

CLIFFE AND CLIFFE WOODS RESIDENTS DEVELOPMENT GROUP

mycliffevillage@gmail.com

Constituted 29 March 2022 | Rule 6(6) party to appeal APP/A2280/W/22/3313673 | Nominating body for the APCM Recreation Ground asset of community value

Ms Hannah Gunner

Principal Planning Officer, Development Management

Medway Council, Gun Wharf, Dock Road, Chatham, Kent ME4 4TR

By email: hannah.gunner@medway.gov.uk and planning.representations@medway.gov.uk, and via the planning portal

Copy: Mr Peter Hockney, Head of Development Management Planning Service

9 September 2026

Dear Ms Gunner

OBJECTIONS FILED, AND SIX REQUESTS ABOUT THE CONDUCT OF THESE APPLICATIONS

MC/26/1720, MC/26/1721, MC/26/1722, MC/26/1723 and MC/26/1724

Land to the east and west of Church Street, Cliffe, Rochester

The group encloses five objections, one to each of the applications validated on 7 and 8 September 2026. Each stands on its own and each asks to be placed on its own file. This letter raises six matters which cut across all five and which the group asks you to deal with before any of them is determined.

1. Consultation periods and closing dates

The register shows, for each of MC/26/1720, MC/26/1721, MC/26/1722, MC/26/1723 and MC/26/1724, no consultation start date and no consultation expiry date, while each carries a “Make a Comment” facility and an internal target date of 2 or 3 November 2026.

The group makes no complaint about this. It recognises that all five were validated only on 7 or 8 September 2026, that Medway ordinarily publishes consultation dates a number of days after validation, and that neighbour consultation is not run on applications of this type. The group asks simply that a consultation period of at least twenty-one days be set and published on each of the five, that on MC/26/1721 it run from the date on which that application’s documents are published, and that the five closing dates be confirmed in writing to mycliffevillage@gmail.com.

MC/26/1721 requires separate attention. It was validated on 7 September 2026 and its documents tab is empty: it contains no application form, no covering letter and no drawing. The four companion applications validated on the same day and the next all have documents. The group asks that the documents for MC/26/1721 be published without delay, and that the Council confirm in writing whether the application was validated with or without them.

2. Internal consultation

The group asks that the following consultations be issued, if they have not been already, and that the responses be placed on each file before determination. The group makes no

assumption about whether any of them has been issued; it asks only that the position be recorded.

- **On MC/26/1720 and MC/26/1724, the Council's environmental protection team. On MC/26/1720 the Council's own Air Quality Planning Guidance states that clarification on the damage cost methodology "should always be obtained from the Environmental Protection Team", and the Council's air quality pages advise developers to contact that team to agree methodologies. The group's objection to MC/26/1720 asks a specific question which only that team can answer.**
- **On MC/26/1721, MC/26/1722 and MC/26/1723, the Council's highways officers, in their capacity as local highway authority. On MC/26/1722 the submitted general arrangement drawing names Kent County Council as the body which would adopt the proposed highway drainage, and the word "Medway" appears on none of the four drawings.**
- **On MC/26/1722 and MC/26/1723, the officers holding the ecology and arboricultural responsibilities. Each has submitted a site clearance drawing. That application proposes the removal of trees and the removal and relocation of a pole, with no arboricultural information of any kind and no electricity apparatus plotted.**

3. These five are not the pre-commencement package, and the group asks the Council to record what remains

The group is conscious that five applications arriving together may read as a complete pre-commencement package. On the Council's own register it is not one.

Only three conditions have been discharged on this permission: condition 5 in MC/24/0801, condition 6 in MC/24/1396 and condition 53 in MC/25/0101. Eleven applications are undetermined: MC/26/1459, MC/26/1465, MC/26/1466, MC/26/1467, MC/26/1542, MC/26/1646, MC/26/1720, MC/26/1721, MC/26/1722, MC/26/1723 and MC/26/1724.

No application has been made under conditions 7, 9, 13, 14, 20, 21, 34, 38, 40, 42 or 43. Condition 12 is the subject of MC/26/1723, which was validated on 7 September 2026 and is undetermined. Among the conditions for which no application has been made, the following bar commencement:

- **condition 9, the Construction Environmental Management Plan, which applies to any phase of development "including site clearance or preparation" and which, unlike conditions 7, 21, 22, 32, 34 and 54, contains no exception for highway works. The group has now read the Schedule of Conditions annexed to the appeal decision of 28 November 2023. As imposed by the Inspector, none of conditions 7, 21, 22, 32, 34 or 54 contained an exception for highway works; the exceptions now found in them are not in the Inspector's schedule. The group has not seen the decision notice for MC/24/0750 and therefore asks the Council to confirm that the exceptions were inserted by that non-material amendment. If they were, the Council should record it, because condition 9 is then the one pre-commencement control the amendment did not relax;**
- **conditions 13 and 14, further highway works in the same form as conditions 10 and 11, condition 12 being the subject of the undetermined application MC/26/1723;**
- **condition 20, which bars commencement, other than that required as part of an approved scheme of remediation, until conditions 20 to 22 have been complied with, conditions 22 and 23 being undetermined in MC/26/1542;**
- **condition 7, archaeological field evaluation, which the group raised in its letter of 14 August 2026; and**

- **conditions 38 and 40, which govern the replacement pitches.**

The group therefore asks that any decision notice on any of these five record expressly that the approval confers no entitlement to commence development of any kind, including site clearance or preparation, and identify the conditions which remain to be discharged. The Inspector said so in terms at paragraph 78 of the decision: “Conditions 1, 7, 9, 10, 11, 12, 13, 14, 20, 21, 22, 23, 26, 32, 34 and 54 are required to be pre-commencement conditions as it is fundamental that these details are agreed prior to any works commencing on site.” Residents who see contractors arrive on Buttway Lane or Cooling Road will need to know whether what they are seeing is lawful, and the decision notice is the document they will read.

4. Which decision carries the operative conditions

The group raises this because the applicant’s own documents are inconsistent about it.

On MC/26/1720 the Emissions Mitigation Statement states that it “provides the EMS required by Condition 54 of MC/24/0750”, while the covering letter and application form filed with it identify the permission as MC/22/0254 and the appeal reference. On MC/26/1724 the noise impact assessment states twice that “The Site was granted approval under Medway Council (MC) application reference: MC/24/0750”, and elsewhere in the same document that “Application reference MC/22/0254 was granted consent by MC”.

Neither is correct. MC/22/0254 was refused by the Council on 11 November 2022. The permission exists by virtue of the appeal decision of 28 November 2023. MC/24/0750 was a non-material amendment under section 96A of the Town and Country Planning Act 1990, and its own first informative states that it “is not a re-issue of the original planning permission MC/22/0254 (as approved at appeal - ref:APP/A2280/W/22/3313673), which still stands” and “must be read in conjunction with that original permission and any subsequent condition discharge application”.

The group asks that each decision notice identify the condition being discharged as a condition of the permission granted on appeal under APP/A2280/W/22/3313673, as amended by MC/24/0750 where applicable, and that the Council satisfy itself in each case that the applicant has addressed the operative wording.

5. Two requests about how the applications are handled together

First, MC/26/1722 concerns the access to the replacement sports ground. Two of its drawings record that the junction is tracked for a refuse vehicle, a van and a large car, and that coach access would require the radii to be changed. The design and layout of the ground that access serves is undetermined under condition 41 in MC/26/1646, the reserved matters for that phase are undetermined in MC/26/1467, and no application has been made under conditions 40, 42 or 43. The group asks that MC/26/1722 be determined alongside MC/26/1646 and MC/26/1467, because they concern the same activity on the same land.

Second, the group asks that its Formal Representation of 9 August 2026, its objection to MC/26/1646 of 7 September 2026 and its supplementary objection of 8 September 2026 be linked to each of these five files.

6. There is no time pressure

The deemed discharge provisions in section 74A of the Town and Country Planning Act 1990 do not apply to any of these applications. Article 30(a) of the Town and Country Planning (Development Management Procedure) (England) Order 2015, made under section 74A(6)(c),

disapplies deemed discharge where the condition falls within Schedule 6 to that Order, and paragraph 2(1)(a) of that Schedule exempts a condition attached to the grant of planning permission where the development permitted is EIA development. At paragraph 52 of the appeal decision the Inspector recorded that this proposal is EIA development, supported by an Environmental Statement. The Council can take the time these applications need.

The group would be grateful for written acknowledgement of this letter and of the five objections enclosed with it, for confirmation that each has been placed on the relevant file, and for notification to mycliffevillage@gmail.com on the day any decision is issued on any of the five.

No member of the group is a lawyer. These letters are written by residents, on the documents the Council has published, and the group would welcome correction on any point where it has misread them.

Enclosed: objections to MC/26/1720 (condition 54), MC/26/1721 (condition 10), MC/26/1722 (condition 11), MC/26/1723 (condition 12) and MC/26/1724 (condition 26), each dated 9 September 2026.

Copy: Cliffe and Cliffe Woods Parish Council; Cllr Gary Etheridge, Cllr Mrs Elizabeth Turpin and Cllr John Williams, Strood Rural ward.

Yours sincerely

Patricia Leslie (Chair)

For and on behalf of Cliffe and Cliffe Woods Residents Development Group

mycliffevillage@gmail.com