



Planning Policy
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Growth and Communities

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BY EMAIL ONLY

20 May 2022

Dear Sir/Madam,

Re: Cliffe and Cliffe Woods Neighbourhood Plan - Regulation 16 Consultation

Thank you for consulting Kent County Council (KCC) on the Cliffe and Cliffe Woods Neighbourhood Plan, in accordance with the Neighbourhood Planning (General) Regulations 2012.

The County Council has reviewed the Neighbourhood Plan and for ease of reference, has provided comments structured under the chapter headings and policies used within the Neighbourhood Plan.

Chapter 5 – Housing

Sustainable Urban Drainage Systems (SuDS): The County Council, as Lead Local Flood Authority, would recommend that housing delivery sites include priority for integrating sustainable drainage systems within green infrastructure. This is supported by paragraph 169 of the [National Planning Policy Framework \(2021\)](#) (NPPF) which requires that “*Major development should incorporate sustainable drainage systems (and) should where possible, provide multifunctional benefits*”. It is advised that the Neighbourhood Plan also considers the need for all development drainage proposals to include systems which are, to a reasonable degree, at the surface, whilst also providing water quality benefits, promoting amenity and increasing biodiversity.

Chapter 7 - Environment and Heritage

Environment

SuDS: The County Council recommends that the Neighbourhood Plan acknowledges the water environment in any of the considerations.

It is understood that the parish is traversed by a substantial overland flow route and there is a significant area to the north of the parish, within Flood Zones 2 and 3, in association with the River Thames. The parish area is underlain by Sandstone and Upper Chalk bedrock; therefore, it is very important that drainage provision within any new development is appropriately considered, and ground conditions are fully investigated so that potential impacts of new development are appropriately mitigated.

The County Council does not hold sewer records for Medway but would recommend emphasising in the draft Neighbourhood Plan that the discharge of surface water to the foul sewer system should not be permitted. It would also be beneficial if the draft Neighbourhood Plan included a fully considered policy on surface water management or referenced blue infrastructure provision, alongside green infrastructure.

KCC would draw attention to [Neighbourhood Planning Support](#), which includes resources and specific advice regarding the inclusion of the environment and surface water, such as "[Neighbourhood Planning for the Environment](#)". It is also recommended that the Steering Group refers to [Medway's Local Flood Risk Management Strategy](#).

Biodiversity: The County Council recognises that Chattenden Woods and Lodge Hill ancient woodland is a non-statutory designated site for nature conservation within the parish boundary, and notes the following statutory designated sites:

- South Thames Estuary and Marshes SSSI, SPA and Ramsar site
- Thames Estuary & Marshes SSSI, SPA and Ramsar site
- Buckland Lake Reserve, Cliffe SSSI, SPA and Ramsar site
- Chattenden Woods And Lodge Hill SSSI

KCC supports the inclusion of these statutory designated sites and the associated [Strategic Access Management and Monitoring Strategy](#) (SAMMS), whereby developers have to pay a tariff for the expected extra pressure upon the designated site. References to ancient woodland are also recognised within the text of the draft Neighbourhood Plan, however, there is no mention of these sites in any of the proposed policies. Whilst these are afforded a high degree of protection and do not need an associated policy within this draft Neighbourhood Plan, it is recommended that any large developments within the parish provide high-quality open space to help relieve pressure upon the designated sites.

KCC notes that planning applications adjacent to the statutory designated sites are allowed to be submitted. However, it is advised that the draft Neighbourhood Plan includes a policy with appropriate criteria to assess any development proposals within a certain distance of the statutory designated sites and the ancient woodland, which has specific protection under paragraph 180 of the NPPF.

Native species landscaping could be encouraged within the draft Neighbourhood Plan to both maximise biodiversity value, as non-native plants have little to no biodiversity value, and safeguard irreplaceable and sensitive habitat, such as the ancient woodland. KCC would recommend the promotion of habitat connectivity, as there are priority habitats within the

parish – including traditional orchard, lowland woodland and calcareous grassland, which could be identified and safeguarded from loss or degradation. It is important that green space and habitats do not become isolated by development. Sensitive lighting within developments could also be promoted, as this is now considered a primary factor in the decline of invertebrates, which are the faunal basis of our ecosystems.

KCC would also note that district and county councils, including unitary authorities, have the power to lease or purchase land and to designate Statutory Local Nature Reserves under Section 19 of the [National Parks and Access to the Countryside Act \(1949\)](#). The District Council is able to delegate its powers for this purpose to the Parish Council. KCC would draw attention to [Local nature reserves: setting up and management](#) for full guidance on this matter.

Policy E&H2: Biodiversity

Biodiversity: The County Council would recommend the following changes to Policy E&H2:

- Removal of the word ‘expected’, as it is pertinent to include phrasing in regard to protected species assessment (protected under the Wildlife and Countryside Act 1981 and/or the European Union Habitat and Species regulations) as well as safeguarding biodiversity.
- In addition to the NPPF and Local Plan reference regarding biodiversity, section 40 of the [Natural Environment and Rural Communities Act \(2006\)](#) (NERC) could also be included.
- Change the second sentence to ‘Developments must demonstrate a *measurable* biodiversity net-gain in alignment with the [Environment Act \(2021\)](#)’. Biodiversity net gain legislation within the Environment Act (2021) has replaced the BS:42020 and will be mandated by late 2023, according to the latest advice from the Department for Environment, Food and Rural Affairs (DEFRA).

Heritage

Heritage Conservation: The County Council is pleased to note that the majority of KCC’s comments have been included from the last iteration of the Neighbourhood Plan.

KCC would advise that the text on page 42 of the draft Neighbourhood Plan is amended to ‘As a result of feedback from *Kent County Council's Heritage Conservation team*’.

Policy E&H3: Hidden History

KCC would recommend that the wording of the policy is changed to ‘The nature and significance of the heritage assets identified *in the Kent Historic Environment Record or elsewhere*’.

Although the draft Neighbourhood Plan has been developed, it continues to regard that a higher density of heritage assets is more significant, which is not always the case. A single highly significant asset may require more active engagement from the developer and

planners than a dense cluster of less significant assets. The County Council recommends that the Hidden History Maps 1 and 2 are removed to limit opportunities for misinterpretation on this point.

Chapter 8 – Economy and Employment

Minerals and Waste: The County Council notes that any development which compromises the Brett facility in Cliffe may have implications for the supply of aggregates into Kent.

Chapter 9 – Infrastructure

Highways and Transportation: The County Council, as Local Highway Authority, would recommend that the document is updated to reflect the current status of the Medway Local Plan and the updated NPPF (2021). KCC would draw attention to paragraph 113 of the NPPF, which states that “*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*”. Therefore, depending on the size of the sites that come forward within this area, it is required that Travel Plans are developed and implemented to encourage sustainable development.

KCC would highlight that any planning applications for sites that are predicted to have an impact on the Kent highway network would need to be assessed by the County Council to determine whether they would result in a severe impact on the local road network. Although the inclusion of upgrades to specific walking and cycling routes is welcomed to encourage travel by sustainable modes of transport, especially to Gravesham, KCC would note that it is unclear if these are deliverable.

Neighbourhood Plan Policies

Policy INFRA3: Transport – walking and bridle ways

Public Rights of Way (PRoW): In this policy, where developments should make appropriate connections to public rights of way, the County Council would advise adding ‘making improvements to PRoW as well as retaining their rural character’ to the text.

Identifying local bridleways and their potential as cycle routes may strengthen future project funding bids that the Steering Group may wish to capitalise on. The Steering Group may also wish to engage with the KCC PRoW and Access Service and the Medway Council PRoW Team on this matter.

The England Coast Path and extension to the Thames Path, which are both National Trails, have the potential to bring more visitors to Cliffe and expand existing facilities, for example, Bed and Breakfast accommodation. KCC would emphasise that it may be beneficial to highlight these long-distance trails within the draft Neighbourhood Plan. It is noted that National Highways are preparing a Development Consent Order application for the Lower Thames Crossing and are in the process of exploring the possibility of allocating funding to local communities to improve walking and cycling within an informal, 7 mile radius of the new

tunnel. This funding is called '[Designated Funds](#)' and it is recommended that the Steering Group explores the potential to improve the local network and connecting routes with KCC's PRow network.

Policy INFRA4: Parking – Cars and Cycles

Highways and Transportation: KCC generally supports this policy, however, would recommend that the provision for visitor parking and minimum standards for cycle parking are stated within the text. This includes a proportion of cycle spaces for use by adaptive bikes for those with mobility issues and, depending on use, mobility aid parking such as mobility scooters. Car ports and car barns can be a suitable alternative to garages, which are often used for other purposes than storing vehicles.

Policy INFRA6: Public Transport - Cycling in the Neighbourhood Area

Highways and Transportation: The County Council is supportive of this policy, however, cycling facilities are recommended to be designed in line with the Department for Transport's [Cycle Infrastructure Design \(Local Transport Note 1/20\), 2020](#), instead of the Local Transport Note 1/12, 2012. Depending on the size of the developments, applicants are encouraged to assess the provision of the existing public transport and provide improvements, for example, an increase in frequency, where necessary.

KCC would welcome continued engagement as the Neighbourhood Plan progresses. If you require any further information or clarification on any matters raised above, please do not hesitate to contact me.

Yours sincerely,

