

Planning Policy Team,  
Regeneration, Culture, Environment and Transformation,  
Medway Council,  
Gun Wharf,  
Dock Road,  
Chatham,  
Kent.  
ME4 4TR

31st July 2025

Dear Sir,

**Medway Local Plan 2041 Regulation 19 consultation, July 2025**

Introduction

Peter Court Associates have again been instructed by the owners of Port Medway Marina, namely Messrs. David and Neil Taylor, to submit appropriate representations on this new draft Regulation 19 consultation document. This submission is therefore the latest in a series of representations on behalf of my clients, comprising your Issues and Options Consultation Document in February 2016, the Development Options Consultation Report of January 2017; the Local Plan 2012-2035 Regulation consultation that was submitted to you on 2<sup>nd</sup> May 2018 and the Regulation 18 Draft Plan in September 2024.

When making those previous submissions I explained the nature of my clients' business and their intentions. I did so as I considered it appropriate to set out the context in which the submissions were being made.

It is my clients' intention to submit a planning application for their proposed developments at Port Medway Marina, a site which has now been identified as a proposed allocation (reference CHR14) in the Regulation 19 draft local plan. Nevertheless, in doing so, it will be appropriate to demonstrate that they have also recognised that Medway Council has been progressing a new

local plan and that they have therefore taken the opportunities to set out their responses to draft policies and other questions posed in those consultation documents.

#### Comments on the relevant policies:

##### Policy CHR 14 Port Medway Marina

It must first be stated that my clients, the owners of Port Medway Marina (PMM) are delighted that their site has been identified as an allocation for up to 49 dwellings and therefore fully support the Council's decision in this respect. As the Council is already aware, following an extensive series of pre-application meetings along with representations of previous drafts of the local plan, my clients will also be seeking permission for a limited amount of commercial development relating to the use of the marina. Nevertheless, the main element of the development will be for residential use.

The allocation of the site is fully justified as it makes very good use of a well-located brownfield site that itself is situated on the waterfront of the River Medway. It therefore fully accords with the strategy as set out in the previous draft of the local plan of making good use of previously developed land and of directing investment to waterfronts. In addition to this, the site lies in a most sustainable location. It is close to Cuxton railway station and close to Cuxton village -which itself is well-served by bus routes. Moreover, there is an array of services and facilities in Cuxton. In addition to all of this the site provides employment and leisure services and so the proposed development will act as an important stimulant to what is already there. In these circumstances, the proposed allocation clearly accords with the aims and objectives of Policy S1; Planning for Climate Change.

The policy CHR14 does not provide any additional details -unlike the policies covering some of the other proposed allocations. This is not considered to be a problem, given that the owners and their consultants have engaged in lengthy pre-application discussions with the Council. Nevertheless,

the policy itself indicates that the development will take place within years 1-5 and 6-10. In response to this it should be made clear that the owners will undertake the development themselves and, given that it is their intention to shortly submit a planning application, then it is envisaged that development will take place in the short term.

#### Policy T2: Housing Mix

Whilst it is acknowledged that the Council needs to provide a sufficient range of dwellings in order to meet the needs of the population, this does not mean that every site proposed for, inter alia, residential development must provide a specified range of dwellings. Instead, the opportunities and limitations provided by each site should be considered in accordance with its specific location and characteristics. This is particularly the case in respect of Port Medway Marina, where apartments are far more appropriate than houses of various types and sizes. A degree of flexibility is therefore required by the Council in the implementation of this policy.

#### Policy T3: Affordable Housing

The Council is correct in recognising that sites have differing abilities to provide affordable housing. In this context, greenfield land generally has a greater ability to provide affordable housing than brownfield land. A 10% figure is therefore an appropriate basis for discussion when proposals are submitted and/or discussed in respect of brownfield sites. Furthermore, there may well be the need for flexibility when discussing the tenure mix. Indeed, the Council itself may wish to seek a variation in what the policy currently requires.

The Council also needs to be aware that it is often difficult to find a housing association that has the financial ability or willingness to acquire the affordable housing proposed on a site, especially when the number of affordable dwellings is relatively low. Indeed, two local housing associations have written to my clients to inform them that they would not want to manage a few units in the

proposed development at Port Medway Marina. In such circumstances the Council therefore needs to be willing to work positively with developers in the consideration of alternatives. In this respect it is helpful that the policy does acknowledge that financial contributions will be accepted by the Council to help fund off-site delivery of affordable housing.

Due to the need for flexibility, depending on particular circumstances, the policy should be re-worded so as to state that affordable housing will be sought on sites of 10 units or over, rather than be required.

#### Policy S10: Economic Strategy

This policy, under which the Council seeks to boost Medway's economic performance, is supported. It is absolutely vital for the Council to be aware of employment needs and support development proposals which will help sustain the local economy. Whilst this policy focusses on a selective number of broad locations, the Council should not ignore smaller sites, such as Port Medway Marina, where development will also aid economic development.

#### Policy S11: Existing Employment Provision

Although the site at Port Medway Marina comprises a proposed allocation for up to 49 dwellings, it is also an existing employment site and one where my clients proposals also include an element of employment provision which will help underpin their existing business. As stated above in respect of Policy S10, the Council needs to understand and support development proposals that will generate employment and economic development.



#### Policy T13: Tourism, Culture and Visitor Accommodation

The Council's support for the promotion of tourism under this policy is welcomed. The Medway Towns - and the River Medway-have an important and extensive history and therefore the Council is right to seek to enhance this as best it can. It is particularly pleasing to see that the Council has identified the development of rural and marine- based tourism as important elements within this overall category. My clients and their site at Port Medway Marina are therefore looking forward to undertake further development here in accordance with this policy.

#### Policy T14: Rural Economy

It is most important to see that the vision of the Council is to recognise the role of the rural economy and to do what it can to secure sustainable growth within it. The allocation of Port Medway Marina for residential development therefore fully accords with the vision of the Council and with this policy. In addition to providing much-needed housing, my clients will also be seeking to include an element of economic development that will enhance local tourism and the operation of the marina itself -as well as stimulate the rural economy.

#### Policy DM13: Medway Valley Leisure Park

The Medway Valley Leisure Park is a most important facility and rightly recognised as such within the draft local plan. Moreover, this policy acknowledges that development proposals relating to the Park will, within reason, be supported. As the Council is aware, my clients are able to facilitate the provision of a cycle and footpath linking the Park from Strood to Port Medway Marina, the village of Cuxton and on to Maidstone and Sevenoaks as part of the National Cycle Network and the local Public Footpath network and therefore policy DM13 has their support.

#### Policy T21: Riverside Infrastructure.

The Council is right to recognise that the river represents an important transport corridor for commercial and leisure traffic. In addition to this, the acknowledgement that existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. In these circumstances it is hoped that the Council will adopt a supportive and realistic approach to development proposals on this type of facilities.

#### Policy T22: Marinas and Moorings

The proposed policy for supporting the upgrading of marina facilities – the scope of which should also include boatyards and dry docks-is very much welcomed by the owners of Port Medway Marina. Indeed, the policy may well have been drafted with PMM in mind. As has been made clear in previous responses to the Council's draft planning documents and at pre-application discussions and presentations to councillors, the owners have assiduously invested in Port Medway Marina over a period of more than 30 years, when they first acquired what was then a run down, almost derelict marina. Indeed, what they have done over that period clearly shows how much they have invested and achieved. Moreover, it is a huge credit to them. Their latest development proposals, which have been subject to detailed consideration by the Council for several years, comprise the next and important step in this process.

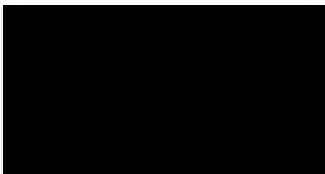
#### Policy DM21: New open space and playing pitches

The provision of these facilities should be considered on a site-by-site basis that takes into account the existing situation and realistic opportunities. A degree of flexibility is therefore required, which should be reflected in the wording of the policy and in consideration of subsequent planning applications.

) homes should contribute to  
Each planning application for  
impact. In addition to this, the  
particularly appropriate where

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fact of the matter is that these  
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proposal into jeopardy. A flexible

ate to contact me.



Peter Court  
Director

cc. Messrs D and N Taylor, Port Medway Marina  
cc Mr. T. La Dell



**REPRESENTATIONS  
TO MEDWAY  
COUNCIL  
REGULATION 19  
LOCAL PLAN  
CONSULTATION**

**Flanders Farm, Hoo**

**Representation submitted  
by Esquire Developments  
Ltd**

**August 2025**





# ESQUIRE

DEVELOPMENTS

Esquire Developments  
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## **I.0 INTRODUCTION**

- 1.1. These representations have been prepared by Esquire Developments Ltd in response to Medway Council's (the Council) Regulation 19 Local Plan Consultation July 2025.
- 1.2. Esquire Developments is a multi-award-winning SME developer based in Longfield, Kent. Esquire has land interest across Medway and is currently delivering in Cliffe Woods, Rainham, High Halstow and the Isle of Grain and shortly to be breaking ground in Hoo. Esquire has engaged through the Plan-making process including promoting further development at:
- Flanders Farm, Hoo and;
  - Rainham Parkside Village (Bloors Farm and Pump Farm), Lower Rainham
- 1.3. This representation focuses on the content of the Plan relating to and the draft allocation for Flanders Farm, Ratcliffe Highway, Hoo (Ref: HHH19). Our response in respect of Rainham Parkside Village is subject to separate representations.
- 1.4. Notwithstanding specific land interests, our response has been prepared in objective terms, in response to the content of the consultation and supporting Evidence Base and in accordance with legal, procedural and soundness requirements of legislation and the National Planning Policy Framework.
- 1.5. The most recent version of the National Planning Policy Framework was published December 2024 (NPPF 2024). The Plan would be Examined under the provisions of this version of the Framework including the tests of soundness set out at paragraph 36 of the Framework.
- 1.6. In summary, we support the Councils allocation of the Site (Ref: HHH19) for mixed use development comprising Use Class B2 and Use Class E. We consider the necessary pedestrian crossing and works to the Peninsula Way are to be part of the Infrastructure Delivery Plan and included in the wider strategic upgrade works taking place on this part of the highway network to support the wider growth proposals at Hoo.

### **i) About Esquire Developments**

- 1.7. Esquire Developments is a multi-award winning SME Housebuilder based in Longfield, Kent. Founded in 2011, it has quickly established itself through the delivery of high quality bespoke

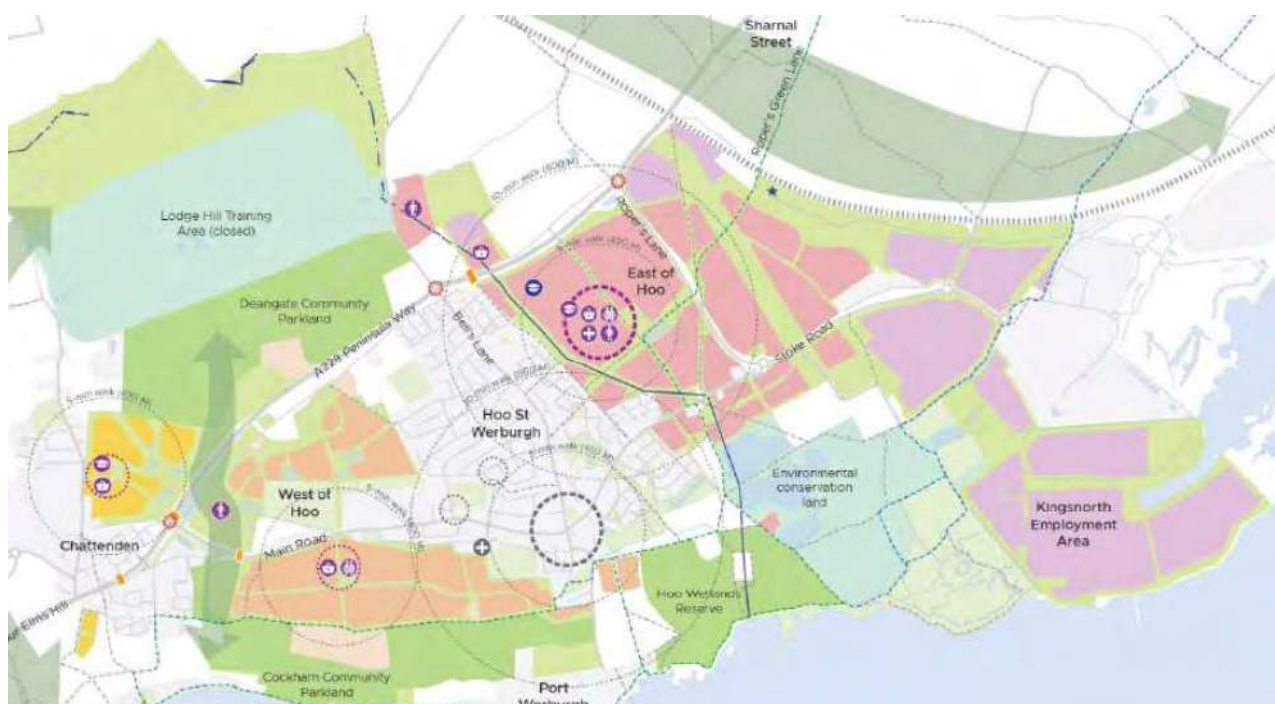
residential developments in Kent and Sussex. It was awarded Gold for Best Small House Builder in the Country 2020 by WhatHouse.

- I.8. Esquire Developments has adopted a tailored approach to its developments adapting designs and layouts to reflect local characteristics and respect local community's needs. This is done through expert local knowledge and understanding of a place, but also positively engaging with the local community allowing for a focussed approach to planning, design and greater understanding of the needs of the local community.
- I.9. Esquire Developments also delivers commercial buildings such as office space and children's nurseries where local demand identifies such a need. This means our developments can meet a local community's needs in a number of ways, whether that is for people to live, work and play.
- I.10. As an SME Housebuilder, Esquire Developments can expediently deliver a high-quality product that brings variation and choice to the market and complement volume housebuilders, but with a real community focus.



## 2.0 FLANDERS FARM, HOO

- 2.1 Flanders Farm (the Site) comprises circa. 13.3 hectares of agricultural land located to the north of Hoo St Werburgh village on the Hoo Peninsula. It is currently in use as an intensive commercial orchard.
- 2.2 Neighbouring uses include a recreational ground and bike track to the west, as well as the proposed Deangate Community Parklands, and a garden centre and the cold store / packhouse and office buildings of AC Goatham and Son to the east.
- 2.3 The Site is physically unconstrained, of relatively flat topography and not at major risk from flooding from any sources now or in the future. Whilst there are some areas of surface water flood risk on the Site, these can readily be managed through development.
- 2.4 The Local Plan identifies significant growth for Hoo and Chattenden over and beyond the Plan period, including over 5,000 new homes and other uses as shown below in the concept plan extracted from the Plan. The Site, at Flanders Farm is located to the north of Hoo St Werburgh as shown below outlined in red.



- 2.5 The Site is allocated for employment uses in the Local Plan (ref. HHH19) through Policy SA8 (Hoo St Werburgh and Chattenden) and Policy SA14 (Employment Sites). Comments on these

policies are provided in the next section. Together the policies identify the Site to provide for up to 50,000 sq. GIA retail floorspace (Class Ea.), ancillary food and drink (Class Eb) of up to 7,500 sq. GIA and 14,400 sqm of general industry use (Class B2).

- 2.6 The delivery of a supermarket on the peninsula has been a much longed for request by the local community as the nearest food stores are some distance from the site towards Gillingham. Locating a food store on the Peninsula will not only serve the day to day needs of residents, but also support change trip rates and requirements of traffic through the Four Elms junction and making the Peninsula ever more sustainable.
- 2.7 The allocation identifies provision of a new pedestrian crossing over the A228 and associated traffic calming measures, providing a key link to the new retail park and the wider Deangate area with the existing area of Hoo and the wider Peninsula.
- 2.8 Development of the Site would provide a significant benefit in bridging the gap between residential areas in the south and recreation and amenity areas to the north-west and west. This link is currently severed by the A228 with limited existing crossing facilities.
- 2.9 We are fully supportive of the draft allocations for the Site which are broadly consistent with our emerging proposals as identified in Appendix A. This includes the provision of 1 no. large food retail unit, 2 no. drive-thru units and 12 no. industrial units of varying sizes and associated parking. These plans will continue to evolve subject to input from the Council and other stakeholders including the community.

#### Retail Use (Class E)

- 2.10 The Retail and Town Centres Study (Nexus, June 2025) supporting the Plan identifies:

**the Hoo peninsula area is characterised by a low level of retail and main town centre land use provision, leading to a situation where a large majority of shopping trips, and trips to other main town centre land uses, were being directed to nearby areas such as Strood**

- 2.11 The study identifies a need for additional retail provision to serve growth in the area, including, ideally, a new medium sized foodstore.

- 2.12 This is in line with feedback we have received from local residents (through various engagement events) with often the most common complaint in respect of services being lack of food retail provision locally.
- 2.13 Further, discussions have taken place with a national food retailer who has expressed an interest in the Site and emerging proposals, demonstrating demand for the anchor food retail use identified.
- 2.14 The Site is well located for the proposed retail use, in close proximity to both existing and planned residential growth. This prominent frontage onto Ratcliffe Highway / Peninsula Way offers excellent visibility and accessibility for both local residents and passing trade, making it a commercially viable location for retail use.
- 2.15 This Site will play an important role in ensure the successful future growth of Hoo, being within easy walking distance of the majority of the proposed East of Hoo community.
- 2.16 In addition, the Site benefits from links with planned active travel and public transport improvements, enhancing its overall accessibility and sustainability credentials.
- 2.17 The introduction of retail floorspace at this location would help meet day-to-day shopping and service needs of a growing population—reducing the need for car travel to distant centres and supporting the creation of more self-sufficient, walkable communities. This is wholly in line with Policy T26 Accessibility Standards aspirations enabling people to “live local”.

#### Industrial Land (Class B2)

- 2.18 The Site is in a highly accessible location for the proposed industrial (B2) use, benefiting from direct access to the strategic road network via Peninsula Way. This enables efficient connections to the wider Medway area, including to Medway City Estate, employment sites on the Peninsula and the wide region via the M2 and M25. This connectivity supports efficient freight movement and staff accessibility.
- 2.19 As above, the location aligns with the growth strategy for the Hoo Peninsula and complements the emerging residential and infrastructure investment planned local. The emerging proposals

offer significant opportunity to create new local employment hubs in proximity to expanding communities.

- 2.20 The proposals include a range of unit sizes, creating diversity in the market supporting established and new enterprises, including SME businesses.
- 2.21 The Employment Land Needs Assessment (Rapleys, 2025) identifies a need for approximately 240,000 sqm of new office, industrial, and warehousing floorspace across Medway over the Plan period. A significant portion of this demand is for B2 industrial uses, with an emphasis on ensuring the land is well-located, deliverable, and responsive to market needs.
- 2.22 Flanders Farm directly addresses this need. Its proximity to both new housing areas and the strategic road network makes it a highly sustainable location that is capable of early delivery. The site responds to both the qualitative and quantitative shortfall in B2 space, as outlined in the assessment, and will support the Council's goal of creating employment opportunities close to where people live.

### 3.0 DRAFT LOCAL PLAN

#### The Plan Vision

- 3.1 We support the overarching Vision for the Plan as set out in Section 2 of the Draft Plan which seeks to set an ambitious framework for how economic, environmental and social gains will be realised across the Plan period.
- 3.2 The Vision recognises how important it is for people to meet most of the daily needs in their local area, such as schools, grocery shopping and places to socialise and exercise, reducing the need to travel and benefiting from the co-location of services.
- 3.3 Further, it identifies that Medway is a leading economic player in the region and the plan supports the growth of its business base and attracting new investment which we support.
- 3.4 Allocation of the Site, at Flanders Farm, as a mixed-use employment Site in a location which there is existing and future demand, will help achieve this vision. It will lead to economic growth, both through construction and operation, create new employment opportunities, and play a significant role in the success of the Hoo proposals through local necessary local amenity.

#### Policy SA8: Hoo St Werburgh and Chattenden

- 3.5 Policy SA8 allocates and sets out how the land which will form the strategic extensions to Hoo and Chattenden will come forward. Flanders Farm is one component of this, as referenced in the policy. We support the identification of the Site within this policy, which recognises it as a key component of the overall strategy for the area.
- 3.6 For consistency with the wider Plan (which uses square metres throughout), we recommend the floorspace figures referenced in the policy (for the Site) be updated from square foot.
- 3.7 As drafted the policy identifies the development of the Site will be “accompanied with a new pedestrian crossing over the A228 and associated traffic calming measures”.
- 3.8 Whilst we support this provision, we consider it should be part of the wider strategic infrastructure requirements for Hoo and Chattenden (point 12 of the policy). This is justified

on the basis the improvements are necessary for providing a safe link for both existing and future residents between homes and recreational / amenity areas.

- 3.9 These measures, as part of the strategic infrastructure requirements, would thereafter form part of the Chattenden and Hoo St Werburgh Strategic Site package of works.

Policy SA14: Employment Sites

- 3.10 The draft Local Plan supports the allocation of new employment sites to meet the 240,000 sqm of office/industrial and warehousing floorspace identified in the Employment Land Needs Assessment. Paragraph 7.4.3 states that the Plan will “identify additional locations that can provide attractive accessible site for business growth”.
- 3.11 The allocation of Flanders Farm under this policy is wholly consistent with the Vision and objections of the Plan, which seeks to deliver well located, accessible, and deliverable employment sites. The Site’s proximity to the A228 and its position within the wider growth area of the Hoo Peninsula ensure it meets the policy’s locational criteria, while its scale and commercial viability make it a strong candidate for early delivery (as recognised by the policy).
- 3.12 The proposed development of Flanders Farm aligns with the intention of Policy S12 to diversify the local economy, support job creation, and ensure employment land supply reflects latest evidence. The site would contribute meaningfully to meeting employment land targets and help ensure that growth in Medway is economically balanced, sustainable, and resilient.
- 3.13 However, the Policy as drafted identifies a need for application/s for the Site to have regard to the Hoo Development Framework (2025). The framework document referred to has not yet been published (it is absent from the Evidence Base) and therefore it is unclear what design principles are expected. We recommend reference to this be removed or it be modified to require adherence to any future framework / design code for the area, should one be adopted.

Policy S22 – Hoo Peninsula

- 3.14 Policy S22 sets out the Council's expectation that the significant new development proposed for the Peninsula will foster balanced, sustainable, and locally self-reliant communities.
- 3.15 Flanders Farm will play a role in achieving this through a deliver of a mix of uses providing much needs services and facilities for the area. This will be close to both existing and proposed homes, reducing reliance on distant town centres and employment sites.
- 3.16 Whilst not a neighbourhood centre, we consider as a key employment site and amenity serving the new community reference could be made to Flanders Farm as part of this policy.

#### Policy S12 – New Employment Sites

- 3.17 As employment sites are referenced / allocated through other policies (namely SA14 and S22 for the Site) it is unclear the intent or need for this policy. This should be clarified and/or it be modified / merged with other policies as needed.

#### Policy T27: Reducing Health Inequalities and Supporting Health and Wellbeing

- 3.18 Policy T27 emphasises the importance of creating environments that promote healthier lifestyles and support community wellbeing. The proposed mixed-use development at Flanders Farm, which includes Class E retail alongside Class B2 employment uses, supports these aims by delivering essential services and local job opportunities in an accessible part of the Hoo Peninsula. By providing convenient access to everyday goods, including fresh and affordable food, the scheme directly addresses barriers to healthy living in a growing area where services are currently limited.
- 3.19 The co-location of employment and retail uses at Flanders Farm can also reduce commuting distances and improve work-life balance for local residents, supporting broader physical and mental health outcomes. As such, the proposed allocation contributes meaningfully to the delivery of Policy T27's objectives by integrating land use planning with measures that foster long-term community health and wellbeing.
- 3.20 Further, it would provide a crucial safe pedestrianised link between residential areas (existing and proposed) to the south and the sports and recreation provision of Deangate Ridge Recreation Ground and Deangate Community Parklands to the west

## **Appendix A**

Flanders Farm, Hoo



Scale Bar - metres:



- Overall Site Boundary
- Retail Plot Boundary
- Industrial Plot Boundary

Total Site Area			
ha	13.3	ac	32.95

RETAIL PLOT			
Plot Area:	ha	ac	
	1.85	4.59	

Food Retail			
	m <sup>2</sup>	ft <sup>2</sup>	GIA
Ground Floor	1,925	20,721	
Total	1,925	20,721	

D/T 1			
	m <sup>2</sup>	ft <sup>2</sup>	GIA
Ground Floor	426	4,555	
Total	426	4,555	

D/T 2			
	m <sup>2</sup>	ft <sup>2</sup>	GIA
Ground Floor	171	1,841	
Total	171	1,841	

Site Car Parking			
	No.	Ratio*	
Food Retail	132		
D/T 1	50		
D/T 2	25		
Total	207		

BNG / Ecology Area

Oil Pipe

Oil Pipe

SUDS

Unit 12  
10m to u/s haunch

Unit 11  
10m to u/s haunch

Unit 10  
10m to u/s haunch

Unit 9  
10m to u/s haunch

Unit 8  
10m to u/s haunch

Unit 1  
8m to u/s haunch

Unit 2  
8m to u/s haunch

Unit 3  
8m to u/s haunch

Unit 4  
8m to u/s haunch

Unit 5  
8m to u/s haunch

Unit 6  
8m to u/s haunch

Unit 7  
8m to u/s haunch

Food Retail

D/T 1

D/T 2

11 no. EV  
Charger  
Spaces

Proposed  
Footpath

Proposed  
Pedestrian  
Crossing

Proposed Site  
Access - Opt 4  
Base on dgn:  
PWE-SK005

Proposed diverge  
lane at 150m length

Size Car Parking	No.	Ratio*
UNIT 1	10	1:01
UNIT 2	7	1:45
UNIT 3	7	1:60
UNIT 4	4	1:71
UNIT 5	4	1:71
UNIT 6	7	1:93
UNIT 7	11	3:78
UNIT 8	25	1:76
*Ratio = UNIT m2/ number of spaces		

All Areas Subject To Detailed Design

GEA calculations based on an external wall build - up of 480mm to warehouse measured from grid lines.

Size Car Parking	No.	Ratio*
UNIT 9	25	1:58
UNIT 10	29	1:95
UNIT 11	37	1:101
UNIT 12	30	1:78
Total	196	1:82

SITE SUMMARY			
Unit/ Ref.	GIA	ft <sup>2</sup>	GEA
Total	15,016	172,395	23,362
UNIT Area to Site Ratio (m2 / acre)	22.378		

UNIT 1			
Level	m <sup>2</sup>	ft <sup>2</sup>	GEA
Ground Floor	1,925	20,721	
First Floor (12%)	230	2,469	
Total	2,155	23,190	

UNIT 2			
Level	m <sup>2</sup>	ft <sup>2</sup>	GEA
Ground Floor	426	4,555	
First Floor (12%)	51	546	
Total	477	5,101	

UNIT 3			
Level	m <sup>2</sup>	ft <sup>2</sup>	GEA
Ground Floor	426	4,555	
First Floor (12%)	51	546	
Total	477	5,101	

UNIT 4			
Level	m <sup>2</sup>	ft <sup>2</sup>	GEA
Ground Floor	171	1,841	
First Floor (12%)	20	215	
Total	191	2,056	

UNIT 5			
Level	m <sup>2</sup>	ft <sup>2</sup>	GEA
Ground Floor	171	1,841	
First Floor (12%)	20	215	
Total	191	2,056	

UNIT 6			
Level	m <sup>2</sup>	ft <sup>2</sup>	GEA
Ground Floor	426	4,555	
First Floor (12%)	51	546	
Total	477	5,101	

UNIT 7			
Level	m <sup>2</sup>	ft <sup>2</sup>	GEA
Ground Floor	171	1,841	
First Floor (12%)	20	215	
Total	191	2,056	

UNIT 8			
Level	m <sup>2</sup>	ft <sup>2</sup>	GEA
Ground Floor	426	4,555	
First Floor (12%)	51	546	
Total	477	5,101	

UNIT 9			
Level	m <sup>2</sup>	ft <sup>2</sup>	GEA
Ground Floor	1,925	20,721	
First Floor (12%)	230	2,469	
Total	2,155	23,190	

UNIT 10			
Level	m <sup>2</sup>	ft <sup>2</sup>	GEA
Ground Floor	426	4,555	
First Floor (12%)	51	546	
Total	477	5,101	

UNIT 11			
Level	m <sup>2</sup>	ft <sup>2</sup>	GEA
Ground Floor	171	1,841	
First Floor (12%)	20	215	
Total	191	2,056	

UNIT 12			
Level	m <sup>2</sup>	ft <sup>2</sup>	GEA
Ground Floor	426	4,555	
First Floor (12%)	51	546	
Total	477	5,101	

INDUSTRIAL PLOT			
Plot Area:	ha	ac	
	3.11	7.70	

UNIT 1			
Level	m <sup>2</sup>	ft <sup>2</sup>	GEA
Ground Floor	867	9,332	
First Floor (16%)	141	1,518	
Total	1,008	10,850	1,081

UNIT 2			
Level	m <sup>2</sup>	ft <sup>2</sup>	GEA
Ground Floor	428	4,607	
Total	428	4,607	4,922

UNIT 3			
Level	m <sup>2</sup>	ft <sup>2</sup>	GEA
Ground Floor	417	4,489	
Total	417	4,489	4,693

UNIT 4			
Level	m <sup>2</sup>	ft <sup>2</sup>	GEA
Ground Floor	284	3,057	
Total	284	3,057	3,208

UNIT 5			
Level	m <sup>2</sup>	ft <sup>2</sup>	GEA
Ground Floor	284	3,057	
Total	284	3,057	3,208

UNIT 6			
Level	m <sup>2</sup>	ft <sup>2</sup>	GEA
Ground Floor	583	6,275	
Total	583	6,275	6,544

UNIT 7			
Level	m <sup>2</sup>	ft <sup>2</sup>	GEA
Ground Floor	712	7,664	
First Floor (20%)	141	1,518	
Total	853	9,182	9,803

UNIT 8			
Level	m <sup>2</sup>	ft <sup>2</sup>	GEA
Ground Floor	1,707	18,374	
First Floor (12%)	196	2,119	
Total	1,903	20,494	1,985

UNIT 9			
Level	m <sup>2</sup>	ft <sup>2</sup>	GEA
Ground Floor	1,505	16,200	
First Floor (14%)	207	2,228	
Total	1,712	18,428	1,770

UNIT 10			
Level	m <sup>2</sup>	ft <sup>2</sup>	GEA
Ground Floor	2,192	23,594	
First Floor (12%)	270	2,906	
Total	2,462	26,501	2,555

UNIT 11			
Level	m <sup>2</sup>	ft <sup>2</sup>	GEA
Ground Floor	3,307	35,596	
First Floor (13%)	445	4,790	
Total	3,752	40,386	3,889

UNIT 12			
Level	m <sup>2</sup>	ft <sup>2</sup>	GEA
Ground Floor	1,086	11,666	
First Floor (17%)	345	3,714	
Total	1,431	15,380	1,481

RETAIL PLOT			
Plot Area:	ha	ac	
	1.85	4.59	

Food Retail			
Level	m <sup>2</sup>	ft <sup>2</sup>	GEA
Ground Floor	1,925	20,721	
Total	1,925	20,721	

D/T 1			
Level	m <sup>2</sup>	ft <sup>2</sup>	GEA
Ground Floor	426	4,555	
Total	426	4,555	

D/T 2			
Level	m <sup>2</sup>	ft <sup>2</sup>	GEA
Ground Floor	171	1,841	
Total	171	1,841	

Site Car Parking			
Level	No.	Ratio*	
Food Retail	132		
D/T 1	50		
D/T 2	25		
Total	207		

INDUSTRIAL PLOT			
Plot Area:	ha	ac	
	3.11	7.70	

UNIT 1			
Level	m <sup>2</sup>	ft <sup>2</sup>	GEA
Ground Floor	867	9,332	
First Floor (16%)	141	1,518	
Total	1,008	10,850	1,081

UNIT 2			
Level	m <sup>2</sup>	ft <sup>2</sup>	GEA
Ground Floor	428	4,607	
Total	428	4,607	4,922

UNIT 3			
Level	m <sup>2</sup>	ft <sup>2</sup>	GEA
Ground Floor	417	4,489	
Total	417	4,489	4,693

UNIT 4			
Level	m <sup>2</sup>	ft <sup>2</sup>	GEA
Ground Floor	284	3,057	
Total	284	3,057	3,208

UNIT 5			
Level	m <sup>2</sup>	ft <sup>2</sup>	GEA
Ground Floor	284	3,057	
Total	284	3,057	3,208

UNIT 6			
Level	m <sup>2</sup>	ft <sup>2</sup>	GEA
Ground Floor	583	6,275	
Total	583	6,275	6,544

UNIT 7			
Level	m <sup>2</sup>	ft <sup>2</sup>	GEA
Ground Floor	712	7,664	
First Floor (20%)	141	1,518	
Total	853	9,182	9,803

UNIT 8			
Level	m <sup>2</sup>	ft <sup>2</sup>	GEA
Ground Floor	1,707	18,374	
First Floor (12%)	196	2,119	
Total	1,903	20,494	1,985

UNIT 9			
Level	m <sup>2</sup>	ft <sup>2</sup>	GEA
Ground Floor	1,505	16,200	
First Floor (14%)	207	2,228	
Total	1,712	18,428	1,770

UNIT 10			
Level	m <sup>2</sup>	ft <sup>2</sup>	GEA
Ground Floor	2,192	23,594	
First Floor (12%)	270	2,906	
Total	2,462	26,501	2,555

UNIT 11			
Level	m <sup>2</sup>	ft <sup>2</sup>	GEA
Ground Floor	3,307	35,596	
First Floor (13%)	445	4,790	
Total	3,752	40,386	3,889

UNIT 12			
Level	m <sup>2</sup>	ft <sup>2</sup>	GEA
Ground Floor	1,086	11,666	
First Floor (17%)	345	3,714	
Total	1,431	15,380	1,481

SITE SUMMARY			
Unit/ Ref.	GIA	ft <sup>2</sup>	GEA
Total	15,016	172,395	23,362
UNIT Area to Site Ratio (m2 / acre)	22.378		

RETAIL PLOT			
Plot Area:	ha	ac	
	1.85	4.59	

Food Retail			
Level	m <sup>2</sup>	ft <sup>2</sup>	GEA
Ground Floor	1,925	20,721	
Total	1,925	20,721	



## Model Representation Form for Local Plans



### Local Plan Publication Stage Representation Form

Ref:

(For  
official  
use only)

Name of the Local Plan to which this representation relates:

Medway Local Plan

Please return to Medway Council Planning Service by 11<sup>th</sup> August 2025

Email: [planning.policy@medway.gov.uk](mailto:planning.policy@medway.gov.uk) or post to:

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

This form has two parts –

Part A – Personal Details: need only be completed once.

Part B – Your representation(s). Please fill in a separate sheet for each representation you wish to make.

### Part A

1. Personal  
Details\*

2. Agent's Details (if  
applicable)

*\* If an agent is appointed, please complete only the Title, Name and Organisation (if applicable) boxes below but complete the full contact details of the agent in 2.*

Title	Mr	
First Name	Andrew	
Last Name	Wilford	
Job Title (where relevant)	Director of Land and Planning	
Organisation (where relevant)	Esquire Developments Ltd	
Address Line 1	The Old Laundry	
Line 2	Green Street Green	
Line 3	Longfield	
Line 4		
Post Code	DA2 8EB	
Telephone Number		
E-mail Address (where relevant)		

---

## Part B – Please use a separate sheet for each representation

---

Name or Organisation:

3. To which part of the Local Plan does this representation relate?

Paragraph  Policy  Policies Map

4. Do you consider the Local Plan is :

4.(1) Legally compliant

Yes

☒

No

☐

4.(2) Sound

Yes

☒

No

☐

4 (3) Complies with the  
Duty to co-operate

Yes

☒

No

☐

Please tick as appropriate

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

See accompanying Representations

(Continue on a separate sheet /expand box if necessary)

6. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 5 above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

See accompanying Representations

(Continue on a separate sheet /expand box if necessary)

**Please note** In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

**After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.**

7. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

☐

**No**, I do not wish to participate in hearing session(s)

☒

**Yes**, I wish to participate in hearing session(s)

Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate.

8. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

See accompanying Representations

**Please note** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

**For details of our data privacy policy please see:**

<https://www.medway.gov.uk/info/200133/planning/714/planning-service-privacy-statement>

# **Medway Local Plan 2025-2041**

## **Regulation 19 Consultation – Local Plan Consultation**

**REPRESENTATIONS SUBMITTED BY**

**THE KENT SME DEVELOPERS NETWORK**

**AUGUST 2025**



**SME Developer Network**  
**Kent**

**MEDWAY COUNCIL  
LOCAL PLAN 2025-2041  
REGULATION 19 CONSULTATION**

**REPRESENTATIONS SUBMITTED BY  
THE KENT SME DEVELOPERS NETWORK**

**AUGUST 2025**



**SME Developer Network**  
Kent

Esquire Developments  
Studio 3 The Old Laundry  
Green Street Green Road  
Longfield, DA2 8EB



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## **APPENDICES**

### **APPENDIX 1 – The Role of SMEs**



## 1.0 INTRODUCTION

### i) About the Kent SME Developers Network

- 1.1. These representations have been prepared by the Kent SME Developer Network (the Network) in response to Medway Council's (the Council) Regulation 19 Local Plan Consultation on its draft Local Plan.
- 1.2. The Network is a consortium of Small and Medium (SME) Developers who are located in or operate within Kent and Medway. The Group is currently chaired by Paul Henry, Managing Director of Esquire Developments, an SME Housebuilder based in Longfield near Dartford, Kent.
- 1.3. The Network was formed in November 2019 and presently comprises approximately 40 participants including SME Housebuilders and Developers of varying size and scale and Registered Providers. The Network was set up to provide a platform for SMEs to discuss relevant planning and delivery issues associated with bringing forward small and medium sized developments and to positively and proactively engage with Local Planning Authorities at the plan making and decision taking stages.
- 1.4. Since the formation of the Network, a key objective has been to increase the profile of SMEs and lobby key decision makers to improve the opportunity for SMEs. This includes engaging with the then Deputy General for DLUHC in summer 2023 and working with the HBF, been party to Developer round table discussions with the then Secretary of State, Michael Gove and the then Housing Minister, Rachael Mclean in November 2023.
- 1.5. Most recently, in March 2025 the Chairman of the Network, Paul Henry was invited to No.10 Downing Street, along with a number of other Housebuilders (both SME and National) to meet with the Prime Minister and discuss directly the problems facing SMEs. The following week, as part of the HBF's work engaging with Government, further representatives of the SME Network and Esquire developments visited No10 with a round table discussions, specially focused on SME Housebuilder with policy advisors.
- 1.6. In addition to the above, the SME Network is also designed to act as a support and mentoring network, where land opportunities can be shared or knowledge/experiences drawn from in-house teams in order to help each other and strengthen the SMEs. The Network can also act as a collective voice in the preparation of Local Plans or other consultations - such as this.





1.7. The Network comprises the following:

*SME Housebuilders and Developers*

- Esquire Developments
- Fernham Homes
- Wealden Homes
- Fernfield Homes
- Meridian Construction
- Aile Homes
- King and Johnstone
- Clarkmores
- Clarendon Homes
- Gillcrest Group
- A&E Property Ltd
- Country House Homes
- Classicus Estates
- Woodcroft Developments
- Provectus Developments
- Penenden Heath Developments
- Grandera Homes
- Jarvis Homes
- Aspire Designer Homes
- Kentish Projects
- Woolbro Homes
- Cooper and Cole
- Hillstone Homes
- RJC New Homes
- Wedgewood Homes
- TG Designer Homes
- Endeavour Construction Limited
- Unique Land
- Hodson Developments
- Quinn Estates
- Elivia Homes
- TB Holdings

- Thakeham Homes
- Pentland Homes
- Maidstone Mechanical
- Corker Brothers
- Toleman Homes

*Registered Providers*

- Moat
- MHS

*Local Planning Authorities*

- Medway Council
- Maidstone Borough Council
- Swale Borough Council
- Folkestone and Hythe Borough Council
- Tunbridge Wells Borough Council
- Tonbridge and Malling Borough Council
- Ashford Borough Council
- Canterbury City Council
- Dover District Council
- Sevenoaks District Council
- Kent County Council

*Agents*

- Marrons
- Tetlow King Planning
- David Hicken Associates
- Stantec
- Consilium Planning

*Others*

- Homes England

- 1.8. For clarity, the representation contained in this response relate to the Members of the Network that are SME Housebuilders and Developers and not the Registered Providers, LPAs, Agents or Others.
- 1.9. The Network delivers approximately 600 dwellings per annum collectively in the region. Whilst this number is 'small' when compared to the scale of volume/national housebuilders or the national context, it should not be underestimated the value and impact these businesses have

on the local economy, including employing local people alongside supporting local labour supply chains and other SMEs associated in the construction Industry. Crucially, SME's offer the opportunity to the wider housing market in delivering choice, variation and high-quality homes.

### i) Content of Representations

- 1.10. These representations have been prepared by the Network which seek to address strategic matters, including matters of soundness, and general observations relevant to SME Developers. Any site-specific matters will be addressed by individual SMEs within their own representations.
- 1.11. These representations do not seek to detail the ongoing decline of SMEs Housebuilders, which we believe is recognised and acknowledged by Central Government. **Appendix I** of these Representations set out a chronology of recent changes and the role of SMEs in planning and the impacts on SME Housebuilders.
- 1.12. This response follows the Network's ongoing engagement through the Medway Local Plan process having previously responded to Regulation 18 consultations in October 2023 and September 2024, as well as members attending various workshops and other events leading up to this consultation.
- 1.13. Our response has been prepared in objective terms, in response to the content of the consultation and supporting Evidence Base and in accordance with legal, procedural and soundness requirements of legislation and the National Planning Policy Framework.
- 1.14. The most recent version of the National Planning Policy Framework was published December 2024 (NPPF 2024). The Plan would be Examined under the provisions of this version of the Framework including the tests of soundness set out at paragraph 36 of the Framework.
- 1.15. In summary, we support the Council's recognition the role SME developers will play in diversifying the housing market and increasing housing delivery. This includes the provision of a Small Site Policy (T11) which will assist SME developers to operate successfully within a Local Plan policy framework.
- 1.16. We consider there are areas where the Plan could be strengthened to ensure a successful Plan is adopted which leads to long-term quality of life improvements. This includes:



- Extension of the Plan period by a further year to ensure it covers the required period of 15-years post adoption;
- Strengthen the Evidence Base in respect of whether scenario/s taking a more ambitious approach to growth have been considered (i.e. increasing affordable housing delivery or spreading the cost of infrastructure over an increased number of homes);
- Fill in the gaps of the Infrastructure Delivery Plan, including providing clarity on the expected level of contribution per dwelling on a site-by-site or locational basis; and
- Modifications to Development Management policies to ensure these meet the tests of soundness.



## 2.0 DRAFT LOCAL PLAN – STRATEGIC MATTERS

### *The Plan Vision*

- 2.1. We support the overarching Vision for the Plan as set out in Section 2 of the Draft Plan which seeks to set an ambitious framework for how economic, environmental and social gains will be realised across the Plan period.
- 2.2. Whilst only one element of the Plan, the Vision recognises the importance of meeting housing needs through delivery of good quality housing. However, there is limited recognition within the Vision of the role housing will play in achieving other aspirations i.e. funding infrastructure delivery, creating accessible green spaces and leading to improvements to health, delivering economic growth.
- 2.3. This is not a soundness issue, but nevertheless we consider the Vision could better reflect the role housing will have in ensuring the success of the Plan and securing quality of life improvements locally.
- 2.4. Flowing from the Vision are a number of strategic objectives which thereafter influence the policies of the Plan. We support these, however, consider there is a missed opportunity to reflect the objective of the Plan to support and speed-up delivery from SME developers.
- 2.5. SME developers will have a key role in achieving the objectives set by the Plan including delivering climate resilient development, creating great new places to live, supporting healthy lifestyles including new access to green spaces and delivering economic growth through construction and increased economic output. Further SME developers are often local business and local employers, thus enhancing the local economy and workforce.

### *The Plan Period*

- 2.6. Para 22 of the NPPF is clear that strategic policies should look ahead over a minimum 15-year period from adoption. Where larger scale developments such as new settlements or significant extensions to existing villages and towns form part of the strategy for the area, policies should be set within a vision that looks further ahead (at least 30 years), to take into account the likely timescale for delivery.

- 2.7. The new Local Plan proposes a Plan period from April 2026 to March 2041, i.e. 15-years with the final monitoring year being 2040/41. This would require the Plan to be adopted before end of March 2027.
- 2.8. Whilst the Local Development Scheme (December 2024) identifies submission of the Plan in November 2025 and adoption by end of 2026. There is therefore limited room for delay to achieve the necessary 15-year Plan period.
- 2.9. In order to avoid any danger that a delay to the adoption of the plan results in less than the required 15 year timeframe, we suggest the Council consider if a modification to extend to the Plan period to at least 2041/42 to provide flexibility and thus ensuring the Plan covers the required 15-year period post adoption.

**Housing Needs and Requirement**

- 2.10. Para 62 of the NPPF 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.
- 2.11. The Plan recognises (para 6.1.2) the most recent standard method calculation of 1,636 dwellings per annum. This is unlikely to change until at least March 2026, and therefore should remain applicable assuming the Plan is submitted before that time.
- 2.12. We support the use of the Standard Method in assessing minimum housing needs, and, consistent with the Council's approach, do not consider there to be any exceptional circumstances which would justify planning for housing below this figure.
- 2.13. As set out in Para 11 b) of the NPPF, strategic policies should, seek to meet identified needs (including unmet needs) unless:
- i. the application of policies in the Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area; 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.

- 2.14. Paragraph 69 of the NPPF notes the housing requirement may be higher than identified minimum housing needs with specific reference to examples of provision for neighbouring areas or reflects growth ambitions linked to economic development or infrastructure investment.
- 2.15. Further, Planning Practice Guidance identifies it may also be appropriate to increase housing figures being planned for in order to help deliver an increased quantum of affordable homes (Housing and Economic Needs Assessment section, Paragraph: 024 Reference ID: 2a-024-20190220).
- 2.16. The Council has assessed 2no. growth options through its Sustainability Appraisal work of (1) meeting minimum local housing needs in full, and (2) meeting minimum local housing needs in full + accommodating unmet need from Gravesham.
- 2.17. This follows a standing request from Gravesham Borough Council (GBC) for the Council to accommodate 2,000 additional homes to assist GBC in addressing their unmet needs. The Council has discounted this on the basis no evidence has been presented by GBC to demonstrate this is necessary, therefore concluding it not justified.
- 2.18. GBC has indicated (Local Development Scheme, March 2025) it will proceed to Regulation 19 consultation in July – September 2025. Whilst this is likely to be delayed past this time, work is advanced and ongoing. GBC should be in a position to confirm to the Council whether the unmet need request is supported by evidence or not.
- 2.19. The draft Plan is progressed on the basis there is no requirement to accommodate unmet need. This can be reviewed further once GBC's Local Plan proceeds to Regulation 19, likely ahead of the Examination of this Plan.
- 2.20. It is not clear whether any further consideration has been given to a housing requirement above minimum housing needs to reflect other potential growth ambitions i.e. increasing affordable housing delivery or spreading the cost of infrastructure over an increased number of homes. The Council could consider that some Evidence Base detailing this is prepared.

#### **Housing Supply**

- 2.21. Para 1.3.5 – 1.3.6 of the Plan identifies in order to meet the housing requirement, set at a level of minimum housing needs 1,636 dwellings per annum, there is a requirement to plan for

24,540 across the 15-year Plan period. This is proposed to met through a mix of pipeline sites (with planning consent, not completed or allocated), proposed allocations and an allowance for windfall sites as below:

- Pipeline sites – 1,762 dwellings;
- Proposed allocations – 21,194 dwellings; and
- Windfall sites – 1,584 dwellings.

- 2.22. This equates to exactly 24,540 dwellings and therefore lacks any buffer (with para 1.3.7 incorrectly identifying a “small buffer”).
- 2.23. The Land Availability Assessment (LAA, June 2025) shows a slightly different housing supply with 21,397 dwellings from proposed allocations over the Plan period, resulting in a small surplus of 203 dwellings. Further clarification is therefore needed to ensure consistency between the Plan and Evidence Base.
- 2.24. A housing trajectory is included within Chapter 5 and Appendix G of the LAA which demonstrates there would be a 5-year supply on adoption. This includes the housing requirement (1,636dpa) being achieved for 4no. of the first 5 years of the Plan, mostly on account of proposed allocation sites.
- 2.25. This reflects a good mix of sites of all sizes, including a significant number up to 99 dwellings which the LAA recognises at Table 5 will on average deliver at a faster pace when compared to larger sites.
- 2.26. This reflects the size of sites SME developers are likely to focus on, and therefore further emphasises the important role SME developers will play in ensuring the success of the Plan.
- 2.27. Should any further housing allocations be required in order to meet housing requirements, i.e. sites fall away, the Plan period is extended, or there is justification for an increased housing requirement, the focus should be on sites which can deliver early in the Plan period.

#### **Infrastructure Provision**

- 2.28. The delivery of infrastructure is vital to the success of the Plan. This is acknowledged by the Plan and evidence base including in the Vision, Strategic Objectives and various site allocation and Development Management policies.



- 2.29. Whilst the Sustainability Appraisal (para 5.3.5) identifies a lower level of growth could help reduce pressure on transport systems and social infrastructure, there are already infrastructure capacity issues being experienced across the Council area. This is reflected throughout the Plan with references to ageing infrastructure, services / facilities not reflecting size of community and meeting residents needs, pressure on local services.
- 2.30. The Infrastructure Delivery Plan (June 2025) further identifies this noting “significant infrastructure challenges due to its geographical position and historic growth”, including:
- Limited capacity and congestion on the road and rail networks due to the current travel patterns and limited crossings of the River Medway;
  - Increased potential of flood risk from the River Medway and the Thames Estuary, and surface water flooding exacerbated by climate change;
  - Pressures on healthcare and education brought about by ageing infrastructure, population growth and more complex needs from the population; and
  - A need to build a place that is fit and well connected for the future through digital infrastructure
- 2.31. Pressure on existing infrastructure has, in part, been caused by the absence of a plan-led system directing growth and infrastructure provision in a coordinated manner. The adoption of the Plan is vital to correcting this. However, we consider a ‘low growth’ option is unlikely to be effective in addressing this.
- 2.32. Conversely, the Plan should be used as an aspiration tool which seeks to deliver a quantum of growth which leads to better quality of life including through enhanced infrastructure provision. Here, as set out in our comments in respect of the Vision, we consider the Plan has not properly recognise the role housing delivery will play in achieving infrastructure aspirations.
- 2.33. In respect of the IDP, whilst we appreciate this will be a “live document” which will evolve over time, there is lack of clarity over infrastructure costs, how infrastructure will be funded and which development will be expected to contribute towards this.
- 2.34. We consider further clarification is needed to address these current gaps within the IDP, notably:

- Justification for the costings throughout the IDP, most notably significant highway intervention costs and those presented as a range (i.e. 51mil – 84mil for the Four Elms Roundabout);
- Identification of costings for infrastructure currently identified as TBC (highways, bus services, transport hub, community facilities, etc..);
- Confirmation on the overall expected level of contribution per dwelling, including how this varies per site size, typology and location.

- 2.35. The Local Plan Viability Assessment (June 2025) includes an assumption of £18,000 per unit in developer contributions (for strategic infrastructure, mitigation and SAMMS payment), but much higher on strategic sites (up to £35,283 for the Chattenden & Hoo St Werburgh). It is not clear how these assumptions have been come to, especially when some of the major infrastructure requirements are still TBC cost.
- 2.36. As recognised at by the Viability Assessment, the Council's expectations (based on level of contribution per dwelling in the Plan) may render some sites unviable. This will have to be considered on a case-by-case basis but could lead to other priorities of the Plan (i.e. affordable housing) not being delivered and / or infrastructure requirements remaining unfunded. This could especially be the case for large urban sites (i.e. Chatham Docks and Gillingham Waterfront) which the Viability Assessment identifies potential viability issues for already.
- 2.37. As noted above, there is a lack of clarity on the expectation on a site size threshold basis. The Local Plan identifies non-major development would not be expected to delivery affordable housing and the adopted Medway Guide to Developer Contributions and Obligations (May 2018 updated April 2024), referenced in the viability work, identifies development contributions will only apply to major sites. However, it does not appear the Viability Assessment reflects this, nor does Policy S24 (Infrastructure Delivery) make clear when contributions would be expected other than requiring site-specific evidence which would be a disproportion requirement for small sites.
- 2.38. Clarification is needed, not only to provide certainty to developers as to the contributions expected on each site, but also to ensure the infrastructure underpinning the Plan can be delivered.
- 2.39. Further, the Council should consider whether the infrastructure proposed can support a higher level of growth which would have the benefit of spreading the infrastructure costs thus lowering the contribution on a plot-by-plot basis.

### 3.0 DRAFT LOCAL PLAN – POLICIES

#### Policy T2 – Housing Mix

- 3.1 It is critical a housing mix policy is flexible enough to reflect there will be variations in requirements and appropriateness on a site-by-site basis. There is no one-size-fits-all mix that will be suitable for all locations and site typologies.
- 3.2 Policy T2 acknowledges this stating that “mix must be appropriate to the size, location and characteristics of the site as well as to the established character and density of the neighbourhood”. This is supported.
- 3.3 However, there are elements of policy T2 which need modification to reflect the evidence underpinning housing mix is likely to evolve over the course of the Plan period. Alternatively, site-specific evidence could be prepared which considers housing mix needs at a settlement (or similar) level.
- 3.4 Further, we do not consider it proportionate or supported by evidence demonstrating need to require consideration on all sites for a mix including older persons housing and custom and self-build plots. These are unlikely to be appropriate on smaller sites. Custom and self-build requirements are considered separately under policy T9. This element should be removed, or if necessary, a unit-size threshold be applied (i.e. over 100 dwellings
- 3.5 Our suggested modification in order to ensure the policy can be applied as intended across the Plan period are as set out below (additions in blue, deletion in red):

#### **Policy T2: Housing Mix**

The Council seeks to ensure that a sufficient range of sustainable housing options are provided to adequately meet the needs of a growing and changing population.

Residential development will only be permitted if it encourages a sustainable mix of housing that includes an appropriate range of house types, including bungalows **where appropriate**, and sizes to address local requirements, as evidenced through the Medway Local Housing Needs Assessment, **site-specific evidence** or updated reports and studies.

The mix must be appropriate to the size, location and characteristics of the site as well as to the established character and density of the neighbourhood.

Accommodation requirement as detailed in the latest [housing need evidence](#) ~~Local Housing Need Assessment~~ will be used to help inform which house sizes and mix should be delivered ~~in key locations in urban and rural areas~~ to meet the objectively assessed needs of Medway ~~as detailed in the latest evidence.~~

In relation to affordable housing, the Council will require developers to provide details of how this evidence, [or site-specific evidence](#), has been used to justify the proposed mix.

Where affordable housing is to be provided, developers should also take into consideration the needs of households on the Council's housing register and discuss affordable housing requirements with the Council's Housing Strategy team at the pre-application stage of the planning process.

~~Development schemes must demonstrate that as part of the housing mix, sufficient consideration has been given to:~~

~~older persons housing need, (particularly for downsizing);  
custom and self-build plots.~~

~~The criteria outlined in policy T4 and T9 needs to be observed~~

- 3.6 Whilst not part of policy T2 itself, the supporting text at para 6.2.3 set outs a fairly rigid representation of a demographic analysis suggested dwelling size mix from the Local Housing Needs Assessment (LHNA, 2025). This misrepresents the LHNA conclusions which consider a range of site tenures and locations, each with their own accommodation profiles. We recommend this paragraph be removed.

### **Policy T3 – Affordable Housing**

- 3.7 There is a significant need for affordable housing in Medway. As of 2024 the affordable housing waiting list included 4,830 households, the highest it has been since 2018.
- 3.8 Across 2012 – 2023, the Council's monitoring data shows there were 1,505 completions and 551 losses, resulting in net affordable delivery of only 954 affordable dwellings (i.e. 87 a year).
- 3.9 The delivery of affordable housing can be challenging. The Plan acknowledges this at para 6.3.10 – 6.3.11 and supporting viability evidence. The corresponding policy T3 reflects this and identifies high value and lower value areas with different affordable requirements. A clear map is needed within the Plan to identify these areas.

- 3.10 Para 6.3.16 acknowledges the issue of a lack of viable offers from Registered Providers currently being experienced by developers. This is disproportionately affecting SME developers, whose schemes are often smaller in scale but yet still command the same affordable policy expectations. These sites generally only yield a few / several of social rent and affordable rent units, which makes them significantly less desirable for Registered Providers.
- 3.11 SMEs are keen to play their part in delivering affordable housing, however noting the above it is preferable this be either an off-site contribution calculated at a known rate or allowing on-site delivery of Discounted Market Sale units in lieu of other tenures. This would ensure delivery is not delayed due to reliance on 3<sup>rd</sup> parties
- 3.12 We therefore welcome, within policy T3, a ‘delivery sequence’ mechanism which would allow developers the ability to, where necessary, justify an alternative approach to tenure and/or delivery.
- 3.13 The delivery sequence mechanism should be reflected in Section 106 agreements relating to affordable housing, including identifying units could be delivered as other affordable tenures (i.e. Discounted Market Sale) where suitably demonstrated, to avoid unnecessary delay where variations to legal agreements may otherwise be required.
- 3.14 In order to better reflect this issue, we recommend this section of policy T3 be amended as below (with additional text in blue):

Delivery of affordable housing should be on site in the first instance. If this cannot be achieved, then an alternative approach will need to be robustly justified. The local context and demographics will be a key consideration. **Where on site provision is demonstrated through evidence to be unviable or unattractive to recognised Registered Providers, the Council will permit developers to follow the identified delivery sequence.**

The following delivery sequence should be followed to justify any alternative approach:

- A change in the tenure mix on site to facilitate delivery.
- Delivery of the required units on a separate site.
- An agreement with a registered provider to deliver the units off site.
- Only if both on-site and off-site delivery is demonstrated with robust justification not to be achievable should consideration then be given to a financial contribution provided to the Council to the equivalent value of the onsite provision to allow for offsite delivery.



**Policy T11 – Small Sites and SME Housebuilders**

- 3.15 A key objective of the SME Network has been to work alongside Local Authorities to seek greater recognition of the importance of SME developments and support small and medium size developments through both plan-making and decision taking. This is important to allow SMEs to successfully operate within the policy framework of a Local Plan.
- 3.16 Therefore, the inclusion of policy T11 relating to small sites and SME housebuilders is **wholly supported**.
- 3.17 In this respect, the policy T11 offers the opportunity for sites to come forward in a plan-led manner providing greater assurance to SME developers. This would reduce the risk to an SME and increase certainty at the planning stages, as the SME can tailor their scheme to meet the specific criteria.
- 3.18 Such a policy will allow an SME to come forward with a planning application that meets locally defined specific criteria, such as high-quality design, low carbon footprint, reduced time limits for implementation etc and a flexible approach to the delivery of Affordable Housing. On the other hand, the Council will receive higher quality developments being submitted that are in character with more rural fringe locations (in line with the usual SME site typology) and enhance the vitality of these locations through truly local-led development.
- 3.19 Crucially, the policy is designed to deliver up to 60 dwellings (and thus meet the M of ME as much as the S) but is worded in a way that seeks to ensure the development coming forward in any given location is consistent and respectful to the area that it is in i.e. a scheme of 60 dwellings may not be appropriate for a small village, but 20 may be suitable, and therefore the policy that refers up to a figure of 60 dwellings should be deemed acceptable and allows the policy to be flexible. The 60 dwelling threshold reflects the scale at which larger SME's start to compete with volume housebuilders on sites.
- 3.20 The importance of a planning consent is vital to the success of an SME, no matter how small (or large) that scheme is, and greater engagement is always encouraged.
- 3.21 We therefore consider policy T11 is fully justified and consistent with national policy and wider Government messaging which emphasises the importance of SME developers.

**Policy DM15 – Monitoring and Managing Vehicle Trip Generation**

- 3.22 Policy DM15 requires new development, outside of urban centres, to make contributions towards “the package of transportation mitigations” in line with the IDP or the outcome of a Medway-wide Monitor and Manage Mitigation strategy. This includes proportionate contributions from windfall / unforeseen sites.
- 3.23 Re-iterating comments previously made relating to infrastructure provision, clarity is needed as to the expecting level of contribution required on a plot-by-plot basis. Without this it is difficult to understand how this could impact viability of sites.
- 3.24 Further the policy identifies that applications would be judged against “vehicle trip credit” as set in the IDP (relating to trip generation). This information is absent from the IDP. Clarity is required on this, to ensure developers can achieve what is required by policy. Alternatively, this element of the policy should be removed as site allocations have already been judged acceptable on the basis of the infrastructure provision identified in the IDP.
- 3.25 The policy states that “development proposals in urban centres, including site allocations, are exempt due to their accessible location”. It is unclear whether this relates to the need for urban development to reduce vehicle trip generation or if these sites will be exempt from transport mitigation developer contributions. The latter would see the significant burden for development contributions grow for non-urban sites. This again highlights the need for clarity on the expectations of the IDP on a site-by-site or locational basis.

**Policy DM18 – Transport Assessments, Transport Statements and Travel Plans**

- 3.26 Policy DM18 requires, development which “will generate a significant amount of movement” to be supported by Transport Assessment, Transport Statement and/or a commitment to provide a Travel Plan, with requirements to be agreed with National Highways for development which impacts on the Strategic Road Network (SRN).
- 3.27 There is no definition provided as to what constitutes a “significant amount of movement” resulting in an unclear position as to when policy DM18 applies. The current Medway validation checklist indicates as a “general guide” a Transport Assessment / Statement is required for residential developments over 50 homes or non-residential development over 1,000sqm. The expectations for when this policy applies should be clarified.



- 3.28 Further, policy DM18 states that “In accordance with the tests set out in the NPPF, National Highways will need to be satisfied that development proposals will not materially affect the safety, reliability and/or operation of the SRN”. This does not properly reflect the test as set out in the NPPF at para 116 which requires development to “only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios”. This element of the policy should be updated to reflect this.



## **APPENDICES**

**APPENDIX 1**  
**The Role of SMEs**

## THE ROLE OF SMEs

- 1.1 This statement set out the importance currently being placed by successive Central Governments on the role of Small to Medium Enterprises (SMEs) in the housebuilding Industry and demonstrates the vital role SME Housebuilders, who have been described as being of 'National Importance' and 'the back bone of house building in the UK', will play in complementing volume housebuilders to deliver Local and National housing requirements.

### **A. The Previous Conservative Government's Position on SME'S**

#### **i) Building More Homes – July 2016**

- 1.2 The Government has made it clear that it is committed to increase housebuilding to deliver 300,000 homes per year by the mid 2020's. The target figure of 300,000 homes per year comes from a recommendation in the House of Lords Economic Affairs Committee report, 'Building More Homes', published in July 2016<sup>1</sup>. The figure takes into account estimated population change but also to address the backlog created by the failure to build enough homes over many years. All the main political parties have accepted the 300,000 dwelling per annum figure.
- 1.3 Statistics monitoring completions across the UK (gov.uk) confirm Housebuilding has not achieved this level of growth since 1977-78 (314,090 dwellings – Live\_Table 109) and in 2017-18<sup>2</sup> only 222,194 dwellings (Live\_Table 122) were completed. Whilst this is an increase since 2012-13 (124,722 completed dwellings), this is still well short of the 300,000 dwelling target.

#### **ii) Home Builders Federation – January 2017**

- 1.4 In January 2017, the Home Builders Federation prepared a research paper titled 'Reversing the decline of small housebuilders: Reinvigorating entrepreneurialism and building more homes'<sup>3</sup>. This document highlighted a number of facts, inter alia:
- In 1988, small builders were responsible for 4 in 10 new build homes (40%). Today it is just 12%.
  - In 1988, 12,000 SMEs were building houses. In 2017, this figure was only 2,500 SMEs.

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<sup>1</sup> <https://publications.parliament.uk/pa/ld201617/ldselect/ldeconaf/20/20.pdf>

<sup>2</sup> 2018-19 data is not yet complete.

<sup>3</sup> [https://www.hbf.co.uk/documents/6879/HBF\\_SME\\_Report\\_2017\\_Web.pdf](https://www.hbf.co.uk/documents/6879/HBF_SME_Report_2017_Web.pdf)

- The average permissioned housing scheme has increase in size by 17% since 2007, suggesting many allocated sites are out of reach for smaller companies.
- Small sites are consistently efficient in their delivery.
- Delay and risk during the planning stage has influenced lender attitudes to housebuilding meaning terms SMEs borrow on are restricting growth opportunities.
- In 2007-2009, 33% of small companies ceased building homes.
- Returning to 2007 home builder levels could see housing supply boosted by 25,000 dwellings per year.

1.5 The HBF report attributes the reasons for the decline in SMEs has been for two principal reasons:

1. A long-term trend following landmark planning legislation in 1990 which tipped the balance of control significantly further away from entrepreneurial home builders to LPAs; and,
2. The above long-term trend compounded by the Global Financial crisis in the late 2000s when the availability of development finance became a concern.

1.6 The report continues that *‘the above effects are further compounded by the availability of suitable housing sites and the constant struggle of securing an implementable planning consent through the planning process beset by delays and bureaucracy. These delays and associated costs have tangible impacts on SMEs and their ability to grow. Whilst larger companies can mitigate risk across a number of sites, small firms encountering delays on one or two sites will be the difference between a year of growth and a year of contraction’*.

### iii) White Paper – February 2017

1.7 The release of the Government’s White Paper in February 2017 titled ‘Fixing our Broken Housing Market’<sup>4</sup> only reinforced the concerns about the lack of SMEs building Houses. The Report identified 3 main problems and described the housing market as ‘broken’, blaming the supply shortage, *“for too long, we haven’t built enough homes”*. The three problems were identified as:

1. Not enough local authorities planning for the homes they need;
2. House building is simply too slow; and,

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[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/590464/Fixing\\_our\\_broken\\_housing\\_market\\_-\\_print\\_ready\\_version.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/590464/Fixing_our_broken_housing_market_-_print_ready_version.pdf)

3. The construction industry is too reliant on a small number of big players. (our emphasis)

- 1.8 The white paper outlined the Government's plans to change ('fix') the market. It called for *'a new approach to house building that included: building homes based on need; building homes faster; diversifying the house building market; and by making it more affordable for people to buy homes.'* (our emphasis)
- 1.9 The White Paper was clear that the Government intends to open the housing market to smaller builders and those who embrace innovative and efficient methods.

**iv) House of Lords Debate – January 2018**

- 1.10 On 11 January 2018, the House of Lords debated 'Housebuilding in the UK'<sup>5</sup> and noted the performance of the UK's major house builders. The debate acknowledged the 2017 HBF report and focussed on the HBF suggestion that part of the practice of local authorities focusing on larger sites with a very high number of units may be counterproductive. The debate acknowledged *'that while it may be efficient in strong market areas, it is inefficient in weaker market areas. While the NPPF has been lauded for increasing the number of planning consents, it is argued that the number of sites permissioned, in areas of need, remains short of where it needs to be.'*

**v) Revised NPPF – July 2018**

- 1.11 The manifestation of the above discussions set about the introduction of a new approach within the revised NPPF 2018<sup>6</sup>, which sought to encourage the use of smaller sites and the requirement that 10% of the housing requirement on sites no larger than 1ha should be identified. The 10% target and 1ha was amended from the consultation version suggestion 10% of 'allocations' and only 0.5ha sites. The increase acknowledged the greater variety of sites SMEs are attracted to.

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<sup>5</sup> <https://researchbriefings.parliament.uk/ResearchBriefing/Summary/LLN-2018-0001#fullreport>

<sup>6</sup> <https://webarchive.nationalarchives.gov.uk/20181206183454/https://www.gov.uk/government/publications/national-planning-policy-framework--2>

**vi) Letwin Independent Review of Housing Build Out Rates – October 2018**

- 1.12 In October 2018, Sir Oliver Letwin issued his final ‘Independent Review of Build Out’<sup>7</sup> report and recommendations on how to close the significant gap between the number of housing completions and the amount of land allocated or permissioned on large sites in areas of high housing demand.
- 1.13 Whilst the main body of the report focussed on the perceived issue of land banking, Sir Oliver Letwin identified that the *‘build out rate’ on small sites is intrinsically likely to be quicker than on large sites; (to take the limiting case, a site with just one house will take only as long as required to build one unit).’*

**vii) Homes England Strategic Plan 2018-2023 – October 2018**

- 1.14 In October 2018, Homes England released its 5-yr ‘Strategic Plan 2018-2023’<sup>8</sup> plan to detail how it will improve housing affordability, helping more people access better homes in areas where they are needed most. The plan outlines their ambitious new mission and the steps that they will take, in partnership with all parts of the housing industry sector, to respond to the long-term housing challenges facing the country.
- 1.15 The Strategic Plan goes to some lengths identifying the decline in SME housebuilders and the result being the house building market is increasingly made up of a small number of house builders, meaning there is insufficient diversity, competition and capacity. The report continues:

***There are a number of barriers preventing smaller builders from delivering a greater number of homes including: a lack of development finance; a land market weighted in favour of larger builders; and a complex planning system.***

***This is why we’ll create a more resilient and competitive market by supporting smaller builders and new entrants. In addition, Homes England***

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[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/752124/Letwin\\_review\\_web\\_version.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/752124/Letwin_review_web_version.pdf)

<sup>8</sup> <https://www.gov.uk/government/publications/homes-england-strategic-plan-201819-to-202223>

***will work with house builders to promote better design and higher quality homes.***

- 1.16 Driving Market Resilience has therefore been identified as a key priority for homes England. This includes access to finance but crucially where HE own sites which are too large to be developed by smaller builders, they will look for opportunities to create smaller parcels which better suit their capacity. They will achieve this improving opportunities for smaller builders to access land, and introduce simpler tender and legal documents on smaller sites to make the bidding process easier.
- 1.17 Furthermore, the strategic report looks beyond the immediate 5-yr plan and identifies a longer term priority to explore opportunities for, inter alia, removing the planning burdens faced by smaller builders on more complex sites.

**viii) House of Commons Briefing Paper – December 2018**

- 1.18 On 12 December 2018, a House of Commons Briefing Paper titled *‘Tackling the Under-Supply of Housing in England’*<sup>9</sup> was released. The report addressed all facets of factors influencing the delivery of new homes and addressed in detail ‘Support for SME Developers’.
- 1.19 The Briefing paper recognised the barriers to delivery and the impact that competition for land has on SMEs. The report states that *‘While there is sufficient land to build on, land is scarce in economic terms as its supply is inherently limited and fixed. This leads, it is argued, to developers having to undergo ‘fierce’ competition for land “while remaining uncertain as to what planning permission they will be able to secure.” The price of land is certainly viewed as a barrier to housebuilding. The gain in value that planning permission offers is said to encourage strategic land trading, rather than development, resulting in the most profitable beneficiaries of residential development being the landowner, not the developer. High land prices can, in turn, force down the quality and size of new homes and present difficulties for small and medium sized enterprises (SMEs) when seeking to compete for sites to develop.’* (our emphasis)
- 1.20 The Briefing Paper further acknowledged the over reliance on a small number of developers and considered that *‘This concentration of market power is felt to inhibit competition and can exacerbate the impact of market shocks when all the large firms simultaneously reduce output’.*

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<sup>9</sup> <https://researchbriefings.parliament.uk/ResearchBriefing/Summary/CBP-7671#fullreport>

- 1.21 The briefing paper recognised that housebuilding requires considerable up-front investment, meaning that *‘in most cases, new housing developers need access to finance. For the housebuilding industry, a particular concern is access to finance for SME developers. The Aldermore Group, a bank specialising in finance to small businesses, have stated: ...smaller developers continue to struggle with access to finance, with a recent industry survey showing that more than 50,000 construction and real estate firms have begun the year in ‘significant’ financial distress...unless more is done by lenders to increase funding to smaller regional developers, the potential for the industry to reach... [the Government’s house building target]...will be less likely.’*
- 1.22 Problems accessing finance can have an impact on house builders’ ability to produce high quality housing, as well as on the overall capacity of the house building industry. As far back as the Budget 2014 a commitment was made to support SME access to finance with the government creating a £500 million Builders Finance Fund to provide loans to developers to unlock 15,000 housing units stalled due to difficulty in accessing finance. In July 2015, the then Housing Minister announced that the Fund would be extended. The Spending Review and Autumn Statement 2015 further extended the £1 billion Fund to 2020/22. In October 2016 the launch of a £3 billion Home Building Fund under which builders, including SME builders, can obtain loan finance to assist with development costs and infrastructure work was established.
- 1.23 The Autumn Budget 2017 announced a further £1.5 billion for this Fund “providing loans specifically targeted at supporting SMEs who cannot access the finance they need to build. The 2017 Budget also said: “The government will explore options with industry to create £8 billion worth of new guarantees to support housebuilding, including SMEs and purpose built rented housing.
- 1.24 The briefing continues that SME developers are less able to withstand market shocks. This is illustrated by the fact that their share of total housing starts declined after each of the last two house price crashes (as quantified in the 2017 HBF report). A factor that would reduce risk and improve confidence in the development process is house price stability.



**ix) Revised NPPF - February 2019**

- 1.25 In February 2019, the latest version of the NPPF<sup>10</sup> was released. This continues the March 2018 version in respect of the desire to encourage smaller sites to come forward in the planned system. Paragraph 68 of the NPPF 2019 states:

68. Small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly. To promote the development of a good mix of sites local planning authorities should:
- a) identify, through the development plan and brownfield registers, land to accommodate at least 10% of their housing requirement on sites no larger than one hectare; unless it can be shown, through the preparation of relevant plan policies, that there are strong reasons why this 10% target cannot be achieved;
  - b) use tools such as area-wide design assessments and Local Development Orders to help bring small and medium sized sites forward;
  - c) support the development of windfall sites through their policies and decisions – giving great weight to the benefits of using suitable sites within existing settlements for homes; and
  - d) work with developers to encourage the sub-division of large sites where this could help to speed up the delivery of homes.

- 1.26 The NPPF makes it clear that that small and medium sized sites can make an important contribution to meeting housing requirements in an area. To this end and to encourage small and medium sites, para 68 (a) seeks that 10% of small sites no larger than 1ha should be identified.
- 1.27 WDC needs to respond to this guidance in a proactive way. As detailed above, due to the competition for SMEs to enter the market it is likely that sites being promoted by SMEs will fall into Rural Service Centres or smaller villages away from the main urban areas or areas perceived as having the greatest accessibility. In this respect, paragraphs 77 and 78 (Rural Housing) of the NPPF complement paragraph 68 insofar that they recognise that planning policies need to be responsive to local circumstances and support housing development that reflects local needs. Para 77 continues that to support opportunities for affordable housing,

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<sup>10</sup>

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/810197/NPPF\\_Feb\\_2019\\_revised.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/810197/NPPF_Feb_2019_revised.pdf)

some market housing should be considered to facilitate this. Para 78 further supports that housing should be located where it will enhance or maintain the vitality of rural communities. Policies should identify opportunities for villages to grow and thrive.

- 1.28 Small and Medium sized sites can make a valuable contribution to these locations principally because the approach of SMEs is more flexible than a volume housebuilder and therefore can at a scale and quality that reflect the characteristics of village locations.

**x) Speech by Minister of State for Housing, Esther McVey – September 2019**

- 1.29 Most recently, in September 2019, the Minister of State for Housing, Esther McVey gave a speech<sup>11</sup> at the convention for the residential property sector. Alongside reaffirming the commitment to 300,000 homes per annum, reference was made to improving the quality of housing and posed the following point *‘and what about the jobs and the careers to build all these homes, we need to think about that. We need to be opening up this house building to SME’s, bringing them onboard, bringing it to communities, bringing it to the self-build and bringing in modern methods of construction.’*

**xi) Statement of Minister of State for Levelling Up, Housing and Communities – July 2023**

- 1.30 In July 2024, the SoS spoke to the long-term plan for housing. Within this statement, the SoS committed to a new era of regeneration, inner-city densification and housing delivery across England, with transformational plans to supply beautiful, safe decent homes in places with high-growth potential in partnership with local authorities.
- 1.31 In addition to targeted action in a few high-potential areas, the government’s plan delivers a package of reforms to unleash building on underused sites in high-demand regions. As part of the package of reforms, the SoS states that development should proceed on sites that are adopted in a Local Plan with full input from the local community, unless there are strong reasons why it cannot. Local Councils should be pragmatic in agreeing changed to developments where conditions mean that the original plan may no longer be viable, rather than losing the development wholesale or seeing development mothballed.

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<sup>11</sup> <https://www.gov.uk/government/speeches/resi-convention-2019>

- 1.32 Furthermore, the SoS encouraged the better use of small pockets of brownfield land by being more permission, so more homes can be built more quickly, where and how it makes sense, giving more confidence and certainty to SME builders.

**xii) Revised NPPF – December 2023**

- 1.33 In December 2023, the NPPF was further revised<sup>12</sup>. This continued the previous iterations of the NPPF in respect of the vision to encourage smaller sites to come forward through the plan-making system. The updated para 70 continues to make clear that small and medium sized sites can make an important contribution to meeting housing needs in an area. Para 70 goes on to seek that 10% of small sites are no larger than 1ha should be identified. The revised NPPF adds another requirement for:

**“e) work with developers to encourage the sub-division of large sites where this could help to speed up the delivery of homes.”**

- 1.34 It is recognised that the delivery of smaller sites can address the immediate housing crisis in the short term. It is understood that smaller sites can come forward quickly, developed by local SMEs with a vested interest in delivering the site within a short timeframe. The larger strategic sites take significant time to be promoted through the Plan-making stage, as well as through the application stage, ensuring the infrastructure requirements to support large scale developments are fully considered before development can commence.

**vi) Revised NPPF – December 2024**

- 1.35 In December 2024, the NPPF was revised by the recently elected Labour Government<sup>13</sup>. The revised NPPF was introduced following the wide range of changes proposed by the Labour Party throughout their election campaign. This includes but is not limited to, a requirement for all Council's to meet their housing requirement, as calculated via the amended Standard Method unless 'hard constraints' such as flood risk demonstrate that it is not possible. As a result of the amended methodology for calculating housing need, the yearly housing target across the Country has increased to 370,000 homes per annum.

<sup>12</sup> [https://assets.publishing.service.gov.uk/media/65a11af7e8f5ec000f1f8c46/NPPF\\_December\\_2023.pdf](https://assets.publishing.service.gov.uk/media/65a11af7e8f5ec000f1f8c46/NPPF_December_2023.pdf)

<sup>13</sup> <https://www.gov.uk/government/publications/national-planning-policy-framework--2>

- 1.36 A significant change as part of the 2024 revised NPPF is the removal of the amendments published within the 2023 revised NPPF. This includes the removal of 4-year housing land supply.
- 1.37 Furthermore, in an attempt to meet their housing need, the Government have introduced the concept of Grey Belt, whereby poorly performing Green Belt is deemed appropriate for development, where it meets the identified 'golden rules' of the NPPF, i.e. 50% affordable housing.
- 1.38 There is a clear drive from Government to increase house building across the country, improve affordability through the building of 370,000 homes per annum, with a particular focus on delivering affordable homes.

**B. Pace of Delivery of an SME**

- 1.39 SME's help diversify the market and deliver choice and quality, but they can also deliver at a quicker pace than larger sites. This means that by supporting SME's into the housing market, LPAs can strengthen its Housing Delivery and ensure a steady supply of deliverable sites.
- 1.40 Typically, Esquire Developments aim to take no more than 6 months from receipt of detailed consent to start on site.
- 1.41 The SME business model is usually set up differently to volume housebuilders. SME's are more flexible in matters such as design and landowner negotiations. In addition, SME's also try to limit their financial risk/exposure. As a result, there are a number of factors that affect an SME's approach to delivering a site. This includes:

**1. Cash Flow**

- SMEs tend not to land bank as a return on their financial exposure/risk is critical to maintaining a profitable business. In this respect Cash Flow is critical and due to the time lag involved in the return of funds from a development (i.e. once homes begin to be sold), it is essential SMEs seek to reduce the time taken from the point of receiving a planning permission to the point of the sale of a house. This means once an implementable planning consent is secured, SMEs commence as quickly as possible to start on site. Larger PLCs can better carry this risk through multiple sites

and numerous pipeline of completions - whereas SME's will have fewer outlets and therefore less regular returns in this respect.

2. Infrastructure Requirements

- Infrastructure requirements on small to medium sized sites are less onerous. This means discussions/contracts with utility providers are less complicated and time taken to implement the required infrastructure is less allowing this element of the build to be quicker.

3. Land Negotiations

- Often small and medium sized sites have fewer legal complications. This includes fewer land registry titles and fewer landowners and as a result fewer negotiations/legal complications that larger sites or larger PLC companies require. This often makes the 'land deal' more straightforward and thus quicker.

4. Flexibility in Product and Process

- Due to an SME's flexible approach to design quality and that standard house types tend not to be adopted, SME's have the ability to be more flexible when it comes to product choices. This not only allows the SME to offer a variety of product or specifically address local characteristics/design requirements, but it also means the SME can respond quickly to any delays or changes to the supply. This is mainly due to the decision makers being involved in the process and being 'hands-on'. As a result, there is a less hierarchal structure and decisions can be made quickly and efficiently – again reducing time.

5. Working relationships

- SMEs tend to work with a close number of trusted consultants and suppliers who also tend to be SMEs. This not only ensures quality of service and product but allows for open communication when it comes to availability of supplies and delivery of products. This means any potential delays are anticipated and the ability to successfully work through solutions. In addition, the sale of the dwellings tends to be on a more bespoke basis meaning the dialogue and communication between SME and Buyer is also on an open and communicative basis.

6. Sales Rates

- Once construction has commenced, completion rates, which follows sales rates matches the market demand and therefore an SME can build out at the same pace as larger volume housebuilders who adopt the same approach.

1.42 Whilst there is little literature addressing the delivery of small sites, there is a significant amount relating to the delivery of large-scale sites. Nathaniel Litchfield & Partners (NLP) produced a research paper titled ‘Start to Finish – How quickly do large-scale housing sites deliver? (November 2016)’<sup>14</sup>. The report recognised that *‘Large-scale sites can be an attractive proposition for plan-makers. With just one allocation of several thousand homes, a district can – at least on paper – meet a significant proportion of its housing requirement over a sustained period..... But large-scale sites are not a silver bullet. Their scale, complexity and (in some cases) up-front infrastructure costs means they are not always easy to kick start. And once up and running, there is a need to be realistic about how quickly they can deliver new homes’*.

1.43 The report continues that *‘past decades have seen too many large-scale developments failing to deliver as quickly as expected, and gaps in housing land supply have opened up as a result’*. NLP suggest that if authorities’ Local Plans and five-year land assessments are placing reliance on large-scale developments, including Garden Towns and Villages, to meet housing need, then *“the assumptions they use about when and how quickly such sites will deliver new homes will need to be properly justified.”*

#### **vii) Revised NPPF – July 2021**

1.44 The NPPF was revised in July 2021<sup>15</sup> to accommodate a number of changes. This included a change in emphasis to good design and how good design was fundamental to what the planning and development process should achieve. Furthermore more, it confirmed development that is not well designed, should be refused and conversely, significant weight should be given to developments which reflect local design policies and/or promote high levels of sustainability or help raise the standard of design more generally in an area. SME’s as well placed in this regard to meet these challenges successfully.

1.45 The updated NPPF also amended the numbering of paragraph 68 to paragraph 69, but made no text changes to the 2019 version.

<sup>14</sup> <https://lichfields.uk/media/1728/start-to-finish.pdf>

<sup>15</sup> <https://www.gov.uk/government/publications/national-planning-policy-framework--2>

**viii) The Bacon Review (August 2021)**

- 1.46 In August 2021, the Prime Ministers Independent Review into scaling up self build and custom housebuilding was published<sup>16</sup>. Led by Richard Bacon MP. Whilst primarily dealing with recommendations to government on how to support growth in all parts of the custom and self build market, helping to boost capacity and overall housing supply in our housing market, the review touched on the plight of smaller building firms.
- 1.47 The report outlined how smaller firms now account for only 12% of new housing stock and *'have been largely squeezed out by very big companies who can afford the time and cost involved in negotiating a path through the complex thickets of the planning system'*.
- 1.48 The review continues that *the SME sector has nearly been destroyed as a direct consequence of a regulatory environment which is both exceptionally complex and fraught with risk, so that the gaining of planning consents requires both very deep pockets and the ability to bear significant risks over very long periods of time.*

**ix) Meeting Housing Demand, House of Lords Select Committee (January 2022)**

- 1.49 In January 2022, the House of Lords Select Committee released its report 'Meeting Housing Demand'<sup>17</sup>. A series of recommendations to Government about addressing housing demand. This included recommendations on the planning system as well as the role of SMEs (Chapter 4). The report confirmed:

*'In this report, we call on the Government to take action and remove the administrative and other blockers which, at present, make increasing the number of homes built much more difficult. We recognise that these challenges play out differently across the country as a whole. London and the South East face different challenges to other regions, as do those at different ends of the affordability scale.'*

***Small and Medium-sized Enterprises (SMEs)***

*The role of SMEs in the housebuilding industry has collapsed: in 1988, SME housebuilders built 39% of new homes; now they build just 10%. If housing*

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<sup>16</sup> <https://www.gov.uk/government/publications/independent-review-into-scaling-up-self-build-and-custom-housebuilding-report>

<sup>17</sup> <https://committees.parliament.uk/work/1328/meeting-the-uks-housing-demand/publications/reports-responses/>

*demand is to be met, SMEs should be supported through reduced planning risk, making more small sites available, and increased access to finance. We also provide options for a fast-track planning process for SMEs to reduce delays and planning risk.*

1.50 In terms of summary of conditions, in respect of SME's the report made the following:

*SMEs*

*12. The role of SMEs in the housebuilding industry has seen a sharp decline: in 1988, SME housebuilders built 39% of new homes, by 2020 this had dropped to 10%. The Government should encourage SME housebuilders in order to diversify the market and maintain competition. (Paragraph 103)*

*13. Local authorities should support SME housebuilders to navigate the planning process. One focus of the Government's planning reforms should be to reduce planning risk by making decisions more predictable and reducing delays, which will benefit SMEs. The Government should work with local planning authorities to create a fast-track planning process for SMEs. (Paragraph 104)*

*14. Wider adoption of the 'master developer' model, where larger sites are built out by a number of different housebuilders, would help SME housebuilders bid for more secure developments. The Government should require local planning authorities and Homes England to increase the percentage of homes on larger sites each year which are built by SME housebuilders. (Paragraph 108)*

*15. Access to finance is one of the key barriers for SME housebuilders. The Government should work with lenders to encourage them to provide more support to SME housebuilders on commercial terms. (Paragraph 112)*

1.51 In March 2022, the Government published its response to the report<sup>18</sup>. In response to matters relating to SME's, the Government responded in the following ways:

*'We agree with the Committee that there remain some specific barriers to increasing housing supply. To alleviate these, we are continuing to drive up the supply of good quality new homes that people need and want, including by diversifying the market and supporting SMEs through the Government's Levelling Up Home Building Fund'*

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<sup>18</sup> <https://committees.parliament.uk/publications/9234/documents/159940/default/>



*The Government wants to increase competition in the housebuilding market, supporting SME housebuilders to deliver the choice of housing consumers need and want in this country. We agree with the Committee's report that SMEs have a vital role in making the housing market more diverse, competitive and resilient, and we are committed to ensuring the right support is in place. SMEs have a vital role in training and retaining their workforce, including delivering apprenticeships.*

*As stated in the Committee's report (p. 43), Government is aware that historically the three main barriers SMEs identify as facing are planning, land and finance. We have put in place a package of measures, including financial initiatives to help SMEs grow and develop, such as the Home Building Fund and the ENABLE Build Guarantee scheme. The Home Building Fund will see up to £3 billion of funding or short-term development loans provided to SMEs, custom builders and developers using modern methods of construction. It has supported many new sector entrants, with two thirds of the SMEs who have utilised funding existing for less than three years. We have committed 91% of the initial £2.5 billion development finance allocated to the Home Building Fund, and 94% of contracted transactions are with SMEs, two-thirds of which had existed for less than three years when accessing the fund. Home Building Fund development finance is now expected to support close to 70,000 homes once fully committed.*

*Funding has contributed to interventions like the Housing Accelerator Fund, a lending alliance between Homes England and United Trust Bank which provides SMEs with development finance at up to 70% Loan to Gross Development Value, and the Housing Delivery Fund, set up with Barclays, which provides £1 billion of loan finance to help support small and medium sized developers, speeding up the delivery of thousands of new homes across England.*

*To build on the success of the Home Building Fund, we have now launched a £1.5 billion Levelling Up Home Building Fund. This will provide loans to small and medium sized builders and developers to deliver 42,000 homes, with the vast majority going outside London and the South East.*

*We welcome the Committee's suggestions on planning and land. The Government is considering how to best take forward proposals around changes to the planning system, including how they align with and support our wider mission to level-up the country and regenerate left-behind places. Within this, we are exploring further options to support prompt and faster build-out of sites as part of our proposed changes. These changes will support diversification by providing small builders with more speed and certainty in the planning process.*

**x) Levelling Up and Regeneration Bill: Reforms to National Planning Policy (Dec 2022) Consultation**

1.52 In December 2022, the Government consulted on the 'Levelling-up and Regeneration Bill: reforms to national planning policy'<sup>19</sup>. This proposed a suite of amendments to the NPPF. Specifically, in relation to SME'S, the consultation made the following statement:

***More small sites for small builders***

*10. Small sites play an important role in delivering gentle density in urban areas, creating much needed affordable housing, and supporting small and medium size (SME) builders. Paragraph 69 of the existing National Planning Policy Framework sets out that local planning authorities should identify land to accommodate at least 10% of their housing requirement on sites no larger than one hectare; unless it can be shown, through the preparation of relevant plan policies, that there are strong reasons why this 10% target cannot be achieved. The Framework also asks local planning authorities to use tools such as area-wide design assessments and Local Development Orders to help bring small and medium sized sites forward; and to support the development of windfall sites through their policies and decisions. Local planning authorities are asked to work with developers to encourage the sub-division of large sites where this could help to speed up the delivery of homes.*

*11. We have heard views that these existing policies are not effective enough in supporting the government's housing objectives, and that they should be strengthened to support development on small sites, especially those that will*

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<sup>19</sup> <https://www.gov.uk/government/consultations/levelling-up-and-regeneration-bill-reforms-to-national-planning-policy/levelling-up-and-regeneration-bill-reforms-to-national-planning-policy#chapter-4--planning-for-housing>

*deliver high levels of affordable housing. The government is therefore inviting comments on whether paragraph 69 of the existing Framework could be strengthened to encourage greater use of small sites, particularly in urban areas, to speed up the delivery of housing (including affordable housing), give greater confidence and certainty to SME builders and diversify the house building market. We are seeking initial views, ahead of consultation as part of a fuller review of national planning policy next year. Alongside this, the government has developed a package of existing support available for SME builders, including the Levelling Up Home Building Fund which provides development finance and Homes England's Dynamic Purchasing System which disposes of parcels of land.*

- 1.53 Two important questions were asked as part of the consultation:

**Q.24** Do you have views on the effectiveness of the existing small sites policy in the National Planning Policy Framework (set out in paragraph 69 of the existing Framework)?

**Q.25** How, if at all, do you think the policy could be strengthened to encourage greater use of small sites, especially those that will deliver high levels of affordable housing?

- 1.54 Notwithstanding the above, in December 2023 a revised NPPF was released that made no change to the position of SME Housebuilders. Shortly thereafter, a General Election was called and in July 2024, Labour won the majority of Parliament.

#### **The New Labour Governments Position on SME House builders**

- 1.55 A key component of Labours manifesto and pledge was that it would deliver 1.5 million new homes in the 5 year term and radically seek to overhaul the planning system. Labour recognises the important role housebuilding plays in the countries economic success and wants to get 'Britain Building again and deliver economic growth'. Alongside the planning and infrastructure bill a revised NPPF was consulted on and released in December 2024.
- 1.56 The consultation version was consulted on in September 2024. It provided positive steps towards improving the planning system and seeking to ensure homes were delivered. This included simplifying the plan making process. The consultation acknowledge the issue

surrounding SME Developers, but suggested that no immediate amendments to the NPPF were identified to be implemented at that time.

#### **Revised NPPF – December 2024**

1.57 The December 2024 NPPF did indeed make radical changes to the planning system. It introduced the concept of Grey-Belt, amended the standard methodology for calculating housing need and made those figures mandatory and sought to place greater emphasis on delivery of infrastructure, affordable homes and Local Plans.

1.58 As anticipated, the SME component was left unchanged.

1.59 However, in May 2025, a planning reform working paper relating to Site Thresholds was released. This consultation acknowledges the need to support SME's recognised the strength of feeling that current policy around smaller developments is not working for local planning authorities or SME developers. It further states:

*The paper primarily explores the simplification of planning requirements for the smallest of sites and the introduction of a medium-sized site threshold within the planning system – in recognition of the particular needs of this scale of development. These changes aim to provide certainty to the sector, ensure the planning system is more targeted and proportionate across different scales of development, and help small and medium builders (SMEs) deliver the homes our communities need.*

1.60 The introduction continues:

*SME builders play a crucial role in driving up housebuilding rates – by bringing diversity and competition to the market and supporting faster build out rates. SMEs build out the majority of small sites, which supports the efficient use of land, maximises opportunities for gentle densification, and responds to local housing needs. They also contribute to thriving, successful places through the provision of associated infrastructure which supports new development. That is why supporting SMEs forms a key pillar of the upcoming Long-Term Housing Strategy.*

*However, this part of the sector has faced significant challenges in recent years – a third of SME developers have ceased operating over the last two decades, and the largest developers have become increasingly dominant – accounting for roughly 90% of volume growth. Recent analysis from the Federation of Master Builders (FMB) highlights ongoing*

*challenges, with the proportion of planning permissions granted on sites with 1 to 9 units having steadily declined over the past 13 years, falling from 21% in 2010-11 to 9.3% in 2023-24 – a marked reduction from previous contributions by SMEs. Addressing this trend, reducing risks and costs, and removing barriers to entry is key to supporting the government’s ambitions for a reformed housebuilding system, with SMEs playing a leading role.*

- 1.61 Whilst the final outcome of the consultation is not yet known, there are a number of proposals which would seek to support the SME sector, including minor, small and medium size sites. The recognition of simplifying the process, reducing burden and costs is welcomed and long overdue. These reforms do represent a major step change in support of SMEs and if SMEs are to be the backbone of the housebuilding industry, need to be implemented and delivered.

### **C. Conclusion**

- 1.62 The role of SMEs has been fully recognised by successive Central Governments (both in the House of Commons and House of Lords) and the wider Industry (HBF, NLP) in how important their role is to helping deliver the now 1.5m homes in the next term target. Constraints to SMEs have been identified, including that the plan-led system is orientated away from encouraging SMEs into the market and access to finance.
- 1.63 The 2024 NPPF has some provision within it to specifically address this issue with a clear direction to Local Planning Authorities that 10% of all its housing requirements should be on sites that are 1ha or less i.e. approx. 35 dwellings and under per site. This is aimed at SME developers who deliver at or around this scale.
- 1.64 Most recently the Government's consultation to reform small and medium size sites is welcomed and acknowledges the commitment to supporting SMEs and recognising their role in meeting housing demand.

**The Kent SME Developers Network**

**June 2025**

## Model Representation Form for Local Plans



### Local Plan Publication Stage Representation Form

Ref:

(For  
official  
use only)

Name of the Local Plan to which this representation relates:

Medway Local Plan

Please return to Medway Council Planning Service by 11<sup>th</sup> August 2025

Email: [planning.policy@medway.gov.uk](mailto:planning.policy@medway.gov.uk) or post to:

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

This form has two parts –

Part A – Personal Details: need only be completed once.

Part B – Your representation(s). Please fill in a separate sheet for each representation you wish to make.

### Part A

1. Personal  
Details\*

2. Agent's Details (if  
applicable)

*\* If an agent is appointed, please complete only the Title, Name and Organisation (if applicable) boxes below but complete the full contact details of the agent in 2.*

Title	<input type="text" value="Mr"/>	<input type="text"/>
First Name	<input type="text" value="Andrew"/>	<input type="text"/>
Last Name	<input type="text" value="Wilford"/>	<input type="text"/>
Job Title (where relevant)	<input type="text" value="Director of Land and Planning"/>	<input type="text"/>
Organisation (where relevant)	<input type="text" value="Esquire Developments Ltd"/>	<input type="text"/>
Address Line 1	<input type="text" value="The Old Laundry"/>	<input type="text"/>
Line 2	<input type="text" value="Green Street Green"/>	<input type="text"/>
Line 3	<input type="text" value="Longfield"/>	<input type="text"/>
Line 4	<input type="text"/>	<input type="text"/>
Post Code	<input type="text" value="DA2 8EB"/>	<input type="text"/>
Telephone Number	<input type="text" value=""/>	<input type="text"/>
E-mail Address (where relevant)	<input type="text" value=""/>	<input type="text"/>

---

## Part B – Please use a separate sheet for each representation

---

Name or Organisation:

3. To which part of the Local Plan does this representation relate?

Paragraph  Policy  Policies Map

4. Do you consider the Local Plan is :

4.(1) Legally compliant

Yes

✓
✓

No

--

4.(2) Sound

Yes

✓
---

No

--

4 (3) Complies with the  
Duty to co-operate

Yes

✓
---

No

--

Please tick as appropriate

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

See accompanying Representations

(Continue on a separate sheet /expand box if necessary)

6. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 5 above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

See accompanying Representations

(Continue on a separate sheet /expand box if necessary)

**Please note** In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

**After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.**

7. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

☐

**No**, I do not wish to participate in hearing session(s)

☒

**Yes**, I wish to participate in hearing session(s)

Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate.

8. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

See accompanying Representations

**Please note** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

**For details of our data privacy policy please see:**

<https://www.medway.gov.uk/info/200133/planning/714/planning-service-privacy-statement>



## Model Representation Form for Local Plans

	<b>Local Plan</b> Publication Stage Representation Form	Ref:  (For official use only)
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Name of the Local Plan to which this representation relates:

Medway Local Plan

Please return to Medway Council Planning Service by 11<sup>th</sup> August 2025

Email: [planning.policy@medway.gov.uk](mailto:planning.policy@medway.gov.uk) or post to:

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

This form has two parts –

Part A – Personal Details: need only be completed once.

Part B – Your representation(s). Please fill in a separate sheet for each representation you wish to make.

### Part A

#### 1. Personal Details\*

*\*If an agent is appointed, please complete only the Title, Name and Organisation (if applicable) boxes below but complete the full contact details of the agent in 2.*

#### 2. Agent's Details (if applicable)

Title	Mr and Mrs	Mr
First Name	HG and DR	Phillip
Last Name	Kemsley	Ivory
Job Title (where relevant)		Planner
Organisation (where relevant)		Lee Evans Partnership LLP
Address Line 1		St John's Lane
Line 2		Canterbury
Line 3		Kent
Line 4		
Post Code		CT1 2QQ
Telephone Number		
E-mail Address (where relevant)		

---

## Part B – Please use a separate sheet for each representation

---

Name or Organisation: Lee Evans Partnership LLP obo Mr HG and Mrs DR Kemsley

3. To which part of the Local Plan does this representation relate?

Paragraph  Policy ☒ Policies Map

4. Do you consider the Local Plan is :

4.(1) Legally compliant	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
4.(2) Sound	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
4 (3) Complies with the Duty to co-operate	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>

Please tick as appropriate

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

Please refer to the accompanying Representations to the Medway Regulation 19 Local Plan Consultation Statement prepared by Lee Evans Partnership LLP.

(Continue on a separate sheet /expand box if necessary)

6. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 5 above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Please refer to the accompanying Representations to the Medway Regulation 19 Local Plan Consultation Statement prepared by Lee Evans Partnership LLP.

(Continue on a separate sheet /expand box if necessary)

*Please note In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions. After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.*

7. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

☐

**No**, I do not wish to participate in hearing session(s)

☒

**Yes**, I wish to participate in hearing session(s)

Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate.

8. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

The landowner reserves the right to participate in the relevant hearing sessions at the Examination in public.

*Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.*

**For details of our data privacy policy please see:**

<https://www.medway.gov.uk/info/200133/planning/714/planning-service-privacy-statement>

# Representations to the Medway Regulation 19 Local Plan Consultation

## Land Adjacent to Farm Cottages, Lodge Hill Lane, Chattenden, Kent

Representations to the Regulation 19 Local Plan Consultation  
In respect of  
Land adjacent to Farm Cottages, Lodge Hill Lane, Chattenden, Kent

Client	Mr HG and Mrs DR Kemsley
Prepared by	Lee Evans Partnership LLP
Author	Phillip Ivory
Signed off	Nathan Anthony
Date	August 2025
Status	Final

Lee Evans Partnership  
St. John's Lane, Canterbury, Kent, CT1 2QQ  
tel.: 01227 784444  
e-mail: [planning@lee-evans.co.uk](mailto:planning@lee-evans.co.uk)  
web: [www.lee-evans-planning.co.uk](http://www.lee-evans-planning.co.uk)

## 1. INTRODUCTION

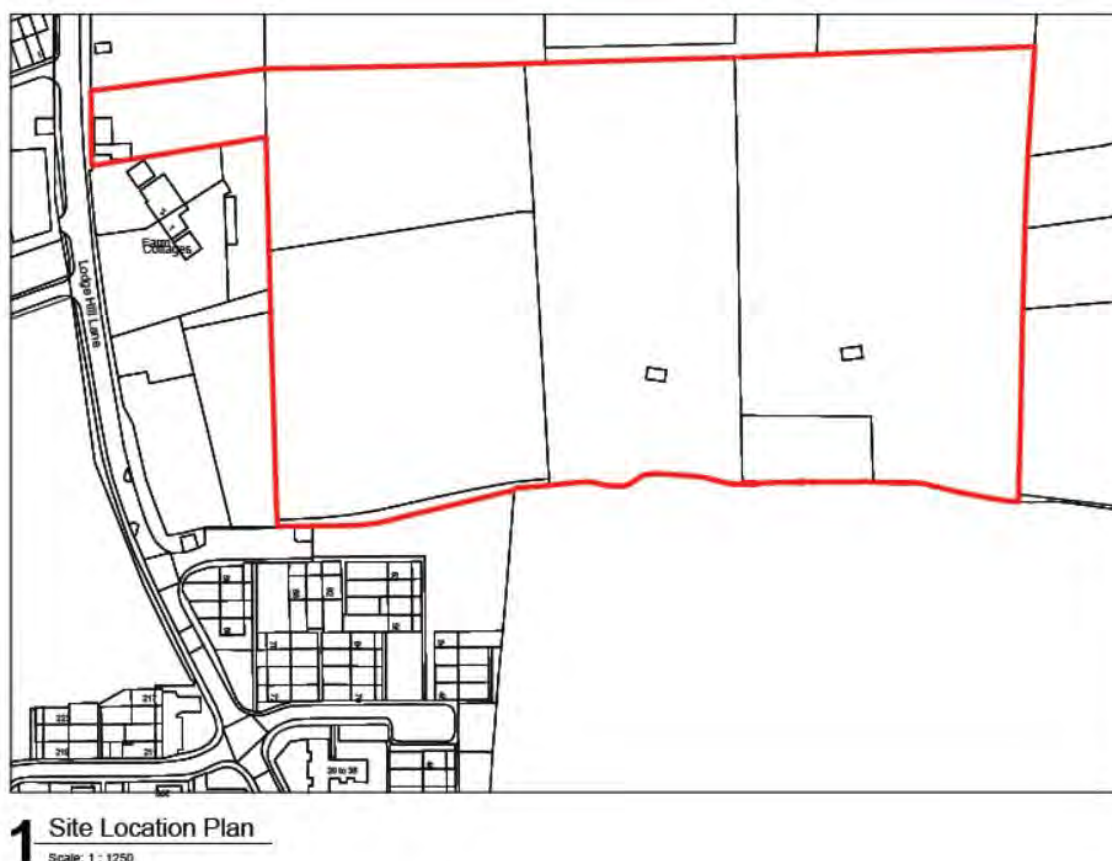
- 1.1 Lee Evans Partnership LLP is instructed by Mr HG and Mrs DR Kemsley (hereafter, the Landowners) to submit representations to the Regulation 19 Draft of the Medway Local Plan 2041.
- 1.2 The Landowners are promoting Land adjacent to Farm Cottages, Lodge Hill Lane, Chattenden (hereafter referred to as 'Lodge Hill' or 'the site' or 'site reference HHH40') as a non-strategic housing opportunity comprising circa 75 homes and extensive landscaping. The site would align with Medway Council's ('the Council') proposed spatial strategy.
- 1.3 This response offers the Landowners' initial view on whether the Plan satisfactorily meets – or is aligned to meet – the strategic vision and objectives as currently drafted through its spatial strategy. It makes specific reference to land interests at land adjacent to Farm Cottages, Lodge Hill Lane, Chattenden. This Site is available, achievable and deliverable for residential development in the plan period up to 2041.
- 1.4 For clarity, it is understood that the Site has been previously identified by the Council as site **HHH40**, with a capacity of 75 dwellings, and noted as a non-strategic reasonable alternative in the Sustainability Appraisal. These representations continue to advocate for the inclusion of the Site in the Plan, strongly identifying its potential to support the Plan's objectives.
- 1.5 This response advocates for the continued targeted distribution of growth across the authority area, including in urban, suburban and rural locations to meet need. It expresses a preference for a 'Blended Strategy', albeit one that is predicated on sustainable development in all its forms, combining brownfield and greenfield site opportunities to maximise development opportunities in appropriate locations.
- 1.6 It should be noted that the subject to the ongoing evolution of the Plan, there is the potential for a planning application – supported by relevant technical inputs – to be prepared and submitted, evidencing the overarching deliverability of the Site in line with the aspirations of the Plan as drafted.
- 1.7 The following comments are therefore set out in a positive and constructive manner intended to aid the clarity and implementation of the Plan, structured around the following sections:
  - **Section 2** of this Statement describes the representation site and its surroundings.
  - **Section 3** provides a summary analysis of the opportunity at Lodge Hill, Chattenden.
  - **Section 4** sets out commentary on the Plan as drafted, with reference to its Vision, Objectives, and key policies;
  - **Section 5** summarises the case in support of the site for positive assessment and allocation prior to examination.
- 1.8 On behalf of the Landowners we strongly advocate for the continued inclusion of a broad and ambitious approach to development across the authority area, in a range of locations.

*Examination*

- 1.9 The landowner reserves the right to participate in the relevant hearing sessions at the Examination in public.

## 4. SITE DESCRIPTION

- 2.1 The representation site extends to approximately 4.07 hectares of land currently used for the keeping and grazing of horses. A site plan is attached at **Appendix 1**, and in extract at **Figure 1**.



**Figure 1.** The Site Location, edged red.

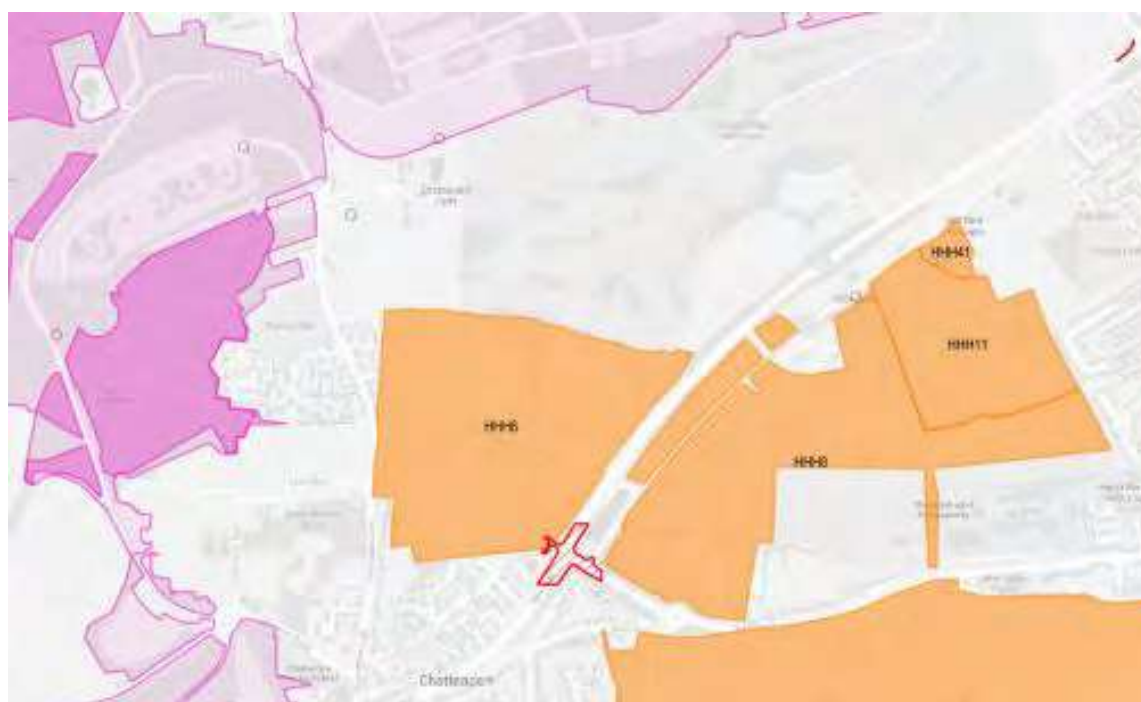
- 2.2 Access into the site is directly off Lodge Hill Lane, adjacent to a dilapidated rural building. At the front of the site to the west is a pair of cottages (known as Farm Cottages).
- 2.3 The site is undulating and ground levels steadily rise across the site from west to east, before plateauing at its eastern boundary.
- 2.4 To the north of the site are more grazing fields and the grounds of Chattenden Farm. Beyond Chattenden Farm is part of the former Chattenden and Lodge Hill Military Camps. The eastern boundary of the site adjoins the Council owned former Deangate Ridge Golf Club which closed in April 2018. To the south of the site is an existing residential development accessed off Lodge Hill Lane (allocated by Policy H1 of the adopted Medway Local Plan 2003 for 47 units – Ref: MC001) and an agricultural field which forms part of a larger site that has historically been the subject of a planning application for up to 530 dwellings as part of a large mixed-use development. The wider Hoo Peninsula is widely acknowledged as a central component of Medway’s previous local plan preparation, and a wide evidence base exists to support such.
- 2.5 To the west of the site on the opposite side of Lodge Hill Lane is another part of the former Chattenden and Lodge Hill Military Camps including a number of vacant, dilapidated former residential dwellings.



- 2.6 To the south-west of the site is the Lodge Hill Recreation Ground and further residential development accessed off Lodge Hill Lane, including Chattenden Community Centre. This development was part of the allocated site MC001 referred to above. Also to the south of the site are bus stops serving Chatham and Hoo.
- 2.7 The site is located in Flood Zone 1 and is therefore deemed to be at less than 0.1% chance of flooding in any year. The site is also at low risk of surface water flooding according to the Environmental Agency flood risk mapping.
- 2.8 The site contains a Grade II Listed First World War sentry post, which forms part of a group of six sentry posts in the area and which would be protected in the event of development.
- 2.9 Land to the west of Lodge Hill Lane and to the north of Chattenden Farm is located within the Chattenden Woods and Lodge Hill SSSI, an area of ancient woodland and rare grassland, supporting a large nightingale population.

### 3. THE OPPORTUNITY AT LODGE HILL

- 3.1. An Indicative Concept Masterplan (**Figure 3** shown overleaf; supporting plan submitted in **Appendix 2**) is provided to identify the development aspirations of the Landowners, here showing in broad terms how a suitable development scheme could delivery up to 75 dwellings in this location. Whilst subject to refinement with the benefit of later technical reporting, a development area incorporating extensive biodiversity net gain opportunities and open space could yield a reasonably well-contained residential led scheme of mixed character areas and housing typologies. Access would be provided variously, both vehicular via Lodge Hill Lane and by foot and on bicycle. There are numerous opportunities for development linkages between the Site and its immediate surroundings.
- 3.2. Development of the Site would be in keeping with, and at a scale proportionate to, the size and form of the existing settlement, all the while fully cognisant of the sustainable growth of Chattenden at nearby sites and the proposed indicative distribution of growth in such areas underscores the sustainability credentials of the area. The inclusion of the Site in later iterations of the Plan is considered to roundly accord with the thrust of the Vision and Strategic Objectives set out in the Plan.



**Figure 2.** Extract of draft Proposals Map (North West) identifying HHH6.



Figure 3. Extract of the Indicative Concept Masterplan.

3.3. In this regard, we confirm the following:

- The Site is held in single ownership and no third parties are required in the delivery of housing in this location. The Site is considered available, suitable and deliverable.
- An Outline Planning Application evidencing the overarching deliverability of the Site in line with the aspirations of the Plan as drafted can be readily advanced in good time. Technical work has been instructed to underpin the detailed inputs to a future planning application. These representations are supported at this stage by some of this early-stage technical work emphasising the deliverability of the Site, evidenced principally in the supporting concept plan.
- The concept plan identifies how development here could support wider development aspirations, with retained buffers between nearby settlement areas. Coalescence can be mitigated against, through an appropriate design scheme. An indicative plan demonstrates how this could be achieved in an appropriate manner.
- Wider sustainability credentials in and around the Site will evolve over time, including substantial changes to public transport services. The distance from the Site to public transport will evolve in turn. The Site will itself centre non-car travel modes where possible.

- The close proximity of the site to the SSSI is noted, but need not preclude development. A sensible and robust design scheme – with mitigation and compensatory measures – could still come forward.
- The Site would not necessarily result in the loss of BMV land, and an appropriate wider planning balance could likely be achieved. The Site is not currently in agricultural use.

3.4. With this in mind, the Site is considered to be a logical candidate for inclusion in the Plan at the next stage for the following reasons:

- **Access to Centres** – The site is not located within a local & district centre however it is approximately 1.2 kilometres to the nearest local centre in Chattenden to the south of the A228. The site would however benefit from its close proximity to local bus services which would provide access for future residents to not only Chattenden but also the larger settlement of Chatham.
- **Access to Educational Facilities** – The site is approximately 800-900 metres away from Chattenden Primary School and there are continuous footpaths along Chattenden Lane and Lodge Hill Lane as well as bus stops which would provide access to the school. It is considered that by providing a footpath at the front of the representation site that this would ensure that the school would be attractive for future residents to walk to.
- **Access to Open Space** – The site is less than 100 metres away from an area of open space at Lodge Hill Recreation Ground.
- **Transport** – The site is approximately 150 metres away from existing bus stops on Lodge Hill Lane which provide a number of services to Chatham and Hoo throughout the day, and which in turn would provide connection to larger employment centres and train links to London.
- **Site Access** – Suitable vehicular access could be provided within site ownership or highways land.
- **Landscape and Environment** – The site is located within a landscape of high sensitivity and moderate condition (15 – Deangate Ridge) as identified by the Medway LCA 2011 however development of the representation site would be self-contained and viewed in the context of surrounding development and therefore would not affect the characteristics for which the wider landscape character area is designated. Where appropriate all existing trees and hedgerows within and adjacent to the site would be preserved and integrated into the scheme and new landscaping and planting would provide appropriate buffers, which can also function as biodiversity corridors.
  - The site is located to the south and east of the Lodge Hill SSSI and it is recognised that it falls within an Impact Risk Zone. Detailed assessment of any impact of the development upon the SSSI and any mitigation and enhancement measures that may be required would be incorporated into any development proposals.
- **Heritage** – As outlined above there is an existing Grade II Listed First World War Sentry Post on the site which forms part of a group of six in the area. This should not be considered as a significant constraint to development and would be able to be protected in situ and integrated into the layout of any future proposals.

- **Flood Risk** – The site is in Flood Zone 1 and is not in an area of high surface water flooding. It is therefore at low risk of flooding and a sequentially preferable location for housing development.
- **Air Quality** – The site is not within or adjacent to an Air Quality Management Area. However, traffic generated by the development would be expected to route through the Four Elms Hill AQMA but the site will accommodate less than 200 units so is unlikely to have a significant impact on this management area.
- **Contamination** – There is no evidence of contamination on the site.
- **Agricultural Land** – The site is within an area of Good to Moderate Grade 3 agricultural land, however, is not currently used for agricultural purposes.

3.5. Notwithstanding the suitability of the site as a standalone development, it is submitted that the Council should also consider the suitability of Chattenden to accommodate a greater quantum of development in order to assist with delivering Medway's development needs.

## 4. PLANNING REPRESENTATIONS TO REGULATION 19 LOCAL PLAN CONSULTATION

- 4.1. Detailed commentary is provided herein on the Vision, Objectives, and Policies of the Plan where outlined. Commentary is not provided for all policies, and is instead reserved for those considered of most relevance to the land interests cited here.
- 4.2. Due regard has been had to the wider evidence, and where necessary cross-reference has been made to the LPA's evidence as available as part of this consultation process.

### *Overarching Vision & Strategic Objectives*

- 4.3. The Overarching Vision for Medway is described as *“strengthening Medway’s position in the economy and culture of the region, benefitting from regeneration and inward investment, connected to its surrounding coast and countryside, and displaying its rich heritage; with a thriving economy, where residents enjoy a good quality of life and there is a clear strategy for addressing climate change and strengthening natural assets.”*. This as an overarching vision is supported as a high level principle underpinning the aspirations of the Plan.
- 4.4. The Vision goes on to outline Medway as a location where *“all sectors and ages of the community can find decent places to live”* and where *“the quality of new development has enhanced Medway’s profile, and driven up environmental standards in construction...investment in new services and infrastructure such as transport, schools, healthcare and open spaces has supported housebuilding to provide a good quality of life for residents”*. The continued aspirations for Medway as a quality place to live are also supported in full.
- 4.5. Supporting this overall vision, the Plan identifies a number of strategic objectives in planning positively for development and infrastructure whilst conserving and enhancing the natural, built and historic environment. Whilst commentary is not provided for each of these objectives, due regard has been had to their content. *In particular, the Landowners support aspirations to provide high quality energy efficient homes that meet the housing needs of Medway’s communities, reflecting the range of sizes, types and affordability the area needs including provision for specialist housing*. This objective is consistent with the thrust of the National Planning Policy Framework in its pursuit of sustainable development. Again, this is supported overall at the District-wide level as an appropriate and realistic vision for Medway over the plan period.
- 4.6. It is considered that the objectives are generally appropriate in supporting the implementation of the Vision, and that the objectives themselves are adequately reflected across the strategic policies as proposed, albeit subject to any refinement that may follow during the Examination process and later consultation stages beforehand.

### *Spatial Development Strategy*

- 4.7. The Plan identifies the chosen spatial growth option for a blended approach strategy to meet the Council's identified housing and development needs in full up to 2041. The chosen growth option focuses on a brownfield first approach which aligns with national planning policy and will account for 40% of the housing need. The remaining 60% of housing need will be split equally between extensions

to suburban areas that provide access to existing services, and rural areas where investment in new facilities and services will be facilitated.

- 4.8. It is acknowledged by the Landowners that the chosen spatial strategy is a logical approach to addressing need through existing resources. It is aligned with national planning policy and would support efforts to regenerate urban areas. That said, it is emphasised that this approach would place significant pressure on urban areas to deliver a significant proportion of the local housing need. It potentially underestimates the difficulty in securing appropriate variation in housing typology with an urban-focus, as well as matters of viability dealing with brownfield sites- potentially with onerous site conditions and cost factors. Consideration should also be given to the potential impact of delayed deliver on brownfield sites through the plan period, potentially harming the Council's 5-year housing land supply position and housing delivery test.
- 4.9. Furthermore, this approach downplays the contributions of greenfield sites in meeting delivery targets, namely through sustainable development in nearby areas- such as Chattenden. Green field sites are a valuable asset in supporting the aspirations of the Plan, and a Spatial Development Strategy which fails to appropriately recognise this should not be viewed as a sound strategy.
- 4.10. Within the Spatial Development Strategy, Hoo St Werburgh and Chattenden are identified for large scale growth that will extend beyond the plan period. ***It is suggested that the representation site is included in the plan as a 'phase b' for the development at Chattenden to accommodate the level of housing need and to mitigate the constraints on surrounding draft allocations such as HHH6 such as surface water flooding which could impact the quantum of development.***

#### *Sustainability Appraisal*

- 4.11. The Medway Local Plan Sustainability Appraisal provides an assessment of the spatial development strategy and the reasonable alternative sites, of which the representation site is included under reference HHH40.
- 4.12. The assessment of HHH40 is included in Appendix J 'Selection and Rejection of Reasonable Alternative Sites' and is extracted below:

Site reference	Site use	Selected or rejected?	Outline reason for selection/ rejection provided by Medway Council
HHH40	Residential led	Rejected	Close proximity to SSSI. Potential loss of BMV agricultural land. The development could lead to coalescence between settlements. Beyond reasonable walking distance to current public transport services

- 4.13. In advocating for the allocation of the site within the Local Plan, or as a phase b of the growth strategy surrounding Chattenden, we take each of the Council's reasons in turn below.

#### *Close proximity to SSSI*

- 4.14. Whilst it is accepted that the site is within proximity to the Chattenden Woods and Lodge Hill SSSI, this should not preclude the allocation or development of the representation site. The representation site is separated from the SSSI to the north by intervening residential/ agricultural/ commercial uses, and to the west by residential development and Lodge Hill Lane. The impacts on the SSSI would be

mitigated within any future development proposal. It should also be noted that draft allocations such as SR14 lie closer to the outer extent of an SSSI than the representation site, meaning that built development will occur closer to the SSSI than at the representation site. The Council should apply the assessment across all sites equally to ensure impacts can be adequately mitigated.

*Potential loss of BMV agricultural land*

- 4.15. The site is categorised at the lower end of BMV agricultural land as Grade 3. Whilst this is accepted, it should not preclude development of the site given the benefits of the scheme. The site is not currently within agricultural use, whilst draft allocations such as HHH12, HHH22, HHH31, HHH33, HHH24, HHH25, RN9, RN28, RN30, RN31, and RN32 (amongst others) are all within Grade 1 agricultural land. Given the representation site lies at the lower end of BMV agricultural land, it is not considered a strong reason for excluding the site for allocation within the local plan given the extensive allocation of land for residential development within higher grades of BMV agricultural land.

*The development could lead to coalescence between settlements*

- 4.16. Whilst it is accepted that allocation of the site would extend the settlement boundary of Chattenden, it is not considered that this could lead to coalescence between settlements. Further development to the north and west is limited by the SSSI and to the east by Deangate Ridge Country Park. The representation site would therefore not lead to coalescence between settlements given the closest settlements to the north of Chattenden lie 2km (Cliffe Woods) and 3.5km (Cliffe) away. The intervening land designations would prohibit coalescence of the representation site with either settlement in the future. The site compares favourable when compared with LW3, LW4, LW6, LW7 and LW8 on the coalescence of Lordswood and Hempstead, and HHH6, HHH8, HHH11 and HHH12 on the coalescence of Chattenden and Hoo St Werburgh.

*Beyond reasonable walking distance to current public transport services*

- 4.17. As previously noted at paragraph 3.4, the site is within approximately 1.2 kilometres to the nearest local centre in Chattenden to the south of the A228. The site is approximately 800-900 metres away from Chattenden Primary School and there are continuous footpaths along Chattenden Lane and Lodge Hill Lane as well as bus stops which would provide access to the school. The site is less than 100 metres away from an area of open space at Lodge Hill Recreation Ground. The site is approximately 150 metres away from existing bus stops on Lodge Hill Lane which provide a number of services to Chatham and Hoo throughout the day, and which in turn would provide connection to larger employment centres and train links to London. It is therefore not considered that the representation site is beyond reasonable walking distances to current public transport services. In order to further address the concern, it is suggested that the representation site is allocated as a 'phase b' for development at Chattenden once draft allocation HHH6 is built out and delivers improved access to public transport services.

*Development Management Policies*

- 4.18. To support the Council in producing a submission plan that will be found sound at Examination, supplementary commentary is provided elsewhere, namely on emerging policies considering of most relevant at this stage.
- 4.19. It is understood that the Council is relying on the delivery of 1,584 dwellings via windfall sites through the local plan period. At this stage, there is no policy within the Regulation 19 Local Plan that establishes the context and circumstances in which windfall sites should be developed. **Given the**



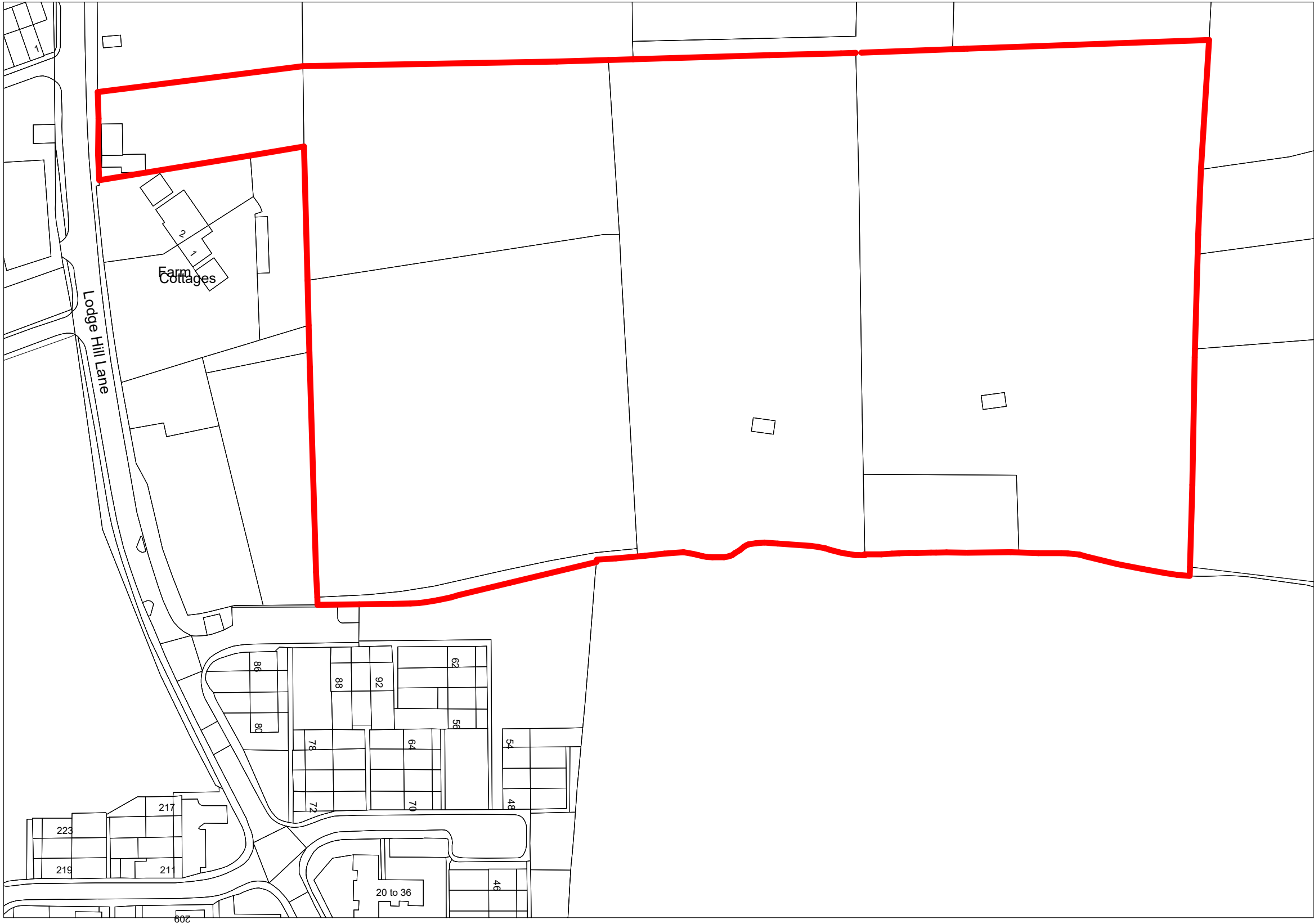
quantum of housing development anticipated through windfall sites, and in order to be found sound at Examination, the Council should include a specific policy on the delivery of windfall sites. A policy should state that windfall sites should be sustainably located within or on the edge of settlement boundaries. **A settlement hierarchy would support the delivery of windfall sites and ensure that development that is not allocated within the Local Plan is located in the most appropriate locations.**

- 4.20. **Policy T11- Small Sites and SME Housebuilders:** This policy is generally supported in what it seeks to achieve, that being encouragement of small housing site development where it supports sustainable development, and where delivered largely by SME housebuilders. The criteria of the policy are clear in that the site should not exceed 60 dwellings net in order to maintain the character and scale of the local area, as well as matters of high quality design.
- 4.21. It is wholly agreed that the inclusion of this policy would be helpful to the Plan in a myriad of ways, noting that developing small (and medium) sites may help to make the best use of existing infrastructure and resources, minimise environmental impacts, and prevent urban sprawl. It is agreed that – generally – SMEs are more intrinsically linked with the local supply chain and are more likely to invest in local materials and construction, offer apprenticeships and utilise wider Kent based partners from concept through to sale.

## 5. SUMMARY

- 5.1. On behalf of the Landowners we strongly advocate for the inclusion of land adjacent to Farm Cottages, Lodge Hill Lane, Chattenden for residential development.
- 5.2. Whilst it is considered that the Plan could provide a sound approach to planning in the authority over the plan period, there are suggested amendments which would assist in delivering a sufficient number of homes over the plan period, these include:
  - Allocating the representation site (ref. HHH40) for development within the plan period to ensure the delivery of housing across the plan period, particularly in light of the brownfield first approach which could expose the Council's housing delivery to delays due to viability and site condition issues.
  - Inclusion of a policy to direct the delivery of windfall sites across the plan period to sites within or on the edge of settlement boundaries which would be the most sustainable areas for growth. This should be accompanied by a settlement hierarchy to ensure windfall sites are located in the most suitable locations.
- 5.3. The supporting concept plan demonstrates how a logical form of development could be included in the next iteration of the Plan. Specific to the Promoter's interests, an approach that advocates for the delivery of housing in this location is strongly supported, noting that:
  - The Site is well-related to the existing settlement – and committed development- and is contained within the landscape and important trees and landscape features will be retained and, enhanced;
  - The local highway network has capacity to accommodate the additional traffic associated with the development, without adverse impact and in fact provide a betterment to the existing conditions and to be explored in greater detail in the context of a planning application as currently being prepared;
  - The Sites falls within the EA Flood Risk Zone 1 (i.e. land assessed as having a less than 1 in 1,000 annual probability, or <0.1% chance of flooding);
  - There are few designated heritage assets within or immediately adjacent to the site, and the development is not considered to affect the setting of any Listed Buildings. The listed sentry post is part of a group locally, and provision can be made within a sensitively design masterplan layout to protect and conserve its significance. The attached concept layout demonstrates a comfortable development form that would afford a greater appreciation of such, and could be refined as the site principles develop with additional technical inputs, including proportionate heritage inputs.
- 5.4. We welcome the opportunity to further assist or provide comment on the preparation of the Plan which will help shape future development in the area; and we welcome look forward to the opportunity to participate at plan-making stages where appropriate.

## APPENDIX 1: SITE LOCATION PLAN

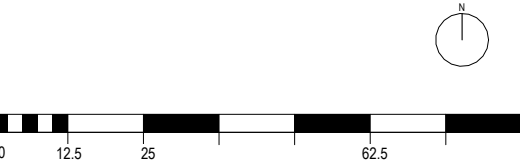


**1** Site Location Plan

Scale: 1 : 1250

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Revision	Description	DRN	CHK	Date
ISSUE STATUS				
In Progress				



CLIENT

Mr HG and Mrs DR Kemsley

PROJECT NAME	PROJECT NO
Land Adjacent to Farm Cottages, Lodge Hill Lane, Chattenden	9314
DRAWING TITLE	ISSUE DATE
Site Location Plan	09/06/24
	DRAWN BY
	LF
	CHECKED BY
	LG
	SCALE
	1 : 1250@A3

DRAWING NUMBER	REVISION
9314-LEP-ZZ-ZZ-DR-A-00001	P01
PROJECT	AUTHOR
ZONE	LEVEL
TYPE OF INFO	ROLE
NUMBER	

## APPENDIX 2: INDICATIVE CONCEPT MASTERPLAN

## Lodge Hill Lane Reps | Context, Access, and Integration



# LEP

## Lodge Hill Lane Reps | Character Areas and Placemaking



## Model Representation Form for Local Plans



### Local Plan Publication Stage Representation Form

Ref:

(For official  
use only)

Name of the Local Plan to which this  
representation relates:

Medway Local Plan

Please return to Medway Council Planning Service by 11<sup>th</sup> August 2025

Email: [planning.policy@medway.gov.uk](mailto:planning.policy@medway.gov.uk) or post to:

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

This form has two parts –

Part A – Personal Details: need only be completed once.

Part B – Your representation(s). Please fill in a separate sheet for each representation  
you wish to make.

## Part A

1. Personal  
Details\*

2. Agent's Details (if applicable)

*\* If an agent is appointed, please complete only the Title, Name and Organisation (if applicable)  
boxes below but complete the full contact details of the agent in 2.*

Title		Mr
First Name		Christopher
Last Name		Schiele
Job Title (where relevant)		Director
Organisation (where relevant)	Telereal Securitised Property GP Limited	Turley
Address Line 1		Brownlow Yard
Line 2		12 Roger Street
Line 3		London
Line 4		
Post Code		WC1N 2JU
Telephone Number		
E-mail Address		



(where relevant)

## Part B – Please use a separate sheet for each representation

Name or Organisation:

3. To which part of the Local Plan does this representation relate?

Paragraph

Policy

SA1  
(CCB49)

Policies Map

4. Do you consider the Local Plan is:

4.(1) Legally compliant

Yes

X

No

4.(2) Sound

Yes

X

No

4 (3) Complies with the  
Duty to co-operate

Yes

X

No

Please tick as appropriate

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

Note: Our client does not consider there is a soundness issue with regards to the policy or site allocation referred to in this submission, however, to ensure its deliverability some additional flexibility is required.

### Introduction & Background

1. We write on behalf of our client, Telereal Securitised Property GP Limited (hereafter: "our client"), with respect to the Council's Reg. 19 Public Consultation on the emerging Medway Local Plan (2025) [hereafter: "Draft Local Plan"] and specifically regarding Medway Telephone Exchange, Best Street, Chatham, ME4 4AB (referred to in Draft Policy SA1; Policies Map ID CCB49). This submission follows previous representations made in relation to earlier Reg. 18 consultations in October 2023 and September 2024 (with the latter provided as **Appendix 1**).
2. For the avoidance of doubt, our client is the landowner of the Medway Telephone Exchange, Best Street, Chatham, ME4 4AB ("the site"). As set out in our previous submissions, the site constitutes brownfield land in a sustainable development location, is under single ownership and expected to be surplus to operational requirements by 2031 (or earlier) when it will come forward for conversion/extension or redevelopment. This remains unchanged.

### **Draft Policy SA1: Chatham Town Centre and Surrounds**

3. Our client strongly supports the allocation of the site for the delivery of new housing as set out in accordance with the draft policy (and linked Policies Map).
4. In accordance with **Paragraph 72** and the definitions contained in the National Planning Policy Framework ("NPPF", 2024), the site (CCB49) therefore constitutes an available, suitable, and deliverable development site and its allocation ensures that once the site is vacated by the current occupier there is a clear allocation for a land use for which there is an identified need.
5. The site is therefore considered to be capable of making a significant contribution towards the Council's housing target, particularly as the site constitutes previously developed, brownfield land to which Chapter 11 of the NPPF seeks to direct future development (and intensification) with a view of making as much use as possible of previously developed land (**Paragraph 124**) and giving substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs (**Paragraph 125**).
6. As noted in our Regulation 18 representations (**Appendix 1**), our client has undertaken feasibility studies to assess likely development capacities and scenarios which considered the site's main constraints/surroundings (including its topography and proximity to surrounding heritage assets likely necessitating a heritage- and design-led approach). These high-level development scenarios include the site's demolition and redevelopment (Option 1) as well as its conversion and, where appropriate, extension alongside new build elements within its boundary (Option 2), both resulting at different capacities reflective of option-specific requirements.
7. Which option will come forward will be depending on further in-depth feasibility studies (suitability of the existing site for conversion/extension) as well as viability considerations and other economic considerations associated with either approach (i.e. impact of abnormal costs, etc.) prior to the submission of a future planning application.
8. Unlike other sites, there are different options in which this site may come forward, and it is therefore of the utmost importance to our client that flexibility is retained in the draft policy so that the most viable and deliverable form of development can be brought forward once the site is vacated by its current occupier, thereby ensuring it makes its contribution to the Council's housing target without delay.
9. As set out in our Regulation 18 representations, whilst the site's capacity can and should be sought to be optimised in accordance with the NPPF, the ultimate housing numbers will be subject to and heavily guided/influenced by the final (viable/deliverable) development option coming forward. It may therefore be prudent to add additional flexibility to the estimated housing capacity in the form of a site-specific Design Principle or supporting paragraph for CCB49 to the draft policy, reflective of the fact that various economic and delivery-related aspects may influence the final development option, thereby ensuring that the flexibility needed for this site is provided for in the draft policy (or its supporting paragraphs).

10. For the avoidance of doubt, our client is content with Design Principle 14 requiring the submission of a Heritage, Townscape and Visual Impact Assessment alongside a future planning application.

11. Design Principle 15 is somewhat unclear as to whether this is applicable to all sites listed in the draft policy (as is Criteria 8 which may not apply to sites in Flood Risk Zone 1).

(Continue on a separate sheet /expand box if necessary)

6. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 5 above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Recommended modifications:

Additions

~~Deletions~~

Policy SA1:

- Add new Design Principle or Supporting Paragraph: Different development options exist for Site CCB49, including full redevelopment or conversion/extension and new build elements, each affecting the site's final housing capacity. The final development option will be subject to site-specific economic considerations at the time of delivery. A future planning application should be accompanied by a detailed justification for the proposed development option illustrating how this optimises the future use of the site, impacts housing capacities and enables delivery.  
*Reason: See Section 5 (Paragraphs 5-9) above.*
- Review whether Criteria 8 and Design Principle 15 apply to all sites or only those in specific flood zones/where a Flood Risk Assessment is required under the NPPF.  
*Reason: See Section 5 (Paragraph 11) above.*

(Continue on a separate sheet /expand box if necessary)

**Please note** In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

**After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.**

7. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

☐

**No**, I do not wish to participate in hearing session(s)

☒

**Yes**, I wish to participate in hearing session(s)

Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate.

8. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

To expand or elaborate on the flexibility sought to ensure Site CCB49 can come forward in the most viable and deliverable form when it becomes available for redevelopment/conversion.

**Please note** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

**For details of our data privacy policy please see:**

<https://www.medway.gov.uk/info/200133/planning/714/planning-service-privacy-statement>

6 September 2024

**Delivered by email only**

Medway Council – Planning Policy  
Gun Wharf  
Dock Road  
Chatham  
Kent  
ME4 4TR

Dear Sir/Madam

## **THE MEDWAY LOCAL PLAN (REGULATION 18, 2024)**

### **WRITTEN REPRESENTATIONS ON BEHALF OF TELEREAL SECURITISED PROPERTY GP LIMITED**

We write on behalf of our client, Telereal Securitised Property GP Limited (hereafter: “our client”), with respect to the Council’s Reg. 18 Public Consultation on the emerging Medway Local Plan (2024) [hereafter: “Draft Local Plan”] and specifically regarding Medway Telephone Exchange, Best Street, Chatham, ME4 4AB (Indicative Site Allocation CCB49). This submission follows previous representations made in relation to the earlier Reg. 18 consultation in October 2023 (see **Appendix 1**).

#### ***Introduction & Background***

Our client is the landowner of the Medway Telephone Exchange, Best Street, Chatham, ME4 4AB (“the site”). As set out in our previous submission, the site constitutes brownfield land in a sustainable development location, is under single ownership and expected to be surplus to operational requirements by 2031 (or earlier). As such, it will become available for redevelopment over the Draft Local Plan period.

The Draft Local Plan is of significant importance to our client who has a strong interest in ensuring that it creates a strong, flexible and ambitious planning framework to facilitate the sustainable growth the Council requires and maximises the development potential of suitable sites and areas as set out in its preferred spatial growth option (‘SGO3’).

As the Council will be aware, for Local Plans to be found sound, we note that in line with **Paragraph 35** of the National Planning Policy Framework (“NPPF”, 2023) it is important that they are:

- ***Positively prepared***: Providing a strategy which, as a minimum, seeks to meet the area’s objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
- ***Justified***: Based on an appropriate strategy, taking into account the reasonable alternatives, and proportionate evidence;

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12 Roger Street  
London  
WC1N 2JU  
T 020 7851 4010 [turley.co.uk](https://www.turley.co.uk)

- **Effective:** Be deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
- **Consistent with national policy:** To enable to delivery of sustainable development in accordance with the policies in this Framework and other statements of national planning policy, where relevant.

### 3.2 Spatial Growth Options, Sustainability Appraisal Appendix E & Emerging Policies Map (Site CCB49)

The Council identified a series of Spatial Growth Options in Section 3 of the Draft Local Plan setting out that its preferred option is SGO3 comprising a blended urban regeneration and greenfield approach. In light of the evidenced need for housing (and the Government’s proposed revised standard method to determining such need set out in the consultation on modifications on the NPPF in July 2024), it is considered that SGO3 is the only realistic option to achieve the required growth and housing numbers.

It is positively noted that, following the previous Local Plan consultation, the site has been identified as preferred indicative site allocation **ref. CCB49**. Our client wishes to reiterate that it is the sole landowner of the site which is deemed *deliverable, suitable, available and economically viable* (in line with the definition of deliverable housing sites set out in NPPF Paragraph 69 and its Glossary). Whilst currently operational as a telephone exchange (*sui generis*), it is anticipated to become surplus to BT’s operational requirements by 2031 or earlier which requires a forward-thinking strategy to ensure this brownfield site is effectively used once vacated by the current occupier and therefore avoids a long-term period of vacancy. This should be awarded significant weight in line with NPPF **Paragraph 121**.

The site is considered to be capable of making a significant contribution towards the Council’s housing target, particularly as the site constitutes previously developed, brownfield land to which Chapter 11 of the NPPF seeks to direct future development (and intensification) with a view of making as much use as possible of previously developed land (**Paragraph 123**) and giving substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs (**Paragraph 124**). This is further emphasised in the consultation on changes to the NPPF published on 30<sup>th</sup> July 2024.

To demonstrate its commitment to bringing the site forward once its current operation ceases (either directly or via a development partner/developer), our client has undertaken initial feasibility and viability studies to assess likely development capacities and scenarios. This study has considered the site’s main constraints/surroundings (including its topography and proximity to surrounding heritage assets likely necessitating a heritage- and design-led approach) and developed high-level development scenarios ranging from demolition and redevelopment (**Option 1**) to conversion and, where appropriate, extension alongside new build elements within the wider site (**Option 2**).

Realistically, and taking into account current sales values and development viability considerations, it is considered that the site may either come forward as a conversion/extension or full-scale redevelopment, as set out above. However, it is too early at this stage to determine the most realistic and viable development option.

Therefore, to avoid an overly prescriptive site allocation (i.e. targeting a capacity which may neither be deliverable nor viable) which may undermine the viability of one of the future development options, it is strongly recommended to consider safeguarding both options at this stage alongside **revised capacity assumptions of circa 50 (conversion/extension) to 100 (full-scale redevelopment) new homes**.

Having reviewed *Appendix E: Reasonable Alternative Site Assessments* of the Sustainability Appraisal (June 2024; “the SA”) accompanying the Medway Local Plan, our client considers that carrying forward an indicative development capacity of 50-100 new homes should be maintained to take into account both development options for the site as well as development viability at the time of a planning application coming forward (i.e. there may be changes in build costs, sales values, etc. which will have an impact on the overall approach).

Clarifications, where necessary, on the SA's assessment of the site in its Appendix E are however provided below:

- **Climate Change Adaption:** Subject to an appropriate flood risk and drainage strategy which ensures that surface flooding is not increased outside the site's boundary it is not considered that this should affect the future redevelopment potential of the site.
- **Biodiversity & geodiversity:** The site is sufficiently distant from European sites and SSSI with any impact likely to be mitigated at application stage.
- **Landscape & townscape:** It is agreed that there are no significant townscape or landscape constraints affecting a future redevelopment of the site.
- **Pollution & waste:** It is noted that all sites capable of delivering 100+ new homes are shown as having a potential adverse impact on air quality/pollution. However, it is considered that air quality impacts can be fully considered and mitigated through an air quality (neutral) assessment at application stage. In addition, based on our commentary above, it is considered that a more realistic development capacity of 50-100 new homes may mitigate this risk further and allows the Council to assume that no potentially adverse impact on air quality/pollution will be caused by this site.
- **Health & wellbeing:** The site is identified as being >1.5km from the nearest leisure centre. This is noted, however, it should be recognised that Medway Park Sports Centre is only marginally (+600m) further away than the identified threshold and easily reachable by foot and bicycle. The pedestrian route to the leisure centre leads through open space (Great Lines Heritage Park) and therefore constitutes a welcoming access route with limited exposure to road traffic. It is considered that the site should be assessed as having a minor positive impact in this regard.
- **Cultural heritage:** The site is assessed as potentially altering the setting of and/or having a minor negative impact on nearby heritage assets (Conservation Area; Grade II listed building). It is considered that this risk is not significant and can be adequately mitigated through a heritage- and design-led approach to redevelopment or, even more so, in a conversion scenario (including potential extensions and/or lower scale new build elements within the wider site). Cultural heritage is therefore not considered to have a significant impact on the acceptability of a redevelopment of the site.
- **Transport and accessibility / Education:** As noted by the Council, the site is in a very sustainable development location having excellent access to public transport and education provision.
- **Economy and employment:** The site is identified as having a potentially adverse impact on employment floorspace provision (assumed due to the perceived loss of such floorspace). However, it should be noted that the site provides limited on-site employment currently. Whilst most telephone exchanges (including this site) are a key part of the UK's communication infrastructure via their copper and fibre networks and have historically provided ancillary offices and related accommodation (such as catering facilities), the ancillary office elements have not been (or only been in limited) active use. This is also the case for the Medway Telephone Exchange. Openreach engineers and other Communication Providers who have equipment located at site simply attend the property to maintain, upgrade or install their equipment (in irregular or regular intervals).

Any office-based staff are located in separate fit-for-purpose office buildings. The site is therefore much more similar to a data centre accommodating communication equipment (racks, cable chambers, plant, etc.). With Openreach withdrawing copper-based technology in favour of fibre in

the coming years, it will result in a consolidation of BT's Exchange portfolio, including the decommissioning and closure of Medway Telephone Exchange.

As such, the site has been underutilised and mostly empty in terms of (ancillary) office use for a significant amount of time, not accommodating any regular on-site employment. Any redevelopment of the site, due to the reasons set out above, will therefore not result in a loss of active or existing employment floorspace.

Given the wider assessment of the site in the SA, the information provided in **Appendix 1** in October 2023 and clarifications set out above, it is therefore considered that the site should be allocated in the next iteration of the Draft Local Plan for residential-led conversion or redevelopment with a site capacity of at least 50-100 new homes. A site allocation not only demonstrates that the site is capable to make a significant contribution towards meeting, or indeed exceeding, the Council's minimum housing target, but also to provide comfort to our client and/or a future developer that a conversion/redevelopment of the site is supported in-principle once its operation as a telephone exchange ceases in 2031.

A short description of development and design principles to be secured in a future draft site allocation is set out below:

## ***Proposed Site Allocation Design and Development Principles***

- **CCB49: Telephone Exchange, Best Street, Chatham, ME4 4AB**
  - (i) Description: *Comprehensive Residential-led conversion (with extension/new build elements) or redevelopment of the site once its current use as a telephone exchange ceases (in 2031 or earlier)*
  - (ii) Justification for option: *The conversion or redevelopment of the site could help to meet the need for new homes and/or other non-residential uses (subject to need/demand) in the borough.*
  - (iii) Anticipated phasing of development: *Post-2031*
  - (iv) Evidence of deliverability: *Site surplus to operational requirements from 2031 (or earlier).*
  - (v) Indicative number of homes: *50-100*
  - (vi) Design Principles:
    - Any conversion or redevelopment of the site should take into account the setting of surrounding heritage assets and consider a heritage-led approach to design, height and massing to protect and enhance their setting. Taller elements should be set back from the Lord Duncan Public House.
    - Subject to a redevelopment being the most viable and desirable option, the site is considered suitable for tall building elements with final building heights to be confirmed at planning application stage and subject to robust heritage, townscape and environmental testing. Impacts on local townscape should be mitigated through high quality architecture.
    - A conversion or redevelopment should take into account the level difference between Best Street and New Road and work with the site's topography to ensure both primary frontages are positively addressed and activated.
    - Opportunities to improve the pedestrian connectivity between New Road and Best Street should be explored.



## **Conclusion**

Overall, it is therefore considered that the site offers an ideal opportunity to facilitate a sustainable future development proposal in an appropriate, brownfield site, particularly when considering that the *fall-back position* constitutes a vacant telephone exchange once its existing operation ceases.

The site is considered to be suitable, available, deliverable and economically viable to deliver new housing during the Draft Local Plan period. As such, it is recommended to include the site in the emerging Draft Local Plan in the form of a Draft Site Allocation for residential-led conversion or redevelopment, maintaining flexibility to consider the most viable approach to development as and when a planning application will come forward.

Our client and we are willing to engage in positive and pro-active discussions with Medway Council where this would assist in preparing a justified, sound, and deliverable new Local Plan.

Please do not hesitate to contact my colleague Alex Christopher [REDACTED] or myself at this office should you require any further information or wish to discuss these representations.

Yours sincerely

Christopher Schiele  
**Associate Director**

[REDACTED]

cc.

Alex Christopher, Director, Head of Planning London, Turley  
James Allan, Development & Disposals Manager, TT Group (acting on behalf of Telereal Securitised Property GP Limited)

## Appendix 1: Reg. 18 Representations in relation to the site (October 2023)

### Site Promotion - Medway Telephone Exchange, Chatham

In addition to the sites assessed under the Land Availability Assessment Interim Report (September 2023), our client (Telereal Securitised Property GP Limited) would like to inform the Council that their land holding at the Medway Telephone Exchange, Best Street, Chatham, ME4 4AB, will become available for residential-led redevelopment during the Medway Local Plan 2040 plan period. As set out below, the site constitutes brownfield land in a sustainable development location, is under single ownership and expected to be surplus to operational requirements by 2028-2031.

Item	Commentary / Response
Agent	Christopher Schiele Turley Brownlow Yard 12 Roger Street London WC1N 2JU [REDACTED]
Site Details	Medway Telephone Exchange Best Street CHATHAM ME4 4AB
Site Ownership	Telereal Securitised Property GP Limited (100%) ("our client")
Existing Use	Telephone Exchange (Sui Generis)
Site size	c. 0.54 ha
Relevant Planning History	A review of the Council's online planning register did not identify any planning applications relevant for a future redevelopment of the site.
Proposed Site Use	Residential (C3) Other uses not currently considered viable.
Site Availability	5-8 years
Is the site suitable for residential development?	No significant constraints affect the suitability of the site for residential-led redevelopment. The site is located in a sustainable development location, constitutes brownfield land and has excellent links to the strategic transport network (Chatham station, c.400m; local bus stops) and other social infrastructure, and is therefore in a suitable location for residential-led redevelopment.  The site is in Flood Risk Zone 1 (with a low probability of flooding), neither locally nor statutorily listed, and not subject to any TPOs.

	<p>The site's proximity to a number of heritage assets is noted and will need to be factored into any future redevelopment proposals.</p> <p>There are no known contamination constraints (which could not be overcome via a suitable remediation strategy). The site further has access to key utility services.</p> <p>Note: The site has not been subject to any active marketing at this stage.</p>
<p>Commentary and Reasons for Site Promotion (for inclusion in next iteration of the Medway Local Plan), including its achievability and availability</p>	<p>The site is subject to a strategic asset review undertaken by our client and expected to become available / surplus to BT's requirements by 2028-2031.</p> <p>Whilst located in close proximity to a number of heritage assets, it is our understanding that the site is neither statutorily / locally listed nor subject to any other significant designations or constraints which would affect its potential for future redevelopment.</p> <p>To date, no capacity testing has been undertaken. However, taking the existing scale/massing (and topography) of the Telephone Exchange into account as well as the key constraints and designations set out above, it is considered that approx. 80-150 new homes can realistically be delivered on this site, subject to detailed feasibility testing and depending on unit mix, tenures, height/massing, and layout. This assumes a flattened redevelopment which is considered acceptable given the site's location in the urban centre of Chatham.</p> <p>The site therefore has the potential to make a significant contribution to the Council's identified housing need of up to 29,000 homes (see Para. 5.12 of the Reg. 18 Local Plan).</p>
<p>Recommendation</p>	<p>The decision for the site to become available by 2028-2031 has been made following the Council's original Call for Sites in February 2023. However, given the ambitious housing targets Reg. 18 Local Plan, recent delivery rates in Medway Council, and the brownfield nature of the site in a sustainable development location, it is considered that the site can make a significant contribution to the Council's evidenced housing need over the Medway Local Plan 2040 plan-period.</p> <p>The fall-back position would be a vacant, unallocated former telephone exchange site which by 2028-2031 is no longer serving any meaningful purpose, resulting in a significantly underutilised brownfield site in a sustainable development location.</p> <p>As such, it is recommended to consider the site for inclusion in the emerging Medway Local Plan 2040 in the form of a Site Allocation for residential-led redevelopment.</p> <p>Our client is willing to cooperate with the Council in the next stages of the plan-making process to ensure a future site allocation meets both the Council's as well as our client's objectives and ambitions.</p>

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Site Location Plan

Title Plan provided as separate file.

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**Contact**

Alex Christopher

[REDACTED]

Christopher Schiele

[REDACTED]

31 October 2023

## Model Representation Form for Local Plans



### Local Plan Publication Stage Representation Form

Ref:

(For  
official  
use only)

Name of the Local Plan to which this  
representation relates:

Medway Local Plan

**Please return to Medway Council Planning Service by 11<sup>th</sup> August 2025**

Email: [planning.policy@medway.gov.uk](mailto:planning.policy@medway.gov.uk) or post to:

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

This form has two parts –

Part A – Personal Details: need only be completed once.

Part B – Your representation(s). Please fill in a separate sheet for each representation you wish to make.

### Part A

1. Personal  
Details\*

2. Agent's Details (if  
applicable)

*\*If an agent is appointed, please complete only the Title, Name and Organisation (if applicable) boxes below but complete the full contact details of the agent in 2.*

Title	<input type="text"/>	<input type="text" value="Mr"/>
First Name	<input type="text"/>	<input type="text" value="Les"/>
Last Name	<input type="text"/>	<input type="text" value="West"/>
Job Title (where relevant)	<input type="text"/>	<input type="text" value="Director"/>
Organisation (where relevant)	<input type="text" value="Abbey Developments"/>	<input type="text" value="leswestplanning"/>
Address Line 1	<input type="text" value="Abbey House"/>	<input type="text" value="4 Bolton Gardens"/>
Line 2	<input type="text" value="2 Southgate Road"/>	<input type="text" value="Teddington"/>
Line 3	<input type="text" value="Potters Bar"/>	<input type="text"/>
Line 4	<input type="text"/>	<input type="text"/>
Post Code	<input type="text" value="EN6 5DU"/>	<input type="text" value="TW11 9AY"/>
Telephone Number	<input type="text"/>	<input type="text" value=""/>
E-mail Address (where relevant)	<input type="text"/>	<input type="text" value=""/>

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## Part B – Please use a separate sheet for each representation

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Name or Organisation: leswestplanning on behalf of Abbey Developments

3. To which part of the Local Plan does this representation relate?

Paragraph	<div>3.1 including Figure 1</div>	Policy	<div>Spatial Development Strategy</div>	Policies Map	<div></div>
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4. Do you consider the Local Plan is :

4.(1) Legally compliant	Yes	<div>X</div>	No	<div></div>
4.(2) Sound	Yes	<div></div>	No	<div></div>
4 (3) Complies with the Duty to co-operate	Yes	<div>X</div>	No	<div>X</div>

Please tick as appropriate



5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.  
If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

It is considered that the draft Local Plan does not meet the tests of soundness in respect of the failure to identify the development potential for housing of a small site immediately adjacent to the eastern settlement boundary of Rainham off Meresborough Road. The site, which is 0.49h, was the subject of a planning application (MC/223/0246) for nine low density houses which was refused and subsequently dismissed on appeal in 2024 due to the conflict with policies BNE 25 and 34 of the current Medway Local Plan. As these policies are not replicated in this proposed Submission Draft Local Plan, there is a potential opportunity for this site to be reconsidered as a potential resource for meeting the housing needs of Medway. Unfortunately, this opportunity has been overlooked.



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 cmvuk (Planning & Design) Ltd Planning & Design 67 The Quadrant St Albans, Herts, AL3 9PQ t: 01727 830123 & email@cmvuk.net www.cmvuk.net		For:	
 Abbey Developments Ltd 2 Southgate Road Peters Barn, Herts. EN6 5DU		Job:	
Title:		Meresborough Road - Rainham	
Location Plan		Scale:	Date:
1:1250 @ A3		Nov 2022	
Drawn:		Rev:	
2265 / P / 1001			

In addition this section of the Plan includes Figure 1 Key Diagram which shows a notation for a 'Strategic Gap' in the immediate vicinity of the site in Meresborough Road. This 'strategic gap' is referenced informally later on in the Plan in relation to the East Kent Fruit Belt in the supporting paragraphs to policy S4 Landscape Protection and enhancement. However, there is no evidence put forward to either justify this designation or any specific policy setting out how it should be applied. The effect of this is to create a 'grey area' for any potential future development proposals in this geographical location.

Paragraph 3.1.1 supporting the Spatial Development Strategy claims that the Plan has been 'positively prepared' but it is Abbey Developments' view that the failure to recognise and make provision for the future development of the site referred to above is 'unsound'.

In addition, the suggestion of a restriction on potential development proposals in the area to the east of Rainham within which this site is located is likely to have a negative impact on the planning balance in the event of any further planning applications for housing on this site. The concept of a strategic gap has not been properly justified and there is no written text within the Plan which can be evaluated or challenged. In this respect, it is considered that there is a lack of 'justification' for this designation.

Overall, it is considered that there are doubts about the 'effectiveness' of the Spatial Development Strategy to deliver the identified housing needs for Medway as it appears that easily achievable sites like Abbey Developments' site in Meresborough Road have been overlooked and other potentially negative obstacles have been included in the draft Plan.

In summary Abbey Developments considers that the Plan fails to meet the tests of soundness on the grounds of not being 'positively prepared', there not being adequate 'justification' and a lack of 'effectiveness'.

(Continue on a separate sheet /expand box if necessary)

6. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 5 above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

In order to make the Plan sound, the following actions should be taken : -

Amend the boundary of the built-up area of Rainham to include the site at Meresborough Road.

Clarify the Council's intentions for the notation of Strategic Gap on Figure 1 either in the policy for the Spatial Development Strategy or in text supporting policy S4.



(Continue on a separate sheet /expand box if necessary)

*Please note In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.*

*After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.*

7. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

☒ **No**, I do not wish to participate in hearing session(s)

☐ **Yes**, I wish to participate in hearing session(s)

Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate.

8. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

*Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.*

**For details of our data privacy policy please see:**

<https://www.medway.gov.uk/info/200133/planning/714/planning-service-privacy-statement>

Part B – Please use a separate sheet for each representation

Name or Organisation: leswestplanning on behalf of Abbey Developments

3. To which part of the Local Plan does this representation relate?

Paragraph  Policy  Policies Map

4. Do you consider the Local Plan is :

4.(1) Legally compliant	Yes	<input type="text" value="X"/>	No	<input type="text"/>
4.(2) Sound	Yes	<input type="text"/>	No	<input type="text" value="X"/>
4 (3) Complies with the Duty to co-operate	Yes	<input type="text" value="X"/>	No	<input type="text"/>

Please tick as appropriate

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.  
If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

Abbey Developments considers that policy S4 in the draft Plan does not meet the tests of soundness as it could unduly undermine the potential development of its site in Meresborough Road Rainham, see the associated representation on the Spatial Development Strategy.  
Representations are made on policy S4 and the supporting paragraphs in 4.5 in the draft Local Plan.

Abbey Developments is concerned that the wording of this policy does not offer sufficient clarity on how it would be applied to any future development proposals on its site in Meresborough Road. This is likely to undermine attempts to bring this site, which in a very sustainable location, forward for much needed housing. Development of this site is possible without causing unacceptable harm to the East Kent Fruit Belt to the east which is on the other side of Meresborough Road. This demonstrated how this policy has not been 'positively prepared' as it has not taken account of its potential consequences.

Paragraphs 4.5.2 and 4.5.3 make references to the 'East Kent Fruit Belt' and the land east of Rainham being a 'strategic gap' as part of Medway's diverse landscapes which underpin green and blue infrastructure assets. The area included in this corridor is shown in the draft Medway Green and Blue Infrastructure Framework includes Abbey Developments' site but there is no evidence that there has been thorough appraisal of the contribution that this site makes. There is no 'justification' for this concept of a 'strategic gap' or any guidelines to assist its implementation.

Overall, the lack of clarity in the implementation of policy S4 discussed above are likely to have a negative effect on the delivery of housing and therefore result in a less 'effective' draft Plan.

(Continue on a separate sheet /expand box if necessary)

6. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 5 above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

There needs to be a commitment in either the policy or in the supporting paragraphs to the publication of some further supplementary guidance on 'strategic gaps', and specifically the East Kent Fruit Belt, with the opportunity for consultation.

(Continue on a separate sheet /expand box if necessary)

*Please note In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.  
After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.*

7. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

X

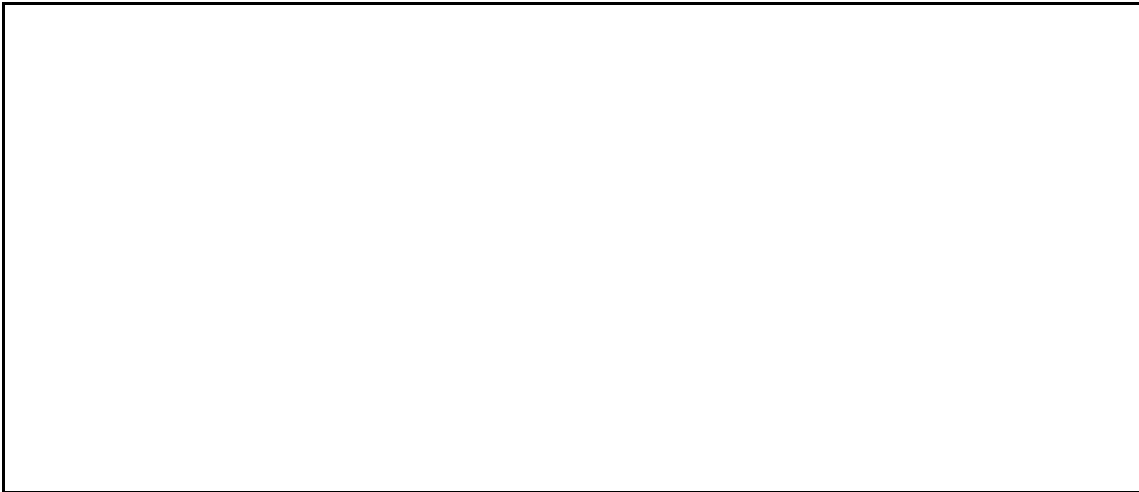
**No**, I do not wish to participate in hearing session(s)

**Yes**, I wish to participate in hearing session(s)

Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate.

8. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

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## Part B – Please use a separate sheet for each representation

Name or Organisation: leswestplanning on behalf of Abbey Developments

3. To which part of the Local Plan does this representation relate?

Paragraph  Policy  Policies Map

4. Do you consider the Local Plan is :

4.(1) Legally compliant	Yes	<input type="text" value="X"/>	No	<input type="text"/>
4.(2) Sound	Yes	<input type="text"/>	No	<input type="text" value="X"/>
4 (3) Complies with the Duty to co-operate	Yes	<input type="text" value="X"/>	No	<input type="text"/>

Please tick as appropriate

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

Policy S5 states it will seek to protect and enhance the 'Wider green components of the green infrastructure network as set out in the Medway Green and Blue Infrastructure Framework and the Medway Local Nature Recovery Strategy', both of which are draft documents. It is not clear from the current wording of this policy how it may be applied to sustainable development proposals such as the development land owned by Abbey Developments in Meresborough Road Rainham, see location plan in the representation made on the Spatial Development Strategy. There is a concern that the reliance on the contents of these non-statutory documents, which are not subject to the same level of scrutiny as the policies set out in the Local Plan itself, may undermine the ability to secure a planning permission for Abbey Developments' site.

In the supporting paragraphs Figure 2 Green and Blue Corridors (which is taken from the draft Medway Green and Blue Infrastructure Framework 2021) shows an indicative area being proposed as a 'green corridor' in the land to the east of Rainham which includes Abbey Developments' site.

In the draft Framework, Abbey Developments' site is included in the Area 3 'green corridor' Lower Rainham and Meresborough. Priorities for action in this area are identified. There is a concern that these may be used to preclude the potential development of Abbey Developments' site.

Policy S5 is considered to be 'unsound' as it is not clear to what extent development is to be resisted in the areas identified or whether development proposals may be used as a catalyst to achieve some of the priorities for action

that are identified in the draft Medway Green and Blue Infrastructure Framework. There is a concern that the policy and the non-statutory documents referred to in the policy will be used in a negative way to prevent sustainable development. There it is likely to not be 'effective' in achieving the objective of meeting housing needs of the borough.

(Continue on a separate sheet /expand box if necessary)

6. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 5 above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Policy S5 should be clearer about the weight to be given to the non-statutory documents, i.e. the draft Medway Green and Blue Infrastructure Framework and the draft Medway Local Nature Recovery Strategy in both policy making and development management decisions.

(Continue on a separate sheet /expand box if necessary)

*Please note In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.*

*After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.*

7. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

X

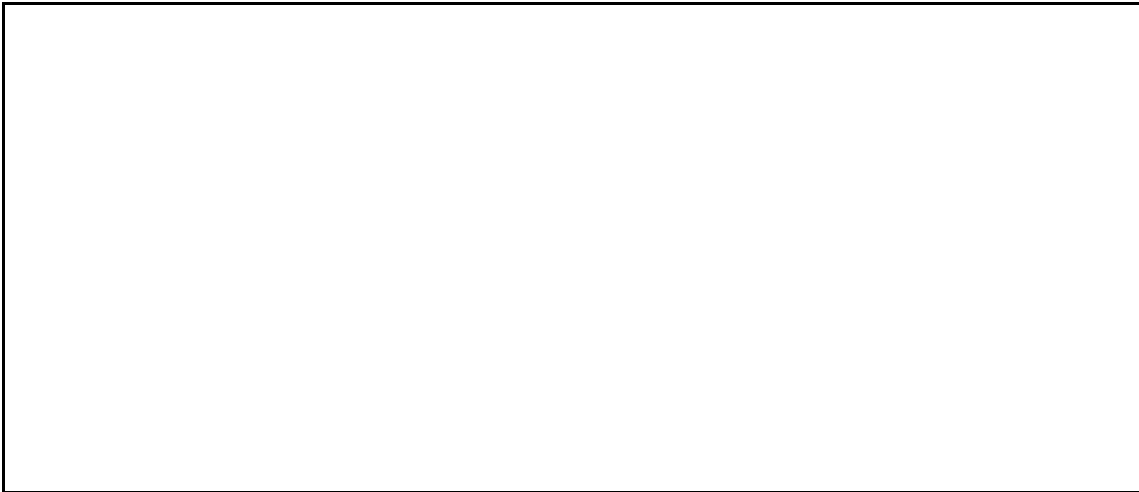
**No**, I do not wish to participate in hearing session(s)

**Yes**, I wish to participate in hearing session(s)

Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate.

8. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

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*Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.*

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Part B – Please use a separate sheet for each representation

Name or Organisation: leswestplanning on behalf of Abbey Developments

3. To which part of the Local Plan does this representation relate?

Paragraph

Policy

Policies Map

4. Do you consider the Local Plan is :

4.(1) Legally compliant

Yes

No

4.(2) Sound

Yes

No

4 (3) Complies with the  
Duty to co-operate

Yes

No

Please tick as appropriate

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.  
If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

Abbey Developments supports this policy as it recognises that SME housebuilders and the delivery of small sites, under 60 units, both have a very important part to play in the delivery of much needed new homes in Medway.

However, Abbey Developments considers that the policy is not clear about the location of the small sites that are to be supported. Abbey Developments has a small site on the edge of Rainham off Meresborough Road which was refused planning permission for nine houses at low density in 2023 and dismissed on appeal in 2024, (MC/223/0246).

Elsewhere in the draft Local Plan this site has been shown to be in both the 'East Kent Fruit Belt' 'strategic gap' and a 'green corridor' in relation to policies S4 and S5. It is not clear that this policy, which supports the development of small sites for housing, would have sufficient weight for the development of Abbey Developments' site to be approved given these other potentially negative considerations.

To be 'effective', and therefore meet the tests of soundness, there should be an indication in the policy that it will be applied to sites across the borough and not just within existing settlement boundaries.

(Continue on a separate sheet /expand box if necessary)



6. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 5 above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

A sentence should be added to the policy which makes it clear that it affects sites both inside and outside the existing settlements.

(Continue on a separate sheet /expand box if necessary)

*Please note In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions. After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.*

7. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

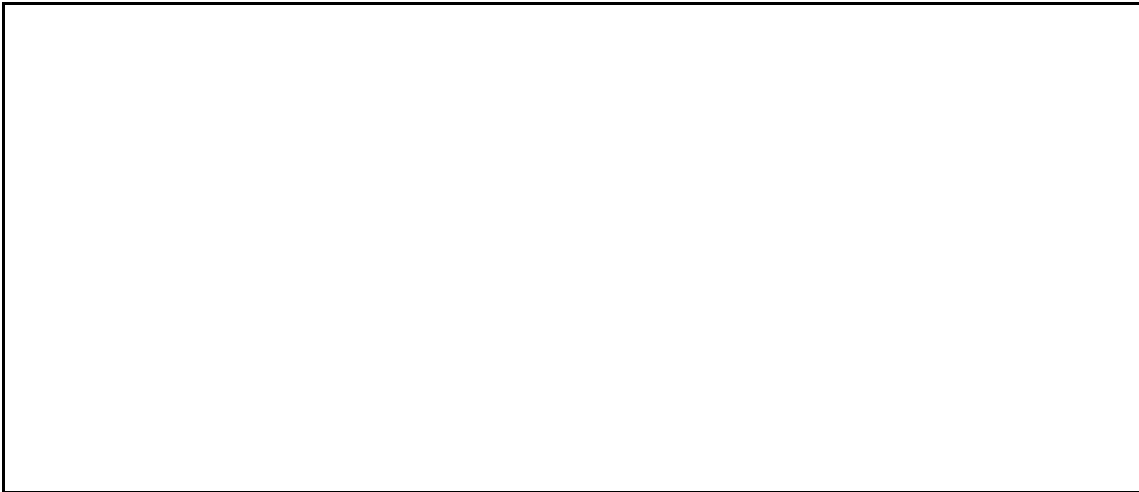
☒ **No**, I do not wish to participate in hearing session(s)

☐ **Yes**, I wish to participate in hearing session(s)

Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate.

8. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

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*Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.*

**For details of our data privacy policy please see:**

<https://www.medway.gov.uk/info/200133/planning/714/planning-service-privacy-statement>

Sent by email to [planning.policy@medway.gov.uk](mailto:planning.policy@medway.gov.uk)

SENT BY EMAIL

Date

Dear Sir/ Madam

## MEDWAY LOCAL PLAN

1. Thank you for consulting with the Home Builders Federation (HBF) on the Medway Local Plan.
2. HBF is the principal representative body of the house-building industry in England and Wales. Our representations reflect the views of our membership, which include multi-national PLC's, regional developers and small, local builders. In any one year, our members account for over 80% of all new "for sale" market housing built in England and Wales as well as a large proportion of newly built affordable housing.
3. Before providing detailed comments on the proposed plan, the HBF broadly welcomes the positive approach the Council has taken in seeking to meet housing needs in full. We recognise that the preparation of a plan that seeks to deliver a significant number of new homes and their supporting infrastructure has been challenging in the face of changing national policy and guidance. However, HBF have some concerns regarding the soundness of the local plan which are set out below that will need to be rectified prior to submission.

### Clarity and ambiguity

4. Para 16 of the NPPF states that local plans should contain policies that are clearly written and unambiguous. HBF have highlighted in our comment on T3: Affordable housing one example where the plan lacks clarity and could cause confusion. However, as a general comment the HBF are concerned that the plan, and some of the specific policies, are lengthy and that opportunities should be taken to try and simplify the language and avoid repetition or unnecessary phrases wherever possible. At the very least HBF would also suggest that each paragraph within a policy is numbered for the ease decision makers and applicants in identifying which part of the policy they are referring to in reports, planning applications and supporting statements.

### Duty to co-operate

5. It would appear from the evidence submitted that the Council has co-operated with its neighbours. This co-operation will need to continue as new plans are prepared in neighbouring areas. In particular the Council will need to engage fully with Tonbridge and Malling BC with regard to the potential for cross border development to ensure they can meet their housing needs in full. The Council should recognise that this co-operation may lead to a partial review of this local plan.

## **Plan period**

6. HBF are concerned that the Plan period starts in 2026/27, one year post the point at which housing needs are assessed. As the Council will be aware, Planning Practice Guidance states that the baseline for the housing stock and the affordability ratio is the most up to date data at the time the assessment is undertaken. For the Medway Local Plan this is 2025. This would appear to be recognised by the Council in paragraph 6.1.2 states that the latest assessment of housing needs was based on data available in May 2025. The Council expects to submit the plan in November 2025. PPG notes in paragraph 2a-008 that the local housing needs assessment can be relied on for two years at the point of submission and therefore HBF considers the plan period must start from 2025/26 and not from the proposed year of adoption in 2026/27.
7. HBF would also recommend that the plan period is extended from 2040/41 to 2041/42. Paragraph 22 of the NPPF states that strategic policies in local plans should look ahead for at least 15 years from the point of adoption. This is then reiterated in PPG which states in paragraph 2a-012 the NPPF “*requires strategic policies to look ahead over a minimum period of 15 years*”. Assuming the local plan is submitted in November 2026 this leaves around a year for the plan to be examined, for a main modifications consultation to take place and the necessary council procedures around adoption to be completed. This is very ambitious even without any delays in submission. It is HBF’s opinion that it is more likely that the plan will be adopted in 2027/28 meaning a plan period of 14 years or less.
8. Therefore, at present the plan period is not consistent with national policy and should be amended to 2025/26 to 2041/42 if it is to be found sound.

## **Spatial Strategy**

### ***Housing requirement and trajectory***

The local plan is inconsistent with national policy as it does not include a policy setting out the housing requirement of trajectory.

9. The council state on page 25 that the implementation of the proposed spatial strategy will meet the development needs of the borough in full. HBF welcomes the decision to meet its development needs in full, however we would have expected this to be set out in a strategic policy alongside a trajectory setting out how many homes the council expects to deliver each year of the plan period. While the housing requirement of 1,636 dwellings per annum (24,540 over the plan period) is set out paragraph 6.1.2 of the Housing chapter, HBF does not consider this to be and inconsistent with paragraph 78 of the National Planning Policy Framework (NPPF). While this may seem like a minor point it is necessary to set this information out in a strategic policy provide the necessary clarity to decision makers as to how many homes the council are required to deliver each year. To remedy this matter both the housing requirement and trajectory could be set out in a strategic policy at the start of chapter 6 on housing.

### *Meeting housing needs*

The plan is unsound as the level of supply proposed by the Council is not fully justified and the Council will not meet housing needs over a policy compliant plan period.

10. As mentioned above the spatial strategy states that the development needs of the borough will be met in full. On the basis of the proposed plan period the Councils estimates of supply does show that needs are met in full. However, HBF are concerned that:
- a. Over a policy compliant plan period supply will fall short of meeting housing needs.
  - b. Windfall supply is overestimated.
  - c. The level of housing supply in the first five years of the plan is not justified.
  - d. The Council has not identified 10% of the housing requirement will be delivered on small sites of less than one hectare.
  - e. The strategy will limit the amount of affordable housing that will be delivered.

### *Shortfall in housing supply*

11. As set out above HBF considers the plan period to be unsound. In appendix a to this representation is a trajectory setting out housing trajectories for period 2025/26 to 2040/41 and 2025/26 to 2041/42. From this it is evident that the Council will fall short under both these plan periods by at least 400 homes. The reason for this shortfall is due to the Council ignoring housing needs from the point at which housing needs are assessed and the shortfall of 625 homes in that year. Rather than seek to address this shortfall the Council have instead chosen to ignore this year and start the plan period from the year they expect to adopt the local plan – a decision HBF consider to be inconsistent with the approach to assessing housing needs and as such unsound. The plan period must be extended and additional sites found to meet those needs.

### *Windfall*

12. HBF consider the windfall figure to be unjustified. The windfall assessment is based on the average annual past delivery rates for small sites, large sites from conversions and large sites from prior notifications. Our main concern relates to the figure for prior notifications which includes a figure of 308 units in 2023/24 which inflates the average from 16.7 for the previous 9 years to 45.9 over 10 years. This is clearly an outlier in terms of what has been delivered in the past and cannot be relied on to justify the level of windfall being proposed. HBF would recommend that this outlier is removed and the average delivery rate for the period 2014/15 to 2023/24 of 16.7 is used. This results in a total windfall of 103 dpa. This reduces supply over the proposed plan period by 384 homes leaving a shortfall of 125 homes. Over the extended plan period HBF considers to be sound the shortfall increases to 786 homes.

### *5 year land supply.*

13. On the basis of the supply estimates in Table 7 of the Land Availability Assessment (LAA) the Council will have a five year land supply on adoption of 5.77 years if the plan period starts in 2026/27 and 5.36 years if the plan starts in 2025/26.
14. However, HBF are concerned that there is insufficient evidence to suggest that two of the larger PDL sites allocated for development in the local plan will be delivered in the first five years of the plan period. The NPPF states that a deliverable site is one that has a realistic prospect of being delivered in the first five years and that major development sites allocated in the local plan should only be considered deliverable where there is clear evidence that housing completions will begin on site within five years. At present HBF cannot find any evidence to suggest that allocations GN6 or GN15 will come forward within 5 years. These are both complex sites on waterfront that require significant work before the first house can be built.
15. While HBF supports the allocation of these sites there is considerable uncertainty as to the time frame within which these, and indeed other PDL sites in lower value areas, can be delivered given the challenging economic viability for such sites that is highlighted in the Viability Assessment. This is most starkly presented in Table 12.7c which shows that the development of sites on the Gillingham Waterfront as being unviable without any affordable housing provision. With no detailed evidence that these sites will come forward in the first five years, delivery should be pushed back to commence in 2031/32. Removing these sites reduces supply in the first five years post adoption by 761 homes. In addition, HBF consider it necessary for the windfall to be reduced, as outlined above, by 64 homes. In total this reduces supply for the first five years of adoption by 825 homes.
16. When this reduction in supply is factored into the five year land supply assessment, it is reduced to 5.29 years for the plan period starting in 2026/27 and to 4.92 years for a plan period starting in 2025/26.

#### *Small sites*

17. Paragraph 73a of the NPPF requires 10% of housing requirement to be on sites of less than one hectare identified in the local plan or brownfield register. Supply in the LAA indicates that 1,926 homes will be delivered on sites of less than once hectare, circa 500 fewer than the council is required to plan for. The Council must identify further sites either in the local plan itself or the brownfield register in order to ensure the requirement paragraph 73a is met. In seeking to meet this need the Council cannot rely on windfall sites. While HBF is supportive of the Council's approach to small sites in policy T11 the need for this policy relates to paragraph 73d and the support for windfall development through policies in the plan and 73a which requires the identification of specific small sites. This is further clarified in the Glossary of the NPPF which defines windfall sites as being "*sites not specifically identified in the development plan*".
18. It is important to recognise that the allocation of small sites is a priority and stems from the need to support small house builders by ensuring that they benefit from having their sites identified for development either through the local plan or brownfield register. The effect of an allocation is to take some of the risk out of that development and provide greater certainty that those sites come forward. This in turn will allow the SME sector to grow,

deliver homes that will increase the diversity of the new homes that are available as well as bring those homes forward earlier in the plan period.

19. The Council should also recognise that allocating small sites and supporting SME house builders not only ensures a stronger supply in the short term but also improves the diversity of choice within local housing markets, support local and regional supply chains and are often pivotal in bring forward innovation and supporting jobs growth locally, with 1 in 5 of the SME work force being comprised of apprentices. A failure to allocate small sites will contribute to the continued decline in small and medium sized house builders. Recent research by the HBF has found that there are 85% fewer small house builders today than there were 20 years ago and that of a survey of SME house builders 93% said that planning was a major barrier to SME growth. Whilst this decline is due to a range of factors, more allocations of small sites would ease the burden on many SME developers and provide more certainty that their scheme will be permitted, allowing them to secure the necessary finance that is often unavailable to SMEs until permission is granted.
20. Therefore, in order for the plan to be consistent with national policy the Council should not just seek to maximise delivery from the small sites through development management but to actively promote these through allocations in the local plan.

*Affordable housing delivery and infrastructure costs.*

21. As outlined earlier the viability assessment shows that many of the allocated sites in this local plan will struggle to deliver any affordable housing. This is principally down to the level of infrastructure contributions that the Council is expecting development to deliver. As can be seen in table 12.7a and 12.7b of the Viability Assessment sites on previously develop land will struggle to deliver any affordable housing as well as pay fund the infrastructure that the council considers necessary to ensure the development is sustainable. This raises a concern that the proposed strategy will provide far fewer affordable homes than Council expects. Firstly, the development of the allocated PDL sites will not be able to make any contribution towards affordable housing alongside the infrastructure costs proposed unless other funding sources for either infrastructure or affordable homes is identified. Secondly, there is a risk that should development on PDL sites not be able to support the necessary infrastructure costs these will be passed on to other development which will in turn compromise their ability to deliver affordable housing.
22. This is not to say that the Council should not be looking to allocate a range of PDL sites just that in allocating these sites the Council must recognise that more development may be needed to ensure that infrastructure delivery and affordable housing delivery is not compromised. The obvious answer is for the Council to allocate more greenfield sites. As highlighted earlier there is already a shortfall in supply over a policy compliant plan period. Given that more homes are required it would seem logical that the Council look to plan beyond the minimum amount required. This would provide a buffer in supply to ensure that the plan meets needs in full and provide more development to support the delivery of both affordable housing and infrastructure, offsetting the fact that PDL sites will contribute little to both of these.

### *Conclusions on housing delivery.*

23. The evidence indicates that the plan does not allocate sufficient housing to meet development needs over a plan period that is consistent with required method for assessing housing needs. Nor is their sufficient supply to ensure needs in the first five years are met in full meaning that on adoption the plan will be out of date. What is notable is that this would not have been an issue had the Council included a more robust buffer between housing needs and supply as was suggested by HBF in our regulation 18 representations. It is therefore necessary for the Council to address these issues before the plan is submitted. If not HBF consider that it will be necessary for the inspector examining the plan to recommend modifications to the plan to include further sites – as has recently been the case for the North Norfolk Local Plan and West Berkshire Local Plan – to ensure it is sound.
24. In the first instance the Council should seek to allocate further small sites which will come forward in the first five years. This will not only ensure a five year land supply on adoption but also enable the Council to try and ensure that the plan is consistent with paragraph 78 of the NPPF.

### **Policy T3: Affordable housing**

The policy requires changes to ensure that it is sufficiently clear to be an effective policy.

25. Firstly, HBF welcomes the decision to vary the affordable housing requirement to reflect the different value areas across Medway. The viability of sites in lower values areas and PDL is clearly challenging with the Viability Assessment indicating that in some location in Medway development is not viable even when the affordable housing requirement is removed. As highlighted above this would suggest that more sites need to be allocated in order to offset the limited amount of affordable housing that will be delivered in lower value areas.
26. Secondly the policy itself lacks clarity and is confusing. It is essential that policies, as required by paragraph 16 of the NPPF, are clearly written and unambiguous, however it is unclear in the second bullet point as to whether the 10% applies to all residential development on PDL or just PDL sites in the lower value areas. In order to ensure clarity on this point, then we would recommend that separate bullet is provided to set out expectations as to affordable housing delivery on PDL sites.
27. HBF also considers it to be unsound to reference to the values areas that are set out in the viability assessment. To start as this sits outside the development plan itself and there is a risk that future iterations may change these zones without the necessary scrutiny that would be afforded any amended to the local plan itself. Furthermore, it is the case that the value areas do not appear to be clearly defined in the Viability Assessment creating ambiguity as to whether a development is located in a lower value area or not. These value zones should be set out in the local plan and policies map to ensure the necessary clarity required by NPPF.

### **T9: Self Build and Custom Housebuilding**

The final bullet point of the policy is unsound as it is unjustified.



28. The final bullet point of this policy states that if any plots remain unsold after marketing they should be offered to the council to acquire from the provision of affordable housing prior to reverting the developer to be built out as market housing. Whilst the HBF agrees that the policy needs to set out when unsold plots should return to the developer, we disagree with the approach being proposed. There is no reason to require a site to be retained on the open market following the 12-month period nor is there any justification for having to offer these to the Council or a housing association first. These are plots that would have been available for market housing and as such they should return to the developers to be built out after the 12-month period. This was recently an issue considered at the examination of the Spelthorne Local Plan with the inspector requiring the Council to remove a similar phrase from their local plan due to the soundness concerns raised by the HBF. Then plan should be amended as follows:

If any plot(s) remain unsold after being marketed for the minimum period, ~~they can either remain for sale as a self/custom build plot or be offered to the Local Authority to acquire for the provision of affordable housing (separate from any relevant affordable housing requirement for the Development as applicable), before they will~~ reverting back to the land owner to build built out as market housing on the plot or sell without restriction.

**Policy T11: Small sites and SME Housebuilders.**

HBF strongly supports the inclusion of this policy in the local plan.

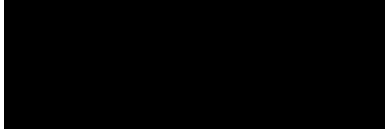
29. HBF supports the inclusion of Policy T11. This policy is consistent with paragraph 73d of the NPPF which states that LPAs should support the development windfall sites through their policies and decisions. However, this should not be seen as a substitute for meeting the requirements of paragraph 73a and the identification of sufficient small sites to deliver at least 10% of the Council's housing requirements. Policies supporting windfall development on small sites are a distinct and separate element the 10% requirement given that windfall development is defined in the glossary of the NPPF as "*Sites not specifically identified in the development plan*". (our emphasis). Parts a and d of paragraph 73 are clearly meant to act separately, and the Council cannot include potential windfall within delivery to meet the 10% requirement in part a.
30. It is important to recognise that the allocation of small sites is a priority and stems from the need to support small house builders by ensuring that they benefit from having their sites identified for development either through the local plan or brownfield register. The effect of an allocation is to take some of the risk out of that development and provide greater certainty that those sites come forward. This in turn will allow the SME sector to grow, deliver homes that will increase the diversity of the new homes that are available as well as bring those homes forward earlier in the plan period.

**Conclusion**

31. At present we do not consider the plan to be sound, as measured against the tests of soundness set out in the NPPF. I can therefore confirm that the HBF would like to participate in any hearing sessions held at the

examination in public on the matters raised in our representations and that we would like to be kept informed of the submission and examination of the local plan.

Yours sincerely,

A large black rectangular redaction box covering the signature area.

**Mark Behrendt**

**Regional Planning Manager – SE and E**

Email: 

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## Model Representation Form for Local Plans

	<b>Local Plan</b> Publication Stage Representation Form	Ref:  (For official use only)
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Name of the Local Plan to which this representation relates:

Medway Local Plan

Please return to Medway Council Planning Service by 11<sup>th</sup> August 2025

Email: [planning.policy@medway.gov.uk](mailto:planning.policy@medway.gov.uk) or post to:

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

This form has two parts –

Part A – Personal Details: need only be completed once.

Part B – Your representation(s). Please fill in a separate sheet for each representation you wish to make.

### Part A

#### 1. Personal Details\*

*\* If an agent is appointed, please complete only the Title, Name and Organisation (if applicable) boxes below but complete the full contact details of the agent in 2.*

#### 2. Agent's Details (if applicable)

Title	<input type="text"/>	<input type="text" value="Mr"/>
First Name	<input type="text"/>	<input type="text" value="Mark"/>
Last Name	<input type="text"/>	<input type="text" value="Hodgson"/>
Job Title (where relevant)	<input type="text"/>	<input type="text" value="Director"/>
Organisation (where relevant)	<input type="text" value="St John's College, Cambridge"/>	<input type="text" value="Savills (UK) Ltd"/>
Address Line 1	<input type="text"/>	<input type="text" value="Unex House"/>
Line 2	<input type="text"/>	<input type="text" value="132-134 Hills Road"/>
Line 3	<input type="text"/>	<input type="text" value="Cambridge"/>
Line 4	<input type="text"/>	<input type="text"/>
Post Code	<input type="text"/>	<input type="text" value="CB2 8PA"/>
Telephone Number	<input type="text"/>	<input type="text" value=""/>
E-mail Address	<input type="text"/>	<input type="text" value=""/>

(where relevant)

## Part B – Please use a separate sheet for each representation

Name or Organisation:

3. To which part of the Local Plan does this representation relate?

Paragraph  Policy  Policies Map

4. Do you consider the Local Plan is :

4.(1) Legally compliant	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
4.(2) Sound	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
4 (3) Complies with the Duty to co-operate	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>

Please tick as appropriate

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

Savills (UK) Ltd act on behalf of the landowner (St John's College, Cambridge) and the promoter (Rosconn). These representations are consequently submitted in the context of their interests in proposed allocation site SR4.

Objection is raised to issues related to the proposed wording of the 'Wastewater/Foul Drainage' section of Policy DM1.

These representations make a clear and effective objection to the wording of the Policy DM1 which does not meet the test of soundness.

The Policy as proposed notes -

*'Development proposals must ensure that adequate wastewater infrastructure is available in tandem with the development, which are also resilient to the impacts of climate change....Private, non-mains foul drainage systems are not environmentally acceptable within publicly sewered areas. Planning applications must demonstrate that connection to the public sewer is feasible and any mitigating measures necessary to enable a connection must be identified and agreed between the applicant and the sewerage undertaker'.*

It is considered that the wording of this Policy places an unreasonable and unduly onerous requirement on landowners/applicants/developers to agree upon, and

provide, mitigating measures with the sewerage undertaker. This onerous requirement may harm the financial viability or sustainability of the proposed residential allocations.

It is not the responsibility of the applicant, landowner or developer to negotiate or arrive at an agreement with the utility provider or sewerage undertaker. Instead, it remains the duty of the utility, service provide or undertaker to commit to and deliver a strategy and execution of upgrades and improvements to their sewerage infrastructure for the planned allocations, including planned allocation ref. SR4 – Land North of Lillechurch Road, West of Town Road, Cliffe Woods.

Each sewerage provider or undertaker has a legal duty to ensure effective drainage and sewerage systems, which includes planning for future needs and demand. This has been set out in legislation by the Water Industry Act (1991). Under the provisions of the Act, water companies and undertakers have a duty to prepare and maintain a Drainage and Wastewater Management Plan (DWMP).

The undertaker should commit to delivering an appropriate and suitable level of capacity for each and all of the allocated sites through its Drainage and Wastewater Management Plan (DWMP). The method and mechanisms of how they will be secured is a matter solely for the undertakers and is required to be set out and secured in their future plans and committed upgrades to its connections and infrastructure.

It is evidently not the responsibility of landowners, applicants or developers to undertake any type of involvement or role by agreeing to mitigating measures for the wastewater/foul drainage provision from the site. Indeed, the obligations and duties placed on sewerage undertakers/utility companies lie outside planning legislation and the wider planning system. As such, the proposed wording of Policy DM1 is unreasonable and results in a Plan which is unsound.

6. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 5 above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

It is suggested that 'Wastewater/Foul water drainage' section of draft policy DM1 should be modified as follows. The following wording of the Policy should be deleted in order to make the policy sound:

*'Policy DM1 – Flood and Water Management*

*Wastewater/Foul water drainage–*

~~'Development proposals must ensure that adequate wastewater infrastructure is available in tandem with the development, which are also resilient to the impacts of climate change....Private, non-mains foul drainage systems are not environmentally acceptable within publicly sewered areas. Planning applications must demonstrate that connection to the public sewer is feasible and any mitigating measures necessary to enable a connection must be identified and agreed between the applicant and the sewerage undertaker'.~~

(strikethrough illustrates wording to be deleted to make Plan sound).

The proposed Policy should be worded as follows:

*'Private, non-mains foul drainage systems are not environmentally acceptable within publicly sewered areas.'*

To achieve consistency with the rest of the Plan, and with national planning policy, it is essential that the wording of Policy DM1 is altered by the deletion of part of the wording contained within the 'Wastewater/foul drainage section of the Policy. This in turn will ensure that this Policy, and the wider Plan, is not unsound.

*Please note In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.  
After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.*

7. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

☐

**No**, I do not wish to participate in hearing session(s)

☒

**Yes**, I wish to participate in hearing session(s)

Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate.

8. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

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The proposed wording of Policy DM1 provides an undue onus on the landowner, developer and/or applicant. A requirement to negotiate and agree on mitigating measures between applicant and sewerage service provider/undertaker is unreasonable and makes the Plan unsound.

It is considered crucial that the St John's College representatives have the opportunity to participate and explain these issues fully and for the Inspector to be able to ask questions or clarification. It is therefore essential that the College is represented at the hearing sessions of the Examination in relation to this specific issue.


*Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.*

**For details of our data privacy policy please see:**

<https://www.medway.gov.uk/info/200133/planning/714/planning-service-privacy-statement>



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

This form has two parts –

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Part B – Your representation(s). Please fill in a separate sheet for each representation you wish to make.

### Part A

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*\* If an agent is appointed, please complete only the Title, Name and Organisation (if applicable) boxes below but complete the full contact details of the agent in 2.*

#### 2. Agent's Details (if applicable)

Title	<input type="text"/>	<input type="text" value="Mr"/>
First Name	<input type="text"/>	<input type="text" value="Mark"/>
Last Name	<input type="text"/>	<input type="text" value="Hodgson"/>
Job Title (where relevant)	<input type="text"/>	<input type="text" value="Director"/>
Organisation (where relevant)	<input type="text" value="St John's College,&lt;br/&gt;Cambridge"/>	<input type="text" value="Savills (UK) Ltd"/>
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Post Code	<input type="text"/>	<input type="text" value="CB2 8PA"/>
Telephone Number	<input type="text"/>	<input type="text" value=""/>
E-mail Address	<input type="text"/>	<input type="text" value=""/>

(where relevant)

## Part B – Please use a separate sheet for each representation

Name or Organisation:

3. To which part of the Local Plan does this representation relate?

Paragraph  Policy  Policies Map

4. Do you consider the Local Plan is :

4.(1) Legally compliant	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
4.(2) Sound	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
4 (3) Complies with the Duty to co-operate	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>

Please tick as appropriate

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

Savills (UK) Ltd act on behalf of the landowner (St John's College, Cambridge) and the promoter (Rosconn). These representations are consequently submitted in the context of their interests in proposed allocation site SR4.

Objection is raised to issues related to the proposed wording of two specific sections of Policy S3 '*North Kent Estuary and Marshes designated sites*'.

These representations make a clear and effective objection to the wording of the Policy S3 which does not meet the test of soundness.

The Policy as proposed notes -

*'The North Kent Estuary and Marshes designated sites in Medway comprise the following:*

- *Medway Estuary and Marshes SPA;*
- *Medway Estuary and Marshes Ramsar;*
- *Thames Estuary and Marshes SPA;*
- *Thames Estuary and Marshes Ramsar;*
- *Swale SPA; and*
- *Swale Ramsar.*

*The Council supports a strategic approach to managing recreational impacts on the North Kent Estuary and Marshes designated sites, arising from new development. New residential development within a 6km Zone of Influence from the North Kent Estuary and Marshes designated sites will need to make a defined tariff contribution to a strategic package of measures agreed by the North Kent SAMMS, 'Bird Wise' Board, or undertake their own Habitats Regulation Assessment with bespoke mitigation which must be agreed with Medway Council and Natural England.*

*Bird Wise will be reviewed on a regular basis to reflect proposed growth from all LPAs within the Zone of Influence.*

*Greater mitigation measures will be required for development within 16 metres of the designated sites, such as a setback intertidal flood defence and/or off-site mitigation where new salt marsh can be created.*

*New residential development for larger schemes outside of the 6km Zone of Influence may also need to secure appropriate mitigation and avoidance measures to offset any potential adverse effects arising from increased recreational pressure on the above listed designations (either 'alone' or 'in combination' with other relevant plans and proposals). This requirement will be determined in consultation with the Council and Natural England.*

*Development in proximity to the coastal designations, and associated functionally linked land has the potential for urbanisation impacts. All new development which is located within close proximity to the North Kent Estuary and Marshes designated sites (listed above) may also need to provide further mitigation measures to address urbanisation impacts, in addition to contributing to Bird Wise. Such proposals will be considered on a case-by-case basis by Natural England, and may be linked to the requirements of Policy S2. All mitigation measures will be provided prior to occupation of development and delivered in perpetuity.*

*Development with potential for urbanisation effects which are located in close proximity to both designated sites and/or functionally linked land, identified through reference to the Impact Risk Zone consultation area should be preceded by bird, invertebrate and habitat surveys to investigate whether these parcels of land (or adjacent land parcels of land) support a significant population of birds, invertebrates or plants, for which the North Kent Estuary and Marshes sites are designated or classified and whether each site plays an important role in maintaining or restoring the population of qualifying species at favourable conservation status. Surveys be undertaken in the appropriate survey season and following best practice methods. Outputs from these surveys will inform requirements for mitigation measures which may include sensitive site layout and the incorporation of screens, planting, bunds, fencing, directional lighting, and low noise emitting equipment among other solutions. The output of any bird / invertebrate / habitat surveys should input to master planning and ongoing monitoring should be implemented.*

*Project level applications should be supported by an HRA to ensure that development has no adverse impact on site integrity. All applications for development at the allocations set out should be accompanied with detailed noise assessments and lighting strategies and where necessary construction method statements and management plans should be put in place.'*

There are two particular sections of the proposed Policy which do not meet the tests of soundness in that they are imprecise, ambiguous and extremely subjective and so are not effective.

Firstly, the requirement that 'adjacent land parcels of land' to development sites (including allocated sites), which could include third party land (land outside the ownership or control of the applicant, landowner or developer of the development site) are surveyed is unrealistic and therefore unreasonable. If such a policy criterion is not deliverable, it cannot be effective. Rights of access to land outside of ownership or control do not exist for developers. It is therefore entirely unrealistic to introduce a requirement that land outside of ownership is accessed and surveyed as part of planning/development work. An applicant may be able to choose to or negotiate with an adjacent landowner to prepare such information, but the delivery of development cannot be reliant on such negotiations being successful. The policy is therefore not effective and does not meet the tests of soundness.

Additionally, the policy requirement that '*all applications for development at the allocations set out should be accompanied with detailed noise assessments and lighting strategies...*' is considered to be overly restrictive, onerous and not justified. It therefore fails the test of soundness set out in the National Planning Policy Framework (NPPF). It is suggested that the wording of the Policy is altered to provide a cross-reference to proposed Policy DM4, which provides a more flexible and reasonable policy requirement.

Moreover, the Policy as worded does not make clear whether supporting noise and lighting strategies are solely required for sites within the Zone of Influence or if the Policy relates to all allocations, whether within or outside the Zone of Influence. This adds further ambiguity and a lack of clarity about what the requirement relates to. As such, the Policy as worded is ineffective and unsound.

In addition, attention is drawn to the fact that the Policy includes reference to 'larger schemes outside of the 6km Zone of Influence', which may be required to provide appropriate levels of avoidance or mitigation against harm to the designated sites and habitats. However, the Policy and its supporting explanatory paragraphs does not provide any definition of what 'project level applications' and a 'larger site' is. This evidently provides an ambiguous, uncertain and subjective policy which does not meet the National Planning Policy Framework (NPPF) tests of soundness- specifically it is not effective.

It is accepted that there may be cases in which development proposals outside the designated Zone of Influence may have a detrimental impact upon it. However, the wording of the Policy as drafted does not meet the tests of

soundness set out in the NPPF. It is suggested that this wording is removed from the Policy and included as supporting text to the Policy instead.

6. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 5 above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

It is suggested that draft policy S3 should be modified as follows in order to make the policy sound:

*'Policy S3 – The North Kent Estuary and Marshes designated sites*

*The North Kent Estuary and Marshes designated sites in Medway comprise the following:*

- *Medway Estuary and Marshes SPA;*
- *Medway Estuary and Marshes Ramsar;*
- *Thames Estuary and Marshes SPA;*
- *Thames Estuary and Marshes Ramsar;*
- *Swale SPA; and*
- *Swale Ramsar.*

*The Council supports a strategic approach to managing recreational impacts on the North Kent Estuary and Marshes designated sites, arising from new development. New residential development within a 6km Zone of Influence from the North Kent Estuary and Marshes designated sites will need to make a defined tariff contribution to a strategic package of measures agreed by the North Kent SAMMS, 'Bird Wise' Board, or undertake their own Habitats Regulation Assessment with bespoke mitigation which must be agreed with Medway Council and Natural England.*

*Bird Wise will be reviewed on a regular basis to reflect proposed growth from all LPAs within the Zone of Influence.*

*Greater mitigation measures will be required for development within 16 metres of the designated sites, such as a setback intertidal flood defence and/or off-site mitigation where new salt marsh can be created.*

~~*New residential development for larger schemes outside of the 6km Zone of Influence may also need to secure appropriate mitigation and avoidance measures to offset any potential adverse effects arising from increased recreational pressure on the above listed designations (either 'alone' or 'in*~~

~~combination' with other relevant plans and proposals). This requirement will be determined in consultation with the Council and Natural England.~~

*Development in proximity to the coastal designations, and associated functionally linked land has the potential for urbanisation impacts. All new development which is located within close proximity to the North Kent Estuary and Marshes designated sites (listed above) may also need to provide further mitigation measures to address urbanisation impacts, in addition to contributing to Bird Wise. Such proposals will be considered on a case-by-case basis by Natural England, and may be linked to the requirements of Policy S2. All mitigation measures will be provided prior to occupation of development and delivered in perpetuity.*

*Development with potential for urbanisation effects which are located in close proximity to both designated sites and/or functionally linked land, identified through reference to the Impact Risk Zone consultation area should be preceded by bird, invertebrate and habitat surveys to investigate whether these parcels of land (~~or adjacent land parcels of land~~) support a significant population of birds, invertebrates or plants, for which the North Kent Estuary and Marshes sites are designated or classified and whether each site plays an important role in maintaining or restoring the population of qualifying species at favourable conservation status. Surveys be undertaken in the appropriate survey season and following best practice methods. Outputs from these surveys will inform requirements for mitigation measures which may include sensitive site layout and the incorporation of screens, planting, bunds, fencing, directional lighting, and low noise emitting equipment among other solutions. The output of any bird / invertebrate / habitat surveys should input to master planning and ongoing monitoring should be implemented.*

*~~Project level Planning~~ applications should be supported by an HRA to ensure that development has no adverse impact on site integrity.*

*~~All applications for development at the allocations set out should be accompanied with detailed noise assessments and lighting strategies and where necessary construction method statements and management plans should be put in place.~~*

(deletion of sections of text illustrated by strikethrough)

As noted above by the text shown as deleted, there is a fundamental issue with two sections of the wording of draft Policy S3, as follows:

Objection is raised to the inclusion of the requirement that 'adjacent land parcels of land' to development sites (including residential allocations), are surveyed to assess whether they support significant populations of birds, invertebrate and/or habitat surveys. Any requirement to access and survey third party land (land outside the ownership and/or control of the applicant) is evidently unreasonable. Any applicant, landowner or developer (or their technical consultants) has no rights of access onto third party land or land outside of their ownership or control. The wording of this Policy is not therefore effective and is not sound.

Inclusion of the wording which states that *'all applications for development at the allocations set out should be accompanied with detailed noise assessments and lighting strategies and where necessary, construction method statements and management plans should be put into place'* is strongly objected to. Attention is drawn to the fact that the wording of this part of the Policy appears as a direct contradiction to proposed Policy DM4, which is evidently more flexible and less onerous to the proposed Policy S3. It is considered that the inclusion of the word 'detailed' within the proposed Policy adds an unnecessarily onerous element to the policy requirements.

The removal of this paragraph of text to the Policy should be replaced with a more flexibly-worded policy, which includes a cross-reference to proposed Policy DM4,:

*all applications for development at the allocations set out should have compliance with the requirements for noise assessments and lighting strategies, as set out in Policy DM4'.*

It is noted that the proposed change in wording of Policy S3 will remove the ambiguity and uncertainty surrounding the requirements for applicants and developers that the wording of the Policy current brings.

To achieve consistency with national planning policy, and to ensure the Policy is effective, it is essential that the wording of Policy S3 is altered as recommended. This in turn will ensure that this Policy, and the wider Plan, is not unsound.

*Please note In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions. After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.*

7. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

☐

**No**, I do not wish to participate in hearing session(s)

☒

**Yes**, I wish to participate in hearing session(s)

Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate.

8. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

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It is considered crucial that the St John's College representatives have the opportunity to participate and explain these issues fully and for the Inspector to be able to ask questions of clarification. It is therefore essential that the College is represented at the hearing sessions of the Examination in relation to this specific issue.

*Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.*

**For details of our data privacy policy please see:**

<https://www.medway.gov.uk/info/200133/planning/714/planning-service-privacy-statement>



## Model Representation Form for Local Plans

	<b>Local Plan</b> Publication Stage Representation Form	Ref:  (For official use only)
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Name of the Local Plan to which this representation relates:

Medway Local Plan

Please return to Medway Council Planning Service by 11<sup>th</sup> August 2025

Email: [planning.policy@medway.gov.uk](mailto:planning.policy@medway.gov.uk) or post to:

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

This form has two parts –

Part A – Personal Details: need only be completed once.

Part B – Your representation(s). Please fill in a separate sheet for each representation you wish to make.

### Part A

#### 1. Personal Details\*

*\* If an agent is appointed, please complete only the Title, Name and Organisation (if applicable) boxes below but complete the full contact details of the agent in 2.*

#### 2. Agent's Details (if applicable)

Title	<input type="text"/>	<input type="text" value="Mr"/>
First Name	<input type="text"/>	<input type="text" value="Mark"/>
Last Name	<input type="text"/>	<input type="text" value="Hodgson"/>
Job Title (where relevant)	<input type="text"/>	<input type="text" value="Director"/>
Organisation (where relevant)	<input type="text" value="St John's College, Cambridge"/>	<input type="text" value="Savills (UK) Ltd"/>
Address Line 1	<input type="text"/>	<input type="text" value="Unex House"/>
Line 2	<input type="text"/>	<input type="text" value="132-134 Hills Road"/>
Line 3	<input type="text"/>	<input type="text" value="Cambridge"/>
Line 4	<input type="text"/>	<input type="text"/>
Post Code	<input type="text"/>	<input type="text" value="CB2 8PA"/>
Telephone Number	<input type="text"/>	<input type="text" value=""/>
E-mail Address	<input type="text"/>	<input type="text" value=""/>

(where relevant)

## Part B – Please use a separate sheet for each representation

Name or Organisation:

3. To which part of the Local Plan does this representation relate?

Paragraph  Policy  Policies Map

4. Do you consider the Local Plan is :

4.(1) Legally compliant	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
4.(2) Sound	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
4 (3) Complies with the Duty to co-operate	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>

Please tick as appropriate

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

Savills (UK) Ltd act on behalf of the landowner (St John's College, Cambridge) and the promoter (Rosconn). These representations are consequently submitted in the context of their interests in proposed allocation site SR4.

Objection is raised to issues related to the specific proposed wording of Policy S24 'Infrastructure Delivery'.

These representations make a clear and effective objection to the wording of the Policy S24 which does not meet the test of soundness.

The Policy as proposed notes –

*'Policy S24 – Infrastructure Delivery*

*Development coming forward in Medway will be expected to deliver new or improved infrastructure, to mitigate the impact of development. This will be achieved through the use of planning obligations and/or contributions and their use as defined in national policy and guidance, and as set out in the latest Medway Guide to Developer Contributions and Obligations. Infrastructure includes requirements having regard to the details set out in the latest IDP, as well as studies*

*on leisure, green infrastructure, neighbourhood plans and development orders and other needs assessments.*

*To support sustainable development and the delivery of infrastructure planning permission will be granted for new developments in the following circumstances:*

- Applications can demonstrate that there is sufficient infrastructure capacity to support what is proposed.*
- Development is phased to reflect the timely delivery of infrastructure to serve and support future occupants and users.*
- Developer contributions and/or obligations are agreed that will mitigate the impact of the development.*
- New and improved utility infrastructure will be encouraged and supported in order to meet the identified needs of the community subject to other policies in the plan.*
- To achieve timely delivery of infrastructure the Council will expect infrastructure to be delivered in the following sequence unless proven otherwise through the application process via the viability appraisal process below:*
  - o Onsite delivery of infrastructure ahead of occupation.*
  - o Onsite phased delivery of infrastructure.*
  - o Financial developer contribution for offsite provision.*

*In the event that a developer considers that providing or contributing towards infrastructure requirement would not be achievable the Council would expect the following:*

- The submission of an "open book" viability appraisal. Any sensitive information which could compromise the applicant's operations in any way will remain confidential from the public.*
- Proof that the cost of potential infrastructure had been accounted for within the purchase price of the site.*

*If development is phased, the Council would expect a reassessment of the viability of the site for financial contributions to be undertaken at the submission of details for each phase.*

*Any viability appraisal is to be tested by the Council's independent advisors and this is to be paid for by the applicant.*

*Infrastructure provision will require collaborative working with infrastructure providers including Medway Council, the NHS, and utilities providers amongst others. Developers and landowners must work positively with the Council, neighbouring authorities and other infrastructure providers throughout the planning process to ensure that the cumulative impact of development is considered at the outset and is then mitigated, at the appropriate time, in line with their published policies and guidance'.*

One of the principal roles and objectives of a Local Plan is to ensure delivery of a set of realistic and genuinely achievable planning policies which create certainty and confidence in future development proposals. Paragraphs 15 and 16 of the National Planning Policy Framework (NPPF) makes clear that the planning system should be genuinely plan-led. In order to achieve this, Local Plans should, amongst other things, be prepared positively, in a way that is aspirational but deliverable, and be shaped early, proportionate and effective engagement between, amongst others, plan-makers and infrastructure providers (*inter alia*). The purpose of the advice contained within the NPPF is to encourage Local Planning Authorities to closely collaborate with infrastructure providers at the outset of the Local Plan preparation to ensure the necessary infrastructure upgrades are planned to align with the growth of future development, which should be evidenced within the Medway Council Infrastructure Development Plan (IDP). Therefore there should be no need for developers to demonstrate whether there is infrastructure capacity for their development.

At the specific planning application stage(s) of development proposals, the Local Planning Authority (LPA) also consults with various infrastructure providers which provides another opportunity to understand and agree upon the infrastructure requirements generated by a new development proposal at a point in time. At that point, applicants/landowners/developers will agree to provide and/or finance planning obligations and/or Community Infrastructure Levy (CIL) towards infrastructure upgrades where justified. The existing arrangements that are in place makes the bullet point a) of the proposed Policy S24 unnecessary and superfluous.

The inclusion of bullet point a) within the proposed Policy S24 would undermine the advice within the NPPF and conflict with national planning policy.

It is considered that the wording of draft Policy S24 places an unreasonable and unduly onerous requirement on landowners/applicants/developers to provide evidence that there is sufficient infrastructure capacity to support what is proposed (bullet point a, (the first bullet point) above). This is considered to be an unrealistic and unreasonable requirement to be placed on applicants, landowners and/or developers. This onerous requirement may harm the financial viability or sustainability of the proposed residential allocations.

Attention is drawn to the fact that within the same draft Policy, the Local Planning Authority are proposing to require applicants and landowners to agree to contributions and/or planning obligations to mitigate and address the impact of the development on infrastructure capacity (bullet point c) (third bullet point). This is the usual and regular method and mechanism in which developer contributions and obligations are secured by Local Authorities. Local Authorities comprising Medway Council already maintain evidence and information on the ongoing and future capacities of a wide range of infrastructure. It is unnecessary to expect applicants and landowners to also provide this information.

The draft Policy does not suggest altering these mechanisms in which contributions and obligations are secured. As such, the wording of the first bullet point is superfluous and redundant. It should therefore be deleted from the Policy.

All interested parties in a planning application, namely landowners, applicants, developers, Local Planning Authority (Medway Council) and other statutory bodies should use the existing powers and arrangements in place to agree and secure necessary and proportionate infrastructure capacity enhancements. It is entirely unnecessary and superfluous to place an expectation and/or requirement on the applicant, landowner and/or developer to also undertake a gathering of evidence exercise in support of any planning application.

Furthermore, the issue of the cumulative impact of development on infrastructure should be considered and addressed in the Local Plan. An individual or single development proposal cannot be responsible for the impacts of development of other schemes.

It is acknowledged that all parties, including applicants/landowners/developers need to work proactively through the planning and development processes, including to ensure suitable financial contributions or make provisions for infrastructure capacity to serve their development site(s) where appropriate.

However, it is evidently not the sole or partial responsibility of landowners, applicants or developers to undertake a demonstration of whether there is sufficient and/or adequate infrastructure capacity in place to support what is proposed. As such, the proposed wording of Policy S24 is unreasonable and results in a Plan which is unsound.

6. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 5 above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

It is suggested that draft Policy S24 'Infrastructure Delivery' should be modified to be less prescriptive. The wording of the Policy, as set out below, should be reviewed and altered in order to make the policy sound:

*"Policy S24 – Infrastructure Delivery*

*Development coming forward in Medway will be expected to deliver new or improved infrastructure, to mitigate the impact of development. This will be achieved through the use of planning obligations and/or contributions and their use as defined in national policy and guidance, and as set out in the latest Medway Guide to Developer Contributions and Obligations. Infrastructure includes requirements having regard to the details set out in the latest IDP, as well as studies on leisure, green infrastructure, neighbourhood plans and development orders and other needs assessments.*

*To support sustainable development and the delivery of infrastructure planning permission will be granted for new developments in the following circumstances:*

~~• Applications can demonstrate that there is sufficient infrastructure capacity to support what is proposed.~~

• Development is phased to reflect the timely delivery of infrastructure to serve and support future occupants and users.

• Developer contributions and/or obligations are agreed that will mitigate the impact of the development.

• New and improved utility infrastructure will be encouraged and supported in order to meet the identified needs of the community subject to other policies in the plan.

• To achieve timely delivery of infrastructure the Council will expect infrastructure to be delivered in the following sequence unless proven otherwise through the application process via the viability appraisal process below:

o Onsite delivery of infrastructure ahead of occupation.

o Onsite phased delivery of infrastructure.

o Financial developer contribution for offsite provision.

*In the event that a developer considers that providing or contributing towards infrastructure requirement would not be achievable the Council would expect the following:*

• The submission of an "open book" viability appraisal. Any sensitive information which could compromise the applicant's operations in any way will remain confidential from the public.

• Proof that the cost of potential infrastructure had been accounted for within the purchase price of the site.

*If development is phased, the Council would expect a reassessment of the viability of the site for financial contributions to be undertaken at the submission of details for each phase.*

*Any viability appraisal is to be tested by the Council's independent advisors and this is to be paid for by the applicant.*

*Infrastructure provision will require collaborative working with infrastructure providers including Medway Council, the NHS, and utilities providers amongst others. Developers and landowners must work positively with the Council, neighbouring authorities and other infrastructure providers throughout the planning process to ensure that the cumulative impact of development is considered at the outset and is then mitigated, at the appropriate time, in line with their published policies and guidance'.*

*(Strikethrough of text to be removed to make the Policy sound).*

The proposed Policy should be worded as follows:

*"Policy S24 – Infrastructure Delivery*

*Development coming forward in Medway will be expected to deliver new or improved infrastructure, to mitigate the impact of development. This will be achieved through the use of planning obligations and/or contributions and their use as defined in national policy and guidance, and as set out in the latest Medway Guide to Developer Contributions and Obligations. Infrastructure includes requirements having regard to the details set out in the latest IDP, as well as studies on leisure, green infrastructure, neighbourhood plans and development orders and other needs assessments.*

*To support sustainable development and the delivery of infrastructure planning permission will be granted for new developments in the following circumstances:*

- Development is phased to reflect the timely delivery of infrastructure to serve and support future occupants and users.*
- Developer contributions and/or obligations are agreed that will mitigate the impact of the development.*
- New and improved utility infrastructure will be encouraged and supported in order to meet the identified needs of the community subject to other policies in the plan.*
- To achieve timely delivery of infrastructure the Council will expect infrastructure to be delivered in the following sequence unless proven otherwise through the application process via the viability appraisal process below:*
  - o Onsite delivery of infrastructure ahead of occupation.*
  - o Onsite phased delivery of infrastructure.*
  - o Financial developer contribution for offsite provision.*

*In the event that a developer considers that providing or contributing towards infrastructure requirement would not be achievable the Council would expect the following:*

- The submission of an "open book" viability appraisal. Any sensitive information which could compromise the applicant's operations in any way will remain confidential from the public.*
- Proof that the cost of potential infrastructure had been accounted for within the purchase price of the site.*

*To achieve consistency with the rest of the Plan, and with national planning policy, it is essential that the wording of Policy S24 is altered by the deletion of part of the wording comprising bullet point a) (the first bullet point) of the Policy. This in turn will ensure that this Policy, and the wider Plan, is not unsound.*

*Please note In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.*

*After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.*

7. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

☐

**No**, I do not wish to participate in hearing session(s)

☒

**Yes**, I wish to participate in hearing session(s)

Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate.

8. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

The proposed wording of Policy S24 provides an undue onus on the landowner, developer and/or applicant. A requirement to demonstrate that there is sufficient infrastructure capacity to support what is proposed will risk the financial viability of many of the smaller to medium sized housing allocations. It is not understood why any infrastructure requirements cannot be secured and delivered by the existing (and usual) mechanisms, namely by planning condition or planning obligation agreement(s). The wording as proposed is therefore unreasonable and makes the Plan unsound.

It is considered crucial that the St John's College representatives have the opportunity to participate and explain these issues fully and for the Inspector to be able to ask questions of clarification on this fundamental issue. It is therefore essential that the College is represented at the hearing sessions of the Examination in relation to this specific issue.


*Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.*

**For details of our data privacy policy please see:**

<https://www.medway.gov.uk/info/200133/planning/714/planning-service-privacy-statement>



## Model Representation Form for Local Plans

	<b>Local Plan</b> Publication Stage Representation Form	Ref:  (For official use only)
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Name of the Local Plan to which this representation relates:

Medway Local Plan

Please return to Medway Council Planning Service by 11<sup>th</sup> August 2025

Email: [planning.policy@medway.gov.uk](mailto:planning.policy@medway.gov.uk) or post to:

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

This form has two parts –

Part A – Personal Details: need only be completed once.

Part B – Your representation(s). Please fill in a separate sheet for each representation you wish to make.

### Part A

#### 1. Personal Details\*

*\*If an agent is appointed, please complete only the Title, Name and Organisation (if applicable) boxes below but complete the full contact details of the agent in 2.*

#### 2. Agent's Details (if applicable)

Title	<input type="text"/>	<input type="text" value="Mr"/>
First Name	<input type="text"/>	<input type="text" value="Mark"/>
Last Name	<input type="text"/>	<input type="text" value="Hodgson"/>
Job Title (where relevant)	<input type="text"/>	<input type="text" value="Director"/>
Organisation (where relevant)	<input type="text" value="St John's College, Cambridge"/>	<input type="text" value="Savills (UK) Ltd"/>
Address Line 1	<input type="text"/>	<input type="text" value="Unex House"/>
Line 2	<input type="text"/>	<input type="text" value="132-134 Hills Road"/>
Line 3	<input type="text"/>	<input type="text" value="Cambridge"/>
Line 4	<input type="text"/>	<input type="text"/>
Post Code	<input type="text"/>	<input type="text" value="CB2 8PA"/>
Telephone Number	<input type="text"/>	<input type="text" value=""/>
E-mail Address	<input type="text"/>	<input type="text" value=""/>

(where relevant)

## Part B – Please use a separate sheet for each representation

Name or Organisation:

3. To which part of the Local Plan does this representation relate?

Paragraph  Policy  Policies Map

4. Do you consider the Local Plan is :

4.(1) Legally compliant	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
4.(2) Sound	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
4 (3) Complies with the Duty to co-operate	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>

Please tick as appropriate

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

Allocating the site at North of Lillechurch Road and West of Town Road, Cliffe Woods (Policy SA11, Site Reference SR4), for residential development is supported in principle.

Savills (UK) Ltd act on behalf of St John's College who is the sole landowner and Rosconn, the promoter of the site in question and can confirm the availability and deliverability of the scheme.

Detailed technical work has led to the compilation of a scheme for approximately 130 homes at this allocation. The proposed scheme will enable the incorporation of strategic level and local level landscaping, on site Biodiversity Net Gain (BNG) opportunities (to provide a minimum of 10% BNG) in accordance with current legislation standards and suitable drainage measures.

However, the Policy SA11, Site Reference SR4 refers to 'up to 130 units' which is effectively a maximum number of dwellings set by the Council. In light of the Government's growth agenda and paragraph 61 of the NPPF which seeks to significantly boost the supply of homes, we consider that there may be scope for the allocation to sustain a higher overall quantum in the event that technical constraints change. Such an approach would secure positive adaptability within the policy. It also provides the opportunity to deliver a greater number of dwellings on

site in accordance with the Government's stated key objectives of increasing the number of houses built at the national level as set out in Paragraph 61 of the National Planning Policy Framework (NPPF).

Moreover, it is noted that the site capacity of 'up to 130 dwellings' is an estimate based on the size of the site. It is feasible that an additional quantum of dwellings can be delivered on site. The Council's current approach of placing a maximum limit on the number of dwellings delivered by each of the sites is contrary to the Government's aspirations of boosting the housing supply at the national, regional and local levels. The allocation of land at North of Lillechurch Road and West of Town Road, Cliffe Woods (Site Reference SR4) will at least contribute towards the stated supply of 21,194 new dwellings stated within Paragraph 1.3.6 of the draft Local Plan. However, it is considered that the site could deliver a greater number of dwellings in a sustainable and logical manner.

It is essential that the wording of each of the proposed sites allocated within the Plan are amended to 'circa' instead of 'up to' to ensure complete consistency within the Local Plan.

The key components of development of the potential allocation (Site SR4 of Policy SA11) which have been included in support of the allocation of the site, are as follows:

### **Housing Size, Type and Tenure Considerations**

The proposed allocation provides 130 much needed homes with scope to deliver the homes promptly following planning permission and reserved matters being granted together with the discharge of planning conditions and the agreement of planning obligation(s). The proposed scheme is expected to secure 30% affordable housing to address local housing need.

In terms of housing mix, the allocation has taken into account the housing need identified within the 2016 SHMA, which considers both unit sizes, as well as character. The SHMA suggests greatest demand for 2 and 3 bedroom properties. The SHMA also indicates the need for different types of property is more balanced between detached, semi-detached, terraced and flat units. The site allocation has taken these proportions into account, though with a lower rate of apartments than identified in the SHMA due to the importance of referencing the character of the locality.

The proposed density level is considered to provide a scheme that reflects its edge of settlement location and respects adjacent occupiers, with a lower gross density, indicating the strong landscaping structure, substantial open space offer and Biodiversity Net Gain provisions which are accommodated.

### **Highways Considerations**

The proposed development will be accessed via a priority T-junction connecting onto Town Road along the eastern boundary. The access from Town Road is suitable for servicing a residential development of this scale.

Any future planning applications will secure a commitment to a Travel Plan and is suggested to provide beneficial encouragement for future occupiers to utilise sustainable transport modes and potentially even change travel habits.

In terms of public transport, the site benefits from close proximity to existing bus stops on Town Road and View Road. The bus stops are readily accessible from the site and routes serve Chatham, Gravesend and Rochester. In addition to this, the site has the substantial benefit of a train station at Higham, which is within cycling distance (approximately 1.6 km). This station provides services to several Central London railway stations, including Blackfriars, Charing Cross and St Pancras. This station significantly strengthens the sustainability credentials of the site. It is also suggested that directing growth to sustainable settlements such as Cliffe Woods, helps to support the existing services including the train station, bus services, doctor's surgery, primary school, community centre and other numerous commercial enterprises within the settlement. Such demand is important to retain the future vitality of such communities and the associated services.

### **Open Space, Landscape and Site Character**

The proposed development allows for a significant proportion of formal and informal open space. A total of 2.6 ha of green space is envisaged to be provided. This will include play space and open recreation and leisure opportunities (including walking and cycling routes) to ensure that it is readily accessible to all within the future scheme, as well as connectivity to the existing community.

Specific open space provision is not fixed at this stage given the proposals are at the initial allocation stage. However, it is anticipated that there will be different types and variety of open space. There will also be opportunities for strengthened planting to reduce the landscape effects and enhance the wider environment.

Site specific surveys of agricultural land grade have not been undertaken. However, the national mapping indicates that the site is anticipated to be Grade 2. This constitutes very good agricultural land and so its loss from agricultural production is identified as an impact resulting from the allocation. However, it is considered that the loss of this 6.1 ha site is only a localised impact and not a significant loss when taken in the context of the extent of best and most versatile agricultural land within the wider locality. It is noteworthy that Natural England only become a statutory consultee to consider agricultural land loss when the loss exceeds 20ha. This is a clear indicator that the loss of 6.1 ha of land can be concluded as a lesser impact.

### **Ecology**

The majority of the site is intensive arable agriculture. There are boundary hedgerows, a pond, tree line and arable field margins on site which have been identified. Many of the existing hedgerows will be retained and enhanced and the pond will be retained.

Potential interest for breeding birds and reptiles can be adequately addressed through precautionary construction measures and the scheme as a whole will incorporate wider ecological benefits including enhanced landscape buffers with

native rich planting, opportunities for a variety of grasslands and bird boxes, bat boxes and timber piles.

On the basis that the application site is a proposed allocation and is consequently accommodated within the overarching housing need that has been/will be tested, this provides confidence in soundness and the ability to secure adequate mitigation based on the council's evidence base.

### **Flood Risk and Drainage**

The site is located in Flood Zone 1 on the Environment Agency Indicative Flood Risk Map and comprises an area of land at least risk of flooding to which development should be directed on a sequential basis. An area of land within the southern area of the site is identified as susceptible to surface water flooding, but this will inform the design and layout of the proposals to ensure this minor constraint is mitigated for.

Work will be undertaken to demonstrate that a workable drainage solution can be accommodated alongside a scheme for 130 dwellings. The surface water will be directed to attenuation ponds which will sustainably manage surface water run-off and storage, whilst providing opportunities for natural planting that promote biodiversity. SuDS ponds which collect water from the higher risk site runoff, such as roads, will be lined and connected into the sewer network at an agreed discharge rate.

In order to reflect the SuDS hierarchy, as well as the associated ecological benefits of such features, it is expected that swales would still be accommodated on site, as well as a SuDS pond, which takes account of additional storage required to allow for climate change.

### **Heritage**

A high level desk top review has indicated no designated heritage assets within the site itself or within close proximity. The closest designated heritage asset is the Grade II listed dwelling Mockbeggar, which lies approximately 900 metres to the south of the site. It is intended to retain two World War Two pillboxes, which are each located towards the northern and southern boundaries of the site. These structures are not listed, but will be retained and their character and setting will be enhanced as features of local heritage.

### **Contamination**

A desk based contamination assessment will be prepared, which will include initial evidence on ground conditions. Given the agricultural use of the site, there is no known ground contamination and as such the overall risk is deemed low. It is unlikely that there are any potential sources or likelihood of sources to risk the deliverability or acceptability of the proposed development.

### **Site Location Error**

Attention is drawn to the fact that within the Regulation 19 Draft version of the Local Plan, the site is named 'Land North Little Church Road, West of Town Road, Cliffe

Woods'. The correct location of the site is 'Land North of Lillechurch Road, West of Town Road, Cliffe Woods'.

6. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 5 above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

It is suggested that draft policy SA11 should be modified as follows in order to make the policy sound:

*'Policy SA11 Rural Settlements*

*Objective –*

1. *By 2041, development allocations in Medway's rural area will provide for diversification of housing choice in villages, meeting the needs of rural communities.*

*Criteria –*

2. *The requirements in Policies S2 and S3 must be applied, given the sensitive locations.*

*Site specific information*

*Policies Map ID – SR4 – North of Lillechurch Road, West of Town Road, Cliffe Woods –*

*Land uses: Residential*

*Number of new homes/and or floor space - Circa 130*

*Plan period (Years) – 1-5'*

(underlining illustrates wording to be altered to make Plan sound).

Whilst we support the deliverability of the allocation in principle, there is a fundamental issue with the wording of draft policy SA11, as follows:

1. The inclusion of the words 'up to' in the proposed policy SA11 are objected to.

Therefore, in order to make the plan sound, it is therefore proposed that the policy be changed from 'up to' 130 houses to 'Circa' 130 houses.

It is essential that the wording of Policy SA11 Policies Map ID SR4 is altered to make the Plan sound. Paragraph 61 of the National Planning Policy Framework (NPPF) clearly and strongly supports increasing the number of new houses delivered across the country, including in Medway. Moreover, it is acknowledged that small to medium sites can deliver new dwellings to assist meeting local housing needs quicker than larger, strategic-scale sites. Paragraph 73 of the NPPF advises that *‘small and medium sized sites can make an important contribution to meeting the housing requirement of an area, are essential for Small and Medium housebuilders to deliver new homes, and are often built out relatively quickly...’*

It is noted that the change in wording of Policy SA11 from ‘up to’ to ‘circa’ 130 homes will provide consistency with the draft Local Plan policies SA1, SA2 and SA3, which set out residential allocations of ‘circa’ an amount of houses.

To achieve consistency with the rest of the Plan, and with national planning policy, it is essential that the wording of Policy SA11 is altered. This in turn will ensure that this Policy, and the wider Plan, is not unsound.

*Please note In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions. After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.*

7. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

☐

**No**, I do not wish to participate in hearing session(s)



**Yes**, I wish to participate in hearing session(s)

Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate.

8. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

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Significant technical work has been undertaken to support the proposed residential allocation. This submission, including a commentary and explanation of the technical issues related to the draft allocation, has made clear that certain phrasing within the proposed Policy SA11, is flawed and without modification, could limit the number of dwellings in the allocation.

It is considered crucial that the St John's College representatives have the opportunity to participate and explain these issues fully and for the Inspector to be able to ask questions of clarification. It is therefore essential that the College is represented at the hearing sessions of the Examination.

*Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.*

**For details of our data privacy policy please see:**

<https://www.medway.gov.uk/info/200133/planning/714/planning-service-privacy-statement>



## Model Representation Form for Local Plans

	<b>Local Plan</b> Publication Stage Representation Form	Ref:  (For official use only)
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Name of the Local Plan to which this representation relates:

Medway Local Plan

Please return to Medway Council Planning Service by 11<sup>th</sup> August 2025

Email: [planning.policy@medway.gov.uk](mailto:planning.policy@medway.gov.uk) or post to:

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

This form has two parts –

Part A – Personal Details: need only be completed once.

Part B – Your representation(s). Please fill in a separate sheet for each representation you wish to make.

### Part A

#### 1. Personal Details\*

*\*If an agent is appointed, please complete only the Title, Name and Organisation (if applicable) boxes below but complete the full contact details of the agent in 2.*

#### 2. Agent's Details (if applicable)

Title	<input type="text"/>	<input type="text" value="Mr"/>
First Name	<input type="text"/>	<input type="text" value="Mark"/>
Last Name	<input type="text"/>	<input type="text" value="Hodgson"/>
Job Title (where relevant)	<input type="text"/>	<input type="text" value="Director"/>
Organisation (where relevant)	<input type="text" value="St John's College, Cambridge"/>	<input type="text" value="Savills (UK) Ltd"/>
Address Line 1	<input type="text"/>	<input type="text" value="Unex House"/>
Line 2	<input type="text"/>	<input type="text" value="132-134 Hills Road"/>
Line 3	<input type="text"/>	<input type="text" value="Cambridge"/>
Line 4	<input type="text"/>	<input type="text"/>
Post Code	<input type="text"/>	<input type="text" value="CB2 8PA"/>
Telephone Number	<input type="text"/>	<input type="text" value=""/>
E-mail Address	<input type="text"/>	<input type="text" value=""/>

(where relevant)

## Part B – Please use a separate sheet for each representation

Name or Organisation:

3. To which part of the Local Plan does this representation relate?

Paragraph  Policy  Policies Map

4. Do you consider the Local Plan is :

4.(1) Legally compliant	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
4.(2) Sound	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
4 (3) Complies with the Duty to co-operate	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>

Please tick as appropriate

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

Savills (UK) Ltd act on behalf of the landowner (St John's College, Cambridge) and the promoter (Rosconn). These representations are consequently submitted in the context of their interests in proposed allocation site SR4.

Objection is made to the precise wording of Draft Policy T9 Self build and Custom Housebuilding. The wording of the current Policy is as follows:

*'Policy T9: Self-build and Custom Housebuilding*

*The Council will support self-build or custom build home development in sustainable and suitable locations across Medway, encouraging plot provision in areas preferred by applicants on the Register.*

*Site Allocations for self-build and custom housebuilding*

*The following site is identified specifically for self-build and custom housebuilding:*

- *Fenn Farm, Ratcliffe Highway, Hoo (AS2) – 100% (4 plots)*

*Sites of 100+ dwellings will be expected to provide no less than 4% plots for self and custom build*

*To ensure a consistent supply for the demand identified from the Register, sites of 100+ dwellings will be expected to provide no less than 4% plots for self and custom build. They will be secured by use of a Section 106 agreement. If it is not viable to provide self-build plots on site, applicants would be expected to present robust evidence to show why for the Council to consider. No provision will be expected where the scheme proposed is a predominantly flatted development.*

#### *Affordable Housing*

*The affordable housing requirement of the site should be calculated on the total number of homes being delivered, including the self-build and custom housebuilding element. Self and custom build units delivered will not be accepted as part of the affordable housing provision.*

#### *All new self-build/custom housebuilding applications*

- Applicants will need to have regard to the local landscape and guidance from other relevant Local Plan policies in the same way that other types of residential applications do; this will ensure all types of new development are of high quality.*
- Permission granted for self/custom build sites with more than one plot will be outline only; reserved matters applications would be required for each plot sold. In accordance with Government guidance on Self-Build and Custom Housebuilding, the plots must be serviced (have access to a public highway and connections for electricity, water and wastewater) or, in the opinion of a relevant authority, can be provided with access to those things within the duration of a development permission granted in relation to that land.*
- For larger sites where a proportion will be self/custom build plots, the plots should all be located in one attractive area of the site and not pepper-potted throughout.*
- For phased development, self/custom build plots must be provided and serviced at the earliest stage possible. This will be secured by a planning condition.*
- Self/custom build plots must respond to the sizes identified on the Register*  
*The person(s) occupying the plot will need to provide evidence confirming they have had primary input into the final design and layout of their property and that it will be their sole/main residence.*
- To prevent overall completion of a site being drawn out and the delay of housing delivery, a short timeframe for building the plot(s) is desirable. This could be translated into a shorter time limited condition than the standard requirement, depending on the site.*
- Sites (including the self-build element) that meet or exceed the threshold to trigger the requirement for developer contributions will attract mitigation contributions in the same way as any other housing development.*

#### *Design Code*

- Depending on the location of the site, the Council may require a design code framework; this should be agreed with the Council prior to the submission of the outline planning application. This will ensure that the variety of design and construction materials will respect the character and appearance of a local area, without suppressing innovation and individuality. The design code will be secured by condition.*

#### *Marketing the self/custom build plot*

- *Once a site has received outline permission and plots become available for sale, the landowner/developer is required to market (to the satisfaction of the Council) the plots available for self/custom-build for a minimum period of 12 months. The 12 months will start from when the plots are first available for purchase, with the responsibility on the plot provider to notify the Council when the marketing period has begun.*
- *If any plot(s) remain unsold after being marketed for the minimum period, they can either remain for sale as a self/custom build plot or be offered to the Local Authority to acquire for the provision of affordable housing (separate from any relevant affordable housing requirement for the Development as applicable), before reverting back to the land owner to build out on the plot or sell without restriction. To prevent the delay of housing delivery, the Local Authority will be given a time period of three months to acquire the vacant plot(s). This provision will be secured as part of the original Section 106 agreement.*

#### *Expanding/intensifying existing residential permissions*

- *Where there is an existing residential permission and the developer approaches the Council seeking to expand/intensify the development, the developer should demonstrate that they have considered some/all of the additional plots to be provided as serviced self/custom build plots, where there is identified demand*

#### *Speculative residential applications*

- *Where a landowner has a suitable site that they wish to obtain speculative outline residential permission for, they are encouraged to have regard to the Register and consider the plot for self-build or custom housebuilding, depending on the local demand.*

#### *Neighbourhood Plans*

- *The Council supports and encourages the consideration of self-build and custom housebuilding in the preparation of Neighbourhood Plans, and joint working with Neighbourhood Plan groups to establish a locally derived design code.*

#### *Rural Exceptions*

- *These will be considered on a site-by-site basis.*

#### *Council owned land and Regeneration*

- *The Council will consider opportunities for self-build and custom housebuilding in disposal of Council land and in promoting regeneration schemes.*

There are a number of specific points regarding the above draft Policy which makes it unsound. A review of the Council's evidence base, specifically the Local Plan Viability Assessment Update – June 2025, reveals that there is an absence of analysis or justification as to how the Council made a number of decisions related to the Policy. Specifically, these are:

- Why the required number of self-build or custom housing plots are not included within the overall affordable housing requirement provision;
- Why the Council seeks to set a minimum period of 12 months for which custom/self-build plots are marketed for, with an additional 3 month period in

which the Council can decide whether to purchase/acquire the plots to be used as affordable housing.

- How the requirement that after 12 months of marketing of self-build or custom dwelling plots from the grant of planning permission, the Local Authority may acquire the plots to be used as affordable housing is justified

The above points demonstrate that the policy is not justified (as set out in Paragraph 36 of the National Planning Policy Framework (NPPF)) or sound.

6. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 5 above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

It is suggested that draft policy T9 should be modified as follows in order to make the policy sound:

*"Policy T9- Custom and Self Build Housing*

*The Council will support self-build or custom build home development in sustainable and suitable locations across Medway, encouraging plot provision in areas preferred by applicants on the Register.*

*Site Allocations for self-build and custom housebuilding*

*The following site is identified specifically for self-build and custom housebuilding:*

- *Fenn Farm, Ratcliffe Highway, Hoo (AS2) – 100% (4 plots) Sites of 100+ dwellings will be expected to provide no less than 4% plots for self and custom build*

*To ensure a consistent supply for the demand identified from the Register, sites of 100+ dwellings will be expected to provide no less than 4% plots for self and custom build. They will be secured by use of a Section 106 agreement. If it is not viable to provide self-build plots on site, applicants would be expected to present robust evidence to show why for the Council to consider. No provision will be expected where the scheme proposed is a predominantly flatted development.*

*Affordable Housing*

*The affordable housing requirement of the site should be calculated on the total number of homes being delivered, including the self-build and custom housebuilding element. ~~Self and custom build units delivered will not be accepted as part of the affordable housing provision.~~*

### *All new self-build/custom housebuilding applications*

- *Applicants will need to have regard to the local landscape and guidance from other relevant Local Plan policies in the same way that other types of residential applications do; this will ensure all types of new development are of high quality.*
- *Permission granted for self/custom build sites with more than one plot will be outline only; reserved matters applications would be required for each plot sold. In accordance with Government guidance on Self-Build and Custom Housebuilding, the plots must be serviced (have access to a public highway and connections for electricity, water and wastewater) or, in the opinion of a relevant authority, can be provided with access to those things within the duration of a development permission granted in relation to that land.*
- *For larger sites where a proportion will be self/custom build plots, the plots should all be located in one attractive area of the site and not pepper-potted throughout.*
- *For phased development, self/custom build plots must be provided and serviced at the earliest stage possible. This will be secured by a planning condition.*
- *Self/custom build plots must respond to the sizes identified on the Register.*
- *The person(s) occupying the plot will need to provide evidence confirming they have had primary input into the final design and layout of their property and that it will be their sole/main residence.*
- *To prevent overall completion of a site being drawn out and the delay of housing delivery, a short timeframe for building the plot(s) is desirable. This could be translated into a shorter time limited condition than the standard requirement, depending on the site.*
- *Sites (including the self-build element) that meet or exceed the threshold to trigger the requirement for developer contributions will attract mitigation contributions in the same way as any other housing development.*

### *Design Code*

- *Depending on the location of the site, the Council may require a design code framework; this should be agreed with the Council prior to the submission of the outline planning application. This will ensure that the variety of design and construction materials will respect the character and appearance of a local area, without suppressing innovation and individuality. The design code will be secured by condition.*

### *Marketing the self/custom build plot*

- *Once a site has received outline permission and plots become available for sale, the landowner/developer is required to market (to the satisfaction of the Council) the plots available for self/custom-build for a minimum period of 12 6 months. The 12 6 months will start from when the plots are first available for purchase, with the responsibility on the plot provider to notify the Council when the marketing period has begun.*
- *If any plot(s) remain unsold after being marketed for the minimum period, they can either remain for sale as a self/custom build plot or ~~be offered to the Local Authority to acquire for the provision of affordable housing (separate from any~~*

~~relevant affordable housing requirement for the Development as applicable); before reverting back to the land owner to build out on the plot or sell without restriction. To prevent the delay of housing delivery, the Local Authority will be given a time period of three months to acquire the vacant plot(s). This provision will be secured as part of the original Section 106 agreement.~~

#### *Expanding/intensifying existing residential permissions*

- *Where there is an existing residential permission and the developer approaches the Council seeking to expand/intensify the development, the developer should demonstrate that they have considered some/all of the additional plots to be provided as serviced self/custom build plots, where there is identified demand.*

#### *Speculative residential applications*

- *Where a landowner has a suitable site that they wish to obtain speculative outline residential permission for, they are encouraged to have regard to the Register and consider the plot for self-build or custom housebuilding, depending on the local demand.*

#### *Neighbourhood Plans*

- *The Council supports and encourages the consideration of self-build and custom housebuilding in the preparation of Neighbourhood Plans, and joint working with Neighbourhood Plan groups to establish a locally derived design code.*

#### *Rural Exceptions*

- *These will be considered on a site-by-site basis.*

#### *Council owned land and Regeneration*

- *The Council will consider opportunities for self-build and custom housebuilding in disposal of Council land and in promoting regeneration schemes'.*

*(text 'struck through' to be deleted to make Policy sound)*

There are four issues with the wording of draft policy, as follows:

1. The Policy should allow for self-build and custom housing units to be included within the overall affordable housing provision (within the overall 30% affordable housing provision within the site). A review of the Council's Local Plan Viability Assessment Update – June 2025 does not provide any explanation, analysis or justification of why the self-build and custom housing units have been excluded from the overall affordable housing provision on the larger sites.
2. The inclusion of policy wording which builds in an option that any identified self-build plots on large sites (of 100 dwellings or more) to be offered to the Local Authority as affordable housing provision separate and in addition to the 30% affordable housing provision to be delivered on large sites via Policy T3 (Affordable Housing). The proposed mechanisms and process involved with the sale/relinquishment of land to the Local Authority as set

out in this policy are not satisfactorily explained. As such, this policy is not justified or effective.

3. The proposed period of 12 months in which an applicant/developer is required to market new self-build/custom plots and an additional 3 months in which the Local Planning Authority can elect whether to acquire the plots is considered a protracted time period. This therefore introduces an overly onerous requirement on new development. This is particularly the case for small to medium sized development schemes, such as the proposed residential allocation at Land North of Lillechurch Road and West of Town Road, Cliffe Woods (Policy SA11, Site Allocation ref. SR4). It is a reasonable assumption that the remainder of the site's open market housing plots will be entirely built out, marketed and each plot sold within 1-2 years. During this time, any applicant/landowner/developer will be unsure as to whether there is the ability to build out and sell the custom build/self-build plots on the open market. It would be unreasonable to then expect the developer to return to the site to build out the failed self-build/custom-build plots. Policy T9 as proposed therefore adds an unacceptable degree of uncertainty and ambiguity and is unsound. It would be far more reasonable to reduce the amount of time a developer has in which to market the custom build/self-build plots to for instance, 6 months, before being permitted to build out and sell the properties as new build units, or introduce a more flexible policy in which the developer and Local Planning Authority agree a marketing timescale on a case by case basis.
4. A review of the Council's Local Plan Viability Assessment Update – June 2025 shows that the Council has built in a fundamental assumption that self-build and custom build plots are built out at 35 dwellings per hectare (d.p.h.). In reality, custom-build and self-build houses are built out at far lower development densities, which results in the delivery of a far lower number of dwellings. This demonstrates that the minimal evidence provided by the Council in terms of the financial viability of custom-build/self-build plots is inaccurate.

It is essential that the wording of Policy T9 is altered to make the Plan sound. Paragraph 36 of the National Planning Policy Framework (NPPF) makes clear that Local Plans and spatial development strategies are 'justified, which means proposing an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence. It is considered that the proposed draft Policy T9 fails to do this, and is therefore unsound.

To achieve consistency with the rest of the Plan, and with national planning policy, it is essential that the wording of Policy T9 is altered.



*Please note In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.*

*After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.*

7. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

☐

**No**, I do not wish to participate in hearing session(s)

☒

**Yes**, I wish to participate in hearing session(s)

Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate.

8. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Given that the reasons for these issues have been identified as a result of much technical work and research, it is considered crucial that the St John's College representatives have the opportunity to participate and explain these issues fully and for the Inspector to be able to ask questions of clarification of the Council. The lack of clear credible evidence to support the draft proposed Policy requires further exploration at Examination. It is therefore essential that the College is represented at the hearing sessions of the Examination.

*Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.*

**For details of our data privacy policy please see:**

<https://www.medway.gov.uk/info/200133/planning/714/planning-service-privacy-statement>

## Model Representation Form for Local Plans

	<b>Local Plan</b> Publication Stage Representation Form	Ref:  (For official use only)
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Name of the Local Plan to which this representation relates:

Medway Local Plan

Please return to Medway Council Planning Service by 11<sup>th</sup> August 2025

Email: [planning.policy@medway.gov.uk](mailto:planning.policy@medway.gov.uk) or post to:

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

This form has two parts –

Part A – Personal Details: need only be completed once.

Part B – Your representation(s). Please fill in a separate sheet for each representation you wish to make.

### Part A

1. Personal  
Details\*

2. Agent's Details (if  
applicable)

*\* If an agent is appointed, please complete only the Title, Name and Organisation (if applicable) boxes below but complete the full contact details of the agent in 2.*

Title	<input type="text"/>	<input type="text" value="Mr"/>
First Name	<input type="text"/>	<input type="text" value="Mark"/>
Last Name	<input type="text"/>	<input type="text" value="Hodgson"/>
Job Title (where relevant)	<input type="text"/>	<input type="text" value="Director"/>
Organisation (where relevant)	<input type="text" value="St John's College, Cambridge"/>	<input type="text" value="Savills (UK) Ltd"/>
Address Line 1	<input type="text"/>	<input type="text" value="Unex House"/>
Line 2	<input type="text"/>	<input type="text" value="132-134 Hills Road"/>
Line 3	<input type="text"/>	<input type="text" value="Cambridge"/>
Line 4	<input type="text"/>	<input type="text"/>
Post Code	<input type="text"/>	<input type="text" value="CB2 8PA"/>
Telephone Number	<input type="text"/>	<input type="text" value=""/>
E-mail Address	<input type="text"/>	<input type="text" value=""/>

(where relevant)

## Part B – Please use a separate sheet for each representation

Name or Organisation:

3. To which part of the Local Plan does this representation relate?

Paragraph  Policy  Policies Map

4. Do you consider the Local Plan is :

4.(1) Legally compliant	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
4.(2) Sound	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
4 (3) Complies with the Duty to co-operate	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>

Please tick as appropriate

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

Savills (UK) Ltd act on behalf of the landowner (St John's College, Cambridge) and the promoter (Rosconn). These representations are consequently submitted in the context of their interests in proposed allocation site SR4.

Objection is raised to issues related to the proposed wording of Policy T41 'Heat Networks'.

These representations make a clear and effective objection to the wording of the Policy T41 which does not meet the test of soundness.

The Policy as proposed notes -

*'Development proposals of 10 dwellings or more (including conversions) or 1,000 sqm or more will follow the heat network provision hierarchy, unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable:*

- a. Connect to an existing heat network.*
- b. Construct a heat network served by a low carbon heat source.*
- c. Collaborate with neighbouring development sites and/or existing heat sources to develop a shared heat network.*

*d. Where heat networks are unviable, but there is potential for future heat networks, demonstrate how the design would allow for a connection to a future heat network. In this instance, alternative forms of domestic heating that comply with the relevant Building Regulations will be permitted..*

*Development proposals will have regard to further feasibility studies and the role of 'anchor loads', such as the Civic Centre and Strood Waterfront sites in Strood and other sites on the Hoo Peninsula'.*

It is considered that the wording of this Policy places an unreasonable and unduly onerous requirement on landowners/applicants/developers to commit to the provision of a Heat Network, particularly on small to medium sized development sites. There is no objection to the principle of the policy supporting the use of heat networks. However, the approach the policy utilises to achieve this (i.e. that a scheme has to demonstrate why it is not feasible or viable) is not considered effective, suitably justified nor does it reflect national policy. It is not justified why heat networks have been selected as a focal point for helping to address carbon saving and improve energy efficiency over and above alternative options. Indeed, this should be considered in the context of the Written Ministerial Statement published on the 13<sup>th</sup> December 2023 which sought to avoid the onerous multiplicity of standards for energy efficiency and carbon saving across local authorities. Whilst specifically focused on prescriptive standards over and above building regulations, the intent of this WMS remains relevant to this proposed policy wording and intent. In this context, it is seen as wholly inappropriate and unjustified to put the onus on the applicant to demonstrate why the use of heat networks is not feasible or viable. There is no valid justification as to why such evidence should be required. Indeed this seems to be implied within the policy to an extent as it accommodates some flexibility by stating that any demonstration needs to have regard 'to the type of development involved and its design'. This wording is not considered effective as it leads to uncertainty and an unnecessary degree of policy interpretation as to the extent of 'demonstration' that may apply. In such a context and for the various reasons stated it is suggested that the policy would only be sound if it accommodates support for the use of Heat Networks as opposed to applicants having to demonstrate why they cannot achieve the specified sequential criteria listed.

Irrespective of the above, the size threshold is too low and is not considered justified or effective and does not reflect the expectation of paragraph 16b) of the NPPF that Plans should 'be prepared positively, in a way that is aspirational but deliverable'. In the scenario that the Inspector does consider the application of these criteria is sound, a more reasonable size threshold for the application of these ambitious standards needs to be considered. This is due to the additional requirements having notable implications on the delivery of projects and the additional technical evidence that must be secured to demonstrate why compliance cannot be achieved, particularly those of a smaller scale (i.e. those below circa. 200 dwellings).

Supporting Paragraph 13.3.3 of the draft Local Plan discloses that '*large heat networks serving a mixture of residential, public and commercial buildings tend to be more efficient, with different heat demand profiles becoming more constant*'. It is therefore inferred that heat networks which serve smaller-sized single-use sites in rural areas, (such as planned allocation ref. SR4 – Land North of Lillechurch Road, West of Town Road, Cliffe Woods) therefore are less operationally effective,

have higher set up and operational costs, and therefore are less financially viable than those which serve larger, urban development schemes.

It is acknowledged and widely accepted that the construction and implementation of Heat Networks incurs a high start-up and up front (design and construction) costs, and there is a shortage of skilled and experienced personnel/labour to undertake the design and implementation of heat networks. This is acknowledged in the supporting text of the draft Local Plan, whereby Paragraph 13.3.7 explains: *'Heat networks are often complex to deliver; they generally have high initial capital costs and long investment payback times'*.

A review of the Council's supporting Local Plan Viability Assessment Update (June 2025) reveals that the Local Planning Authority admit that there are no heat networks currently in Medway or that the Policy as proposed does not mandate their construction or operation in the Local Plan. Moreover, the Council acknowledge that that the potential for heat networks to serve development proposals of ten or more dwellings has not been included in the Council's base appraisals. Essentially, based on the evidence available, there has been no, or limited, work undertaken by the Council to demonstrate the financial viability of introducing a Policy which strongly encourages the introduction of heat networks to serve new developments.

In addition, the proposed policy as worded, requires that all development schemes of '10 dwellings and more' adhere to the stated heat network hierarchy, which provides a policy requirement that new development should aim to connect to an existing heat network, or construct one which is served by a low carbon heat source.

These issues could provide genuine and real challenges and risks to the implementation of proposed allocations within the Plan area – including planned allocation ref. SR4 – Land North of Lillechurch Road, West of Town Road, Cliffe Woods. As already noted, this prescriptive criteria is obligating applicants to select Heat Networks as a principal approach to achieving carbon saving and improving energy efficiency. However, there may be site specific factors that mean an alternative approach to energy efficiency may be more efficient or practical. The onus should not be on the applicant to prove why that is the case. A fundamental aspiration of the Local Plan would appear to be to secure sustainable, energy efficient developments. However, as per the WMS (13<sup>th</sup> December 2023) this should be led by Building Regulations for a consistent national approach and, whilst it is considered sound for a policy to support the use of Heat Networks, the policy should not be unduly prescriptive.

The proposed wording of Policy T41 will place an unduly onerous requirement on applicants, landowners and developers of small and medium sized allocations (any development proposals below c. 200 units). As such, the proposed wording of Policy T41 is unjustified and results in a Plan which is unsound.

6. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 5 above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

It is suggested that draft Policy T41 'Heat Network' should be modified to be less prescriptive. The wording of the Policy should be modified as set out below.

*'Development proposals that utilise heat networks will be supported, subject to accordance with other policies within the Plan.'*

*Development proposals that secure the use of heat networks will have regard to further feasibility studies and the role of 'anchor loads', such as the Civic Centre and Strood Waterfront sites in Strood and other sites on the Hoo Peninsula'.*

To achieve consistency with the rest of the Plan, and with national planning policy, it is essential that the wording of Policy T41 is altered by the deletion of part of the wording contained within the 'Heat Network' Policy and its replacement with a flexible and less prescriptive wording. This in turn will ensure that this Policy, and the wider Plan, is not unsound.

*Please note In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions. After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.*

7. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

☐

**No**, I do not wish to participate in hearing session(s)

☒

**Yes**, I wish to participate in hearing session(s)

Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate.

8. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

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The proposed wording of Policy T41 provides an undue onus on the landowner, developer and/or applicant that is unjustified and not effective. A requirement to provide a development which is served by a Heat Network, or one which is required to demonstrate compliance with the heat hierarchy, will risk the financial viability of many of the smaller to medium sized housing allocations. It is therefore unreasonable and makes the Plan unsound.

It is considered crucial that the St John's College representatives have the opportunity to participate and explain these issues fully and for the Inspector to be able to ask questions of clarification on this fundamental issue. It is therefore essential that the College is represented at the hearing sessions of the Examination in relation to this specific issue.

*Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.*

**For details of our data privacy policy please see:**

<https://www.medway.gov.uk/info/200133/planning/714/planning-service-privacy-statement>

## Model Representation Form for Local Plans

	<b>Local Plan</b> Publication Stage Representation Form	<b>Ref:</b>  <b>(For official use only)</b>
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**Name of the Local Plan to which this representation relates:**

**Medway Local Plan**

**Please return to Medway Council Planning Service by 11<sup>th</sup> August 2025**

Email: [planning.policy@medway.gov.uk](mailto:planning.policy@medway.gov.uk) or post to:

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

This form has two parts –

Part A – Personal Details: need only be completed once.

Part B – Your representation(s). Please fill in a separate sheet for each representation you wish to make.

### Part A

#### 1. Personal Details\*

*\*If an agent is appointed, please complete only the Title, Name and Organisation (if applicable) boxes below but complete the full contact details of the agent in 2.*

#### 2. Agent's Details (if applicable)

Title	<input type="text"/>	<input type="text" value="Mr"/>
First Name	<input type="text"/>	<input type="text" value="Mark"/>
Last Name	<input type="text"/>	<input type="text" value="Hodgson"/>
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## Part B – Please use a separate sheet for each representation

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Name or Organisation:

3. To which part of the Local Plan does this representation relate?

Paragraph  Policy  Policies Map

4. Do you consider the Local Plan is :

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Please tick as appropriate

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

Savills (UK) Ltd act on behalf of the landowner (St John's College, Cambridge) and the promoter (Rosconn). These representations are consequently submitted in the context of their interests in proposed allocation site SR4 at Cliffe Woods.

We support the Spatial Development Strategy as set out in section 3.1 of the Plan. Particularly, as it provides for a range of development needs including growth in rural areas which reflects its distinctive character and identity. It is appropriate that the Plan includes allocations at rural settlements in accordance with paragraph 73 of the NPPF.

As the Strategy acknowledges at paragraph 3.1.4, greenfield sites are an important component of the land supply and a mix of lower density housing on the edges of Medway's towns and villages will provide greater choice on the housing market.

Cliffe Woods is a sustainable location for new development and this is supported by the Village Infrastructure Audit produced by the Council. Therefore we support the overall Spatial Development Strategy.

6. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 5 above. (Please note that non-compliance with

the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

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7. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?



**No**, I do not wish to participate in hearing session(s)



**Yes**, I wish to participate in hearing session(s)

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**MEDWAY LOCAL PLAN**

**REGULATION 19 CONSULTATION**

**REPRESENTATIONS SUBMITTED BY TERANCE BUTLER HOLDINGS**

**AUGUST 2025**



## 1.0 Introduction

1.1 Terance Butler Holdings (TBH) is a privately owned business which has operated since 1998. The TBH Group diversifies its investments across a dynamic range of asset classes, with a primary focus on real estate investment and development. Our real estate portfolio includes logistics, industrial/multi-let industrial properties, environmental resource recovery, open storage, and residential assets.

1.2 Our development activities are primarily focused in the South-East of England and include logistics, industrial, environmental resource recovery and residential. Our years of expertise enable us to create value through intelligent planning, high quality design and efficient use of land. Because regeneration is important to us, many of our developments have been and continue to be on large complex brownfield and contaminated sites. Our investments are focused on high-quality, long-term initiatives, often within renewables, waste and clean technology sectors.

1.3 Beyond real estate, we actively invest in and support innovative, high-growth companies across multiple industries and stages, providing flexible investment & support. Our approach is driven by a commitment to supporting ventures that have the potential to transform and disrupt markets, providing positive change and sustainable, scalable growth.

1.4 We pride ourselves on being professional in our dealings, entrepreneurial in our thinking and loyal and supportive to our shareholders, customers and employees. We aim to be passionate long-term investors with a vision focused on change, renewal and innovative solutions that support positive social outcomes and enhance the environment.

1.5 We offer a diverse range of services, including:

- **Real Estate Development:** Specialising in residential, industrial, logistics, and environmental resource recovery projects.
- **Real Estate Investment:** Strategic investments in various real estate assets.
- **Equity Investment:** Supporting and investing in intellectual property and high-growth ventures.

## 2.0 Experience and Track Record

2.1 TBH has operated in Medway for a considerable number of years, delivering residential dwellings, commercial and retail units, leisure facilities and environmental enhancements. These developments have provided high quality homes and employment opportunities for Medway residents and businesses, both during construction and on completion, in addition to significant business rates and Council Tax receipts for Medway Council.

2.2 TBH is a trusted developer/investor and has a strong track record of delivery across Medway. Some recent examples of completed/planned developments are detailed below:

- Colonial House, Chatham Historic Dockyard
  - Spanning an 8.2-acre site, the residential development was a transformative project, repurposing a former brownfield site within the historic Chatham Naval Base.
  - Planning permission was secured for the redevelopment of the site into a high quality residential and retail space, requiring partial demolition of the former office building and redevelopment to accommodate new homes whilst preserving the historic character of the area.
  - The completed development, by Persimmon Homes, comprised 74 x 2-bedroom contemporary apartments and 126 spacious 3 and 4-bedroom townhouses with associated public and private landscaped open space and parking.
- Medway Gate, Rochester
  - A completed residential scheme of circa 500 residential properties by Persimmon Homes, within a former quarry, close to the River Medway and the M2 (Junction 2)
  - The former chalk quarry was vacant and following comprehensive ecological mitigation, planning permission was granted in 2006/7 for residential development.
  - This high-quality scheme is now an established residential location within a unique setting, which made highly sustainable use of a previously worked site.
- Medway City Estate, Frindsbury
  - Construction of commercial development, including land reclamation, within the Medway City Estate for investment purposes, comprising engineering, renewable and recycling businesses.

- Gillingham Business Park
  - Construction of commercial, leisure development and data centre facilities for investment purposes.
  - The buildings have been subject to significant refurbishment including the installation of solar panels to provide clean energy for use by the leisure businesses occupying the building.
- Anthony's Way/Whitewall Creek
  - Planning permission granted for retail development and subsequently developed out as a trade park.
- Former Trafalgar Centre and car park, High Street, Chatham
  - Planning permission granted for mixed-use development comprising 135 apartments, creative art studios/Class E floorspace at an important town centre location to enable regeneration and investment.
- Maidstone Road, Rochester (Wren Kitchens Depot)
  - Construction of open storage depot for Wren Kitchens for investment.

### **3.0 General Comments**

3.1 These representations are submitted to respond to strategic matters, soundness and general principles, in addition to specific comments relating to land/buildings that are owned by TBH and have previously been submitted to the Call for Sites and Regulation 18.

3.2 The Medway Local Plan has been a long time coming and whilst there have been a number of false starts, the Council and the Policy Team should be applauded for getting to the Regulation 19 stage and the plan can now hopefully progress to examination and adoption, to ensure that appropriate land is allocated to deliver future growth for the area and provide some assurance to developers that sites will be supported and brought forward.

3.3 Representations have been prepared in response to previous consultation stages, engagement with the Council and to take account of the Evidence Base, the legal, procedural and soundness requirements of legislation and the National Planning Policy Framework (December 2024).

3.4 The Plan would be examined under the latest version of the NPPF, notably the provisions including the tests of soundness as set out at paragraph 36 of that document.

3.5 As indicated above, TBH are a local company, who have worked and invested in Medway for a considerable period of time. We are one of a number of Small and Medium (SME) developers, who continue to play an important role in diversifying the housing market and increasing housing delivery.

3.6 Stability is hugely important to encourage developers to invest. Any development comes with associated risk, but the significant financial amounts required to bring development sites to fruition must be a fundamental consideration and planning policy must reflect this and be flexible and adaptable, particularly when there are uncertain economic circumstances. Furthermore, to achieve the economic, social and environmental objectives enshrined in paragraph 8 of the NPPF, the Council must be bold and robust and allocate sufficient land, with headroom to address any shortfall, to achieve the future growth requirements for Medway.

## **4.0 Draft Local Plan – Strategic Matters**

### **The Vision & Spatial Development Strategy**

4.1 We support the principles of the vision and strategic objectives, which reiterate the objectives of the NPPF (2024) with a focus on Medway.

4.2 We support the growth strategy. We support the brownfield first strategy. We support the requirement for greenfield development. We support the focus on sustainable locations and existing settlements to deliver most of the growth, whilst maintaining important areas with landscape, environmental and coastal designations.

4.3 The role of private and affordable housing development is fundamental to achieving the strategic objectives and delivering infrastructure, social and environmental objectives. This cannot be underestimated.

### **Housing Needs, Requirements & Supply**

4.4 Using the standard method as advocated in the NPPF, the annual housing requirement is 1636. Assuming that the local plan is submitted prior to March 2026, this figure should continue to be the appropriate, and minimum housing need.

4.5 The plan needs to be sufficiently flexible to respond to, and address and changes to the housing need or to the impact of allocated housing sites not being delivered within the plan period or stages of it, due to unforeseen or changed circumstances. There will be a acceptance that windfall sites will come forward but there will be allocated sites that do not get delivered within specified or identified timeframes, which will require other sites to come forward or be supplemented.

4.6 A suitable buffer has been included in the housing supply, in addition to consented, proposed allocations and windfall sites.

4.7 Larger allocations/sites invariably take longer to commence, with greater set-up and infrastructure requirements. Accordingly, sites which are coming forward from SMEs should be fully supported and encouraged as these will sites are likely to be sites of between 50-100 units and will be delivered more quickly.



## **5.0 Draft Local Plan Policies**

### **Policy S2 – Conservation and Enhancement of the Natural Environment**

5.1 We agree with the principles of the policy but, where possible, the Council needs to take a pragmatic approach to BNG requirements. There is an appreciation of the aims and objectives, but the implementation results in the need for additional land to be allocated., which undermines the principles.

5.2 Developers are aware of BNG requirements and how to achieve them, either on or off-site, but the policy needs to be flexible to accommodate how the requirements are interpreted and delivered. BNG assessment can be subjective, and mitigation varied.

5.3 Smaller sites (eg less than 50 residential units) and brownfield sites should be exempt from 10% BNG (or a reduced level) and mitigation should be reduced accordingly. The wording of the policy should reflect this. This would support some SME developers or complex brownfield sites to be delivered to assist the housing supply.

### **Policy T2 – Housing Mix**

5.4 There is no “one size fits all” for residential development sites. The circumstances of each site are unique and accordingly development proposals will have to be considered to reflect the specific issues, location, character and setting. The policy appears to address this, but the principles need to ensure flexibility.

5.5 However, there is a range of developers, who develop different types of properties in different locations and the dwellings range accordingly in design, density, type and scale to reflect different markets and sectors. This creates the diversity in the housing market and the housing products on offer.

5.6 Not all developments can achieve the mix and range of housing products or types that the policy stipulates or tries to achieve. For example, it is highly unlikely that a scheme could provide apartments, houses, bungalows, older persons accommodation and custom and self-build plots. Development sites vary in size, scale, location – some may be more suitable for apartments in town centre locations, whereas edge of settlement or rural may be more suited to housing.

5.7 This policy should therefore not be prescriptive and should be suitably flexible – addressing the range and mix of dwellings that will be required to provide the necessary levels of appropriate accommodation for the whole demographic and specialist sectors.

### **Policy T3 – Affordable Housing**

5.8 The challenge to deliver affordable housing is intense and there is an acknowledged requirement to provide affordable housing. The need for affordable housing is fully understood and the objective is welcomed.

5.9 The delivery sequence built into the policy is supported to allow an alternative approach to tenure mix or delivery.

5.10 It is necessary and vitally important to acknowledge that affordable housing provision has to be considered in the context of viability and delivery of housing to address the wider shortage and requirement. Where there is a viability issue, the Council must acknowledge that competing contributions cannot be achieved or provided and priority needs to be identified, whether that is for the delivery of affordable housing, education or infrastructure and allow contributions to be redirected accordingly.

5.11 Where a viability appraisal is submitted, independent verification by an external consultant, paid for by the developer is accepted, although it should be possible for the developer to engage in discussion with the consultant to speed up the process.

5.12 We support engagement and collaborative working with the Council to assist discussions between SMEs and registered providers.

#### **Policy T11 – Small Sites and SME Housebuilders**

5.13 This policy is supported – SMEs represent a hugely important component in the delivery of housing across the UK and within Medway. This sector consistently delivers private and affordable dwellings but faces considerable challenges that national housebuilders do not. SMEs face very different circumstances in respect of access to finance and supply chain costs, which clearly impact on their ability to bring forward sites and deliver housing.

5.14 The policy provides a degree of assurance and certainty that provides stability and should encourage SMEs to bring forward sites and deliver housing.

5.15 The reference to 60 units does reflect the upper scale of development that an SME would be likely to deliver but also allows for smaller developments on smaller, complex sites or at rural settlements.

#### **Policy S17 – Chatham Town Centre**

5.16 We support the principles of Policy S15 (Town Centre Strategy) and Policy S16 (Hierarchy of Centres) and specifically Policy S17. TBH owns a key town centre site (the former Trafalgar Centre and the multi storey car park, High Street/Rhode Street) which has been granted planning permission (Outline and Reserved Matters) for 135 apartments and creative art studios/Class E floorspace across 3 buildings. The intention is to implement the development in Summer 2025.

#### **Policy SA13 - Frindsbury Peninsula Opportunity Area**

5.17 We support the principles and objectives of the policy as a longer term strategy but would propose that development opportunities are considered earlier in the plan period if leases expire and sites become available for consideration.

5.18 We support the principle of the Vision document, and as neighbouring landowners, have initiated discussions with Veetee's agent about redevelopment opportunities and are willing to continue these discussions with the Council, other landowners and stakeholders to further development opportunities.

5.19 We support the comprehensive redevelopment, in collaboration with other landowners, of the Frindsbury Peninsula Opportunity Area. TBH own sites at Neptune Way and Clipper Close, which are currently subject to leases. These sites are located within the land identified for residential, both with waterside frontage, and capacity for further land reclamation. These could be brought forward as part of a comprehensive, overarching redevelopment strategy, or as an earlier phase of development as leases expire. The riverside location could provide a sustainable and exemplar redevelopment opportunity to make the most efficient use of brownfield land – a key objective of the local plan.

5.20 Medway Council (and previous local authorities in Medway) have allocated former industrial land at riverside locations for residential/mixed-use with considerable success eg Rochester Riverside, Rochester Esplanade, St Mary's Island, Chatham Dockyard and Gillingham Riverside.

5.21 Frindsbury Peninsula Opportunity Area has the ability to deliver significant residential led development on a similar scale to those already completed in the Medway towns and providing high quality environments. We support the objectives and are keen to engage with the Council to deliver new communities at this location.

#### **Policy SA14 – Employment Sites**

5.22 We support the retention of employment sites – as indicated above, TBH own sites at Medway City Estate which are currently in employment use – but they need to be considered as alternative development opportunities if appropriate eg Frindsbury Peninsula Opportunity Area.

5.23 Employment is key to future economic growth, but sites need to be suitable and fit for purpose for the type of employment and business practices/operations and requirements, which are likely to be different in 10 to 15 years' time, due to increased mechanisation, changes in technology advances in eg automation, production and the delivery process.

#### **Policy T34 – Safeguarding of Existing Waste Management Facilities**

5.24 We support the vision for waste management and safeguarding of existing waste management facilities – TBH own a site which is included on the Appendix D list at Pelican Reach (Plot L) - but it should be reiterated that, if existing sites are not fit for purpose or require to be significantly upgraded/enhanced to accommodate changes in processing/recycling or management, they should be relocated to more appropriate locations/facilities and redeveloped for alternative uses/opportunities to assist the delivery of economic, social and environmental objectives of the local plan, such as the delivery of

residential/mixed-use development in sustainable locations such as Frindsbury Peninsula Opportunity Area.

5.25 Whilst many of the existing waste management facilities are found within existing industrial locations, as stated in paragraph 12.6.2 of the draft local plan, the comments above remain relevant, and whilst there is support for Policy T36 (Location of Waste Management Facilities), these facilities should be able to relocate if the site is not fit for purpose, to allow for redevelopment for alternative uses in sustainable locations, if it is for the betterment to achieve the wider objectives of the plan for the benefit of Medway.

## **6.0 Further Involvement in Local Plan Process**

6.1 We would like to request that these representations are submitted to the Planning Inspector at the appropriate stage and would request that we are given the opportunity to appear at the Examination in Public to make further comments or reiterate our comments in person.

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# Medway Local Plan 2041

## Regulation 19 Representations

August 2025

**Diocese of Rochester**

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Prepared by:

Savills (UK) Limited  
74 High Street, Sevenoaks, TN13 1JR



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## 1. Introduction

- 1.1. Savills has been instructed by the Diocese of Rochester (**DoR**) to prepare representations to the Draft Medway Council Regulation 19 Consultation (**R19**). The consultation on the Local Plan closes on the 11<sup>th</sup> August 2025.

### Background to the Diocese of Rochester

- 1.2. DoR is one of 41 dioceses of the Church of England, and was established by St Augustine in 604AD. Geographically, the Diocese covers North and West Kent and the London Boroughs of Bromley and Bexley and comprises 2016 parishes with 239 churches serving a population of around 1.3 million. The DoR is a landowner with a land portfolio that extends across Medway and Kent.

### Scope of Representations

- 1.3. In addition to responding to the most pertinent questions relevant to DoR, these representations focus on 2 parcels of land within the Ownership of the Diocese:
- Land at Pilgrims Road, Halling; and
  - Land at Vicarage Road, Halling (herein referred to as '**the Sites**').
- 1.4. The Sites have previously been submitted to Medway Council as part of the Call for Sites (January 2023). They are identified within the Medway Land Availability Assessment (June 2025), which forms part of the evidence base for the emerging Local Plan (*Land at Pilgrims Road - Site ID: CHR2, Land at Vicarage Road, Halling - Site ID: CHR5*). The Sites were also promoted through previous iterations of the Local Plan, most recently during the Regulation 18 Part b process in September 2023 (**R18b**).
- 1.5. The National Planning Policy Framework (**NPPF**) explains that the planning system should be plan-led, and Paragraph 34 of the Planning Practice Guidance on Plan Making (**PPG**) states Local planning authorities must make available each of the proposed submission documents that they intend to submit to the Planning Inspectorate for examination to enable representations to come forward that can be considered at examination, under regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 ('the Local Plan Regulations').
- 1.6. At examination, a Plan will be found 'sound' if it is considered to be positively prepared, justified, effective and consistent with national policy (paragraph 36 of the NPPF). As such, ensuring that the Local Plan meets the tests of soundness is important throughout the Local Plan process. The comments made within these representations are to support Medway Council (Medway) in preparing a sound plan.



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### Updated NPPF

- 1.7. An update to the NPPF was released December 2024. This document provides a clear statement of intent that the new Labour Government is looking to increase the supply of housing in England, including via reinstating mandatory housing targets for local authorities across England, alongside strengthening the presumption in favour of sustainable development in relation to housing and economic growth.
- 1.8. The updated NPPF also introduces the concept of the Grey Belt and provides greater flexibility for Green Belt release as a mechanism to deliver the government's target of 1.5 million homes over the parliamentary term.

### Evidence Base

- 1.9. As part of this Draft Local Plan consultation, Medway has published an evidence base comprising a number of supporting documents. We have made comments on three documents as part of this representation. These documents are listed below.
  - **Regulation 19 Sustainability Appraisal of the Medway Local Plan (June 2024)**
  - **Medway Landscape Character Assessment (June 2024)**
  - **Green Belt Review (June 2025)**

## 2. The Sites

### Overview

- 2.1. The two Sites are each located to the west of the village of Halling (Figure 1) within the Medway Valley to the Southwest of the Medway Council area.
- 2.2. Halling is a large village (population 2,927, 2021 census). The A228 cuts through the village, the centre is focussed along the High Street, situated to the east of the A228 and which lies broadly on a north to south alignment, with the River Medway beyond. Halling train station, and its associated car parking areas lie to the east of the High Street and provides frequent services to Strood and Maidstone.
- 2.3. The village also contains a number of shops and services which serve residents:
  - The Church of Saint John the Baptist
  - Public houses (Homeward Bound and Five Bells);
  - A community centre;
  - A local shop; and
  - A petrol station;
- 2.4. Beyond the urban areas, the landscape comprises quarries and pits set aside arable farmland, woodland, and salt marshes. The former chalk quarry is a dominant and substantial man-made topographical feature which is cut into the hillside to the north and northwest of the village. St Andrew's Lake within part of the former quarry is situated at the bottom of the cutting.

**Figure 2.1:** *Approximate Site Boundaries (Google Earth)*



### Land at Pilgrims Road

- 2.5. The land at Pilgrims Road is a single rectangular shaped open parcel of agricultural land (grade 3 and 4), to the west of Halling. The Site occupies an area of around 3.04ha. The Site lies on an east facing hillside with St Andrews Lake and associated water sports centre at the base of the Hill (Figure 2.2).
- 2.6. The St Andrews Park housing development is located around 300m to the East, with the wider settlement of Halling beyond this to the south. The Site is not located within the Village boundary. It is located within the Kent Downs National Landscape (**AONB**), Metropolitan Green Belt and local Area of Local Landscape Importance.
- 2.7. The Site is enclosed by dwellings to the east, hedgerows. Due to this, the site is not readily visible in views and development of the site would not affect the setting of the AONB or the perceived openness of the Green Belt. In conclusion that there is no significant overriding landscape constraints that should prevent the site from being allocated.
- 2.8. The vast majority of the agricultural land is classified as Grade 4 (poor quality) and the rest is Grade 3 (good to moderate quality). There is an abundance of high-quality agricultural land in the North Kent area<sup>1</sup>, and the loss of a 3-hectare site on the edge of a village will not affect the overall supply of productive agricultural land in the area.
- 2.9. Representations were made as part of the Call for Sites process for a sensitive development comprising a modest amount of housing which would not compromise the character of Halling or the Green Belt, including

<sup>1</sup> Regional Agricultural Land Classification Maps (<https://publications.naturalengland.org.uk/publication/141047?category=5954148537204736>)

its openness. The Site is identified within the Medway Interim Sustainability Appraisal for non-residential uses (Site Ref CHR2).

**Figure 2.2: Pilgrims Road, Site Plan**



### Land to the North of Vicarage Road

- 2.10. The 0.5ha parcel comprises a small area of open land fronting Vicarage Road, alongside a small, wooded area beyond this (Figure 2.3). The Site is not within the village boundary of Halling, however lies adjacent to existing residential; development on its southern and eastern sides. The Site is currently located within the Green Belt.
- 2.11. A pre-application submission was made to Medway Council in 2018 for the construction of 9 houses (Ref PRE18/1288). This detailed that a proposed scheme: *"is unlikely to be acceptable in principle due to the impact on the green belt."* Furthermore, it considers: *"as it is outside the village confines it is unlikely to be considered acceptable as an infill development."* These comments were raised in respect of the existing development plan policies.
- 2.12. The Site benefits from having a character that is distinctly different to the wider Green Belt to the west. Furthermore, it is noted that the site is not readily discernible in views from the west and therefore development of the site would not affect the setting of the nearby AONB.

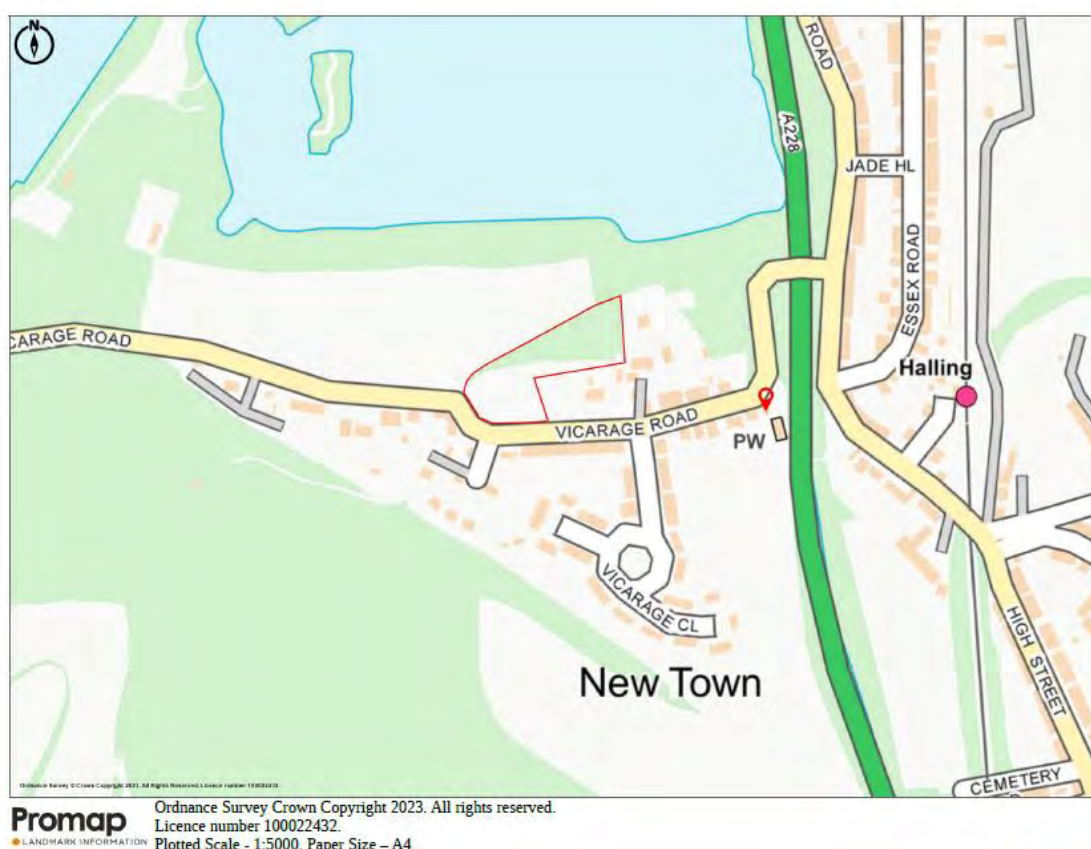
# Medway Local Plan 2041 Regulation 19 Consultation

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- 2.13. The site also provides the opportunity for new rural housing to contribute towards social and economic infrastructure within the village. There are no significant overriding landscape constraints that should prevent the site from being allocated.
- 2.14. Representations were made as part of the Call for Sites process for a sensitive development comprising a modest amount of housing which would not compromise the character of Halling or the Green Belt, including its openness. The Site is identified within the Medway Interim Sustainability Appraisal for non-residential uses (Site Ref CHR5).

**Figure 2.3:** Land at Vicarage Road, Site Plan





### 3. Evidence Base

3.1. Medway has published an evidence base to support the R19 Local Plan consultation. Of the documents that are published, the following are examined in this section:

- Regulation 19 Sustainability Appraisal of the Medway Local Plan (June 2025)
- Medway Landscape Character Assessment (June 2024)
- Green Belt Review (June 2025)

#### **Regulation 19 Sustainability Appraisal of the Medway Local Plan 2025 – 2041 (June 2025)**

3.2. The Sustainability Appraisal (SA) is an important evidence-based document. It examines the extent to which the Draft Plan achieves relevant environmental, economic, and social objectives when assessed against reasonable alternatives. It then considers the most sustainable option that Medway should be taking forward in the Draft Plan.

3.3. The SA outlines the requirement for Medway under the Duty to Co-operate to potentially accommodate an unmet need of approximately 2,000 homes from Gravesham (**GBC**). The SA outlines two updated alternative growth options (3 and 4). These update previous Options 1 and 2 in response to the change in the Standard Method Housing number.

- **Option 3** – Meet Medway's Local Housing Need (based on latest standard method calculation) and Objective Assessment of Employment Land Need. **Approximately 24,540 homes and 240,500m2 employment land.**
- **Option 4** - As for Option 3, plus meeting Gravesham's Unmet Housing Need. Initial consultation and duty to cooperate meetings with Gravesham Borough Council have identified a potential unmet housing need of 2,000 homes. **Approximately 26,540 homes and 240,500m2 employment land**

3.4. In setting out the proposed strategy the SA, provide the following response from Medway, setting out that Medway have chosen not to account for the unmet housing need from GBC

*"Gravesham Borough Council has notified Medway Council of an estimated unmet housing need of 2,000 homes through responses to consultations and duty to cooperate meetings. Medway Council has requested further information from Gravesham Borough Council to demonstrate the unmet housing need. Medway Council has not received an assessment of land availability from Gravesham Borough Council, therefore Option 2 and Option 4 cannot be justified"*

*“Option 1 and Option 3 have been shown to perform better compared to Option 2 and Option 4. Option 3 is aligned with the direct output from the Standard Method as a starting point to determine local housing need. Therefore, Option 3 forms the basis of Medway Council’s spatial strategy”.*

- 3.5. This conclusion was reached despite the SA detailing, the previous Option 2 was identified as performing stronger against SA Objective 7 (housing) due to its proposal to deliver approximately 2,000 dwellings to address Gravesham Borough’s unmet housing need, providing greater benefits regarding affordable housing and the provision of a suitable mix of housing [N38].
- 3.6. Furthermore, alongside considering GBC’s unmet needs, Medway also needs to work with other neighbouring authorities where unmet housing needs may arise. Notably, Tonbridge and Malling Borough Council (TMBC) is currently preparing a new Local Plan and is constrained by the Green Belt and the Kent Downs National Landscape. A Regulation 18 consultation is expected towards the end of 2025.
- 3.7. The current TMBC Core Development Land Allocations DPD anticipated 7,687 homes over its 15-year plan period (512 homes per year). However, the most recent Housing Delivery Test shows that only 1,351 homes have been delivered within TMBC over the past three years—an average of 450 homes per year. The current Standard Method requires 1,094 new homes per year within TMBC.
- 3.8. Given the geography and the failure to deliver a sufficient level of homes over the previous 15 years, there appears to be a significant level of unmet need within TMBC. There is no Statement of Common Ground with TMBC and Medway will need to engage in discussions with TMBC to ascertain their position regarding housing delivery and consider whether some of these unmet needs could be addressed within Medway. The progression of the plan without attempting to accommodate unmet needs from neighbouring authorities means that the R19 LP plan is not positively prepared under paragraph 36 of the NPPF (2024).
- 3.9. The SA includes two assessments, a pre- and post- mitigation assessment for all identified sites against 12 categories. A traffic light scoring system is used by Medway and is repeated here (dark red being a major negative impact and dark green being major positive impact; lighter colours between these two representing minor or neutral impacts). Both pre and post mitigation tables are summarised below (Table 3.1).
- 3.10. The Sites have been given the reference numbers CHR2 (Land at Pilgrims Road) and CHR5 (Land at Vicarage Road).

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		Land at Pilgrims Road (CHR2)	Land at Vicarage Road (CHR 5)
Size		3.01ha	0.78ha
Capacity (as identified within the SA)		0	0
1. Climate change mitigation	Pre-Mitigation	+/-	+/-
	Post Mitigation	+/-	+/-
2. Climate change adaptation	Pre-Mitigation	+	+
	Post Mitigation	+	+
3. Biodiversity and geodiversity	Pre-Mitigation	--	-
	Post Mitigation	--	-
4. Landscape and townscape	Pre-Mitigation	--	-
	Post Mitigation	-	-
5. Pollution and waste	Pre-Mitigation	--	-
	Post Mitigation	--	-
6. Natural resources	Pre-Mitigation	-	-
	Post Mitigation	-	-
7. Housing	Pre-Mitigation	0	0
	Post Mitigation	0	0
8. Health and wellbeing	Pre-Mitigation	-	-
	Post Mitigation	-	-
9. Cultural heritage	Pre-Mitigation	0	0
	Post Mitigation	0	0
10. Transport and accessibility	Pre-Mitigation	-	++
	Post Mitigation	+	++
11. Education	Pre-Mitigation	0	0
	Post Mitigation	0	0
12. Economy and employment	Pre-Mitigation	++	++
	Post Mitigation	++	++

**Table 3.1:** Site Assessment (Lepus Consulting)

### Impact Significance Key (Lepus Consulting)

<b>Major Negative</b>	--	<p>The size, nature and location of a development proposal would be likely to:</p> <ul style="list-style-type: none"> <li>• Permanently degrade, diminish, or destroy the integrity of a quality receptor</li> <li>• permanently diminished;</li> <li>• Be unable to be entirely mitigated;</li> <li>• Be discordant with the existing setting; and/or</li> <li>• Contribute to a cumulative significant effect.</li> </ul>
<b>Minor Negative</b>	-	<p>The size, nature and location of development proposals would be likely to:</p> <ul style="list-style-type: none"> <li>• Not quite fit into the existing location or with existing receptor qualities; and/or</li> <li>• Affect undesignated yet recognised local receptors.</li> </ul>
<b>Negligible</b>	0	Either no impacts are anticipated, or any impacts are anticipated to be negligible.
<b>Uncertain</b>	+/-	It is entirely uncertain whether impacts would be positive or adverse.
<b>Minor Positive</b>	+	<p>The size, nature and location of a development proposal would be likely to:</p> <ul style="list-style-type: none"> <li>• Improve undesignated yet recognised receptor qualities at the local scale;</li> <li>• Fit into, or with, the existing location and existing receptor qualities; and/or</li> <li>• Enable the restoration of valued characteristic features.</li> </ul>
<b>Major Positive</b>	++	<p>The size, nature and location of a development proposal would be likely to:</p> <ul style="list-style-type: none"> <li>• Enhance and redefine the location in a positive manner, contributing at a national or international scale;</li> <li>• Restore valued receptors which were degraded through previous uses; and/or</li> <li>• Improve one or more key elements/features/characteristics of a receptor with recognised quality such as a specific international, national, or regional designation.</li> </ul>



- 3.11. Further to this work the SA provided the following short assessment of each of the assessed sites, as made by Medway council;

**CHR2, Rejected – Non-Residential:** *Close proximity to SSSI. Potential loss of BMV agricultural land. Within the Green Belt. Encroaches on Kent Downs National Landscape. Beyond reasonable walking distance to current public transport services. Local impacts associated with consented Lower Thames Crossing noted in this location.*

**CHR5, Rejected – Non-Residential:** *Potential loss of BMV agricultural land. Within the Green Belt. Local impacts associated with consented Lower Thames Crossing noted in this location*

- 3.12. The two DoR Sites continue to be assessed for non-residential use within the SA, despite being previously promoted by Savills on behalf of the DoR for residential use. It is therefore not considered a fair assessment of these Sites has been undertaken.
- 3.13. Both CHR5 and CHR2 were rejected due to the “*Potential loss of BMV agricultural land*”. CHR5 (Land at Vicarage Road) site has not been used for agricultural and there is no intention to use it as such. CHR2 (Land at Pilgrims Road) predominantly consists of Grade 4 (Poor quality agricultural land)<sup>2</sup>. On this basis it is unclear why both DoR Sites have been given minor negative ratings for the Natural Resource category.
- 3.14. Further to the R18 SA, localised impacts associated with the lower Thames Crossing have also been added to the short site assessments as part of the R19 SA. It is understood that this relates to the potential for increased traffic and associated air quality implications related to the construction and operation of the Lower Thames Crossing. The Sites do not have any relationship with the M2 and the proposed junction with the Lower Thames Crossing is located around 5.2km to the north of Land at Pilgrims Road (CHR2) and 6.15km to the north of Land at Vicarage Road (CHR5). It is unclear why the Sites have been singled out on this basis.
- 3.15. In summary the R19 SA has failed to consider the full extent of unmet need locally and has provided a misrepresentative assessment of the 2 promoted Sites (CHR2 and CHR5).

### Medway Landscape Character Assessment (June 2024)

- 3.16. The Medway Landscape Character Assessment (**MLCA**) prepared by LUC updates the previous Landscape Character Assessment undertaken by Medway Council in 2011. The MLCA aims to identify the features and characteristics to provide an assessment of the landscape character across Medway. The landscape has been sub-divided into Landscape Character Types (areas which share similar patterns of Geology) and Landscape Character Areas (Areas which share generic characteristics with other areas of the same type but have their own particular identity or ‘sense of place’). This process resulted in the definition of eight LCTs and 34 LCAs for Medway. Both the DoR sites are located within the chalk scarp and scarp foot landscape type area.

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<sup>2</sup> Agricultural Land Classification map London and the South East (ALC007), Natural England.

### *Land at Pilgrims Road*

- 3.17. The MLCA confirms this Site constitutes Grade 4 land. The Site is located within the Landscape Character Area C3 (Halling Scarp West). This area is described as: *“a steeply sloping scarp featuring extensive woodland cover and open arable farmland”* (7.27).
- 3.18. The MLCA recommends avoiding further settlement expansion upon the upper slopes, and *“resisting further development along Pilgrims Road”*. The DoR object to this position, which fails to consider the extent of the existing built environment along Pilgrims Road, which is indiscernible in longer views from the valley bottom due to the extent of exiting screening provided by the surrounding heavily wooded environment. Furthermore, no clear rationale is provided in the MCLA as to why further development should be resisted along Pilgrims Road.
- 3.19. The MLCA also recommends that: *“If development is proposed it should look to minimise its impact through careful design, in terms of siting, form, scale, massing, materials and the use of locally characteristic woodland blocks/shaws and hedgerows.”* The DoR support this position (i.e. that with mitigation the impact of development can be minimised in this location) and any development proposal would be landscape led..

### *Land at Vicarage Road*

- 3.20. The Site is located within Landscape Character Area C4 (Halling Scarp Foot). This is described as: *“a rolling scarp foot landscape strongly influenced by former chalk quarrying. It comprises arable farmland, disused quarries (largely colonised by scrub and pioneer woodland) and other remnant industrial features”* (7.29). The DoR agrees with this description which recognises the previous industrial character of the area and the impact such uses had upon the landscape.
- 3.21. The MLCA details that large or visually intrusive development would be detrimental within the more visually open parts of the landscape, including the visual setting of the adjacent Western and Eastern Scarp Areas of the Kent Downs National Landscape. The Vicarage Road site has an indicative capacity of between 20 and 30 homes. If it is allocated, it will enable a small site to come forward, which through sensitive and landscape led design will avoid these detrimental implications upon the landscape by virtue of its screened setting and its location in the established built area.
- 3.22. The MLCA also recommends maintaining the sense of openness between Upper Halling and Halling. The indicative proposals demonstrate that development of the Land at Vicarage Road will not reducing openness, while enabling the delivery of much needed housing within the locality.

### **Green Belt Review (June 2025)**

- 3.23. This Green Belt Review has been prepared by Medway in response to the updated national policy requiring the identification of Grey Belt and to provide an up to date evidence to support the emerging Local Plan for Medway. The review aims to provides an independent and objective appraisal of Metropolitan Green Belt land within Medway.

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- 3.24. The Written Ministerial Statement (30th July 2024) (WMS) provided the context for Grey Belt - “large areas of the Green Belt have little ecological value and are inaccessible to the public. Much of this area is better described as ‘grey belt’: land on the edge of existing settlements or roads, and with little aesthetic or environmental value”.
- 3.25. The WMS details a requirement for local authorities to review their Green Belt boundaries where they cannot meet their identified housing, commercial or other development needs. It proposes a strategic sequential led approach, with authorities asked to give consideration first to brownfield land, before moving onto grey belt sites and then to higher performing Green Belt land.
- 3.26. This was subsequently supported via the NPPF (2024) with particular guidance set out within paragraph 145 – 149 and associated PPG guidance. Paragraph 148 explicit that when releasing land from the Green Belt, Grey Belt land should be prioritised.
- 3.27. The review provides an assessment of 30 parcels of land. Land at Vicarage Road is located within Parcel 14 and Land at Pilgrims Road sits within Parcel 20.

Land at Vicarage Road (Assessment Area 14)

**Figure 3.1:** Assessment Area 14 (Site boundary marked)



- 3.28. The land subject to the promotion forms much of this parcel. Medway’s assessment is provided against our response with consideration of the promoted Sites.

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**Table 3.1: Assessment Area 14 (Site boundary marked)**

Purpose	Medway Green Belt Review Parcel Assessment Consideration	Savills Response (With Consideration of promoted Sites)
<p><b>Purpose A – to check the unrestricted sprawl of large built up areas</b></p> <p>This purpose relates to the sprawl of large built up areas. Villages should not be considered large built up areas.</p>	<p><b>Strong</b></p> <p>The parcel has no defensible boundary and is separate from the surrounding area both rural and urban.</p> <p>It is adjacent to an existing residential area. If developed, it would result in the encroachment into parcel 13 and then into parcel 20.</p>	<p><b>Weak</b></p> <p>Halling does not represent a large-built up area, as per PPG guidance on the Green Belt (February 2025).</p> <p>The Site is not of a size that will result in the unrestricted sprawl of the settlement.</p>
<p><b>Purpose B – to prevent neighbouring towns merging into one another</b></p> <p>This purpose relates to the merging of towns, not villages.</p>	<p><b>Weak</b></p> <p>The parcel forms a very small gap between Strood and Snodland and does not make a contribution to visual separation.</p>	<p><b>Weak</b></p> <p>The nearest town Snodland is located 1.70km to the south of the Site. It is agreed that the Site does not make a contribution to the visual separation between Snodland and Strood.</p>
<p><b>Purpose C – to assist in safeguarding the countryside from encroachment</b></p> <p>Relevant factors influencing the significance of urbanising influence include separating/screening physical boundary features, the scale/visibility of urbanising development and associated land uses and activity, landform change, distance from the urban areas, and the strength of relationship with the wider countryside.</p>	<p><b>Strong</b></p> <p>The parcel has no defensible boundary and is separate from the surrounding area both rural and urban.</p> <p>It is adjacent to an existing residential area. If developed, it would result in the encroachment into parcel 13 and then into parcel 20.</p>	<p><b>Weak</b></p> <p>The trees within the parcel help define it, and form a defensible boundary. Encroachment into parcel 13 is limited via the large St Andrews Lake to the immediate north, and into parcel 20 via the distance (650m) and the physical geography of St Andrews Lake and the steep banks.</p>
<p><b>Purpose D – to preserve the setting and special character of historic towns</b></p> <p>This purpose relates to historic towns, not villages. Where there are no historic towns in the plan area, it may not be necessary to provide detailed assessments against this purpose.</p>	<p><b>Weak</b></p> <p>The parcel has no/limited visual or experiential connection to the River Medway in relation to Strood or Rochester.</p>	<p><b>Weak</b></p> <p>As Halling is a village, part d is not applicable, in the context of the Site.</p>

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<b>Purpose E – to assist in urban regeneration, by encouraging the recycling of derelict and other urban land</b>	<b>Moderate</b>	<b>Moderate</b>  The Site is located on the edge of a sustainable settlement.
<b>Consideration of footnote 7</b>	<b>Within the setting</b>  The Kent Downs and National Landscape designation surrounds (immediately adjacent) the parcel to the west therefore not within the designation but within its setting.  A SSSI also sits adjacent to the west of the parcel	<b>Outside of the Setting</b>  The Kent Downs National Landscape is located 665m to the east. The existing built up area to the south and west alongside substantial vegetation and physical features including St Andrew Lake all providing an element of well-defined separation.  The nearest SSSI is located 990m to the west.
<b>5 purposes of Green Belt all together</b>	<b>Could lead to encroachment of the countryside</b>	Well defined site, unlikely to lead onto encroachment of the countryside.
<b>Result</b>	<b>Strong</b>	<b>Weak</b>
<b>Grey Belt</b>	<b>No</b>	<b>Yes</b>

### Land at Pilgrims Road (Assessment Area 20)

- 3.29. Assessment Area 20 is the largest of all the identified parcels and comprises steep rolling valleys and woodland. The entirety of the parcel is located within the Kent Downs National Landscape. Pilgrims Road and the settlement of North Halling form the eastern boundary.

**Table 3.2: Assessment Area 14 (Site boundary marked)**

<b>Purpose</b>	<b>Medway Green Belt Review Parcel Assessment Consideration</b>	<b>Savills Response (With Consideration of Promoted Sites)</b>
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<p><b>Purpose A – to check the unrestricted sprawl of large built up areas</b></p> <p>This purpose relates to the sprawl of large built up areas. Villages should not be considered large built up areas.</p>	<p><b>Strong</b></p> <p>Whilst not totally free of development, the existing built form is limited and is rural in nature, i.e. Upper Bush and Upper Halling.</p> <p>The Green Belt is overlapped significantly by the Kent Downs National Landscape designation making this area very sensitive to development.</p> <p>The western boundary is less defined and therefore parcel 20 lacks a defensible boundary, which if development came forward could have significant impacts and encroach upon Green Belt land in Gravesham BC.</p> <p>The site is near to the built up area of Snodland and if developed alongside parcels 8 and 7 would lead to significant sprawl and merging of Snodland and Strood.</p> <p>If parcel 20 were to be developed, it would result in an incongruous pattern of development into the Green Belt in Gravesham and Tonbridge &amp; Malling.</p> <p>The nature of the area and its sensitivity remains a key consideration.</p>	<p><b>Weak</b></p> <p>The Parcel does not form an edge with any large built up areas.</p> <p>The DoR Site is well defined and continues an existing line of long established development along Pilgrims Road. Further development beyond this site is restricted via the steep topography and woodland an National Landscape designation.</p>
<p><b>Purpose B – to prevent neighbouring towns merging into one another</b></p> <p>This purpose relates to the merging of towns, not villages.</p>	<p><b>Strong</b></p> <p>Parcel 20 on its own forms a significant part of gap between Snodland and Strood. This parcel therefore performs a strong role is ensuring neighbouring towns are separated physically and visually.</p>	<p><b>Weak</b></p> <p>The Site is adjacent to a village. The nearest town Soudland is located 1 km to the south of the Assessment area and 2.2km to the south of the DoR Site.</p>
<p><b>Purpose C – to assist in safeguarding the countryside from encroachment</b></p> <p>Relevant factors influencing the significance of urbanising influence include separating/screening physical boundary features, the scale/visibility of urbanising development and associated land uses and activity, landform change, distance from the urban areas, and the strength of relationship with the wider countryside.</p>	<p><b>Strong</b></p> <p>Some common boundaries with parcels 15, and 16 don't function as defensible boundaries. Additionally, the western boundary adjoining Gravesham BC and the southern boundary joining Tonbridge and Maling BC are also weak.</p> <p>Development of this parcel of land would lead to encroachment of the countryside</p>	<p><b>Moderate</b></p> <p>The Site is well defined by the substantial vegetation to the south and west and existing residential development to the north. The steep banks to the east and south also prevent encroachment into the wider countryside beyond this site.</p>



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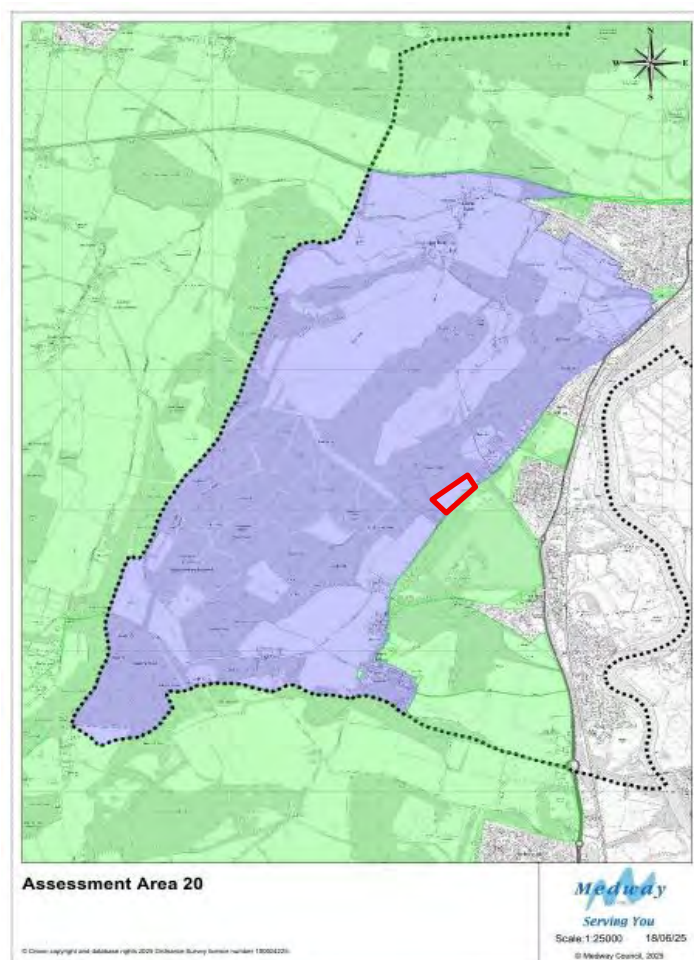
	and Green Belt in neighbourhood authorities from performing their functions.	
<b>Purpose D – to preserve the setting and special character of historic towns</b>  This purpose relates to historic towns, not villages.  Where there are no historic towns in the plan area, it may not be necessary to provide detailed assessments against this purpose.	<b>Weak</b>  The parcel does not form part of the setting of a historic town and nor does it have a visual, physical or experiential connection to the historic aspects of Strood or Rochester.	<b>Weak</b>  As per the wider assessment parcel, the DoR Site does not form part of the setting of a historic town and nor does it have a visual, physical or experiential connection to the historic aspects of Strood or Rochester
<b>Purpose E – to assist in urban regeneration, by encouraging the recycling of derelict and other urban land</b>	<b>Moderate</b>	<b>Moderate</b>
<b>Consideration of footnote 7</b>	<b>Within the designations.</b>  The parcel sits in the Kent Downs and National Landscape designation and the SSSI	. The Site itself whilst within the Kent Downs is not located within the SSSI.
<b>5 purposes of Green Belt all together</b>	In addition, parcel 20 does safeguard the countryside from encroachment.	Well defined site adjacent to existing village, unlikely to lead onto encroachment of the countryside, due to surrounding topography and designations.
<b>Result</b>	<b>Strong</b>	<b>Weak (Site only)</b>
<b>Grey Belt</b>	<b>No</b>	<b>No</b>

# Medway Local Plan 2041 Regulation 19 Consultation

## Regulation 19 Representations



**Figure 3.2:** Assessment Area 20 (Site boundary marked)





## 4. Comments on Regulation 19 Local Plan

- 4.1. The current consultation document aims to build on the responses to the previous R18a and R18b consultations in Autumn 2023 and Summer 2024, which set out to define the overarching vision and strategic objectives for the new Local Plan.

### Housing Supply and Locations of Growth

- 4.2. Medway's "high housing need" alongside "complex sensitive areas and constraints, such as the natural and historic environment and infrastructure capacity" form the overarching backbone to the plan. Key to the soundness of the plan, the Council must ensure that it meets its identified housing needs in full determined by national policy, alongside any unmet needs from neighbouring areas where it is practical to do so.
- 4.3. The Plan utilises the current Standard Method figure of 1,636 homes per year. This equates to a need to plan for 24,540 homes over the 15 year plan period to 2041.
- 4.4. The SA appraisal also identifies an unmet need of C2000 homes within the neighbouring authority of Gravesham, which all or some may need to be accommodated within Medway under the Duty to Co-operate. This has not been accommodated within Medway's spatial strategy nor has the unmet need of any other area.
- 4.5. Whilst the DoR supports the use of the Standard Method (as per NPPF paragraph 62) that seeks to meet local housing need as a starting point, the failure to consider at least some of the unmet need arising from Gravesham suggests the R19 LP will fail to deliver a sufficient supply of new homes and provide the required boost to local housing. .
- 4.6. It is noted the delivery of 1,636 homes per year will require an uplift from current rates of completion. This is reflected with a Housing Delivery Test result of 72% (December 2024).
- 4.7. The most recent Local Authority Monitoring Report (December 2024) (**AMR**) stated the following: "*In 2023/24 1,300 units were completed, making the past five years the highest number of dwellings delivered in a five year period since Medway became a Unitary in 1998. However, for 2023/24 it was still 358 dwellings below the requirement of 1,658*" (pg.41).
- 4.8. Medway will also need to work with neighbouring authorities of Maidstone Borough Council, Gravesham Borough Council and Tonbridge and Malling Borough council to ensure housing needs across the sub-regional housing market are met in full. Evidence of joint working is reflected via the Strood West and Captone Valley allocations.
- 4.9. The R19 LP places a significant emphasis upon allocations (21,194 homes) to meet the delivery of 24,540 homes over the plan period. These allocations incorporate 690 homes on the Frindsbury Peninsula and up to 2,200 homes at Chatham Waters, which both currently function as well performing employment areas. It

is essential that any housing growth within Medway does not come at the expense of business investment and the provision of jobs within the borough.

- 4.10. It is also noted that Medway are relying on several large scale allocations to deliver their housing supply, including within the first five years of the Plan Period. Savills research on housing supply and delivery<sup>3</sup> has detailed an over reliance upon larger sites makes housing delivery more likely to miss targets. Greater complexity, higher costs and large infrastructure requirements can all generate delays. The research is clear: *“We need to quickly reverse the decline in smaller sites gaining planning consent. It is a major barrier to growth for housebuilders of all types, but especially for SMEs and new entrants. Smaller sites are less complex and less expensive to deliver. They reach completion quicker, releasing capital for new investment at a faster rate than larger site”*.
- 4.11. The Savills research describes the decrease in planning consent upon smaller sites as a *“clear threat to housing delivery over the next few years”*. This is reiterated by NPPF paragraph 73, whereby LPAs are expected to deliver at least 10% of their housing requirement on sites no larger than 1ha unless there are strong reason why this target cannot be achieved. Whilst this target is acknowledged within the R19 LP, it is not clear how this will be achieved. We anticipate a maximum of 874 homes could be delivered on allocated sites less than 1 hectare (based upon sites with capacity of 40 homes or less).
- 4.12. The DoR Sites provide an opportunity to deliver housing upon two small and sustainably located Sites within the first five years of the Plan Period. With the above in mind, the Council should seek to boost housing in their area by ensuring that the right mix of homes come forward, in the right location, and on the sites most capable of delivering promptly. Taking this pro-active view is in accordance with the WMS and the general direction that the new Labour government is advocating.

### Locations of Growth

- 4.13. The AMR (April 2023-March 2024) expects Greenfield development to play a key role in enabling Medway to deliver its required housing targets. The AMR details: *“The council continues to promote regeneration and reuse of brownfield sites but has recognised the need to deliver greenfield sites outside the current Local Plan boundaries to meet the identified local housing need”* (Pg.18).
- 4.14. The R19 LP takes forward a Blended Strategy - brownfield first' focus with regeneration in urban centres and waterfront locations, complemented by range of sites in suburban and rural areas. This incorporates around 30% of the plans housing growth to be directed towards Medway's rural areas.
- 4.15. This strategy for growth is supported by DoR as providing for the greatest range of housing and allow for market flexibility. It should also be noted that there are often significant constraints on urban brownfield sites, including infrastructure costs which can affect their delivery or result in a reduction of benefits such as affordable housing, which could impact upon the ability of such Sites to deliver the required level of

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<sup>3</sup> Land Matters (June 2024) (<https://pdf.savills.com/documents/Land-Matters-Report-to-LPDF-Jun-24.pdf>)

housing required while strategic developments, that will form a significant part of the council's land supply, are rarely built out as expected.

- 4.16. The provision of 30% of new housing within rural areas should be directed towards the most sustainable rural settlements within the borough. Cuxton and Halling featuring a good range of local services and public transport links fall into this category and should be considered as appropriate locations for additional growth over the plan period.
- 4.17. In order to ensure the plan is effective and deliverable across its plan period there must be sufficient flexibility in land supply to take account of the uncertainties arising from the range of sites. While the DoR would not disagree with the strategy being proposed by the Council it will be necessary for further sites to be allocated in order to ensure Medway's housing needs are met in full across a policy compliant plan period. In addition, the Council will need to consider how the chosen strategy could address any unmet needs that arise in neighbouring areas - including amendments to Green Belt boundaries.

### Green Belt Release

- 4.18. It is established via the R19LP that Medway lacks the sufficient available land to accommodate all its required growth within existing urban areas and upon suburban sites.
- 4.19. Allocations within urban and suburban areas will deliver circa 8040 dwellings houses, leaving a surplus of circa 13,154 dwellings to be found on sites elsewhere. It is unlikely that all such sites will come forward and be developed over the plan period. It is therefore inevitable that the release should of some sites from the Green Belt will need to be considered to ensure the Council is able to meet its housing requirements.
- 4.20. The NPPF (December 2024) details a presumption to alter Green Belt boundaries where exceptional circumstances are fully evidenced and justified through the preparation or updating of plans. Exceptional circumstances include, but are not limited to, instances where an authority cannot meet its identified need for housing, commercial or other development through other means (Paragraph 146).
- 4.21. The NPPF (December 2024) introduces the 'Grey Belt' defined as "land in the Green Belt comprising Previously Developed Land and any other parcels and/or areas of Green Belt land that make a limited contribution to the five Green Belt purposes". Paragraph 148 places a priority on grey belt land being released first
- 4.22. The R19 LP recognises the provisions within the NPPF (December 2024) requiring the identification of Grey Belt land as part of a Green Belt review within the context of impact of towns. Within this context, a Green Belt review was undertaken by the council and forms part of the R19LP evidence base (A response to this document is provided within section 3 of these representations).
- 4.23. The Sites are located on the edge of the existing built area, as detailed within Section 2. *Land at Pilgrims Road* site is located close to the large St Andrews development, the St Andrews Lakes recreational area

and the existing housing along Pilgrims Road. The *Land at Vicarage Road* site has a strong relationship with the existing settlement, with residential development on its southern and eastern sides.

- 4.24. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. The NPPF (December 2024) identifies that the essential characteristics of the Green Belt are their openness and their permanence (paragraph 142).
- 4.25. Paragraph 143 of the NPPF details that the Green Belt serves five purposes, as listed below;
- a) to check the unrestricted sprawl of large built-up areas;*
  - b) to prevent neighbouring towns merging into one another;*
  - c) to assist in safeguarding the countryside from encroachment;*
  - d) to preserve the setting and special character of historic towns; and*
  - e) to assist in urban regeneration*
- 4.26. The Green Belt in Medway is identified as providing a strategic gap between Stood and Higham and Snodland and Halling, as per the first strategic purpose (Paragraph 5.49). The release of the 2 Sites within the ownership of the DoR will not undermine the purposes of the Green Belt as identified within paragraph 143 or result in the merger of Snodland and Halling. Furthermore, the Site at Vicarage Road would fall within working definition of Grey Belt by virtue of its location outside of the Kent Downs AONB and limited contribution to the five Green Belt Purposes.
- 4.27. Paragraph 142 of the NPPF details;
- “Where it has been concluded that it is necessary to release Green Belt land for development, plans should give first consideration to land which has been previously developed and/or is well-served by public transport.”*
- 4.28. It is important to consider in the context of Paragraph 142 of the NPPF, that both DoR Sites are within close proximity to Halling Railway Station. A bus stop is located on Vicarage Road opposite the land owned by the DoR. The 151 bus provides also provides regular services from Halling towards Chatham and Strood, and in this context the Sites can be considered to be Sustainably located.
- 4.29. The provision of a modest amount of new residential development upon the Sites will also help the village to reach a point where a larger population helps to support a greater level of local shops and services, which is encouraged by paragraph 83 of the NPPF, as one of the benefits of rural housing.
- 4.30. The release of the Sites from the Green Belt for residential development will secure a number of additional benefits, including, but not limited to;

- An opportunity to deliver housing to enable Medway to meet its local Housing need.
- Potential for Ecological and Biodiversity enhancements;
- Potential for the provision of Public Open space to serve the site, and the wider local area.

4.31. The following section provides observations on select draft policies.

### **Policy S7: Green Belt**

- 4.32. **Object** - Policy S7 fails to recognise that limited Green Belt release will likely be required, particularly on the edges of existing settlements. We would recommend the changes set out below, this reflects the Grey Belt principles set out within the NPPF (December 2024).

#### Policy S7: Green Belt

*The Council recognises the important function of Green Belt at a local and strategic scale, in managing the urban sprawl and coalescence of settlements and maintaining the openness and permanence of the countryside.*

*The Council has reviewed the Green Belt boundary under the Duty to Cooperate with Gravesham Borough Council establishing exceptional circumstances for Green Belt release and accommodating the release of land west of Strood (Policy SA6) to accommodate sustainable growth. The updated boundary is shown on the policies map.*

*There will not be inappropriate development in the Green Belt. Infilling within or adjacent to existing settlements, as designated on the Policies Map, may also be appropriate where it can be demonstrated that the site should be considered to be within the village and would not undermine the functions of the Green Belt in line with Grey Belt Principles.*

*The Council will seek opportunities to enhance land for beneficial uses in the Green Belt to strengthen its function.*

### **Policy T11: Small Sites and SME Housebuilders**

- 4.33. **Object** - Policy T11 places greater pressure on SME housebuilders, particularly the requirement to meet or exceed national and local design guidance. The addition “to comply with” ensures the policy is in accordance with Policy T1. Criteria relating to amenity, biodiversity, climate change are all covered by individual policies, and therefore do not need repeating here. Noting the provisions of Paragraph 16(f) of the NPPF.

### Policy T11: Small Sites and SME Housebuilders

*The Council seeks to encourage the development of small housing sites that contribute positively to the local community and adhere to sustainable development principles. The Council will support the development of small housing sites in Medway, subject to the following criteria:*

- *The site must not exceed 60 dwellings (net) in order to maintain the character and scale of the local area.*
- *Proposed developments must demonstrate high quality architectural design that enhances, & respects the character of the surrounding area and appropriate in scale in relation to the surrounding area.*
- *All dwellings must ~~meet or exceed the~~ **comply with** national and local design guidance to ensure a high quality of living for residents.*
- *~~Proposed developments must not result in an unacceptable level of harm to residential amenity, designated heritage assets, or environmental resources and biodiversity.~~*
- *~~Developers must provide adequate measures to mitigate any potential impacts on the local environment, such as landscaping and green infrastructure, and make a clear contribution to mitigation and adaptation to climate change.~~*
- *Small housing sites should be well-connected to existing infrastructure, including public transportation and local amenities, to promote sustainable living practices.*
- *~~The site is not part of a larger site unless, through specific proposals to subdivide a larger site, to speed up the delivery of homes and includes SME builders as part of that delivery mechanism.~~*
- *Weight will be afforded to the delivery of small sites by SME housebuilders coming forward.*
- *Affordable housing will be delivered in accordance with Policy T3*

## 5. Conclusion

- 5.1. These representations have been prepared on behalf of the DoR in response to the overall objectives of R19 LP, specifically regarding the sites at Pilgrims Road and Vicarage Road, Halling.
- 5.2. This representation has reviewed various aspects of the emerging District Plan, highlighting comments, concerns, and objections. While not all elements of the plan have been addressed, further input may be provided on any aspects of the District Plan in future consultation phases if deemed necessary.
- 5.3. It is clear that the primary aim of the Medway R19 LP document is to achieve sustainable development, a goal that the DoR fully supports.
- 5.4. The use of the standard method as a starting point is welcome, however if the required housing is to be delivered consideration should be given to identified unmet need within neighbouring authorities including Gravesham as identified within the SA. Further assessment should also be given as to any unmet need from other neighbouring authorities including Swale, Maidstone and Tonbridge and Malling. Further consideration to more smaller sites should also be provided, particularly if Medway is to meet the 10% requirement of housing in sites smaller than 1 hectare.
- 5.5. The potential release of Green Belt land requires further exploration in accordance with the Green Belt principles set out within the updated NPPF.
- 5.6. Together this will ensure that Medway is able to meet its objectively assessed housing needs and provide the high-quality housing necessary for the local community.
- 5.7. In summary we do not currently consider the R19 Plan to be sound.
- 5.8. The DoR expresses gratitude to Medway Council for the opportunity to provide input on the Regulation 19 Local Plan.

# Medway Local Plan 2041 Regulation 19 Consultation

## Regulation 19 Representations

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AUGUST 2025

# Representations on the Medway Local Plan Regulation 19 Consultation

Land at the rear Berengrave Lane, Rainham

Iceni Projects Limited on behalf of  
Berengrave Lane 2 Ltd

ICENI PROJECTS LIMITED  
ON BEHALF OF  
BERENGRAVE LANE 2 LTD

August 2025

**Representations on the Medway Local  
Plan Regulation 19 Consultation**  
LAND AT THE REAR BERENGRAVE LANE, RAINHAM

## **Iceni Projects**

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# 1. EXECUTIVE SUMMARY

- 1.1 The representations are submitted on behalf of Berengrave Lane 2 Ltd in response to Medway Council's Regulation 19 Local Plan consultation 2024 in relation to land to the rear of 143 Berengrave Lane, Rainham ("the Site") which is allocated for residential development as Site RN17. For the avoidance of doubt, these representations consider the following consultation documents:
- Medway Local Plan (Regulation 19, 2025) ("the Plan")
  - Draft Policies Map
  - Sustainability Appraisal ("the ISA")
  - Landscape Character Assessment ("the LCA")
- 1.2 These representations respond to the Spatial Development Strategy in the Plan, and the draft site allocation contain within draft policy SA10. The representations assess the evidence base used to underpin the Local Plan. These representations continue to promote the Site as a suitable, deliverable and achievable site for residential allocation, and consider the Plan sound.
- 1.3 We agree with the Spatial Development Strategy and that the blended brownfield and greenfield approach is best suited to achieving the Council's strategic objective, whilst balancing sustainability considerations. We fully support the emphasis on a plan-led approach as the foundation for delivering sustainable, well-coordinated growth across Medway. In the spirit of positive and proactive engagement, Berengrave Lane 2 Ltd is keen to contribute constructively to the ongoing plan-making process to help ensure the soundness of the Local Plan and the effective delivery of the Site allocation.
- 1.4 Since the representations made to the Regulation 18 version of the Plan in September 2024, a planning application for the development of the site in line with the draft allocation has been submitted to the Council and, at the time of writing, is pending recommendation for approval to the Council's Planning Committee. The site allocation is therefore plainly deliverable within the early stages of the Plan.
- 1.5 Building on ongoing constructive engagement throughout the Local Plan and planning application process to date, Berengrave Lane 2 Ltd is committed to continued active collaboration with the Council and key stakeholders to bring forward this non-strategic allocation and deliver high-quality homes and significant community benefits.

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- 1.6 Taken in the round, the development would bring about the following sustainable benefits which lead to the sound inclusion of the Site as an allocation within the Plan given that:

#### **Social**

- The development is a deliverable residential scheme, early on in the life of the Plan, which would positively contribute towards the Council's identified housing demand.
- The delivery of affordable homes which would achieve the Council's emerging policy requirements for 30% of all residential units proposed on suburban greenfield sites to be affordable.
- The expansion of a suburban neighbourhood with a scheme that is sustainable, and which avoids any unacceptable impacts on infrastructure and the environment.
- The proximity of the Site to Rainham District Centre and the proximity to infrastructure and services.

#### **Environmental**

- The development of a low-grade greenfield site in a sustainable location which reduces the pressure on greenfield sites in areas of higher landscape importance, or sites which are best and most valuable agricultural land (BMV).
- Landscape features that seek to maximise opportunities for achieving biodiversity net gain, reduce surface water drainage and incorporate sustainable measures throughout.
- The use of high standards of design quality and environmental sustainability to contribute to net zero carbon aims.
- Measures to reduce reliance on car-based travel.
- BNG aspects – off site

#### **Economic**

- Employment opportunities that result from the construction phase of the development.
- Additional local spend on the nearby District Centre from additional residents.
- Substantial financial contributions delivered pursuant to a s.106 legal agreement.

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## 2. RELEVANT BACKGROUND

- 2.1 Icen Projects act on behalf of Berengrave Lane 2 Ltd and wish to submit representations to the Medway Council's Regulation 19 Local Plan consultation 2025.

### Phase 3

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#### Promoter/landownership

- 2.2 The land is promoted by Berengrave Lane 2 Ltd and is in a single ownership with no legal impediments to development. The site measures 1.5ha and will be accessible from the public highway via Phase 1 and 2 developments (see below)

#### The Site

- 2.3 The site is situated west of Berengrave Lane where the countryside meets the urban edge and, as such, the proposals would be on the boundary of the current settlement boundary and within the Area of Local Landscape Importance (ALLI) as identified on the current Proposals Map of the Medway Local Plan 2003. The characteristics of the Gillingham Riverside ALLI primarily include landscapes which contain orchards or arable fields – this is not applicable to this site. The site is comprised of ordinary grassland, with mostly good quality hedgerow boundaries which allow only very limited visibility from public areas.
- 2.4 The surrounding area is residential in character and comprises a mixture of large, detached houses and bungalows and more recently has seen the development of new-build semi-detached family homes. The site is located adjacent to the sites of two recently approved schemes for 9no. new dwellings on the former nursery site (MC/18/3168) and for 8no. residential dwellings allowed at appeal (MC/22/1339).

#### Recent Pre-Application Advice – July 2024

- 2.5 A pre-application scheme that is based on the site allocation proposals was submitted to the Council, in March 2024, and a meeting held online with Officers of the Council in July 2024. A further pre-application meeting was held in October 2024 to close out the impact, or lack thereof, on the ALLI, and the compliance with Policy BNE34 of the current Local Plan. The subsequent written response found no technical issues with the proposed development. The written response is included in Appendix A and the visuals that demonstrate the limited visibility of the proposed development are included in Appendix B.

#### Previous Representations – October 2023

- 2.6 As part of the previous Regulation 18 Consultation in August 2019, the Site was promoted for allocation. The previous representations stated that it was necessary to:

- 
- Ensure that the Local Plan met the full objectively assessed need, and ensure that housing delivery is clearly identified within the Council's "Vision" for the Plan and a Strategic Objective.
  - Ensure that the identified supply of suitable housing sites is deliverable and reliable, and that the pipeline includes available sites that are capable of delivery early in the Plan period. The representations were clear in that the supply should include small sites and not be reliant upon strategic sites for the majority of housing supply.

The representations concluded that:

- The absence of a preferred Growth Strategy was a concern, and that the primary preferred spatial strategy option should comprise 'suburban expansion' in recognition of the generally unconstrained nature of such sites and their generally strong ability to provide affordable housing and supporting infrastructure contributions.
- The emerging Plan should allocate a pool of reliable, unconstrained greenfield sites, especially where sites exist close to settlement confines, that are capable of delivering housing early within the Plan period. The Site demonstrated it could be aligned with the suggested 'suburban expansion' strategy and that there were extensive site-specific justifications for allocation.

#### **Medway Land Availability Assessment - September 2023**

- 2.7 In September 2023, the Council published its Land Availability Assessment in which the Site was identified as Site RD: RN17.

#### **Previous Representations – September 2024**

- 2.8 In September 2024, Berengrave Lane 2 Ltd made representations to the Regulation 18 version of the Local Plan. The representations explained that the Plan did not demonstrate how the Council will meet its objectively assessed need, nor did it adequately demonstrate the robust and consistent supply of housing throughout the Plan period.
- 2.9 Furthermore, the Evidence Base that underpinned the Plan failed to correctly consider the sustainability of the Site and that the allocation of the Site was entirely consistent with the principles of the preferred blended Spatial Growth Option, and that the early delivery of the Site should weigh in its favour. It was also stated that impacts of the development, as considered by the Interim Sustainability Appraisal, were substantially lesser than identified, or could have been ameliorated by mitigation.
- 2.10 Berengrave Lane 2 Ltd are supportive of the Council's positive response to these earlier representations, and make further comment in Section 3.

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## Wider Context

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- 2.11 As noted in the September 2024 representation the surrounding area has been subject to significant change with a pattern of development emerging comprising of development that spreads west, away from Berengrave Lane towards Bloors Lane. These are summarised below.

### Phase 1

- 2.12 MC/18/3168 which sought planning permission for the 'Construction of nine residential dwellings comprising 6no. 3-bedroom houses, 2no. 4-bedrooms houses and 1no. 5-bedroom house, with associated access, amenity areas and associated garaging and parking for the proposed and existing dwelling. Demolition of the existing garage and outbuildings'. This was approved with conditions.

### Phase 2

- 2.13 MC/22/1339 which sought planning permission for the 'Construction of 8 residential dwellings; detached garages to plots 2, 3 and 8 together with private amenity space, landscaping and associated parking'. This was recommended for approval by officers, but was overturned and refused by planning committee.

- 2.14 This application was refused by Members for the following reason:

*"The proposed development would result in an intrusion of built form into the countryside and erosion of openness detrimental to the landscape value of the Area of Local Landscape Importance contrary to Policies BNE25 and BNE34 of the Medway Local Plan 2003 and paragraph 174 of the NPPF 2021."*

- 2.15 The Officer's report referred to Policy BNE25 and Policy BNE34 as relevant and that the exceptional circumstances alluded to in BNE25 would not apply to the proposals. However, the report acknowledged these policies were out-of-date and could only be afforded limited weight as they do not accord with the NPPF which applied the presumption in favour of sustainable development (paragraph 11). In addition, the Council were unable to demonstrate a 5-year housing land supply which meant permission should have been granted.
- 2.16 The Officer's report considered the proposals would result in the loss of an area of countryside and would have an impact on the character of the local landscape. However, the report also noted the constrained nature of the site and that the land would appear to be more of an "infill than intrusion into the countryside". Its conclusion on this matter is clear; that the development is not considered to have a detrimental impact on the character and appearance of the countryside.



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- 2.17 The report acknowledges the proposals would provide employment during construction and attract people to the area thereby supporting existing services and facilities in the area. The scheme would also include areas of tree planting and landscaping and would therefore contribute to the ecological value of the area. And finally, the proposals would have a social benefit in providing much needed housing. The scheme was therefore considered to accord with the economic, environmental and social objectives of the NPPF.
- 2.18 The application was subsequently appealed and allowed (appeal ref. APP/A2280/W/23/3316780. In his decision, the Inspector outlines the provisions of Policy BNE25 which limits development to certain categories outside settlement boundaries and states that none of the categories would apply to the proposals. He also states that in accordance with policy, schemes are also required to maintain the character, amenity and functioning of the countryside and offer a range of transport modes. However, in considering this, the Inspector states the scheme would cause no significant harm to the area's character and appearance, or to the landscape of the Gillingham Riverside ALLI, thus avoiding conflict with Policy BNE34.
- 2.19 With respect to Policy BNE34, the Inspector acknowledged that some changes to the landscape have occurred since the adoption on the Local Plan in 2003, but that the broad-brush description of the ALLI still appears generally accurate and relevant. The report considered that Policy BNE34 is generally aligned with the aims of the NPPF which states that planning decisions should contribute to and enhance the natural environment by protecting and enhancing valued landscapes, and by recognising the intrinsic character and beauty of the landscape (NPPF paragraph 174). In addition, paragraph 175 of the NPPF states that plans should distinguish between the hierarchy of international, national and locally designated sites.
- 2.20 The Inspector stated that local policy seeks to recognise the role of certain landscapes that are considered locally important and gives a measure of protection whilst not imposing a blanket ban on development. He then considered BNE34 as generally consistent with national policy and afforded it full weight in decision making. That said, and as acknowledged by the Inspector, the policy seems to protect the character of the ALLI as a whole, rather than each and every parcel of land within it.
- 2.21 The Inspector also noted the design of the proposals, which were considered to be of a relatively modest size and height, reasonably well spaced on the site with adequate room for gardens, parking and landscaping, concluding that the design and landscaping were unobjectionable and would help to further minimise the development's overall impact. The scheme was considered not to harm the landscape character and function of the ALLI, and nor would it materially harm the character or appearance of the area in any other way. The development was therefore considered not to conflict with Policy BNE34 or any other identified policy.

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- 2.22 The assessment of the character of the area, the impact of development on the ALLI, and the planning balance of the two applications must be a material consideration in the assessment of the suitability of the Site for allocation.

**Planning Application - MC/25/0371: Land To The Rear Of Berengrave Lane, Rainham**

- 2.23 Application ref: MC/25/0371 was submitted to Medway Council on 25<sup>th</sup> February 2025 for the following description of development:

*“Construction of thirty three dwellings with associated access road, landscaping and car parking”*

- 2.24 As of 7<sup>th</sup> August 2025, the planning application has sufficiently progressed in a positive manner to secure a recommendation for approval, by professional officers, to the Council’s Planning Committee.

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### 3. CONSULTATION RESPONSES

- 3.1 The Council has used an online consultation format for representors to comment on the emerging Local Plan. This section reflects the format used on the Council's website. The comments detailed below have been submitted separately on the online consultation portal under the corresponding sections.

#### Section 2.1 - Vision for Medway

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- 3.2 Berengrave Lane 2 Ltd **supports** the Vision for Medway 2041 in adopting an ambitious growth-led approach to ensure a future for Medway that is able to support a diversity of community needs, economic prosperity and environmental sustainability. It is acknowledged that housing-led growth is central to this vision as a means to drive wider investment in services and business and contribute to the overall sense of place and character.
- 3.3 Berengrave Lane 2 Ltd is supportive of the Vision in seeking to ensure that all sectors and ages of the community will be able to have decent places to live. Further, support is given to the aim to deliver a range of housing typologies and tenures, including affordable housing and specialist accommodation, by allocating a diverse portfolio of sites. This approach will drive up housing quality and meet the needs of different sectors of the community. Given the borough's pressing housing need, it will be important for the Plan to enable the early delivery of a substantial number and range of homes.
- 3.4 The allocation of Site (RN17) will play a important role in delivering this growth-led agenda. The allocation is well-positioned to deliver a modest, yet deliverable quantum and mix of new homes that makes a positive contribution to local housing need, in a sustainable location. In particular, the Site is available to deliver new homes, including affordable homes, early on in the Plan period, and we anticipate that all 33 new homes will be delivered by mid-2027.

#### Section 2.2 - Strategic Objectives

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- 3.5 Berengrave Lane 2 Ltd is supportive of the Council's Strategic Objectives, outlined in Section 2.2 of the Plan, including the clear commitment to enhancing quality of life, supporting economic growth, and delivering sustainable development. These objectives are structured around four key themes: *"Prepare for a sustainable and green future"*, *"Support people to live healthy lives and strengthen communities"*, *"Secure jobs and develop skills for a competitive economy"*, and *"Boost pride in Medway through quality and resilient development."*
- 3.6 The proposed allocation will play an important role in delivering the Council's Strategic Objectives. The allocation will be brought forward through a comprehensive, collaboratively masterplanned

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approach to earlier phases of development on adjacent plots and will help to foster strong, inclusive communities. The development will also contribute to a competitive local economy, both in the short term, through construction-related employment, and in the long term through the delivery of employment land that supports sustained economic growth.

### **Section 3 - Spatial Development Strategy**

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- 3.7 Berengrave Lane 2 Ltd is supportive of the Spatial Development Strategy put forward by Medway as part of the Plan. The inclusion of the Site as an allocation recognises that the reliance on regeneration sites alone will not deliver the scale of housing required within the Plan period, nor will it allow for the Council to demonstrate a rolling five-year housing land supply. Paragraph 3.1.4 of the Plan acknowledges the essential role of greenfield sites in addressing this shortfall early on in the Plan period, enabling accelerated delivery and providing greater choice in the housing market.
- 3.8 Paragraph 3.1.5 of the Plan recognises the benefits of extensions to suburban areas which are well connected to existing services, such as the wider Lower Rainham area.
- 3.9 Berengrave Lane 2 Ltd do make representations at this stage in relation to Figure 1 of p.23 of the Plan which appears to show the Site falling within a Strategic Gap and the omission of the Site as a “Development site (Residential)”. This can be easily rectified in minor modifications.
- 3.10 We consider that the Sustainability Appraisal now provides a robust assessment of the proposed spatial growth options, and we welcome the inclusion of site RN17 within the chosen “Blended Strategy” following a review of the available land within the Borough.

### **Section 14 – Site Allocations**

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- 3.11 Berengrave Lane 2 Ltd is plainly supportive of the inclusion of Site RN17 within the Plan.
- 3.12 Paragraph 3.1.5 of the Plan recognises the benefits of extensions to suburban areas which are well connected to existing services, such as the wider Lower Rainham area.
- 3.13 Berengrave Lane 2 Ltd also seeks to make clear that the site is capable of delivery without the wider Rainham Parkside Village. Whilst Berengrave Lane 2 Ltd are supportive of the principles of the allocation RN9, site allocation RN17 must be read in isolation.
- 3.14 We consider that the Sustainability Appraisal (SA) now provides a robust assessment of the proposed spatial growth options and we welcome the inclusion of site RN17 within the chosen “Blended Strategy” following a review of the available land within the Borough.

- 3.15 Lastly, the SA is clear in that the purpose of this assessment is to identify the impacts on that would need to be overcome for development to optimise sustainability performance. For this Site – continued to be identified as RN17 - we provide the following commentary against the conclusions of the SA. For the avoidance of doubt, the Regulation 18 Sustainability Appraisal considered the below:

Site ref.	Site use	1	2	3	4	5	6	7	8	9	10	11	12
		Climate change mitigation	Climate change adaptation	Biodiversity and geodiversity	Landscape and townscape	Pollution and waste	Natural resources	Housing	Health and wellbeing	Cultural heritage	Transport and accessibility	Education	Economy and employment
RN17	Residential led	+/-	--	-	-	-	-	+	-	0	-	-	+

**Figure 3: Impacts of all reasonable alternative non-strategic sites (pre-mitigation)**

- 3.16 The commentary in Table J.I.2 of the updated Sustainability Assessment notes the Council's reasoning for inclusion of the Site as allocation being *"Following Regulation 18b consultation, site promoter has demonstrated how concerns and constraints could be addressed."*
- 3.17 The post-mitigation assessment of sites allocated under Policy SA10 note the following:

Site ref.	Strategic / non-strategic	1	2	3	4	5	6	7	8	9	10	11	12
		CC Mitigation	CC Adaptation	Biodiversity and geodiversity	Landscape and townscape	Pollution and waste	Natural resources	Housing	Health and wellbeing	Cultural heritage	Transport and accessibility	Education	Economy
RN17	Non-strategic	+/-	+	+/-	-	-	-	+	-	0	+	+	+

**Figure 4: Post-mitigation assessment of sites allocated under Policy SA10**

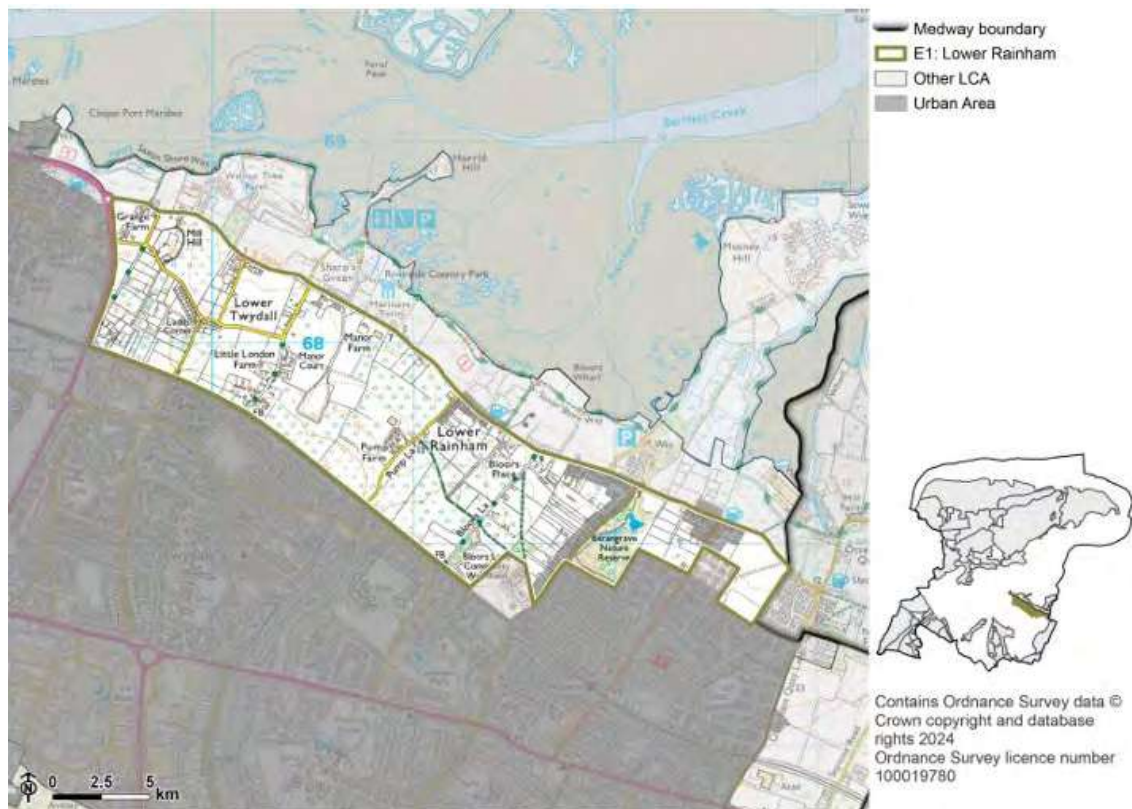
- 3.18 It is supported that Climate Change Adaption and Biodiversity and Geodiversity are now positively weighted. For those which remain negatively weighted or neutral, the position adopted in Table 1, and paras. 6.15 – 6.16 of the Regulation 18 representation dated September 2024 are maintained.
- 3.19 In particular, there is no mitigatory impact needed against Landscape and townscape, and there are neutral or no impacts upon Air Quality (Pollution and Waste) and Health and Wellbeing respectively. With the benefits of s106 contributions, i.e. mitigation, the impacts on GP surgeries would be positive.

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## Supporting Documents – Landscape Character Assessment

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- 3.20 As part of the Evidence Base used to underpin the draft Local Plan, the Council has prepared a draft Landscape Character Assessment ('the LCA'). The Site falls within Landscape Character Area E1: Lower Rainham. The Area is characterised as *"low-lying, flat to gently undulating landscape supporting several orchards"*.



**Figure 5 : Location of LCA E1**

- 3.21 We note that the LCA E1 boundary includes the aforementioned relevant recent permissions (Berengrave Nursery, and the two sites south of Lower Rainham Road. None of these have been considered in the context of the LCA, which simply states that the *"landscape has become fragmented by urban fringe influences, including ribbon development along Lower Rainham Road, Berengrave Lane and Station Road"*. Instead, these are substantial schemes which demonstrate the changing character of the edges of the ALLI and which demonstrates the expanding suburbanisation of the ALLI.
- 3.22 The Key Sensitivities and Values within the LCA E1 are plainly not applicable to the Site or the immediate surrounding areas.
- 3.23 The Issues and Changes within the LCA E1 acknowledge the:

- 
- Suburbanisation in the east, with recent expansion of the urban area into the landscape (such as development east of Bloors Lane Community Woodland and on Bloomfields east of Station Road).
  - Threat of further expansion of urban edges from the south and west
  - Loss of distinctive settlement identity of Lower Rainham; ribbon development along Lower Rainham Road to the east of the hamlet is leading to a reduction in physical and perceived separation between it and the urban area of Rainham (including the former separate hamlet of East Rainham).
- 3.24 The distinctive settlement identity of Lower Rainham is questioned, given that this is fairly common suburban area which maintains physical separation to key landscape areas within the LCA E1.
- 3.25 The draft Development Management Guidance seeks to:
- Avoid large scale urban/housing extensions within this working rural agricultural landscape characterised by its low-density dispersed settlement pattern.
- 3.26 The proposed site allocation is modest suburban expansion which does not affect the rural agricultural landscape pattern, nor is there a low-density dispersed settlement pattern in this location.
- 3.27 We suggest that:
- The landscape qualities of the LCA E1 (and all LCA areas) should be graded to include areas of Primary, Secondary and Tertiary importance. We would maintain that the Site, if retained within the LCA E1 boundary, has a Tertiary importance. Secondary importance areas would be those which have a functionality but no landscape importance. Tertiary importance areas are those at the edges of the LCA boundary, and / or which have no landscape or functional importance.
  - That the primary focus of the Development Management Guidance is clarified to ensure that inappropriate development, i.e. schemes that materially harm the function and character of areas of Primary, and to a lesser degree Secondary areas, which do not comprise sustainable development that brings benefits, are resisted.

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## 4. CONCLUSION

- 4.1 These representations are submitted based on continued engagement with the Council in the drafting of the new Local Plan. The development represents a natural progression of suburban expansion and builds upon the principles established in Phases 1 and 2, on adjacent, adjoining land parcels.
- 4.2 The Council's allocation of the Site demonstrates a proactive response to the recent changes to the National Planning Policy Framework ("NPPF") that have emphasised the need to deliver more homes, alongside associated infrastructure, in sustainable locations, and the significant benefits this can bring to the economy and local people.
- 4.3 Berengrave Lane 2 Ltd supports the overarching Vision for Medway 2041, its Strategic Objectives, and Strategic Spatial Strategy. The inclusion of the Site (RN17) within the Local Plan demonstrates a positively prepared and growth-driven approach to guide the developmental trajectory of Medway Council through to 2041.
- 4.4 We look forward to working with the Council and its teams to ensure that the aspirations and objectives of the representations are reflected in a deliverable site allocation for 33 dwellings within the emerging Local Plan.

August 2025



Planning Policy,  
Medway Council  
by email only

11<sup>th</sup> August 2025

[planning.policy@medway.gov.uk](mailto:planning.policy@medway.gov.uk)

To whom it may concern,

**CHURCHILL LIVING AND MCCARTHY STONE RESPONSE TO THE MEDWAY LOCAL PLAN 2041 REGULATION 19 SUBMISSION**

Churchill Living and McCarthy Stone are independent housebuilder specialising in retirement living housing for older people. Combined, the two companies deliver over 90% of new private housing for older people across the UK each year. The companies are therefore very well placed to provide comment on policies which may negatively impact the delivery of housing for older people.

We respond to the policies of the consultation insofar as they impact the delivery of specialist accommodation for older persons.

**Policy T3: Affordable Housing**

Draft policy T3 sets out varying rates of affordable housing which is subject to high value/low value areas and greenfield/brownfield specific rates, this is a commendable approach. The wording of this policy is also backed by the recently published Viability Study dated June 2025

In so far as this policy would impact both McCarthy & Stone and Churchill Living would vary between the high value areas with an affordable housing requirement of 30%, as well as lower value areas which suggests 25% on greenfield land or 10% on brownfield land.

It is at this point; it is important to recognise The PPG on viability at Paragraph: 002 Reference ID: 10-002-20190509 which states:

***"The role for viability assessment is primarily at the plan making stage. Viability assessment should not compromise sustainable development but should be used to ensure that policies are realistic, and that the total cumulative cost of all relevant policies will not undermine deliverability of the plan" and that "Policy requirements, particularly for affordable housing, should be set at a level that takes account of affordable housing and infrastructure needs and allows for the planned types of sites and development to be deliverable, **without the need for further viability assessment at the decision making stage**".***

When reviewing the Council's recently published Viability Study (June 2025), it is clear that the older persons housing typology has been tested. The conclusions of this report are clearly set out within paragraph 12.84:

***"Based on this analysis, specialist older people's housing is unlikely to be able to bear affordable housing"***

Our experience of affordable housing provision elsewhere in the country is that its commonly agreed older persons' housing cannot provide full percentages of affordable housing or indeed often cannot provide for any affordable housing. More and more local planning authorities are acknowledging this position within local plans by way of specialist housing exemptions. As industry leading specialist, we consider this approach to be proactive and necessary for enabling adequate delivery of this type of housing. This is particularly the case where Viability Tests show the model of older persons housing to not be viable, as it is in this case.

As an example, emerging policies in both Birmingham and Charnwood propose affordable housing exemptions in respect of proposals for housing for older people having found through their plan wide viability assessments that viability was constrained for these typologies. The proposed wording of each policy has been set out below:

#### Birmingham

*Due to the specific viability challenges of delivering older persons' housing, the evidence suggests on the basis of the market research, appraisal inputs and policy requirements, Older Person's Housing is exempted from Affordable Housing provision.*

#### Charnwood

*Our viability evidence shows that neither sheltered housing nor extra care housing developments are likely to be viable if a contribution towards affordable housing is sought.*

In addition, Fareham Borough Council's now adopted local plan Policy HP5 states:

*The Viability Study concludes that affordable housing is not viable for older persons and specialist housing. Therefore, Policy HP5 does not apply to specialist housing or older persons housing.*

Both McCarthy Stone and Churchill Living are of the view that a similar stance should be taken by Medway Council in the knowledge that older persons housing does not have the capacity to deliver affordable housing, as set out in the Viability Study (2025).

We further understand from the Viability Study that the RHG have previously made representations, which have been considered as part of the review. We would like to further emphasise the importance of these conclusions.

The RHG Briefing Note establishes how sheltered housing and extra care development differs from mainstream housing and looks at the key variables and assumptions that can affect the viability of specialist housing for older people. These variables include unit size, unit numbers and GIA, non-saleable communal space, empty property costs, external build cost, sales values, build costs, marketing costs and sales periods, and significantly variable benchmark land values.

#### Sales periods

Older persons housing schemes that typically consist of flatted development of 40 – 60 units cannot be phased and must be fully built and operational from month 1 of sales. Sales periods are typically longer for retirement housing than for general housing with a typical scheme taking around 36 months to sell. The build period takes approximately 12 to 18 months.

#### Empty property costs

Due to the long sales period older persons housing schemes experience higher void costs as schemes take longer to sell than general needs housing. A typical average empty property cost per unit is £5,000 for sheltered and £8,000 for extra care. This covers costs such as council tax and service charges on unsold units.

### Marketing costs

Given the longer sales period, there is a longer and more supportive marketing / sales programme for specialist retirement housing needed compared to general needs, typical marketing costs are 6%. The RHG Briefing Note establishes how sheltered housing and extra care development differs from mainstream housing and looks at the key variables and assumptions that can affect the viability of specialist housing for older people. This should be included in all viability testing.

### Professional fees

Brownfield and small to medium scale nature of sites on which older persons housing come forward, it is understood that a 10% allowance for professional fees is felt reasonable. If a higher percentage for professional fees was included within the viability Assessment for Older Peoples housing this would reduce viability of older persons housing if considered.

### Profit

The NPPG is clear that potential risk is accounted for in the assumed return for development and assumed to be between 15-20% of gross development value for plan making purposes but alternative figures may be appropriate for different development types and typologies (Para 018 Reference ID:10-018-20190509). There are a number of inherent sector specific risks with older person housing which materially differ to that of general needs housing including an inability to phase and allow for risk reappraisal.

Older Persons housing must be fully completed and operationally ready before sales commences as older people are less likely to buy 'off plan' without seeing for example the benefit of the communal facilities. The above provides a slower return on investment and a longer period of uncertainty in the market and cost exposure. An acceptable return for risk in respect of retirement living proposals is not less than 20% of gross development value. This is consistent with the Inspector conclusions at Appeal for the McCarthy and Stone proposal at Redditch (Appeal Ref: 3166677), the Churchill Retirement Living proposal at Cheam (Appeal Ref: 3159137) and the Churchill Retirement Living scheme at West Bridgford (Appeal Ref: 3229412) in 2019.

It is clear from appeal precedent that 20% return on gross development value represents the minimum acceptable return in respect of housing for older people proposals for the reasons outlined.

### Local Plan Costs

In addition to typology specific costs, a whole host of other costs must be considered. This includes the cost of achieving Biodiversity Net Gains, as per the Environment Act 2021, and the rising costs of achieving the policy requirements for renewable and low carbon energy. This is particularly pertinent to small-medium sized brownfield development, as opposed to larger scale greenfield developments.

## **RECOMMENDATIONS**

Given the above findings from both the Viability Study (dated 2025) published as part the Local Plan evidence, emerging policies from Local Planning Authorities, and the RHG Briefing Note, we respectfully request that the older persons housing typology and costings are re-run as part of a revised viability study. This will ensure the findings are conclusive to real world cases where older persons housing is unable to deliver affordable housing.

As such, we recommend the following addition to emerging Policy T3:

*“The Viability Study concludes that affordable housing is not viable for older persons and specialist housing on Brownfield sites. Therefore, Policy T3 does not apply to specialist housing or older persons housing on Brownfield sites”.*

#### **Policy T4: Supported Housing, Nursing Homes and Older Persons Accommodation**

Unlike many Councils, the emerging Local Plan has drafted a specific policy to support the delivery of specialist accommodation for older people, as well as other specialist forms of housing for those with particular needs. This is commendable and welcomed in its assistance in delivery these tenures of housing within the Medway district.

When reviewing this emerging policy in the context of delivering older persons housing, the Council seek to support proposals for OPH in a set of specific circumstances, which include:

- Meets a proven need for that particular type of accommodation
- Well designed and includes the relevant space standards
- Easily accessible to public transports, local facilities and amenities
- Does not adversely affect the character and amenity of the area

The loss of existing older persons housing is also resisted as part of the wording of this policy. This is supported by both respondents.

As part of the evidence base supporting this Regulation 19 consultation document, a Local Housing Needs Assessment (February 2025) had been published. This document provides up to date information and statistics on particular housing requirements across the Council area, including that of older persons housing need.

This document succinctly sets out the increase in ageing population in Medway over the modelling period, which is set to increase from 48,720 in 2024 to 66,296 in 2041 – a rise of 37.3%. This notable increase in the population of older persons is subsequently translated into future housing needs, as set out in Table 7.2 of the report. We have included this below given the significance of the need:

<b>Table 7.2 Projected requirement for specialist accommodation for older person households in Medway over the modelling period</b>				
<i>Type of specialist accommodation</i>	<i>Tenure</i>	<i>Base profile (2024)</i>	<i>Profile 2041</i>	<i>Additional units required</i>
Sheltered housing for older people/retirement housing	Market	508	1,893	1,385
	Affordable	869	1,700	831
	Total	1,377	3,593	2,216
Extracare housing	Market	0	338	338
	Affordable	288	517	229
	Total	288	855	567
All specialist accommodation for older person households	Market	508	2,231	1,723
	Affordable	1,157	2,218	1,061
	Total	1,665	4,448	2,784

This crudely equates to a need for 2,784 units to meet the future requirements of the older persons population in Medway. This represents 10.3% of the total household growth in the Council area for the period 2024 to 2041 which is significant.

Given the substantial housing requirement, we would argue that the draft policy is not going far enough in supporting the delivery of much needed older persons housing.

## **RECOMMENDATIONS**

Given the pertinent need for older persons housing as set out in the recently published Local Housing Needs Assessment (February 2025), we would suggest the proposed wording of Policy T4 does not go far enough in supporting the delivery of older persons housing.

We therefore recommend the following addition is made to the proposed wording (additions made in **bold**):

*“The development of specialist residential accommodation for older people, including care homes, nursing homes; and other specialist and supported forms of housing for those with particular needs including looked-after children - will be supported where it:*

- Meets a proven need for that particular type of accommodation. **In respect of older person housing, proposals will be supported where they seek to deliver sheltered housing/retirement housing and extra care housing/ supported living housing.***
- Is well designed to meet the particular requirements of residents with social, physical, mental and/or health care needs including the relevant space standards (e.g. the National Described Space Standards).*
- Incorporates dementia friendly standards where required.*
- Is easily accessible to public transport, shops, local services, community facilities and social networks for residents, carers and visitors. Local services are particularly essential in those developments where residents have fewer on-site services and greater independence.*
- Does not adversely affect the character and amenity of the area, or the health and well-being of the residents (new and existing).*
- In relation to care facilities for looked after children rooms shall comply with the National Described Space Standards (or subsequent equivalent standards) with the provision of suitable communal space of at least one reception room and kitchen or equivalent space.*

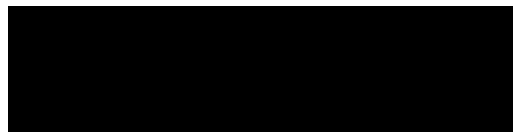
*Loss of specialist housing will be permitted only where it is demonstrated that there is no need for the form of accommodation.*

*Developers will be expected to have regard to residential design criteria specific to accessibility issues for older persons and others with specialist needs.*

**As per the latest LHNA (2025), the Council are required to deliver an additional 2,784 units of specialist accommodation for older person households up until 2041.”**

Thank you for the opportunity for comment.


Yours faithfully



**Lauren Bishop**  
**Planner BSc (Hons) MSc**

E 

## Model Representation Form for Local Plans

	<b>Medway Local Plan</b>	
	<b>Local Plan</b> Publication Stage Representation Form	<b>Ref:</b>  <b>(For official use only)</b>

**Name of the Local Plan to which this representation relates:**

**Please return to Medway Council Planning Service by 11<sup>th</sup> August 2025**

Email: [planning.policy@medway.gov.uk](mailto:planning.policy@medway.gov.uk) or post to:

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

This form has two parts –

Part A – Personal Details: need only be completed once.

Part B – Your representation(s). Please fill in a separate sheet for each representation you wish to make.

## Part

### A

1. Personal  
Details\*

2. Agent's Details (if  
applicable)

*\* If an agent is appointed, please complete only the Title, Name and Organisation (if applicable) boxes below but complete the full contact details of the agent in 2.*

Title		Mr
First Name		Jack
Last Name		Harley
Job Title		Associate
Address Line 1		DHA Planning
Line 2		Eclipse House
Line 3		Sittingbourne Road
Line 4		Maidstone
Post Code		ME14 3EN
Telephone		

Email		
-------	--	--

## Part B – Please use a separate sheet for each representation

Name or Organisation:

3. To which part of the Local Plan does this representation relate?

Paragraph	<input type="checkbox"/>	Policy	<input checked="" type="checkbox"/>	Policies Map	<input checked="" type="checkbox"/>
-----------	--------------------------	--------	-------------------------------------	--------------	-------------------------------------

4. Do you consider the Local Plan is :

4.(1) Legally compliant	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
4.(2) Sound	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
4 (3) Complies with the Duty to co-operate	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>

Please tick as appropriate

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

Please see accompanying statement.

(Continue on a separate sheet /expand box if necessary)

6. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 5 above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Please see accompanying statement.

(Continue on a separate sheet /expand box if necessary)

**Please note** In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

**After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.**

7. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

X

**No**, I do not wish to participate in hearing session(s) **Yes**, I wish to participate in hearing session(s)

Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate.

8. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:



***Please note*** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

**For details of our data privacy policy please see:**

<https://www.medway.gov.uk/info/200133/planning/714/planning-service-privacy-statement>

# Lower Rainham Road

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## Medway Council Regulation 19 Consultation Response.

JMH/35148  
August 2025



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## Project Team :

- Jack Harley BA (Hons) MSc MRTPI – Associate, London.



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# 1 INTRODUCTION

## 1.1 PURPOSE OF THIS STATEMENT

- 1.1.1 These representations have been prepared on behalf of Blue Harbour Investment Ltd in response to Medway Council's (MC) Local Plan 2041 Regulation 19 consultation document (July 2025).
- 1.1.2 Blue Harbour Investment Ltd control the land to the north of Lower Rainham Road ("the site") which has recently been subject of pre-application reference: PRE/25/1145 - Land North of Lower Rainham Road.
- 1.1.3 The following representations have been made, with regard to the tests of "Soundness" in accordance with the NPPF paragraph 36, and identify what changes are necessary to make the plan "Sound".
- 1.1.4 The purpose of this statement is to make representation for the redevelopment of the site to provide some 50 Commercial Units (historic B1c and B8 use class), as well as critique the Council's current plans for how they will deliver commercial units within their proposed plan period.



FIGURE 1: LOCATION PLAN.

## 1.2 PLAN CONTEXT

- 1.2.1 This consultation is MC's Regulation 19 consultation which runs from the 30<sup>th</sup> of June to the 11<sup>th</sup> of August 2025.

- 1.2.2 The consultation follows MC's Regulation 18b consultation which was undertaken at a high level and provided the vision, strategic objectives and an overview of the Strategic Growth Options available to the Council, alongside draft planning policies and planning policy maps. The Regulation 18b included indicative site allocations at a high level. The Regulation 19 consultation now includes draft site allocations and associated policies.

## 2 REGULATION 19B AND PLAN PERIOD

### 2.1 OUTLINE

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- 2.1.1 Section 33A of the Planning & Compulsory Purchase Act requires Council's to engage constructively, actively and on an on-going basis with neighbouring authorities and certain statutory bodies regarding strategic matters during the Plan preparation.
- 2.1.2 The Council's published "Duty to Cooperate Statement, Proposed Submission Document, June 2015" is in complete and advises that it still intends to provide a final composite statement with no less than four Local Planning Authorities, and five statutory consultees, including National Highways which is pivotal to ensuring the Plan is deliverable. It is further noted in the Duty to Cooperate Statement (Section 2.6) further notes that the Council is still to conclude discussions with Gravesham Borough regarding its calculation on unmet need this summer. This matter therefore clearly remains unresolved.
- 2.1.3 In addition to the requirements of the Planning & Compulsory Purchase Act, the NPPF (para 28) is also clear that Council's "should prepare and maintain one or more statements of common ground, documenting cross boundary matters being addressed and their progress in cooperating to address these".
- 2.1.4 There is currently only available one agreed Statement of Common Ground (SoCG) with Kent County Council in respect of Strategic Waste Management and Minerals Supply Matters. As such there is clearly a number of matters, specifically in relation to housing numbers and shared infrastructure which remain to be resolved/agreed under the duty to cooperate. In the absence of any further SoCG it is therefore unclear whether the Council's statutory duty has been fulfilled and if the Plan does plan to provide for the correct level of housing i.e. there is no residual requirement to address as a result of needs arising from Gravesham Borough Council or any of the other neighbouring boroughs, including Tonbridge and Malling which is also progressing a draft Local Plan.

### 2.2 PLAN PERIOD

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- 2.2.1 As identified at para 1.3.5. of the draft Local Plan, the plan period is for 15 yrs up to 2041, assuming adoption in 2026.
- 2.2.2 The Adopted Local Development Scheme (LDS) does not anticipate the adoption of the Local Plan until the end of 2026. This is an extremely fragile position, considering the requirement for a 15yr Plan period is the minimum, as required by the NPPF (para 22) at the point of adoption.
- 2.2.3 For the Plan to satisfy the legal tests, an additional year must be added to the Plan period extending it to 2042.

## 2.3 CLOSING

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- 2.3.1 The evidence available fails to demonstrate that the Council has fulfilled its statutory duty under Section 33A of the Planning & Compulsory Purchase Act, or accord with the requirements of the NPPF (para 28) and in doing so is not “Consistent with National Policy” and it cannot be determined that it has been “Positively Prepared”. The missing completed Duty to Cooperate Statement must be made available for consultation before proceeding to examination.



## 3 LAND NORTH OF LOWER RAINHAM ROAD

### 3.1 OVERVIEW

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- 3.1.1 The site is located to the north of Lower Rainham Road. There is an existing access towards the southwestern corner of the site which provides access on to Lower Rainham Road.
- 3.1.2 The site comprises a former equestrian facility, including disused stables and associated outbuildings. The site is bounded by hedgerows, trees and fences. This is an important matter and one that we return to below.
- 3.1.3 During a site visit it was apparent that the former use had changed to a non-conforming use in recent years, with caravans being observed on site supported by some irregular, informal structures. This appears to constitute a non-permitted gypsies and traveller's settlement, with no evidence of relevant planning permission identified in the site's planning history. The Applicant has recently purchased the site and is keen to regularise the use of the site with the Council. Having reviewed matters prior to this pre-application request, it is considered that this use has occurred on site, uninterrupted for a period of at least 10 years.
- 3.1.4 The site sits outside of, but adjacent to the urban area boundary of Rainham.
- 3.1.5 The site is located within the Designated Country Park and Areas of Local Landscape Importance. To the northeast of the site lies a parcel of land designated as a Site of Nature Conservation Interest and/or Local Nature Reserve.
- 3.1.6 The majority of the site lies within Flood Zones 2 and 3, albeit the southern part of the site adjacent to Lower Rainham Road lies within Flood Zone 1.

### 3.2 SITE SURROUNDING

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- 3.2.1 The southern boundary of the site is defined by the Lower Rainham Road (B2004), which provides a direct connection into Rainham and to Gillingham to the east. There are varying uses surrounding the site, including residential, country parks, industrial and allotments.
- 3.2.2 Opposite the site to the south, on the other side of Lower Rainham Road, there are existing residential properties.
- 3.2.3 The most relevant applications within the vicinity of the site include:
- 3.2.4 MC/19/2898: Outline planning application with all matters (appearance, landscaping, layout and scale) are reserved except for access for the construction of up to 76 dwellings (C3 use class), open space, landscaping (including Sustainable Urban Drainage) with associated infrastructure. Approved with conditions on 22 Dec 2020.
- 3.2.5 MC/20/1800: Full planning consent for 79 dwellings, including affordable housing together with access, open space, landscaping and associated infrastructure works. Approved on 26 April 2021.

- 3.2.6 There are two pairs of bus stops to the east and west of the site. One pair on Lower Rainham Road, west of Berengrave Lane, and the other on Station Road adjacent to The Angel Public House. They are both within 300m of the centre of the Site.

### 3.3 OVERVIEW OF OPPORTUNITY

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- 3.3.1 The site was not submitted during the Council's last call for sites, however, since reviewing the Council's approach to delivering new commercial development during their proposed plan period, we consider that the site can make a vital contribution to SME within the Council's jurisdiction.

## 4 REG 19

### 4.1 OVERVIEW

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- 4.1.1 Policy SA13 of the Reg 19 Local Plan notes that the area known as “Frindsbury Peninsula Opportunity Area” will see land released from Medway City Estate (“MCE”) to provide an initial phase of 690 dwellings, as well as other matters involving redeveloping the area.
- 4.1.2 The wording of the Criteria 1a.i) and 1a.ii) of the aforementioned policy currently restrict any proposals within the Opportunity Area being delivered before the adoption of the Frindsbury Peninsula Planning Framework in 2030 /31. It is concerning that there is no clarity on how this framework will be developed. Moreover, there are concerns that the collaborative approach and the timeframes required for Medway to deliver the Framework. Land ownership within the MCE is fragmented, and the proposed Framework will require agreement across multiple landowners to ensure its delivery.
- 4.1.3 Therefore, there needs to be clarity, certainty, and reassurance from MC regarding the delivery of the Frindsbury Peninsula Planning Framework as set out in Criterion 4 of the policy. MC should establish a timetable for the development of the Framework to ensure that the draft policy and its supporting framework are “Sound” in accordance with the legal test set out in paragraph 36(a) of the NPPF.
- 4.1.4 Likewise running alongside this Framework the Council will need to properly plan and provide for alternative commercial space elsewhere in the Borough, including reserve land for the next plan period to ensure that continuity of trading and options are provided for those businesses to move to purpose built accommodation from the MCE.

### 4.2 GEOGRAPHICAL LOCATION OF EMPLOYMENT SITES.

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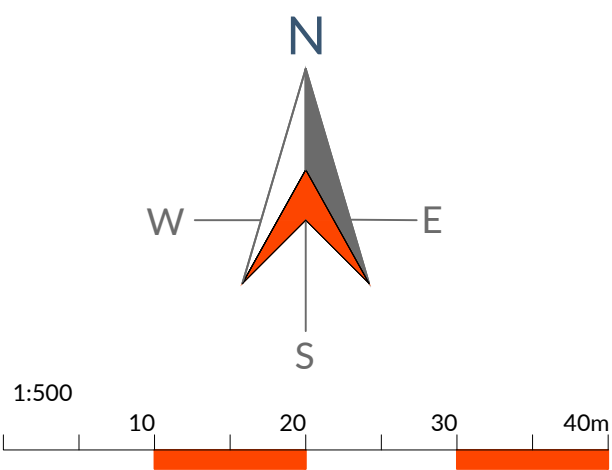
- 4.2.1 For development on the Frindsbury Opportunity Area to come forward , Policy SA 13 sets out that there will need to be managed release of relocation of existing businesses on the MCE.
- 4.2.2 Paragraph 7.4.4 of the draft local Plan sets out that the site of the former Kingsnorth power station under Hoo peninsular can provide opportunities for new commercial industrial uses providing 113 ha site for commercial, manufacturing, industrial, distribution data centres and energy uses to be brought forward.
- 4.2.3 14.15.12 is clear that “the development pipeline is almost entirely led by Kingsnorth and the Isle of Grain, which are among the largest sites for economic growth within the Thames Estuary and the wider region.
- 4.2.4 Whilst we do consider it positive that Medway are seeking the redevelopment of MCE, a site with a prominent location in the region, and that the Council have also identified land to be made available, we do consider that the geographical location of Kingsnorth and the Isle of Grain poses some questions that the Council will need to consider.

- 4.2.5 Businesses working towards the east of Kent (i.e. east of Medway, Swale, Thanet, Dover etc) are unlikely to make use of Kingsnorth and Isle of Grain given the distance it will take to then drive “east” once more.
- 4.2.6 Should the Council still pursue this strategy, we consider that the Council will need other land to come forward early in the plan period to provide an alternative location for SME’s.

## 5 CONCLUSION

- 5.1.1 This representations raise no objections to the overall spatial strategy and supports the allocation of the Opportunity Area under Policy SA13. However, the Plan in its current form has been demonstrated to be “Unsound” with reference to the NPPF (para 36).
- 5.1.2 The Council needs to identify additional housing sites, including reviewing the capacity of existing sites allocated within the plan as the currently fails to deliver sufficient housing to meet its identified requirement, especially if the plan period is extended a further year as suggested. It is also suggested that the housing supply buffer be increased to align with best practice providing a 5-8% non-implementation buffer.
- 5.1.3 The reliance on a high-level schematic Concept Plan (Figure 16 of the Plan) and a Planning Framework to be delivered in 2030/31, without a detailed timetable for its production or clarity on landowner alignment, further demonstrates that the Plan is not “Positively Prepared.” Therefore, amendments have been proposed to Policy SA13 to make the policy, and consequently the Local Plan, “Sound,” by providing certainty over the delivery of the initial phase of the Opportunity Area within this Plan period.
- 5.1.4 The Council needs to further consider if any of the sites identified within the Frindsbury Opportunity Area could be delivered as independent allocations to enable additional homes to be brought forward in the plan period or if the number





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**REFINE**  
ARCHITECTURE

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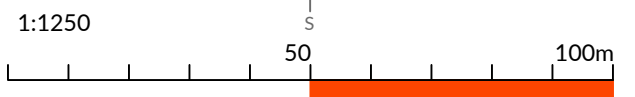
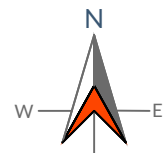
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RAINHAM, GILLINGHAM, ME8 7UB

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PROPOSED BLOCK PLAN 2

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PRE-APPLICATION ADVICE

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SITE LOCATION PLAN

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# MEDWAY LOCAL PLAN

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Regulation 19 Consultation



# MEDWAY LOCAL PLAN

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Regulation 19 Consultation

Representations submitted on behalf of Nightingale Homes.

August 2025

OUR REF: M16/0903.06-RPT

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# Executive Summary

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## Section 1

- 1.1 These representations have been prepared by **Tetlow King Planning** on behalf of **Nightingale Homes** (the promoter) in response to the Councils Local Plan Regulation 19 Consultation. Whilst these submissions have a particular focus in respect of the continued promotion of site RN2 there are more general comments on emerging policies given the range of further land interests that the promoter has across Medway. These follow previous detailed representations submitted at the previous Regulation 18 consultation stages.
- 1.2 **Nightingale Homes** are specifically promoting the site identified as RN2. This site is within the countryside and is being promoted as a residential led development.
- 1.3 We are generally supportive of the emerging Medway Local Plan in that it seeks to meet its full objectively assessed housing needs and has a comprehensive suite of technical documents that support the emerging plan, released at the time of consultation as opposed to previous issues with delays over availability of the supporting evidence.
- 1.4 We are also generally in agreement with the proposed spatial growth option (SGO) with a focus on the blended brownfield and greenfield approach, however we have some specific concerns over the identification of certain sites and the non-allocation of the site RN2 and other suitable sites that we consider would be necessary in order for the council to be able to deliver the housing required over the plan period.
- 1.5 We acknowledge the intention to deliver a sound local plan that finally addresses the lengthy wait for a plan to replace the 2003 version that is now severely dated.
- 1.6 We recognise the difficult choices that officers and members of the council have had to take to determine which sites ought to be released to meet future development needs but recommend that in order for the plan to be found sound it needs to acknowledge the implications of sites being constrained by BNG requirements amongst others, as well as historic delays in delivering strategic regenerations sites within Medway to meet development needs.

- 1.7 Greater flexibility in the plan is therefore required over housing delivery and site selection to ensure those needs are met in the short, medium and long term through the plan period.
- 1.8 It is our submission that the allocation of site RN2 would be entirely in accordance with the SGO and that the impacts of the development as considered through the Sustainability Appraisal are less than identified.
- 1.9 We consider that the allocation of this site would represent a logical approach to sustainable suburban growth without many of the infrastructure concerns or landscape impacts that other identified sites will create.

# Introduction

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## Section 2

2.1 The emerging plan seeks to meet the future development needs of Medway between 2025 and 2041, and on adoption replace the now heavily dated 2003 Local Plan. It is therefore right to suggest that a new adopted Local Plan is essential to meeting the needs of the area.

2.2 The emerging plan sets out the annual housing requirement of 1,636 new homes per year which represents a slight reduction from the previous Regulation 18 Consultation. Over the intended plan period that amounts to a need to identify 24,540 new homes. Paragraph 1.3.6 identifies the supply approach as follows:

- Pipeline sites (with planning consent, not completed or allocated) – 1,762
- Local Plan allocations – 21,194
- Windfall sites – 1,584

2.3 Paragraph 1.3.7 notes that:

*“This provides a small buffer on supply over need. Further details on the calculation and definition of components of housing land supply are set out in the Land Availability Assessment, 2025.”*

2.4 This approach to supply however fails to make any provision for a buffer (the totals at paragraph 1.3.6 of the plan being the exact level of need at 24,540) having regard to paragraphs 72 and 78 of the NPPF. Paragraph 72 notes:

*“Strategic policy-making authorities should have a clear understanding of the land available in their area through the preparation of a strategic housing land availability assessment. From this, planning policies should identify a sufficient supply and mix of sites, taking into account their availability, suitability and likely economic viability. Planning policies should identify a supply of:*

- a) specific, deliverable sites for five years following the intended date of adoption<sup>34</sup>; and*
- b) specific, developable sites or broad locations for growth, for the subsequent years 6-10 and, where possible, for years 11-15 of the remaining plan period.”*

2.5 Footnote 34 states:

*“With an appropriate buffer, as set out in paragraph 78a or 78b. The additional buffer set out at paragraph 78c does not apply for the purposes of plan-making. See Glossary for definitions of deliverable and developable.”*

2.6 Paragraph 78 then notes:

*“Strategic policies should include a trajectory illustrating the expected rate of housing delivery over the plan period, and all plans should consider whether it is appropriate to set out the anticipated rate of development for specific sites. 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<sup>38</sup>, or against their local housing need where the strategic policies are more than five years old<sup>39</sup>. 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) 20% where there has been significant under delivery<sup>40</sup> of housing over the previous three years, to improve the prospect of achieving the planned supply; or*
- c) From 1 July 2026, for the purposes of decision-making only, 20% where a local planning authority has a housing requirement adopted in the last five years examined against a previous version of this Framework<sup>41</sup>, and whose annual average housing requirement<sup>42</sup> is 80% or less of the most up to date local housing need figure calculated using the standard method set out in national planning practice guidance.”*

2.7 The SA notes in the executive summary that the worst performing spatial delivery option is the Hoo Peninsula due to its:

*“potential adverse effects associated with the introduction of a large quantum of growth in an area with small-scale settlements and in proximity to sensitive ecological receptors.”*

2.8 It is therefore pertinent to note that, despite those reservations over the impacts of significant development on the Hoo Peninsula, the emerging plan still proposes the allocation of a significant proportion of overall development, amounting to a total of between 10,893 and 12,970 new homes according to Table 5.3 of the SA (volume 2 of 3).

<b>Spatial Delivery Option</b>	Climate change mitigation	Climate change adaptation	Biodiversity and geodiversity	Landscape and townscape	Pollution and waste	Natural resources	Housing	Health and wellbeing	Cultural heritage	Transport and accessibility	Education	Economy and employment	Total
Capstone Valley	-2	0	-1	-2	-1	-2	+2	-1	0	-1	-2	+1	-9
Chatham Docks	-2	-2	-1	0	-1	0	+2	+1	0	+2	0	+1	0
Cliffe and Cliffe Woods	-1	0	-2	-1	-1	-2	+1	-2	0	-2	-1	+1	-10
East of Rainham	-1	0	-1	-2	-2	-2	+1	-2	-	-1	+1	+1	-8
Employment	NA	-2	-2	-1	-1	-1	0	-2	-1	-2	0	+2	-10
Hoo Peninsula	-2	0	-2	-2	-2	-2	+2	-2	-2	-2	-1	+1	-14
Medway City Estate	-1	-2	-1	0	-2	-1	+1	-1	-1	0	-1	+1	-8
Medway Valley	-1	-1	-2	-2	-2	-2	+1	-2	-1	0	-2	+1	-13
North of Rainham	-2	-1	-1	-2	-1	-2	+2	-1	-1	0	-1	+1	-9
North of Strood	-1	0	-1	-2	-2	-2	+1	-2	-1	0	-1	+1	-10
Suburban	-1	0	-1	-1	-1	0	+	0	0	+1	+1	+1	-1
Urban	-2	-2	-1	0	-2	0	+2	+2	-2	+2	+2	+1	0

2.9 It is of course relevant to note that the capacity (or otherwise known as yields) for the sites considered are not necessarily accurate reflections as they appear to have been based on the submissions made through the Call for Sites process where factors such as the mandatory 10% BNG uplift have not been considered in detail. There is therefore a realistic prospect that in many cases the stated capacity will not be realised to the full potential.

2.10 The level of buffer that is being considered is also relevant to take account of given the inevitable delays with the delivery of strategic housing sites that are accounted for as part of the overall housing strategy for the plan. Medway has history with experiencing delays in the delivery of strategic housing schemes such that it is considered that the plan should be considering a buffer of between 10% and 20% to account for delays and indeed complete under delivery of certain sites. The failure to consider this and account for no buffer means that the plan is unlikely to be sufficiently flexible to maintain an appropriate housing supply over the plan period.

2.11 The Council has prepared its Medway Housing Delivery Test Action Plan (June 2025) in response to the latest Housing Delivery Test figures. Importantly this plan notes that:

*“The 2024 measurement is likely to be published at the end of the year. It is possible to accurately calculate the result using the Housing Delivery Test rule book. We expect the result will remain below 75% as it is based on housing delivery for the preceding three years and although it will include 1,310 homes for 2023/24, it will also include the 961 homes delivered in 2022/23. Considering Medway was below 60% prior to 2020, this is still a considerable achievement and a step change in the rates of delivery in the borough.”*

2.12 This supports the view that the plan needs to consider a more appropriate buffer to avoid further delivery failures.

2.13 Further interrogation of the plan identifies the table below that follows paragraph 2.23.

Measurement year	Year 1	Year 2	Year 3	No. of homes required	Year 1	Year 2	Year 3	Number of homes delivered	Result
2022	1550	1110	1586	4245	1181	1067	1124	3372	79%
2023	1110	1586	1675	4371	1075	1121	961	3157	72%
2024	1586	1675	1667	4928	1124	961	1310	3392	69%
2025	1675	1667	1594	4936	961	1310	1339	3610	73%
2026	1667	1594	1619	4855	1310	1339	1054	3703	76%
2027	1594	1619	1619	4782	1339	1054	1636	4029	83%

2.14 This table identifies the scale of the problem in that the Council will continue to fail to meet its housing requirements through to 2027 and therefore needs to ensure greater flexibility in its plan to ensure delivery.

2.15 Further supporting the need to consider a more appropriate buffer is what the action plan notes at paragraph 2.10 where it states:

*“The following table shows the number of dwellings under construction and those with planning permission but not yet started upto the end of March 2024. There are some sites that fall into both categories because part of the site will be under construction, but later phases have not started. This mostly happen on larger developments, for example, Rochester Riverside has permission for a total of 1,473 homes with 489 complete, 255 with detailed permission with 13 complete, 62 under construction and 180 not started, and a further 656 without detailed permission and not started as of 31 March 2024. The number of extant permissions stayed fairly constant in the preceding five years with a slight dip in the last year, so it has a minimal effect on the five-year housing land supply. Although it looks like there is a large number of unimplemented consents, a larger*



*supply of deliverable housing can only be achieved by an increase to the number of extant planning consents.”*

2.16 The overall supply is particularly relevant when noting the expectation of delivery of 3,346 of the required homes from sites with existing consents and windfall developments. Reliance on such a quantum of windfall housing is questionable, and in truth any recent historic provision rates are likely to be over inflated given the lack of a strategic plan for housing development for some time such that many sites will be considered windfalls.

2.17 The supporting Land Availability Assessment (LAA) notes at paragraph 3.1.3 that:

*“The Council’s monitoring of completions from windfalls over 10 years includes both greenfield and previously developed land, but excludes garden areas or sites that have been identified in planning documents.”*

2.18 It is of course relevant to note that effectively the council has been without a development plan for some time such that the number of windfalls is potentially larger than would typically be expected for Council’ with an up to date development plan.

2.19 The LAA clearly then notes at table 4 and paragraph 3.4.2 that the average windfall allowance is 132 dwellings per year, thereby resulting in the figure of 1,584 identified in the future supply. That figure has clearly been influenced both through a historic failing in having an up-to-date local plan as well as recent higher than average completions from conversions as prior approvals. It is important to ensure that reliance on windfalls is not influenced by anomalies in the typical completions such that the overall average would be reduced appropriately.

2.20 The LAA includes the baseline data for lead in times and build-out rates for sites by size in tables 5 and 6 as replicated below.

**Table 5: Median Indicative Lead-in Times by Site Size**

50-99 dwellings	100-499 dwellings	500-999 dwellings	1,000-1,499 dwellings	1,500-1,999 dwellings	2,000+ dwellings
2.7 years	5.2 years	4 years	5.4 years	5.3 years	6.3 years

Source: Table 3.1 of 2024 Lichfields 'Start to Finish' (Third Edition)<sup>5</sup>

**Table 6: Median Indicative Build-out Rates by Site Size**

50-99 dwellings	100-499 dwellings	500-999 dwellings	1,000-1,499 dwellings	1,500-1,999 dwellings	2,000+ dwellings
18 dpa	44	68	87	104	136

Source: Table 4.2 of 2024 Lichfields 'Start to Finish' (Third Edition)<sup>6</sup>

- 2.21 At table 7 the LAA sets out the components of the overall housing supply over the plan period, which is replicated below:

**Table 7: Components of Housing Supply**

<b>Component of housing supply</b>	<b>Dwellings</b>
<i>Total need (15 years x 1,636 p/a)</i>	<i>24,540</i>
Windfall	1,584
Large sites under construction as at March 2024 to be delivered during plan period	1,524
Large sites permitted, but not allocated	128
Small sites permitted (130 less 15% lapse rate)	110
<i>Required yield of allocated sites</i>	<i>21,194</i>
<i>Yield of allocated sites to be delivered during plan period</i>	<i>21,397</i>
<i>Buffer/Surplus</i>	<i>203</i>

- 2.22 The buffer to which the table refers relates to 0.83% of the overall housing supply when taken over the plan period or alternatively a 0.96% buffer on the allocated sites. This is entirely insufficient given the historic failure of delivery within Medway when relying on large scale allocations from the 2003 local plan.
- 2.23 Indeed, the reliance on allocations is clear when looking at the data in Table 8 and cross referencing that back to the Council's own Housing Delivery Action Plan produced just one month prior to the Local Plan consultation opening (noting of course that the Action Plan was discussed at the same Cabinet meeting that the initial papers to seek agreement to go out to consultation on the Local Plan).
- 2.24 Importantly Appendix G to the LAA provides the trajectory for each site considered. The following matters are immediately noted when looking at several of the major schemes considered as part of the allocations:
- 2.25 Site CCB8 is identified as delivering 164 units in year 1 being 2026/27 yet the press release announcing appointment of the contractor noted that works were likely to commence in summer 2025 with works expected to take 2 years to complete meaning that units would not be available until year 2 at the earliest.
- 2.26 Site CCB20 has subsequently had reserved matters for development of 135 dwellings approved in December 2024, yet the trajectory has assumed delivering of the first 37 units in 2025/26 with a further 98 units split over years 1 (2026/26) and 2 (2027/28). Again, based on the council's own delivery data rates the earliest expected completion would be in year 4 such that the delivery is over counted.

- 2.27 Site CCB31 is identified as delivering 179 dwellings in year 2 (2027/28) with reference given to a consent issued in 2020. That permission has since lapsed and in addition a Town Centre Design Code has been adopted that sets out clear height parameters. There is therefore no certainty at all that this site will deliver the quantum of development previously approved and certainly not in the timeframe noting the constraints of the site including drainage. This therefore does not really meet the requirements for the supply calculations and certainly not delivering 179 units in a single year given that the site consisted of four separate blocks so no requirement to be delivered as a single phase thus according to the build out rates from table 6 it would be expected to take at least 4 years for completion together with a lead in time of around 5 years for first completion.
- 2.28 Site FP6 is identified to deliver 102 units within Year 1 yet this was only taken to planning committee in June 2025 and currently awaits the completion of a s106 agreement to issue the consent. Given the lead in times the assumption therefore that units will be delivered all in Year 1 is highly optimistic.
- 2.29 Site FP10 is stated to deliver 139 units in year 2 yet the application to deliver 139 dwellings was only formally approved in May 2025. Given the traditional nature of the proposals, namely not a single block of apartments but a mix of apartments and housing it is unlikely that all of the scheme will be completed at the same time. Factoring in lead in times and delivery rates for similar sized sites the site would realistically deliver over 3 years with the first completions most likely from year 2 or 3.
- 2.30 Site GN6 is stated to deliver 100 units per year from Year 1. Given that the application has only been submitted in May 2025 in outline for up to 500 dwellings the lead in times would suggest no deliver would take place for a further 4 years meaning a significant reduction in immediate delivery over the 5 year period.
- 2.31 Site HHH25 is again shown to deliver 20 units in 2025/26 and then 40 additional per year in years 1 and 2. However, the outline consent was granted in 2022 with a subsequent revised reserved matters application submitted in November 2024 but presently undetermined. The trajectory is therefore overly optimistic to assume any delivery pre the plan period or in the early years proposed.
- 2.32 Site LW6 is shown to deliver 102 units pre-plan period with a further 498 units being delivered in years 1 to 5. At present works are only underway for the delivery of the necessary road infrastructure to phase 1 such that the likelihood of completing the first phase of 102 units pre March 2026 is doubtful given progress to date on site. Again, noting the lead in times and build out rates the assumption of delivering 134 units in

Year 1 and then 108 in year 2 are optimistic given the data indicates an average build out of 68 dwellings a year on similar sized sites.

- 2.33 Site LW7 is shown to deliver units as of Year 1, however at the present time the site only benefits from an outline consent having been granted in March 2025. Factoring in the lead in time for approval of Reserved Matters and conditions and then build out rates the site is unlikely to deliver completions until around year 3 meaning a reduction in overall delivery.
- 2.34 Site LW8 is projected to deliver units from year 2, however given no planning application to date for this site, and its scale, the data indicates it is likely to be around 6 years before delivery is completed meaning that there would be no contribution during the first 5 years compared with the assumption of delivering 475 dwellings.
- 2.35 Site RN9 is indicated as delivering 280 units over the 5 year period, with 160 of those delivered in year 5. Again, at present no application has been made meaning that lead in times indicate no delivery to commence until after 4 years. Whilst the site is proposed for SME led development meaning the chance that more than 1 developer would be on site delivering at the same time nevertheless the trajectory for early completions is optimistic in the assumptions.
- 2.36 Site RWB19 is projected to deliver 50 units pre-plan period with a further 246 units in years 1 and 2. Given the historic issues to date with this site and the lack of progress on site the early delivery is doubtful such that the phasing is unrealistic as accounted for in the trajectory.
- 2.37 Even just a cursory review of large sites delivering in the first 5 year period indicates a significant over expectation that does not bode well for maintaining a 5-year supply of housing over the plan period. Given that the supply through the emerging plan only includes a miniscule buffer this only exacerbates the concerns that there is a failure to properly plan for future requirements.
- 2.38 When then also factoring in the additional viability concerns raised in the accompanying evidence base, as well as the BNG delivery matters, we are therefore concerned that the current approach to housing delivery, with particular reference to the first five-year supply, will result in a failure to meet the identified requirements.

# Previous Consultation Engagement

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## Section 3

3.1 Site RN2 has been consistently promoted through the various Call for Sites engagements with the council, as well as at all previous stages of the emerging Local Plan process.

3.2 In the original Development Options consultation draft of the Local Plan (2017) it was identified as a mixed use allocation as part of the urban regeneration strategy, with an iconic structure previously identified as establishing the:

*“new character of this area and [marking] the extent of the regeneration zone” (paragraph 3.24).*

3.3 The Council had expressed support for the intention to develop a high-density scheme with significant tower structures at the site. It is also relevant to note that the Interim Sustainability Appraisal on the Development Options draft highlighted no significant effects arising from the development of the site, bar the need to:

*“address potential impacts from light pollution from proposed new GFC stadium” (Appendix 2 - Sustainability Assessment Development Options and Policy Approaches).*

3.4 The statement that the delivery of:

*“residential, leisure and retail services ... would increase investment in Medway, revitalising the central area, boosting the vitality of the town centres, and supporting new employment activities around town centres” (pages 24-25)*

At a time when up to 850 homes were proposed, clearly shows that the development of the site can be supported.

3.5 The site was subsequently promoted during the second round of Regulation 18 consultation in 2023. It was then also considered as a suitable site in the Regulation 18b consultation as part of the dispersed growth strategy albeit not an identified site in the preferred Spatial Growth Option (SGO).

3.6 It is also relevant to note that the site has consistently been promoted at every stage of the Call for Sites process, the first submission being 2008. The summary of the reasoning in the various reports for excluding the site are listed below:

- 2010 – excluded on the basis of policy grounds and being a Greenfield site
- 2015 – the site scored poorly on landscape grounds and being identified as best and most versatile agricultural land.
- 2017 – excluded purely on suitability grounds [noting of course that it was then identified in the Developer Options as a suitable site for development].
- 2018 - excluded on suitability grounds with commentary relating to loss of agricultural land, landscape impact and unsuitable location.
- 2019 - excluded on suitability grounds with no detailed commentary unlike many other sites.
- 2023 – considered suitable to progress to Stage 2 in the October 2023 interim report

# Proposals for site RN2

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## Section 4

- 4.1 The proposed site totals approximately 16.1ha of land that is presently in use primarily for the keeping of horses, along with a small commercial use in the former redoubt on site.
- 4.2 The emerging proposals for the site are to deliver:
- Up to 480 residential units, of which:
    - Up to 120 affordable units (25%);
    - Up to 80 extra care units (Class C2);
  - A community hub building;
  - Public square;
  - Areas of public and private open space, including recreation and community orchards, designated play areas, allotments and multi-use game areas;
  - A new network of cycleways and footways across the Site; and
  - A pumping station and SuDs ponds.
- 4.3 In order to facilitate the proposed development a new signalised junction is required onto the Yokosuka Way (A289) dual carriageway. This has been designed in regard to sightline visibility and development capacity. The capacity modelling has been discussed with Medway Highways using the approved AIMSUM modelling.
- 4.4 The proposed junction would also cater for pedestrians and cyclists via a segregated footway/ cycleway from the development to a toucan crossing across the A289 Yokosuka Way, situated on the northern arm of the signalised junction.
- 4.5 There would also be pedestrian and cycle access to the development from the existing shared footway/ cycleway on the east side of the A289 Yokosuka Way, which connects to Featherby Road (the employment area directly to the south of the site).
- 4.6 Additional pedestrian and cycle connectivity would be provided to Grange Road at the northwest corner of the development, via a 4.0m shared footway/ cycleway, which would also be for emergency vehicle access. A 2.0m wide footway is proposed to connect this access to the existing footway on the southern side of Grange Road. This access would also allow cyclists to safely access the Grange Road carriageway.

- 4.7 Additional pedestrian connectivity would be provided to Grange Road at the northeast corner of the development, with a proposed 2.0m footway connecting to the existing footway that currently terminates outside the most western dwelling on the southern side of Grange Road.
- 4.8 On site a significant amount of land is proposed as blue and green infrastructure (circa 6ha) to deliver the necessary on-site open space provision along with retention and restoration of orchard habitats and SuDs facilities.
- 4.9 The Proposed Development offers the following benefits:
- Providing much needed homes for local people in a borough that is currently unable to meet its housing requirements;
  - Providing much needed affordable housing for people struggling to purchase a home;
  - Providing much needed specialist retirement housing;
  - Promotion of a development in a sustainable location that is well located for public transport connection and to promote sustainable travel patterns – including new bus route into the Site;
  - Improved access to open space for future residents and improved connectivity to existing public open spaces;
  - A contribution to the economy through local construction jobs during the construction;
  - The creation of new green infrastructure for residents; and
  - Robust landscaping and planting proposals through the Site to ensure the long-term succession of landscaping.



# Emerging Policies

## Section 5

5.1 The council are seeking to meet the identified future development needs for both housing and the economy as part of the emerging proposals, whilst also balancing the other requirements for achieving sustainable development as embodied within the NPPF.

5.2 We would respectfully suggest that the following needs to be taken into consideration:

Policy	Feedback
S1: Planning for Climate Change	This policy is generally supported and will cross refer to other policies in due course, such as policy DM1 where it refers to flood risk and the sequential approach to development.
S2: Conservation and Enhancement of the Natural Environment	This policy is generally supported, and we particularly note that the council are sensibly only seeking to require a measurable net gain of 10% in biodiversity as opposed to the consideration of higher targets that KCC ecology have previously raised as a preference. The policy wording should however be revised to link the net gain requirements to legislation which can then be revised accordingly as opposed to otherwise potentially being out of date should the national level change during the lifespan of the plan.
S3: North Kent Estuary and Marshes designated sites	This policy is generally supported as the approach to making a standard payment has been adopted without issue for several years across Medway and neighbouring authorities, in accordance with the approval of Natural England.
S4: Landscape protection and enhancement	<p>Whilst the principle of this policy is supported, at present the wording is too loose when cross referenced with the terms of paragraph 181 of the NPPF. This requires there to be a distinction between the hierarchy of landscape designations which is lacking in the policy.</p> <p>Whilst paragraph 180 b) sets out that policies should recognise “<i>the intrinsic character and beauty of the countryside</i>” this is also linked to 180 a) and “<i>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)</i>...”</p> <p>The policy therefore needs redrafting to clearly delineate between the hierarchy of landscapes and protections that apply to each level.</p>

	<p>What the NPPF does not do is to say that all landscape must be protected or enhanced as is the suggestion under the emerging policy. The present wording does not set out that the requirements to conserve or improve relates only to valued landscapes.</p> <p>The policy and supporting text must reflect the fact that the Medway LCA is a broad scale assessment and that when assessing individual development proposals, a more specific site/local area assessment will be required to assess landscape impacts.</p>
S5: Securing Strong Green and Blue infrastructure	We support the general approach within this policy, again noting that there is crossover with other policies in relation to climate change, public connectivity etc.
S6: Kent Downs Area of Outstanding Natural Beauty National Landscape	The policy should be in conformity with the terms of the NPPF, presently set out at paragraph 189.
DM1: Flood and Water Management	<p>We support the approach of this policy save for one element of specific wording under the heading of Sustainable Urban Drainage.</p> <p>The first bullet requires that developments should “<i>replicate Greenfield runoff rates and volumes.</i>” This should only be applicable to sites that are indeed Greenfield, whereas on any brownfield site the approach should be to ensure that runoff rates and volumes are no greater than existing to avoid undue pressures that may affect off-site rates.</p>
DM2: Contaminated Land	We are supportive of this approach.
DM3: Air Quality	We are supportive of this approach.
DM4: Noise and Light Pollution	We are supportive of this approach.
S7: Green Belt	The policy wording needs to be reflective of the NPPF in that inappropriate development can be justified on the basis of Very Special Circumstances as per paragraph 153. Whilst that is well established the present policy wording does not acknowledge that. The policy wording therefore needs to be revised to reflect national planning policy.
T1: Promoting High Quality Design	Whilst we are supportive of the general approach that this policy seeks to deliver, the present wording of the policy is cumbersome and has significant overlap with other draft emerging policies and other regulations outside of the planning framework (namely Building Regulations).
DM5: Housing Design	It is important to acknowledge the controls over the use of the Nationally Described Space Standards (NDSS) as set out in the PPG. This states clearly that “ <i>Local planning authorities have the option to set additional technical requirements exceeding the minimum standards required by Building Regulations in respect of access and water, and an optional nationally described space standard. Local planning authorities will need to gather evidence to determine whether there is a need for additional standards in their area and justify setting appropriate policies in their</i>

	<i>Local Plans.</i> ” (Paragraph: 002 Reference ID: 56-002-20160519) The PPG is therefore clear that any intention to impose standards above the NDSS requires clear justification given the potential implications that this could have on overall viability of schemes.
DM6: Sustainable Design and Construction	Whilst we support this policy approach the requirement that all planning applications demonstrate compliance with Building Regulations is unnecessary as these are different regulatory regimes and should not overlap. For example, it is a requirement of current Building Regulations to design schemes at 110 litres per person per day, so this does not need to be demonstrated at the planning application stage.
S8: Historic Environment	The general approach to this policy is supported where it is in accordance with the NPPF.
DM9: Heritage Assets	The general approach to considering the total loss or substantial harm to a designated heritage asset accord with the NPPF, namely paragraph 214. However, the policy as presently worded is not considered to appropriately reflect the test at paragraph 215 relating to proposals that result in less than substantial harm. The requirement for “ <i>exceptional and overriding reasons</i> ” set out in the emerging policy at present appears to relate to any heritage asset, whether designated or non-designated. Paragraph 216 provides the approach to considering the impacts on non-designated assets. The policy wording ought to therefore be amended to align with the proper test in the NPPF
DM10: Conservation Areas	The general approach to this policy is supported albeit there are occasions where developments outside of a conservation area can affect the setting and it is therefore suggested that the policy and supporting text ought to establish the approach to how applications will be considered in those instances.
T2: Housing Mix	The general approach to this policy is in accordance with the NPPF seeking to ensure housing is delivered to meet the needs of all groups and forms of tenure etc.
T3: Affordable Housing	<p>An updated Viability Assessment has been provided as part of the evidence base to support the emerging policy unlike the previous Reg.18 consultation.</p> <p>It is noted that at paragraph 10.77 the assessment notes “<i>specialist older people’s housing is unlikely to be able to bear affordable housing.</i>” Given that the heading included both sheltered and extra care housing it is therefore unclear as to whether the conclusion is a broad bush assessment or related more to the extra care element. There is no subsequent clarification provided in the final conclusions.</p> <p>Given that sheltered housing falls within class C3, whilst extra care when operated correctly with an age restriction and requirement for care falls in a class C2 use there is a clear distinction in planning terms. Given the complete</p>

	<p>lack of clarity at present in the emerging policy wording or supporting text there is no clarity on how affordable housing would be applied in this sector. Given the implications of the Rectory Homes judgement, and indeed the golden rules relating to Grey Belt, there needs to be greater clarity in the policy wording to note that C2 forms are exempt from any affordable housing requirement.</p> <p>Whilst welcoming a variable approach to the requirements for affordable housing delivery from sites more generally, we are concerned that the approach is not clearly defined as the NPPF would otherwise require. The supporting Viability Assessment demonstrates that sites in lower value areas and PDL sites are challenging to bring forward even if the affordable housing requirement were removed or reduced. The policy as presently drafted at the 2<sup>nd</sup> bullet only adopts the 10% provision for sites that are in lower value areas and PDL without making any specific reference to sites that are only PDL but otherwise in higher value areas. As drafted the policy would seemingly adopt a 30% requirement for sites in higher value areas but constrained by the PDL nature, which the viability assessment has particularly identified. We would therefore suggest that the policy is amended through the following revision:</p> <ul style="list-style-type: none"> <li>“• In high value areas, including the Hoo Peninsula strategic sites and suburban greenfield sites, 30% of all residential units proposed.</li> <li>• In lower value areas, 25% of all dwellings proposed in greenfield areas. <del>and 10% of all residential units proposed on previously developed land.</del></li> <li>• 10% of all residential units proposed on previously developed land.”</li> </ul> <p>It is also relevant to include as part of the supporting text to the emerging policy and/or an Appendix a map that clearly identifies the relevant zones identified as higher and lower values to avoid subsequent confusion when applications come forward that require the provision of affordable housing.</p>
T4: Supported Housing, Nursing Homes and Older Persons Accommodation	<p>Whilst welcoming the inclusion of a specific policy relating to this form of delivery the current wording does not really provide certainty over delivery. The PPG makes it clear in regard to the differences between forms of provision and the NPPF itself was updated at paragraph 63 to note that older person's housing includes <i>“including those who require retirement housing, housing-with-care and care homes...”</i></p> <p>It is also important to note that this emerging policy, and emerging policy T3, does not make it clear regarding the expectation for provision of affordable housing from those developments that fall within Class C2 use (typically care homes and housing-with-care in the form of extra care housing or Integrated Retirement Communities). The council at present accept that such uses do not require</p>

	<p>provision of affordable housing, but this is presently missing as the affordable housing policy only refers to developments delivering “10 or more residential units (net)...”</p>
T9: Self-build and Custom Housebuilding	<p>Whilst supportive of the general approach to ensuring provision of self-build and custom housing to meet the needs of those registered with the council, we have concerns over a general requirement for all sites of 100+ dwellings to provide “no less than 4% plots”. The policy ought to be supported by a detailed assessment for future need as identified within the PPG (paragraph 11 Reference ID: 57-011-20210208). Given that the plan is reliant to a significant extent on large scale developments a general broad brush approach to expecting 4% of units to be provided as plots may result in greater provision than required, which at present is not evidenced through the policy.</p> <p>The policy notes that “<i>For larger sites where a proportion will be self/custom build plots, the plots should all be located in one attractive area of the site and not pepper-potted throughout.</i>” Policies should avoid the use of such terminology as there is no clarification of how to determine a suitably attractive location.</p> <p>Given that the supporting text at 6.9.12 notes that “<i>the Local Housing Needs Assessment concludes that it would be reasonable to plan for around 430 plots over the course of the plan period to address current and future demand</i>” requiring 4% delivery on large sites could easily outstrip such demand.</p>
T11: Small Sites and SME Housebuilders	<p>Whilst supporting the general principle of this policy there are concerns over the specifics set out in the text. The policy states that no site must exceed 60 units in order to for it meet the definition of an SME scheme and to maintain the character of a local area. This size threshold ignores previous successful schemes delivered within Medway by SMEs over recent years – land east of Rainham Road delivered by McCulloch Homes numbering 104 dwellings in 2 phases, land at Cliffe Woods delivered by Esquire Homes numbering 93 dwellings in 2 phases.</p> <p>Both schemes are delivered by SMEs, notably Esquire who have been instrumental in establishing the Kent SME network. This rigid policy approach would therefore potentially exclude such schemes from this policy support.</p> <p>There is also an objection in principle to the suggestion that such SME schemes ought to exceed national and local design guidance to set a new standard. The other policy requirements are replicating policy specific requirements (heritage impacts for example) which are unnecessary.</p>

S10: Economic Strategy	Whilst supporting the approach of this policy it needs to be balanced against the proposed housing strategy that the council favour, notably the impacts on employment provision within Chatham Docks and Medway City Estate.
S11: Existing Employment Provision	We support this policy approach in general but are concerned over the approach to how redevelopment options will be considered. A requirement to demonstrate that a site has a detrimental impact on residential amenity first before being deemed acceptable is considered to be too onerous given that many of the former B2 uses are considered appropriate within residential areas, such that the policy approach would prohibit these being redeveloped in the future.
S12: New Employment Sites	We support the general approach, albeit recognising that other sites beyond those identified on the policies map may come forward that are otherwise in accordance with the plan and meet the requirements in the latest Employment Needs Assessment. The policy therefore requires a degree of flexibility to support such instances.
S13: Innovation Park Medway	<p>It is notable that this draft policy from the previous Regulation 18 version has been deleted completely but the following policy numbering not updated.</p> <p>It is disappointing to see the complete deletion of the policy thereby removing strategic plan making for how this site is to come forward. This is likely to result in piecemeal developments lacking the required masterplan approach.</p>
T14: Rural Economy	We support the recognition of needing a flexible approach to rural diversification whilst still conforming to the general requirements of the policies within the emerging plan.
S15: Town Centres Strategy	We support the general approach to this policy, recognising the changes that have happened within traditional High Streets and the need for them to evolve to meet the future development needs of the population.
T23: Aviation	We are generally supportive of the Council's commitment to ensuring that Rochester Airport remains a key priority as a strategic gateway and economic hub for the area. We trust that through a supportive policy approach there will be further commitment from the council to work with the operators of the airport to deliver on this vision.
T24: Urban Logistics	Whilst the approach to this policy is reasonable there is of course the potential conflict with the proposed allocations that would themselves result in the direct loss of some potential operational sites.
T25: User Hierarchy and Street Design	This policy seems unnecessary in its approach given that the purpose of Design and Access Statements for developments is already well established.
DM18: Transport Assessments, Transport Statements and Travel Plans	This policy is considered acceptable being in accordance with the NPPF.
DM19: Vehicle Parking	Whilst the overall policy approach is supported it is important that this policy does not go beyond the requirements set out through Building Regulations Document S.

T27: Reducing Health Inequalities and Supporting Health and Wellbeing	This policy is consistent with the council's intended aims to improve health quality and whilst the wording is ambiguous in places the overall approach is to be supported.
DM21: New open space and playing pitches	The only specific comment would be in respect of part b) and the reference to older persons housing when then also factoring in the requirements to be calculated by likely household size. Older persons housing may still be provided as 2 or 3 bedrooms to allow for flexibility, but the occupancy would only be a maximum of 2 people which should be reflected in any open space requirement.



# Emerging Allocations

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## Section 6

- 6.1 The Council's approach to delivering the quantum of housing required over the plan period has evolved since the Regulation 18 consultation. To some extent this is explained in the opening section of the emerging plan where it notes:

*"1.4.2 A key area of engagement has been the cross border working with Maidstone Borough Council, and wider bodies, such as health services and the Local Education Authorities in relation to the Lidsing Garden Community in Maidstone. This is a strategic development allocation in the adopted Maidstone Local Plan Review, 2024."*

and

*"1.4.3 The Council has discussed the matter of potential unmet housing need in neighbouring areas. This has been identified as a cross border issue with Gravesham Borough Council. There has also been liaison with Gravesham Borough Council in relation to the promotion of development on the Medway boundary in their emerging Regulation 19 plan, and the Councils have collaborated on joint technical work to inform their respective local plans and development strategies. This has established exceptional circumstances for reviewing Green Belt boundaries to meet housing needs."*

- 6.2 It is not therefore entirely surprising that the proposed site allocations in this consultation differ therefore from those identified at the Regulation 19 stage. We have therefore assessed the proposed larger sites now against the original SA and reasons for not taking them into account as part of the blended growth consulted on originally to determine the new reasoning behind support. Where sites were originally considered acceptable, but boundaries may have changed, or indeed despite a positive assessment they were not identified in the Regulation 18 as preferred options, we have not reviewed them.

- 6.3 The sites have been divided as per the individual policies maps for ease of reference.

### **North East**

- 6.4 No additional sites have been specifically allocated in the North East that do not otherwise appear on other plans.



## South East

- 6.5 Site HW3 is a further allocation in the context of the proposed allocations of land to the west (that were allocations at the Regulation 18 stage). This is a proposed allocation for up to 75 homes to be delivered between years 6 to 10.
- 6.6 In the Sustainability Appraisal that accompanied the Regulation 18 consultation this site was excluded on the basis of the following reasoning:
- “Close proximity to Ancient Woodland. Potential adverse impact on greenspace. Potential loss of BMV agricultural land. The development could lead to coalescence between settlements.”*
- 6.7 The Sustainability Appraisal that now accompanies the Regulation 19 merely notes:
- “Capable of overcoming constraints. Aligns with spatial strategy.”*
- 6.8 There is complete disregard to the matter of the Ancient Woodland constraint, implications of the loss of BMV or indeed the concerns over coalescence despite the identification of virtually all the current open agricultural land between the settlements of Hempstead, Lordswood, Walderslade and Bredhurst (within Maidstone but affected by the allocation of land for a new Garden Village community) for future residential led development.
- 6.9 Site RN9 is identified as a provisional allocation for up to 750 new homes to be delivered over a 10 year period, with a specific draft policy (Policy SA10) that requires the site to come forward through SMEs. This site of course was the location of a previous outline application for up to 1,250 dwellings that was refused by the council and then dismissed on appeal by the Inspectorate. Part of the reasoning for the refusal, aside from the landscape concerns, was due to the highway impacts arising from the scheme with the inspector specifically noting at paragraph 12.192 that:
- “That does not, however, mean that the impacts cannot be considered as severe in their context. As such, even taking account of the mitigation measures proposed, I find that the appeal scheme would have a severe residual cumulative impact on the local highway network.”*
- 6.10 The draft allocation and policy make no reference to the need for any highway mitigation elements despite the clear concerns that were upheld on appeal. The reduction in quantum of development, and delivery through the SME network, is unlikely to overcome the highway concerns that resulted in the refusal of the application and subsequent dismissal on appeal.

- 6.11 It is of course relevant to consider the appeal decision again given that the Inspector noted at paragraph 12.193 that:

*“It is suggested that if the appeal were to fail, then more housing would have to be provided elsewhere, with highways capacity issues displaced rather than prevented. That may well be the case, but each scheme needs to be considered on its own merits. Without knowing in detail what any other impacts might be elsewhere, this is not a consideration that takes the Appellant’s case any further. Any highways impacts consequential upon that scale of development would be better addressed on a strategic basis, through the emerging Local Plan. I am mindful for instance, that the Council has been awarded £170m from central government, through the Housing Infrastructure Fund (HIF) for infrastructure improvements to enable delivery of the Local Plan, including road infrastructure (consisting of six phases, involving strategic interventions on the local highway network to help unlock strategic development.”*

- 6.12 The HIF bid that was referenced was subsequently recalled by Central Government such that all necessary infrastructure to support development needs to be funded in different ways. That does not therefore provide alternative reasoning to support this scheme, indeed it highlights the need to ensure that this site provides for improvements to the highways network to mitigate for its impacts.

- 6.13 Indeed, the supporting Strategic Transport Assessment as part of the emerging evidence base does not identify any proposed junction improvements in the local area that would be impacted by the proposed allocation to alleviate the previously identified local highway impacts that were deemed to have a severe impact. It is therefore difficult to understand how the proposed allocation of this site is deemed to be acceptable without identifying any junction improvements to alleviate the previous concerns. A reduction in capacity of 500 units has not been demonstrated to otherwise alleviate these concerns without appropriate mitigation. The impacts of the additional traffic do not appear to have been modelled on specific junctions either as part of the evidence base.

- 6.14 In the Sustainability Appraisal that accompanied the Regulation 18 consultation this site was considered under site RN8 and discounted on the basis of the following reasoning:

*“Loss of BMV agricultural land. The development could lead to coalescence between settlements. Potential adverse impact on listed building. Potential adverse impact on Conservation Area.”*

*Extract of site plan for site RN8*



6.15 The identification of the site on mapping is clearly shown in the current Land Availability Assessment (2025) published as part of the current evidence base as below:

6.16 The new site RN9 is shown as below from the same document:

*Extract of site plan for site RN9*



6.17 The new site RN9 therefore includes that part of the land previously identified as RN8 along with additional land to the south east. It is not a case of the plan indicating both sites due to the proximity of boundaries as this has not happened with other sites that have been individually assessed.

6.18 The site is therefore much larger than site RN8 yet the Sustainability Appraisal that now accompanies the Regulation 19 merely notes:

*“Following Regulation 18b consultation, site promoter has demonstrated how concerns and constraints could be addressed.”*

6.19 There is no indication how matters of the loss of BMV could be overcome, coalescence prevented or impacts to designated heritage assets addressed. The reasoning therefore in the current SA appears to be weak at best.

6.20 Site RN17 is a proposed allocation for up to 33 homes to be delivered in the first 5 years of the plan.

6.21 In the Sustainability Appraisal that accompanied the Regulation 18 consultation this site was excluded on the basis of the following reasoning:

*“Loss of BMV agricultural land. The development could lead to coalescence between settlements. Beyond reasonable walking distance to current public transport services.”*

6.22 The Sustainability Appraisal that now accompanies the Regulation 19 merely notes:

*“Following Regulation 18b consultation, site promoter has demonstrated how concerns and constraints could be addressed.”*

6.23 There is no reasoning how the site has managed to address the sustainable location of the site on its own. Indeed, one only has to look at the SA scoring from both the Regulation 18 and Regulation 19 relative to transport matters as copied below:

R18 SA of the Medway Local Plan – Appendix E: Reasonable Alternative Site Assessments  
LC-1091\_R18\_Medway\_SA\_Appendix\_E\_Site Assessments\_19\_270624AF.docx

June 2024

Site ref.	Site use	Bus stop	Railway station	Pedestrian / cycle access	Local services	Public transport accessibility
RN17	Residential led	+	+	-	-	0

R19 SA of the Medway Local Plan – Appendix G: Reasonable Alternative Site Assessments  
LC-1091\_Medway\_R19\_SA\_Appendix\_G\_Site Assessments\_11\_230625LB.docx

June 2025

Site ref.	Site use	Bus stop	Railway station	Pedestrian / cycle access	Local services	Public transport accessibility
RN17	Residential led	+	+	-	-	0

6.24 Clearly in SA terms, nothing has improved regarding public transport access for the suitability of the site to otherwise improve over and above that at the previous Regulation 18 consideration when the site was discounted.

### South West

6.25 Of obvious note is the proposed allocation of 3 large sites (SNF1, SNF3 and SR5) that fall within what is presently designated as Green Belt.

6.26 These sites are contiguous with a large tranche of land to the west within Gravesham also designated as being Green Belt.

6.27 The NPPF is clear at paragraph 145 that:

*“Once established, Green Belt boundaries should only be altered where exceptional circumstances are fully evidenced and justified through the preparation or updating of plans. Strategic policies should establish the need for any changes to Green Belt boundaries, having regard to their intended permanence in the long term, so they can endure beyond the plan period. Where a need for changes to Green Belt boundaries has been established through strategic policies, detailed amendments to those boundaries may be made through non-strategic policies, including neighbourhood plans.”* [my emphasis added]

6.28 It goes on to then note at paragraph 146 that:

*“Exceptional circumstances in this context include, but are not limited to, instances where an authority cannot meet its identified need for homes, commercial or other development through other means. If that is the case, authorities should review Green Belt boundaries in accordance with the policies in this Framework and propose alterations to meet these needs in full, unless the review provides clear evidence that doing so would fundamentally undermine the purposes (taken together) of the remaining Green Belt, when considered across the area of the plan.”* [my emphasis added]

6.29 Then at paragraph 147 it states:

*“Before concluding that exceptional circumstances exist to justify changes to Green Belt boundaries, the strategic policy-making authority should be able to demonstrate that it has examined fully all other reasonable options for meeting its identified need for development. This will be assessed through the examination of its strategic policies, which will take into account the preceding paragraph and whether the strategy:*

- a) makes as much use as possible of suitable brownfield sites and underutilised land;*
- b) optimises the density of development in line with the policies in chapter 11 of this Framework, including whether policies promote a significant uplift in minimum density standards in town and city centres and other locations well served by public transport; and*
- c) has been informed by discussions with neighbouring authorities about whether they could accommodate some of the identified need for development, as*

*demonstrated through the statement of common ground.” [my emphasis added]*

- 6.30 The justification for the proposed allocation appears to relate solely on the basis that land to the west in Gravesham is being considered such that through policy SA6 the Council consider that the combined land could:

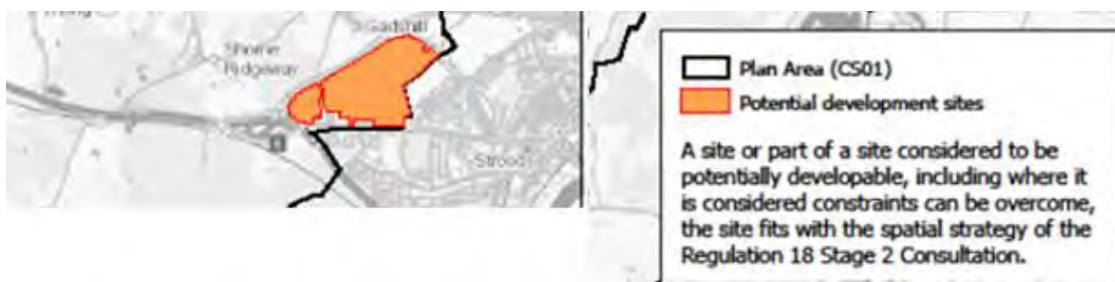
*“deliver this strategic cross border Green Belt site providing up to 4,000 new homes, two primary schools, an expansion of an existing primary school, a secondary school, 2 hectares of employment and a local centre, 2 football pitches and indoor sports provision.”*

- 6.31 The reasoning for the consideration of these parcels is explained at paragraph 3.1.9 where it states:

*“Land to the west of Strood (within the Green Belt) is an option investigated through duty to cooperate discussions with Gravesham BC, who had indicated the intention to allocate their adjacent Green Belt land parcels on Chapter Farm as a site allocation through preparation of their Local Plan. Medway’s Green Belt review confirming most parcels as grey belt and considering the sustainability<sup>1</sup> of this location against the Local Plan strategy and through the Sustainability Appraisal, this location proves more sustainable and more in alignment with the Local Plan strategy. This provides a strong case for justifying exceptional circumstances for the release of land to the west of Strood. The Green Belt boundaries have therefore been amended accordingly with a few minor tweaks to ensure permanence of the Green Belt boundaries going into the future.”*

- 6.32 It should of course be noted that Gravesham’s LDS published March 2025 assumed publication of the Regulation consultation in July 2025, submission in December 2025 and then adoption by December 2026. At present therefore there is no certainty of that proposed allocation in Gravesham being accepted such that the reasoning to support the allocation in the Medway plan is limited. Furthermore, the proposals that were consulted on as part of Gravesham’s previous Regulation 18 engagement involve land only contiguous with SNF1 such that the justification for SNF3 and SR5 does not exist. An extract from the last consultation in 2020 is included below.





- 6.33 The previous Regulation 18b consultation, through the preferred option of the Blended Strategy, did not consider the need for allocation of any of these parcels of land despite the existence of the potential site in Gravesham. Indeed, the earlier Regulation 18 consultation version of the emerging plan clearly noted at paragraph 4.12.3 that:

*“The Council carried out a Green Belt review in 2018 to assess if land is meeting the purposes established in national policy, and to test whether exceptional circumstances justify a revision to green belt boundaries in Medway. The review recommended largely maintaining the existing green belt designations, subject to some minor boundary amendments to reflect local features and address anomalies to provide a better defined boundary. The Council will further review this designation in advance of finalising the content of the new Local Plan.”*

- 6.34 Given that Gravesham’s own plans for the neighbouring land were consulted on in 2020, and thus well before the last Regulation 18b consultation in July 2024, the reasoning provided now in this consultation appears to be very limited.
- 6.35 Accordingly, given that other non-Green Belt sites were considered suitable the exceptional circumstance case required through the NPPF does not appear to have been met in regard to considering all other reasonable options.
- 6.36 In the Sustainability Appraisal that accompanied the Regulation 18 consultation site all of the sites were excluded on the basis of the following reasoning:

*“Loss of BMV agricultural land. Within the Green Belt. The development could lead to coalescence between settlements. Beyond reasonable walking distance to current public transport services.”*

- 6.37 The Sustainability Appraisal that now accompanies the Regulation 19 merely notes:

*“The site could overcome constraints following Duty to Cooperate engagement with Gravesham Borough Council, Green Belt Review and emerging public transport study. NPPF Green Belt release exceptional circumstances met.”*

- 6.38 It is argued that the consideration through the Green Belt review for each of these 3 parcels is flawed in that the justification for the development of this land is through the Duty to Cooperate with Gravesham and the potential allocation of land to the west for development. As such considering this parcel on its own as having a weak function in preventing merging is wrong as through the development of neighbouring land it will bring built up areas contiguous with one another.

### **North West**

- 6.39 HHH22 & HHH31 are strategic scale sites that have been identified as being capable of delivering up to 1,700 homes as part of a wide mixed use development contributing through the life of the plan and beyond the identified 15 years.

- 6.40 In the Sustainability Appraisal that accompanied the Regulation 18 consultation this site was excluded on the basis of the following reasoning:

*“Loss of BMV agricultural land. The development could lead to coalescence between settlements. Beyond reasonable walking distance to current public transport services.”*

- 6.41 The Sustainability Appraisal that now accompanies the Regulation 19 merely notes:

*“The development would help to deliver the vision and the strategic objectives of the new Local Plan. Opportunity for sustainable development, supporting improved services.”*

- 6.42 There is no reasoning how the site has managed to address the sustainable location of the site on its own. Indeed, one only has to look at the SA scoring from both the Regulation 18 and Regulation 19 relative to transport matters as copied below:



**Table D.11.1: Strategic sites impact matrix for SA Objective 10 – Transport and accessibility**

Site ref	Proposed site use	Bus stop	Railway station	Access to PRow or cycle network	Local services	Public transport accessibility
HHH22	Residential led (mixed-use)	-	+	+	+	0
HHH26	Residential led (mixed-use)	+	-	+	+	0
HHH3	Residential led	-	-	+	+	0
HHH31	Residential led (mixed-use)	-	++	+	+	0

**Table F.11.1: Strategic sites impact matrix for SA Objective 10 – Transport and accessibility**

Site ref	Proposed site use	Bus stop	Railway station	Access to PRow or cycle network	Local services	Public transport accessibility
HHH22	Residential led (mixed-use)	-	+	+	+	0
HHH22/ HHH31	Residential led (mixed-use)	+	++	+	-	0
HHH26	Residential led (mixed-use)	+	-	+	+	0
HHH3	Residential led	-	-	+	+	0
HHH31	Residential led (mixed-use)	-	++	+	+	0

6.43 Indeed, it is notable that when considered individually neither of the sites scores positively for access to a bus stop in either the Regulation 18 or 19 version, however when considered together the site appears to score positively. Given that this score relates to current situations pre mitigation there is no justification for how the score changes to a positive one. The SA specifically notes that the negative score is applied where:

*“Development proposals where the entirety or majority of the site is located over 400m from a bus stop.”*

6.44 Conversely the positive score is given where:

*“Development proposals where the entirety or majority of the site is located within 400m of a bus stop.”*

6.45 It is hard therefore to understand how site HHH22 fails, as indeed does site HHH31 individually, but when combined, they are positive. For the entirety or majority of both sites to be beyond 400m cannot reasonably mean that combined the majority of the

larger site is now within 400m as that would have required at least one of the sites to be individually scored as a positive.

### **Conclusion**

- 6.46 In summary, the reasoning provided in the SA to support the allocation of various sites seems lacking in evidence base to determine why specific sites have been chosen over others. Furthermore, there appears to be a lack of consistency in approach to the scoring of sites seemingly indicating that the SA may have been designed to support an intended outcome as opposed to being objectively prepared.
- 6.47 It is of course also relevant to raise matters concerning the approach to redevelopment of existing employment areas for new housing, as well as the council's continued preference for strategic scale development on the Hoo Peninsula.
- 6.48 The proposals remain for partial redevelopment of parts of the Medway City Estate through emerging policy SA13 and site allocation SR53. The emerging policy envisages deliver of this site later in the plan period with an initial phase of up to 690 new homes, whilst at the same time the 2025 Employment Land Needs Assessment prepared in support of the plan recognises a need for:
- 204,000 sqm of industrial floorspace.
  - 36,500 sqm of office floorspace.
- 6.49 It is relevant to note that the ELNA notes at paragraph 4.36 that:
- “Overall, these employment areas in the southwest of Medway need to be protected for employment uses because they are performing well. Over the longer term, we recommend consideration for a strategic release of Medway City Estate, but only if new suitable alternative site(s) are found to decant the floorspace because there remains a need. The reason being Medway City Estate does not meet modern occupier requirements and is likely to see a continued lack of investment due to its constraints.”*
- 6.50 The figures quoted in the ELNA for provision appear to relate to additional need between 2024 and 2041 and not necessarily to reflect the proposed loss of employment not only from the Medway City Estate (policy SA13) but also that space to be lost through site SM16 proposing up to 2,200 homes over a period longer than the plan period. It is important therefore to ensure that the emerging plan properly considers employment needs of existing businesses that would need to be relocated to allow for future housing delivery to ensure that Medway does not become a net

exporter of jobs through delivering redevelopment of employment sites without replacing them with suitable alternative sites in addition to delivering opportunities for future growth.

- 6.51 Finally, the implications of strategic scale development on the Hoo Peninsula without the availability of the HIF funding cannot be underestimated. HIF funding was intended to provide the necessary infrastructure improvements to both the road and rail network to improve accessibility as part of the regeneration proposals. The removal of this funding is likely to significantly constrain the ability of strategic development to come forward at the scale and pace that was originally intended.

# Site Suitability

## Section 7

7.1 We believe that site RN2 is well suited to the form of residential led development that is proposed in terms of deliverability, utilities, landscape impact and environmental conditions.

7.2 The emerging local plan sets out a series of strategic objectives which are all considered below in the context of the emerging proposals for Mill Hill (site RN2).

7.3 The draft plan text notes at paragraph 2.1.1 that:

*“The Local Plan is closely aligned to the One Medway Council Plan, 2024 that sets an ambitious and caring vision for our communities, economy and environment.”*

7.4 The key objectives set out in the emerging local plan are below with text identifying how the proposed site would contribute towards them.

Objective	Comments
Prepared for a sustainable and green future	Development of site RN2 would still contribute to meeting this objective in the same manner as all new residential developments will.
Supporting people to lead healthy lives and strengthening our communities	The delivery of site RN2 with the mix of housing type and tenure, and in well designed and energy efficient properties, with ample on-site open space for activities, will contribute to healthier lives for residents.
Securing jobs and developing skills for a competitive economy	The construction of the site will be phased over several years to provide ongoing job creation.
Boost pride in Medway through quality and resilient development	The design of the scheme will be high-quality noting the pedigree of the land promoter and architectural team with considerable experience of delivering exemplar schemes in Medway to date.

7.5 In rejecting the site as a potential allocation (noting of course that it was identified as suitable in the dispersed growth option) the reasoning set out in Table F.1.2 of the Sustainability Appraisal to the Regulation 18b consultation noted that this was due to:

*“Loss of BMV agricultural land. The development could lead to coalescence between settlements.”*

- 7.6 The Sustainability Appraisal that now accompanies the Regulation 19 reaffirms that the same reasoning applies, disregarding the submissions made at the Regulation 18b stage.
- 7.7 It is important firstly to note that these are the only two identified reasons for rejection of the site, not using grounds such as the following which have been referenced in the context of rejecting other sites:
- Beyond reasonable walking distance to current public transport services.
  - Potential adverse impact on Local Nature Reserve.
  - Potential adverse impact on listed building/ conservation area.
  - Potential adverse impact on greenspace.
  - Residential amenity.
- 7.8 The matter of discounting land solely, or at least in part, due to BMV is not entirely consistent with the adopted growth strategy as this similarly relies on allocating sites that are identified as Grade 1 agricultural when comparing the Agricultural Land Classification plan (figure 3.4 in the Landscape Character Assessment).
- 7.9 For example, site RN9 is also designated as being Grade 1 on the Agricultural Land Classification plan and is scored as ‘- -’ in respect of impact on BMV land, although strangely the smaller site RN8 only scores ‘-’ given the smaller area (the SA noting that the ‘- -’ is only applied to sites comprising more than 20ha. This site includes areas of orchard planting that are typically high in ecological value, complicating development with regard to the need to deliver 10% BNG from.
- 7.10 Similarly, sites RN30 and RN31 are classified Grade 1 on the Agricultural Land Classification plan. For reference, whilst site RN2 is also classified the same the supporting agricultural land classification report has reviewed this and determines that the site should actually be designated as Grade 2. The same Grade 1 BMV classification also applies to large tracts of the Hoo Peninsula that are designated for future development.
- 7.11 Taking the point of coalescence, this is typically referenced in planning either in respect of Green Belt land (that being in the context of paragraph 143 b) or relating to development within a strategic gap.
- 7.12 The accepted meaning is to ensure that settlements do not come together as one and lose their separate identities as a result of coalescence. The issue with this site

however is what settlements are being considered as potentially being united and thus losing their separate identity.

7.13 The proposed strategy fails to consider the implications of development in the green corridor between the built up areas of Lordswood and Walderslade to the west and Hempstead to the east. The proposals to support the development of parcels LW4, LW6, LW7 and LW8 will arguably result in the coalescence of these three built up areas through the complete loss of the important gap between them. This is further exacerbated by the approach within the Maidstone Local Plan for the development of a new garden village of approximately 2,000 homes immediately south of the Medway boundary effectively extending the built-up area to encompass Bredhurst within a larger urban zone.

7.14 The supporting SA recognises that LW6 has been established through planning appeal but only notes for LW8 that:

*“The development would help to deliver the vision and the strategic objectives of the new Local Plan.”*

7.15 There is no recognition that the allocation of that parcel would result in significant coalescence between the existing built-up areas, or indeed the loss of BMV seeing that this parcel is actively farmed and is deemed to be Grade 3 having regard to the Agricultural Land Classification plan included as figure 3.4 of the Landscape Character Assessment. The BMV point here is clearer because although of a lower grade than identified for site RN2, this parcel of land is controlled and farmed along with land that forms parcels LW4, LW6 and LW7 as we understand it, as well as the land with Maidstone forming the proposed new Garden Village, thus making it more commercially viable.

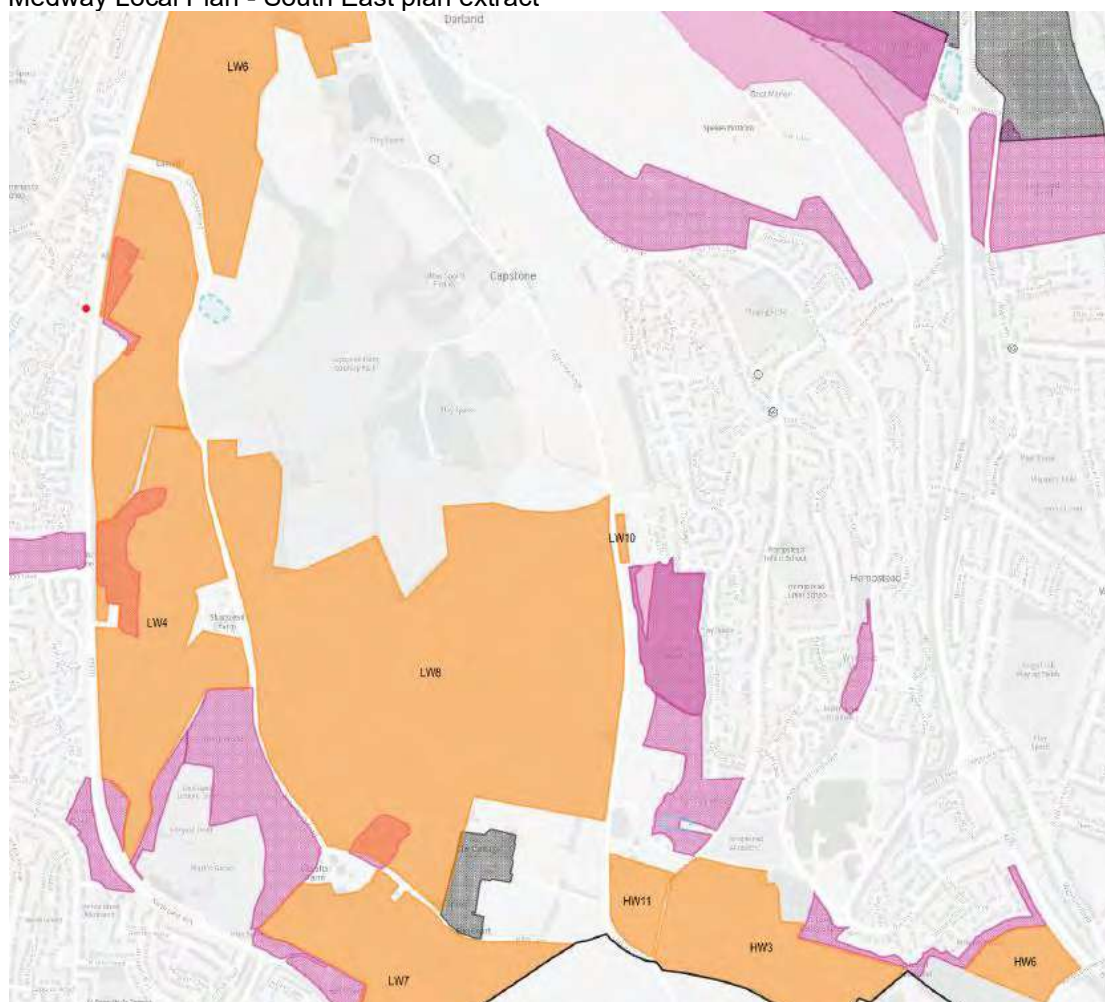
7.16 Similarly, site HW11 is identified as a suitable alternative non-strategic site despite it being remote from the built-up area of Hempstead. Equally, when combined with the proposed development of parcels LW7 and LW8 will result in the perceived coalescence once more. This has not been considered given that the justification for the site notes:

*“The development would help to deliver the vision and the strategic objectives of the new Local Plan.”*

7.17 It is of course relevant to now also note that since the consultation on the Regulation 18 options the council are now also seeking to allocate site HW3 for further development, immediately abutting site HW11 to the east.

- 7.18 The cumulative impact of allocating sites LW4, LW7, LW8, HW3 and HW11 would be that any gap between the current settlements of Lordswood, Walderslade and Hempstead would be entirely removed.
- 7.19 The Sustainability Appraisal scores site HW11 as '0' compared to a '-' for sites RN2, LW8 and HW3. Clearly the development of sites HW11 and HW2 would have the same result as the development of just HW3, which would then be exacerbated through the development of sites LW7 and LW8. It is important that the sites are assessed cumulatively as if all were developed the impact would be seen as a whole.

Medway Local Plan - South East plan extract



- 7.20 Again, site HW11 scores '0' in regard to impacts from the PROW, compared to a '-' for sites RN2, LW8 and HW3. This is harder to understand in the context of site HW3 as this is affected by the same PROW that runs along the southern edge of site HW11 for which there is no negative effect. The SA notes that a negative score is given where:

*“Development proposals located which may alter views of a predominantly rural or countryside landscape experienced by users of the PROW network.”*



Whilst a neutral score is given where:

*“Development proposals are not considered to significantly alter views experienced by users of the PRow network.”*

- 7.21 There is no logical reason for how the neutral score is provided in the context of HW11 but not for HW3, LW8 or indeed RN2.

Figure 5.2 (source Kent Public Rights of Way with edit for Medway routes)



- 7.22 Having therefore assessed concerns with the approach to other sites through the SA it is then of course necessary to consider the suitability more generally for my clients' site of RN2.
- 7.23 In respect of highways, the proposals seek to include a new signalised junction from the main dual carriageway of Yokosuka Way to service the site. This has the benefit of ensuring that there is a single point of access/egress from the site onto a dual carriageway that has been modelled, in conjunction with the Council's appointed consultants and modelling, to demonstrate capacity without resulting in unacceptable impacts on highway safety or severe residual cumulative impacts on the road network (paragraph 116 of the NPPF).
- 7.24 Discussions have also been held over several years with bus companies regarding the inclusion of the site on an existing bus route such that with the provision of a dedicated bus turning area and layby this would be acceptable.



- 7.25 In landscape terms, delivery of appropriate landscaping as part of the development will ensure that impacts are mitigated for in the medium to long term and without any detrimental effects on longer views.

# Site Sustainability

## Section 8

- 8.1 As part of the technical evidence to support the future planning submission and local plan promotion, the promoter has commissioned a series of technical assessments to ensure that the effects of the proposals can be suitably addressed or mitigated to ensure that there are positive outcomes.
- 8.2 As such, while we endorse the approach of the Sustainability Appraisal (SA) we do not entirely agree with the outcomes and therefore set out below the relevant parts of the SA relating to site RN2 with the council's conclusions and our additional commentary that seek to justify why we consider the site to be sustainable.
- 8.3 For the purposes of the SA the approach to determining significant effects has been explained in table 4.4 (volume 2 of 2), albeit no clarification has been provided to determine the logic to the double negative or double positive scores relative to each SA objective. In order to address this in a different manner we have opted to replace this with numerical scaling as follows:
- 8.4 In the context of site RN2 where we have disagreed with the Council's scoring and therefore amended it this is shown in red.

SA Objective	RN2	Justification in SA	Comments by Promoter	LW8	HW11	HW3
SA Objective 1 (Climate Change Mitigation)	NA	Scores the same as all sites. The carbon emissions likely to be generated as a result of development is currently uncertain	We agree with this scoring	NA	NA	NA
SA Objective 2 (Climate Change Adaptation)						
Fluvial Flood Zones	+1	Development at these locations is expected to have a minor positive impact on flooding, as the proposed development at these sites is likely to locate site end users away from areas at risk of fluvial flooding.	We agree with this scoring	+1	+1	+1
Surface Water Flood Risk	0	The proposed development at these 118 sites could potentially have a minor negative impact	Our emerging proposals have been designed to fully mitigate for surface water drainage impacts on site to ensure no negative impacts off site.	0	-1	-1

		on surface water flooding in the area.				
Flood Defences	0	The remaining 305 sites do not coincide or lie within 20m of flood defence schemes and are likely to have a negligible impact on flood defences.	We agree with this scoring	0	0	0
<b>SUB TOTAL</b>	<b>+1</b>			<b>+1</b>	<b>0</b>	<b>0</b>
<b>SA Objective 3 (Biodiversity and Geodiversity)</b>						
European sites	-1	The remaining 308 sites are located within one or more of the identified ZOIs, potentially resulting in a minor negative impact on a European site due factors such as air pollution and recreational pressures.		-1	-1	-1
SSSI	-1	The majority of the remaining sites (305) fall within an IRZ which may require consultation with Natural England, reflected in the assessments at this stage as a potential minor negative impact. This includes IRZs which indicate strategic solutions in place to address potential recreational impacts arising from new development.		-1	-1	-1
National Nature Reserve	0	The 319 remaining sites do not lie in close proximity to High Halstow NNR and are therefore likely to result in a negligible impact on the NNR.	We agree with this scoring	0	0	0
Ancient Woodland	0	The remaining 292 sites are located away from areas of ancient woodland and are therefore likely to potentially result in a negligible impact on this biodiversity asset.	We agree with this scoring	-1	-1	-1
Local Nature Reserve	0	No sites coincide with an LNR,	We agree with this scoring	-1	0	-1
Local Wildlife Site	0	None of the remaining sites coincide or lie adjacent to an LWS and have therefore scored negligible	We agree with this scoring	-1	0	-1

		against the biodiversity objective; however, it is acknowledged that adverse effects such as from recreational impacts can arise at greater distances.				
Marine Conservation Zones	0		We agree with this scoring	0	0	0
Priority Habitats	-1	A total of 34 sites coincide wholly or partially with priority habitats, including a large proportion which coincide with deciduous woodland. The proposed development at these 34 sites is likely to have a minor negative impact on priority habitats in Medway due to the potential loss or degradation of these habitats.		0	0	-1
Regionally Important Geological and Geomorphological Site	0	The proposed development at all sites within Medway is likely to have a negligible impact on geological sites as they do not coincide with any RIGGS.	We agree with this scoring	0	0	0
Open Mosaic habitat	0	The remaining 317 sites do not coincide with OMHs and are therefore likely to result in a negligible impact on OMHs in Medway.	We agree with this scoring	0	0	0
<b>SUB TOTAL</b>	<b>-3</b>			<b>-5</b>	<b>-3</b>	<b>-6</b>
<b>SA Objective 4 (Landscape and Townscape)</b>						
AONB	0			-1	-1	-1
Country Park	-1	23 sites are located in close proximity to a country park, with potential to result in a minor negative impact on the setting and/or views experienced from the country park.		-1	-1	0
Landscape Character Assessment	-1	111 sites lie within the LCA area. The proposed development at 73 of these sites are identified to have potential to alter or discord with the descriptions of the relevant character area as published in the		-1	0	-1

		LCA and have therefore been identified to have a minor negative impact on the landscape character.				
Landscape Sensitivity	NA	299 sites lie outside of the Landscape Sensitivity Assessment study area. The potential effect of each of these sites on sensitive landscapes has therefore been scored as uncertain.		0	NA	NA
Landscape Capacity	NA	299 sites lie outside of the Landscape Capacity Assessment study area. The potential effect of each of these sites on landscape capacity has therefore been scored as uncertain.		0	NA	NA
Views from the PRow network	-1	The proposed development at 108 reasonable alternative sites could potentially alter the views of open space currently experienced by users of the PRow network, and result in a minor negative impact on the landscape.		-1	0	-1
Views experienced by local residents	-1	The development proposed at a large proportion of sites in Medway is considered to have the potential to alter the views currently experienced by local residents, primarily due to their location with respect to existing residential zones. A minor negative impact on the local landscape could therefore be expected at these 129 sites.		-1	-1	-1
Coalescence/urbanisation of the countryside	0	The proposed development at 23 sites was determined to reduce the separation between settlements and therefore increase the risk of coalescence and	We do not agree with this scoring in the sense of the suggestion that development of the site will result in coalescence as the present infrastructure (railway line and dual carriageway) ensure that the site is	-1	0	-1

		loss of identity of these settlements.	read separately to the current built up areas. Regardless, there is a large swathe of woodland to the east and open fields to the north that are not being identified so as to prevent further spread of development.			
<b>SUB TOTAL</b>	<b>-4</b>			<b>-5</b>	<b>-3</b>	<b>-5</b>
<b>SA Objective 5 (Pollution and Waste)</b>						
Air Quality Management Area	0	The proposed development at the remaining 220 sites which are over 200m from an AQMA are likely to have a negligible impact on AQMAs in Medway.	We agree with this scoring	-1	0	0
Main Road	0	The proposed development at these 208 sites could potentially expose site end users to higher levels of transport associated air and noise pollution. Traffic using these main roads would be expected to have a minor negative impact on air quality and noise at these sites.	There would appear to be a certain degree of double counting of effects here when also considering the Air Pollution effects below. Such effects would be addressed for any scheme	0	0	0
Railway Line	-1	The proposed development at the remaining 216 sites which are over 200m from a railway line is expected to have a negligible impact on air and noise pollution from transportation associated with railway lines.		0	0	0
Watercourse	NA	Sites which are located over 10m from watercourses are less likely to have a significant impact on the quality of watercourses however each site would need to be evaluated according to land use type, size of development and exact location. At this stage, the potential effects of these 303 sites on water quality are uncertain and would		NA	NA	NA

		depend upon implementation.				
Groundwater Source Protection Zone	0	The remaining sites do not coincide with the catchment of any SPZ, and therefore, the proposed development at these sites may have a negligible impact on groundwater quality.	We agree with this scoring	-1	-1	-1
Air Pollution	-2	The proposed development at these larger scale sites could potentially result in a significant increase in local air pollution, potentially resulting in a major negative impact.	Whilst we do not necessarily agree with the scoring, it should be noted that sites HW11 and HW3 would add significant traffic levels to local roads likely to have similar effects such that their scores should be altered.	-2	-2	-2
Waste	NA	The appraisal of reasonable alternatives sites is limited in its assessment of waste, due to an absence of site-specific details.		NA	NA	NA
<b>SUB TOTAL</b>	<b>-3</b>			<b>-4</b>	<b>-3</b>	<b>-3</b>
<b>SA Objective 6 (Natural resources)</b>						
Previously undeveloped land/land with environmental value	-1	The proposed development at these 184 sites is identified to have a minor negative impact on natural resources due to the potential loss of ecologically or environmentally valuable soil resources.		-1	-1	-1
Agricultural Land Classification	0	101 sites are located on ALC Grades 1, 2 and 3 land and comprise less than 20ha. As these sites comprise previously undeveloped land, or contain areas of potential environmental value, the proposed development at these locations could potentially result in a minor negative impact on BMV land.	Although the site is identified as Grade 1 on the ALC plan it has not been used for agricultural purposes for well in excess of two decades and has been used for horse grazing and paddocks. There is no realistic prospect of the land ever reverting to agricultural use such that we consider the site should be a neutral effect as opposed to the indicated minor negative.	-2	-1	-2
Mineral Safeguarding Areas	0	The remaining 316 sites do not coincide with MSAs and are therefore expected to	We agree with this scoring	0	0	0

		result in a negligible impact on mineral resources.				
<b>SUB TOTAL</b>	<b>-1</b>			<b>-3</b>	<b>-2</b>	<b>-3</b>
SA Objective 7 (Housing)	+2	61 residential sites have an identified housing capacity of 100 or more dwellings and would expect to make a significant contribution towards meeting housing needs, as such a major positive impact on housing would be expected.		+2	+1	+1
<b>SUB TOTAL</b>	<b>+2</b>			<b>+2</b>	<b>+1</b>	<b>+1</b>
<b>SA Objective 8 (Health and Wellbeing)</b>						
Access to NHS hospital with A&E department	+1	222 reasonable alternative sites are located within 5km of the Medway Maritime Hospital, and as such the proposed development at these sites would be likely to have a minor positive impact on access to emergency healthcare due being within a sustainable distance to these services.		+1	+1	+1
Access to GP Surgery	-1	123 sites within Medway are located over 800m from a GP surgery. The proposed development at these 143 sites will be likely to result in a minor negative impact on access to GP surgeries.		-1	-1	-1
Access to leisure facilities	-1	192 sites are located outside of the 1.5km sustainable target distance to a leisure centre and therefore, the proposed development at these sites could potentially have a minor negative impact on access to leisure facilities.		-1	-1	-1
Access to public greenspace	+1	The majority of sites (302) are located within 600m of one or more of these greenspaces, and therefore the proposed development at these sites would be		+1	+1	+1



		likely to result in a minor positive impact on access to greenspace.				
Net loss of public greenspace	0		We agree with this scoring	0	0	-
Access to Public Rights of Way/ cycle paths	+1	The majority of sites (321) in Medway are located within 600m of the PRow or cycle network. The proposed development at these sites would be likely to provide site end users with good pedestrian and/or cycle access and encourage physical activity, and therefore, have a minor positive impact on the health and wellbeing of local residents.		+1	+1	+1
<b>SUB TOTAL</b>	<b>+1</b>			<b>+1</b>	<b>+1</b>	<b>+1</b>
<b>SA Objective 9 (Cultural Heritage)</b>						
Grade I	0	The remaining 320 sites are unlikely to significantly impact any Grade I Listed Building, primarily due to sites being separated from listed buildings by existing built form.	We agree with this scoring	0	0	0
Grade II*	0	The remaining 315 sites are unlikely to significantly impact any Grade II* Listed Building, primarily due to sites being separated from listed buildings by existing built form.	We agree with this scoring	0	0	0
Grade II	0	The remaining 258 sites are unlikely to significantly impact any Grade II Listed Buildings, primarily due to sites being separated from listed buildings by existing built form.	We agree with this scoring	0	0	0
Conservation Area	0	The remaining 271 sites are not expected to have a significant impact on the setting of any CA, with negligible impacts identified.	We agree with this scoring	0	0	0
Scheduled Monument	0	All other sites within Medway are not located in close proximity to any SMS,	We agree with this scoring	0	0	0

		and as such, the proposed development at these sites would not be expected to significantly impact the setting of any of these SMs.				
Registered Park and Gardens	0	The remaining sites are deemed unlikely to have a significant impact on the setting of any RPG due to the previously developed nature of the sites and/or presence of intervening development. All other sites have therefore scored negligible against RPGs.	We agree with this scoring	0	0	0
<b>SUB TOTAL</b>	<b>0</b>			<b>0</b>	<b>0</b>	<b>0</b>
<b>SA Objective 10 (Transport and Accessibility)</b>						
Proximity to bus stop	0	51 sites are located wholly or partially outside of the sustainable distance of 400m from a bus stop providing regular services. The proposed development at these sites could potentially have a minor negative impact on access to sustainable transport.	The proposals for the site include provision of a bus stop following continued discussions with an operator such as to address concerns over access.	-1	-1	+1
Proximity to railway station	-1	102 sites are located over 2km from a railway station. The proposed development at these sites could potentially have a minor negative impact on site end users' access to rail services.		-1	-1	-1
Pedestrian or cycle access	0	However, 65 sites currently have poor access to the existing footpath network. The proposed development at these sites could potentially have a minor negative impact on local accessibility, and pedestrian/cyclist access would need improvement to be considered a viable transport option.	Plan 8 in the supporting Green and Blue infrastructure framework identifies the site as being next to an "off road or traffic free" route and a "quieter route" so as to already have good access for such facilities. LW8 is only adjacent to a PROW yet scores +1.	+1	-1	-1
Access to local services	+1	240 sites are identified to provide sustainable pedestrian access to		-1	-1	+1

		local shops and services, within a distance of 600m. Sites located in urban areas generally have better access to local services, in some cases multiple stores. These sites are likely to have a minor positive impact on access to local services for site end users.				
Public transport nodes	0	The remaining 150 sites do not lie within 300m from high frequency bus stops and 800m from a rail station. These sites are therefore likely to have a negligible impact on sustainable access to high-frequency public transport		0	0	+2
<b>SUB TOTAL</b>	<b>0</b>			<b>-2</b>	<b>-4</b>	<b>+2</b>
<b>SA Objective 11 (Education)</b>						
Primary school	-1	79 residential sites are located over 800m from a primary school. The proposed development at these sites could potentially have a minor negative impact on pedestrian access to primary schools.		-1	-1	-1
Secondary school	-1	91 sites are located over 1.5km from a secondary school. The proposed development at these 91 sites is likely to have a minor negative impact on sustainable access to secondary schools.		-1	-1	+2
Further education	+1	Over half of proposed residential sites (173) are located within 3km of a further educational facility. The majority of these are located in the urban area of Medway. The proposed development at these sites is likely to have a minor positive impact on access to higher education facilities.		0	0	0
<b>SUB TOTAL</b>	<b>-1</b>			<b>-2</b>	<b>-2</b>	<b>+1</b>

SA Objective 12 (Economy)						
Access to major employment locations	+1	All of the proposed residential or mixed-use development sites (287) are within the sustainable target distance of 5km to a major employment location. The proposed development at these 287 sites would therefore be expected to provide sustainable access to employment opportunities and therefore result in a minor positive impact.		+2	0	0
Employment floorspace provision	NA	Furthermore, 88 sites are proposed for mixed uses including residential, and it is uncertain whether the proposed development would result in a net change in employment floorspace as the proposed land uses are unknown.		+1	+1	+1
<b>SUB TOTAL</b>	<b>+1</b>			<b>+3</b>	<b>+1</b>	<b>+1</b>
<b>GRAND TOTAL</b>	<b>-7</b>			<b>-14</b>	<b>-13</b>	<b>-11</b>

8.5 When comparing the overall scores, it therefore shows that as an overall score site RN2 performs better than each of the alternative proposed allocations with very similar characteristics. Furthermore, in respect of each SA objective site RN2 is never shown to be the worst performing of the sites considered.

8.6 The reasons for excluding the site for consideration make no reasoning here when it is considered that (i) the reasoning was deemed acceptable to allocate it through the dispersed growth approach; and (ii) the same justification could be used to discount sites LW8, HW11 or HW3 that have been deemed acceptable without further justification.

8.7 It is therefore submitted that the present justification for allocation, or not, of sites is lacking as part of the overall evidence base provided for the emerging plan. Where sites were deemed acceptable as part of the dispersed growth approach there ought to be further clarification on why they have been subsequently discounted given the very limited reasoning evidenced to date.

8.8 Similarly, when sites that were not deemed suitable at the Regulation 18b stage, or considered only for small growth originally, but have now been identified in the Regulation 19 further justification ought to be provided. This is particularly so where

those sites had previously been excluded on the basis of poor access to public transport in addition to loss of BMV and potential coalescence concerns (being the only 2 reasons for excluding site RN2) but then considered suitable in the Regulation 19 plan on the basis that the:

*“site promoter has demonstrated how concerns and constraints could be addressed.”*

- 8.9 We have previously set out that as part of the emerging proposals for site RN2 it would include provision of a bus stop, having had previous discussions with the bus operators to confirm that there is capacity within the existing service for an additional stop, to address public transport connectivity.
- 8.10 In addition, an agricultural land classification report has been prepared made up of both desktop and fieldwork to properly assess the land classification, including auger borings and soil pits. Following that work the report concluded that the site ought to be reclassified as ALC Grade 2 as opposed to the former Grade 1 classification from the 1988 map.
- 8.11 Notwithstanding the land classification, there has been no agricultural activity on site for more than 50 years and the modern farming practices would make it unviable to farm efficiently now particularly given the access restrictions for larger modern machinery and the separation from other farmer agricultural land.

# Conclusion

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## Section 9

9.1 In conclusion, whilst we are generally supportive of the approach to seeking to deliver a new local plan that positively plans for the future development of Medway we have significant reservations over the following:

- Sufficient identification and allocation of proposed sites to meet the OAN for all forms of housing to provide for an appropriate buffer given previous historic failures to deliver;
- A poorly evidenced approach to the selection of sites through the accompanying SA that has clear and obvious errors in the implementation of the methodology; and
- Concerns over specific approaches to certain emerging development plan policies that could be addressed by way of further refinement and minor revisions

9.2 We consider that the plan could be made sound subject to a series of main modifications and minor revisions to draft policy text.

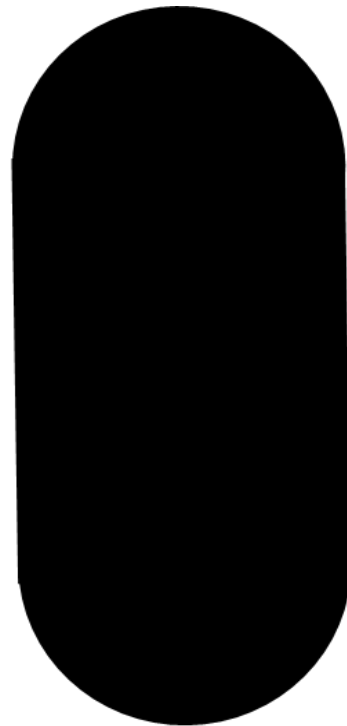
9.3 Accordingly, we reserve the right to participate in any future hearing sessions to be held in the course of the examination in public in relation to all matters raised in our representations and trust that we will be kept informed of the eventual submission and examination in due course.



 Part of Shakespeare Martineau

**Medway Council**  
**Regulation 19 Representation**  
Prepared on behalf of Gleeson Land

**August 2025**



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# 1. Introduction

- 1.1. These Representations are made on behalf of our client, Gleeson Land (Gleeson), in response to Medway Council's (the Council) Regulation 19 Consultation on its emerging Local Plan.
- 1.2. Gleeson has land interests at Land east of Buckland Road, Cliffe (hereafter referred to as "the Site"). The Site is not currently identified as an allocation in the draft Plan.
- 1.3. Representations have previously been submitted by Gleeson in response to the Regulation 18 consultation in September 2024.
- 1.4. Notwithstanding specific land interests, this response has been prepared in objective terms, in response to the content of the consultation and supporting Evidence Base and in accordance with legal, procedural and soundness requirements of legislation and the National Planning Policy Framework.
- 1.5. The most recent version of the National Planning Policy Framework was published December 2024 (NPPF 2024). The Plan would be Examined under the provisions of this version of the Framework including the tests of soundness set out at paragraph 36 of the Framework.
- 1.6. As set out in these Representations there are areas of the Plan which need further work, clarification or modification before the Plan can achieve the tests of soundness as set out in the NPPF.
- 1.7. In order to meet housing needs there will be the need for additional sites to be allocated. These should be sites which are in sustainable locations which are available, suitable and achievable, with a realistic expectation they will deliver early in the Plan period. Further, they should be sites which can contribute towards the delivery of affordable homes and other policy expectations, including infrastructure contributions.

The Site at Land east of Buckland Road, Cliffe meets all these criteria. Work completed to date demonstrates development can be delivered on the Site in a way which successfully integrates into the wider surroundings and does not result in any significant impacts on the environment. It should be allocated within a modified Plan.

## 2. Draft Local Plan

### The Plan Period

- 2.1. Para 22 of the NPPF is clear that strategic policies should look ahead over a minimum 15-year period from adoption. Where larger scale developments such as new settlements or significant extensions to existing villages and towns form part of the strategy for the area, policies should be set within a vision that looks further ahead (at least 30 years), to take into account the likely timescale for delivery.
- 2.2. The new Local Plan proposes a Plan period from April 2026 to March 2041, i.e. 15-years with the final monitoring year being 2040/41. This would require the Plan to be adopted before end of March 2027.
- 2.3. We highlighted concern in our Regulation 18 representations that whilst this currently reflects the NPPF requirements, this should be monitored and extended if necessary.
- 2.4. Recent experience elsewhere is highlighting the Examination process can take some time, e.g.:
  - Dartford Local Plan – submitted December 2021 and adopted April 2024;
  - Maidstone Local Plan Review – submitted March 2022 and adopted March 2024;
  - Folkestone and Hythe District Core Strategy Review – submitted March 2020 and adopted March 2022;
  - Dover District Local Plan – submitted March 2023 and adopted October 2024; and
  - Tunbridge Wells Local Plan – submitted November 2021 and anticipated for adoption by end of 2025.
- 2.5. The Medway Local Plan is a complex Plan which covers strategic and non-strategic matters, including those relating to minerals and waste (which none of the above covered). This is reflected in the length of the Local Plan and supporting evidence base. It is unlikely to be a swift Examination process.
- 2.6. With an anticipated submission in November 2025 (Local Development Scheme, December 2025) we consider it extremely unlikely the Plan will be adopted before end

of March 2027. On the basis of experience elsewhere it would be justified to assume the Examination will take at last 18 – 24 months, with adoption in late 2027.

- 2.7. This can be resolved through modification to ensure the Plan covers the required 15-year period post adoption.

## Housing Needs and Requirement

- 2.8. Para 62 of the NPPF 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.
- 2.9. The latest standard method calculation is 1,636 dwellings per annum, this is unlikely to change ahead of the Plan being submitted. The Plan has adopted this as the minimum housing need figure.
- 2.10. We support the use of the Standard Method; this is justified and consistent with the NPPF. We also support the Council's position there are no exceptional circumstances which justify a lower housing need.
- 2.11. Paragraph 69 of the NPPF is clear the housing requirement may be higher than minimum housing needs. This includes consideration for:
- any needs that cannot be met within neighbouring areas;
  - reflects growth ambitions linked to economic development; or
  - reflects growth ambitions linked to infrastructure investment.
- 2.12. Further, Planning Practice Guidance highlights it may also be appropriate to increase the housing requirement to help deliver an increased quantum of affordable homes (Housing and Economic Needs Assessment section, Paragraph: 024 Reference ID: 2a-024-20190220).
- 2.13. We do not consider this has properly been considered, for the reasons as set out below.

*1) Any needs that cannot be met within neighbouring areas*

- 2.14. Para 1.4.3 of the Plan recognises that the matter of potential unmet housing need is a “cross border issue with Gravesham Borough Council”. Whilst not referenced in the Plan itself, the Council has a long-standing formal request from neighbouring authority Gravesham Borough Council (GBC) for it to accommodate 2,000 additional homes to assist GBC in addressing their unmet needs.
- 2.15. GBC is one of the worst performing (in terms of housing and affordable housing delivery) authorities in England. It achieved only 59% in its Housing Delivery Test 2023 and has a substantial deficit in future housing supply (latest Council evidence in February 2025 identified 3.0-year supply, but likely lower). This is partly a consequence of a lack of plan-making (latest Plan adopted in 2014) and the restriction of the Green Belt.
- 2.16. GBC has been undertaking a Local Plan Partial Review since before 2018 including Reg 18 consultations in April – June 2018 and October – December 2020. There have been a variety of reasons noted for the delay, most significantly the unknowingness relating to the Lower Thames Crossing and its subsequent DCO process.
- 2.17. The DCO has now been granted and GBC have indicated they will progress towards Reg 19 Local Plan consultation. The latest GBC Local Development Scheme (February 2025) anticipated this to be in July – October 2025. This has not yet materialised and the next Cabinet and Planning & Business Development Cabinet Committees are scheduled for September 2025.
- 2.18. GBC’s approach to housing needs is not yet known. It is, currently, operating in a significant policy vacuum, which has and continues to lead to needs not being met. This is significant and should not be ignored.
- 2.19. The Regulation 19 Sustainability Appraisal Volume 2 (SA, June 2025) acknowledges the formal request from GBC however dismisses this on the basis “these unmet needs were not yet confirmed given Gravesham Borough Council’s in-progress Local Plan Partial Review” (para 5.3.2) and “Gravesham Borough Council’s local plan evidence base is still in preparation and there has been no formal confirmation on the existence, or extent, of any unmet housing need” (para 5.3.8) and “Medway Council has

requested further information from Gravesham Borough Council to demonstrate the unmet housing need. Medway Council has not received an assessment of land availability from Gravesham Borough Council" (para 5.3.12).

2.20. This not only raises potential issues with Duty to Cooperate (lack of coordination on a key strategic objective with cross boundary impacts) but potentially leads to a housing requirement which is not positively prepared.

2.21. GBC has, rightfully, flagged this issue 'early' in its plan-making process so that Medway and others can react accordingly. Further proactive discussion is needed.

*2) Reflects growth ambitions linked to economic development*

2.22. No comment.

*3) Reflects growth ambitions linked to infrastructure investment*

2.23. The ability of the Plan to fully achieve the Vision and objectives of the Plan, including meeting housing and other needs in full, relies on the successful and viable delivery of infrastructure across the Plan period.

2.24. The lack of an up-to-date strategic plan over most of the last 20 years has led to a disconnect between the needs of growing communities and infrastructure provision across Medway.

2.25. Whilst the Council is seeking to address this through the Plan, we consider there to be shortcomings in the infrastructure evidence supporting the Plan which may undermine the success of the strategy. This is detailed further below.

2.26. As it stands, there is a lack of clarity over the infrastructure costs of the Plan. This needs to be addressed before conclusions can be made over whether the level of development proposed (i.e. minimum housing needs) can support this or if a greater quantum of growth is necessary.

2.27. Further, whether the infrastructure proposed can physically support a higher level of growth which would have the benefit of spreading the infrastructure costs.

#### *4) Deliver an increased quantum of affordable homes*

- 2.28. The Local Housing Needs Assessment (LHNA, February 2025) identifies an affordable housing need for Medway of 436 affordable dwellings per annum. This equates to 26.7% of the minimum housing needs figure.
- 2.29. This is a significant reduction from the previously Local Housing Needs Assessments in 2012 and 2021 which determined affordable need to be 721 and 870 dwellings respectively. This is despite there only being 1,505 affordable completions across the period 2012 – 2023, which set against 551 affordable losses in that period equated to net delivery of only 954 affordable dwellings (12% of need based on the 2012 and 2021 affordable need levels).
- 2.30. No explanation is provided for why affordable need has significantly reduced whilst affordable needs over 2012 – 2023 have not been met and the number of households on the waiting list has increased to 4,830 (the highest since 2018).
- 2.31. The affordable need is calculated on the basis of an affordability threshold whereby housing costs can be 35% of gross household income with para 6.16 of the LHNA noting:
- This threshold has been chosen as it is judged to represent the limit of what could be reasonably sustained by households at the lower end of the market.**
- 2.32. The LHNA notes that Medway is an area with relatively higher private rents with drivers being high demand and limited supply. 35% has therefore been chosen to represent how the market currently operates, not a desirable or aspirational position.
- 2.33. There is no set guidance on what level the affordability threshold should be set at and what percentage represents a reasonable level of income people should be spending on housing.

- 2.34. Sensitivity analysis at Table 6.4 of the LHNA identifies that reducing the affordability threshold to 30% and 25% would increase annual affordable housing need to 511 and 607 dwellings respectively.
- 2.35. A key aspiration of the Plan is to improve quality of life. This includes delivering enough affordable homes to meet identified needs. However, it should also recognise the pressures housing costs are having as part of the recognised cost of living crisis, and seek to, where practicable, reduce these. Whilst this is broadly reference at para 6.3.1, we consider a greater recognition is warranted.
- 2.36. We believe it would be wholly in line with the overarching objectives of the Plan to set the affordability threshold at a lower percentage in order to seek to significantly boost the supply of affordable housing. This is further justified in the context of the significant number of households on the waiting list and the low affordable delivery in the recent years.
- 2.37. Further, clarification should be sought on the level of affordable housing the Plan will realistically achieve. The Plan recognises viability will vary significantly across sites / locations with Policy T3 stating:
- **In high value areas, including the Hoo Peninsula strategic sites and suburban greenfield sites, 30% of all residential units proposed.**
  - **In lower value areas, 25% of all dwellings proposed in greenfield areas, and 10% of all residential units proposed on previously developed land.**
  - **In line with the Planning Practice Guidance, it is up to the applicant to demonstrate whether particular circumstances justify the need for a viability assessment at the application stage.**
- 2.38. It is not clear what areas are considered 'high value' or 'lower value'. This is not defined in the Plan, nor is it shown on the Policies Map. The policy is therefore not effective on this basis. This should be rectified.
- 2.39. The Viability Assessment (June 2025) is critical about some sites being able to deliver affordable housing with suggested policy requirements at para 10.53 stating:

**The viability testing includes a range of greenfield sites, and these have the greatest capacity to bear planning obligations such as affordable housing and developer contributions.**

**Brownfield sites make up an important element of the Council's land supply. It is a Council priority to see such sites coming forward as they play an important part in the wider regeneration of the Medway Towns. Brownfield site development is the least viable so the Council should be cautious about relying on such sites to deliver development. It is likely that it will be necessary to consider viability on brownfield sites at the development management stage.**

**The larger greenfield sites (200 units and larger) perform better, in terms of viability, than the smaller sites. The larger sites have a significantly greater capacity to bear developer contributions and affordable housing.**

- 2.40. The supporting tables 10.4a – 10.4c of the Viability Assessment effectively show development on previously developed land cannot viably support affordable housing provision. These sites make up a significant proportion of future supply, identified to be around 40% of housing needs at para 3.1.3 of the Plan.
- 2.41. The onus therefore may fall to the remaining 60% of sites at extensions to suburban areas and rural areas of sites to deliver 100% of affordable needs. This would necessitate more than 30% affordable housing delivery on these sites (i.e. 30% of circa. 1,000 dwellings per annum on non-previously developed sites = 300 affordable homes a year).
- 2.42. To ensure affordable housing needs are achieved, even at 35% of gross household income, there is clear justification for increasing housing requirements focusing on further viable development i.e. suburban areas and rural areas.

## **Housing Requirement – Consideration of Reasonable Alternative**

- 2.43. As referenced above, we consider there are clear justifications (unmet need and affordable housing, potentially infrastructure) which necessitate further consideration of a housing requirement set at a level above minimum housing need level.



- 2.44. Alongside the preferred option (Option 3 - minimum housing needs), the Sustainability Appraisal (SA, June 2025) includes consideration of a 'Option 4' of minimum housing needs + unmet needs of 2,000 homes. This is as detailed in Appendix D of the SA.
- 2.45. Against most SA Objectives, the assessment concludes both options have similar potential to lead to adverse or significant adverse effects but considers Option 3 performs potentially slightly better because it "proposes a lower total quantum of growth". The only exception to this is SA Objective 7 (Housing) where, due to an increased quantum of growth, Option 4 could "potentially lead to greater positive effects".
- 2.46. It is recognised at para D.3.1.2 that, in general, less development would lead to less adverse impacts, i.e. no growth = no impacts. However later it is noted this would not be a sound option and the Plan needs to satisfy the local housing and economic needs for Medway, as a minimum.
- 2.47. Option 3 is identified as the preferred option on the basis it meets minimum housing needs. The request of GBC to accommodate unmet need is acknowledged but dismissed as referenced previously. The conclusion at D.3.2.4 states:

**Given Medway's environmental and transport constraints, all options could lead to similar challenges in terms of accommodating the required level of growth whilst avoiding or minimising potential for adverse effects. Overall, Option 3 is identified, by a narrow margin, as the best performing as it will meet the latest calculated housing and employment needs for Medway without risking compromising its environmental assets or social infrastructure via over-supply [emphasis added]**

- 2.48. Despite the acknowledgement in the SA the options would lead to similar impacts, the Council has not undertaken any further consideration of any housing requirement options beyond just minimum housing needs.
- 2.49. We consider this approach is flawed and, for the reasons referenced above, the SA should have given more weight to any increase in housing and affordable housing delivery. Without more detailed consideration it is irrational to conclude the 'harms' of

Option 4 would be any greater than Option 3. This needs assessing against a package of sites which could accommodate the uplift.

- 2.50. The “narrow margin” conclusion relating to Option 3 is not justified. We consider the housing requirement on this basis is not positively prepared, failing to assess whether it would be practical to accommodate unmet need from neighbouring areas as required by the NPPF.
- 2.51. Further work is necessary to test the reasonable alternative of accommodating an increased housing requirement including consideration of the spatial distribution and sites which would reflect this.
- 2.52. There are other sustainable sites which can allocated to address a higher housing requirement and deliver additional affordable housing, including Gleeson’s site at Land east of Buckland Road, Cliffe.

## Housing Supply

- 2.53. The Plan is lacking a clear ‘housing supply’ section or policy which set out how the Plan seeks to meet needs across the Plan period, including the components of supply and trajectory. This should be rectified through modification.
- 2.54. Supply is only referenced in the Plan under “how the plan has been prepared” where it is identified the requirement (minimum housing needs) equates to a need for 24,540 homes over the Plan period to be achieved through:
- Pipeline sites – 1,762 dwellings;
  - Local Plan allocations – 21,194 dwellings; and
  - Windfall sites – 1,584 dwellings.
- 2.55. This equates to exactly 24,540 dwellings (i.e. the minimum required) with no provision of a buffer contrary to para 1.3.7 which identifies “a small buffer”. The Annual Distribution of Housing Supply within the Land Availability Assessment (LAA, June 2025) identifies total supply at 24,743 which would give a marginal buffer of 203 dwellings (0.8%).

- 2.56. Para 1.3.7 directs readers to the LAA which provides “further details on the calculation and definition of components of housing land supply”. As above, we consider more information is needed within the Plan itself this should include a clear table setting out the distribution of growth and the split between brownfield / regeneration sites and greenfield sites.
- 2.57. Table 8 (Annual Distribution of Housing Supply) of the LAA identifies how the different components of supply are anticipated to deliver over the course of the Plan period. This should sit within the Local Plan itself. It should also identify any supply from allocated sites (i.e. strategic sites) which is expected beyond the current Plan period.
- 2.58. This identifies that in the first 5-years (2026/27 – 2030/31) it is anticipated there will be 9,918 homes delivered against a requirement (inc. 20% buffer moved forward from later in the Plan period) of 9,816 dwellings. The majority of this (8,042 dwellings) is from allocation sites.
- 2.59. A site-specific, annual housing trajectory is provided in Appendix G of the LAA. This provides more context behind Table 8. In our view, this highlights some of the delivery rates anticipated by the Council are unrealistic. For instance:
- GN6 – a brownfield site identified to deliver 100 dwellings per annum from 2026/27 (year 1) to 2030/31 (year 5). The site is subject to an application submitted May 2025 with 500 homes in ‘Outline’. A site of this scale is likely to take circa. 5-years from submission of application to delivery of first dwelling<sup>1</sup>.
  - SNF1, SNF3 and SR5 – collectively forming the Land West of Strood strategic site allocated to “provide a comprehensive cross border sustainable location for growth” with Chapter Farm in Gravesham Borough Council totalling 4,000 homes of which 1,280 are in Medway. Identified to deliver 450 dwelling in the 5-year period 2026/27 – 2030/31 despite no current applications or work towards the necessary cross-authority masterplan. Given the size could take at least 6-years from submission of first application to first delivery.
  - LW8 – part of the Capstone Valley urban extension with the site identified for circa. 2,330 homes with no application yet submitted. Identified to start delivering homes from 2027/28 and across the remainder of the Plan

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<sup>1</sup> Anticipated timescales taken from Lichfield’s “Start to Finish” Third Edition (March 2024)

period. Given the size could take at least 6-years from submission of first application to first delivery. Unlikely to deliver all anticipated dwellings within the Plan period.

- 2.60. In the cases above the Council has adopted “Agent’s minimum” build-out source. No clarity is provided as to why these are justified where they significantly diverge from industry best practice (i.e. Lichfield’s report as referenced at para 2.6.2 of the LAA).
- 2.61. The identified distribution of growth is unlikely to deliver homes as swiftly as the Council anticipate. It is, in our view, very unlikely the Council will be able to demonstrate a deliverable 5-year supply of housing on adoption of the Plan on the basis of the Plan submitted. Conversely, a number of sites which are identified to deliver in the short-term (5-years) and medium term (5 to 10 years) are unlikely to yield as many homes as identified until much later in the Plan period.
- 2.62. This is a consequence of the reliance on large brownfield sites, which are more complex and significantly less viable (as accepted by the Viability Report), and strategic greenfield sites, which inevitably take more time.
- 2.63. Whilst we do not consider this is a wholly inappropriate approach; it needs to be supported by sites which will deliver quickly to significantly boost the supply of housing now. The chosen strategy should not be at the expense of addressing housing and affordable housing needs in the short and medium term.
- 2.64. We consider this justifies the need for additional supply to increase housing delivery in the short and medium-term. This should be explored in the first instance, rather than delaying addressing housing needs in the short-term through use of a stepped trajectory.
- 2.65. The Site at Land east of Buckland Road, Cliffe represents a logical opportunity for increasing housing supply in this period, with a planning application shortly to be submitted for the Site and anticipated to be determined ahead of Examination of the Plan. In line with Gleeson’s experience elsewhere, it is anticipated the Site could deliver homes from Year 4 of the Plan (2029/30) onwards.

## Infrastructure Delivery

- 2.66. As referenced previously, the delivery of infrastructure is key to the success of the Plan. This is acknowledged throughout the Plan and its evidence base and reflects there is pressure on existing infrastructure currently being experienced across Medway.
- 2.67. The Infrastructure Delivery Plan (IDP, June 2025) highlights the Council has “significant infrastructure challenges due to its geographical position and historic growth” notably capacity on the road and rail network, increased risks from flooding and pressure on health and education services. This has in part been due to the lack of an up-to-date Plan helping to direct growth in a coordinated manner.
- 2.68. We consider the Plan presents an opportunity to correct this, however this needs to be a justified strategy which is robustly costed and, ultimately, deliverable.
- 2.69. At this stage, the IDP does not achieve this. There are several areas where further work is needed. This includes:
- Confirmation of the cost of infrastructure listed as “to be confirmed”;
  - Confirmation of the potential funding sources of those listed as “to be confirmed”;
  - Justification for how the assumptions of the cost of infrastructure have been come to, some of which are significant and appear excessive; and
  - Clarification on how the contributions are to be attributed.
- 2.70. Without clarity it is unclear whether the quantum of growth identified can support the infrastructure requirements / aspirations of the Plan in full.
- 2.71. Without the benefit of estimated costs and clarification on funding sources, the lower cost anticipated for infrastructure identified to be funded by Section 106 only equates to circa. £16,400 per dwelling. Applying the higher cost anticipated increases that figure to circa. £21,000 per dwelling. The figures will be significantly higher once TBC costs are identified (i.e. SN5-3-M2 J4) and clarification on how some other items will be funded (i.e. Flood defences).

- 2.72. The Local Plan Viability Assessment (June 2025) identifies an assumed £18,000 per unit in developer contributions on non-strategic sites, increasing to up to £35,283 for strategic sites. There is no clear justification for how these figures have been derived.
- 2.73. The Viability Assessment is clear from the outset (para 1.6) that “not all sites will be viable, even without any policy requirements or CIL. It is inevitable that Council’s requirements will render some sites unviable”. This is evidently clear in Table 10.4a – Table 10.4c which demonstrate that all previously developed land sites assessed are not viably able to support policy requirement including affordable housing and assumed developer contributions.
- 2.74. In this regard the Viability Assessment states at para 10.53:

**Brownfield site development is the least viable so the Council should be cautious about relying on such sites to deliver development. It is likely that it will be necessary to consider viability on brownfield sites at the development management stage.**

- 2.75. And at para 10.56:

**If the Council were to follow this advice, it would be necessary to be cautious in relying on brownfield sites in the five year land supply and overall housing trajectory, as the delivery of these is likely to continue to be challenging. It will be necessary to have regard to the progress of brownfield sites through the development management process and / or commitments from site promoters. This may influence the selection of sites for allocation.**

- 2.76. A lack of viability on brownfield sites (which make up circa. 40% of future supply) will increase the burden on viable greenfield sites to deliver the infrastructure requirements of the Plan. This will significantly increase the per dwelling infrastructure cost beyond that identified above. It does not appear this has been factored into the Viability Assessment work.
- 2.77. We consider this is a significant shortcoming which needs to be addressed. Certainty is needed for developers of viable sites to understand what contribution requirements are expected per dwelling.

- 2.78. Further, we do not believe there has been sufficient 'stress testing' of the infrastructure proposed to understand if it can support a higher quantum of growth which would have the benefit of further sharing the cost burden. Any additional growth should be focused on viable sites, i.e. greenfield development.

## Green Belt

- 2.79. NPPF para 145 states that once established, Green Belt boundaries should only be altered where exceptional circumstances are fully evidenced and justified through the preparation or updating of plans. Para 146 makes clear that exceptional circumstances include, but are not limited to, instances where an authority cannot meet its identified need for homes, commercial or other development through other means.
- 2.80. Further, para 147 sets out that the Council must be able to demonstrate that it has examined fully all other reasonable options for meeting its identified need for development. This includes:
- Making as much use as possible of suitable brownfield sites and underutilised land;
  - Optimising density; and
  - Being informed by discussions with neighbouring authorities about whether they could accommodate some of the identified need for development, as demonstrated through the statement of common ground.
- 2.81. The Green Belt covers circa. 5% of the Medway area which the Council identifies at para 4.12.2 to perform a "significant role" in maintaining a strategic gap between Gravesend and Strood. It attaches "great importance to the function provided by the Green Belt".
- 2.82. Nevertheless, the Council has taken the approach to propose allocations on what is currently Green Belt. Policy S7 (Green Belt) identifies the 'exceptional circumstances' for doing so stem from reviewing the boundary with Gravesham Borough and the allocation of land west of Strood (Policy SA6). This is further referenced at para 1.4.3 which identifies the Councils have:

**collaborated on joint technical work to inform their respective local plans and development strategies. This has established exceptional circumstances for reviewing Green Belt boundaries to meet housing needs**

- 2.83. It should be noted the Land West of Stood allocation, and its removal from the Green Belt, is justified on the basis of allocation of Chapter Farm by Gravesham Borough Council to create a cross border sustainable location for growth. The Gravesham Local Plan has yet to come forward to Regulation 19 stage. The allocation of Chapter Farm will need to be tested through Examination, with a joint session on Land West of Strood / Chapter Farm considered appropriate if timings align.
- 2.84. Further, it is our view this does not, alone, demonstrate there are exceptional circumstances which justify Green Belt release. Conversely, there is no evidence to demonstrate this is only option for meeting identified needs.
- 2.85. We consider exceptional circumstances have not yet been justified. On this basis, the Plan should be modified to remove proposed Green Belt release and other non-Green Belt suitable sites be allocated, i.e. Land east of Buckland Road, Cliffe.



### 3. Land east of Buckland Road, Cliffe

- 3.1. The Site, at Land east of Buckland Road, is located to the south-west of the village of Cliffe on the Hoo Peninsula. It comprises circa. 12.7 hectares of agricultural land currently in use as an orchard. The northern-most part of the Site is located immediately to the west of the rear of the existing residential properties of Symonds Road and the Cliffe Men's Social Club and to the west of the Eternal Lake Nature Reserve on the opposite side of Buckland Road.
- 3.2. To the north of the Site is part of the recently approved (at Appeal) Land to the East and West of Church Street, Cliffe application (ref. MC/22/0254). The parameters and indicative masterplan for that site indicate the neighbouring field (on the opposite side of Higham Road) to be utilised for semi-natural open space.
- 3.3. The appeal decision for the adjoining site (PINS ref. APP/A2280/W/22/3313673), issued November 2023, provided confirmation that Cliffe is a sustainable village with services and facilities to increase a growing population as well as bus services to larger villages and towns nearby. The Inspector concluded the proposals were wholly suitable for the village and would provide a plethora of benefits including enhanced sports and community facilities and public open space, alongside provision of market and affordable housing.
- 3.4. The Site has been proposed as a logical location for the continued growth of Cliffe as a sustainable location, complementing the scheme approved to the north.

#### Vision for the Site

- 3.5. Gleeson is promoting the Site as a suitable and sustainable location for residential development, seeking to bring forward development in accordance with the emerging Local Plan.
- 3.6. Since Regulation 18 stage work has advanced to the point where an Outline application is due to be submitted in Autumn 2025. This represents the culmination of technical and design work and discussions with the Council, consultees and other stakeholders. This includes forthcoming pre-application engagement with Medway Council in August 2025 and public consultation in September 2025.

- 3.7. Work completed indicates the Site is capable of supporting residential development through provision of a landscape and ecological-led scheme which responds positively to its surroundings.
- 3.8. This includes detailed work (summarised below) to understand the potential impacts of proposed development and users of the Site on the nearby South Thames Estuary and Marshes SSSI to the west. This is a key consideration which has informed the emerging proposals, identifying an appropriate green and blue infrastructure buffer area to the west of the Site. Through this, impacts on the SSSI will be wholly avoided.
- 3.9. Access for all users would be provided onto Higham Road, by way of a new priority access junction and new and enhanced pedestrian facilities. Discussions with the Highways Authority have confirmed the acceptability of the access proposals.
- 3.10. No significant constraints have been identified which cannot be overcome through good urban, landscape and ecological design and/or standard mitigation. This includes flood risk which has been discussed with the Environment Agency who confirm the risk arising from fluvial flooding in the 1in200yr undefended event including climate change can be accommodated within the proposals, only affecting a small area of the Site proposed for open space.
- 3.11. We consider the Site could support circa. 130 dwellings, including policy compliant levels of affordable housing and substantial provision of public open spaces, landscaping and areas for biodiversity net gain. This includes a new parkland edge to the west of the Site. A site plan is included in **Appendix A**.
- 3.12. Importantly, there are no viability concerns which indicate the Site could not sustain Local Plan policy expectations including affordable housing and developer contributions.

### Response to Council's Assessment

- 3.13. The Site has been assessed by the Council through its Land Availability Assessment (LAA) and Sustainability Appraisal (SA) evidence base as site SR6, Land east of Buckland Road, Cliffe.
- 3.14. The LAA identifies the Site has been submitted through the call for sites, however there is no indication that any of the information submitted by Gleeson at Regulation 18 stage

has been considered. This included responses to the Interim Sustainability Appraisal which identified inaccurate conclusions which had influenced the decision by the Council not to propose the Site for allocation. We are therefore concerned the Council has not adequately considered information submitted at Regulation 18 stage.

3.15. The LAA concludes that whilst the Site is available it is not suitable or achievable. We dispute these conclusions for the reasons as set out below.

3.16. The “Impact matrix for all non-strategic reasonable alternative sites post-mitigation” of Appendix I of the SA is as shown below for the Site (SR6) and others. Notably against the SA objectives SR51, which scores ‘worse’, is selected for allocation, as are SR48, SR49 and SR7 which score similarly to SR6. There is a lack of consistency in the approach taken by the Council.

Site ref.	Site use	1 Climate change mitigation	2 Climate change adaptation	3 Biodiversity and geodiversity	4 Landscape and townscape	5 Pollution and waste	6 Natural resources	7 Housing	8 Health and wellbeing	9 Cultural heritage	10 Transport and accessibility	11 Education	12 Economy and employment
SR48	Residential led	+/-	-	-	-	-	+	+	-	0	-	+	+
SR49	Residential led	+/-	-	-	-	-	-	+	-	0	-	+	+
SR5	Residential led	+/-	+	+/-	-	-	-	++	-	0	+	+	+
SR50	Residential led	+/-	-	-	-	-	+	+	-	0	-	+	+
SR51	Residential led (Mixed-use)	+/-	+	-	-	-	--	++	-	0	-	+	+
SR52	Residential led (Mixed-use)	+/-	+	-	-	-	--	++	-	0	-	0	+
SR6	Residential led (Mixed-use)	+/-	+	-	-	-	-	++	-	0	-	0	+
SR7	Residential led	+/-	+	+/-	-	-	-	+	-	0	-	0	+
SR8	Residential led	+/-	+	+/-	-	-	-	+	-	0	-	0	+

3.17. Appendix J of the SA summarises the reason for rejection of the Site for allocations as being:

**Close proximity to SSSI. Loss of BMV agricultural land. The development could lead to coalescence between settlements. Beyond reasonable walking distance to current public transport services.**

3.18. We dispute these conclusions for the reasons as set out below.

### **Proximity to SSSI**

- 3.19. The Site is located 10m to the east of the Thames Estuary and Marshes SPA, Ramsar and SSSI. The emerging proposals for the Site have fully considered the closeness of the designation boundary, informed by detailed ecological and noise technical work.
- 3.20. At Regulation 18 stage, ahead of that work being completed, proposals included provision of a significant circa. 100m buffer between the SSSI and built development as a precautionary approach to avoiding significant negative effects from the proposals.
- 3.21. Subsequently, it has become evident whilst a buffer is justified the size of this can be reduced. This is reflected in the updated proposals for the Site which include a 60m buffer (**Appendix A**).
- 3.22. The rationale for this, and in response to the Council's SA conclusions, is as summarised in an Ecological Technical Response provided at **Appendix B**.
- 3.23. As detailed in the Response, it is important to assess whether the Site supports 'functionally linked land', land outside the designated area which may be found to be similar and therefore linked or has the ability to support species for which the site has been designated for. In this case wintering and breeding birds and water birds assemblages of the Thames Estuary and Marshes.
- 3.24. The Site habitats are not considered to be of ecological value. It is an active pear orchard, with several wind breaks and small pocket of neutral grassland. Naturalised habitats on Site are limited in nature and extent. These are common and widespread habitats. These habitats are not present within the SPA, Ramsar or SSSI and as such would not be considered functionally linked in terms of habitat types.
- 3.25. Wintering bird surveys and summer bird surveys completed show that the habitats within the Site do not support any water birds or birds which form part of any designations, notably the Thames Estuary and Marshes SPA, Ramsar and SSSI, or any of the wider Kent Coastal SPAs within 10km of the red line boundary. Considering this, the loss or alteration of this habitat would not result in any loss of supporting functional habitat.

- 3.26. In respect of other impacts associated with development and the designated sites, the proposals include a buffer along the western boundary which will include SUDs, providing a wetlands area within the site and ensuring that no impacts on water quality would occur as a result of runoff from the development. This will create habitat which is currently not present on site.
- 3.27. As this area will be dedicated to SUDS systems and new tree planting / hedgerow planting, light levels will be minimal and the development will incorporate dark corridors along the boundaries of the Site.
- 3.28. Noise surveys conducted show that the road networks are experiencing high levels of noise, approximately 62-64 dB, which were dictated by traffic on the roads largely due to HGVs travelling to and from the aggregate suppliers. The noise levels currently extend into the habitats on site, and into the surrounding designated sites with 50dB is predicted to extend into the External Lakes Nature Reserve at approximately 30m from the road network currently. Assumptions made for future construction activity on site, identify that the additional construction works are unlikely to extend noise levels further into the off-site designated areas. Therefore, noise levels are likely to remain as existing along the road networks adjacent to the designated sites.
- 3.29. Considering the above, the lack of functionally linked habitat, the habituation of noise levels, the use of SUDS and use of recreation pathways within the site, impacts are not considered likely to impact the integrity of the designated sites.
- 3.30. Impacts on biodiversity are therefore at worse neutral, with a likely positive impact through creation of new habitats (including at least a 10% Biodiversity Net Gain). No negative impacts are anticipated on the nearby designated sites. The Council's conclusion is therefore not justified.

#### **Loss of BMV agricultural land**

- 3.31. The Local Plan has sought to, where possible, maximise the delivery of housing on brownfield / urban regeneration sites. However, this has only achieved circa. 40% of the overall housing requirement. Further, as referenced previously, the Evidence Base

is critical on the ability of these sites to deliver much needed affordable homes and/or other policy expectations (including infrastructure contributions).

- 3.32. Inevitably, in order to meet housing needs there will be a requirement to look to edge of settlement greenfield sites. These are often best and most versatile agricultural land (Grade 1 – 3) as recognised by the SA (para D.2.7.1):

**Medway is largely built-up in the south, with the land being predominantly ‘urban’ and Grade 3 according to the Agricultural Land Classification (ALC), whilst the Hoo Peninsula in the north and areas surrounding Rainham contains large areas of Grades 1, 3 and 4 land. Grades 1, 2 and 3a represent the best and most versatile (BMV) agricultural land and should be conserved for food production wherever possible. Much of the BMV land is adjacent to existing settlement boundaries in suburban and rural locations. Due to its geography, Medway has a high proportion of BMV land.**

- 3.33. Nevertheless, the SA identifies use of Grade 1 – 3 agricultural land as being negative (up to 20ha) or significantly negative (over 20ha) against SA objective 6 (Natural Resource). The Site therefore scores negative, being under 20 hectares of agricultural land.
- 3.34. Whilst identified as a reason for rejection by the Council this is clearly not consistent with other greenfield allocations. The Council has chosen to allocate these sites despite the SA negative or, in the case of a number of sites, significant negative conclusion.
- 3.35. The rationale for rejecting sites on the basis they would lead to loss of agricultural land is therefore not justified and demonstrates an inconsistent approach to site selection.

#### **Coalescence between settlements**

- 3.36. A Landscape and Visual Technical Note (**Appendix C**) has been prepared to provide a high-level landscape and visual analysis of the potential development of the Site. This includes consideration for the SA comments on coalescence.

- 3.37. As set out in the Note, the Site is situated adjacent to the south-western edge of Cliffe and lies within a landscape that, while rural in origin, is influenced by surrounding infrastructure and settlement.
- 3.38. The Site falls within Landscape Character Area F1: Cliffe, as defined in the Medway Landscape Character Assessment. The published strategy and management guidelines for this area support the enhancement of rural character, retention and regeneration of hedgerows, softening of settlement edges, and protection of visual and recreational qualities. The Site offers multiple opportunities to respond positively to these objectives.
- 3.39. From a visual perspective, the Site is largely contained to local receptors, with views limited by vegetation, built form, and topography. Where visible, the Site is seen in the context of existing settlement and infrastructure, including the adjacent residential edge of Cliffe and the Brett Aggregates transport corridor.
- 3.40. In respect of potential coalescence, the Site lies approximately 1km north of Cliffe Woods and is physically and visually separated by a combination of strong landscape features. This includes:
- the east–west railway corridor;
  - two lines of high-voltage pylons;
  - intervening vegetated fields; and
  - rising topography
- 3.41. These elements form a robust and layered barrier that prevents both physical and visual merging of the settlements.
- 3.42. Views between Cliffe and Cliffe Woods are limited and fragmented, with the northern edge of Cliffe Woods largely obscured by vegetation and landform. Where intervisibility does occur, it is filtered and contextualised by existing infrastructure and landscape features.
- 3.43. As such, there is limited potential for development of the Site to result in coalescence. The conclusions of the Council are unjustified in this respect.

- 3.44. The Site presents an opportunity to accommodate a sensitively designed residential development without undue harm to landscape character or visual amenity.

#### **Beyond reasonable walking distance to current public transport services**

- 3.45. To support the promotion of the Site a Transport Accessibility Statement (**Appendix D**) has been prepared. This includes a response to the SA comments.
- 3.46. As detailed in the Statement, the emerging proposals for the Site are in accordance with Council's emerging standards in Policy T26. This demonstrates the Site is within a 15 minute travel time by foot, bicycle or public transport of the key services and amenities that have been identified as a 'Local destination' that will help to promote local living, and therefore minimise the number of vehicle trips generated.
- 3.47. The Site would partly be within 300m of a regular bus service (service 133 providing services every 30 minutes towards Chatham) as prescribed within Policy T26. The remainder of the site would be at a distance slightly in excess of this, but accessible via a simple and direct route which is proposed to be improved through the proposals.
- 3.48. It is therefore not justified to conclude the Site would be beyond reasonable walking distance to current public transport services.
- 3.49. Conversely, the Site is in an accessible location with connectivity by active or sustainable modes of transport to local service and amenities.

#### **Conclusions on suitability**

- 3.50. Planning guidance (ref. Paragraph: 018 Reference ID: 3-018-20190722) states regarding suitability:

**A site or broad location can be considered suitable if it would provide an appropriate location for development when considered against relevant constraints and their potential to be mitigated**

- 3.51. As set out above, we dispute the conclusions of the Council which have led to the Site being rejected for allocation based on the above considerations. These have all been



robustly responded to, demonstrating the Site represents a suitable opportunity for residential development in a sustainable location.

- 3.52. There is, in our view, no justified rational for determining the Site is not suitable. Conversely, the Site should be identified as suitable, consistent with the conclusions made by the Council for neighbouring site SR51 which is proposed for allocation.

### **Conclusions on achievability**

- 3.53. Regarding availability the PPG (ref. Paragraph: 020 Reference ID: 3-020-20190722) states the following:

**A site can be considered available for development, when, on the best information available (confirmed by the call for sites and information from land owners and legal searches where appropriate), there is confidence that there are no legal or ownership impediments to development. For example, land controlled by a developer or landowner who has expressed an intention to develop may be considered available**

- 3.54. There is no indication as to why the LAA concludes the Site is not 'achievable'.
- 3.55. The Site is under the control of Gleeson Land, through promotion agreement with the landowners. It is therefore available and there are no issues which would impact the delivery of housing on the Site.
- 3.56. The Site is clearly achievable.
- 3.57. Further, we consider the Site could reasonably be expected to deliver first homes within the first 5-years of the Plan.
- 3.58. Gleeson has a strong track record in obtaining implementable and deliverable planning approvals. Over the past 5-years we have obtained planning approval for around 6,500 dwellings with a median time taken from validation to first house sales of 4.3 years. This is a timeframe lower than the national median for comparable sized sites.

3.59. An Outline planning application is due to be submitted in Autumn 2025, subject to this it could be reasonable to expect determination by end of 2026 either locally or via appeal. Our expectations for delivery are as set out below:

- Autumn 2025 – submission of planning application;
- End of 2026 – Outline approval;
- Q1 2027 – site marketed;
- Q3 2027 – site sold to developer;
- Q1/2 2028 – Reserved Matter submission;
- Q4 2028 – Reserved Matters approval;
- Q1/2 2029 – construction commences;
- Q4 2029 – first completion;
- 2029/30 (Year 4) – 20 dwellings complete;
- 2030/31 (Year 5) – 50 dwellings complete;
- 2031/32 (Year 6) – 50 dwellings complete; and
- 2023/33 (Year 7) – 10 dwellings complete.

3.60. The Site could therefore deliver 70 dwellings within the first 5-years of the Plan period, contributing towards the 5-year supply. This should be acknowledged through allocation of the Site and inclusion within the Plan trajectory.

## 4. Summary

4.1. As set out herein there are areas of the Plan which need further work, clarification or modification before the Plan can achieve the tests of soundness as set out in the NPPF.

In our view this includes:

- The Plan period being modified to cover the required 15-year period post adoption (including necessary changes to housing requirement);
- Further consideration of a housing requirement set at a level above minimum housing need, including consideration of the spatial distribution and site selection which would reflect this;
- Clarification within the Plan of which areas are considered “high value” and “lower value” for affordable housing;
- Addition of information within the Plan clearly setting out the components of housing supply and the anticipated Plan trajectory;
- Consideration of realistic delivery rates for housing sites including identifying more sites which can deliver in the short and medium-term;
- Addressing gaps within the Infrastructure Delivery Plan;
- Providing clarity on which sites are likely to contribute towards necessary infrastructure and the expected contribution requirements for allocated and non-allocated sites; and
- Removing Green Belt allocations on the basis exceptional circumstances is not justified.

4.2. We consider in order to meet housing needs, both in the short-term and across the extended Plan period, there will be the need for additional sites to be allocated. These should be sites which are in sustainable locations which are available, suitable and achievable, with a realistic expectation they will deliver early in the Plan period.

4.3. Further, the focus should be on greenfield sites which can contribute towards the delivery of affordable homes and other policy expectations, including infrastructure contributions.

4.4. The Site at Land east of Buckland Road, Cliffe meets all these criteria. As set out in Section 3 the previous conclusions of the Council which led to the rejection of the Site for allocation are unjustified.

- 4.5. Conversely, the technical and design work completed to date demonstrates residential development can be delivered on the Site in a way which successfully integrates into the wider surroundings. Development would not lead to significant impacts on the environment, including the nearby designated sites.
- 4.6. The Site should therefore be allocated within a modified Plan which addresses the comments provided.



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Proposed Residential Development

NOTES:  
Do Not Scale.  
Report all discrepancies, errors and omissions.  
Verify all dimensions on site before commencing any work on site or preparing shop drawings.  
All materials, components and workmanship are to comply with the relevant British Standards, Codes of Practice, and appropriate manufacturers recommendations that from time to time shall apply.  
For all specialist work, see relevant drawings.  
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Rev	Date	Description
A	23/05/2025	Issued to Team
B	04/06/2025	Issued to Team
C	10/06/2025	Issued to Team
D	01/07/2025	Issued to Team
E	23/07/2025	Additional Fencing on Eastern Side
F	01/08/2025	Issued to Team
G	05/08/2025	Amendment to red line

KEY	
	Application Red Line Boundary
	Other land within Ownership
	PROW
	Roads
	Potential Locations for LEAP / LAP

Project Title  
Gleeson Land  
Residential Development  
Land at Buckland Road  
Cliffe, Rochester  
ME3 7SJ

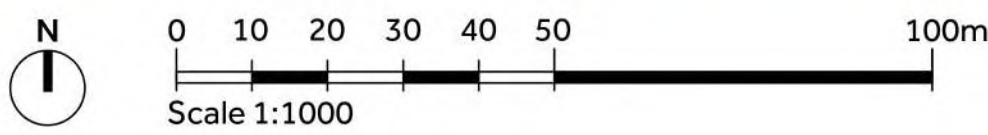
Drawing Description  
Proposed Masterplan Concept  
Indicative Plot Level Layout

Scale 1:1000 at A0	Drawn by HM/MH
Date August 2025	Checked by MC

CLAGUE ARCHITECTS

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CANTERBURY	LONDON
HARPENDEN	

Drawing Number 31145B_101	Revision G
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**Job Name:** Buckland Cliff Road  
**Date:** 24/07/2025  
**Prepared By:** Alexia Tamblyn  
**Subject:** Technical Response – Reg 19

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### Site Location and Ecological Summary

The site is located 10m to the east of the Thames Estuary and Marshes SPA, Ramsar and SSSI. The allocation of the site must ensure that the plan adheres to environmental laws and regulations with regards to protected habitats and designated sites. With regards to this site, the assessment focuses on potential impacts on the Thames Estuary and Marshes, due to the closeness of the site to the designation boundary.

Due to the closeness of the designated site, a review of the site in terms of Habitats Regulations Assessment (HRA) is required. The technical information to support the HRA therefore must assess whether the site supports 'functionally linked land', land which is outside the designated area (here Thames Estuary and Marshes') and whether the site supports either habitats which may be found to be similar and therefore linked, or the ability of the site to support species for which the site has been designated for. In this case wintering and breeding birds and water birds assemblages of the Thames Estuary and Marshes.

Birds are mobile and species that are qualifying features of the SPA, either individually or as a part of the waterbird assemblage, may feed on land outside of the SPA boundaries. Occasionally impacts to such habitats can have a significant effect upon the special interest of a European site, through an impact on conservation objective 4 (effect on the population). Habitats used by significant numbers of qualifying features of the SPA are defined as *functionally linked* to the site and so require assessment under the Habitats Directive and Regulations, as if they were within the SPA boundary.

The habitats on site, on land at Buckland Cliffe road, is an active pear orchard, with several wind breaks and small pockets of neutral grassland. The naturalized habitats on site are limited in nature and extent. The site is well managed and this management includes grassland and hedgerow and tree line management and likely management for pest control.

The site habitats are not considered to be of ecological value. These are common and widespread and of limited ecological value. These habitats are not present within the SPA, Ramsar or SSSI and as such would not be considered functionally linked in terms of habitat types.

Wintering bird surveys and summer bird surveys (details provided below), show that the habitats within the red line boundary do not support any water birds or birds which form part of any designations, notably the Thames Estuary and Marshes SPA, Ramsar and SSSI, or any of the wider Kent Coastal SPAs within 10km of the red line boundary. Considering this, the loss or alteration of this habitat would not result in any loss of supporting functional habitat.

The surveys completed, both wintering and breeding bird surveys, are sufficient to assess the potential functional linkages. Supporting information of the on site habitats, through work associated with the preliminary ecological appraisal and condition assessments of the habitats, identify that the habitats are not of value to water birds or birds of the assemblage that use the SPA, Ramsar.

#### **Survey summary;**

- **Winter birds** survey were conducted on the 27/10/2024, 29/11/2024, 27/12/2024, 10/01/2025 and 28/02/2025. No species of the qualifying features of Thames Estuary & Marshes were recorded to be present on site during any of the survey visits. No species of the qualifying features of the Medway Estuary & Marshes (SPA and Ramsar) or Benfleet & Southend Marshes (SPA and Ramsar).
- Waterbirds recorded during the survey included Black-headed Gull, Common Gull, Great Black-backed Gull, Herring Gull, Mediterranean Gull, and Mute Swan. All of which were recorded flying over the site. These species were recorded in low numbers (singletons / several individuals).
- The priority and BAP species utilising the habitats on site / foraging within the site boundary included dunnock, house sparrow and starling. Skylark were recorded flying over the site. These were not recorded foraging within the site. Other species of note included fieldfare, with low numbers initially recorded foraging on site and 60 birds recorded flying over the site. Redwing and Mistle thrush recorded foraging.
- **Summer / breeding bird surveys** were conducted on the 20/03/2025, 01/04/2025, 15/04/2025, 03/05/2025, 07/06/2025 and 19/06/2025. No species of the qualifying features of Thames Estuary & Marshes were recorded to be present on site during any of the survey visits. No species of the qualifying features of the Medway Estuary & Marshes (SPA and Ramsar) or Benfleet & Southend Marshes (SPA and Ramsar).
- Black-headed Gull, Canada Goose, Egyptian Goose, Greylag Goose, Grey Heron, Herring Gull, Mallard, and Mediterranean Gull were recorded flying over the site during the survey period. These species did not land on the site, did not interact with the habitats within the red line



boundary, and were not recorded breeding on site. The site did not support any suitable breeding habitat for these species.

- Linnet and dunnock were recorded breeding on site, with house sparrow possible breeding. Greenfinch were also considered probable breeders on site. Cuckoo were recorded off site, calling in Cliffe Pools. Turtle dove were also recorded calling in Cliffe Pools.
- **Reptiles Surveys.** No reptiles were identified on site.
- **Bat Surveys.** Bat surveys on going. No bat potential trees present on site.

### **Habitat Regulations Assessment Review (HRA Review)**

Medway Council are preparing the Reg19, in support of the new Local Plan. Medway need 1,636 new homes a year to keep up with how Medway's population is forecast to grow. This is a total of nearly 24,540 between now and 2041. As such the new local plan seeks to address areas for new housing, amongst other aspects, including identifying areas that are key for protecting wildlife and the environment and responding to climate change.

The HRA for Medway (Arup 2018) identifies potential for impacts resulting in habitat loss and fragmentation, including loss of functionally linked habitats, disturbance from recreation and development impacts on wetlands and coastal water systems, alone and in combination with other developments. Recommendations for include the use of SUDS, SAMMS funding through the Kent Marshes avoidance strategy, provision of a robust green infrastructure plan and the review of air quality networks.

Project level survey work and assessment is required for any developments within the North Kent Marshes Functional Land IRZ to ascertain the importance of these habitats to qualifying species and establish whether there is potential for the development to adversely impact the integrity of European sites. Any applications within these allocated sites should be subject to a project level HRA

The survey work conducted to date confirm to the HRA requirement processes. The project level HRA confirms that the site is not functionally lined habitat and therefore the loss or alteration of the habitats on site would not result in implications on the integrity of the SPA, SAC, SSSI. As such impacts on these designated sites of loss of habitat and habitat fragmentation will not occur as a result of the development.

In terms of recreation, SAMMS funding will be provided. Furthermore, the proposals aim to support significant areas of open space provision within the site, including circular walking routes. Open space

provision, the provision of play opportunities and the circular walks, will provide on site day to day recreation value.

With regards to other impacts associated with development and the designated sites, the use of SUDS within the site will provide a boundary and buffering of the housing along the western aspect, providing a wetlands area within the site and ensuring that no impacts on water quality would occur as a result of runoff from the development. The provision of SUDS will also create habitat which is currently not present on site, and may be used (especially once established) by species for which the SPA was designated. Policy NE7 requires consideration of the impact of proposals on surface and groundwater systems and the incorporation of appropriate mitigation measures. The proposed development would be fully policy compliant.

Urbanisation impacts such as lighting levels and noise levels have also been reviewed in terms of potential impacts on the integrity of the designated sites.

Light levels will be kept low along the western aspect of the site. Furthermore, as this area will be dedicated to SUDS systems and new tree planting / hedgerow planting, light levels will be minimal. A lux plan can be provided, but a condition of planning would ensure that lux levels are low, in line with up to date bat guidance. Whilst the concern for bats is noted, in this case it is the birds flying over sites which can be impacted by changes in light levels. As the site is on the settlement edge, light from housing and street lighting, is already present. Light levels will be kept low and the development will incorporate dark corridors along the boundaries of the site, notably the western and southern boundaries, as robust dark corridors for waders, water birds and bats.

Noise surveys conducted along road networks at Buckland Road and Salt Lane, show that the road networks are experiencing high levels of noise, approximately 62-64 dB, which were dictated by traffic on the roads largely due to HGVs travelling to and from the aggregate suppliers. The noise levels currently extend into the habitats on site, and into the surrounding designated sites with 50dB predicted to extend into the External Lakes Nature Reserve at approximately 30m from the road network currently. As such, there is a level of ambient noise levels and therefore an assumed level of habituation from birds residing in the External Lakes area, where the aggregate extraction and the road network is located.

Reviewing Waterbird Disturbance Mitigation Toolkit Informing Estuarine Planning and Construction Projects (Produced by the Institute of Estuarine and Coastal Studies (IECS) University of Hill. 2013)

states that different bird species have differing tolerance levels and birds are liable to habituation, as such, context is an important consideration when reviewing potential disturbance impacts. They state; *'Moderate noise disturbance is typified as high level noise which has occurred over long periods so that birds become habituated to it. This encompasses occasional noise event above 55dB, regular noise 60-72dB and long term regular noise above 72dB, where birds have become habituated.'*

Species recorded in the SPA include avocet, ringed plover, grey plover, dunlin, common redshank and black tailed godwit. Reviewing the literature, redshank show acceptance of up to 70dB , but respond with caution from above 55dB. Bar tailed Godwit are of moderate sensitivity, with species such as ringed plover being reasonable tolerant with habituation. Considering the existing noise levels, the SUDS buffer and the retention of mature trees, impacts from construction noise are considered unlikely.

Assumptions made for construction, identify that the additional construction works are unlikely to extend noise levels further into the off site designated areas, and therefore noise levels are likely to remain as existing along the road networks adjacent to the designated sites. Regardless of this, measures for noise mitigation will be included in the construction process. This will include, but not limited too, protection of the mature tree line on the western aspect of the site (using tree protection fencing), the use of screening along the western aspect, to ensure noise levels are limited.

Considering the above, the lack of functionally linked habitat, the habituation of noise levels, the use of SUDS and use of recreation pathways within the site, impacts on the SPA are not considered likely to impact the integrity of the Thames Marshes and Estuary.

### **Other Policy Requirements**

The Medway Development Strategy Includes section 7, The Natural Environment and Green Belt. This states;

*The council's approach to the conservation and enhancement of the natural environment will embed green infrastructure planning in both rural and urban areas and promote improved connectivity and functionality. Understanding and embracing Green Infrastructure functionality will assist Medway in delivering improvements in urban air quality, sustainable drainage, biodiversity, rich open spaces and safer access routes, and in securing sustainable developments both within its spatial options and urban areas.*

Policy NE1 Sites of international importance for nature conservation, defined a 6km zone of influence of the SPA where the North Kent Strategic Access management and Monitoring Strategy (SAMMS) Project will be required. The site at Cliffe lies within this 6km ZOI and therefore SAMMS contributions

will be made. Policy NE 2, conservation and enhancement of the natural environment is a policy that aims to strengthen biodiversity networks within the landscape.

The site is not designated for its nature conservation value. The site does lie adjacent (within 10m) of the Thames Estuary and Marshes SPA and Ramsar Site. The site has been surveyed for its potential value as functionally lined land. The surveys did not identify any water birds using the site during the summer or winter months. The habitats on site, common and widespread and managed under cultivation, do not support the habitats for which these species would rely upon.

As such, the loss or alteration of this habitat would not impact upon the integrity of the designated site through habitat loss or fragmentation.

The site has been reviewed in terms of other impacts, notably noise, lighting and recreation impacts. It is considered that the design of the development (including the use of SUDS, the retention of mature trees around the edges of the site) and the mitigation measures for lighting and noise impacts, that there would be negligible effect on the designated site, and the integrity of this site would not be impacted by the proposals.

# Landscape and Visual Technical Note



Tyler  
Grange

Land south of Higham Road,  
Cliffe  
August 2025

TG Report No. 17771\_R02A\_EC/MB

Project No:	Report No.	Date	Revision
17771	R02	August 2025	A
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## Plans:

- Plan 1: Zone of Theoretical Visibility
- Plan 2: Landscape Opportunities and Constraints



# Section 1: Introduction

- 1.1. This Landscape and Visual Technical Note has been prepared by Tyler Grange Group Limited (TG), on behalf of Gleeson Land, to provide a high-level landscape and visual analysis for the potential development of a Site located to the south of Higham Road, Cliffe, hereafter referred to as the 'Site'.
- 1.2. The purpose of the note is to:
  - Present the high-level findings of a desktop-based study of relevant landscape planning documents, designations and published landscape character assessments;
  - Provide the high-level findings of a field-based landscape and visual walkover to assist in the understanding of the Site and its local context; and
  - Establish the opportunities and constraints (considerations) relating to landscape/visual matters to inform emerging design proposals.
- 1.3. This note follows the recommendations outlined in the *Guidelines for Landscape and Visual Impact Assessment* (GLVIA), Third Edition, published by the Landscape Institute (LI) and the Institute of Environmental Management and Assessment (IEMA) in 2013. It has been written and reviewed by Chartered Members of the Landscape Institute (CMLI) to ensure alignment with industry best practice.

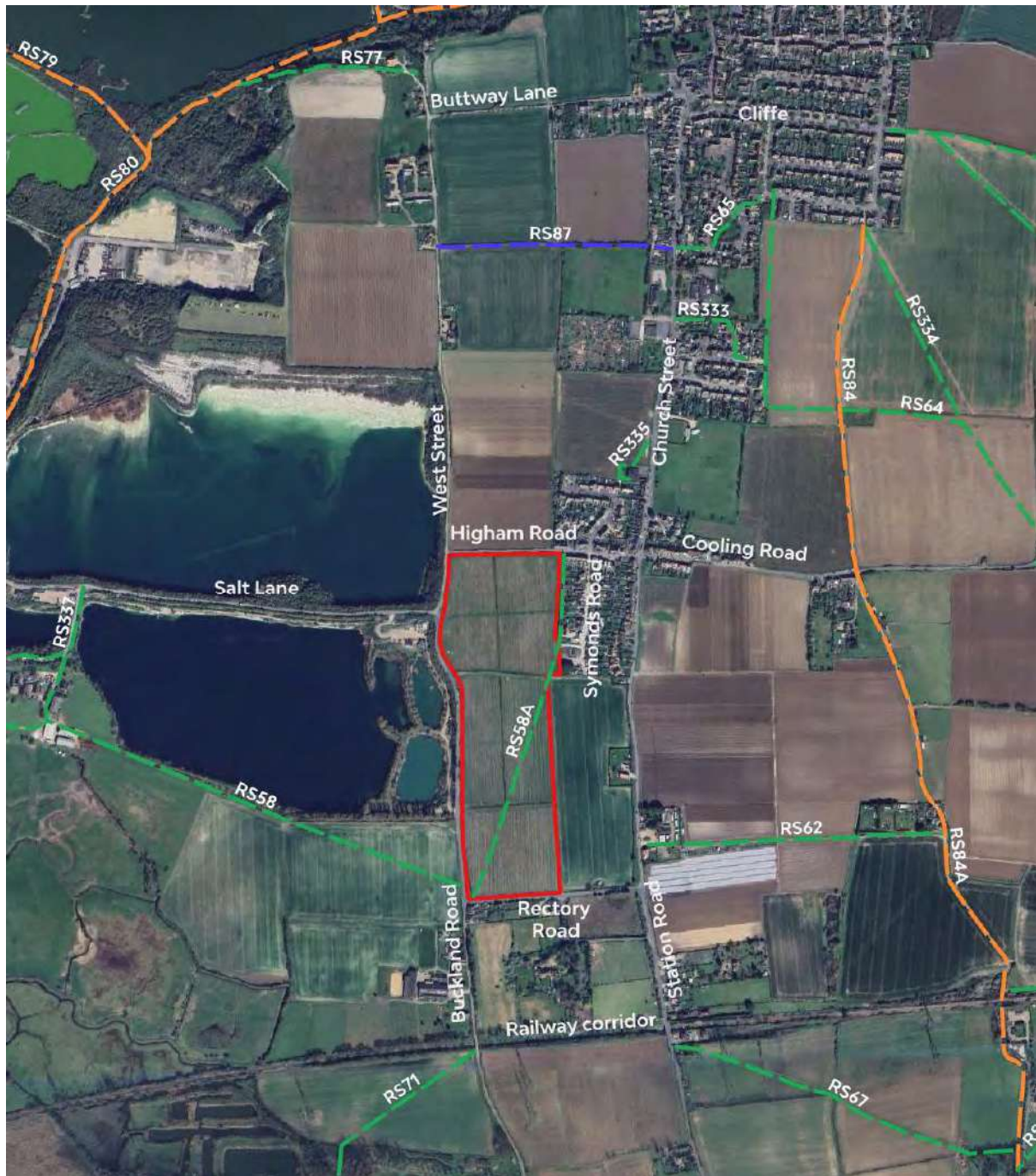
## Site Context

- 1.4. The Site is located to the south of Higham Road, at the south-western edge of Cliffe, on the Hoo Peninsula, Kent. The Site comprises c. 12.7 hectares of agricultural land which is currently in use as an intense orchard for production purposes. The northern-most part of the Site lies immediately west of existing residential properties along Symonds Road and the Cliffe Men's Social Club. Adjacent to the western boundary, across Buckland Road, is the Eternal Lake Nature Reserve.
- 1.5. In addition to a farmed orchard, the Site includes several internal shelterbelts, intended to protect the orchard crop. Shelterbelts are also present along sections of the eastern, southern, and western boundaries. The northern and northeastern boundary defined by a managed hedgerow. A Public Right of Way (PRoW), footpath RS58A, runs diagonally across the Site, from the south-western corner, to the north-eastern corner, where it continues along the settlement edge of Cliffe.
- 1.6. The Site slopes gently from north to south, with the highest point of the Site towards the north-eastern corner, at approximately 10.6m AOD, adjacent to settlement. The southern edge of the Site has a height of approximately 9.9m AOD. Within the wider Study Area, the landscape is predominantly flat and low-lying to the east and west. The landform gently rises to the south, towards Cliffe Woods and to the north, towards Buttway Lane.
- 1.7. As shown on **Figure 1** below, Higham Road extends along the entire northern boundary. The north-eastern boundary adjoins residential properties along Symonds Road. Agricultural fields lie adjacent to the south-eastern boundary, with Station Road and an isolated dwelling





located further east. Rectory Road extends along the entirety of the southern boundary, with a cluster of individual dwellings located to the south of Rectory Road. Buckland Road extends along the western boundary, which links to the Eternal Lake Nature Reserve and Brett Aggregates Plant to the west.



**Figure 1: Aerial overview of the Site and its context. The Site is denoted by a red line**

- 1.8. The wider land use surrounding the Site predominantly comprises a mix rectilinear medium to large scale arable and pastoral fields, interspersed by settlements and small clusters of dwellings and farmsteads. Large waterbodies associated with the nature reserve are located to the west, with the expansive Brett Aggregates Plant located along Salt Lane. Surrounding fields are delineated in places by hedgerow boundaries, while in other areas, more open field



boundaries allow views across the landscape towards the existing settlement of Cliffe. To the south-west, within the floodplains, field patterns become more irregular and vegetation is found along watercourses

- 1.9. South of the Site lies a well vegetated railway corridor and two lines of high voltage pylons, of which form prominent linear features within the landscape. Brett Aggregates is located to the west of the Site, west of the Eternal Lake Nature Reserve. The primary transport route for vehicular access to Brett Aggregates is via Rectory Road, Buckland Road and Salt Lane, to the south and west of the Site.
- 1.10. The settlement of Cliffe Woods is situated approximately 1.3 km to the south of the Site. It is separated from Cliffe by the east-west running railway corridor and two lines of high voltage pylons. Additional physical and visual separation is provided by mature field boundaries and rolling topography.
- 1.11. To the north of the Site lies part of the recently approved (at Appeal) application for 'Land to the East and West of Church Street, Cliffe' (ref. MC/22/0254) (see **Figure 2**) . The application includes provision for a residential development of up to 250 dwellings and a mixed use community hub, together with associated infrastructure including public open space and community facilities, comprising a replacement sports ground and pavilion. The parameters and indicative masterplan indicate that the neighbouring field to the north of the Site is to be utilised for semi-natural open space.



# Section 2: Landscape Designations and Planning Policy

## Landscape and Spatial Designations

- 2.1. As shown on **Figure 2**, the Site does not lie within or adjacent to any national or local landscape designations. There are three Listed Buildings to the south of the Site. The South Thames Estuary and Marshes SPA and SSSI (known locally as Eternal Lake Nature Reserve) is situated to the west of the Site, adjacent to Buckland Road. There are two areas of 'Open greenspace' to the north-east of the Site, within Cliffe. The extent of the approved Planning Application (MC 22/0254) is denoted by a blue hashed line. There are no known 'published' views within the Site or the Study Area.

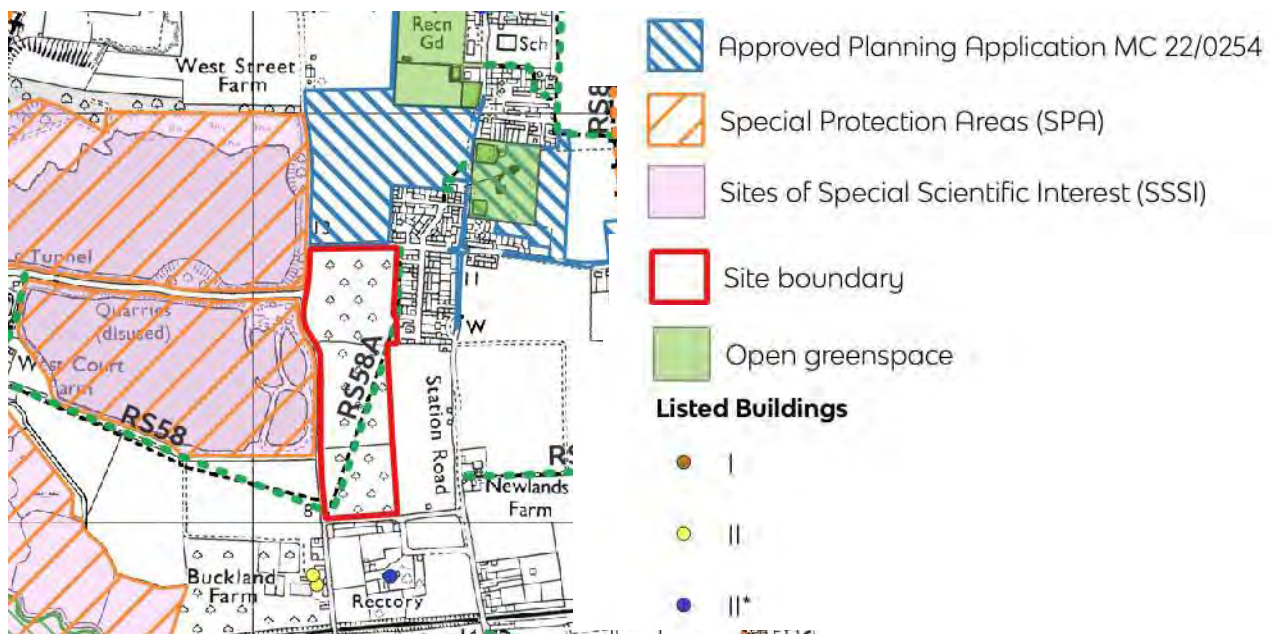


Figure 2: Spatial Designations

## Planning Policy

- 2.2. In relation to planning policy, the Site lies within the administrative area of Medway Council and within the Parish of Cliffe and Cliffe Woods.

### Medway Local Plan 2003

- 2.3. In relation to landscape and visual matters, the following policies are considered to be relevant:
- Policy S4: Landscape and Urban Design: 'A high quality of built environment will be sought from new development, with landscape mitigation where appropriate.'



Development should respond appropriately to its context, reflecting a distinct local character’;

- Policy BNE1: General Principles for Built Development;
- Policy BNE6: Landscape Design ‘Major developments should include a structural landscaping scheme to enhance the character of the locality. Detailed landscaping schemes should be submitted before development commences’;
- Policy BNE25: Development in the Countryside;
- Policy BNE42: Hedgerow Retention;
- Policy BNE43: Trees on Development Sites;
- Policy L10: Public Rights of Way.

### **Cliffe and Cliffe Woods Neighbourhood Plan (Adoption Version, May 2023)**

2.4. The Site falls within the Cliffe and Cliffe Woods Neighbourhood Plan area. The following policies within the Neighbourhood Plan are considered relevant to landscape and visual matters:

- Policy SUSDEV1: Settlement coalescence;
- Policy SUSDEV4: Character;
- Policy SUSDEV5: Infrastructure Sufficiency Statement;
- Policy H6: House Design.

2.5. In addition to the policies, the Neighbourhood Plan also states that *‘The villages of Cliffe and Cliffe Woods can be seen from a wide distance from the rest of the Neighbourhood Plan area which is principally countryside; the design of new homes needs to consider this visibility and the resultant need to carefully consider its interface with the wider areas in terms of appropriate design for its setting’.*





## Section 3: Landscape Character

- 3.1. A walkover of the Site and study area was completed in March 2025, where an initial analysis of the landscape character of the Site and its surroundings was undertaken. This section of the note summarises the findings of this analysis.

### National Character

- 3.2. At a national scale, the site lies within National Character Area (NCA) 113: North Kent Plain. This NCA encompasses surrounding landscapes to the south, with landscape to the north-east located within the adjacent NCA 81: Greater Thames Estuary.
- 3.3. NCA 113 encompasses an area of *'open, low and gently undulating productive agricultural land'*. *'Traditional orchards, soft fruits and other horticultural crops'* are present within the landscape. These are *'often enclosed by poplar or alder shelterbelts and scattered small woodlands'*. The Site and surrounding landscape exhibit the above key characteristics, however, there are other wider key characteristics of the North Kent Plain which do not relate to the Site.

### Local Character

#### The Landscape Assessment of Kent (October 2004)

- 3.4. This Landscape Assessment identifies a series of Landscape Character Areas for the County. The Site and its surroundings are located within the *'Hoo Peninsula Landscape Character Area'*. The following published *'characteristic features'* are considered relevant to the Site and its surroundings:
- *'Flat, undulating farmland;*
  - *Decline in orchards and mixed farmland with shelterbelts;*
  - *Intensive, open farmed arable land'*.
- 3.5. Within the *'Sensitivity'* description for this Landscape Character Area, the assessment notes that *'the contrast of the low hills against the surrounding marshland is an apparent feature in the open view.*
- 3.6. In addition, the following *'Landscape Actions'* are considered relevant to the Site:
- *'New landscape elements may need to be created around new settlements;*
  - *'Finding design opportunities within the peripheral built areas to reflect the ecological and visual qualities of the surrounding marshland'.*

#### Medway Landscape Character Assessment (June 2024)

- 3.7. This Landscape Character Assessment sets out a number of Landscape Character Types and Landscape Character Areas for Medway. The Site is located within **Landscape Character**



**Type F: mixed Chalk and Clay Farmland** and **Landscape Character Area F1: Cliffe**. The following 'Key Characteristics' are summarised below and those considered relevant to the Site and its surroundings underlined:

- 'A low-lying and generally flat landscape, rising to a localised area of higher ground – Allen's Hill – in the west'.
- 'High quality agricultural soils support arable cropping with some small pockets of surviving orchards; contrasts with the predominantly pastoral nature of the adjacent marshland to the north'.
- 'Medium to large scale field pattern defined by hedgerow boundaries of varying condition varied, with some missing entirely'.
- 'A grid of narrow roads and tracks cross the area, often bounded by hedgerows'.
- 'Limited settlement, concentrated mainly in the village of Cliffe; elsewhere there is a pattern of scattered farmsteads, which are often Grade II Listed Buildings'.
- 'Good access on PRow, particularly in the east'.
- 'An open landscape, with long views to wooded slopes of Chattenden Ridge and Kent Downs National Landscape to the south, and across open marshland to the north'.
- 'The settlement edge of Cliffe village is prominent in views, as is the Grade I listed Church of St Helen, Cliffe'.
- 'An essentially rural landscape, although this is undermined by the presence of electricity pylons to the south which form vertical components in the flat landscape'.

3.8. The following published 'Key Sensitivities and Values' for LCA F1: Cliffe are summarised below and those relevant to the Site and its surroundings underlined:

- 'Low-lying arable landscape, with a strong sense of openness'.
- 'Ecologically important areas of Priority Habitat 'traditional orchard' and 'deciduous woodland'.
- 'Lies in proximity and forms a setting to the Thames Estuary and Marshes Ramsar Site, SPA and SSSI'.
- 'Settlement pattern comprising the historic village of Cliffe and surrounding scattered farmsteads, which provide time depth. Forms part of the rural setting to Cliffe Conservation Area and Cooling Castle Scheduled Monument (located within the adjacent LCA F2)'.
- 'Recreational value of PRow'.
- 'Long views across marshland to the north and west, and to the wooded backdrop of Chattenden Ridge and the North Downs to the south'.
- 'A tranquil, rural area, with an open and exposed character and large skies'.

3.9. The published 'Landscape Strategy' for LCA F1: Cliffe is 'to enhance the rural character of the intensively farmed landscape, including the setting of Cliffe Conservation Area and scattered



*Listed Buildings. Seek to increase the extent of hedgerows and woodland, and where possible soften the residential edge of Cliffe village'.*

3.10. In addition, the following 'Landscape Management' guidelines are considered relevant to the Site:

- *'Seek to prevent further loss or decline in the quality of remaining boundary hedgerows and consider opportunities to promote the regeneration of hedgerow trees and shrubs where they have been lost or heavily denuded.'*
- *'When establishing new hedges, aim to provide links to the existing hedgerow network and patches of semi-natural habitat in order to promote the movement of species through the landscape; aim to diversify the range of species; and select species and provenances adapted to a wider range of climatic conditions'.*
- *'Employ effective buffering against the impact of adjacent land uses on hedgerows, through for example the use of grass, and uncultivated or low intensity margins'.*
- *'Increase the extent of native deciduous woodland or tree cover, particularly around Cliffe, to soften the settlement edges'.*
- *'Create green corridors and networks linking to the important habitats in the north associated with the marshes including making room for 'roll back' of estuary habitats 'squeezed' by sea level rise by providing buffer zones'.*
- *'Protect and manage the valued recreational use of the landscape, seeking opportunities to further enhance opportunities for informal access and enjoyment through well maintained linked routes, including cycle routes where possible; consider opportunities to improve links with the adjacent marshes to the north and west'.*
- *'Enhance the visual characteristics and quality of the PRow, including through the enhancement and promotion of views north across the marshes and south towards the wooded Chattenden Ridge and Kent Downs National Landscape'.*

3.11. The Landscape Character Assessment also identifies a series of 'Development Management' guidelines for LCA F1: Cliffe. The following are considered relevant to the Site and its surroundings:

- *'Conserve the local distinctiveness of the historic village of Cliffe and the surrounding farmsteads and their rural setting, by resisting inappropriate or unsympathetic development'.*
- *'Utilise existing roads and tracks for site access wherever possible; for any new roads and tracks, consider how these can fit in with the landscape character and complement the pattern of the existing roads'.*
- *'Any large scale or visually intrusive development would be detrimental within this visually open landscape and impact on views; where development is proposed look to minimise its impact through careful design, in terms of siting, form, scale, massing, materials and the use of locally characteristic planting'.*
- *'Seek to minimise the use of lighting, in particular blue light emissions, and use shielding and sensors effectively to direct lighting downwards'.*



## Site Specific Character

- 3.12. The character of the Site is primarily defined by the existing commercial orchard and shelterbelts, which form the dominant land cover and key landscape features within the Site. Hedgerows and shelterbelts along the boundaries of the Site also contribute to the overall character and provide a sense of enclosure within parts of the Site.
- 3.13. Although the Site retains a predominantly agricultural and commercial orchard character, it is influenced by nearby urban elements, which contribute to a busy, settlement edge character. The roads along the southern and western boundaries of the Site provide the main route for lorries accessing Brett Aggregates. This activity disturbs the overall sense of tranquillity and rural character of the area. Furthermore, views to the existing settlement edges of Cliffe introduce a recognisable sense of place and contribute to an urban-edge character within the Site and its surroundings.
- 3.14. To the south of the Site, the railway corridor and two lines of high voltage pylons introduce further human influence on the landscape character of the area. Situated in a relatively flat landscape, the pylons are visually prominent and form a dominant feature in the landscape to the south of the Site. As referenced above, the transport route serving Brett Aggregates extends along the southern and western boundaries, linking to the main Plant to the west of the Site. This industrial development, positioned adjacent to the flat floodplains, is a substantial and visually dominant element in the western landscape.





## Section 4: Visual Context

- 4.1. A desktop study, followed by a Site walkover was undertaken in March 2025, where an initial visual analysis was undertaken, with focus on PRow and land with public access. A Zone of Theoretical Visibility (ZTV) (**Plan 1**) was produced to inform the site walkover, with the ZTV further refined following the Site visit. The ZTV shows where a development of 10.5m in height (a worst-case scenario used as a basis for identifying potential visual receptors) could be visible. It is important that this does not distinguish between degrees of visibility or atmospheric conditions over distance. This section of the note summarises the findings of this analysis.

### Local Views

- 4.2. A PRow (RS58A) crosses the Site diagonally, running from the south-western corner to the north-eastern corner. It then continues northwards along the western edge of Cliffe, terminating at Higham Road. PRow RS58A connects with another PRow (RS58) at the south-western corner of the Site. This PRow runs to the south of Eternal Lake Nature Reserve and connects with Salt Lane to the north. Additional local PRow can be accessed via road corridors, to the east of Station Road and south of Buckland Road/the railway corridor.
- 4.3. The main trainline to the south of the Site and numerous watercourses to the west in the floodplains dissect movement across the wider landscape.
- 4.4. The Site is visible within direct, open views from PRow RS58A, as shown on **Figures 4 and 5** below:



**Figure 4: View of the Site looking westwards from PRow RS58A at the eastern edge of the Site**



**Figure 5: View of the Site looking north-eastwards from PRow RS58 to the west of the Site, with the settlement edge of Cliffe visible in the background**



- 4.5. The Site is also visible within middleground views, looking northwards from Station Road/Rectory Road, to the south-east of the Site, as shown in **Figure 6** below:



**Figure 6: View north-westwards from Station Road/Rectory Road, with the Site and Cliffe in the middleground**

- 4.6. The Site is visible within the foreground of views looking eastwards from Buckland Road/Salt Lane at its western edge, as shown in **Figures 7 and 8** below.



**Figure 7: Open views of the Site from Buckland Road/Salt Lane adjacent to the western boundary of Site. Views of the edge of Cliffe are visible in the background**



**Figure 8: Open views of the Site from Buckland Road/Salt Lane, adjacent to the western boundary of Site. Views of the edge of Cliffe are visible in the background**





- 4.7. Views from the west are generally limited/screened by trees and hedgerows surrounding Eternal Lake Nature Reserve, with glimpsed views to properties along Higham Road possible (as shown on **Figure 9**).



**Figure 9: Looking eastwards from PRoW RS58 to the west of the Site**

- 4.8. Views from the east are characterised by long distance views across open arable fields. The Site would be viewed within the background of the view, set within the context of existing settlement and vegetated field boundaries (as shown on **Figure 10**) below.



**Figure 10: View westwards from PRoW RS244 to the east of the Site**

- 4.9. Views of the Site from the south, to the south of railway corridor and at the northern edge of Cliffe Woods are limited by topography and mature field boundary vegetation as shown on **Figure 11** (next page).



**Figure 11: View from Perry Hill to the south-east of the Site**



- 4.10. Views of the Site from the north comprise open, arable fields within the foreground of the view. The Site is set within the context of existing buildings/residential properties at the edges of Cliffe as shown on **Figure 12**.



**Figure 12: View from PRow RS87 to the north of the Site**

- 4.11. Overall, the Site is relatively visually contained, with views limited to local receptors surrounding the Site. As highlighted on the ZTV (**Plan 1**), potential views of development would be experienced to the east and west, but due to the flat character of the landscape, field boundary vegetation and settlement provides strong containment. Where views of the Site are experienced, it is seen within the context of the settlement of Cliffe and surrounding infrastructure.



## Section 5: Separation Between Cliffe and Cliffe Woods

- 5.1. As outline within **Policy SUSDEV1: Settlement Coalescence** (Cliffe and Cliffe Woods Neighbourhood Plan, Adoption Version, May 2023), *'development proposals that would result in the visual or physical merging of Cliffe and Cliffe Woods will not be permitted'*.
- 5.2. The Site lies approximately 1km north of Cliffe Woods and is adjacent to the south-western edge of Cliffe. It is physically connected to Cliffe but remains entirely separate from Cliffe Woods. The east-west railway line to the south of the Site, along with two prominent lines of high-voltage pylons and intervening vegetated fields, contribute to a strong sense of physical separation between the two settlements. As such, development of the Site would not result in physical coalescence.
- 5.3. Visual connectivity between the Site and Cliffe Woods is minimal due to intervening vegetation and rising topography (see extents of ZTV at **Plan 1**). **Figure 13** illustrates that views towards Cliffe Woods are largely restricted to its southernmost areas, where dwellings on elevated ground experience broader private views across the landscape. The northern portion of Cliffe Woods, which is closest to the Site, is visually obscured and forms the foreground in these views, further limiting visual linkage.



**Figure 13: View from West Street, just north of the Site, looking southwards across the Site towards Cliffe Woods**



- 5.4. While some intervisibility between Cliffe and Cliffe Woods exists, particularly due to the open, flat landscape surrounding Cliffe, the presence of layered vegetation and the visual dominance of overhead powerlines reinforce a sense of visual separation. This is evident to receptors travelling along Station Road and users of the PRow network. Consequently, development of the Site is unlikely to result in visual coalescence between the settlements.





## Section 6: Landscape and Visual Considerations

- 6.1. Following the desktop study and fieldwork conducted to date, several high-level opportunities and constraints have been identified, as shown on **Plan 2: Landscape Opportunities and Constraints**. These initial landscape and visual considerations are summarised below:

### Constraints

- The South Thames Estuary and Marshes SPA and SSSI (locally known as the Eternal Lake Nature Reserve) lies immediately west of the Site, adjacent to Buckland Road. This designation represents an ecological constraint that will impact the extent of development and proposed landscaping of the western edge of the Site.
- Salt Lane, Buckland Road, and Rectory Road, which border the Site to the west and south, serve as key transport routes for heavy goods vehicles accessing Brett Aggregates. This contributes to a localised character of noise and movement.
- The higher ground at the north-eastern edge of the Site presents a visual sensitivity, particularly in relation to building heights and visibility from nearby PRoW and local roads.

### Visual Character

- Existing views across the landscape are typically defined by the residential settlement edges of Cliffe, which are visible from various vantage points.
- To the west of Cliffe, the boundary vegetation associated with the Site does provide a noticeable feature in the landscape, being that they are predominantly highly maintained shelterbelts for the current orchard crop.

### Opportunities

- There is potential to establish a robust landscape buffer along the eastern and southern Site boundaries to complement the existing boundary treatment. This could incorporate ecological enhancements and connections to existing Green Infrastructure, helping to visually assimilate development and reduce exposure of new settlement edges,
- Structural planting can be utilised in general across the Site and its peripheries to enhance visual containment of development in line with policy BNE6, and minimise the potential of any sense of coalescence, in accordance with Policy SUSDEV1.
- Opportunities exist to integrate with the approved development north of Higham Road, extending PRoW links and publicly accessible green space across both sites.
- The existing PRoW extending through the Site could be set in a green corridor to minimise impacts on the receptor and retain connectivity to the wider PRoW network.
- Retention of existing orchard trees outside of developable areas offers an opportunity to reinforce local landscape character, in line with Policies BNE42 and BNE43.



- The requirement for a development buffer from the adjacent SPA to the west provides opportunities to create diverse habitat and landscape features along the western edge of the Site to protect this ecological designation, whilst providing a transitioning landscape from development to countryside.





## Section 7: Summary and Conclusions

- 7.1. This Landscape and Visual Technical Note presents the high-level findings of a desktop and field-based assessment of the Site located south of Higham Road, Cliffe. The purpose of the note is to identify landscape and visual opportunities and constraints to inform the suitability of the Site for development and emerging design proposals.
- 7.2. The Site comprises approximately 12.7 hectares of intensively farmed orchard land, defined by shelterbelts and hedgerows that contribute to its semi-enclosed character. It is situated adjacent to the south-western edge of Cliffe and lies within a landscape that, while rural in origin, is notably influenced by surrounding infrastructure and settlement. The presence of nearby residential development, transport corridors, and industrial activity contributes to a transitional character between countryside and settlement edge.
- 7.3. The Site is not subject to any national or local landscape designations. However, it lies adjacent to the South Thames Estuary and Marshes SPA and SSSI, which presents an ecological constraint and an opportunity for enhanced habitat buffering and landscape transition.
- 7.4. The Site falls within Landscape Character Area F1: Cliffe, as defined in the Medway Landscape Character Assessment (2024). The published strategy and management guidelines for this area support the enhancement of rural character, retention and regeneration of hedgerows, softening of settlement edges, and protection of visual and recreational qualities. The Site offers multiple opportunities to respond positively to these objectives, including:
- Retention and enhancement of existing boundary vegetation;
  - Creation of structural planting and landscape buffers to visually assimilate development;
  - Integration with adjacent approved development and PRow networks;
  - Reinforcement of ecological connectivity and green infrastructure;
  - Sensitive design to minimise visual impact and respect local character.
- 7.5. From a visual perspective, the Site is largely contained to local receptors, with views limited by vegetation, built form, and topography (**Plan 1**). Where visible, the Site is seen in the context of existing settlement and infrastructure, including the adjacent residential edge of Cliffe and the Brett Aggregates transport corridor. There are no published views or designated viewpoints within the Site or wider study area.
- 7.6. In relation to settlement coalescence, the Site lies approximately 1km north of Cliffe Woods and is physically and visually separated by a combination of strong landscape features. These include the east-west railway corridor, two lines of high-voltage pylons, intervening vegetated fields, and rising topography. These elements form a robust and layered barrier that prevents both physical and visual merging of the settlements. Views between Cliffe and Cliffe Woods are limited and fragmented, with the northern edge of Cliffe Woods largely



obscured by vegetation and landform. Where intervisibility does occur, it is filtered and contextualised by existing infrastructure and landscape features. As such, development of the Site is unlikely to result in coalescence.

- 7.7. In conclusion, the Site has the capacity to accommodate sensitively designed residential development without undue harm to landscape character or visual amenity. The opportunities identified in this note provide a clear framework for landscape-led design that aligns with relevant planning policy, landscape character guidance, and settlement separation objectives.



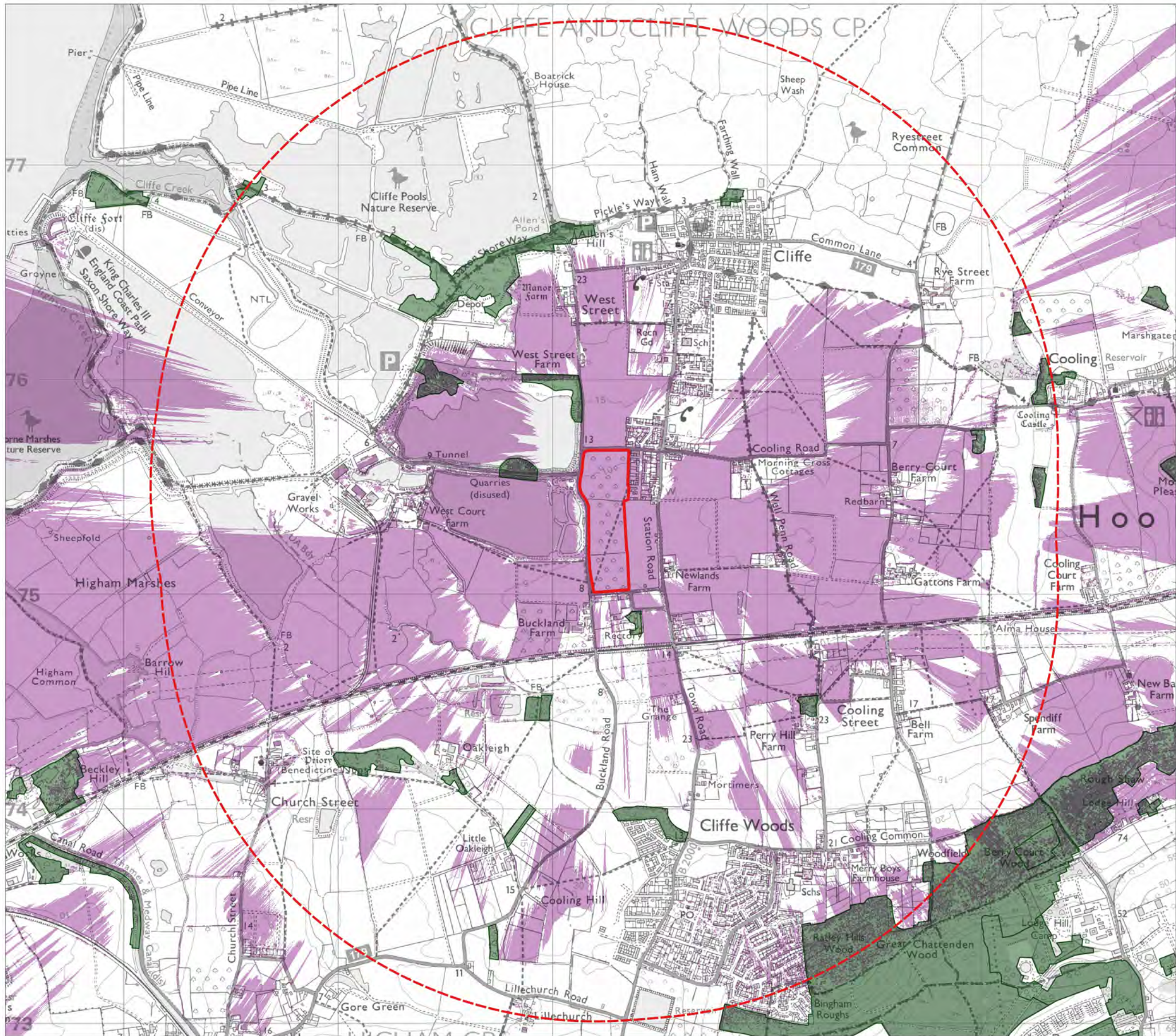
## Plans:

Plan 1: Zone of Theoretical Visibility

Plan 2: Landscape Opportunities and Constraints







### LEGEND

- Site boundary
- 2km Study Area
- National Forest Inventory

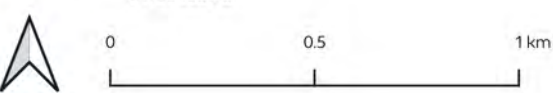
### Zone of Theoretical Visibility



The Zone of Visibility (ZTV) illustrates the extent to which the development at a 10.5m ridge height is potentially visible assuming a receptor with an eye height of 1.6m within a 2km radius. The ZTV has been modelled using GIS computer software (QGIS) and Lidar DSM 2m data (2022), and as such, vegetation and built form are taken into account. Field verification is required to refine the accuracy of the ZTV.

Revision	Description
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First Issue

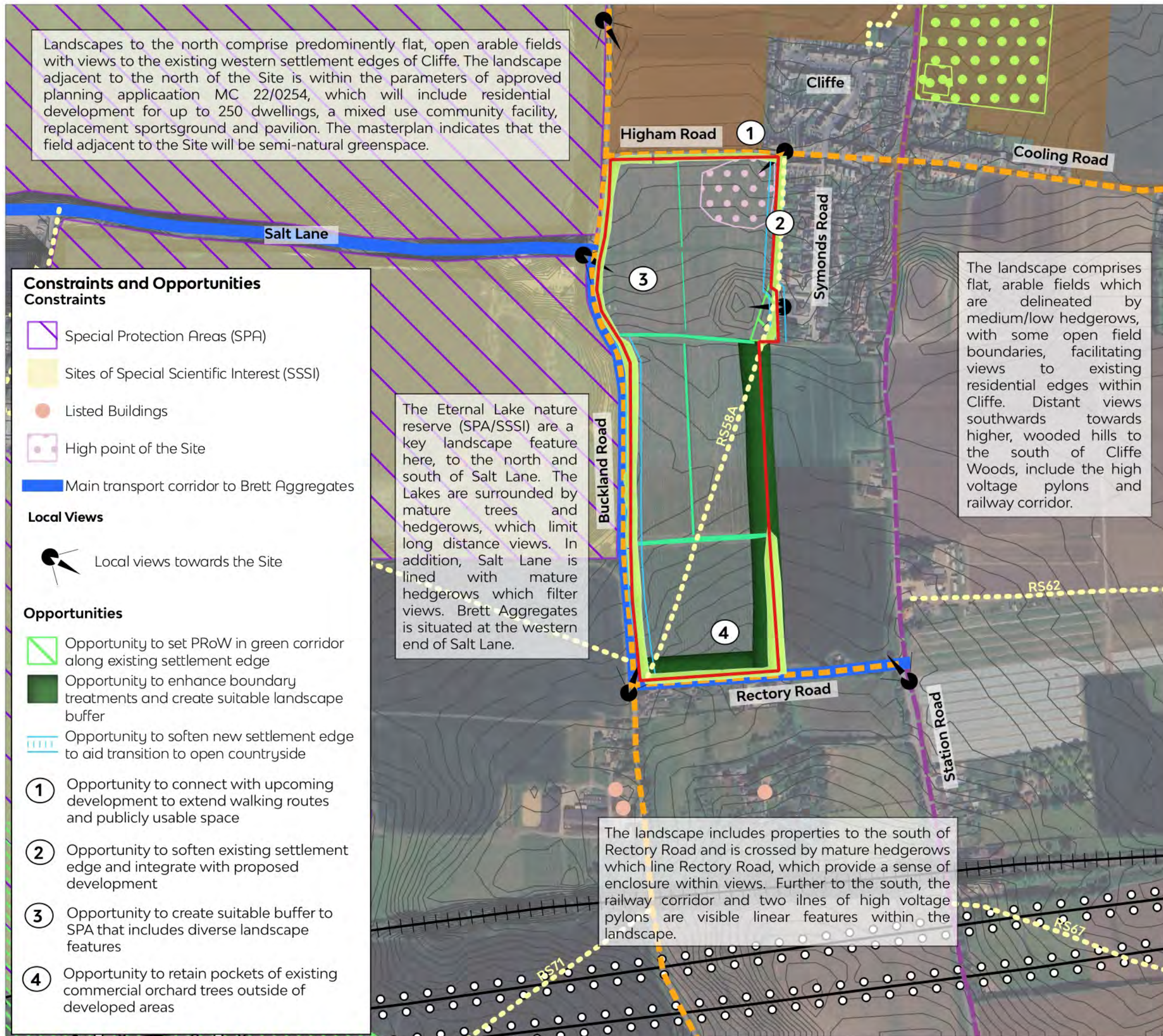


Project	Land South of Higham Road, Cliffe
Title	Zone of Theoretical Visibility
Scale	1:18500 @ A3
Drawing No.	17771_P06
Date	AUGUST 2025
Checked	IJ/MB



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# Technical Note

## Transport Accessibility Statement

### Land South of Higham Road, Cliffe

---

Project Number: 25224  
Doc Number: TN01  
Prepared for: Gleeson Land

4 August 2025

Rev	Issue Purpose	Author	Reviewed	Approved	Date
A	Draft	ESH	RJH	RJH	04/08/25
B	Local Plan Reps	ESH	RJH	ESH	04/08/25

---

## 1. Introduction

### 1.1 Overview

- 1.1.1 Markides Associates (MA) have been instructed by Gleeson Land (the ‘Applicant’) to prepare this Transport Accessibility Statement to support Local Plan Representations for the allocation of the Land South of Higham Road, Cliffe, ME3 7SJ (‘the Site’) for residential development.
- 1.1.2 The Site’s location can be seen in **Figure 1.1** (appended). The Site’s boundary is presented in **Appendix A**.
- 1.1.3 This Transport Accessibility Statement has been prepared to detail how the site can be accessed by active and sustainable modes of transport to assist with the allocation of the site for residential development. On this basis **Section 2.0** of this Technical Note sets out the emerging policy context for the accessibility of new developments. **Section 3.0** sets out the existing sustainability credentials of the site; with **Section 4.0** detailing the potential access arrangements and off-site improvements that the site, if allocated, could look to implement. **Section 5.0** summarises and concludes the report.











2. Policy Context

2.1 Medway Local Plan Regulation 19 Consultation Document

- 2.1.1 Although still in development, Section 9.0 of the Medway Local Plan Regulation 19 Consultation Document (2025) sets out the guidance and policies that are likely to be adopted as part of the new Medway Local Plan. The Regulation 19 Local Plan has been referred to as Medway’s currently adopted local plan is dated from 2003 and is therefore out of date.
- 2.1.2 Within Section 9.0 of the Medway Local Plan Regulation 19 Consultation Document, Policy T26 sets out the ‘Accessibility Standards’ to be applied to New Developments, as extracted below:

**Policy T26: Accessibility Standards**

Major and strategic development proposals for new homes, where they are not allocated, will describe how they meet the following accessibility standards within 15 minutes for local destinations:

Local destination	Mode
Primary school	
Secondary school	  
‘Top-up’ grocery shopping	 
Places to socialise	  
Places to exercise	

Access to shared mobility, such as e-bikes, e-scooters and electric vehicle car clubs is encouraged through a Travel Plan for medium and longer distance journeys.

Strategic and major development proposals for new homes will also be planned to enable the maximum walking distances to bus stops as part of medium to longer distance journeys:

- Core bus corridors with two or more high-frequency services will require a maximum walking distance of 500 metres
- Single high-frequency routes (at least every 12 minutes) will require a maximum walking distance of 400 metres
- Less frequent routes will require a maximum walking distance of 300 metres
- Town/city centres will require a maximum walking distance of 250 metres

The journey times and distances will be demonstrated by the characteristics of the route itself, rather than as the crow flies / notional circular catchments.

- 2.1.3 In addition to Policy T26, the following guidance is also prescribed:



9.10.4 New development will need to reduce trips through local living – linking to local services, before considering how to increase the proportion of the remaining trips taken by active and public transport.<sup>[126]</sup> This is consistent with national planning policy, which expects local planning policy to minimise the number and length of journeys needed through an appropriate mix of uses across an area and within larger scale sites, and to provide for high quality walking and cycling networks and supporting facilities.<sup>[127]</sup>

9.10.5 The 15-minute standard will help to ensure that the number and length of daily journeys is reduced, resulting in carbon savings. Furthermore, this will help to achieve public health benefits and more equitable and inclusive communities by removing the transport barriers to jobs and services faced by people without access to a car.<sup>[128]</sup>

9.10.6 The proportion of elderly people is increasing. Along with people with children, buggies and heavy shopping, elderly people are more likely to be sensitive to the range of factors (e.g. distance, topography, attractiveness and safety) that would inform accessibility to bus services. The maximum walking distances to bus stops are intended to enable the bus to compete effectively with the car and to benefit a wide range of people with differing levels of walking ability.<sup>[129]</sup>

- 2.1.4 The Site has therefore been reviewed for the services and amenities that can be accessed within a 15-minute walk, cycle, or public transport trip in accordance with Policy T25, as detailed in **Section 3.0**.

## 3. Existing Conditions and Site Accessibility

### 3.1 Overview

- 3.1.1 This section of the reports details the existing conditions in the vicinity of the site with respect to travel to services and facilities by foot, cycle and public transport, taking into account locally committed developments, and the improvements they will deliver.

### 3.2 Nearby Committed Developments

- 3.2.1 To the north of the site is the consented (at appeal) development of up to 250 dwellings at the Land to the East and West of Church Street (MC planning reference MC/22/0254). This approved development will deliver improvements to the footway and cycleway network in Cliffe, that will be available for use in the near future. For ease of reference the approved 'Parameter Plans Access and Movement' (drawing 0313/06) for this development can be found in **Appendix B** demonstrating the new routes available, and the approved off-site works in proximity to the site can be seen in the colour magenta on **Drawings MA-XX-XX-DR-C-001** and **002**.

### 3.3 Public Transport Accessibility

#### Bus Services

- 3.3.1 The nearest bus stops to the site are located on Church Street to the east of the site. The southbound bus stop can be accessed within a 250m (less than 3 minute) walk from the northeast corner of the site. The bus stop comprises of a bus shelter provided with seating and flagpole with timetable information.
- 3.3.2 The northbound bus stop can be accessed within a 320m (approximately 3 minute) walk from the northeast corner of the site along Higham Road and Church Street. If routing via New Road the bus stop could be accessed within a 300m walk. The bus stop comprises of a flagpole at the edge of the built carriageway. It is largely expected that the northbound bus stop is for alighting buses only given routes terminate just to the north within the centre of Cliffe.
- 3.3.3 The bus services, their routes and frequencies for the nearest bus stops to the site are summarised in **Table 3.1** and shown diagrammatically in **Figure 3.1** (appended).

**Table 3.1 Bus Services and Frequencies**

Route	Destinations	Peak Hour Frequency			Weekday Services	
		Weekday	Saturday	Sunday	First	Last
Church Street						
133	Cliffe – Chatham	Every 30 mins	Every 30 mins	Every hour	06:49	19:21
417	Gravesend – Cliffe	3 a day	3 a day	No Service	08:56	16:23
193	Chatham – Cliffe	No Service	No Service	Every 2 hours	09:27	19:41
601	Cliffe – Hundred of Hoo Academy	1 at 07:00-08:00 and 1 15:00-16:00	No Service	No Service	07:23	15:13
602	Cliffe – Hundred of Hoo Academy	1 at 07:30-08:30 and 1 16:00-17:00	No Service	No Service	07:45	16:35
633	Cliffe – Rochester Grammar Schools	1 at 07:00-08:00 and 1 15:30-16:30	No Service	No Service	07:12	16:26

3.3.4 **Table 3.1** demonstrates that the site is very well placed to make use of and contribute patronage towards the existing regular bus routes that operate in Cliffe.

3.3.5 In accordance with emerging Policy T26, 'less frequent' bus routes will require a maximum walking distance of 300 metres from new developments – this being the walking route to the bus stops on Church Street which serve the regular 133 bus service (with a service in each direction every 30 minutes). The northeast corner of the site is located within 300m travel, as per the draft policy, with most of the site where the bulk of development would be provided within a 400m travel of the bus stops, refer to **Figure 3.2**. Given the simple and direct nature of the walking route, and improvements to the quality of the footway that could be provided, the slightly longer walking journey than the prescribed guidance would most likely not deter from this mode of transport being used.

Figure 3.2 Bus Service Walking Distance



#### Pedestrian Accessibility

- 3.3.6 On the existing residential extents of Higham Road, footways are provided on both sides of the carriageway from the connection with the Public Right of Way (footpath RS58A, which is situated along the eastern boundary of the site) eastwards to the junction with New Road. To the east of New Road, Higham Road is provided with a short extent of footway on the southern side of the carriageway, however, no footway connection is presently provided to the B2000 Station Road, Church Street, and Cooling Road mini-roundabout.
- 3.3.7 New Road is provided with footways on both sides of the carriageway that are circa 1.8m wide, and which provide connection to Church Street via a pedestrian cut through between nos.41 and 43 Church Street, and via Public Right of Way footpath RS335.
- 3.3.8 Church Street provides a footway connection along its eastern side, with the footway width being for the majority 2.0m wide, there being a few places where the footway narrows to around 1.8m, but there also being locations where the footway width is in excess of 2.0m width. The footway provides direct and convenient connection north to the services and facilities within Cliffe.

#### Cycle Accessibility

- 3.3.9 There are no currently designated cycle facilities within Cliffe itself, however it is noted that some are proposed as part of the committed development at the Land to the East and West of Church Street. The proposed cycle routes can be seen in **Appendix B**.
- 3.3.10 To the west of the site Buckland Road is designated as National Cycle Route (NCR) 179, providing connection to the southwest to NCR1, providing cycle connection between

### Extract 3.1: Medway Cycle Routes



3.4.1 From the site's proposed access with Higham Road, the various amenities and services are accessible within the following travelling distances and times. The below distances have been calculated to exclude routing through New Road (where applicable). It is noted that pedestrians could route through New Road and this would offer a distance saving of between 10 to 20m for services and amenities to the north.

3.4.2 **Table 3.2** provides a summary of some of the key local facilities and approximate walking/cycling distances. The location of the facilities in relation to the site are shown diagrammatically in **Figure 3.3** (appended).

**Table 3.2 Local Facilities**

Facility		Location	Distance	Travel Time (mins)	
				Walk	Cycle
Medical					
Doctor	Highparks Medical Practice	Cliffe Surgery, Millcroft Rd, Cliffe, Rochester ME3 7QN	600m	8	2
Community					
Community Centre	Cliffe Men’s Social Club	Symonds Rd, Cliffe, Rochester ME3 7SS	300m	4	1
	The Village Club	Church St, Cliffe, Rochester ME3 7PU	650m	9	2
	Cliffe Memorial Hall	Church St, Cliffe, Rochester ME3 7PU	700m	10	2
Sports / Open Space	Cliffe Bowling Club	Church St, Cliffe, Rochester ME3 7PJ	320m	5	1
	Cliffe Rec	107 Church St, Cliffe, Rochester ME3 7PX	800m	11	3
	Eternal Lake Nature Reserve	Salt Ln, Cliffe, Rochester ME3 7RT	500m	-	2
Café	Pure Planet Café	Eternal Lake Nature Reserve, Salt Ln, Cliffe ME3 7RT	500m	-	2
Supermarket	JS Minimarket	106-108 Church St, Cliffe, Rochester ME3 7PT	600m	8	2
Public House	Six Bells	181 Church St, Cliffe, Rochester ME3 7QD	1.1 (km)	15	3
Education					
Pre-School	Cliffe Pre-School	Church St, Cliffe, Rochester ME3 7PU	700m	10	2
Primary	St Helen’s Church of England Primary School	Church St, Cliffe, Rochester ME3 7PU	750m	10	2

3.4.3 Further detail of some of the services that the above facilities offer are summarised below:

- Pure Planet Café – 500m, 7-minute walk, 2-minute cycle
  - Also hosts its own shop selling food, and re-fillable household items
  - Also provides access to the adjacent nature reserve



- The Village Club – 650m, 9-minute walk, 2-minute cycle
  - Hosts weekly food vans / pop up restaurants or cafés
  - Has its own bar
  - Hosts special events and classes
- Cliffe Memorial Hall – 700m, 10-minute walk, 2-minute cycle
  - Hall for hire
  - Hosts weekly food vans
  - Pop-up café / afternoon tea
  - Quiz nights
  - Live music nights (and a music festival in summer)
  - Bring and buy sales
  - Seasonal fairs

3.4.4 **Table 3.2** confirms that a range of amenities are located within proximity of the development site ensuring that these trip attractors can be accessed by modes other than the private car, thereby, reflecting fundamental requirements of national, regional and local planning policy for creating sustainable communities.

### 3.5 Summary

3.5.1 **Table 3.3** below summarises the services and facilities that can be accessed from the site by walk, cycle, or public transport within a 15-minute travel time of the site, in compliance with Draft Policy T26.

**Table 3.3: Policy T26: Accessibility Standards Check**

Local Destinations		Mode (Travel Time Minutes)		
Facility	Local Facility	Walk	Cycle	Bus
Primary School	St Helen's Church of England Primary School	10	2	-
Secondary School	Hundred of Hoo Academy	-	-	36
	Grammar Schools	-	-	44
Top-up' Grocery Shopping	JS Minimarket	8	2	-
	Pure Planet Café	-	2	-
Places to Socialise	Six Bells	15	3	-
	Cliffe Men's Social Club	4	1	-
	The Village Club	9	2	-
	Cliffe Memorial Hall	10	2	-
Places to Exercise	Cliffe Bowling Club	5	1	-
	Cliffe Rec	11	3	-
	Eternal Lake Nature Reserve	-	2	-

- 3.5.2 The site therefore complies with the accessibility requirements as set out in the draft Local Plan Policy T26. The only slight exception is the accessibility to a secondary school where a bus stop that serves a school bus can be accessed within a 3-minute walk of the site's access, with a 36- or 44-minute journey on the school bus, depending on which school is being accessed. Whilst this travel route is above the recommended 15-minute travel time, it is an existing route which existing students will be making and therefore should not negatively impact the overall accessibility of the site.



## 4. Access Arrangements

### 4.1 Overview

- 4.1.1 This section reviews how access could be provided to the site for all modes of transport, together with a review of the off-site improvements that could be secured / delivered as part of the site's allocation.

### 4.2 Access Arrangements

- 4.2.1 The access arrangements could comprise of a new priority junction on Higham Road, with a footway connecting to the exiting footway on Highway Road, and a cycle connection to the field to the north (which is being provided with a shared footway and cycleway as part of the permitted development MC/22/0254).
- 4.2.2 The proposed access arrangements are presented in **Drawing MA-XX-XX-DR-C-001**.
- 4.2.3 Higham Road adjacent to the site, and where the new priority junction could be provided is presently subject to the national speed limit. It is likely that as part of any access arrangement the change in speed limit between 30mph and the national speed limit would be relocated further west, such that the site access is within a 30mph zone.

### 4.3 Off-Site Improvements

#### Pedestrian Connectivity

- 4.3.1 To help enhance pedestrian connectivity, there could be improvements delivered to Higham Road's footway. At present there is no footway connection on Higham Road between New Road and Church Street. This would help to enhance connectivity to the bus stop on Church Street (noting that it could also be accessed via a slightly longer walk via footways on New Road).
- 4.3.2 A review has been undertaken of the principle of providing a footway connection on Higham Road, this is presented in **Drawing MA-XX-XX-DR-C-002**, demonstrating that a footway connection could be delivered (noting that there could be alternative designs, subject to consultation with Medway Highways). The footway presented would allow for a consistent footway of no less than 1.8m in width on Higham Road between the site and the mini-roundabout of Higham Road / Church Street / Cooling Road / Station Road.
- 4.3.3 In improving the footway connectivity of Higham Road there would be a section of Higham Road that becomes one-way working at a time, such that the movement of pedestrians is prioritised over the ease of driving, in accordance with the NPPF. It is not expected that the flow of traffic on Higham Road, as existing or with the development of the site, would result in a safety or capacity issue as a result of the section of one-way working.

#### Public Transport Infrastructure Improvement

- 4.3.4 The accessibility of the bus stops on Church Street could be improved. The northbound bus stop is mainly used for people alighting the bus and comprises of a flagpole at the edge of

the carriageway. Passengers therefore alight the bus service at this stop into the carriageway. To improve the safety of passengers, a footway connection at this bus stop could be implemented, as indicated in **Drawing MA-XX-XX-DR-C-002**. This footway could be accessed by the connection to New Road and would also be provided with a dropped kerb crossing to the footway on the eastern side of Church Street. The footway could be achieved by narrowing the carriageway of Church Street to 5.0m in width, which is consistent with the traffic calming measures that are being implemented further north on Church Street by the development at Land to the East and West of Church Street.

#### **4.4 Highways Pre-Application Advice**

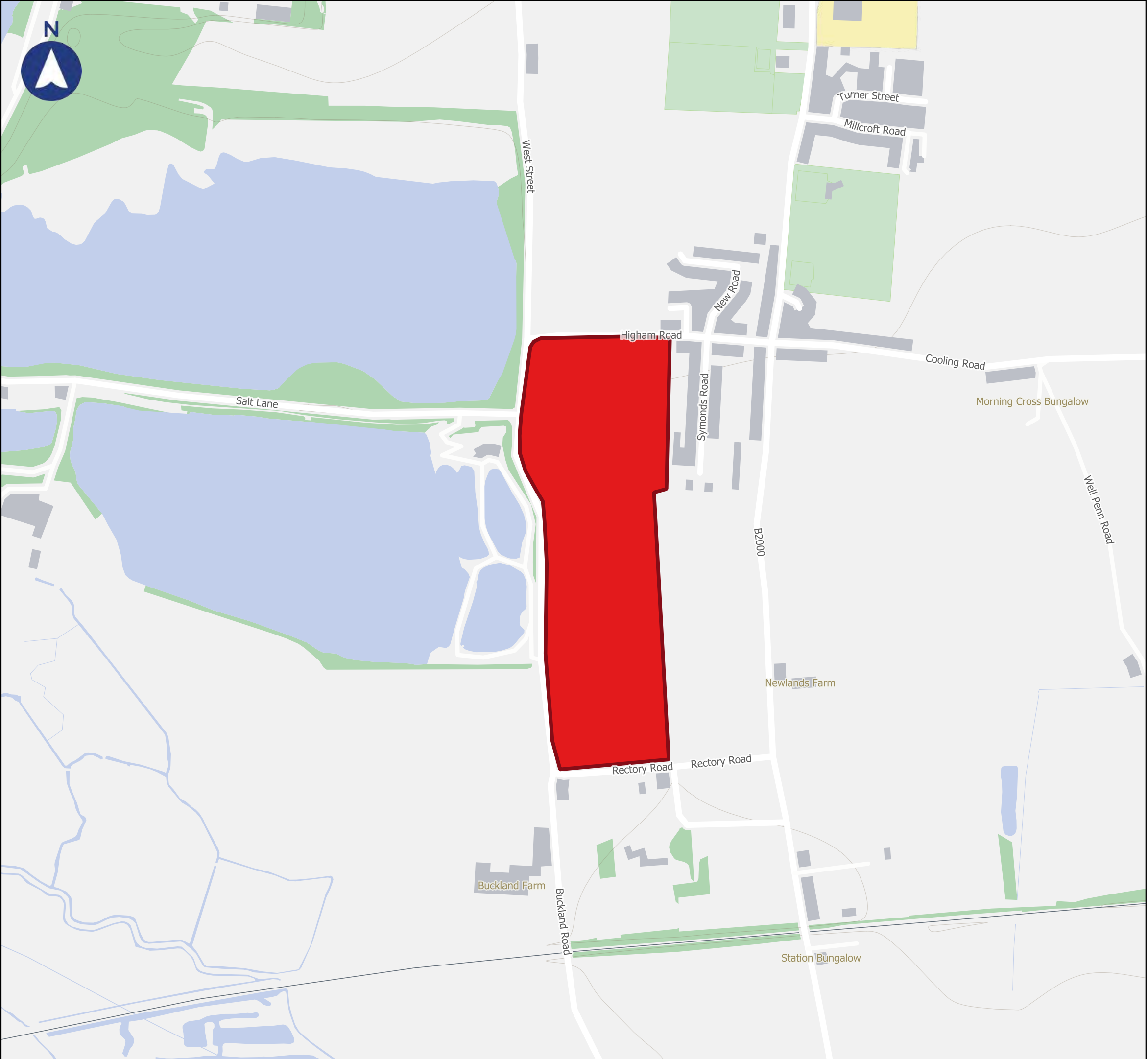
- 4.4.1 Highways pre-application advice for a residential development at the site has already been sought from Medway Council, with the proposed access arrangement as presented in **Drawing MA-XX-XX-DR-C-001**, and off-site works as presented in **Drawing MA-XX-XX-DR-C-002**, issued. The principle of the site access and off-site improvements have been found acceptable by Medway Council's Highways Officers.

## 5. Summary and Conclusions

- 5.1.1 This Transport Accessibility Statement has been prepared Markides Associates (MA) on the behalf of Gleeson Land to support Local Plan Representation for the allocation of the Land South of Higham Road, Cliffe, ME3 7SJ ('the Site').
- 5.1.2 The feasibility of an access being achieved to the site has been investigated, as presented in **Drawing MA-XX-XX-DR-C-001**, demonstrating that a suitable access arrangement to the site for pedestrians, cyclists and vehicles can be achieved.
- 5.1.3 A review of the feasibility of improving the local footway network has also been undertaken, confirming that improvements could be made to Higham Road to enhance the footway connectivity to Church Road. It has also been identified that a safety improvement could be made to the northbound bus stop on Church Street with the provision of a footway connection.
- 5.1.4 In accordance with the emerging *Policy T26: Accessibility Standards* - with the existing and committed network of footway and cycleway, and existing public transport accessibility - it has been demonstrated that the site is within a 15 minute travel time by foot, bicycle or public transport of the key services and amenities that have been identified as a 'Local destination' that will help to promote local living, and therefore minimise the number of vehicle trips generated.
- 5.1.5 The northeast corner of the site (where development would occur) would also be within a 300m walk of a regular bus service as prescribed within the emerging Policy T26: Accessibility Standards. The remainder of (the developable area of) the site would be located at a distance slightly in excess of 300m, however, given the simple and direct nature of the walking route, and improvements to the quality of the footway that could be provided, the slightly longer walking journey than the prescribed guidance would most likely not deter from this mode of transport being used.
- 5.1.6 The site is therefore located in an accessible location, such that the site should not be excluded from allocation on the basis of connectivity by active or sustainable modes of transport to local services and amenities.


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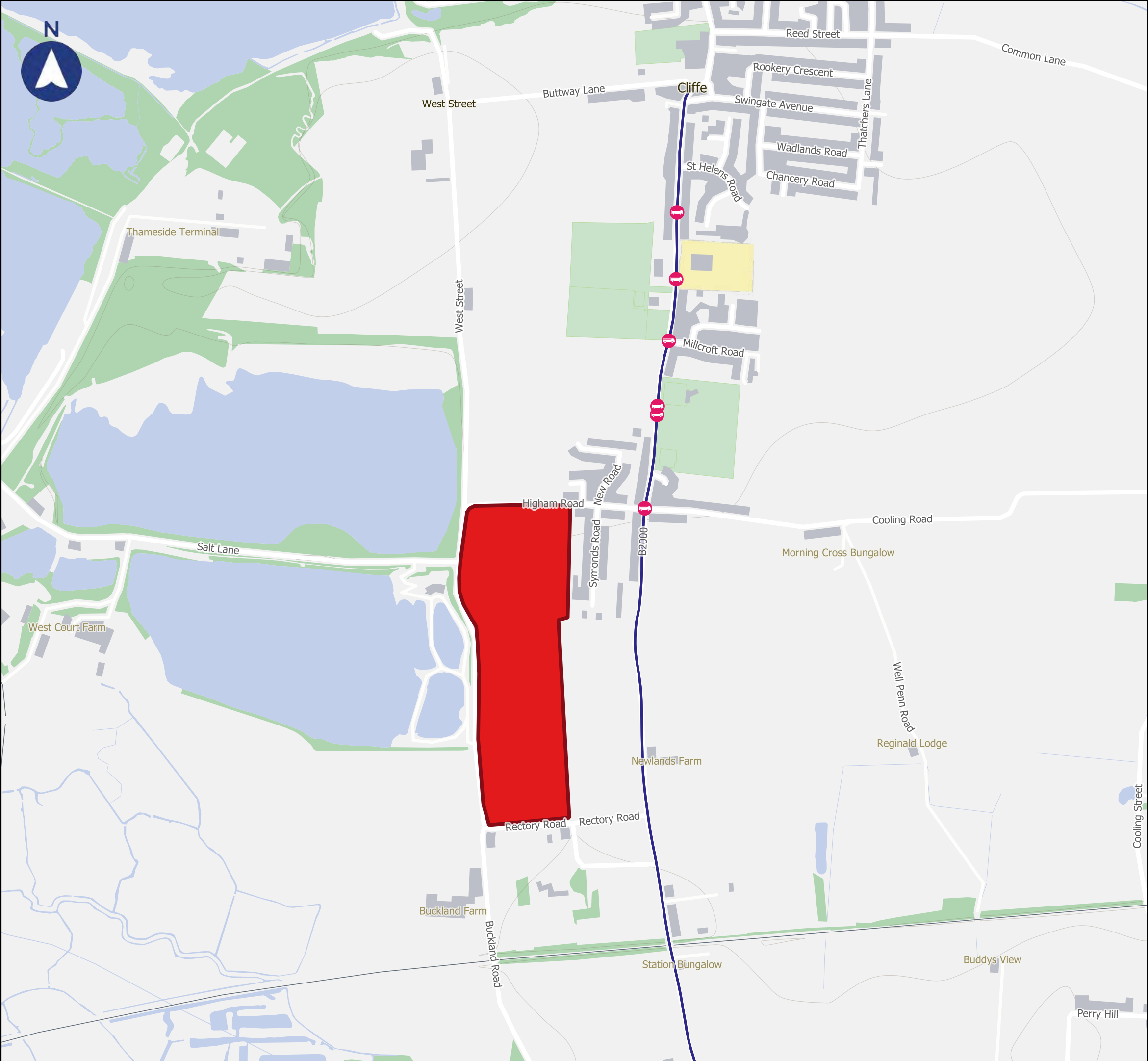
## **FIGURES**



Site Location Plan


**Key**  
 Site Location

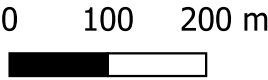
0 100 200 m  


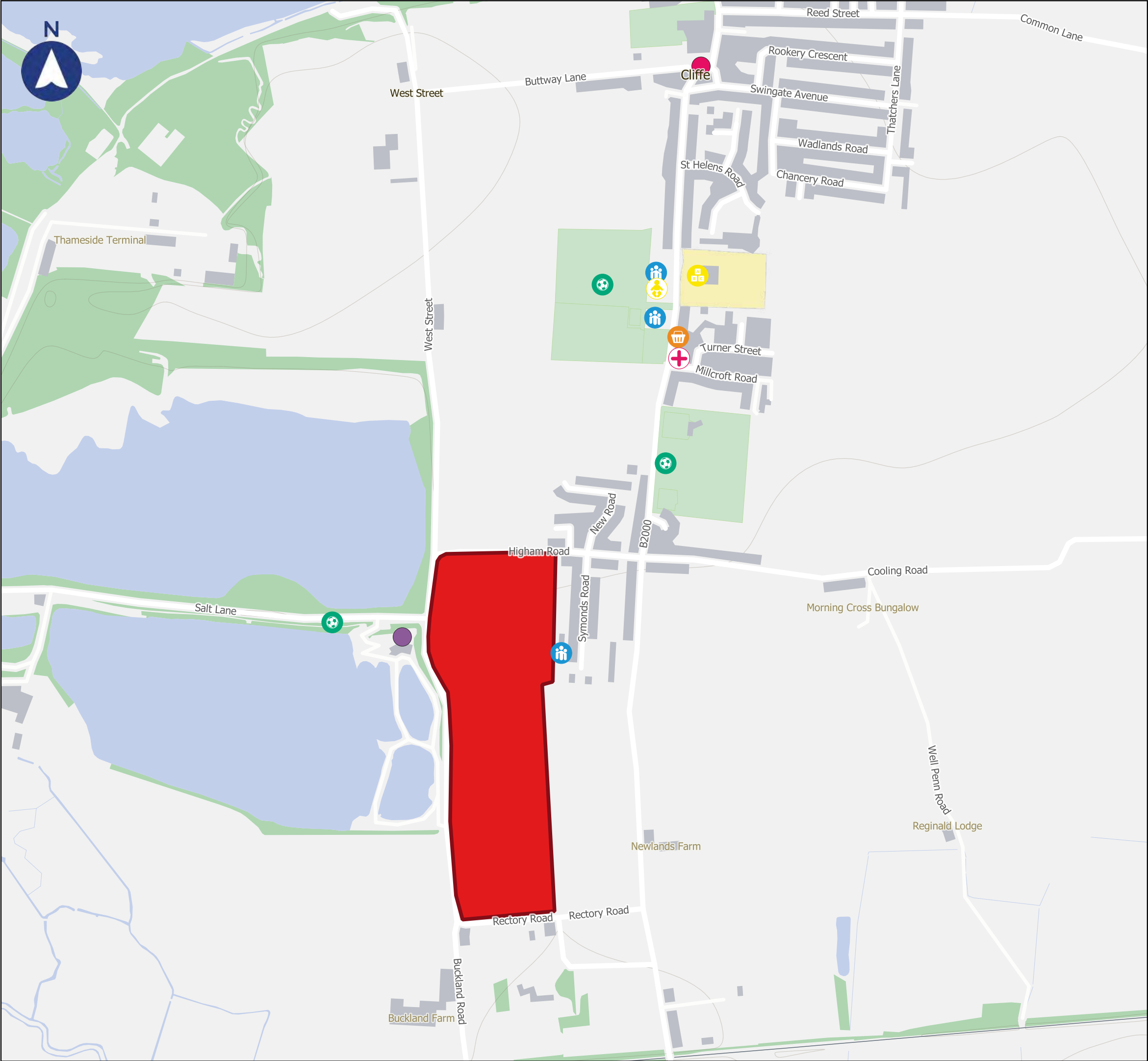


Public Transport Plan

Key

-  Site Location
-  Bus Routes
-  Bus Stops







Local Facilities Plam


Key

 Site Location


Local Facilities

 Doctor

 Community Space

 Sports / Open Space

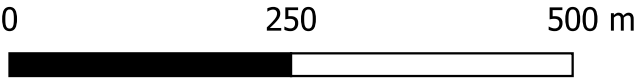
 Cafe

 Supermarket

 Public House

 Pre-School

 Primary School





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## **DRAWINGS**



El Sub Sta

38

PROPOSED CYCLE CONNECTION WITH  
PROVISION AS PART OF APPROVED  
APPLICATION MC/22/0254

KEY:-

- SITE BOUNDARY
- EXTENTS OF HIGHWAY BOUNDARY  
(INTERPOLATED ON TOPOGRAPHICAL SURVEY)
- - - 2.4m x 43m VISIBILITY SPLAY (mph MfS)
- EXISTING PUBLIC RIGHT OF WAY

13.1m

HIGH

29

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Project  
LAND SOUTH OF HIGHAM ROAD, CLIFFE

Drawing Title  
PROPOSED SITE ACCESS

Scale 1:250 @ A3

5m 0 5m 10m 15m

Status

PRELIMINARY

Scale

1:250

Client

GLEESON LAND

Drawn

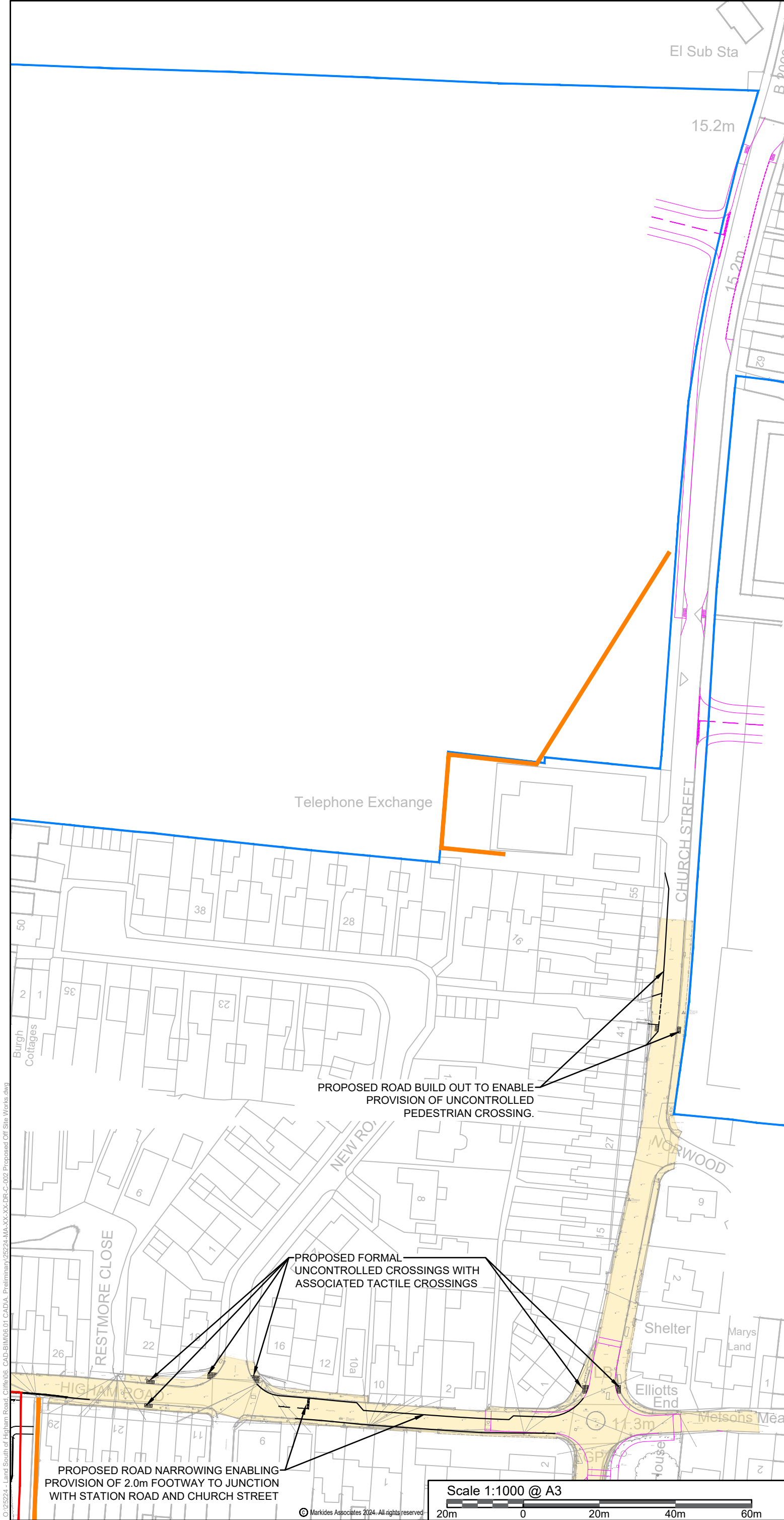
MS

Job No

25224

Revision History

	INITIAL ISSUE	MS	ESH	ESH
				25.07.25
Date				
25.07.25				
Checked ESH		Approved ESH		
Drawing No				Rev
25224-MA-XX-XX-DR-C-001				



DO NOT SCALE OFF THIS DRAWING

KEY:-

— SITE BOUNDARY

EXTENTS OF HIGHWAY BOUNDARY

— EXISTING PUBLIC RIGHTS OF WAY

— WORKS PROPOSED AS PART OF APPROVED MC/22/0254

Revision History

INITIAL ISSUE	MS	ESH	ESH	28.07.25	
Current Revision					
INITIAL ISSUE	MS	ESH	ESH	28.07.25	
Rev	Comment	By	Chkd	Appr	Date

PRELIMINARY

GLESSON LAND



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Project

LAND SOUTH OF HIGHAM ROAD, CLIFFE

Drawing Title

PROPOSED OFF SITE HIGHWAY WORKS

Markides Associates reference:

25224

1:1000

25224-MA-XX-XX-DR-C-002 -

O:\25224 - Land South of Higham Road, Cliffle\06 CAD-BIM\06.01 CAD\A Preliminary\25224-MA-XX-XX-DR-C-002 Proposed Off Site Works.dwg

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## **APPENDIX A**

### **A1 Site Boundary Plan**



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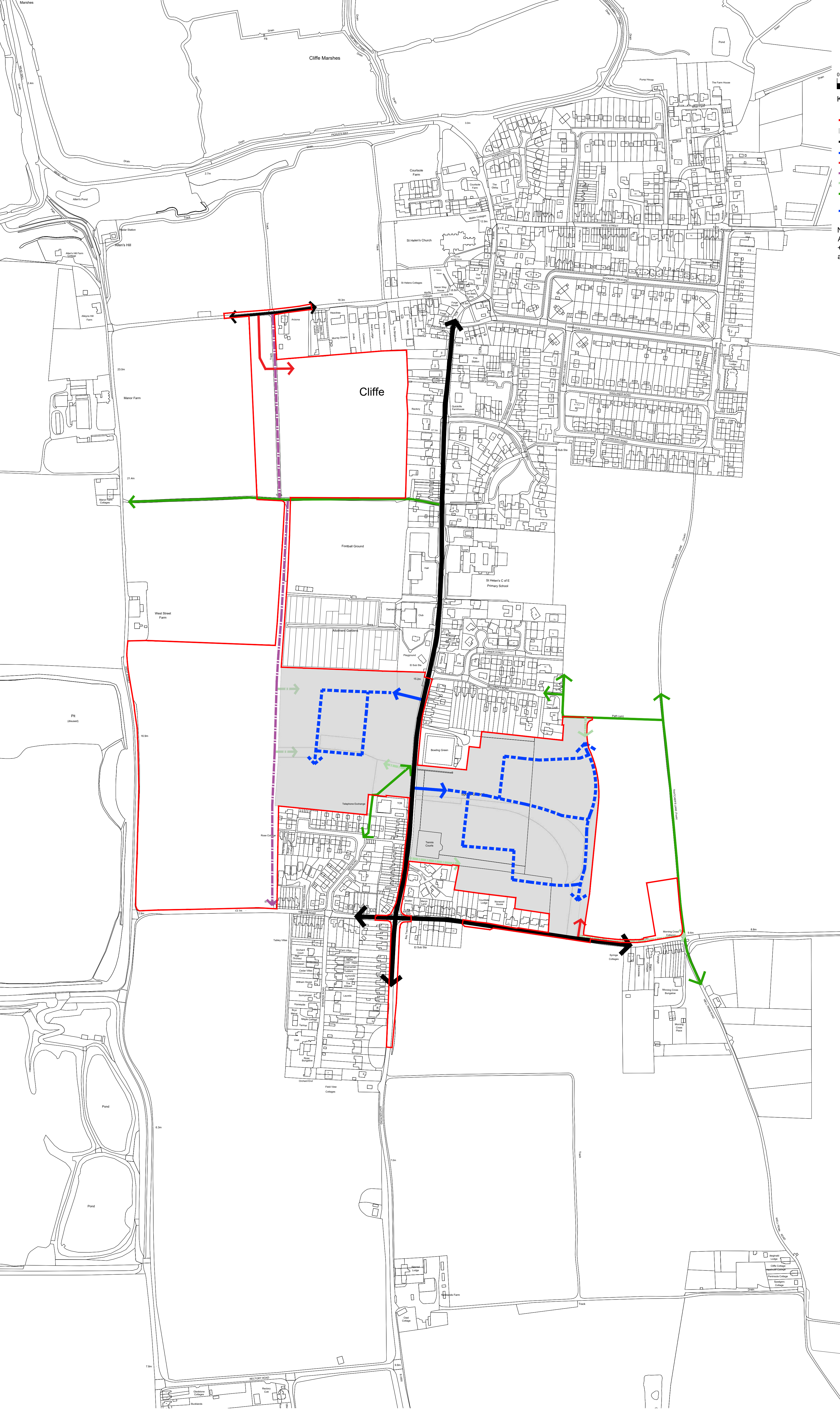


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## **APPENDIX B**

### **B1 MC/22/0254 'Parameter Plans Access and Movement' (drawing 0313/06)**





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Figured dimensions only to be taken from this drawing. DO NOT SCALE. All contractors must visit the site and be responsible for checking all setting out dimensions and notifying the architect of any discrepancies prior to any manufacture or construction work.

**NOTES:**

0 25.0 50.0 75.0 100.0 125.0 250.0m

**KEY**

- Planning Application Boundary
- Development Area
- Existing Routes
- Principal Access
- Secondary Access
- Shared pedestrian/cycle access
- Pedestrian Access
- Existing retained Public Rights of Way (PRoWs)
- Illustrative Internal Urban Structure

**Note:**  
All access parameters subject to a deviation of +/- 10m either side of the line. Pedestrian routes are shown indicatively only.

06	03/12/21	VV	JT	Revisions
05	27/10/21	VV	JT	Red Line Boundary Revised
04	09/09/21	VV	JT	General Revisions
03	08/09/21	VV	JT	Red Line Boundary Revised
02	26/08/21	VV	JT	Blue Line Boundary Revised
01	24/08/21	VV	JT	Red Line Boundary Revised
00	22/07/21	VV	JT	First Issue

Rev	Date	Drw	Chk	Notes

## PLANNING

Client  
**TRENPORT INVESTMENTS LTD**

Project  
**LAND AT CLIFFE**

Drawing Title  
**PARAMETER PLANS  
ACCESS AND MOVEMENT**

Drawn	Checked	Paper	Scale	Date
VV	JT	A1	1:2500	JULY 2021

Project No.	Drawing No.	Revision
21122	0313	06

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# **Medway Local Plan Regulation 19 Consultation Representations**

**August 2025**

On behalf of **Goodman**

Project Ref: 15144 | Date: August 2025

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## Document Control Sheet

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<b>For and on behalf of Stantec UK Limited</b>				

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### Appendix 1 – LMCP Site Plan

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# 1 Introduction

- 1.1 These representations are submitted on behalf of Goodman in response to Medway Council's Local Plan Regulation 19 Consultation (June 2025). Goodman is the developer of the London Medway Commercial Park (LMCP) (see Site Plan included at Appendix A), which is located at Hoo St Werburgh. Goodman has a direct interest in the emerging Local Plan and the long-term development strategy for Medway.
- 1.2 The LMCP is an existing employment allocation within the current Medway Local Plan (2003). The site is brownfield in nature and has a significant history of previous uses. Between the 1920s and 1970s the land was used by the Berry Wiggins Oil Refinery. The refinery was subsequently demolished and the land was used for various industrial and power station projects. It was subject to infilling including dredging from the River Medway and pulverised fuel ash from the Kingsnorth Power Station. The main contaminants associated with the site were fuel oils and tars, alongside elevated metals associated with the pulverised fuel ash.
- 1.3 LMCP is allocated for new industrial, storage and distribution development in the adopted Medway Local Plan under Policy S12. Following the 'original' outline planning permission in 2009 (ref MC/08/0370), it has also been the subject of a series of planning permissions in order to remediate the land and realise the economic development envisaged by the allocation.
- 1.4 LMCP is currently under development:
- Completed elements include ground remediation, the estate road network, highways upgrades to provide connectivity to the A228 and ecology-led green infrastructure improvements. In addition, the implemented plots have realised high quality and modern commercial facilities for Wincanton, Noatum, Amazon, KKB and Sicame;
  - Remaining areas to accommodate additional economic development comprise Plots 1c, 2 and 8. Buildings of a range of sizes can be accommodated within these areas, totalling some 64,500sqm (694,250sqft).
- 1.5 Representations have been previously submitted in relation to the Local Plan Regulation 18 consultation that took place last Summer and the Hoo Development Framework consultation (November 2022).
- 1.6 These representations focus on the strategic issues and development management related policies that are associated with the development of the site. Notwithstanding our client's specific

land interests, these representations have been prepared in objective terms and in recognition of prevailing planning policy – in particular Government guidance as set out in the National Planning Policy Framework [NPPF] (December 2024) and National Planning Practice Guidance [NPPG] (March 2014, as amended).

**i) Content of Representations**

1.7 The consultation document and the strategy for the preparation of a new Local Plan, has been assessed on the basis of National policies as set out in Section 2.0. These representations are structured as follows:

- Section 2.0 – National Planning Policy;
- Section 3.0 – Response to Consultation;
- Section 4.0 – Conclusions.

## 2. National Planning Policy & Strategic Policy

### i) National Policy & Plan Making

2.1 The NPPF (December 2024) places a strong 'presumption in favour of sustainable development' in all planning related matters and places a responsibility on Local Planning Authorities (LPAs) to encourage and support sustainable growth and to plan positively for new development. There are three dimensions to sustainable development in relation to the planning system as outlined in the NPPF. These include:

- an economic objective – 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 and innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
- 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 well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
- an environmental objective – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy. (Paragraph 8)

2.2 Plans and decisions should apply a presumption in favour of sustainable development. For plan-making this means that:

- Local Planning Authorities (LPAs) should positively seek opportunities to meet the development needs of their area, and be sufficiently flexible to adapt to rapid change;
- Local Plans should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas, 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; or – specific policies in the NPPF indicate development should be restricted. (Para 11)



- 2.3 The NPPF notes that the planning system should help create the conditions in which businesses can invest, expand and adapt. Accordingly, significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. (Para 85).
- 2.4 To meet these objectives, Para 86 directs that planning policies should:
- Set out a clear economic vision and strategy which positively and proactively encourages sustainable economic growth, having regard to the national industrial strategy and other local policies for economic development and regeneration;
  - Set criteria, or identify strategic sites, for local and inward investment to match the strategy and to meet anticipated needs over the plan period;
  - Pay particular regard to facilitating development to meet the needs of a modern economy, including by identifying suitable locations for uses such as laboratories, gigafactories, data centres, digital infrastructure, freight and logistics;
  - Seek to address potential barriers to investment, such as inadequate infrastructure, services or housing, or a poor environment; and
  - Be flexible enough to accommodate needs not anticipated in the plan, allow for new and flexible working practices (such as live-work accommodation), and to enable a rapid response to changes in economic circumstances.
- 2.5 Furthermore, planning policies and decisions should recognise and address the specific locational requirements of different sectors. This includes making provision for clusters or networks of knowledge and data-driven, creative or high technology industries; and for storage and distribution operations at a variety of scales and in suitably accessible locations. (Para 87)
- 2.6 LPAs should ‘submit a plan for examination which it considers is “sound” – namely that is:
- Positively prepared – the plan should be prepared based on a strategy which, as a minimum, seeks to meet the area’s objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
  - Justified – the plan should be an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
  - Effective – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and,

- Consistent with national policy – the plan should enable the delivery of sustainable development in accordance with the policies in the NPPF and other statements of national planning policy, where relevant. (Para 36).

2.7 The NPPF requires that Local Plans should:

- be prepared with the objective of contributing to the achievement of sustainable development;
- be prepared positively, in a way that is aspirational but deliverable;
- be shaped by early, proportionate and effective engagement between plan-makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees;
- contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals;
- be accessible through the use of digital tools to assist public involvement and policy presentation; and
- serve a clear purpose, avoiding unnecessary duplication of policies that apply to a particular area (including policies in this Framework, where relevant). (Paragraph 16).

2.8 Strategic policies should look ahead over a minimum 15-year period from adoption, to anticipate and respond to long-term requirements and opportunities, such as those arising from major improvements in infrastructure. (Para 22)

2.9 Furthermore, strategic policies should provide a clear strategy for bringing sufficient land forward, and at a sufficient rate, to address objectively assessed needs over the plan period, in line with the presumption in favour of sustainable development. This should include planning for and allocating sufficient sites to deliver the strategic priorities of the area (except insofar as these needs can be demonstrated to be met more appropriately through other mechanisms, such as brownfield registers or non-strategic policies). (Para 23)

2.10 The NPPF directs that the preparation and review of all policies should be underpinned by relevant and up-to-date evidence. This should be adequate and proportionate, focused tightly on supporting and justifying the policies concerned, and take into account relevant market signals. (Para 32)

ii) **National Planning Practice Guidance**

2.11 The National Planning Practice Guidance (NPPG) builds on the principles within the NPPF and provides further detailed technical guidance, with reference to relevant legislation and other guidance.

2.12 The NPPG provides guidance to support LPAs in objectively assessing and evidencing development needs including economic development. A robust evidence base will need to be developed, in liaison with the business community, to understand their current and potential future requirements. An assessment of the appropriate functional economic market area; existing employment land stock; recent pattern of employment land supply and loss; evidence of market demand; wider market signals and evidence of market failure will need to be undertaken. [Para: 026 Ref ID: 2a-026-20190220]

2.13 In relation to ensuring sufficient land is allocated for logistics, the NPPG notes that an assessment of need should be informed by engagement with logistics developers and occupiers to understand the changing nature and requirements in terms of the type, size and location of facilities, including the impact of new and emerging technologies; analysis of market signals including trends in take up and the availability of logistics land and floorspace across the relevant market geographies; analysis of economic forecasts to identify potential changes in demand and anticipated growth in sectors likely to occupy logistics facilities, or which require support from the sector; and engagement with Local Enterprise Partnerships and review of their plans and strategies, including economic priorities within Local Industrial Strategies. [Para: 031 Ref ID: 2a-031-20190722]

**iii) Industrial Strategy (June 2025)**

2.14 The Industrial Strategy seeks to create the most favourable conditions in key UK sectors to foster economic growth. To achieve this and, with particular reference to the Planning system, the Strategy seeks to remove planning barriers and give Government backing to transformative infrastructure projects. In relation to freight and logistics, the Strategy recognises the sector makes a vital contribution to the UK economy and notes that a new plan for freight and logistics will be published later this year to ensure that the sector can continue to play its part in growing the economy.

### 3 Response to Consultation

#### i) Draft Policy S10: Economic Strategy

- 3.1 We note that the latest Employment Needs Assessment (dated February 2025) is now available and should be referred to within the policy, whilst also referring to any subsequent updates to this to ensure that the policy is up to date with the supporting evidence base.

#### ii) Draft Policy S11: Existing Employment Provision

- 3.2 Policy S11 seeks to protect existing employment sites. We are satisfied that our previous concerns have been addressed as the policy wording is now clear that proposals for employment uses (Classes Eg, B2 and B8) will be supported at Existing Employment Areas.
- 3.3 However, our previous comments requesting that the whole of London Medway Commercial Park (including the areas that are currently identified as HHH37, HHH38 and HHH39) should be identified as an Existing Employment Area on the Policies Map have not been addressed.
- 3.4 We note that the LMCP site is not included as an existing employment allocation on the draft Policies Map and this should be updated to ensure that the whole site is identified as an existing employment allocation. This would ensure that the proposed policy framework aligns with the spatial context as shown on the Policies Map and is important to ensure that the site is identified for employment use. Presently, there are three remaining undeveloped plots at London Medway Commercial Park (Plots 1c, 2 and 8) which benefit from extant planning permissions that provide for the full range of employment uses. Marketing of these plots is ongoing.

#### iii) Draft Policy S12: New Employment Sites

- 3.5 We welcome the changes made to the proposed policy wording to take into account our previous concerns which highlighted the importance of prioritising the development of brownfield land first (as supported within the NPPF (para. 123)). We support that the policy now requires that brownfield sites should be phased before greenfield sites included as proposed new employment allocations, as per allocated Policy SA14.
- 3.6 Nevertheless, for the sake of clarity, we propose that the draft policy wording should be amended to:

*Brownfield sites **(including London Medway Commercial Park and MedwayOne)** are phased before greenfield sites **(including Kingsnorth Expansion Area)**, as per site allocation Policy SA14.*

iv) **Draft Policy SA14: Employment Sites**

- 3.7 We support the inclusion of draft policy SA14: Employment Sites, now that the Employment Lands Needs Assessment (ELNA) has been undertaken and the employment needs across the Plan period have now been established. The policy also confirms the phasing of strategic allocations across the Plan period which is critical to ensure that a pipeline of development can be phased appropriately across the entirety of the Plan period to deliver sustainable economic growth.
- 3.8 Having regard to Goodman's interests in relation to LMCP, the policy wording notes that the "Kingsnorth Expansion Area is anticipated to be developed during the latter part of the plan period, i.e. after employment sites on previously developed land have been occupied." We also note that further detail on timescales for phasing is set out in the 'Site -specific information' table included at the end of the policy wording which sets out that this area is planned to be developed within 11+ years of the Plan period.
- 3.9 Whilst we are supportive of the principle of the phasing approach, to enable existing employment allocations to be delivered, and support the timescales for development of the Kingsnorth Expansion Area as set out within the table, we request that the draft policy wording is clearly aligned with these timescales. As such, we propose that the draft policy wording should be amended to:

***Kingsnorth Expansion Area ~~shall be anticipated to be developed during the latter part of the plan period, i.e. after employment sites on previously developed land have been occupied.~~ Development shall align with the timescales set out in the 'Site-specific information' table included within this policy.***

- 3.10 We note that the Employment Land Needs Assessment (ELNA) (2025) confirms that against an industrial requirement for 204,000 sqm of employment floorspace across the Plan period, the Council has identified more than four times that amount (although recognising the 2no. locations account for two-thirds of this supply). The report also notes at para. 7.15 that:

***"It is clear that the existing supply can continue the growth trajectory and could accommodate higher growth, and on the assumption that there are no further industrial losses through reconfigure or regeneration, there is no need to increase the industrial supply."***

- 3.11 The report suggests that there is no pressing need for further employment allocations to be added to the existing pipeline of sites already identified. However, it recognises that in locations where major housing development is to be provided, the Council should consider additional local scale

and quality employment floorspace, where it would assist with placemaking and it is viable to do so. As such the major housing development proposed through allocations on the Hoo Peninsula would fall within the remit of such locations and it is recognised that future employment allocations have been proposed on the Hoo Peninsula (HHH35: Land to the south of Eschol Road and Land to the north of Eschol Road, collectively part of the Kingsnorth Expansion Area), aligning with that approach. Furthermore, the Council has identified the potential for the redevelopment of Medway City Estate as part of plans for the Frindsbury Peninsula for mixed-use regeneration which could potentially involve the re-location of businesses to the Kingsnorth Expansion Area.

3.12 Given that the Kingsnorth Expansion Area has been phased to come forward within the later part of the Plan period (11+ years) to align with the critical mass of delivery of proposed major residential development at Hoo, we do not raise concerns regarding the allocation of additional employment land in excess of Medway's identified employment need across the Plan period. It is important that new proposed employment allocations are appropriately phased towards the later part of the Plan period to ensure an adequate timeframe for the delivery of existing employment allocations including LMCP, for the following reasons:

- In terms of development economics, the greenfield Kingsnorth Expansion Area that has been identified for employment uses is relatively unconstrained. It is therefore cheaper to develop than London Medway Commercial Park and MedwayOne, which are restoring and regenerating contaminated land;
- London Medway Commercial Park and MedwayOne are established commitments for Medway Council;
- Failure to put in place proper phasing safeguards would mean that completion of the brownfield London Medway Commercial Park and MedwayOne would be halted, because they would be commercially undercut by cheaper greenfield land;
- The NPPF supports making effective use of brownfield land (Paragraph 124) and this must be an important consideration when formulating planning policy.

**v) Draft Policy SA8: Hoo St Werburgh and Chattenden**

3.13 We support the inclusion of a strategic policy setting out the objectives and the criteria for sustainable growth across the Plan period. We note that development is expected to come forward in accordance with a strategic masterplan, providing a framework for design, landscape and green infrastructure, heritage, services, employment, transport, infrastructure, defining distinctive

neighbourhoods and centres and we are supportive of this approach. This strategic masterplan should be consulted upon to ensure that the masterplan does not fetter the ability for existing sites such as LMCP to operate successfully in line with comments raised in our previous Representations.

3.14 In our previous Representations, we noted that it will be important to ensure that further growth on the Hoo Peninsula does not compromise the continued success of LMCP. We would like to reiterate these matters to ensure that they are addressed through policy wording/pre-amble supporting text, and the subsequent strategic masterplan.

1. It should be made clear that unrestricted 24-hour use of Stoke Road and Ropers Lane will be safeguarded for users of LMCP and other employment activities in the wider Kingsnorth Area;
2. The mix and distribution of proposed uses should avoid the potential for conflict between the new development (i.e. residents) and existing commercial traffic;
3. Provision should be made for buffer areas and screening between Ropers Lane and Stoke Road and the proposed residential development. The buffer areas and screening should be of an appropriate depth and incorporate effective soft landscaping including tree planting, together with acoustic fencing if necessary. The buffer areas and screening should also be supported by up-to-date technical assessments in respect of noise, air quality and lighting in order to ensure that the design of any mitigation measures is fit for purpose.

3.15 In relation to the 'Employment' section of draft policy SA8, reference should also be made to the existing strategic employment sites at Kingsnorth (as well as the Kingsnorth Expansion Area) as referenced in policy SA14.



## 4.0 CONCLUSIONS

- 4.1 The Regulation 19 Local Plan (June 2025) has been produced by Medway Council seeking to address its growth needs until 2041.
- 4.2 We support the overall vision for sustainable economic growth to meet Medway's employment needs as set out within the consultation document however it does not appear to be fully aligned with the findings of the ELNA which confirms that the existing pipeline of employment sites is more than adequate against the requirement across the Plan period. However the ELNA notes that the Council should consider the allocation of additional local scale and quality employment floorspace in areas where major housing allocations are proposed to support placemaking. We accept this approach and are satisfied that the Kingsnorth Expansion Area has been phased to come forward in line with major housing growth on the Hoo Peninsula, within the later part of the Plan period. This timescale also enables the prioritisation of existing brownfield employment sites with extant planning consent including LMCP.
- 4.3 We have set out suggested changes to draft policy wording to ensure that future proposed development on the Hoo Peninsula does not undermine the continued delivery and operation of LMCP and request that our proposed amendments in this regard are fully considered.
- 4.4 To this extent, and subject to the afore-mentioned suggested amendments, we consider that the Regulation 19 Local Plan is 'sound' within the context of the NPPF. The Local Plan has been positively prepared in that it provides a strategy which seeks to meet the minimum employment land needs. The Local Plan is justified in that it provides an appropriate strategy for Medway's future growth until 2041, which has been supported by an appropriate evidence base. An effective strategy for future growth and development has been provided which is deliverable over the Plan period and based on effective joint working on cross-boundary strategic matters. The Local Plan is consistent with national policy and will enable the delivery of sustainable development.

## **Appendix 1**

### **LMCP Site Plan**





Plot 2  
21.4 acres



Amazon  
Lorry Park

Plot 8  
2.85 acres

Plot 1c  
9.94 acres

