, located centrally along Pump Lane, which has a recent, small residential development erected to its west and south. A further listed building sits at the junction of Pump Lane and Lower Rainham Road.

When we analyse the site, we can see that there are in fact few neighbouring properties that actually interface with the development area. The railway screens the site from all of the residential area to the south and, apart from those properties on Pump Lane, the only other adjoining properties are those on Lower Rainham Road,

**The Objective**

The objective is to create a new residential development area comprising of some 1,250 new dwellings along with areas of structural landscaping, open space and other community assets to provide suitable facilities for a new population.

**Constraints**

Access –

North of the railway arch, Pump Lane is currently a narrow, in part single track road, constrained by hedgerow on both sides. Further north, before meeting Lower Rainham Road, the eastern side gives way to a row of houses with direct, and more open frontage to the lane. There are no footways for the entire length of Pump Lane until it emerges south of the railway.

Neither Lower Twydall Lane, nor Lower Bloors Lane are suitable for any significant level of vehicular access, although a field access towards the northern end of the latter is currently used regularly by articulated vehicles

Any new access would be restricted to that section of Lower Rainham Road, west of the junction with Pump Lane only

A right of way links across Bloors Farm from Lower Bloors Road, emerging onto Pump Lane just north of Pump Farmhouse. There are no other formalised public pathways. The orchard land has been informally used by local dog-walkers.

The land enjoys a right of way through to Lower Rainham Road between Pump Lane and Lower Bloors Lane, although this may be suitable only for pedestrians.

There is no present access onto Lower Twydall Lane. There is a public footbridge across the railway linking the two halves of the road. There may be opportunity to form a connection.

Topography and existing landscape features -

There are no topographic constraints, the site having only a gentle fall to the north. Assuming all orchard trees to be cleared, there are no landscape constraints. It would be desirable to retain windbreaks where practical, although they have limited ecological value. The existing boundary vegetation is suitable for retention, with scope for enhancement in places

Existing Services

The land is crossed by an existing foul water sewer. It would be desirable to maintain, and therefore emergent layouts should incorporate.

Any overhead electricity cables will be diverted underground

## **The Proposal**

The aim of the present proposal is to generate a residential development which provides an attractive place to live, with its own sense of place, whilst still retaining much of the somewhat rural character of the site and its environs.

This is first achieved by the maintenance of a central, and continuous 'green lung' across the site, integrating with existing pedestrian routes into a corridor of varying green spaces, affording a safe network of connectivity for both pedestrians and wildlife.

Secondly, by enveloping the development within a green edge, which will cushion the development against its immediate neighbours and provide a continuous corridor for movement and ecology, which would be further reinforced by allowing development to front out onto these spaces where possible, rather than back gardens.

The draft masterplan shows that the 'green lung' would be largely centred on the existing right of way. This would now cross a new 'village green' and pond, forming the heart of the development. The public route would be extended across the Pump Farm land to link a new children's play area with a counterpart on the Bloors Farm land.

We would intend to maintain the more open prospect from the rear of the existing houses on Lower Rainham Road, by locating a new primary school with playing fields in this part of the site. The school building itself being single storey and might more easily reflect something of a rural aesthetic.

The school ties into the green edge, linking it to the village green.

A new, primary road link is made onto Lower Rainham Road, giving way to a circular route within the development, with connection to the Pump Lane rail bridge. The present proposal is to limit the use of Pump Lane as a through route. The intention being to maintain as much as possible the existing character of the lane, and preserving the setting of the listed building of Pump Farmhouse. This is shown to be reinforced with a further wedge of green space on its northern side, and which leads onto and through a small commercial centre. The latter would provide some employment opportunity with small scale 'start-up' units and may also include a doctor's surgery, some retail and a public house.

Included is the possibility of retaining some orchard on a community basis, which is shown to surround the existing central residential development.

### **The Residential Area**

It is intended that the development should provide some 1,250 new dwellings on circa 34 hectares. The precise area is yet to be finalised. This would produce an average density of 36-37 dwellings per hectare (about 15 dwellings per acre).

The housing layout will be designed to integrate a variety of 'character areas' each reflecting varying density levels, and will embody the best aspects of sustainable community design in terms of layout, amenity, permeability, legibility and visual quality. Such 'character areas' may take the form of lanes, streets, squares, mews etc., with built forms to suit. One such location for special consideration is the point at which the new primary roadway interacts with the southern section of Pump Lane. This is a location where it is felt that a 'sense of arrival' would be most appropriate, especially on entering the site from the south, and to perform the function of a distribution and reference point to other parts of the development.

The housing will consist predominantly of two storey housing, but should include areas of three storey, or of individual, distinct buildings that may act as way-markers within the scheme.

### **A Continuing Care Retirement Community (CCRC)**

The site potentially provides a good opportunity for the inclusion of a CCRC. A care-based, C2 development providing purpose-built accommodation for retired and elderly individuals in a range of living types. Typically such developments would include a care home, close care/assisted living units and a range of dwelling types for those capable of more independent living. All of these would be either within, or centred round a central core building, that would provide communal facilities including restaurant, private dining, lounges, bar/pub, library/IT, and craft room. In addition typically would be a wellness centre comprising of a pool with changing rooms, sauna, steam room and Jacuzzi, along with equipped gym, dance/fitness studio, hair and beauty salon and spa treatment rooms.

It is important to the CCRC that it interacts with the wider community, frequently including a range of social activities to include local residents, or opening up the wellness centre on an age-restricted membership basis. It is well proven that CCRC's can have a positive effect on local communities, and integration into new developments offer an additional dimension to living options

The CCRC has been situated in the north east corner of the development site. The nature of a CCRC scheme is that whilst it consists of a number of dwellings, the land is not sub-divided by gardens. Rather the site is left open such that they become buildings in a landscape setting, the open-ness being important for visual surveillance and encouraging more social interplay between residents. The location therefore blend nicely with the landscaped development edge, further reinforcing the green-ness of the perimeter, and maintaining more of the character of Lower Bloors Lane against which it abuts.

The single main entrance to the CCRC will be from within the development, but there is opportunity for some access utilising the existing field access off Lower Bloors Lane. This would be restricted to staff and service vehicles only. The location allows scope for building heights of up to three storeys, and the effect of the necessary scale of the main core building lessened.



Client:  
A. C. GOATHAM & SON



Project:  
PUMP FARM & BLOOR FARM  
LOWER RAINHAM, KENT

24 Church St West,  
Woking, Surrey,  
GU24 6HT  
01483 494 350  
info@prc-group.com  
www.prc-group.com

Drawing Title:  
PROPOSED RESIDENTIAL DEVT  
MASTERPLAN  
DRAFT 2

Scale @ A2: 1:2500  
Checked by: SEPT 2018  
Date:

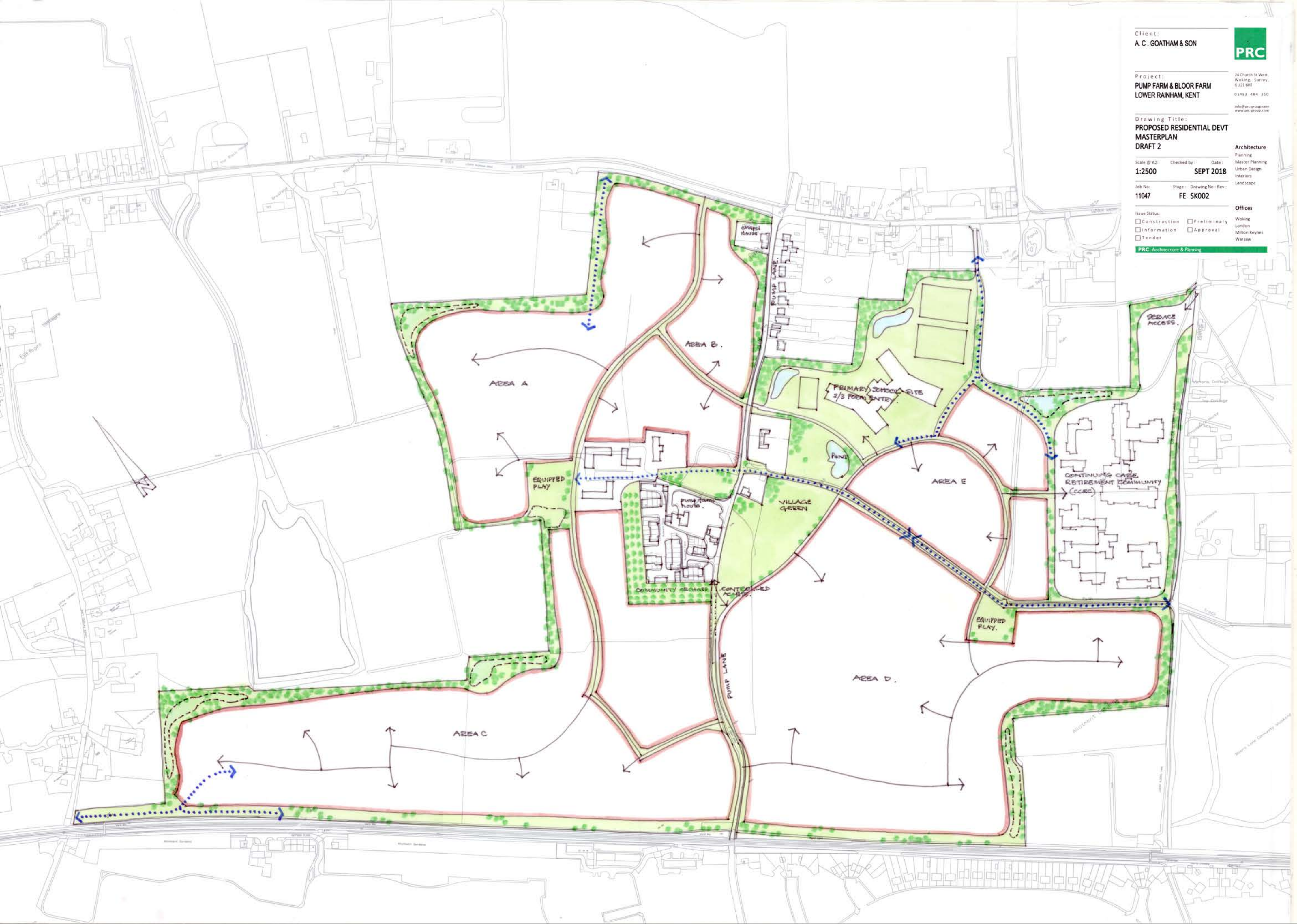
Job No: 11047  
Stage: FE SK002  
Drawing No: Rev:

Issue Status:  
☐ Construction  
☐ Information  
☐ Tender  
☐ Preliminary  
☐ Approval

Architecture  
Planning  
Master Planning  
Urban Design  
Interiors  
Landscape

Offices  
Woking  
London  
Milton Keynes  
Warsaw

PRC Architecture & Planning





---

## Appendix 2: Pre-Application Response from the Council



Please ask for: Hannah Gunner  
Tel: 01634 331581  
Our Ref: PRE/18/2755  
Date: 19 November 2018



Mr Duncan Parr  
Rapleys  
33 Jermyn Street  
London  
SW1Y 6DN

Planning Service  
Physical & Cultural Regeneration  
Regeneration, Culture, Environment &  
Transformation  
Gun Wharf  
Dock Road  
Chatham  
Kent  
ME4 4TR  
01634 331700  
01634 331195  
[Planning.representations@medway.gov.uk](mailto:Planning.representations@medway.gov.uk)

Dear Mr Parr

**PROPOSAL: Proposed residential development of up to 1250 dwellings.**  
**LOCATION: Land At Pump Farm And Bloors Farm, Rainham, Gillingham, Kent,**  
**ME8 7TJ**

I refer to our meeting of 1 November 2018 regarding the above proposals. In attendance at this meeting was:

- Hannah Gunner (Senior Planner, Medway)
- Tom Gilbert (Senior Planner - Policy, Medway)
- Duncan Berntsen (Senior Urban Design Officer, Medway)
- Stuart Steed (Environmental Protection Officer, Medway)
- Su Ormes (Public Health Programme Manager, Medway)
- Robert Neave (Principle Transport Planner, Medway)
- Daniel Atkinson (Flood Risk Officer, Medway)
- Duncan Parr (Rapleys)
- Conor Healy (Rapleys)
- Simon Tucker (DTA, Transport Consultant)
- Gary Symes (PRC, Architect)
- Paul Whatley (Lloyd Bore, Landscape Architect)

A number of issues were discussed within the meeting in reaction to the proposed outline application for up to 1250 new dwellings. The discussion also incorporated the provision of accommodation for the elderly, shopping facilities and the provision of a new primary school.

The meeting included looking at local plan issues and the SLAA process, land allocations, access, air quality, open space provision, place making and potential visual impact specifically. These are covered below.

## *Policy*

### Development Plan Status

The current Development Plan for Medway is formed of saved policies of the Medway Local Plan 2003 (MLP). These are in force until a new Local Plan has been adopted.

Work has started on the production of a new Local Plan in 2014, with a planned adoption date 2020. The detailed programme for this work is outlined in the Council's Local Development Scheme published in the January 2018.

### 5 Year Land Supply

At present the council acknowledges that it does not currently possess a 5 year land supply for housing and a 20% buffer should be applied, as per paragraphs: 11, 14 and 73 of the NPPF 2018.

This calculation is based on figures from the latest published AMR 2016-2017. Figures for 2017-18 year are yet to be finalised and will be so by December 2018.

This does not mean that applications should be automatically approved. They still have to be assessed in line with other relevant policies of the NPPF since the Supreme Court judgement of May 2017 on the interpretation of 'relevant policies'.

- (Suffolk Coastal District Council (Appellant) v Hopkins Homes Ltd and another (Respondents) Richborough Estates Partnership LLP and another (Respondents) v Cheshire East Borough Council (Appellant)

It indicated that the narrow interpretation of the phrase 'relevant policies' is to be applied. As such only housing policies which refer to the number and distribution are deemed out of date automatically, other policies need to be tested for their conformity with the NPPF in order to clarify the level of weight that can be applied to them.

### Strategic Land Availability (2018)

In July 2018 Medway Council published its latest version of the SLAA assessing site for suitability for inclusion within the emerging Medway Local Plan. Sites 750 and 1061, which form this pre-application area were tested. Both sites were found to be unsuitable for the following reasons: access to services, landscape and impact on agricultural land.

Whilst the SLAA does not grant planning permission and influence it in anyway it does highlight the potential issues for a site.

### Principle of Development

The proposed scheme comprises a residential use of up to 1,250 units. The proposed scheme falls outside the urban boundary in the countryside (Policy BNE25), an area of local landscape importance (BNE34). In normal circumstances the proposal would in principle be unacceptable. It would be deemed contrary to the

strategic direction of the MLP2003 highlighted in Policy S1. This policy directs development to brownfield sites and is supported by policy BNE25 that restricts development in the countryside.

The application of these policies is compromised by the two elements. These are the lack of a 5 year housing land supply (as explained above) and the conformity of the policies to the NPPF.

As noted above the site lies outside of the urban boundary and so policy BNE25 applies. An assessment of the conformity of this policy with the NPPF - undertaken by the Council- has found it to have significant issues, except as a definition of the separation between the urban and rural areas.

Due to the present 5 year land supply the sustainability of the site is very important. Sustainability is defined in paragraph 8 of the NPPF. It has three dimensions, including: environmental, social and economic considerations. Any assessment needs to encompass all of the dimensions of sustainable development and note that they are 'mutually dependent' as per paragraph 8 of the NPPF. Therefore further investigation is needed in order to ascertain the principle of development.

Therefore we would expect an application to justify the sustainability of the site through the 3 strands in the NPPF (economic, social and environment).

### Economic

The NPPF defines the economic role as:

'to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating development requirements, including the provision of infrastructure;'

Development of the site would bring about short-term economic benefits through construction jobs and associated employment. However this is very niche and would not supply work for the new residents of the proposed development. These residents will need to find employment elsewhere and the proposal is not located within a sustainable distance of existing employment sites that is a key consideration as per (para 104). Therefore the development would not be sustainable economically.

Overall the site would bring about economic benefits, but these may not be sustainable in the long-term.

### Social

The NPPF defines the social role as:

'supporting strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with

accessible local services and open spaces that reflect current and future needs and support the communities health, social and cultural well-being;'

Upon review of the above statement and the relevant sections of the NPPF issues relating to affordable housing, housing mix and accessibility of services.

#### Affordable housing

NPPF para 63 and MLP2003 Policy H3 require affordable housing. The proposed site is partly within the rural area for the purposes of these policies. In this instance affordable housing is required for developments of 15 units or a site area of 0.5 ha. The proposal is for 1250 residential units on a site therefore 25% of units proposed should be affordable.

#### Housing mix

Paragraph 61 of the NPPF requires local planning authorities to plan for a mix of housing.

The North Kent Strategic Housing Market Assessment (SHMA) (November 2015) stated that the council may seek to follow a similar size distribution in its market housing delivery as in the current total housing stock, based on the 2011 Census (approximately 10% one bed, 25% two bed, 49% three bed, 13% four bed and 3% at least five bed).

#### Accessible Services

Paragraph 91 seeks to promote sustainable development through housing being located accessibly to services. In initial sustainability work undertaken for the SLAA the site was deemed to have moderate access to local facilities (local centres and education). However the site is located near sustainable to transport options (bus stops).

Overall the site is felt to be relatively sustainable subject to design review from a social perspective.

#### Environmental

The NPPF defines the environmental role as:

'contributing to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigating and adapting to climate change including moving to a low carbon economy.'

When reviewing the above statement and the relevant sections of the NPPF issues surrounding landscape and agricultural land have been identified.

#### Landscape

The site is within an area of local landscape importance. A designation supported by paragraph 170 of NPPF. This stipulates that valued landscapes should be protected and enhanced.

To assess the value of the landscape the Medway LCA 2011 has been reviewed. The site falls within section 21. Lower Rainham Farmland of the Medway LCA 2011. This describes the site as having moderate sensitivity and moderate condition. It recommends to 'resist further built development and introduce more positive landscape management systems'. Therefore the criterion within policy BNE34 is still supported and the principle of development would still harm the function of this area making any development in principle unacceptable.

#### Agricultural land quality

The site is grade 1 agricultural land as defined by agricultural land classification mapping 1988. Grades 1-3 are the best and versatile agricultural land. As such this area demands a certain level of protection from development as outlined in para 170 of the NPPF that seeks to recognise the 'economic and other benefits' of BMV agricultural land.

Therefore in principle the site would be inappropriate due to the loss of high grade agricultural land. However the Council is aware that the 1988 mapping is high level and so any application would have to accurately define the agricultural land grade in which the site is located and set out the economic potential of the agricultural elements of the site to justify its loss.

#### Conclusion

In summary while it is noted that the proposal would bring about positive benefits in relation to the delivery of housing. However in Planning Policy terms there are concerns relating to the environmental, economic and social impact. For these reasons the proposed development would not be sustainable and should not be considered acceptable.

#### *Environmental Protection*

The Councils Environmental Protection officer spoke generally in relation to the impact that this proposal may have on the local road network and the fact that there are existing AQMAs located within Rainham and the surrounding areas.

It was stated that notwithstanding the need for an EIA, technical assessments will be required covering contamination, noise/vibration and air quality. These reports will be required with any planning application. In respect of noise/vibration and air quality, the scope and methodologies should be agreed up front with the Environmental Protection Team. The application should be made aware of the Medway Air Quality Planning Guidance (April 2016). This is available on line at [https://www.medway.gov.uk/.../id/.../medways\\_air\\_quality\\_planning\\_guidance.pdf](https://www.medway.gov.uk/.../id/.../medways_air_quality_planning_guidance.pdf)

#### *Public Health*

The public health issues that need some thought relate to the provision of a dementia community, home zones and shared spaces. It is recognised that this

would be detailed at the design stage however, it would be well received if recognised at the early stages. It was also mentioned that funding for service improvements to the Healthy Hub Centres could be requested.

### *Affordable Housing/Extra Care*

The scale and numbers proposed in this scheme requires the 25% affordable housing contribution. More detail is found on this matter within the Developer Contribution Guide 2018. Additional to the affordable housing provision it has been raised that an extra care scheme is needed within this part of the Hoo area.

Extra Care is considered to sit somewhere between a care home facility and a sheltered housing scheme. These are 1 or 2 bed units with kitchen facilities but also there is provision of a communal canteen, possibly treatment rooms, a gym, hairdressers etc. These additional facilities being available not just for occupants of the scheme but also can act as a hub for a wider residential area. In order for the extra care scheme to be viable it needs to provide a minimum of 60 units. These would provide a mix of rented and shared ownership and would not require the same 1-1 parking provisions of a normal residential scheme.

The provision of this here was discussed within the meeting and it is suggested that if you wish for further information on this matter that you could contact Arron Nicholls (senior housing related support programme officer) [arron.nicholls@medway.gov.uk](mailto:arron.nicholls@medway.gov.uk).

### *Schools*

A school is incorporated within the proposed scheme, shown to be fairly central within the site. Given that the number of proposed units exceeds 750 units there would be a need for a school to be provided. The minimum requirement would be a 2 form entry primary school, however for further clarification would need to be sought through the Councils Education Team to establish what is required in terms of site area and provision.

### *Highways*

In relation to access, the general layout was discussed in relation to the main access being of Lower Rainham Road, which would bypass the existing narrow Pump Lane. It was described how there is an ambition to create a new dominant route through the site which would remove traffic [pressures from existing, restricted roads. Routes through the site need to be considered, not just for vehicular traffic but also pedestrian and cycle routes through the site, linking the proposed housing to facilities (existing and proposed).

It was noted that to date there have been no discussions with Arriva in relation to bus provision. It will be necessary to show evidence of the need (or lack of need) for any bus route expansion.

More detail will be set out within the Transport Assessment Scoping Note response from Robert Neave, direct to your transport consultant, Simon Tucker. (Which I believe is imminent.)

The link below relates to the Medway Council guidance note in relation to traffic modelling.

[https://www.medway.gov.uk/downloads/file/2334/transport\\_assessments\\_guidance\\_note](https://www.medway.gov.uk/downloads/file/2334/transport_assessments_guidance_note)

If any further information is sought in relation to this I advise that you contact [andrew.bull@medway.gov.uk](mailto:andrew.bull@medway.gov.uk).

### *Flood and Drainage*

National Planning Policy Framework states that a site specific Flood Risk Assessment (FRA) is required for developments in;

An FRA is required if the development is:

- in flood zone 2 or 3 including minor development and change of use
- more than 1 hectare (ha) in flood zone 1
- less than 1 ha in flood zone 1, including a change of use in development type to a more vulnerable class (e.g. from commercial to residential), where they could be affected by sources of flooding other than rivers and the sea (e.g., surface water drains, reservoirs)
- in an area within flood zone 1 which has critical drainage problems as notified by the Environment Agency.
- Such an assessment would set out a proposed scheme for the management of surface water to ensure there is not an increased risk to flooding on or off the site as a result of the development.

The site covers a large area, some of which are in locations at risk of low, medium and high surface water flooding. We highly recommend avoiding building in areas of high risk. Dependant on depth of development in medium and low risk areas, we would expect to see flood resilience measures. For example, raised finished floor levels to a level at which they would be out of the potential flood depths as well as fitting solid floors. The site is in flood zone 1 for coastal and fluvial risk.

The site is located on areas of clay and chalk and therefore offers many options for SuDS. Paragraph 079 of National Planning Policy Guidance Flood and Coastal Change states that when considering major development, sustainable drainage systems (SuDs) should be provided unless demonstrated to be inappropriate.

Paragraph 80 of National Planning Policy Guidance Flood and Coastal Change presents a hierarchy of drainage options to follow with the aim being to discharge surface runoff as high up the hierarchy as possible. This is also reiterated within Part H of the Building Regulations. The options are:

- 1 Into the ground.
- 2 To a surface body.
- 3 To a surface water sewer, highway drain, or another drainage system.
- 4 To a combined sewer.

The SuDs scheme should be designed in accordance with SuDs Management Train principles including the prevention of runoff by reducing impermeable areas and utilising source, site and regional controls where necessary.



A primary constraint associated with this site is the underlying clay geology which will likely preclude the use of infiltration measures; however it would still be possible to utilise SuDS techniques for conveyance and treatment through the site such as the use of (lined) permeable paving, swales and filter strips, which can be used within open space areas and designed to enhance the development aesthetically, increase biodiversity, and improve water quality. These SuDS systems may be used in conjunction with infiltration methods on the areas of chalk. As long as there are no groundwater conditions which would preclude the use of infiltration, infiltration techniques may be acceptable subject to further infiltration and geotechnical testing. Data supplied by the British Geological Survey states 'there is a very significant potential for one or more geohazards associated with increased infiltration'.

We would also recommend the use of rainwater harvesting, grey water recycling and water butts where practicable in order to provide an additional means of surface water attenuation as well as reduced demand on potable water supplies.

It should be ensured that there is a maintenance schedule in place for the lifetime of the development to maintain any SuDS which serve it. We will need to see a plan of the frequency of maintenance based on guidance in the CIRIA SuDS Manual as well as details of who will carrying out the maintenance.

At a detailed design stage, the Flood Estimation Handbook (FEH) should be used for the design storms opposed to FSR.

MicroDrainage outputs (or other industry appropriate software) should be provided for the critical duration for a range of storms up to and including the 1 in 100 year + 40% intensity climate change scenarios.

Surface water simulations should also be submitted at detailed design stage including relevant MicroDrainage outputs or other industry recognised software.

*Design (feedback and discussion from meeting of 1 Nov and 8 Nov 2018)*

It is noted that this is a large scale development that is set out of a series of different 'plots' currently. The likelihood is that these plots would be sold off separately and therefore would be built by different developers. It would be a key consideration of any proposal coming forward how exactly this would work, ensuring that place-making is set out and guaranteed at the early stages.

There is a need to try and avoid 'ordinary' and 'standard' design and as a Local Authority, Medway are being more demanding when it comes to quality and standard. It will therefore be important to set out how the scheme works, looking at the emphasis on landscape as well as architecture.

It is noted that the site is not flat and as a result, topography and how that is incorporated within the early stages is an important issue. The site allows for some views out toward the estuary and it is considered important that the rural and open nature of the site is recognised in bringing a design forward. It is because of its rural location, acting as a green buffer that this site has always in the past not been viewed as an appropriate site/area for development.

A number of questions or points for consideration were put forward in terms of design. These include:

- SuDs - at this stage how might they be incorporated into design in a positive way?
- Health - how can this be incorporated to influence the place-making aspect?
- This will not have a blanket density. How can we ensure a more variegated scheme? How will the rural edge develop?
- What parameters could be set out within an outline submission?
- Some sort of design code would be required to inform the forthcoming applications and drive the place-making of the site.

In short, there is a vast amount of work that needs to be done on design before the application is submitted to ensure the quality of design that would be required. To summarise in a more simple way, Duncan has suggested the following process which should be demonstrated. This would help understand where and why you have arrived on design and how this has moulded the submission:

1. Recording - This should be a detailed account of the site and its surroundings
2. Analysis - This should detail the context, the site, the surroundings
3. Creativity - Identify and be creative with the sites originality and uniqueness
4. Interpretation - Provide clarification and definition of the aspects that will mould the character of the site and development.
5. Synthesis - bringing together aspects that can be exploited from the creative and analysis work.
6. Place making - Use characteristics and information generated to create the 'community' and place narrative for that coming forward.
7. Distil -Parameters that best use the opportunities of the site and context from above. This can be expressed as a form of 'Design Code'.

It was suggested in the meeting of 8 November 2018 that both Duncan and myself would be happy to review a draft of any documentation coming forward, with a view to assisting the process.

### *Bird Mitigation Contributions*

Whilst not covered within the pre-application meeting, there will be a requirement to provide contributions toward Bird Mitigation.

Natural England requires all new housing schemes/applications to be considered against Regulation 61 of the Habitats Regulations, especially where sites are within 6km of Protected Landscape Areas, SSSI or Ramsar sites. Natural England advises that there is a likely significant effect on recreational impact on the over wintering bird interest from new residential development on Special Protection Areas and Ramsar Sites that comprise the North Kent Marshes. All development for new housing within 6km of these protected sites are required to be accompanied by a Habitats Regulations Assessment demonstrating suitable mitigation measures against harm to these areas or provide a financial contribution per unit to enable the impact on wildlife in these areas to be screened out and to provide strategic access management measures across the north Kent marshes.

The proposed residential units fall within 6km of these protected sites and as such come under the terms of this request. The tariff which has been agreed across all of the local authorities involved and Natural England, currently stands at £239.61 per new/additional dwelling, excl. legal and monitoring officer's costs which separately total £550.

In the instance of your proposal the cost would be:  
£299,512.50 (based on 1250 new dwellings @ £239.61 each)  
£550 (legal and monitoring costs)  
**£300,062.50 TOTAL**

Your agreement in principle would be requested at an early stage which if resolution to approve is agreed will be pursued through a unilateral undertaking which has to be completed by the applicants. Details are available on our website and also a draft undertaking is there for you to use.

### *Planning Obligations*

This application will require developer contributions to be made through the submission of a Section 106 Agreement. Medway Council's Guide to Developer Contributions, a Supplementary Planning Document sets out what obligations and contributions will be required for future developments. Developers are expected to take account of, and meet the requirements of, this document before submitting planning application to the council. It is designed to help them know what the council is likely to require for new developments in Medway.

Given the likely level of public opposition to this scheme it is recommended that you fully engage with the contribution process, to demonstrate that the additional demands for infrastructure and services generated by the development can be mitigated.

The link below sets out some of the typical requirements. It is advised that specific discussion occurs in relation to this prior to the application submission.

[https://www.medway.gov.uk/downloads/file/2745/medway\\_guide\\_to\\_developer\\_contributions\\_and\\_obligations\\_2018](https://www.medway.gov.uk/downloads/file/2745/medway_guide_to_developer_contributions_and_obligations_2018)

### *Member Presentation*

Given the size, location and type of development here, it is advised that a member presentation should take place before/at the early stages of the planning application submission in order to clearly outline the proposals and overall scheme to Council Members.

Early engagement with Members can provide very useful feedback and can support their positive consideration of the application.

As set out in the email from Dave Harris (sent 5 November 2018), if you would like to schedule something in the New Year please the Council (either myself or Dave Harris) that this can be arranged.

## *Planning Performance Agreement*

A Planning Performance Agreement (PPA) is a framework agreed between a local planning authority and a planning applicant/agent for the management of complex development proposals within the planning process. A PPA allows both the developer and the local planning authority to agree a project plan and programme, which will include the appropriate resources necessary to determine the planning application to an agreed timetable.

A PPA is intended for applications for large, complex development projects, unconstrained by the 13 week limit. It makes clear in advance what will be required of each party for the effective and efficient processing of the application. A PPA does not commit the LPA to a particular outcome. It is a commitment to a process and timetable for determining the application.

A fee for this scheme could be agreed nearer the time of submission. This will include the fees for:

- The Members presentation
- Pre-application charges you have already paid (which will be discounted)
- Planning officer time for the Section 106 Agreement (but not legal time)

Agreement to enter into a PPA would be recommended. The PPA costings can be discussed with Dave Harris (Head of Planning) once agreed. I note that a PPA Template was also sent by Dave Harris in his email of 5 November 2018.

## *Conclusion*

The above letter sets out the constraints that are currently considered to be of concern at this site. It also sets out that if an application is to be forthcoming, the level of detail that would be required, justifying the loss of agricultural land, the proposed impact on transport and air quality as well as setting out a satisfactory design code.

I must point out that the advice given above is at officer level and does not indicate the acceptability of the proposed development or otherwise. Members of the Council are not bound to follow any advice or requirement set out in the formal determination of any planning application.

I trust the content of this letter is helpful to you. Should you wish to discuss any matters further please do not hesitate to contact me.

Yours Sincerely

Hannah Gunner  
Senior Planner