



Examination of the Medway Local Plan 2041

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Mr Dave Harris
Chief Planning Officer
Planning Service
Medway Council

By email only

27 March 2026

Dear Mr Harris,

Examination of the Medway Local Plan 2041 – Inspectors Initial Queries

1. As you will now be aware, we are the Inspectors appointed by the Secretary of State to conduct the examination concerning the soundness of the submitted Medway Local Plan 2041 ('the Plan'). For clarity, the Plan is being examined against the version of the National Planning Policy Framework (NPPF) published on 12 December 2024. Since the Council submitted the Plan in December 2025, we have been undertaking our initial review of the document and the evidence submitted to support it. That work remains ongoing. However, we have identified some areas of particular concern and some matters on which we require further clarification from the Council at this early stage of the examination. These are set out below.

Duty to Cooperate (DtC)

2. The Government announced on 27 November 2025 that the Duty to Cooperate (DtC) will not be 'saved' when the new regulations to implement the new plan-making system take effect, meaning it will cease to apply immediately to plans in preparation or at examination at that point. The new regulations have now been laid before Parliament and came into effect on 25 March 2026. Accordingly, the DtC has now been abolished. However, we will consider whether there is sufficient evidence of maintaining effective cooperation in line with the NPPF. As a result, responding to our queries will aid our considerations on this matter.

3. The Council has helpfully provided several Statements of Common Ground (SoCG). Whilst this is noted, there also appears to be some indicated SoCGs which are in preparation. Please could the Council provide a list of the intended SoCGs to be submitted and provide an update on progress with outstanding joint SoCGs and the SoCG with Thurrock Council (re: Waste). The Council is also asked to clarify whether any further or updated SoCGs are to be submitted (e.g. with other utilities, developers of the strategic sites).

Sustainability Appraisal (SA), Special Protection Areas (SPA) & HRA Coverage

4. The Regulation 19 stage notes the SA informing the submitted strategy of the Plan. We note that the Plan also engages with international nature sites (SPAs/Ramsar) and references Strategic Access Management and Monitoring Strategy (SAMMS). As such, we ask the Council to confirm and set out how there is legal sufficiency in this regard and demonstrate that there is an adequate evidence trail of this engagement.
5. Prior to a preferred development strategy being selected for the Plan, the Council is required to consider reasonable alternatives (e.g. different growth splits between urban, suburban, Hoo Peninsula). We ask the Council to provide a non-technical summary note setting out the reasonable alternatives explaining how they were identified, appraised and consulted on and why the preferred strategy was selected.
6. In terms of the Habitats Regulations Assessment evidence, we ask the Council to provide the HRA screening / appropriate assessment conclusions, the SAMMS mechanism and delivery evidence for recreational disturbance mitigation. In providing this, we also ask for clarification on whether the policies in the Plan are reflective of the Submission HRA (ref: A4.1 to A4.3) as it proceeds the publication of this document. In addition, could the Council please confirm that it has sought the views of Natural England on the Submission HRA (ref: A4.1 to A4.3).

Procedural Matters / Drafting Issues

7. Please could the Council clarify whether the submission Plan, dated December 2025 is the same version of the Plan that was consulted on at Regulation 19. If not, please set out clearly what has changed between the two versions and why.
8. The date of the submitted Plan is noted as December 2025 and the Plan period is identified up to 2041. Paragraph 22 of the NPPF states that strategic policies in local plans should look ahead for a minimum period of 15 years from the date of adoption. Given that the examination of the Plan is currently at an early stage, its adoption is unlikely to occur during 2026. Therefore, please could the Council explain how the Plan will meet the requirement set out in paragraph 22 of the NPPF.
9. We note that the Plan contains Strategic Policies (S) and Non-Strategic Policies (DM), but also Thematic Policies (T). As such, it is unclear whether T policies are strategic or non-strategic. Please could the Council clarify the classification of the policies within the Plan.
10. The Plan does not set out the policies in the adopted development plan that would be superseded. This is a requirement set out in Regulation 8 of the Town and County Planning (Local Planning) (England) Regulations 2012 (as amended) and is

therefore a matter of legal compliance. Whilst we note that these policies are appended to the Council's covering letter submitted with the Plan, the Council is asked to clarify why the list of policies is not within the Plan. We should say that this matter could be rectified through a main modification to the Plan.

11. We note also that the Plan contains no monitoring policy. Please could the Council provide an explanation why this is the case. Again, we state that this could be rectified through a main modification.
12. In light of the above, we suggest that it may be prudent for the Council to produce a schedule of proposed changes (or modifications) to the Plan which can be added to throughout the examination.
13. In relation to 'visions' within the Plan, some topic-based chapters contain a 'vision', in addition to the policies whilst others do not. Clarification is needed on why this is the case and what is the intended function of the visions, compared to the policies.

Evidence

14. We note that there appears to be no final version of the Green and Blue Infrastructure Plan. Moreover, the Medway Playing Pitch Strategy (Strategies) also appear(s) to be outstanding. Clarification is requested as to when these documents will be submitted. The Council should also clarify whether the Strategic Flood Risk Assessment (SFRA), the HRA and the Strategic Transport Assessment are now final versions of those documents, or whether the discussions with the respective prescribed bodies could mean they will need to be updated further.
15. The Council is asked to provide clarification on whether the SA will need updating to consider potential impacts, as it predates a number of these other key evidence documents and refers to emerging versions.
16. Please could the Council clarify which submission documents were not available for the Regulation 19 consultation and set out whether or how the Council proposes to address this issue. This matter is also raised in relation to the points made in the letter received from an interested party named 'Save The Hoo Peninsula' (Richard Buxton Solicitors), dated 19 March 2026 (ref: ED4).
17. We note that some evidence upon which the Plan relies is now of a significant age or appears to be in draft form. To assist us in our understanding of why this appears to be the case, the Council is asked to provide a clear overview of the evidence submitted and identify where gaps in evidence exist and why in relation to the strategy and policies contained within the Plan.

Strategic Site Delivery

18. To assist our overall understanding of strategic site delivery, please could the Council demonstrate deliverability within the Plan period for each strategic site with regard to its master planning status; land control; anticipated application dates; specific infrastructure required; infrastructure funding route; anticipated start and completion dates and any other critical path item. This information should be set out clearly in an explanatory note.

Housing

19. Paragraph 78 of the NPPF requires local plans to illustrate the expected rate of housing delivery through a housing trajectory. It appears to us that the Plan does not include such a trajectory setting out this detail. We therefore ask the Council to clarify why this is the case and to provide, in an explanatory note, a housing trajectory on the basis of the development strategy set out in the Plan and the planned for delivery of housing for the Plan period.

Green Belt

20. The Plan proposes the release of Green Belt land, relating to an area of land to the west of Strood, following an assessment that areas of grey belt exist which provide exceptional circumstances to justify the release. Other more minor alterations to the Green Belt are also proposed. We have a number of initial queries, as set out below, where we are seeking a response from the Council at this stage through a Green Belt Note.
21. It is understood that the Green Belt Review was made in 2025, when the Plan reached the Regulation 19 stage. The Council is therefore requested to clarify what consultation was carried out on the proposed Green Belt release prior to the submission of the Plan for examination and what documents were made available for consultation. This should include clarification of what constitutes the Council's in house Green Belt Review and, separately, the critique by independent consultants. Please also confirm whether the Policies Maps accurately show the intended extent of all the changes to the Green Belt.
22. We also understand that the review was undertaken with regard to national policy and we would find it useful for it to be set out how the NPPF and the Planning Practice Guidance: Green Belt were applied to the methodology that is engaged in the Green Belt Review (ref: B8). While it is highly likely that we will have questions on the methodology used throughout the examination, clarification should also be provided at this stage on how parcels were derived (and in some instances amalgamated), the application of the Green Belt purposes, why land has been released in part of the other parcels (other than land to the west of Strood) and why not all aspects of the Green Belt Review were taken forward.
23. A further aspect of the proposed release of Green Belt land is how it relates to the release of such land in adjoining Gravesham Borough Council (Gravesham). Please clarify whether the reviews are co-ordinated and the nature of the discussions with Gravesham, including working groups, meetings, minutes, Council resolutions, or similar. Please also clarify if a co-ordinated approach to methodology has taken place and if consideration has been given to whether there would be exceptional circumstances to justify the release of land to the west of Strood, were the release of Green Belt land in the adjoining part of Gravesham not to occur.
24. Please also provide an update of the latest positions with Gravesham's review of the Green Belt and the position with neighbouring Tonbridge and Malling Council, which has also been referred to in the Green Belt Review.

Gypsy, Traveller & Travelling Showpeople

25. The Plan recognises there will be a need during the Plan period for further pitches/plots for Gypsy and Traveller households and for Travelling Showpeople. However, it does not seek to allocate sites but rather rely on a criteria-based policy (T10). We have a number of initial queries and have some concerns about the soundness of this approach, as set out below. Again, we are seeking the Council's response at this stage through a topic-specific note.
26. There appears to be discrepancies in the level of need identified between the Gypsy and Traveller Accommodation Assessment (GTAA) (ref: B11.1) and Addendum (ref: B11.2), and Policy T10, based on the interpretation of the definitions under the Planning Policy for Traveller Sites (2024) (PPTS). The GTAA and Addendum identify a total need for 56 Gypsy and Traveller households, and 8 for Travelling Showpeople. Yet, paragraph 6.10.7 of the Plan states there is a need for 31 pitches for Gypsy and Traveller households and 3 for Travelling Showpeople. These apparent discrepancies should be explained.
27. The Council should also explain why it considers its approach accords with the PPTS. This includes criterion a) of paragraph 10 over whether under the Plan there is in fact a supply of specific deliverable sites sufficient to provide 5 years' worth of sites against locally set targets. Similarly, under criterion b) over developable sites, or broad locations for growth over the remainder of the Plan period, and paragraph 11 over what criteria the Council has set to guide land supply allocations where there is identified need.
28. The Plan relies on the intensification and expansion of sites to meet need through the policy. It is highly likely that we will have questions on whether such an approach is consistent with national policy through the PPTS, as well as on the methodology and recommendations of the GTAA and Addendum. While paragraph 11 of the PPTS goes on to allow for a criteria-based policy approach, this is where there is no identified need, and so the Council should explain its position in this regard. Notwithstanding this, please also explain why there are not the related allocations showing extensions of existing sites.
29. There is also a need to explain whether the SA (ref: A3.1 to A3.3) has considered the need when it has discounted the site at Cuxton (CHR13), and why it did not consider two other Gypsy and Traveller sites identified in the Land Availability Assessment (ref: B1) at Upnor (SR32) and Chattenden (SR41). If the Council did not consider that suitable sites had come forward for Gypsy and Traveller, and Travelling Showpeople, the Council is asked to explain why a separate call for sites exercise was not undertaken due to the identified need.

Next Steps

30. This letter raises a number of concerns and includes several questions and requests, that will likely require the Council to undertake further work. We appreciate that this may take some time to address fully and robustly. However, to ensure that progress on the examination keeps moving efficiently, we request that the Council respond to this letter by no later than **Monday 27 April 2026** explaining your position with respect to our initial concerns, questions and requests. We assume that given the extent of work requested it will not be possible to overcome all the issues raised in this letter by that date, so we ask that you set out and

provide a reasonable timetable for providing the information and clarifications that we seek.

31. In terms of how the examination can progress from here, much depends on the Council response to this letter. You will appreciate that we have raised in this letter some significant concerns, and until we have the Council's reply, we will not be in a position to set out a definitive process or timetable for the next steps of the examination. We should say, though, that we anticipate the reply to this letter will lead to the submission of further new evidence and other documents on which interested parties would not have had the opportunity to comment. Consequently, before any hearings take place, a further consultation may be necessary. We would provide further advice on this as appropriate in due course.
32. If there is anything in the preceding paragraphs that is unclear, please do not hesitate to contact us via the Programme Officer, Louise St John Howe. Once the requested information has been received, we will give it due consideration before advising on the next steps to be taken as soon as possible.

Yours sincerely,

Andrew McCormack and *Darren Hendley*

Inspectors