# Medway Local Plan Examination

# Consultation on Evidence Documents – October 2026

# Appendix A:

# Representations Received

# November 2026

Medway Council
Serving You

**Medway Local Plan 2041 - Evidence Documents Consultation**

All Reponses received and accepted are presented in the following order.

There were 8 responses received from 7 respondents via Email and OpusConsult.

**Responses**

| ID | NAME | TYPE OF RESPONDENT | CHANNEL |
|---|---|---|---|
| 5103 | Mr Ray Dines | MPs, Members and Parish Councils | OPUS |
| 5104 | Mr Ray Dines | MPs, Members and Parish Councils | OPUS |
| 5106 | Swifts Local Network: Swifts and Planning Group | Voluntary and Community Organisations | OPUS |
| E.8 | Jennifer Price | Members of the Public | Email |
| E.118 | Gleeson Land | Developer | Email |
| E.81 | Southern water | Statutory Body | Email |
| E.37 | The Independent group | MPs, Members and Parish Councils | Email |
| E.200 | Save the Hoo Peninsula | Voluntary and Community Organisations | Email |

## 5103 Comment

**Document Element:** Various Statements of Common Ground with Medway Council and parties, MLP/ED24C SoCG - Medway Council & F T Atwood & Partners (Capstone Valley)

**Respondent:** Mr Ray Dines

**Summary:**

This statement of common ground effectively says nothing about Master Planning or Infrastructure Delivery. It is also silent on the clear Policy objections to the Environmental Impact of a major housing development within the established Green Corridor between Lordswood and Hempstead.
There is no discussion on now the sites it might be served by Public Transport and effective routes for pedestrians and cyclists given the topography of the land.
Overall just totally inadequate. Not acceptable to suggest “we will come up with something during the course of the Stage 2 Hearings”.

**Full text:**

This statement of common ground effectively says nothing about Master Planning or Infrastructure Delivery. It is also silent on the clear Policy objections to the Environmental Impact of a major housing development within the established Green Corridor between Lordswood and Hempstead.
There is no discussion on now the sites it might be served by Public Transport and effective routes for pedestrians and cyclists given the topography of the land.
Overall just totally inadequate. Not acceptable to suggest “we will come up with something during the course of the Stage 2 Hearings”.

**Attachments:** None

## 5104 Comment

**Document Element:** Other documents already submitted to the Examination, MLP/ED37 Medway Green & Blue Infrastructure Framework

**Respondent:** Mr Ray Dines

**Summary:**

I support the general thrust of the Strategy but unfortunately many of the diagrams do not provide sufficient clarity to enable judgments to be made on how these relate to existing and proposed development.
For example the diagram within paragraph 3.1.24 does not have a key and the status of the areas coloured pale blue is unclear.
Similarly the diagram within paragraph 3.1.25 (Green Corridors) is not sufficiently detailed to determine how these relate to existing or proposed development. The diagram showing Ground Water aquifers is even more vague and there is no guidance regarding their protection.

**Full text:**

I support the general thrust of the Strategy but unfortunately many of the diagrams do not provide sufficient clarity to enable judgments to be made on how these relate to existing and proposed development.
For example the diagram within paragraph 3.1.24 does not have a key and the status of the areas coloured pale blue is unclear.
Similarly the diagram within paragraph 3.1.25 (Green Corridors) is not sufficiently detailed to determine how these relate to existing or proposed development. The diagram showing Ground Water aquifers is even more vague and there is no guidance regarding their protection.

**Attachments:** None

# 5106 Comment

**Document Element:** Other documents already submitted to the Examination, MLP/ED37 Medway Green & Blue Infrastructure Framework

**Respondent:** Swifts Local Network: Swifts & Planning Group

**Summary:**

The three references to swift boxes are welcome but please amend to "swift bricks" or "swift bricks/ boxes" to make consistent with national policy, i.e. NPPF 2026 policy N2-1-f, and NPPG Natural Environment 2025 paragraph 017, and also for consistency with the Kent LNRS.

**Full text:**

The three references to swift boxes are welcome but please amend to "swift bricks" or "swift bricks/ boxes" to make consistent with national policy, i.e. NPPF 2026 policy N2-1-f, and NPPG Natural Environment 2025 paragraph 017, and also for consistency with the Kent LNRS.

**Attachments:** None

Sent from my iPhone

Medway Local Plan 2041 Examination Consultation – West Strood SoCG (Policy SA6)
**Regarding:** Medway Local Plan 2041 Supporting Evidence Consultation (October 2026)
**Specific Policy:** Policy SA6 (Land West of Strood) / Statement of Common Ground for West Strood
**Affected Properties:** Existing bungalow residences adjacent to the designated "Grey Belt" field interface.

**To the Planning Policy Team and Independent Inspectors,**

I am writing to submit a formal representation regarding the Statement of Common Ground and supporting evidence for the West Strood allocation (Policy SA6). As a local resident living in a single-storey bungalow directly bordering the designated field, I wish to raise a critical objection regarding **Topography, Severe Overlooking, and Surface Water Drainage**.

The current framework fails to properly protect the residential amenity of existing low-profile homes along this boundary for the following material reasons:

1. **Severe Topographical Overlooking:** The development field slopes downward to meet our 9-metre rear garden fences. Because of this elevation difference, any standard two-storey housing built on the higher ground will result in an intrusive, direct downward line of sight over our fences and straight into our single-storey rooms and private gardens. Standard 21-metre window separation rules are entirely insufficient on this sloped terrain.
2. **Failure of Visual Transition:** The Statement of Common Ground outlines a commitment to a "landscape-led masterplan" (Paragraph 2.5.3). Dropping multi-storey, high-density housing right against a shallow 9-metre bungalow boundary completely violates the principle of a smooth urban-to-countryside transition.
3. **Downhill Surface Water Runoff:** Because the terrain slopes toward our properties, converting this absorbing greenfield into tarmac and concrete will severely accelerate rainwater runoff toward our boundaries, posing a substantial risk of localized flooding to our short gardens.

**Requested Modifications for the Masterplan:**

To ensure the plan is sound and legally robust, I request that the final Masterplanning framework mandates the following absolute protections:

- A strict **non-buildable Structural Green Buffer zone** of at least 15 metres along the lowest point of the slope (directly behind our boundary fences) to absorb surface water and house Sustainable Drainage Systems (SuDS).
- A binding **height restriction** limiting any new properties built within 35 metres of our boundary fences strictly to single-storey or low-profile chalet bungalows to match the existing built environment.

Please acknowledge receipt of this representation and keep me informed of the upcoming Phase Two Examination hearings at Priestfield.

Sincerely,

**Jennifer price**
[redacted]

Marrons

Catherine Smith
[redacted]

**By Email**

15 October 2026

Dear Ms Smith

***Medway Local Plan 2041 - Evidence Documents Consultation***
***October 2026***

We write on behalf of our client, Gleeson Land, in response to the Council's current consultation on additional evidence base documents. This letter specifically responds to:

- Proposed stepped housing requirement and land supply (MLP/ED30);
- Proposed stepped housing requirement and land supply: Explanatory note (MLP/ED30A); and
- Justification for a Stepped Housing Requirement (Highways) (MLP/ED38).

As set out in our Matter 3 Hearing Statement (August 2026) we are not against the principle of stepped trajectory where this is necessary to support the overall spatial vision and strategy of the Plan. However, this should only be pursued if other opportunities to increase supply in the early part of the Plan period have first been robustly tested and ruled out. As detailed in our previous submissions, we do not consider this to be the case with suitable and deliverable sites, such as Gleeson Land's site at Land south of Higham Road and east of Buckland Road, Cliffe, unjustifiably omitted from the Plan.

The lead-in times for strategic sites and the significant infrastructure requirements needed to support these are well established. These would have been known through preparation of Plan, i.e. ahead of submission. Most of the strategic sites are unlikely to make a meaningful contribution to addressing housing and other needs in the short and, likely, medium term. Our position remains that the Council has not identified realistic lead-in times for some of these sites.

The application of a stepped trajectory which artificially suppresses the delivery of housing against identified needs in the short-term would therefore only compound our previously noted concerns that the Plan is unlikely to achieve its aim of significant increasing the supply of housing in the short and medium term.

The only effective way of addressing this and reducing the risk arising from delayed delivery from strategic sites, without undermining the ability to meet housing needs, is through identifying and supporting additional deliverable housing sites capable of boosting housing supply in the short and medium term.

The implication of a stepped trajectory has not been considered through the Council's Sustainability Appraisal (SA) process, which through its impact matrix only considers the benefits / harms related to the preferred growth option. Inevitably, supressing the achievement of minimum housing needs would have negative impacts on the SA outcomes relating to population, including housing, health and wellbeing and economy and employment.

The proposed stepped housing trajectory has been designed to retrofit the preferred strategy. There has been no consideration for the implications of this or if other solutions, which could have beneficial outcomes, should be explored. It is not justified on this basis.

The supporting highways note 'justification for a stepped housing requirement' runs counter to the evidence supporting the Plan, that the proposed strategy was sound and could be accommodated taking account existing and proposed infrastructure (including associated timings and funding). This raises questions as to whether the evidence base supporting the plan remains reliable. It is asserted that slower delivery of housing could be accommodated through lesser interventions to the highway, with the rate of development aligned with the "realistic and deliverable implementation of transport infrastructure". It is unclear why this approach is only being advanced now, long after Regulation 19 consultation and submission of the Plan. Further, it is also unclear where the expected funding will derive from for interventions if the strategic sites are not expected to, or able to (due to the now identified infrastructure constraints), come forward until later in the Plan.

It is our view this note, which is relatively brief and lacking in the same level of detail as earlier highways work, highlights the mismatch between the need for sites to deliver early (and contribute towards highway improvements) and the chosen strategy for the Plan. Whilst we are not opposed to this chosen strategy, we remain concerned it has been at the expense of other sites which can deliver much earlier in the Plan period.

Further, it is unclear how the now proposed approach to highways intervention aligns with the Evidence Base of the Plan, notably the Infrastructure Delivery Plan and viability work.

**Summary**

The proposed stepped housing trajectory has been introduced at an advanced stage of the Local Plan preparation, post-Regulation 19 and submission of the Plan. As a consequence, the implications of this have not properly been considered through the Plan or Evidence Base. This results in potential issues and conflicts with the wider strategy, including in respect of infrastructure delivery. This has not been considered adequately.

Notably, the adoption of a stepped housing trajectory would lead to a suppression of housing needs in the short-term. This compounds our already highlighted concerns relating to housing delivery.

It has been designed to retrofit the supply, with no consideration for the negative consequences of this or if other solutions, which could have beneficial outcomes, should be explored.

A stepped trajectory should only be pursued if other opportunities to increase supply in the early part of the Plan period have first been robustly tested and ruled out. We do not consider this to be the case with suitable and deliverable sites, such as Land south of Higham Road and east of Buckland Road, Cliffe, unjustifiably omitted from the Plan.

We therefore conclude the stepped housing trajectory is not justified, nor would it lead to an effective Plan.

Yours Sincerely

***Joshua Mellor***
**Planning Director**

[redacted]

Your ref

MLP/ED21 and MLP/ED39

**By email to** planning.policy@medway.gov.uk

Date

16 October 2026

**Re: Medway's Technical Note (MLP/ED39) sets out the Inspectors questions as follows:**

**During the Matter 6 hearing, the Inspectors raised two questions in relation to viability:**

**1. Ensure Viability Assessment has considered water efficiency noted in the Statement of Common Ground with Southern Water (ref: MLP/ED21).**

**2. Consider modifications to Policy DM1 (ref: A1) in light of the Statement of Common Ground with Southern Water (ref: MLP/ED21). Specifically, Policy DM1 will: a) not allow new surface water connections to the foul network and resist new connections to the combined sewer network, and b) encourage the separation of rainwater from wastewater at source to prevent clean surface water run-off from entering the foul or combined sewer networks.**

Dear Sir/Madam, Southern Water considers these questions in turn below, to align with the structure of Medway's Technical Note:

1. It is Southern Water's understanding that Local Plan viability assessments generally conclude that any water efficiency target more stringent than those prescribed by Building Regulations would render development unviable. However, we also typically find it the case that these viability assessments do not take account of the various discounts Southern Water offers to developers (collectively referred to as environmental incentives - https://www.southernwater.co.uk/building-and-developing/environmental-incentives/). The National Planning Policy Framework (August 2026 - NPPF) now also allows for tighter water efficiency targets in water stressed areas (than Building Regulations specifies) – which was not the case when the Medway Local Plan was originally drafted.

   Southern Water requested (in the areas for agreement of our Statement of Common Ground with Medway) that our environmental incentives be incorporated into any viability assessment of tighter water efficiency targets. We requested this in order to work with Medway to establish a more efficient standard for water use in development.

   Taking all of this into consideration, and the need, justification and research that supports our revised Sustainable Development Policy (found here - https://www.southernwater.co.uk/media/h1ac3d0u/sustainable-development-policy-october-2026.pdf) we confirm that we would recommend more stringent water efficiency standards in Medway's Local Plan. We therefore ask whether policy DM6 Sustainable Design and Construction could at this stage be updated to reflect this – Southern Water considers that changing the current DM6 water efficiency allowance from 110 litres/person/day to 100 litres/person/day would be an appropriate first step.

   In addition to its recognised water scarcity status, it is broadly acknowledged the Southeast needs more stringent water efficiency standards. It is necessary to use water resources more efficiently in order to serve existing customers and support the growth planned across the Southeast. This is now being reflected within other Local Plan policies in Kent (some requesting 80 litres/person/day with an allowance for 90 only on small sites).

Also, Defra and MHCLG ran a consultation ending in December 2025 proposing tightening standards, and this included cutting the general baseline standard from 125 to 105 l/p/d and lowering the optional requirement for water-stressed areas from 110 to 100 l/p/d. Although no formal change is yet in place, the consultation acknowledged water stress and the importance of water efficiency to delivering the sustainable growth that the NPPF requires.

2. The current wording of the Sustainable Drainage section of policy DM1 accounts for our key concerns. However, Southern Water considers the wording changes proposed to DM1 acceptable where these are needed for clarity - specifically, that Policy DM1 will: *a) not allow new surface water connections to the foul network and resist new connections to the combined sewer network, and b) encourage the separation of rainwater from wastewater at source to prevent clean surface water run-off from entering the foul or combined sewer networks.* We would ask that the need to comply with the National Standards for Sustainable Drainage (Defra, June 2025) is also added to the wording of policy DM1. It is also our understanding, that the National Standards for Sustainable Drainage are now a material planning consideration.

   Although we understand the comments Medway raises in its technical note, sustainable drainage solutions can support the achievement (and therefore the viability of) more stringent water efficiency targets where they harvest rain and surface water for non-potable re-use in the local environment. These options reduce demand for potable water. Rain and surface water harvesting are included in policy DM1 and are now also at the top of the hierarchy of drainage destinations given by the National Standards for Sustainable Drainage.

   The separation explained in point (b) is not merely a matter of the separate communication pipes of surface water run-off from a property that ultimately leads to the same foul or combined network. It is separation of rain and surface water from foul wastewater to then manage it separately, and re-use surface water locally to its source, that supports the natural water cycle in the local environment. Effective SuDS also minimise the pumping of heavy volumes of surface water through a treatment process that it does not need.

   The separation referred to in (b) is a fundamental principle of sustainable drainage and can only be delivered through provision of sustainable drainage systems (SuDS).

Yours faithfully,

*Catherine Adamson*

Catherine Adamson
Strategic Planning Lead for Kent and East Sussex



Southern Water Services Ltd, Registered Office: Southern House, Yeoman Road, Worthing BN13 3NX Registered in England No. 2366670

## EXAMINATION OF THE MEDWAY COUNCIL LOCAL PLAN 2041

# CONSULTATION REPRESENTATION

## THE INDEPENDENT GROUP (TIG) ON MEDWAY COUNCIL

### CONSULTATION

**October 2026 Evidence Documents Consultation**

### ISSUE

**Whether the October 2026 examination evidence adequately demonstrates that the submitted Medway Council Local Plan 2041 is legally compliant and sound.**

| | |
|---|---|
| **Representor** | The Independent Group (TIG) on Medway Council |
| **Representor ID** | E.37 |
| **Consultation documents** | ED24A-ED24F, ED25, ED26, ED27, ED30, ED30A, ED37, ED38 and ED39 |
| **Consultation period** | 5-26 October 2026 |
| **Representation date** | 26 October 2026 |
| **Word count** | 16,307 substantive words |

*Submitted on behalf of The Independent Group (TIG) on Medway Council*
**Councillor Michael Pearce, Planning Spokesman**

# 1 PURPOSE, SCOPE AND OVERALL POSITION

1.1 This representation is made by The Independent Group (TIG) on Medway Council (representor E.37) in response to the Council's October 2026 consultation on fourteen documents received during or after the Phase 1 examination hearings. It should be read with TIG's Regulation 19 representations and its Phase 1 hearing statements for Matters 1-8. It addresses the contents and implications of the newly consulted evidence, rather than seeking to reopen unrelated matters or introduce a wholly new objection to the submitted Plan.

1.2 TIG supports the Inspectors' decision to require consultation. The Inspectors' letter of 28 September 2026 (MLP/ED32, paragraphs 1-4) explains that additional evidential material had been submitted during the hearings without previously being available to all interested parties, and that consultation was needed in the interests of fairness, openness and transparency. TIG had raised concerns during the hearings about the timing and opportunity for scrutiny of late material. The consultation is a necessary opportunity to respond, but it does not itself determine whether all issues of legal compliance or soundness have been resolved.

1.3 TIG notes, without adopting their conclusions, the positions recorded in ED24A: Natural England supports the existing Bird Wise/SAMMS programme and the principle of the emerging Hoo Peninsula Strategic Environmental Programme (HPSEP); several land promoters agree revised trajectory assumptions; and further engineering work identifies possible transport mitigation. These are material statements of position, not independent proof that recreational impacts of the proposed growth have been adequately mitigated, that the HPSEP is operational or that essential infrastructure will be delivered in time. In particular, TIG continues to consider Bird Wise/SAMMS ineffective for the scale and distribution of growth proposed and objects to reliance on an undelivered HPSEP.

1.4 TIG's principal concern remains that the submitted scale and distribution of strategic growth - especially on the Hoo Peninsula - are being justified by overlapping assumptions about transport capacity, environmental mitigation, housing build-out and the availability of community infrastructure. The consultation documents need to be read together. The question is not simply whether each document provides an explanation in isolation, but whether the final, combined evidence demonstrates a legally compliant, justified and effective spatial strategy capable of being delivered without unacceptable environmental consequences.

1.5 TIG's Regulation 19 and hearing positions remain reserved. If identifiable defects can genuinely be remedied by proportionate further work and lawful Main Modifications without materially recasting the submitted strategy, the Inspectors may consider that course. If proper assessment and remediation instead require substantial reconsideration of the allocation strategy, major redistribution of development, or a materially different Plan, TIG considers that withdrawal and re-preparation must remain under consideration. That is a contingent position, not an assertion that every remaining item of evidence automatically makes the Plan incapable of modification.

1.6 The representation makes requests for specific information and examination action. Where it notes a possible inconsistency, TIG asks the Council to reconcile the evidence; it does not assert that inconsistency is proved merely because figures or descriptions require explanation. Unless otherwise stated, numbered paragraphs and page references are to the consultation document identified in the relevant heading. Where the evidence does not yet establish a matter, that uncertainty is made explicit.

1.7 TIG distinguishes three evidential categories throughout this representation: (i) statements expressly contained in the consulted documents, (ii) related facts recorded in

other examination documents and TIG's previous representations, and (iii) questions or inferences for which the Council is asked to provide evidence. The mere presence of a future task, a provisional scheme or a qualified agreement is not treated as proof of failure; conversely, completion of a technical report is not treated as proof that the infrastructure on which it relies is deliverable.

1.8 A Statement of Common Ground is evidence of the signatories' respective positions on the matters covered, not a binding determination of plan soundness. In the present case several statements expressly exclude funding, phasing and infrastructure delivery. TIG therefore asks that any reliance placed on the statements be confined to what is actually agreed.

1.9 The relevant planning distinction is between a matter that can properly be determined when a specific application is made and one that is fundamental to whether the strategic allocation and forecast housing delivery are justified now. TIG does not seek application-level drawings or contracts for every scheme at plan stage. It seeks sufficient, proportionate evidence of feasibility, timing, governance and a realistic funding route for infrastructure that is essential to the Plan's spatial strategy.

1.10 The same principle applies to environmental mitigation. Subsequent project-level assessment can be appropriate, but it should not substitute for a lawful plan-level conclusion on impacts and mitigation where the Plan itself sets the scale and location of development. The nature and specificity of the necessary evidence depend upon the ecological pathway concerned; domestic SSSI protection and the statutory assessment of European sites must not be confused.

1.11 TIG recognises that preparation of an updated Sustainability Appraisal, HRA, detailed mitigation programme or draft Main Modifications can take place during an examination, subject to the relevant legal framework and fair consultation. TIG does not submit that the submission of additional evidence, the holding of a short evidence consultation or the mere scale of further work automatically requires withdrawal of the Plan. The relevant issue is whether shortcomings can actually be remedied lawfully and fairly without producing a materially different development strategy.

1.12 The Inspectors' letter MLP/ED32 expressly states that the decision to proceed to Phase 2 is not a determination of soundness. TIG asks that its submissions be read as focused requests for clarity and, where necessary, further justified policy safeguards, rather than as an invitation to prejudge the final examination findings.

# 2 ED24A - STATEMENT OF COMMON GROUND WITH PRESCRIBED BODIES

## 2.1 Evidential status of agreements and disagreements

2.1.1 ED24A is valuable because it identifies where the Council and relevant statutory or prescribed bodies have reached common ground, where matters remain under discussion, and which interventions the Council anticipates taking forward. TIG asks that the Inspectors assess the terms of each recorded agreement rather than treating the presence of a Statement of Common Ground as evidence that all subjects addressed within it have been fully resolved.

2.1.2 In particular, several statements expressly anticipate future review, additional policy wording, finalisation of schemes, funding decisions, further consultation or subsequent agreements. These qualifications have consequences for the Plan's effectiveness and,

where the Habitats Regulations are engaged, for the adequacy of the final assessment supporting the relevant integrity conclusions.

2.1.3 ED24A is not solely a Council narrative: in several places it quotes or paraphrases Natural England, the Environment Agency, National Highways, Kent County Council and healthcare bodies. TIG distinguishes statements presented as the Council's intentions from reservations expressly attributed to those organisations, including the dates of the statements. A later definitive written position may supersede an earlier reservation, but it should be produced on the public examination record.

2.1.4 The Inspectors' task is also to test the interaction between those positions. Agreement on ecological policy wording does not settle whether highway mitigation is deliverable; a modelled highway scheme does not determine whether its contribution mechanism is viable; and a housing trajectory may be internally arithmetically correct while still depending on matters recorded as unresolved in a different SoCG.

## 2.2 North Downs Woodlands SAC: further HRA work and policy wording

2.2.1 ED24A paragraphs 2.6.4-2.6.7 (pages 15-16) record that air-quality modelling and Appropriate Assessment identified an outstanding issue involving the North Downs Woodlands SAC. The assessment identified a need for further evidence showing that a strategic mitigation approach would be effective before a no-adverse-effect-on-site-integrity conclusion could be reached.

2.2.2 ED24A paragraphs 2.6.8-2.6.11 (pages 16-18) reproduce additional policy and supporting-text wording proposed for S2 and SA7. In paragraph 2.6.12 (page 18), the Council reports agreement reached on 7 September 2026 between Natural England and the Council's HRA consultant that the proposed modifications would provide effective mitigation, and that an updated HRA on those modifications would conclude no adverse effects on integrity.

2.2.3 TIG recognises the significance of Natural England's support. Nevertheless, paragraph 2.6.12 describes the expected conclusion of an updated HRA, not the text and reasoning of a completed updated assessment placed before the public. The final no-adverse-effect conclusion should be made on the basis of an appropriate assessment of the Plan as proposed to be modified, considering the relevant pathways, alone and in combination, and the nature and certainty of mitigation upon which the conclusion depends.

2.2.4 Some of the proposed wording envisages that an air-pollution mitigation strategy for individual development will be prepared and agreed at a later stage. TIG accepts that detailed implementation may legitimately be secured through later processes in appropriate cases. The Plan-level assessment must nonetheless demonstrate that essential measures can realistically be implemented and are sufficiently certain; an open-ended commitment to devise mitigation after allocation cannot, by itself, resolve the evidential question.

2.2.5 Action sought: Publish the completed updated HRA and its reasoning for North Downs Woodlands SAC; identify the final versions of Policies S2 and SA7 and supporting text assessed; provide Natural England's written views on that completed assessment; and identify any necessary legally compliant consultation before the Inspectors reach a final integrity conclusion. If essential mitigation remains to be identified, determine whether the allocation or policy can be supported as presently framed.

2.2.6 A further distinction should be drawn between identifying likely effective measures and demonstrating that the eventual revised Plan incorporates their operative requirements. TIG asks for a concordance showing each relevant HRA recommendation, its corresponding proposed policy wording, the body responsible for the measure, and any prerequisite action before development or occupation. This would allow the Inspectors and representors to identify whether policy modifications genuinely close the mitigation loop.

2.2.7 The agreement reported by the Council at ED24A paragraph 2.6.12 should be read for what it establishes: Natural England and the Council's consultant expressed agreement about the proposed mitigation approach and the expected conclusion of further assessment. TIG does not misstate that reported agreement as opposition from Natural England. Nor does it amount to publication of the completed updated HRA or resolve the separate evidential questions concerning Bird Wise and HPSEP. The Council should identify the final assessment and policy mechanism before inviting the Inspectors to rely upon them.

## 2.3 Bird Wise / North Kent SAMMS: evidence of effectiveness and remaining uncertainty

2.3.1 ED24A paragraphs 2.6.13-2.6.27 (pages 18-20) record the Council's case for Bird Wise/SAMMS and Natural England's stated support. ED24A paragraph 2.6.21 cites an estimated 34% increase in winter coastal recreation, an increase in the proportion of dogs on leads from about 26% to 40%, and no increase in disturbance identified by the cited monitoring comparison. These are observations and the Council's interpretation of them; TIG does not accept that they establish the adequacy of SAMMS for the proposed Plan growth, or that Natural England's endorsement removes the need for the appropriate assessment to explain and evidence its integrity conclusions.

2.3.2 TIG continues to consider Bird Wise/SAMMS ineffective for the scale and spatial concentration of development proposed on the Hoo Peninsula, and maintains that the evidence has not demonstrated the necessary mitigation effectiveness to support the HRA's integrity conclusions. This is consistent with TIG's Matter 1 and Matter 6 hearing statements. Save the Hoo Peninsula Campaign's (STHP) separate representation E.13 in MLP/ED16A (pages 121-126) develops the further challenge that the Submission HRA does not adequately examine longitudinal evidence of whether SAMMS has reduced disturbance and protected qualifying bird populations. TIG does not depart from, dilute or purport to replace that challenge; the present representation identifies additional points arising specifically from ED24A and the other documents now being consulted upon.

2.3.3 ED24A paragraph 2.6.20 records variation between survey locations; paragraph 2.6.23 acknowledges that bird numbers are influenced by multiple factors; and paragraph 2.6.24 records the commissioning of a ten-year SAMMS review. A review still to be undertaken cannot, without more, supply evidence on which the existing HRA has already relied. The relevant inquiry is not simply whether the Council proposes to continue monitoring, but whether the evidence available at the point of the competent authority's decision can sustain its conclusions for the intended level and distribution of development, taking account of the particular limitations identified by STHP in its Matter 1 hearing statement.

2.3.4 The final HRA and Policy S3 must separately assess: (a) the contribution Bird Wise is asserted to make within the established zone of influence; (b) case-specific development outside that zone; (c) avoidance and additional bespoke measures for sensitive allocations, including those close to designated sites or affecting functionally linked land; and (d) the distinct measures proposed through HPSEP. Neither payment of a SAMMS

tariff nor the existence of a second programme is itself evidence that all identified impacts will be prevented or mitigated. TIG expressly reserves its position on the underlying efficacy of the Bird Wise scheme, not merely whether an additional top-up is needed.

2.3.5 Policy S3 contains several different distance and assessment provisions, including the 6-kilometre Bird Wise zone of influence and the treatment of larger schemes beyond that zone. Natural England's Matter 6 hearing statement (E.148, response to MIQ 6.15) explains that the separate 16-metre provision was understood to concern coastal flooding rather than recreational disturbance and recommended moving it to a different section. It should not be presented as an ecological buffer. TIG continues to seek an evidence-led and comprehensible hierarchy of ecological avoidance, site-specific assessment and mitigation; its Regulation 19 proposals concerning 400-metre and one-kilometre buffers are advanced for scrutiny and ecological justification, not asserted to be automatic legal exclusion zones.

2.3.6 Action sought: Require the Council to demonstrate, using the underlying datasets and analytical methods, why the Bird Wise/SAMMS mitigation relied on in the Submission HRA is effective for the anticipated 2041 growth, particularly the Hoo Peninsula allocations. Reconcile the longer-term and sector-specific information highlighted by Save The Hoo Peninsula in E.13 with the newer monitoring conclusions asserted in ED24A. Identify visitor and disturbance survey coverage, baseline and comparison periods, affected species, confounding influences, in-combination growth, residual impacts and scientifically justified uncertainty. Explain where prevention, avoidance, bespoke mitigation or changes to allocations are necessary; do not treat a future review or tariff receipt as proof of present effectiveness.

2.3.7 The reported increase in dogs on leads is a potentially relevant behavioural measure, but it is not equivalent to demonstrating that disturbance of protected birds has been reduced to a level sufficient for the HRA's no-adverse-effect-on-integrity conclusion. Similarly, ED24A's reference to national and estuary-level waterbird data indicating stability or slight increases needs to be reconciled with the 2021/22 Kent Wildlife Trust material and location- or species-specific trends identified by E.13. Different dates, geographic scales, species mixes and environmental drivers may explain apparent differences; the Council must show its analysis rather than selecting a favourable aggregate indicator. TIG does not concede that the asserted monitoring establishes causation or the absence of residual recreational impacts.

2.3.8 For completeness, the response should identify the surveys and sampling locations used to assess the Hoo Peninsula; the effect of dog numbers as well as the proportion kept on leads; the distinction between recorded disturbance events and bird population response; seasonal and species-specific sensitivities; the counterfactual against which efficacy is assessed; and whether the proposed allocations have been evaluated alone and in combination. TIG asks the Council to address the detailed evidential and legal objections in STHP's July 2026 submission and Matter 1 hearing statement, rather than rely upon the fact that SAMMS exists or that Natural England supports it.

2.3.9 The Matter 1 hearing statement of STHP (E.200/E.13), paragraphs 14-17 (page 4), identifies the evidence which, in its submission, should be available after approximately a decade of Bird Wise/SAMMS operation: longitudinal visitor counts, warden-intervention records, WeBS-related trends and disturbance-event frequencies over multiple years, supported by an analytical method capable of testing whether the mitigation has reduced disturbance to qualifying bird populations. It also refers to Natural England's advice of 6 January 2015 and the 2018 Bird Wise strategy (paragraphs 5.17-5.18), both cited by STHP in connection with the need to monitor and establish effectiveness. TIG asks the Council to identify, publish and analyse the relevant evidence, and to explain any

genuine gaps, rather than assume that the undertaking of some monitoring establishes the intended ecological outcome.

2.3.10 In paragraphs 14-15 and 21-23 of that statement (pages 4-5), STHP questions reliance upon the Kent Wildlife Trust 2021/22 material, observing that comparisons between widely separated survey periods do not, without a longer monitoring series, allow changes in bird distribution or abundance to be attributed confidently to recreational disturbance or to mitigation. STHP also identifies concerning qualifying-bird trends in Appendix 2 to that work. TIG does not assert that any particular trend, taken alone, proves a causal effect of recreation; equally, aggregate trends or measures of changes in dog-owner behaviour cannot without further analysis disprove the concern. ED24A's account should therefore be reconciled expressly with the methods, geographic coverage, species and trends on which STHP relies.

2.3.11 The Matter 1 hearing statement of STHP, paragraphs 20-23 and 30-34 (pages 5-7), argues that the uncertainty is material to the Habitats Regulations test: the competent authority must be able to ascertain the absence of adverse effects on the integrity of the relevant European sites beyond reasonable scientific doubt. TIG maintains that the actual combination of measures relied upon by the final HRA must be capable of satisfying that test. The prospect of finding out through monitoring after development whether mitigation works is not a substitute for a properly reasoned, sufficiently certain integrity conclusion before the Plan is adopted. TIG does not concede that existing Bird Wise arrangements, or a proposed future HPSEP, already meet that standard.

## 2.4 Hoo Peninsula Strategic Environmental Programme: principle versus operational certainty

2.4.1 ED24A paragraphs 2.6.28-2.6.36 (pages 20-22) identify the need for a strategic programme additional to Bird Wise. The Council refers to the earlier Strategic Environmental Management Scheme and proposals including Deangate Community Parkland, Cockham Community Parkland and Hoo Wetlands. It also records that the evidence is being reviewed to produce a costed delivery programme, with governance arrangements developing through partnership working.

2.4.2 ED24A paragraph 2.6.37 (page 22) is especially important. Natural England supports the principle of the Hoo Peninsula Strategic Environmental Programme, but says that further detail is required. It anticipates that a costed programme and policy requirements are likely to provide mitigation certainty subject to further detail, discussion and agreement; it identifies an exception at present for impacts affecting Chattenden Woods and Lodge Hill SSSI. Natural England also expects to review the strategy when available and to see it consulted upon before the close of the examination.

2.4.3 A strategic programme could in principle organise measures across multiple sites, but an assertion that such a programme will be designed is not evidence that effective mitigation has been identified, demonstrated or secured. TIG does not accept the emerging HPSEP as an adequate substitute for the evidence of efficacy missing from the Bird Wise/SAMMS case, nor as an established means of avoiding every additional impact from the Hoo allocations. The submission HRA's reliance on HPSEP needs to be tested against its actual state of preparation, location-specific functions, deliverability and timing; this is the same concern raised expressly in Save the Hoo Peninsula's E.13 representation.

2.4.4 Before reliance is placed on HPSEP as mitigation for any identified impact, the evidence should set out a scheme-by-scheme schedule; the conservation feature and effect pathway addressed by each measure; the baseline and reasoned evidence for predicted efficacy; land ownership and permissions; capital and long-term revenue costs; secured

or credibly identifiable funding; governance and responsible bodies; lead-in and delivery milestones; monitoring; contingency and remedial provision; and enforceable development or occupation triggers. An indicative future programme is materially different from a measure shown to be effective and implementable at the time its mitigation function is needed.

2.4.5 Action sought: Publish the revised, costed HPSEP and all evidence said to establish each relied-upon measure's effectiveness, delivery, funding and governance; identify which allocations and ecological pathways each measure addresses and when it becomes operational; obtain and publish Natural England's final assessment of the actual programme; and consult on the evidence and policy consequences as legally required. Pending that information, TIG does not accept that HPSEP closes the recreational disturbance evidence gap identified in E.13. Separately address the outstanding Chattenden Woods and Lodge Hill SSSI issue under the relevant national-site protections without conflating it with the Habitats Regulations test for European sites.

2.4.6 Natural England's qualification in ED24A paragraph 2.6.37 is not approval of a complete operational HPSEP. It concerns the programme's principle and proposed framework, expressly subject to further details, discussion, agreement and consultation, and with an identified exception concerning Chattenden Woods and Lodge Hill SSSI. TIG records that qualified position accurately but does not adopt a conclusion that either the HPSEP or the underlying Bird Wise scheme has been proven sufficiently effective for the Plan's proposed development. The evidential deficiencies alleged by Save the Hoo Peninsula in E.13 remain matters for the Inspectors to determine on the complete record.

2.4.7 The Council may seek flexibility to revise the choice or management of green-space projects during the Plan period. Flexibility in design is not the same as uncertainty about essential mitigation. If particular outcomes are required to support an HRA integrity conclusion or the acceptability of an allocation, those outcomes must be evidenced, realistically obtainable, appropriately timed and legally secured. An unfunded or unidentified substitute project cannot be assumed to perform the same function; any material change to the package must be assessed for its ecological consequences.

2.4.8 The Matter 1 hearing statement of STHP, paragraphs 18-20 (pages 4-5), places particular emphasis on Submission HRA paragraph 7.2.13, which acknowledges that Bird Wise may not completely address impacts from the higher-risk allocations. STHP characterises the then-undelivered, non-statutory Hoo Peninsula SEP as an aspirational initiative rather than a demonstrated bespoke improvement capable of closing the evidence gap. TIG does not adopt the proposition that naming a second strategic programme, or proposing its future preparation, remedies an unproven first programme. The Council must show that the specific measures actually relied upon, individually where relevant and in combination, address each material effect with the requisite certainty.

2.4.9 For the avoidance of doubt, TIG does not accept that a later costed schedule, amended wording to Policy S2 or SA8, or agreement in principle by Natural England necessarily remedies the underlying problem. Such measures may become relevant evidence, but their content, ecological efficacy, timing and legal security would have to be assessed. If the combined mitigation case cannot be supported, the implications may extend beyond drafting changes to the amount, location or phasing of development and to the SA/IIA comparison of reasonable alternatives. TIG therefore expressly reserves the substantive HRA objection made by STHP.

## 2.5 Cockham Community Parkland and Hoo Wetlands: status and deliverability

2.5.1 ED24A paragraph 2.6.34 (page 21) refers to projects being in development, to planning consents, and to works at Deangate. That paragraph should not be read as establishing that each of Cockham Community Parkland, Hoo Wetlands and Deangate has a currently implementable permission, committed funds, commenced works and an agreed delivery programme.

2.5.2 TIG holds copies of decision notices relating to the Cockham and Hoo Wetlands schemes and understands that the relevant permissions have expired without lawful commencement, with the affected land remaining in agricultural use. TIG requests documentary confirmation of the present position, including any fresh applications, extensions or replacements. This is a matter for verification against the Council's planning records; TIG does not treat the notices alone as proof that no lawful permission or alternative delivery route now exists.

2.5.3 For measures intended to provide recreational alternatives or habitat capacity in response to planned growth, the date of actual physical delivery may be as important as the date when a contribution becomes payable. The Hoo Consortium's Matter 6 hearing statement (E.184/E.31, paragraphs 1.3 and 1.6) refers to approximately 50 hectares south of Main Road for community parkland and 48 hectares east of Vicarage Lane for biodiversity wetlands, with strategic interventions envisaged to be supported by section 106 contributions. TIG acknowledges that these are identifiable land proposals and evidence of promoter intentions. They do not, without further evidence, demonstrate current planning permission, secured legal control and funding, ecological effectiveness or timely delivery of the mitigation actually relied upon. TIG therefore seeks separate, up-to-date information for each project and for any substitute measures.

2.5.4 Action sought: Supply a scheme-by-scheme schedule of planning permission status, lawfully implemented operations, land control, funding, construction progress, ecological readiness and anticipated opening or operation, distinguishing Deangate, Cockham and Hoo Wetlands. Identify how the Consortium's reported land provision (approximately 50 hectares and 48 hectares respectively) corresponds to the particular schemes and whether the anticipated section 106 funding is secured, calculated and sufficient. Identify any alternative provision and assess it consistently in the updated HRA and policy framework.

2.5.5 TIG is not asserting that the lapse of an earlier permission permanently prevents either project. A replacement consent, revised scheme or legally secured alternative may provide an adequate delivery route. The issue is whether ED24A's general statement about permissions and implementation could mislead a reader into believing that each named project currently has an extant permission and an established programme. The Council can resolve that point through a short factual project register supported by planning references and implementation evidence.

2.5.6 In evaluating ecological readiness, distinction should be made between completion of construction, establishment of functional habitat or recreational capacity, and the date on which the relevant measure actually performs the mitigating function claimed for it. Some ecological measures may require lead-in or establishment time; other access measures may operate earlier. The relevant HRA should use the proper date for the mitigation relied upon.

## 2.6 Environment Agency's unresolved position and flood risk

2.6.1 ED24A paragraphs 2.13.2-2.13.4 (pages 30-31) record Environment Agency concerns about the earlier flood model, Sequential and Exception Tests, and infrastructure dependencies. Paragraph 2.13.4 identifies CHR14, RWB2 and SNF15, among others, and states that strategic flood defences are required before development in Chatham, St Mary's Island and Strood; it also refers to SNF34 and SNF38 as sites that would benefit from such works.

2.6.2 ED24A paragraph 2.13.6 (pages 31-32) quotes the Environment Agency's 13 August 2026 acceptance of the conclusions of the Council's high-level flood-defence appraisal, while expressly retaining its view that the Plan and associated evidence were unsound. TIG does not present that professional opinion as a final finding of the Inspectors. Its significance is that the Council cannot properly describe this subject as wholly agreed or technically resolved.

2.6.3 Paragraphs 2.13.7-2.13.8 refer to a possible stepped housing approach and proposed modifications to policy criteria. These may be parts of a solution, but neither a stepped requirement nor a general policy requirement necessarily demonstrates that strategic defence works essential to particular allocations will be funded and complete before development occurs.

2.6.4 Action sought: Require a site-by-site schedule identifying whether the allocation depends on new or improved defences, the current flood-risk and Sequential/Exception Test conclusions, development-safe areas, the applicable design and lifetime assumptions, the cost and delivery body for works, the funding route and firm triggers. Obtain a current Environment Agency response to that consolidated information before the relevant soundness issue is treated as resolved.

2.6.5 The Agency's position is a serious material consideration but is not the legal test in itself. It may be overcome by robust site-specific evidence, suitable policy amendments and a credible deliverable defence strategy. Equally, the Environment Agency's acceptance of ED27's high-level appraisal should not be presented as withdrawal of the broader objection. The Agency's actual written words, date and outstanding reasons should be reported without dilution or exaggeration.

2.6.6 TIG requests a proportionate differentiation between sites whose developable parts avoid functional floodplain, sites potentially capable of being designed safely without strategic intervention and sites whose feasibility demonstrably depends upon off-site defence works. The cases are different, and overgeneralising them would weaken rather than strengthen the examination evidence.

## 2.7 Other strategic highway and cross-boundary dependencies

2.7.1 ED24A paragraphs 2.9.2-2.9.15 (pages 24-28) record continuing discussion with National Highways about M2 Junction 1 and the effects of background, committed and Local Plan traffic. In paragraphs 2.9.11-2.9.13 the Council describes a possible junction alteration with departures from design standards and uncertain costs, while paragraph 2.9.15 records a requirement for further analysis.

2.7.2 ED24A paragraphs 2.10.1-2.10.7 (pages 28-29) describe the Capstone Valley's relationship with Lidsing Garden Community and the proposed fourth arm at M2 Junction 4. The document records Kent County Council's concern about what happens if the Lidsing scheme is delayed or does not proceed as anticipated, and confirms that the improvement's delivery remains under discussion.

2.7.3 The distinction between constraints caused principally by other committed growth and the incremental effects of allocations in the Medway Council area should be retained.

But a background problem does not disappear when development in the Medway Council area adds demand; the Plan must still demonstrate an acceptable and effective transport strategy for the development it proposes.

2.7.4 Action sought: Identify the infrastructure dependencies outside Medway Council's direct control, their programme and funding status, which allocations rely on them and what credible contingency exists if delivery slips. Reconcile those assumptions with ED25, ED26, ED30 and ED38.

2.7.5 National Highways' statement in ED24A paragraph 2.9.14 is also a qualification to TIG's concern. It accepts no Local Plan-triggered improvement to the M2 westbound off-slip on the basis of the submitted information and recognises that the principal demand for improvements to another arm comes from background and committed development. TIG therefore does not submit that Medway Council's allocations alone cause every strategic-road problem. Its objection concerns the evidence for timing, implementation and consequences where the Plan increases demand on a junction already forecast to be constrained.

2.7.6 For M2 Junction 4, the proposed fourth arm is associated with Lidsing Garden Community in Maidstone. TIG accepts the existence of an adopted neighbouring plan and identified delivery mechanism as relevant evidence of plausibility. The outstanding question recorded by Kent County Council is whether Medway Council's own trajectory is resilient if that external scheme stalls; confirmation of the underlying planning and funding milestones would provide a more probative answer than repeating the adopted allocation alone.

## 2.8 Healthcare, community facilities and service sequencing

2.8.1 ED24A paragraph 2.14.3 (pages 32-33) records the Integrated Care Board's concern that housing delivery on the Hoo Peninsula must be clarified to establish interim healthcare needs before the proposed integrated healthcare facility comes forward. Paragraph 2.14.4 confirms that relevant matters remain under discussion.

2.8.2 This highlights a wider concern already raised by TIG at the hearings: early residential growth cannot simply be assessed on the assumption that facilities associated with later strategic parcels will be available from the outset. The same sequencing question applies to schools, local centres, transport, open space and strategic mitigation.

2.8.3 Action sought: Specify the occupancy and population thresholds at which interim and permanent healthcare and community facilities are needed, their delivery responsibility, funding and fallback provision, and how the housing trajectory reflects those constraints. Where a facility is proposed principally in eastern strategic parcels but earlier development occurs to the west, demonstrate how the intervening population will be adequately served.

2.8.4 The proper answer may include interim reconfiguration or capacity within existing services rather than building the ultimate facility at the beginning of the programme. TIG is not prescribing that every permanent facility open before the first dwelling. It asks the Council to demonstrate that interim needs are identified and can be met, and that policies make the relationship between homes and facilities effective rather than merely aspirational.

2.8.5 The same issue has a spatial dimension for Hoo. If housing west of Hoo reaches occupancy before the proposed principal centre east of Hoo is delivered, the Council should explain interim local-centre, transport and retail provision and how the vitality of the existing Hoo centre is protected. This is a consequence of ED24B's phasing

evidence and ED24A's community-infrastructure concerns, not a request to determine an unrelated retail policy under this limited consultation.

2.8.6 The Hoo Consortium's Matter 8 hearing statement (E.184/E.31, paragraphs 1.1-1.5) identifies a proposed smaller neighbourhood centre within HHH12 west of Hoo, the principal new retail, community and health centre within HHH22/HHH31 east of Hoo, and the proposed Deangate Retail Park at HHH19. TIG recognises that these are intended to complement existing provision; it does not overlook the proposed western neighbourhood centre. The remaining question raised by ED24B's updated phasing and ED24A's healthcare evidence is when each centre will be operational, what services will be available at each stage, and whether appropriate interim capacity and accessibility are demonstrated for early residents. The Council should explain the effect of phased new provision on the existing Hoo village centre and the circumstances in which a retail impact assessment would be required. This is a consequence of the new phasing evidence, not a separate reopening of Matter 8. For the avoidance of doubt, TIG's recognition of the Consortium's proposal at HHH19 does not withdraw or qualify its Matter 7 objection seeking deletion of HHH19 and HHH35 from Policy SA14.

# 3 ED24B-ED24F - DEVELOPER STATEMENTS OF COMMON GROUND

## 3.1 Common evidential limitation

3.1.1 These five documents are useful indications of land promoters' expectations about the timing and rate of housing delivery. They are not a substitute for independent assessment of infrastructure, environmental constraints or conditions precedent to construction. In particular, they generally reserve the detailed form, phasing, land-take, funding, apportionment or delivery mechanism of infrastructure.

3.1.2 The Council should identify which revised assumptions from the Statements of Common Ground were incorporated into ED30, how they were verified, and which remain contingent on approvals or infrastructure outside the promoters' control. In weighing their evidential value, the Inspectors should distinguish expressions of commercial intent from evidence of a realistic delivery programme.

## 3.2 ED24B - Hoo Consortium

3.2.1 ED24B paragraph 1.1.4 (page 4) concerns HHH6, HHH12, HHH19, HHH22/HHH31, HHH24, HHH25, HHH26, HHH29 and HHH33. Paragraph 1.1.9 (page 5) expressly states that agreement does not extend to the detailed form, cost, phasing, land-take, funding, apportionment or mechanisms for infrastructure. The Consortium's influence over a large collection of allocations therefore does not itself resolve the cumulative infrastructure case.

3.2.2 Paragraphs 2.1.1-2.1.2 (page 6) record revisions or qualifications: HHH6 (550 dwellings) anticipates an earlier 2027 start than the former 2030 assumption; HHH12 (1,800 dwellings) proposes an initial three-year rate of 100 dwellings per year rather than 188; HHH24 has a permission for 75 rather than 85 dwellings; HHH25 is said to have commenced early; and HHH22/HHH31 assumes 1,880 homes within the Plan period and a further 1,320 after 2041, giving 3,200 overall. Those figures should not be treated as interchangeable with actual completions or proof of infrastructure delivery.

3.2.3 In particular, the reduced initial output at HHH12 may be prudent from a market absorption perspective, while the accelerated HHH6 assumption and the large later

development at HHH22/HHH31 need to be tested against approvals, utilities, site access, school and healthcare provision, flood and environmental requirements, and the full highway mitigation identified elsewhere. The question is whether the cumulative programme remains feasible when all these dependencies are brought together.

3.2.4 Where site parcels develop in different sequences from those assumed in the Plan, TIG seeks safeguards to prevent an extended period in which substantial housing is occupied before essential services, local facilities and environmental measures are operational. The location and delivery date of the principal proposed new centre for Hoo should be reviewed against the possibility that west-of-Hoo housing comes forward first and east-of-Hoo facilities later.

3.2.5 Action sought: Provide a consolidated Hoo allocation-by-allocation and infrastructure-by-infrastructure phasing matrix showing realistic first completions, market assumptions, triggers, necessary mitigation, local services, delivery body, funding and contingency. Explain which ED24B revisions are reflected in ED30 and how any continuing divergences will be addressed. Ensure Policy SA8 and related requirements do not defer essential safeguards indefinitely to future masterplanning.

3.2.6 ED24B does not need to contain every project-level engineering specification or later planning obligation to be relevant, and coordination between landowners may assist delivery. However, the SoCG explicitly excludes precisely the programme-level matters - cost, apportionment, timing and delivery mechanism - on which the cumulative housing trajectory may depend. The Council should identify the separate evidence and enforceable mechanisms it relies upon to deal with those gaps, together with a procedure for resolving competing assumptions between different promoters.

3.2.7 Particular caution is required if the Council relies on early delivery at one Hoo site to offset a slower rate at another. Such adjustments may be plausible, but infrastructure thresholds often depend on location and cumulative trips or population, not merely borough-wide dwellings. A swap in the timing of supply may bring forward the need for a junction, school or mitigation project even where the total housing number is unchanged.

3.2.8 The Consortium's Matter 3 hearing statement (E.184/E.31, paragraphs 1.12-1.14) emphasises flexible site-by-site section 106 negotiations, the statutory tests for planning obligations and differing indicative per-dwelling contribution levels. TIG recognises that individual obligations must be necessary, directly related, and fairly and reasonably related in scale and kind, and does not assume developers can lawfully be made to fund all existing network deficiencies. Nevertheless, the Council must demonstrate how the aggregate cost of infrastructure necessary for the planned level and timing of Hoo growth will be met. It should reconcile the updated ED38 highway estimates, the costed HPSEP once available and school, healthcare and other essential infrastructure with realistic section 106 receipts, committed or plausibly available public funding, viability evidence and the anticipated site phasing. Any residual funding gap or dependency should be identified rather than treated as resolved merely because future site-by-site negotiations are envisaged.

## 3.3 ED24C - Capstone Valley

3.3.1 ED24C paragraph 2.1.1 (page 6) records that the updated Housing Delivery Topic Paper trajectory is agreed with the Capstone Valley landowners (identified in the SoCG as F T Attwood & Partners). The document is concise and contains no equivalent independent demonstration that all enabling infrastructure will be delivered when needed. Its page 5 also records the adjoining Lidsing Garden Community context, which makes the cross-boundary issue material.

3.3.2 Read with ED24A paragraphs 2.10.2-2.10.7, the relevant question is whether the Capstone Valley programme can proceed soundly if the M2 Junction 4 improvements or other Lidsing-related infrastructure are delayed. Action sought: Publish evidence for a coordinated and time-bound cross-border infrastructure strategy, together with a contingency case and relevant highway authority confirmation.

## 3.4 ED24D - Rainham Parkside Village

3.4.1 ED24D paragraph 2.1.1 (page 5) records broad agreement with Esquire Developments to the trajectory for RN9. Paragraph 1.1.7 (page 4) expressly excludes agreement on detailed infrastructure and site-specific matters. Paragraph 1.2.3 (page 4) explains that Esquire would act as master developer for an SME consortium to be formed. It is relevant to know when the implementation arrangements are sufficiently developed to justify the build-out assumptions.

3.4.2 Action sought: Identify the evidence for the proposed first occupations and annual output, the consortium's delivery arrangements, planning status, infrastructure costs and the contingencies if delivery is slower than forecast. Reconcile those assumptions with ED30's early-year housing supply.

## 3.5 ED24E - North Gillingham / Peel Waters

3.5.1 ED24E paragraph 2.1.2 (page 6) identifies different elements of the Chatham Waters / Chatham Docks programme: approximately 321 remaining units associated with the existing outline consent; a further 500 apartments whose pace depends on a return to supportive market conditions; approximately 600 lower-density units on Chatham Docks Industrial Estate with delivery from around 2030; and later waterside housing, with approximately 1,100 homes envisaged within the programme described and 800 beyond the Plan period. Paragraph 2.1.3 describes preparation of access infrastructure details.

3.5.2 These assumptions indicate active promotion, but they contain explicit market and planning dependencies. TIG does not suggest that urban regeneration is unconstrained: land assembly, viability, flood protection, changes in employment use and transport can all affect capacity and timing. Those matters should be evaluated transparently, particularly because urban regeneration is an important component of the Council's own spatial strategy and TIG's reasonable-alternatives case.

3.5.3 Action sought: Publish the site-level delivery assumptions, consent programme and required enabling works; identify assumptions about market recovery and later phases; and show how realistic urban-regeneration capacity was compared with the rural allocations when the final strategy was selected. Where a promoter's rate differs from independent benchmarks, state why it is justified.

## 3.6 ED24F - Land west of Strood

3.6.1 ED24F paragraph 2.1.1 (page 6) records agreement to move SNF1's expected first housing completions back by one year, to 2028/29. This acknowledges that site delivery assumptions have changed during examination. TIG requests confirmation of the consequential effects on both the early housing trajectory and any infrastructure whose contributions depend on that delivery.

3.6.2 ED24F does not settle the justification for releasing Green Belt land. ED24A paragraphs 2.5.1-2.5.4 (pages 14-15) present the Council's exceptional-circumstances case for west-of-Strood release while recording that further work is required to finalise a landscape-led cross-border masterplan. TIG's Matter 5 hearing statement identifies a

separate concern with the differing Green Belt assessments and the need for a coherent cross-boundary evidence base.

3.6.3 TIG's support for suitable regeneration and brownfield development in urban Strood should not be construed as support for developing Green Belt greenfield land west of Strood. The appropriate test is whether the proposed boundary change is justified on the applicable evidence and national-policy basis, taking proper account of reasonable alternatives and cross-border implementation.

3.6.4 Action sought: Explain how the Green Belt exceptional-circumstances case is reconciled with both authorities' assessments and plan-making stages; publish the completed cross-border masterplan and necessary infrastructure programme; demonstrate that the proposed release and allocation can function effectively even if adjoining land does not proceed as assumed; and show how the SNF1 delay has been incorporated into ED30.

3.7 ED24F: allocation reference reconciliation

3.7.1 There is an apparent internal inconsistency in the west-of-Strood statement. ED24F paragraph 1.1.4 (page 4) lists SNF1, SNF3 and SR5 as the agreed allocations; paragraph 1.3.1 (page 5) describes Bellway's controlled land as site SNF5. That may be a typographical or cross-reference issue, or it may distinguish different landholdings. TIG does not assume the housing supply has been double counted or that the allocation is incorrect; it asks for the definitive policy-site mapping and confirmation that the precise parcel assessed in ED30 is the same parcel represented by the agreement.

3.7.2 If the correction changes nothing substantive, a published erratum should suffice. If it affects allocation boundaries, capacity, cross-boundary infrastructure or the ownership and delivery assumptions used in ED30, the Council should explain those effects and any consequent need for further consultation or amendment.

# 4 ED25, ED26 AND ED38 - STRATEGIC TRANSPORT ASSESSMENT AND PHASING

## 4.1 The evidence must be read as a combined programme

4.1.1 ED25 assesses an interim year (2031) using strategic transport modelling; ED26 tests local junction mitigation in 2031 and, at relevant junctions, 2032 and beyond; and ED38 explains the Council's reliance on transport constraints to support a stepped housing trajectory. They are interdependent. The material finding is that several junctions already operate, or are forecast to operate, at or above capacity under reference-case assumptions, and Local Plan growth increases demands for mitigation.

4.1.2 TIG recognises that not every improvement is solely attributable to Local Plan development and that funding and contributions should respect lawful proportionality. That distinction does not remove the requirement to establish what network and mitigation will actually be available when homes and employment development are occupied.

## 4.2 ED26: Main Road Hoo interim works fail to satisfy the stated test by Year 6

4.2.1 ED26 section 3.2.2 and Table 3-3 (report pages 10-11) examine Jacobs' proposed interim A228 Peninsula Way / Main Road Hoo layout. The report finds benefits in 2031

(Year 5), but concludes expressly that the interim layout would no longer provide sufficient capacity to achieve nil detriment for Local Plan trips in 2032 (Year 6) and that the full mitigation scheme would therefore be required by that year.

4.2.2 This is a specific temporal conclusion, not a general concern about possible congestion. It needs an equally specific answer. ED38 identifies a full Main Road Hoo scheme with a high-level cost estimate of £11-18 million and an interim scheme of approximately £2.87 million, but the explanation of the longer-term scheme should be tied to ED26's identified 2032 trigger. Describing full mitigation as defined for end-of-plan build-out does not, by itself, show that the capacity needed by Year 6 will be operational by then.

4.2.3 A significant element of the Hoo growth strategy is dependent upon this corridor. If the Council proposes that monitoring can justify changing the exact design or trigger, it should identify the evidence-based thresholds, contingency actions and mechanisms preventing additional occupation before safe and acceptable capacity is achieved. A generic promise to monitor cannot substitute for a timely scheme if modelling already forecasts failure at a particular stage.

4.2.4 Action sought: State expressly whether the Council accepts ED26's Year 6 conclusion; identify the scheme required by 2032, its scope, land needs, estimated cost, sources of committed and prospective funding, approvals, design programme, highway-authority responsibilities and occupation controls; and reconcile that scheme with the phased allocations and ED30.

4.2.5 The precision of ED26's finding is essential. The cited 2032 issue arises from the particular modelled layout, traffic scenario and nil-detriment criterion; it does not necessarily prove that the junction would physically fail, that no alternative interim scheme could function, or that all Hoo housing must cease in 2032. It does demonstrate that the scheme the Council has actually tested is not shown to be sufficient for that later scenario. The Council should either demonstrate a deliverable full scheme by the relevant need date, test an effective replacement or adjust the development assumptions accordingly.

4.2.6 ED38 does identify interim mitigation as a mechanism for early growth and regards staged works as preferable to assuming the full scheme is available immediately. TIG accepts the legitimate principle of staged provision. Its request is that the stages be joined to modelled thresholds and clear decision points. It is particularly difficult to assess a high-growth step beginning in 2031/32 without knowing whether enabling works are expected to commence, complete or become fully operational in that period.

## 4.3 Four Elms and Sans Pareil

4.3.1 ED38 (pages 3-5) explains that the 2041 scheme at Four Elms is substantial, with indicative costs of £51-84 million, and that a less extensive interim design is proposed. The document attributes the underlying constraint partly to committed growth and acknowledges traffic reassignment through Wainscott. It therefore demonstrates both the justification for proportional mitigation and the importance of assessing the performance of the network as a whole.

4.3.2 ED38 identifies the full Sans Pareil scheme at approximately £23-38 million, with interim works estimated at approximately £1.14 million. Those indicative figures should be treated as order-of-magnitude estimates, not as evidence that funding or approvals have been secured. ED26's local modelling should be used to define when interim arrangements cease to be effective, and the likely impacts on adjoining approaches and the wider network.

4.3.3 Action sought: Set out the interim and full works, forecast need dates, funding strategy, delivery responsibilities and realistic implementation lead-in for Four Elms and Sans Pareil, including an explanation of how rerouted traffic through Wainscott will be assessed and managed. Show the implications of any delay for housing delivery.

4.3.4 ED38's distinction between congestion caused by committed or background growth and the incremental impacts of Plan allocations is relevant to lawful and proportionate funding apportionment. That distinction does not establish that the additional development traffic is acceptable without the necessary works, or that funds for the works are available. Both conclusions require a reasoned infrastructure delivery case.

## 4.4 Other Hoo junctions and M2 interfaces

4.4.1 ED38 also identifies later highway mitigation at the A228/Dux Court Road/Bells Lane and A228/Roper's Lane/Ratcliffe Highway junctions, each indicatively costed at £1-2 million. Although the evidence indicates later triggers than Main Road Hoo, the forecast dates should be tested against the actual spatial distribution of housing completions and employment growth, rather than only against a borough-wide total.

4.4.2 The Council must also account for ED24A's unresolved matters at M2 Junction 1, M2 Junction 4 and elsewhere, and distinguish interventions under its direct control from those requiring third-party funding or approvals.

4.4.3 Action sought: Produce one integrated infrastructure dependency schedule for the housing trajectory, including the necessary works at each junction, modelled operational threshold, occupation trigger, owner, statutory approval, procurement and construction programme, cost, funding status and fallback arrangement.

## 4.5 Transport model assumptions and the revised trajectory

4.5.1 ED25 section 3.5.2 and Table 3-11 (report pages 12-15) describe the 2031 development scenario, including the explicit modelling of larger allocations. The narrative refers to 1,122 dwellings being implemented in the 2031 Do Something scenario, while Table 3-11 includes multiple site-specific dwelling figures. The figures may refer to different modelled components or conventions; TIG asks for an explanation rather than alleging an established arithmetical defect.

4.5.2 ED38 states that earlier temporal modelling used a trajectory provided in February 2025, and ED25 describes subsequent updated assumptions. ED30 is a later revised trajectory issued during the September 2026 hearings. A transparent reconciliation is required to demonstrate which model version, site-level completion figures and employment assumptions actually underpin the Council's present phasing case.

4.5.3 A network analysis based on an earlier trajectory might still provide a valid and proportionate assessment if the changes do not materially alter its conclusions. The Council should demonstrate this, rather than assume that the various vintages of housing and transport evidence can simply be read as equivalent.

4.5.4 Action sought: Supply a concise model-audit table mapping ED25/ED26 input assumptions to ED30, by allocation and year, explaining the treatment of commitments, permissions, background growth, employment trips and major cumulative development. State whether any sensitivity tests are needed and the consequences for mitigation dates or housing supply.

4.5.5 The apparent numerical difference in ED25 should not be resolved by TIG by adding entries with unclear modelling labels. The Council is best placed to explain whether the 1,122 figure concerns net additional completions, explicit trips beyond a reference case or a different set of sites than the schedule. If there is no inconsistency, the audit will demonstrate that quickly. The material question is whether the modelled change from the reference case corresponds to the final adopted development scenario.

## 4.6 ED38's proposed Monitor and Manage strategy

4.6.1 ED38 (pages 2-6) says the Council intends to commission a Monitor and Manage Mitigation Strategy. This is a proposal for future work, not evidence that the strategy has already been completed, adopted, funded or implemented. A monitoring mechanism may be useful if it has clear thresholds and enforceable responses; it should not be treated as a residual solution to any funding or timing uncertainty.

4.6.2 TIG asks how the Council will react if monitoring shows that full works must be accelerated; how construction lead-times will be allowed for; whether development will be paused or rephased where necessary; and how proportionate contributions will fund works needed partly because of committed growth. Transport modelling alone cannot answer these programme and funding questions.

4.6.3 Action sought: Publish at least the operative framework for monitor-and-manage before a soundness conclusion: triggers, frequency, responsible authorities, decision points, mitigation options, funding route, enforceable controls, reporting and contingency. Assess consequential requirements for SA8, S2 or other relevant policies as appropriate.

4.7 Cross-check of junction trigger years against development phases

4.7.1 There are three related but distinct dates: when a model predicts a capacity or nil-detriment threshold is crossed; when engineering works must therefore be operational to accommodate the additional planned development; and when procurement, design and statutory approvals must begin to achieve that operation date. A delivery plan that shows only an end-state intervention by 2041 does not answer the earlier timing issue identified for Main Road Hoo.

4.7.2 The Council should identify site-by-site occupation triggers where necessary. It should also identify whether those triggers are linked to cumulative vehicle flows, total dwellings or geographic subareas, and explain how they remain enforceable if some developments proceed sooner than forecast and others are delayed. Monitoring is useful only if it occurs early enough for the relevant works to be put in place before unacceptable impacts materialise.

4.7.3 TIG recognises that precise funding apportionment may evolve through legal agreements and statutory processes. A sound trajectory nevertheless needs a credible financing route. The answer may be a combination of developer contributions and funding from other sources; it cannot be assumed solely from the existence of a concept design.

# 5 ED30 AND ED30A - HOUSING REQUIREMENT, SUPPLY AND DELIVERABILITY

## 5.1 Headline totals and the stepped requirement

5.1.1 ED30 and ED30A propose annual requirements of 1,309 dwellings in Years 1-5 (2026/27-2030/31), 1,963 dwellings in Years 6-10 (2031/32-2035/36), and 1,636 dwellings in Years 11-15 (2036/37-2040/41), in addition to the treatment of 2025/26 as Year 0. ED30's cumulative requirement by 2040/41 is 26,176 homes against forecast supply of 26,316, a difference of 140 homes, or approximately 0.5% of the cumulative requirement.

5.1.2 TIG acknowledges ED30A's explanation that a stepped requirement can be justified in appropriate circumstances and is not necessarily a reduction in the total housing requirement. The relevant question is whether the particular steps and forecast supply are supported by realistic evidence, especially where growth during Years 6-10 is intended to compensate for lower early delivery and depends upon major infrastructure investments.

## 5.2 A narrow full-period margin

5.2.1 The 140-home forecast surplus is small relative to the Plan's total requirement. This is not proof that an individual site will fail, nor does it mean every site contingency must be added to the requirement as a separate numerical buffer. It does mean that the consequences of reasonable delays to a large allocation need to be shown transparently rather than relying solely on an optimistic central case.

5.2.2 ED30 forecasts a sizeable cumulative surplus by the mid-plan years but annual deficits in some later years, including 2034/35, 2035/36, 2038/39, 2039/40 and 2040/41. The cumulative margin then falls to 140 by 2040/41. A trajectory reliant on earlier projected over-delivery needs evidence that those earlier completions can indeed be achieved.

5.2.3 Action sought: Publish sensitivity tests demonstrating the effect of realistic delays, slower sales rates, infrastructure lead-times and changes in urban-regeneration and Hoo allocations. Identify the implications for the Plan's soundness and spatial strategy if the 140-home margin is eroded, including whether the scale, distribution and phasing of the proposed allocations require reconsideration.

5.2.4 The margin must also be placed in context. National planning policy does not necessarily require a fixed percentage of contingency above the full-period requirement, and a 0.5% surplus is not by itself a reason to reject a housing trajectory. TIG's concern is empirical: are the more substantial site- and infrastructure-specific risks already reflected in the central forecast, or would reasonably foreseeable delays erase the difference between the claimed supply and requirement? This can be addressed through transparent sensitivities without inventing an extra policy test.

5.2.5 A suggested minimum set of sensitivities would include (a) a one- or two-year delay to first completions on one major Hoo allocation, (b) a delay to the full Main Road Hoo or Four Elms scheme, (c) a material Slower Urban Waterfront delivery scenario, and (d) a delay to a flood-dependent allocation. The tests should avoid double counting if the Council's forecast already incorporates a risk allowance. The result should identify site-level and annual consequences rather than a single headline change.

## 5.3 Five-year supply and the 20% buffer

5.3.1 ED30A reports a Housing Delivery Test figure of 60% and explains that a 20% buffer is being applied to the five-year housing land supply calculation. ED30's first post-adoption five-year supply figure with buffer is 5.02 years. This is a very narrow margin and warrants close examination of site-specific deliverability and the status of infrastructure, land availability and planning permissions.

5.3.2 TIG does not claim that a 5.02-year figure is inherently invalid: the adequacy of the calculation depends on the applicable requirements and the evidence for deliverable sites. However, small changes to projected completions could materially affect that conclusion. The underlying components, not only the ratio, should be available for scrutiny.

5.3.3 Action sought: Supply a site-level five-year deliverable supply table, identifying the evidence for each assumed commencement and annual rate, the treatment of the 2025/26 shortfall and the 20% buffer, relevant permissions, developer intentions and any infrastructure preconditions. Test how the first five-year position changes if material assumptions slip.

5.3.4 ED30's first five-year figure of 5.02 years is reported as the Council's calculation, not accepted as a legally definitive position. It depends on the correct base date, treatment of the first-year deficit, application of the stated 20% buffer and whether each relied-upon site meets the applicable deliverability criteria at the examination and adoption stages. TIG asks the Council to distinguish permissions and sites with detailed evidence from longer-term allocations expected to contribute to the first five years.

5.3.5 The ED30 calculation also changes in successive years. This is not necessarily evidence of inconsistency: the rolling requirement and expected supply change over time. It does mean that the assumed adoption date and the exact point at which the five-year calculation is tested should be made explicit, particularly if the examination timetable changes.

## 5.4 Allocated-site reliance and the developer agreements

5.4.1 ED31, which is useful examination context although not within the fourteen consulted documents, proposes a source-of-supply table including 21,696 homes from allocations within 26,316 total forecast dwellings. That places particular importance on a robust, site-specific delivery case. ED24B-ED24F show agreement or partial agreement with promoters, but explicitly leave many infrastructure details outside their scope.

5.4.2 The Council should not use acceptance of a delivery trajectory by a promoter as the sole answer to the question whether housing can be completed within the required timeframe. The major housing sites need to be tested against the joined-up environmental, highway, flood, education and healthcare programme discussed elsewhere in this representation.

5.4.3 Action sought: Provide a consolidated comparison of the ED24B-ED24F assumptions, the ED30 site-level trajectory, the infrastructure programme and any latest proposed modification that purports to secure phasing. Explain how differences will be resolved and who will monitor actual performance.

## 5.5 Legal and policy significance of stepping

5.5.1 A stepped requirement may be appropriate, but it is a monitoring and phasing mechanism, not proof of infrastructure deliverability in itself. It should not be used to treat otherwise unacceptable cumulative environmental effects as resolved or to assume that later-year housing can be delivered without the necessary enabling schemes.

5.5.2 If the evidential case for stepping depends on transport constraints, the chronology of mitigation must be consistent with the stepped periods. In particular, it is important to reconcile ED26's stated need for full Main Road Hoo mitigation by 2032 with the sharp

uplift in the annual requirement beginning in 2031/32. A disparity could warrant amended phasing, enforceable infrastructure triggers, a different delivery assumption or reconsideration of relevant allocations, depending upon the Council's evidence.

5.5.3 Action sought: Explain precisely how ED30/ED30A and the proposed policy in ED31 secure the relationship between housing output and necessary transport, environmental and community infrastructure. Test any material change in the final delivery programme through the relevant SA/SEA and HRA work.

5.6 The relationship between total need, trajectory and transport testing

5.6.1 ED30A explains stepping by reference to strategic-site lead-in periods, the retention of the full requirement and national planning guidance allowing a stepped requirement in appropriate circumstances. Those matters may explain the approach in principle but do not independently validate the particular forecast supply. Because transport constraints are presented as a principal reason for stepping, the site-by-site growth profile must be consistent with the tested network scenarios and the implementable programme for mitigation needed to unlock it.

5.6.2 ED30 shows supply rising to 2,577 in 2031/32, the first year of the 1,963 dwelling annual requirement. The schedule should clarify which sites account for that increase and whether all necessary conditions are expected to be satisfied in time. A large borough-wide yearly total does not identify which infrastructure assets will experience the additional demand.

5.6.3 TIG also requests an explanation of the approach if one of the major schemes depends upon a developer whose agreement expressly excludes infrastructure delivery. There may be an adequate Council-led infrastructure plan outside the SoCG; if so, it should be identified. The absence of those particulars from the promoter agreement should not be treated as evidence that no plan exists, but neither should the promoter agreement be relied upon as though it supplies one.

# 6 ED27 - MEDWAY FLOOD DEFENCES HIGH LEVEL APPRAISAL

## 6.1 Value and limitations of the appraisal

6.1.1 ED27 identifies physical and management concerns affecting parts of the tidal frontage in the Medway Council area. Its executive summary (report pages ii-iii) and sections 5-6 prioritise Strood and St Mary's Island for further investigation and investment, with other frontages assigned differing priorities. It is a useful strategic appraisal and demonstrates that the Council is addressing a material problem.

6.1.2 However, ED27 also expressly records limitations: it is based substantially on available information and visual inspection, and does not provide detailed structural surveys, dedicated hydraulic modelling or scheme-specific cost estimates. Its recommendations include crest and topographic surveys, structural assessments, further modelling, asset records, options, funding arrangements and developer-contribution mechanisms (ED27 sections 5.5, 6.3-6.4, report pages 38-41).

6.1.3 Accordingly, the report should not be characterised as a detailed, funded flood-defence strategy that has already resolved the Environment Agency's concerns about the deliverability of allocations requiring strategic defence works. ED24A's recorded August

2026 Agency objection confirms the distinction between agreeing the appraisal's findings and agreeing the Plan is sound.

## 6.2 Relationship to the urban regeneration strategy and allocation delivery

6.2.1 TIG supports the genuine consideration of suitable urban brownfield and regeneration opportunities, including in Strood, as alternatives to excessive rural greenfield expansion. TIG equally recognises that waterfront brownfield sites may face serious flood, contamination, remediation and infrastructure costs. It does not contend that urban land is universally unconstrained or immediately deliverable.

6.2.2 The appropriate comparison is between realistically deliverable options, assessed on equivalent assumptions, including the costs and timing of necessary infrastructure. Where the Council rejects or discounts urban capacity on flood-defence grounds but relies on constrained rural strategic allocations, the relevant limitations and alternatives should be explained consistently and transparently in the SA/SEA and spatial strategy evidence.

6.2.3 Action sought: Map the specific Plan allocations affected by the priority flood frontages; identify the protection standard and climate-change assumptions required for each; demonstrate the delivery route and timing of any necessary works; and clarify whether the Council's assessment of urban-regeneration capacity or reasonable alternatives changes as a result of ED27.

## 6.3 Safeguards in policy and delivery mechanisms

6.3.1 It may be appropriate to secure some detailed flood risk measures at planning-application stage. But where the allocation's viability or acceptability depends upon strategic works affecting multiple sites, the evidence needs to demonstrate a credible coordinated scheme and prevent development from preceding necessary protection.

6.3.2 Action sought: Confirm with the Environment Agency the final position on Sequential and Exception Tests, flood-defence dependencies and flood-zone 3b boundaries for affected sites. Where the necessary works remain wholly speculative or their timing cannot be justified, reassess the affected site trajectory and allocation, rather than relying on a general requirement that future applications resolve the issue.

6.4 Distinguishing appraisal evidence from an actionable defence programme

6.4.1 The Council may argue that ED27 is appropriately high-level for strategic plan preparation and that detailed schemes can follow. TIG accepts that not every defence requires a completed detailed design at examination. The decisive consideration is whether each relied-upon housing allocation has a reasonable prospect of safe and timely development, including a realistic route to the particular protective works on which it depends.

6.4.2 The analysis should also consider what can be achieved by avoiding the most hazardous parts of an allocation or by site-level design, rather than assuming all development requires strategic construction. Conversely, a development's position outside an especially hazardous flood zone does not automatically resolve risks to access, egress, off-site infrastructure or the future lifetime of the development.

6.4.3 The final SA and housing supply evidence should take account of materially different constraints, including flood infrastructure in urban areas and ecological or transport infrastructure on rural sites, on a consistent basis. Such an appraisal may well confirm the Council's preferred spatial strategy; TIG asks to see the transparent comparison rather than predetermine its outcome.

# 7 ED37 - MEDWAY GREEN AND BLUE INFRASTRUCTURE FRAMEWORK

## 7.1 Landscape and environmental significance of the Hoo Peninsula

7.1.1 ED37 section 5.1 (pages 51-53) identifies the Hoo Peninsula's landscape-scale biodiversity and heritage role, the internationally important coastal and estuarine habitats, the importance of historic settlement patterns and open landscapes, and the need to maintain the separation and identity of rural communities. TIG regards this as materially relevant evidence supporting the careful application of landscape, ecological, settlement-character and infrastructure considerations to the Hoo allocations.

7.1.2 TIG does not suggest that acknowledging environmental significance automatically rules out all development. It submits that the final policy approach and scale and distribution of growth must demonstrate how these identified assets and functions are conserved or enhanced where required, rather than merely repeating the framework's aspirations.

## 7.2 The difference between a framework and funded mitigation

7.2.1 ED37 section 6 (pages 72-73) expressly acknowledges that delivery will require partnership working and funding, including from developers. The framework is therefore not in itself a substitute for the project-specific, costed Hoo Peninsula Strategic Environmental Programme or for mitigation measures whose certainty is material to the HRA.

7.2.2 The Plan's policies should identify where proposed green and blue infrastructure is a beneficial aspiration, where it is an allocation-specific requirement, and where it is an essential mitigation measure necessary to prevent a particular adverse effect. These categories cannot be treated as interchangeable.

7.2.3 Action sought: Produce a clear linkage from ED37's Hoo Peninsula priorities to Policies S2, S3, S4, S5, SA8 and relevant site criteria, identifying the measures to be required, delivery triggers, funding and monitoring. Explain the relationship between ED37 and the forthcoming Hoo Peninsula programme, and whether any material new findings require supplementary SA/SEA or HRA assessment.

## 7.3 Neighbourhood Plans and place-specific safeguards

7.3.1 ED37 section 5.1.7 (page 53) recognises that communities are bringing forward Neighbourhood Plans addressing rural character, heritage and green infrastructure. TIG has previously sought express recognition of relevant made or emerging Neighbourhood Plan design codes and locally specific character evidence, including in Hoo and Chattenden and Cliffe and Cliffe Woods.

7.3.2 TIG asks the Council to explain how the framework and design-related policies will operate consistently with the statutory development-plan role of any made Neighbourhood Plan and with relevant locally adopted design guidance. This need not

require duplicating an entire design code in strategic policy, but there should be no ambiguity as to the regard to be given to it during masterplanning and application assessment.

7.4 The practical status of the framework

7.4.1 A strategic green and blue infrastructure framework can legitimately establish aims, spatial priorities and partnership structures without producing designs for every eventual project. TIG does not suggest that every aspirational project must be fully funded before adoption. A separate category must, however, be identified for measures relied upon as essential avoidance, mitigation or compensation within an environmental assessment or site-delivery case. Those measures require a higher degree of evidence and secure implementation.

7.4.2 The framework is not itself a substitute for the HRA. The Council should explain which framework schemes, if any, are included in the operative HRA assumptions, which are wider enhancement ambitions, and how potentially harmful effects are addressed if an enhancement proposal is postponed or changed. The legally required mitigation should not depend on an unspecific aspiration to secure funding in future.

7.4.3 TIG welcomes provisions recognising locally distinctive settlement patterns and landscape functions. TIG does not claim that neighbourhood-plan design codes become legally mandatory text in the new Local Plan merely because they exist. Rather, the relevant strategic policies should explain how operative made neighbourhood plans and site-specific design guidance are to be applied together, avoiding conflict or uncertainty at application stage.

# 8 ED39 - WATER EFFICIENCY, DRAINAGE AND VIABILITY

8.1 ED39 (page 1) confirms that the preferred Local Plan Viability Assessment appraisal includes a 110 litres per person per day standard. It also confirms that the consultant did not include a 100 litres per person per day or tighter standard in the preferred policy mix. This answers what was modelled but does not establish the viability or environmental implications of adopting an alternative standard.

8.2 ED39 (page 2) reports the viability consultant's understanding that drainage rules already favour separate foul and surface water flows, while expressly acknowledging that the consultant is not a drainage expert. On that basis, the consultant considers the proposed Policy DM1 clarification not material to viability.

8.3 TIG does not assert that a tighter water standard must be imposed irrespective of cost or technical evidence. It seeks a transparent decision-making trail: Southern Water's current position; the basis for the selected water-efficiency level; whether the resource and wastewater constraints of additional development are adequately addressed; and whether any proposed DM1 wording requires a more specialist assessment or materially affects site delivery.

8.4 Action sought: Obtain and publish Southern Water's response to ED39, identify any outstanding disagreement arising from the supporting-evidence consultation, explain whether additional specialist analysis or viability testing is needed, and confirm the final DM1 wording and its practical implications for water and drainage capacity.

8.5 Southern Water's position should be accurately described. ED39 records the Council's intention to invite it to respond; the note does not establish what response Southern Water subsequently gave, nor that it accepted or rejected the preferred 110 litres per

person per day policy. If a response is received during the consultation, the Council should publish it and explain any consequent amendments.

8.6 An optional water standard of 110 litres per person per day has been included in the viability assessment. That is evidence that this option was tested, not evidence that a more stringent 100-litre standard is necessarily viable or required. TIG does not ask the Inspectors to adopt a particular water standard without considering the relevant water resources evidence, viability evidence and applicable building-regulation framework.

8.7 Similarly, the note distinguishes the Council's proposed drainage policy changes from a professional drainage-engineering assessment. Its viability consultant expressly states a lack of expertise in that field. The proper examination question is whether the final policy wording is clear, technically workable, consistent with relevant statutory requirements and supported by appropriate specialist advice; material additional costs should be evaluated where credibly evidenced.

8.8 Action sought: Publish Southern Water's final response, identify the water-efficiency standard actually proposed for adoption, clarify the technical basis and implementation of the surface-water policy wording, and make any necessary proportionate amendments. TIG seeks explanation, not a blanket objection to the 110-litre standard.

# 9 CUMULATIVE IMPLICATIONS FOR THE SPATIAL STRATEGY, ASSESSMENTS AND SOUNDNESS

## 9.1 The connected chain of dependencies

9.1.1 TIG asks the Inspectors to evaluate the consultation material as a connected evidential chain. ED30 assumes a substantial uplift in annual completions in 2031/32-2035/36. ED24B-ED24F rely upon particular allocation start dates and build-out rates while generally reserving infrastructure details. ED26 identifies that the Main Road Hoo interim mitigation would no longer satisfy the stated test by 2032. ED38 recognises that larger transport schemes require further design, funding and approval. ED24A anticipates further ecological programme work and a completed HRA and records outstanding flood and cross-boundary infrastructure matters. ED27 and ED37 are important strategies but are not, of themselves, a final funded delivery programme.

9.1.2 Any one of these matters may be capable of resolution. The risk to soundness arises if the Council's explanation assumes that each missing element will be provided by another future process, without demonstrating that all essential elements can be delivered coherently and in time. That approach could overstate the Plan's actual ability to achieve both its housing objectives and its environmental and infrastructure safeguards.

## 9.2 SA/SEA and reasonable alternatives

9.2.1 TIG's Matter 1 and Matter 2 hearing statements do not allege that the Council failed to examine any urban-focused strategy at all. The existing Sustainability Appraisal identifies an Urban Regeneration Focus alternative (A3.2, Table 5.5, describing capacity of up to 23,710 homes), below the whole-period requirement reported in ED30. TIG therefore does not assert that urban brownfield development alone has been shown to meet all of the Medway Council area's needs. The concern is whether the substantially evolved final allocation package and its environmental and infrastructure assumptions were transparently compared on an adequate and equivalent basis with reasonable alternative combinations of development, including strategies placing less growth in

environmentally sensitive Hoo locations. The Hoo Consortium's Matter 2 hearing statement (E.184/E.31, paragraphs 1.7-1.10) favours the Blended Strategy and coordinated delivery; those are relevant considerations but do not themselves resolve the statutory assessment of reasonable alternatives after material changes to the preferred development package.

9.2.2 The October evidence may be material to that question. ED27 adds evidence about flood-defence constraints affecting regeneration sites; ED25, ED26 and ED38 clarify the scale and timing of strategic transport requirements; ED30 modifies the housing delivery assumptions; and ED37 identifies strategic green infrastructure priorities. The Council should explain which of these findings were already taken into account in the SA/SEA and whether further proportionate appraisal or explanation is needed.

9.2.3 Action sought: Provide a reasoned SA/SEA screening or review statement considering the cumulative significance of the consultation documents for the chosen strategy, rejected alternatives, allocation phasing, environmental effects and mitigation. Where legally necessary, prepare and consult on supplementary appraisal before the Inspectors reach final conclusions.

9.2.4 This is also the connection made in the Matter 1 hearing statement of STHP, paragraphs 24-26 and 42-44 (pages 5-6 and 8). Their submission is that, if the HRA's assumed recreational mitigation cannot be justified, the SA and Integrated Impact Assessment may have proceeded on an unduly favourable assessment of the preferred Hoo-focused strategy compared with alternatives involving less development in sensitive locations. TIG does not assume that any particular alternative must automatically be selected. It asks that the environmental assessment of the chosen and reasonable alternative strategies be reviewed against the outcome of a defensible HRA, rather than continue to rely upon a mitigation assumption which remains contested.

## 9.3 HRA completion and the limits of subsequent project-level assessment

9.3.1 TIG recognises that the submission HRA carried out Appropriate Assessment and that work has progressed since then. The remaining question is whether the final Plan - with any proposed policy modifications and updated assumptions - can be supported by the required integrity conclusions beyond reasonable scientific doubt on the evidence and sufficiently certain mitigation actually available at plan level.

9.3.2 Project-level assessment can play an important role in detailed implementation. But the Plan should not leave unresolved a strategic impact or mitigation requirement which is necessary to justify the selection and cumulative scale of allocations. ED24A's remaining requirements for the Hoo Peninsula programme and updated HRA should therefore be completed and examined in the context of the final development and delivery strategy.

9.3.3 Action sought: Ensure that the updated HRA expressly addresses the final Plan wording, cumulative development scenario, relevant mitigation programmes, their timing and enforceability, and Natural England's further response. Provide consultation where legally necessary and allow sufficient opportunity to comment on any materially revised conclusions.

9.3.4 TIG's request for completion of the HRA and consideration of lawful modifications is not a concession that every identified deficiency is necessarily curable by revised policy wording. The Matter 1 hearing statement of STHP challenges the evidential foundation of the recreation-mitigation conclusion itself, not merely the degree of detail in an implementation programme. If that foundation is not demonstrated and sufficiently certain alternative mitigation cannot lawfully be relied upon, the implications for

allocations and the spatial strategy must be assessed before any soundness conclusion is reached. TIG maintains that position without prejudging the Inspectors' ultimate determination.

## 9.4 Green Belt and cross-boundary planning

9.4.1 ED24F's acceptance of trajectory changes does not answer TIG's Matter 5 case concerning the exceptional-circumstances justification for the west-of-Strood Green Belt release. ED24A confirms both the Council's case and the outstanding need for a cross-border landscape-led masterplan. The Inspectors should consider the justification and effectiveness of the proposed boundary change on the complete evidence, including the respective status of adjoining land and the ability to achieve a comprehensive development in practice.

9.4.2 TIG's stated position remains that support for suitable urban Strood regeneration and brownfield sites should not be interpreted as support for the release of Green Belt greenfield land west of Strood. Action sought: A consolidated and up-to-date cross-boundary account demonstrating why the particular boundary change is justified, how it can be delivered and what follows if adjoining development or infrastructure does not proceed as assumed.

## 9.5 Policy effectiveness and delivery safeguards

9.5.1 The final policy framework should distinguish aspirational objectives from mandatory safeguards. It should contain, or clearly engage, effective requirements ensuring that critical transport, environmental, flood and community infrastructure is available at the appropriate stage. Where development relies upon a later masterplan or programme, the timing and enforceability of its approval and implementation should be clear.

9.5.2 TIG requests that any proposed Main Modifications arising from the consultation do not simply restate that development will be phased with infrastructure. The relevant policy or delivery schedule must say which infrastructure, needed by when, who is responsible, how it is funded, which development triggers apply, and what happens if delivery slips. Proportionality and the need for later detailed approvals may properly be recognised, but not at the expense of the Plan's demonstrated effectiveness.

## 9.6 Procedural fairness and the scope of this consultation

9.6.1 The fact that documents were submitted late does not of itself make the examination unlawful. The Inspectors directed the October consultation to provide an opportunity to examine that evidence fairly. TIG's concern is whether interested parties have been given effective access to the material on which soundness conclusions will actually depend, whether the Council's responses to substantive representations are available, and whether consequential further assessment or Main Modifications receive the consultation required by law. This analysis neither assumes that the present consultation cures every procedural difficulty nor asserts that late submission automatically proves one.

9.6.2 MLP/ED32 permits progression to Phase 2 while expressly reserving the Inspectors' conclusions about soundness. The evidential and statutory processes must therefore be completed on their merits before the examination is concluded.

9.6.3 STHP makes a related but distinct legal argument in its Matter 1 hearing statement, paragraphs 5-10 (pages 2-3): evidence disclosed only after Regulation 19 may not have been available at a sufficiently formative stage for consultees to influence the Plan's

choices. Their statement refers to Richard Buxton Solicitors' letter of 19 March 2026 (MLP/ED4) and to an RSPB response recording insufficient time to examine a topic paper. TIG does not suggest that the October consultation itself conclusively cures that concern. It asks the Council to show how substantive responses, including any challenge to the assumptions underlying the chosen strategy, can actually influence the final assessments and Plan, and for the Inspectors to consider any remaining procedural prejudice on the evidence.

9.6.4 MLP/ED32 paragraph 4 envisages that the Council will respond to representations and send those responses to the Inspectors on 2 November 2026. TIG does not claim an automatic further right of reply to every Council rebuttal. If, however, the response materially relies on new technical analyses, revised assumptions or evidence not previously available for consultation, TIG asks the Inspectors to consider whether affected representors need a proportionate opportunity to comment before the new material is relied upon. This concerns fairness of the examination record, not a request to prolong the process merely because the Council disagrees with TIG.

## 9.7 Natural England, Bird Wise and HPSEP: proper evidential distinctions

9.7.1 ED24A records Natural England's support for Bird Wise and the principle of HPSEP, together with qualified agreement on proposed North Downs SAC policy wording. TIG records those views accurately but does not adopt a conclusion that the Bird Wise scheme has demonstrated efficacy for the Plan's scale and spatial concentration of growth, or that the undelivered HPSEP remedies the evidential deficiency. The Matter 1 hearing statement of STHP, notably paragraphs 14-23 and 30-37, challenges whether the available longitudinal evidence establishes the effects of SAMMS on qualifying bird populations and whether the proposed programme supplies the scientific certainty required for the HRA. Natural England's involvement and endorsement are important expert evidence but do not, without reasoned analysis of those objections, answer the separate question of whether the competent authority can lawfully exclude adverse effects. TIG expressly maintains that distinction.

9.7.2 TIG's proposed 400-metre and one-kilometre buffers are requests for precautionary, ecologically justified scrutiny of sensitive allocations and associated effects, not distances established by the new evidence as absolute legal exclusions. The final policy approach should be supported by location- and pathway-specific evidence, including functionally linked land, while distinguishing the unrelated 16-metre coastal-flood provision that Natural England addressed at Matter 6. None of this constitutes acceptance that paying a SAMMS tariff or promising HPSEP is adequate mitigation for the present spatial strategy.

## 9.8 Transport: attribution, thresholds and implementability

9.8.1 The transport evidence distinguishes congestion associated with background or committed growth from the incremental traffic attributable to new allocations. TIG recognises that any developer contribution must meet the applicable tests of necessity, direct relationship and fair and reasonable scale and kind. It remains necessary to identify the mitigation infrastructure and realistic means of implementation on which the additional growth relies, even where other growth is principally responsible for an existing constraint.

9.8.2 Interim measures can be appropriate where they provide adequate capacity for the relevant development phase and a later, larger intervention has a credible delivery route. The specific finding in ED26 is that the tested Main Road Hoo interim layout no longer

satisfies its nil-detriment criterion in the modelled Year 6 scenario. The Council should identify and evidence the relevant full scheme or alternative, its operational date and consequences for allocation phasing, rather than rely on an undefined future Monitor and Manage exercise.

## 9.9 Flood risk: proportionate evidence and reasonable alternatives

9.9.1 The level of detail required for flood defence depends upon how closely the feasibility and timing of an allocation depend on the works. Final design and full construction funding are not necessarily required at examination for every intervention. However, where an allocation depends on strategic flood protection, ED27's high-level appraisal cannot by itself establish the delivery programme or resolve the Environment Agency's specifically recorded concerns. Site-level Sequential and Exception Test evidence should distinguish land requiring strategic works from sites capable of acceptable development without them.

9.9.2 A consistent evidential standard is required in comparing suitable urban brownfield opportunities with rural strategic allocations. Flood protection, contamination, access and viability constraints affecting urban regeneration must be assessed realistically, just as ecological, transport and service dependencies affecting rural sites must be. TIG requests a transparent comparison rather than any presumption that either type of site is automatically free from constraint.

## 9.10 Housing supply: significance and limits of numerical headroom

9.10.1 Neither the 140-dwelling whole-period surplus nor ED30's reported first five-year supply of 5.02 years automatically fails a separate mandatory numerical contingency test. ED30A gives reasons for considering a stepped approach, but the relevant question is whether the individual allocation assumptions, site lead-in periods and dependent infrastructure collectively justify the projected completions. Sensitivity testing is warranted where reasonably foreseeable delays to major sites could exhaust the stated surplus; it should account for any allowances already reflected in the forecast and avoid double counting.

9.10.2 Promoters' agreed trajectories are relevant evidence of their intentions, but ED24B-ED24F often expressly exclude infrastructure cost, apportionment and delivery mechanisms. The Council should identify the separate evidence relied upon to establish those elements and explain how its independent assessment of the whole supply programme has taken them into account. Project-level detail can be developed subsequently without leaving the central strategic delivery assumptions unsupported.

## 9.11 Consequential action and proportionality

9.11.1 TIG seeks whatever remedy is necessary to secure legal compliance and soundness, proportionate to the actual nature and seriousness of the deficiency. A purely clerical site-reference error may require no more than a published correction; adequate evidence already before the examination may answer a clarification request; and a properly supported Main Modification may cure some policy shortcomings. However, administrative convenience or a preference to keep the examination moving cannot substitute for a lawful and sufficiently evidenced conclusion on the proposed spatial strategy or on the effectiveness and certainty of environmental mitigation. TIG does not concede that deficiencies in the Bird Wise/HPSEP evidence can necessarily be remedied by additional wording or an undertaking to monitor impacts in future.

9.11.2 More substantial action becomes necessary only if the evidence shows that a proposed allocation or the Plan's spatial strategy cannot satisfy the relevant legal or soundness test without material change. The conclusion should flow from the completed assessments and a reasoned comparison of options, not from an assertion that further work automatically invalidates the submission.

# 10 SCHEDULE OF SPECIFIC EXAMINATION ACTIONS REQUESTED

10.1 To assist efficient consideration, TIG consolidates its principal requests below. These are primarily requests for evidence, clarification and completion of assessment rather than a claim that each requires separate Main Modification wording. The requests are without prejudice to TIG's position that material deficiencies which cannot lawfully be cured without recasting the Plan may require withdrawal and re-preparation.

| Reference | Consultation document(s) | Examination action requested |
|---|---|---|
| EX-TIG-EC-01 | ED24A / North Downs SAC | Publish the completed updated HRA covering the final S2/SA7 wording, with Natural England's final recorded position and details of mitigation certainty. |
| EX-TIG-EC-02 | ED24A / Bird Wise | Respond substantively to the HRA effectiveness and evidence-gap challenges in STHP's July 2026 E.13 submission (MLP/ED16A) and the Matter 1 hearing statement of STHP (E.200/E.13, paragraphs 13-17 and 20-23): publish and analyse longitudinal visitor, warden, disturbance and qualifying-bird data; reconcile the KWT material with ED24A; and demonstrate how evidence, rather than a future review, supports integrity conclusions for the proposed 2041 growth. |
| EX-TIG-EC-03 | ED24A / S3 | Clarify Policy S3: the 6-kilometre SAMMS zone, relevant larger development outside it, and bespoke avoidance/mitigation near sensitive sites; resolve Natural England's separate clarification that the 16-metre provision relates to coastal flooding, not recreational disturbance. |
| EX-TIG-EC-04 | ED24A / HPSEP | Do not presume that the emerging HPSEP remedies the unproven SAMMS efficacy challenged by STHP (Matter 1 paragraphs 18-20). Identify each proposed programme measure, its ecological function, proof of effectiveness, timing, funding, legal security, and the consequences if effective mitigation cannot be demonstrated; obtain Natural England's further advice and consult where required. |
| EX-TIG-EC-05 | ED24A / Lodge Hill | Demonstrate resolution, or the planning consequences of non-resolution, of Natural England's exception concerning Chattenden Woods and Lodge Hill SSSI. |
| EX-TIG-EC-06 | ED24A / Cockham, Hoo Wetlands and Deangate | Verify separately the permissions, land control, works, funding and anticipated ecological operation for Deangate, Cockham and Hoo Wetlands; reconcile the Consortium's stated 50-hectare and 48-hectare land proposals and anticipated section 106 funding with the deliverable mitigation relied upon. |
| EX-TIG-EC-07 | ED24A / EA | Publish the current Environment Agency position and a response to each unresolved allocation and flood-defence deliverability concern. |
| EX-TIG-EC-08 | ED24A / strategic roads | Identify the status, cost, dependency, delivery body and contingency for M2 Junctions 1 and 4 and other material cross-boundary highway works. |

| | | |
|---|---|---|
| EX-TIG-EC-09 | ED24A / healthcare | Identify when interim and permanent healthcare infrastructure is needed in the Hoo growth sequence, with firm funding and implementation arrangements. |
| EX-TIG-EC-10 | ED24B | Test the Hoo Consortium's revised starts and rates against one timed and costed programme for transport, ecological mitigation, schools, healthcare, centres and utilities. Reconcile aggregate realistic developer contributions, viability and external funding with the essential programme costs, including ED38 and HPSEP. |
| EX-TIG-EC-11 | ED24C | Demonstrate that Capstone Valley delivery remains feasible under a reasonable delay scenario affecting Lidsing and M2 Junction 4 improvements. |
| EX-TIG-EC-12 | ED24D | Substantiate the Rainham Parkside Village trajectory with delivery-body arrangements, planning milestones and independently assessed infrastructure requirements. |
| EX-TIG-EC-13 | ED24E | Provide realistic phasing and sensitivity analysis for the market-dependent and later phases of Chatham Waters and Chatham Docks redevelopment. |
| EX-TIG-EC-14 | ED24F | Confirm the implications of the SNF1 delay, the completed cross-border masterplan, and the still separate Green Belt exceptional-circumstances justification. |
| EX-TIG-EC-15 | ED24F | Reconcile the SNF3/SNF5 references in ED24F paragraphs 1.1.4 and 1.3.1, confirming the precise allocation and landholding relied upon in ED30; publish a correction or explain any substantive consequences. |
| EX-TIG-EC-16 | ED25 | Reconcile development and trip inputs in the 2031 modelling with the revised allocation-level housing and employment trajectory. |
| EX-TIG-EC-17 | ED26 | Respond directly to the conclusion that full Main Road Hoo mitigation is required by 2032; demonstrate a funded, implementable scheme or an adequately evidenced alternative. |
| EX-TIG-EC-18 | ED26/ED38 | Provide the equivalent timed delivery and contingency schedule for Four Elms, Sans Pareil and other corridor junctions, including reassignment through Wainscott. |
| EX-TIG-EC-19 | ED38 | Publish the operative monitor-and-manage framework, including monitor thresholds, decision points, responsible parties, funding and enforceable occupation controls. |
| EX-TIG-EC-20 | ED27 | Supply a flood-defence allocation dependency matrix including surveys, detailed modelling, design options, costs, funding routes, lead times and safety requirements. |
| EX-TIG-EC-21 | ED30 | Provide a robust site-level deliverability and five-year supply audit, including the 2025/26 deficit, 20% buffer, planning status and realistic lead-ins. |
| EX-TIG-EC-22 | ED30/ED30A | Sensitivity-test the 140-home cumulative supply margin and the year-by-year stepped requirement against delayed strategic sites and infrastructure. |
| EX-TIG-EC-23 | ED37 | Map key green and blue infrastructure commitments into the operative policy and delivery framework, distinguishing mitigation necessary to avoid harm from wider opportunities. |
| EX-TIG-EC-24 | ED39 | Obtain Southern Water's response, reconcile the 110-litre viability assumption with any policy request for tighter efficiency and confirm the enforceable drainage provisions. |
| EX-TIG-EC-25 | All documents / SA | Review whether the combined environmental, transport, flood and housing evidence requires further SA/SEA and IIA comparison of the final strategy and reasonable mixed spatial alternatives, including lower Hoo growth, taking account of STHP's concern that the preferred strategy may have been appraised on an unproven mitigation assumption (Matter 1 paragraphs 24-26 and 42-44). |

| | | |
|---|---|---|
| EX-TIG-EC-26 | All documents / HRA | Ensure any final HRA assesses the development strategy, relevant qualifying features, policies and actual combined mitigation proposed for adoption, with a reasoned response to the Matter 1 hearing statement challenge of STHP (paragraphs 13-23 and 30-37) and a justified conclusion reached before adoption, not inferred from prospective monitoring. |
| EX-TIG-EC-27 | All documents / delivery | Publish a consolidated infrastructure and allocations delivery matrix clearly linking costs, funding, phasing, monitoring, triggers and contingency to the housing supply assumed. |
| EX-TIG-EC-28 | ED24B/ED24A / Hoo services | Demonstrate how early western Hoo occupations will be served before later eastern facilities open, taking into account the Consortium's proposed HHH12 neighbourhood centre, HHH22/HHH31 main centre and HHH19 retail provision; identify each centre's delivery trigger, interim healthcare and community capacity and protection of the existing Hoo village centre. |
| EX-TIG-EC-29 | All documents / procedural fairness | Respond to substantive consultation representations, including STHP's concern about evidence first supplied after Regulation 19, and explain how they can still influence the Plan's strategy; consult effectively on necessary assessments or Main Modifications and identify any materially new evidence in the Council's response for which further fair comment may be needed. |

# 11 CONCLUSION AND REQUEST TO THE INSPECTORS

11.1 TIG welcomes the opportunity to comment on the fourteen documents. The documents are not devoid of evidential value: they provide important information about statutory bodies' positions, updated promoter trajectories, junction modelling, flood-defence conditions and the Council's proposed phasing response. They should be considered on their merits.

11.2 The additional evidence leaves material issues requiring further examination. ED24A records an unfinished HPSEP and Natural England's express reservations, including the issue affecting Chattenden Woods and Lodge Hill SSSI. Its account of Natural England's support for Bird Wise does not dispose of the separate, detailed efficacy challenge advanced in the Matter 1 hearing statement of STHP (paragraphs 13-23 and 30-37) and STHP's July 2026 submission (MLP/ED16A, E.13). Nor is a future HPSEP, without demonstrated operational measures and certainty, proof that the gap can be filled. ED24A also records that the Environment Agency had not withdrawn its unsoundness concerns despite accepting ED27's appraisal. ED26 identifies a specific 2032 requirement for more extensive Main Road Hoo mitigation in the modelled scenario; ED38 anticipates significant design, funding and delivery work; and ED30 relies on mid-period growth while showing a 140-home final surplus.

11.3 TIG submits that these matters should not be treated as separate technical footnotes capable of being ignored in the strategic soundness assessment. They need to be reconciled into a single credible picture of where development can occur, at what rate, with which infrastructure and environmental safeguards, and on which legally and financially realistic assumptions.

11.4 TIG therefore asks the Inspectors to require the Council's reasoned responses to the specific questions above, the completion of any outstanding HRA or SA/SEA work that is legally necessary, and a coherent and enforceable infrastructure delivery and phasing framework. Where such work demonstrates that specific site assumptions or policies are

not justified or effective, the appropriate consequential modifications should be considered and lawfully consulted upon.

11.5 TIG's primary submission remains that the Plan must not be found legally compliant and sound unless the necessary conclusions are supported by adequate, current and sufficiently certain evidence. TIG does not assert that all outstanding work automatically requires withdrawal. However, if proper remediation changes the spatial distribution and scale of allocations so materially that it amounts in substance to a different Plan, or otherwise lies beyond lawful Main Modifications, TIG maintains that adoption of the current submission would be inappropriate and that withdrawal and re-preparation should be considered.

11.6 TIG requests that this representation be forwarded in full to the Inspectors and included in the published examination record. TIG reserves the right to respond to the Council's consideration of consultation representations, any revised assessments and the proposed Main Modifications at the appropriate examination stage.

# APPENDIX A - CONSULTATION DOCUMENT INDEX

| Reference | Document / evidence | Principal references |
|---|---|---|
| MLP/ED24A | Statement of Common Ground with Prescribed Bodies, September 2026 | §§2.5, 2.6, 2.9-2.10, 2.13-2.14. |
| MLP/ED24B | Hoo Consortium Statement of Common Ground | §§1.1, 2.1. |
| MLP/ED24C | Capstone Valley Statement of Common Ground | §2.1.1 (p.6). |
| MLP/ED24D | Rainham Parkside Village Statement of Common Ground | §§1.1, 1.2, 2.1. |
| MLP/ED24E | North Gillingham Statement of Common Ground | §§1.1, 2.1. |
| MLP/ED24F | West of Strood Statement of Common Ground | §§1.1.4, 1.3.1, 2.1.1 (including the apparent SNF3/SNF5 reference discrepancy). |
| MLP/ED25 | Medway Local Plan Interim Year Assessment, Jacobs, July 2026 | §3.5.2 and Table 3-11. |
| MLP/ED26 | Medway 2031 Interim Junction Modelling & Mitigation, Jacobs, August 2026 | §3.2.2 and Table 3-3. |
| MLP/ED27 | Medway Flood Defences High Level Appraisal | executive summary and §§5-6. |
| MLP/ED30 | Proposed Stepped Housing Requirement and Land Supply, September 2026 | Single-page annual/cumulative trajectory; Year 0 to Year 15; 5YHLS and 20% buffer columns. |
| MLP/ED30A | Proposed Stepped Housing Requirement and Land Supply: Explanatory Note, 17 September 2026 | Page 1: stepping rationale, 2025/26 deficit, 60% HDT figure and first five-year supply. |
| MLP/ED37 | Medway Green and Blue Infrastructure Framework, final version 2026 | §§5.1, 6. |
| MLP/ED38 | Strategic Transport Assessment technical memorandum justifying the stepped trajectory, Jacobs, 2 October 2026 | Tables 1 and sections concerning Four Elms, Hoo Peninsula and Sans Pareil. |
| MLP/ED39 | Viability Assessment Review of Southern Water's Request, Medway Council, 2 October 2026 | Pages 1-2: 110 litres/person/day viability assumption; proposed Policy DM1 drainage wording. |

# APPENDIX B - OTHER EXAMINATION REFERENCES

| Reference | Document / evidence | Principal references |
|---|---|---|
| MLP/ED32 | Inspectors' post-Phase 1 letter, 28 September 2026 | Paragraphs 1-4 and 8: fairness consultation and conditional Phase 2 progression. |
| MLP/ED31 | Council proposed Main Modification concerning housing requirement and supply, 18 September 2026 (context only) | Source-of-supply table and proposed phasing provisions; not one of the 14 consultation documents. |
| A1 | Submitted Medway Council Local Plan 2041 | Policies S2, S3, S7, S22, SA6, SA7, SA8 and DM1. |
| A3.1-A3.3 | Submission Sustainability Appraisal and appendices | Spatial strategy, reasonable alternatives and appraisal of the chosen development package. |
| A4.1-A4.3 | Submission Habitats Regulations Assessment and supporting material | A4.1 paras 7.2.6-7.2.24 and 9.1.4; recreational effects, Bird Wise, HPSEP and integrity conclusions. |
| B22.2 | Hoo Peninsula Strategic Environmental Programme Topic Paper v2 and appendices | Sections 3.1-3.2; cumulative ecological assessment and proposed delivery/governance. |
| B22.5 | Housing Delivery Topic Paper and housing trajectory appendix | Site-level supply assumptions and associated earlier delivery projections. |
| MLP/ED16A / ED16C | Supporting-evidence consultation representations and Council responses | ED16A: Save the Hoo Peninsula (E.13), pp. 121-126, especially paragraphs 7-26; ED16C, pp. 5-6. |
| E.148 | Natural England Matter 6 hearing statement | Responses to MIQs 6.13, 6.15, 6.16 and 6.20; 16-metre coastal-flood clarification and spatial triggers. |
| TIG E.37 | TIG Regulation 19 representations and final Phase 1 hearing statements | Matters 1 and 6 (HRA, Bird Wise, HPSEP, policy S3); Matters 2, 3, 5 and 8 as relevant. |
| E.184/E.31 | Hoo Consortium, final Phase 1 hearing statements for Matters 2, 3, 6 and 8 | Matter 2 §§1.2-1.10 (coordinated growth and alternatives); Matter 3 §§1.12-1.14 (planning obligations); Matter 6 §§1.3, 1.6 (Cockham/Wetlands land and section 106); Matter 8 §§1.1-1.5 (Hoo centres). |
| E.200/E.13 | Matter 1 hearing statement of the Save the Hoo Peninsula Campaign (Richard Buxton Solicitors; Jack Parker, Counsel) | Paragraphs 5-10 (consultation); 11-23 and 30-37 (HRA, Bird Wise and HPSEP); 24-26 and 42-44 (SA/IIA and reasonable alternatives); pp. 2-8. |

| | | |
|---|---|---|
| MLP/ED4 | Richard Buxton Solicitors letter to Inspectors, 19 March 2026 | Cited at Matter 1 paragraph 5(i) regarding post-Regulation 19 environmental evidence. |

## SUBMITTED ON BEHALF OF THE INDEPENDENT GROUP (TIG) ON MEDWAY COUNCIL

[redacted]

**Councillor Michael Pearce**
**Planning Spokesman**
**26 October 2026**

**For the avoidance of any doubt, Councillor Michael Pearce is an Independent Councillor representing Hoo & High Halstow Ward on Medway Council, which is also the Local Planning Authority (LPA). He serves as the Leader and Planning Spokesman for The Independent Group (TIG) on Medway Council - an unwhipped group of Independent councillors representing the Hoo Peninsula (Strood Rural Ward, Hoo & High Halstow Ward, All Saints Ward), formed for administrative purposes and committee entitlement. While Councillor Pearce is a Medway Councillor and member of the LPA's Planning Committee, he does not speak or act on behalf of Medway Council or the LPA, either generally or at formal planning inquiries.*

*MEDWAY COUNCIL*
*MEDWAY LOCAL PLAN 2041 - EXAMINATION*
*OCTOBER 2026 EVIDENCE DOCUMENTS CONSULTATION*

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**FORMAL REPRESENTATION ON BEHALF OF THE SAVE THE HOO PENINSULA CAMPAIGN (OCTOBER 2026)**

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## 1. Introduction and status of the representation

1. This is Save The Hoo Peninsula's ("STHP" or "the Campaign") response to Medway Council's October 2026 Medway Local Plan 2041 Examination Evidence Documents Consultation. It is submitted for transmission in full to the examining Inspectors. The consultation concerns new or updated examination documents, not a fresh Regulation 19 exercise. STHP responds to matters raised by that evidence insofar as they affect the Hoo Peninsula's environment, biodiversity, designated sites, ecological mitigation and the soundness or legal compliance of the relevant allocations.[1]

2. The Campaign's 2025 Regulation 19 representations, the representations submitted by Richard Buxton Solicitors in March and July 2026, and its Matter 1 Hearing Statement are maintained insofar as they are not superseded. This representation develops, rather than repeats, those objections in the light of the new October 2026 consultation documents.[2]

3. STHP has deliberately limited the substantive scope of this representation to ecological and environmental matters. It does not seek to provide a separate highways or general transport case, nor a comprehensive challenge to housing-delivery figures. Infrastructure and phasing are addressed only where they govern whether the environmental measures on which the Plan relies are actually affordable, available, effective and capable of being delivered at the necessary time.

4. The principal documents are MLP/ED24A (the Statement of Common Ground with prescribed bodies), MLP/ED24B (the Statement of Common Ground with the Hoo Consortium) and MLP/ED37 (Green and Blue Infrastructure Framework). The associated HRA, the Hoo Peninsula Strategic Environmental Programme ("HPSEP"), Bird Wise/SAMMS evidence and relevant environmental organisations' representations provide the necessary context.

5. A central distinction is essential. The Council is entitled to rely on emerging projects, agreements in principle and Natural England's specialist advice as relevant evidence. It cannot, however, equate a housing-trajectory agreement with agreement to fund the environmental infrastructure that makes housing acceptable; nor can general support for a strategic mitigation framework prove that its outstanding components, land, long-term management and necessary site-specific measures are secured. These questions go to the substance of the Council's case, not merely document presentation.

## 2. Executive summary - the decisive environmental defects

6. First, paragraph 1.1.9 of MLP/ED24B expressly excludes agreement between Medway Council and the Hoo Consortium on infrastructure design, cost, phasing, land-take, funding,

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1 Medway Council, "Medway Local Plan 2041 – Evidence Documents Consultation", 5–26 October 2026; October examination evidence document list.

2 STHP, Regulation 19 representations (10 August 2025); Richard Buxton Solicitors, correspondence dated 19 March and 6 July 2026; STHP, Matter 1 Hearing Statement, E200/E.13 (2026).

apportionment and delivery mechanisms. The agreement is confined to the stated housing trajectory. Environmental mitigation is plainly an infrastructure requirement where necessary to render the proposed growth acceptable, including through HPSEP, project-specific safeguards and additional bespoke measures (referred to here as "SAMMS+"). The SoCG therefore does not demonstrate an agreed financial or legal delivery package for that mitigation.[3]

7. Second, the Council's own prescribed-bodies SoCG, MLP/ED24A, describes projects progressing and some funding already in place, but also says that a review is being commissioned to produce a costed delivery programme and that partnership governance will evolve. Natural England's endorsement of HPSEP remains expressly conditional on further detail, discussion, agreement, satisfactory mitigation and possible policy amendments. Its qualified position cannot be presented as confirmation that the entire package has been costed and secured.[4]

8. Third, Natural England identifies an explicit exception concerning impacts on Chattenden Woods and Lodge Hill Site of Special Scientific Interest ("SSSI"). This is especially important because the RSPB and Kent Wildlife Trust have long advocated a 400-metre residential-development buffer to guard against cat predation and other urbanisation pressures affecting the nationally important nightingale population. The Council must properly test that scientifically argued buffer and demonstrate, rather than merely assert, that any narrower alternative is effective.[567]

9. Fourth, MLP/ED24A records Natural England's position that Bird Wise/SAMMS delivers appropriate and effective strategic recreational-disturbance mitigation. STHP acknowledges that this is Natural England's advice; it does not adopt that conclusion or withdraw RBS's objection that the December 2025 submission HRA failed to demonstrate the effectiveness of the measures relied upon to exclude adverse effects on SPA/Ramsar site integrity. Statements concerning visitor behaviour, survey snapshots and aggregate bird trends must be tested against that outstanding evidential challenge, rather than being treated as a retrospective answer merely because it is cited in a Statement of Common Ground.[89]

10. Fifth, the risk pathways are not confined to Lodge Hill. Northward Hill, High Halstow National Nature Reserve, protected estuaries, functionally linked land and the connected Peninsula landscape require allocation-specific assessments and measures. MLP/ED37's aspirations for ecological networks and green infrastructure, however welcome, are not a substitute for a mapped, funded and enforceable avoidance and mitigation package.[1011]

11. Sixth, the September/October 2026 prescribed-bodies Statement of Common Ground records that the Environment Agency continues to regard the Plan and associated evidence base as

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3 MLP/ED24B, Statement of Common Ground between Medway Council and the Hoo Consortium, 9 September 2026, paras 1.1.3–1.1.10, pp.4–5, especially para 1.1.9.

4 MLP/ED24A, paras 2.6.33–2.6.37, pp.21–22: existing projects, funding assertions, review and proposed costed delivery programme, governance and Natural England's qualifications.

5 Natural England, Medway Regulation 19 representation dated 11 August 2025, paras 2.5–2.13, especially 2.9–2.10; MLP/ED24A para 2.6.37.

6 RSPB, letter to Medway Council dated 27 July 2021 regarding the 150m buffer, pp.1–2: evidence-led recommendation for 400m, cat roaming and anti-predator fencing.

7 Kent Wildlife Trust, Regulation 18 letters dated 31 October 2023 and 6 September 2024 (recommended 400m graded buffer); Regulation 19 letter dated 7 August 2025, pp.1–2 (cumulative effects, HPSEP and mitigation concerns).

8 MLP/ED24A, paras 2.6.19–2.6.27, pp.18–20: SAMMS monitoring, scope of the commissioned ten-year review and Natural England's position.

9 Kent Wildlife Trust Consultancy Services, North Kent SAMMS – Bird Disturbance Surveys Winter 2021/22, final report 23 May 2022, conclusions §§4.1–4.3 and Appendix 2.

10 RSPB, Medway Regulation 19 representations, 7 August 2025: 4576 (Policy SA8), 4577 (Policy SA11/SR14), 4578 (Policy S2), 4579 (Policy S3) and 4580 (Policy SA9/HHH26).

11 MLP/ED37, Medway Green and Blue Infrastructure Framework, chapters 3–5, in particular its Hoo Peninsula landscape and ecological network analysis.

unsound, notwithstanding its agreement with the findings of the new high-level flood-defences appraisal. That objection must not be represented as an ecology objection: it concerns flood-risk evidence and delivery. It is nevertheless a material environmental constraint on the spatial strategy, coastal works and the evaluation of lower-impact alternatives.[12]

12. Seventh, the technical note responding to Southern Water (MLP/ED39) confirms that the preferred viability policy mix was tested at 110 litres per person per day rather than 100 litres or tighter. The proposed foul/surface-water separation wording rests in part upon a non-specialist viability assumption. Those matters warrant environmental scrutiny where water-resource, sewer-capacity, water-quality or designated-estuary impact pathways are identified, without assuming that a water-quality failure has already been demonstrated.[13]

13. The Inspectors should require the Council to disclose a consolidated, priced and phased environmental mitigation schedule and the material agreements securing it; provide a proper response to the 400-metre buffer evidence; complete and consult upon the HPSEP and any necessary HRA/SA updates; and make the consequential policy changes before concluding that the affected allocations are sound and legally compliant. Where effective mitigation cannot be evidenced and secured, the appropriate course is to reduce, relocate or remove the affected housing allocations.

## 3. The proper legal and evidential test

14. Under the Habitats Regulations, the competent authority must assess the implications of the Plan for protected European sites and, unless a lawful derogation is available, may give effect to the Plan only after ascertaining that it will not adversely affect site integrity. The relevant conclusions must be based on sufficiently complete, precise and definitive findings to exclude reasonable scientific doubt. The courts do not require impossible mathematical certainty, but an assumption that essential mitigation will somehow be worked out later is not an adequate assessment of its effectiveness.[14]

15. A separate question arises for the nationally protected Chattenden Woods and Lodge Hill SSSI and its nightingales. SAMMS contributions targeted at recreational disturbance to coastal SPA/Ramsar sites are not a substitute for direct assessment of cat predation, disturbance, artificial lighting, noise, habitat loss and fragmentation at an SSSI. Similarly, biodiversity net gain, landscaping and green corridors do not erase the need to apply the mitigation hierarchy or to secure protection for particular designated features.

16. The Council is not necessarily required to have executed every site-specific section 106 agreement before adoption. The narrower and stronger point is that where mitigation is central to the allocation and strategic HRA/SSSI conclusions, there must be a realistic, properly evidenced, sufficiently certain and enforceable route by which it can be delivered at the correct scale and time. This involves both ecological efficacy and financial and practical deliverability. Policies which simply assume a future agreement, without showing that the required obligations can be agreed and carried out, may fail the effectiveness test.

17. The Council must also establish that the environmental obligations are not merely theoretically possible but compatible with the development's viability and all other necessary obligations. A measure whose cost, land rights, responsible payer and timing have yet to be resolved cannot simply be treated as a funded assumption within the Plan. Conversely, STHP

12 MLP/ED24A, Statement of Common Ground with Prescribed Bodies, version 9.4 (September 2026), para 2.13.6, pp.31–32; MLP/ED27, Medway Flood Defences High Level Appraisal (2026).
13 MLP/ED39, Technical Note – Viability Assessment Review of Southern Water's Request, 2 October 2026, pp.1–2.
14 Conservation of Habitats and Species Regulations 2017, reg.105; Case C-127/02 Waddenzee; R (Wyatt) v Fareham Borough Council [2022] EWCA Civ 983. See also applicable NPPF provisions concerning SSSIs and the mitigation hierarchy.

recognises that specific funding already committed to completed or approved projects must be credited accurately rather than ignored.

## 4. Ground 1 - no infrastructure funding agreement is evidenced in the Hoo Consortium SoCG (MLP/ED24B)

### 4.1 The express reservation in paragraph 1.1.9

18. MLP/ED24B was prepared to address the Inspectors' question about delivery of the housing trajectory. Paragraph 1.1.4 records an agreement in principle on housing trajectories for a list of allocations at Hoo St Werburgh, Chattenden and High Halstow. The purpose and scope of that agreement are deliberately narrow. Paragraph 1.1.9 then states that agreement does not extend to the detailed form, cost, phasing, land-take, funding, apportionment or delivery mechanism for infrastructure, or site-specific matters to be addressed later. That reservation is explicit, comprehensive and material.[15]

19. The absence of an agreement on those matters is not an inference constructed by STHP: it follows directly from the published text of the SoCG. Nor can it be dismissed as a technical qualification applying only to highways or schools. The paragraph contains no exclusion for ecological infrastructure. The environmental measures required by the Plan - including HPSEP projects, bespoke mitigation for nearby SPAs and SSSIs, accessible alternative natural greenspace and its management, habitat creation, visitor management and monitoring - are among the infrastructure dependencies whose form, cost, phasing and funding require resolution.

20. It is important not to overstate what paragraph 1.1.9 proves. It shows that the Hoo Consortium SoCG contains no agreement on those infrastructure matters; it does not, by itself, conclusively prove that no separate funding agreement or secured project exists anywhere. That distinction increases rather than reduces the Council's disclosure obligation. If the Council contends that the environmental programme is funded or an agreement reached separately, it should identify the actual instrument, parties, dates, amounts, land rights, delivery triggers and enforceable commitments for each component. A general assertion of collaborative working is not equivalent evidence.

21. The SoCG covers extensive interests - including HHH6, HHH12, HHH19, HHH22/31, HHH24, HHH25, HHH26, HHH29 and HHH33 - and records approximately 400 hectares of Consortium-controlled land. Control of land for development is not the same as control of every parcel needed for avoidance, compensation, access diversion, habitat creation or the long-term stewardship of mitigation. Nor does willingness to accommodate community facilities establish agreement to contribute a defined share of their ecological costs.[16]

### 4.2 Direct tension with the assurances in MLP/ED24A

22. The contrast with MLP/ED24A is striking. Paragraphs 2.6.30-2.6.33 distinguish the additional strategic environmental programme for Hoo from North Kent SAMMS and refer to Policies S2 and SA8, which require proportional developer contributions. Paragraph 2.6.34 then states that funding is being secured through developer contributions and other sources, asserting certainty by reference to funding already in place and progress at projects such as Deangate Community Parkland Phase 1. Yet paragraph 2.6.35 acknowledges that a costed delivery plan

15 MLP/ED24B, Statement of Common Ground with Hoo Consortium, 9 September 2026, paras 1.1.3–1.1.10, pp.4–5, especially para 1.1.9.

16 MLP/ED24B, paras 1.1.4, 1.2.1–1.2.3, pp.4–5 (allocations and Hoo Consortium landholdings).

is only being commissioned; paragraph 2.6.36 contemplates future governance; and paragraph 2.6.37 records Natural England's remaining qualifications.[17]

23. Those propositions are not necessarily logically inconsistent: an element of a programme can be funded and underway while other elements remain uncosted. But they demand disaggregation. The Council should distinguish (i) works already completed and paid for; (ii) works approved and contractually funded; (iii) works with only prospective developer contributions; (iv) works requiring external grants not yet awarded; and (v) measures still to be defined following ecological review. Only the first two categories can properly be described without qualification as presently committed. For the remainder, certainty must be demonstrated by an evidenced delivery mechanism.

24. Natural England's paragraph 2.6.37 does not cure this gap. It says that the eventual costed programme and policy requirements are likely to provide certainty, subject to detail, discussion and agreement, and excepting the Lodge Hill/Chattenden SSSI impacts at present. That is qualified support for a proposed course of action, not confirmation that funding, land availability, measures and protections are already agreed and sufficient. The Council should not collapse those materially different conclusions into a general statement of Natural England approval.[18]

### 4.3 The financial and legal questions that must be answered

25. The first missing component is a verified full cost of the mitigation required for the development strategy. A complete schedule should identify each HPSEP and other site-specific measure, its capital and maintenance costs, evidence of cost estimates, contingencies for inflation or land acquisition, indexation, inflation-adjusted income, management and monitoring costs, and the period for which ecological functions must remain effective. This should include costs of adapting measures if monitoring reveals underperformance, as well as any secured long-term habitat management.

26. The second missing component is apportionment: how much is attributable to existing baseline pressures, wider North Kent growth and specific Hoo allocations; which developer, landowner or public body is expected to pay; how costs are divided between the individual HHH sites, and whether contributions are genuinely additional to Bird Wise/SAMMS tariffs and ordinary biodiversity net gain requirements. Without that analysis, the phrase "proportionate contributions" does not establish the amount or sufficiency of funding for the necessary ecological outcome.

27. The third missing component is the legal mechanism. Will the measures be secured through allocation policy, planning conditions, site-specific section 106 obligations, land transfers, conservation covenants, an environmental delivery body or a combination? What would happen if one Consortium member proceeded ahead of the others, a phase was delayed or abandoned, a third-party landowner withheld access, or costs rose? The answer cannot simply assume universal voluntary cooperation throughout a multi-decade programme.

28. The fourth missing component is timing. Disturbance from domestic cats, new pedestrian access and increased recreational pressure begins with occupation, while habitat creation and alternative recreational space may require years to establish. The Council should therefore identify enforceable commencement and occupation triggers, ecological lead-in periods, permitted development caps, and stop or contingency arrangements if the promised measures

17 MLP/ED24A, Statement of Common Ground with Prescribed Bodies, version 9.4, paras 2.6.30–2.6.37, pp.21–22.
18 MLP/ED24A, para 2.6.37, p.22 (Natural England's qualified position and outstanding Chattenden Woods and Lodge Hill SSSI impacts).

have not become functional. A measure delivered late may be ecologically ineffective even if eventually funded.

29. The fifth component is viability. The Council should show that quantified environmental obligations have been included in robust development viability testing, rather than being omitted pending later negotiation or treated as residual expenditure. If the required ecological measures make an allocation financially unviable, the consequence is not to relax legally necessary protection; it is to reconsider the scale, configuration, timing or allocation itself. The funding issue is therefore inseparable from the justification and effectiveness of the proposed spatial strategy.

30. Finally, there must be accountability and monitoring: a named delivery organisation; ownership or control of the land; enforceable maintenance duties; independent ecological performance measures; a trigger for remedial action; a secured source of funds for that action; and an ultimate guarantor or contingency if the initial delivery vehicle fails. An envisaged future partnership is not the same as an operative governance and financial structure.

### 4.4 What should be required before the Council's case is accepted

31. STHP requests a single, publicly available Environmental Mitigation Funding and Delivery Schedule cross-referencing each Hoo allocation, each ecological impact pathway and every HPSEP, SAMMS+ and site-specific measure. For each entry the schedule must state: the mitigation purpose and evidence; quantified cost; sources and amounts of funding secured and outstanding; developer/apportionment calculation; relevant land rights; responsible delivering party; legal mechanism; critical completion date; management duration; monitoring success criteria; contingency; and explicit occupation threshold.

32. The Council and the Hoo Consortium should then either enter an updated SoCG resolving the environmental infrastructure items - supported by the actual evidence, not merely a general expression of intent - or publish a precise schedule of those items which remain not agreed. The Inspectors should not treat the absence of agreement as resolved because the housing trajectory has been agreed. If the necessary environmental infrastructure cannot be shown to be deliverable, the dependent housing allocations must be reconsidered.

33. There is a further time-specific point. Paragraph 1.1.10 of MLP/ED24B states that the Hoo Consortium SoCG will be updated in advance of the Phase 2 hearings. The Inspectors should therefore require the updated, dated version and a tracked schedule identifying which infrastructure reservations have actually been resolved. If the update remains confined to housing trajectories, that should be expressly stated; silence should not be treated as agreement on the price, funding or implementation of ecological measures. The Council should also explain whether the proposed HPSEP review and the Consortium's own infrastructure negotiations are proceeding against the same set of costed measures and development assumptions.[19]

### 4.5 The other developer Statements of Common Ground do not establish delivery of environmental safeguards

34. The express limitation in MLP/ED24B is not an isolated technicality. The Statements of Common Ground with Esquire Developments for Rainham Parkside Village (MLP/ED24D), Peel Waters for North Gillingham (MLP/ED24E), and the Land West of Strood promoter (MLP/ED24F) likewise restrict their agreement to expressly stated matters and disclaim agreement on detailed infrastructure design, cost, phasing, land-take, funding, apportionment

19 MLP/ED24B, Hoo Consortium Statement of Common Ground, 9 September 2026, paras 1.1.9–1.1.10, pp.4–5; MLP/ED24A, paras 2.6.35–2.6.37, pp.21–22.

and delivery mechanisms. Those documents may assist the Inspectors in judging a housing trajectory; they are not proof that every environmental obligation affecting the relevant sites is funded, secured or deliverable. The Capstone Valley SoCG (MLP/ED24C) similarly requires assessment on its actual agreed wording and supporting evidence rather than being treated as a blanket approval of all impacts.[20]

35. For the Hoo Consortium in particular, this separation matters because its SoCG covers multiple allocations in differing ecological settings, including sites near Chattenden Woods and Lodge Hill SSSI, Northward Hill and the coastal designated sites. Agreement on when dwellings might be built, or on the promoter's control of land, does not answer whether off-site habitat measures, protected-species safeguards, alternative recreation, land rights or long-term ecological management have been agreed, priced and made enforceable. A promoter's willingness to engage constructively is relevant but cannot substitute for an identified mitigation delivery mechanism.

36. MLP/ED24B itself anticipates refinement of parcel sequencing and the necessary supporting infrastructure during masterplanning, including the large HHH22/HHH31 allocation. A site-by-site schedule must therefore reconcile the assumed occupation dates with ecological triggers, rather than deferring the timing of avoidance measures until after the Council has relied upon a developer's preferred completions profile. There is no need for STHP to advance a general transport or housing-supply objection to insist upon this ecological sequencing.[21]

37. The Council should place before the Inspectors a common format for every relevant developer SoCG showing: the precise point agreed; matters excluded or still disputed; each environmental constraint and consent; the additional works and mitigation essential to a safe allocation; who will pay; the binding instrument; and the latest permissible development trigger. Matters concerning sites outside Hoo remain relevant only insofar as the Council relies on their deliverability to justify concentrating development in, or diverting it away from, ecologically sensitive locations.

## 5. Ground 2 - the unresolved 400-metre buffer and Lodge Hill nightingales

### 5.1 The Council has not answered the expert case for avoidance

38. The most important geographically specific ecological issue is the proximity of housing to Chattenden Woods and Lodge Hill SSSI and its nationally important breeding nightingales. Natural England's latest SoCG expressly identifies impacts on that SSSI as the exception to its otherwise forward-looking assessment of HPSEP. This is not a peripheral drafting reservation: it concerns whether the location and scale of residential allocations can be reconciled with protection of a nationally designated site.[22]

39. The RSPB's 27 July 2021 letter explained why a 400-metre residential buffer was, on its scientific assessment, an appropriate and proportionate response to pet-cat roaming and other urbanisation effects. It expressly challenged the then-promoted 150-metre alternative and cautioned against reliance on anti-predator fencing, which can be costly, maintenance-intensive and only partly effective. This was not an objection to every kind of land use within 400 metres: the RSPB identified potential scope for less damaging non-residential uses nearer the SSSI.[23]

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20 MLP/ED24D, Rainham Parkside Village SoCG, para 1.1.7; MLP/ED24E, North Gillingham SoCG, para 1.1.7; MLP/ED24F, Land West of Strood SoCG, para 1.1.7. MLP/ED24C is a separate Capstone Valley agreement.

21 MLP/ED24B, paras 2.1.1–2.1.2, p.6 (including HHH22/HHH31 and proposed refinement of sequencing through masterplanning and infrastructure delivery).

22 MLP/ED24A, para 2.6.37, p.22.

23 RSPB, letter to Medway Council concerning a proposed 150m buffer around Chattenden Woods and Lodge Hill SSSI, 27 July 2021, pp.1–2 (400m evidence, cats, fencing and alternative uses).

40. That position was maintained at Regulation 19 in August 2025. The RSPB objected to Policies SA8 and SA11 in relation to housing close to the SSSI, identified the SR14 land south of View Road, Cliffe Woods allocation and urged a 400-metre zone with no net additional residential dwellings. Kent Wildlife Trust independently recommended a minimum 400-metre graded buffer in its Regulation 18 submissions, and its 2025 Regulation 19 representation continued to question whether the HRA, SA and proposed strategic programme adequately address cumulative impacts.[2425]

41. Natural England's August 2025 Regulation 19 representation provides an additional, important link to the Council's own Sustainability Appraisal. At paragraph 2.11 Natural England cites SA Table 8.1 as acknowledging that the proposed policies were not anticipated to fully mitigate adverse effects on SSSIs where allocated sites coincide with or directly adjoin them, or where development lies within 400 metres of Chattenden Woods and Lodge Hill SSSI. Natural England also raised uncertainty about whether and when a suitable avoidance and mitigation package could be agreed. The October SoCG needs to be examined against those explicit earlier concerns. STHP asks the Council to state which specific evidence, layout changes and binding safeguards now address each of the SA-identified residual effects, rather than relying on the later statement of general support for the HPSEP framework.[26]

42. A 400-metre buffer is an expert recommendation on the evidence, not a universal statutory distance automatically applicable to every SSSI. The Council can depart from it if it demonstrates with reliable, site-specific evidence that a different solution is equally protective. But the repeated advice of two conservation organisations and Natural England's continuing outstanding SSSI qualification require a substantive reasoned answer, not a general assertion that design, management or the HPSEP will deal with any effects.

43. The RSPB's source material should also be read precisely. Its July 2021 letter cites the cat home-range meta-analysis by Hall and others (2016) and describes study ranges extending from approximately 360 metres to 2.4 kilometres in different settings. The RSPB did not say that a 400-metre setback creates a perfect barrier against every cat; rather, it considered that distance likely to avoid the majority of relevant incursions in the semi-rural context while reducing other associated urbanisation pressures. Any Council case for 150 metres, a graded alternative or fencing therefore needs to compare the predicted residual risk, rather than to dismiss 400 metres on the basis that it cannot remove every conceivable impact. It should identify who is responsible for the long-term maintenance and enforceability of any alternative measures.[27]

### 5.2 The assessment required

44. The Council should publish a reproducible GIS plan showing the SSSI boundary and measured 150-metre, 400-metre and any scientifically justified alternative residential buffers. Every proposed site, already permitted parcel and developable area within those zones should be identified by allocation reference, potential dwelling number, likely occupation date and proximity to actual nightingale territories or suitable habitat. A site-wide label is insufficient where only part of an allocation lies within the potentially harmful zone.

45. For each retained residential parcel in or close to the buffer, the Council must assess the realistically expected increase in household cats and access to the SSSI; walking and informal

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24 RSPB, Regulation 19 representations, 7 August 2025, IDs 4576 (SA8), 4577 (SA11 / SR14) and 4578 (S2), pp.4–5.

25 Kent Wildlife Trust, Regulation 18 letters, 31 October 2023 and 6 September 2024 (400m graded buffer), and Regulation 19 letter, 7 August 2025, pp.1–2 (cumulative Hoo impacts and HPSEP concerns).

26 Natural England, Medway Regulation 19 representation, 11 August 2025, paras 2.9–2.12, especially para 2.11 quoting Sustainability Appraisal Table 8.1; MLP/ED24A, para 2.6.37.

27 RSPB, letter of 27 July 2021 concerning the 150-metre buffer, pp.1–2, citing Hall et al. (2016), Biological Conservation 203, 313–320.

recreation; external lighting and night-time disturbance; noise; construction activity; loss or change of nearby habitat; and the cumulative urban edge effect. The response should explain the data and assumptions, including any need to assess protected species outside the SSSI itself and the effects of proposed roads or access routes solely insofar as they create an ecological pathway.

46. Where fencing, cat-management measures, habitat enhancements, alternative greenspace or wardening are proposed, the Council should identify their operational efficacy, land rights, installation and maintenance liabilities, costs, responsible body, lifespan and legally enforceable occupation triggers. The purported ability to mitigate cannot be evaluated separately from the unresolved financial agreement with the Hoo Consortium and the incompletely costed HPSEP.

47. STHP therefore asks the Council to apply the mitigation hierarchy rigorously: avoid unacceptable effects by moving or removing housing from sensitive locations first; then assess whether any residual impacts can be effectively mitigated. A future habitat-creation scheme, compensatory planting or Biodiversity Net Gain credit cannot automatically justify the decision to introduce a permanent domestic-cat pressure that was reasonably avoidable through the spatial layout itself.

48. If housing inside the properly justified buffer cannot be demonstrated to be harmless or adequately mitigated, the affected dwellings must be removed or relocated and the housing assumptions reconsidered. The Council should assess a reduced or revised layout and alternative, less harmful uses, as the RSPB suggested, rather than assuming that the original allocation boundary and quantum are immutable.

## 6. Ground 3 - Natural England's qualifications, HPSEP and the protection of other sites

### 6.1 HPSEP is additional to SAMMS and is not yet final

49. Paragraph 2.6.30 of MLP/ED24A expressly recognises that strategic environmental mitigation needed for the scale of growth on the Hoo Peninsula is additional to Bird Wise North Kent SAMMS. The Council identifies SEMS projects such as Deangate and Cockham Community Parklands and Hoo Wetlands, but paragraph 2.6.35 says a refreshed review and costed delivery plan is being commissioned, while paragraph 2.6.36 envisages the development of governance arrangements.[28]

50. STHP acknowledges projects already under way, including the progress claimed for Phase 1 at Deangate. The Council should identify exactly which residual effects each delivered or partly delivered element mitigates, how much of its funding is secured, and whether its land, access, ecological management and future maintenance obligations are fixed. A single demonstrably funded project cannot establish that the full strategic programme will be effective and adequately financed over the Plan period.

51. Paragraph 2.6.37 records Natural England's support for the principle and framework, coupled with the need for further detail, discussion and agreement, consultation before the Examination closes and resolution of outstanding matters and policy wording. It is not a signed-off completed ecological programme. STHP asks for the review, the resulting costed plan, Natural England's complete written response and the final policy text to be disclosed in good time for meaningful participation.[29]

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28 MLP/ED24A, paras 2.6.30–2.6.36, pp.21–22 (HPSEP is additional to SAMMS; projects, costed review and governance).
29 MLP/ED24A, para 2.6.37, p.22 (Natural England's qualifications, planned review, consultation and policy changes).

### 6.2 Other designated sites and functionally linked land

52. The nightingale buffer is not the only site-specific problem. RSPB Regulation 19 representation 4580 challenged allocation HHH26 because of its proximity to High Halstow National Nature Reserve, Northward Hill RSPB reserve and SSSI, and the risks of additional recreation and urbanisation. Its representations also emphasised protection of functionally linked land and the implications of site SR51. These concerns require allocation-level consideration and cannot be answered solely by the Lodge Hill buffer analysis.[30]

53. The Council should produce an ecological constraints and mitigation matrix for HHH6, HHH12, HHH19, HHH22/31, HHH24, HHH25, HHH26, HHH29 and HHH33, as well as any other allocation affecting the Hoo ecological network. For each, it should identify protected receptors and qualifying features, impact pathways, in-combination sources, buffers, surveys and modelling, proposed avoidance and mitigation, the funding mechanism, delivery date, residual effects and the responsible authority's HRA or SSSI conclusion.

54. This matrix should address coastal SPA/Ramsar sites and their bird assemblages, Northward Hill and High Halstow nature reserves, nightingales, breeding and wintering birds, ecologically connected habitats and functionally linked feeding and roosting land. Where access improvements are intended to attract the public to the Peninsula, the assessment must consider whether they increase pressure on protected habitat or successfully divert visitors to less sensitive locations.

55. The RSPB's representation in the June-July 2026 consultation said that it could not complete its review of the Hoo programme and appendices in the allotted period and requested the nightingale literature review referred to by the assessment. The Council's July response was essentially that the programme remained in preparation and that further engagement would occur. Before examination reliance is placed on the latest framework, the complete supporting ecological material and a clear account of how earlier requests were resolved should be publicly available.[31]

56. The outstanding evidence must include the full nightingale literature review referred to in the Council's nightingale impact assessment, or a clear explanation of where and when it was published and how it was made available to interested participants. This was specifically requested by the RSPB in the June–July 2026 consultation. The Council should provide the survey dates and methods, nightingale territories and habitat mapping, the assumptions underpinning any claimed protective buffer, the evaluation of cat and other urban-edge pathways and the ecological reasoning for accepting or rejecting alternative site layouts. If the eventual review changes the scientific assessment of the 400-metre case, that change must be explicit and subject to meaningful scrutiny before it underpins an examination conclusion.[32]

## 7. Ground 4 - Bird Wise/SAMMS: effectiveness, additional measures and future cost

57. STHP expressly maintains the objections advanced by Richard Buxton Solicitors on 6 July 2026 and in the Matter 1 Hearing Statement. Those submissions contend that the December 2025 submission HRA relied on the existence of Bird Wise/SAMMS and a limited monitoring record without establishing that mitigation prevented adverse effects on the integrity of the North Kent Marshes SPA/Ramsar sites. Paragraph 2.6.27 of MLP/ED24A now records Natural England's view that Bird Wise/SAMMS is providing appropriate and effective

30 RSPB, Regulation 19 representations, 7 August 2025, ID 4580 (SA9 / HHH26), p.7, and ID 4579 (S3 / functionally linked land and SR51), p.6.

31 MLP/ED16A, June–July 2026 Supporting Evidence Documents Consultation, RSPB representation 5098; MLP/ED16C, Medway Council's Consideration of Representations, p.23.

32 MLP/ED16A, representation 5098 (RSPB), relating to the Hoo Strategic Environmental Programme Topic Paper and its referenced nightingale literature review; MLP/ED16C, consideration of that representation; B22.2 Appendix 3.

mitigation and its recognition of positive visitor-behaviour indicators. That professional opinion must be accurately reported, but it is not an acceptance by STHP that the evidential deficiencies identified by RBS have been remedied. The question remains whether the new material substantiates the no-adverse-effect conclusion for this Plan, alone and in combination.[33]

58. The 2021/22 Kent Wildlife Trust winter survey records a substantial increase in recreation - reported in the SoCG as 34 per cent - and approximately twice as many dogs along the surveyed coastline, alongside an encouraging increase in the proportion of dogs on leads. Its authors emphasised that the two surveys, eleven years apart, were snapshots and that attribution of long-term changes in waterbird populations or distribution to human disturbance would require more frequent and targeted monitoring. Those observations are relevant caveats, not proof by themselves that Bird Wise is either ineffective or wholly sufficient.[34]

59. RBS's letter of 6 July 2026 (paragraphs 11–15) drew attention to species and assemblage declines shown in the WeBS data reproduced in Appendix 2 of the KWT 2021/22 survey, whose trend periods extended only to 2016/17. MLP/ED24A now cites a broadly stable-to-slightly-increasing aggregate trend for 2013/14–2024/25. These statements are not necessarily irreconcilable: they cover different periods and may aggregate different sites and species. The Council must provide the underlying site-, sector-, species- and qualifying-feature data, explain the different trends and evaluate possible causes. An aggregate trend is not evidence by itself that SAMMS prevented plan-related disturbance; nor does an individual decline, without analysis of other factors, establish mitigation failure.

60. There is a further point from the original submission HRA which should not be lost in the September/October account. As RBS identified in July 2026, paragraph 7.2.13 of that HRA recognised that Bird Wise might not completely address recreational effects for certain higher-risk allocations, with the HRA then looking to the developing Hoo Peninsula strategic programme to close the gap. RBS referred to HRA Table 7.1, which at that time listed at least 20 allocations inside the recreational zone of influence and more than 8,000 proposed dwellings. Those figures should be reconciled with any subsequent changed site capacities, but the underlying question is unaffected: for which allocations does the HRA itself acknowledge that ordinary SAMMS contributions may not suffice, what specific additional measure is relied upon for each, and what demonstrated evidence establishes that it will be effective and in operation when required?[35]

61. The March 2025 visitor survey includes 272 questionnaires gathered from January 2024 to February 2025 and provides useful catchment evidence, including comparison of the six-kilometre zone of influence. It is not, by itself, an ecological integrity assessment showing that additional residents cannot cause adverse effects at a designated site, particularly where major housing schemes are close to sensitive shorelines or where a substantial share of visitors originate beyond the six-kilometre zone.[36]

62. Natural England supports additional bespoke measures for large developments close to coastal designated sites, together with case-by-case consideration of substantial developments outside the normal six-kilometre zone. The Council should identify which Hoo allocations need those enhanced measures, the ecological evidence for their scale, whether the measures include new

33 MLP/ED24A, para 2.6.27, p.20 (Natural England's support and bespoke mitigation advice); RSPB, Regulation 19 representation ID 4579; Kent Wildlife Trust, Regulation 19 letter, 7 August 2025, p.2.

34 Kent Wildlife Trust Consultancy Services, North Kent SAMMS – Bird Disturbance Surveys Winter 2021/22, final report 23 May 2022, section 4; MLP/ED24A, paras 2.6.20–2.6.23, p.19.

35 Richard Buxton Solicitors, letter to Medway Council, 6 July 2026, paras 19–20; Submission HRA (December 2025), Table 7.1 and para 7.2.13, as cited by RBS.

36 Bird Wise North Kent, Visitor Surveys 2025 – Results Summary, March 2025, methodology, results and six-kilometre catchment analysis.

wardening, alternative greenspace and habitat management, and the separate funding and delivery commitments securing each measure. The strategic tariff must not be counted as funding an additional mitigation requirement unless that additional requirement is demonstrably within the tariff's approved scope.[37]

63. Paragraph 2.6.24 states that a ten-year review of SAMMS, including an evidence review, updated visitor survey and mitigation strategy review, is now being commissioned. That prospective exercise may improve future management, but it cannot retrospectively remedy a deficiency in the December 2025 submission HRA or be substituted for adequate evidence when the competent authority must reach its integrity conclusion. The Council should publish the review timetable, evidence already collected, anticipated corrective measures, and secured funding and triggers for any additional interventions. The critical question raised by RBS - whether there is presently sufficient evidence that the mitigation relied on is effective - must be answered before the Plan is given effect.[38]

64. This is not a request for unlimited ecological research. Natural England's advice of 6 January 2015 treated monitoring as integral to establishing the effectiveness of the strategic scheme, not merely as a record of expenditure or ranger activity. The Kent Wildlife Trust 2021/22 report subsequently identified specific practicable lines of enquiry, including more frequent observation at busy sites, possible WeBS sector-plot analysis and further species-specific work; RBS also drew attention to the suggested focused investigation of Brent Goose disturbance responses. The Council should state which recommendations have been implemented, give the resulting datasets and reasons for any decisions not to proceed, and identify what evidence supports a conclusion now, rather than deferring the question to the newly commissioned ten-year review.[39]

65. The Bird Wise annual reports evidence genuine wardening and engagement activity. The separate assessment issue is the link between activities, changes in actual disturbance, the designated features, future housing growth and the effectiveness of both existing and extra measures. Richard Buxton Solicitors' July 2026 submissions challenged that link; the Council's July response relied principally on the provenance and general acceptance of Bird Wise. The additional September/October evidence needs to answer the substance of the concern with a transparent pathway-specific assessment.[4041]

66. RBS also identified an apparent inconsistency in the standard of evidence applied within the submission HRA itself. In addressing potential air-quality effects on the North Downs Woodlands SAC, the HRA recognised, on RBS's account, that further evidence was necessary before mitigation effectiveness and a no-adverse-integrity conclusion could be established. Yet its recreational-disturbance conclusion for the North Kent coastal European sites was reached without an equivalent qualification despite the unresolved monitoring issues. The Council should provide a specific, reasoned explanation of why the evidence is considered sufficient for one impact pathway, what material distinctions justify a different treatment of recreational disturbance, and how that explanation is reflected in the final appropriate

37 MLP/ED24A, paras 2.6.26–2.6.27, p.20 (bespoke measures near designated sites and case-specific development outside the six-kilometre zone).
38 MLP/ED24A, para 2.6.24, pp.19–20 (commissioning and agreed scope of the ten-year SAMMS review).
39 Natural England, letter to North Kent Environment Planning Group, 6 January 2015 (Bird Wise evidence bundle, D1.3); Kent Wildlife Trust Consultancy Services, Winter 2021/22 Bird Disturbance Survey, sections 4.1–4.3; Richard Buxton Solicitors, 6 July 2026, paras 8–10 and 15–16.
40 Bird Wise North Kent, Annual Report 2025 (wardening, engagement and monitoring activity).
41 Richard Buxton Solicitors, representations on behalf of STHP to Medway Council and the Inspectors, 6 July 2026; MLP/ED16C, Council's consideration of representations, pp.5–6.

assessment. Reliance on Natural England's support alone does not answer this analytical comparison.[42]

67. STHP therefore maintains RBS's position that the submission HRA's recreational no-adverse-effect-on-integrity conclusion should not be accepted merely on the basis of the evidence previously cited. The Council must produce a completed, transparent plan-level HRA addendum addressing the September/October material and demonstrating, for each affected European site and qualifying feature, the additional disturbance predicted from the Plan alone and in combination; relevant historical monitoring, including WeBS and KWT evidence; the effectiveness of existing and bespoke mitigation; its funding and legally secured timing; and enforceable responses to underperformance. If the evidence remains insufficient to exclude reasonable scientific doubt, the competent authority cannot rely on Bird Wise/SAMMS to reach a no-adverse-effect conclusion for the affected allocations without a lawful alternative solution.

68. The in-combination element needs an equally explicit account. Bird Wise is a North Kent scheme, while new recreational demand can arise from multiple local-plan areas and from allocations with very different distances to the foreshore, access routes, coastal destinations and availability of alternative open space. The HRA should identify the plans, housing numbers, occupation assumptions and visitor-demand evidence included in its in-combination scenario; avoid treating contributions by different developments as if they automatically eliminate their cumulative effects; and show how SAMMS, any additional bespoke measures and the Hoo programme operate together without double-counting the same ecological benefit or funding. This is a request for transparent assessment of the final growth scenario, not for proof of ecological causation to an unattainable mathematical standard.[43]

## 8. Ground 5 - the Green and Blue Infrastructure Framework cannot fill a financial or ecological gap (MLP/ED37)

69. MLP/ED37 acknowledges the exceptional biodiversity, estuarine setting, habitat networks and distinctive landscape of the Hoo Peninsula. It also recognises threats including habitat fragmentation, recreational disturbance, development pressure and coastal change. This is valuable evidence for STHP's case that site selection should avoid ecological harm at the outset, rather than assuming future landscaping will offset it.[44]

70. The framework's objectives of connecting habitats, enhancing wetlands, strengthening ecological corridors, supporting nightingales and improving the landscape are welcome. But a broad green infrastructure strategy is not a legally secured environmental mitigation package for particular allocations. The Council must explain which mapped measures address specific adverse impacts, the extent and condition of land required, whether that land is available, the start and completion dates, the cost and the body accountable for ecological performance.

71. Public-access initiatives require particular care on the Hoo Peninsula. Creating attractive routes and viewpoints may help direct visits away from sensitive stretches of coast, but could also increase use of some vulnerable sites unless route design, access management and the availability of alternative recreation are assessed. The ecological function and disturbance consequences of each proposal must be demonstrated rather than assumed from its green appearance.

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42 Richard Buxton Solicitors, letter to Medway Council, 6 July 2026, para 25, comparing the Submission HRA's North Downs Woodlands SAC air-quality treatment with the recreational-disturbance conclusion at para 9.1.4.

43 Submission HRA (December 2025), paras 7.2.6–7.2.13 and 9.1.4, discussed in Richard Buxton Solicitors' 6 July 2026 letter, paras 4–6 and 19–25; MLP/ED24A, paras 2.6.24–2.6.30.

44 MLP/ED37, Medway Green and Blue Infrastructure Framework (2026), chapters 3–5, particularly the Hoo Peninsula ecological and landscape analysis.

72. The Framework should therefore be cross-referenced to HPSEP, Policies S2, S3, S5, SA8 and relevant site allocations with an itemised implementation schedule. Its priorities must not be counted as mitigation already delivered or fully funded where the programme and Consortium infrastructure agreement remain unresolved. Any material changes to the framework which affect the Plan's relied-upon mitigation should be reflected in the assessment and policies before the Inspectors report.

## 9. Ground 6 - the Environment Agency's continuing unsoundness objection and environmental flood-risk consequences (MLP/ED24A and MLP/ED27)

73. Paragraph 2.13.6 of MLP/ED24A reproduces the Environment Agency's 13 August 2026 response: the Agency agrees with the findings of the Medway Flood Defences High Level Appraisal and the conclusions on the need for flood-defence works, but continues to consider the Medway Local Plan 2041 and its associated evidence base "unsound". The Council itself records the difference as under discussion. It would be materially inaccurate to describe the Agency's agreement with the diagnostic appraisal as withdrawal of its objection to the Plan.[45]

74. The Agency's recorded concerns include development sites with large areas of Flood Zone 3b, notably CHR14, RWB2 and SNF15, and the need for strategic defences before development in Chatham, St Mary's Island and Strood. Those are not presented as objections to the Lodge Hill nightingale buffer. They do, however, demonstrate that a major part of the Council's wider allocation and regeneration case continues to depend on environmental infrastructure which may require further definition, finance and phasing. Nor can such uncertainty automatically justify transferring more growth to ecologically sensitive Hoo sites: any alternative spatial balance still requires a comparative appraisal.[46]

75. MLP/ED27 is expressly a high-level appraisal. Its recommendations for condition surveys, hydraulic assessments, detailed feasibility, adaptation options, an investment programme and funding arrangements do not themselves establish a final funded and consented defence scheme for each affected location. Acknowledging the need for work is not the same as demonstrating that it can be delivered at the time assumed. The Inspectors should ask the Council to identify which sites and plan conclusions remain affected by the Agency's objection and which precise evidence or modifications would resolve it.[47]

76. There is also a distinct ecological interface requiring evaluation, rather than assumption. Any proposed estuary flood-defence works, hardening, changes in alignment or associated access works may have consequences for intertidal habitat, coastal squeeze, protected bird habitat and ecological connectivity. Conversely, nature-based adaptation could create opportunities but would still need reliable land, maintenance and funding arrangements. The Council should explain which relevant works have been screened or appropriately assessed for effects on the Thames and Medway estuaries and how their costs and permissions interact with HPSEP and the Green and Blue Infrastructure Framework. STHP does not assert that MLP/ED27 itself demonstrates an adverse effect on protected sites; the point is that the pathway has to be examined where relevant.

## 10. Ground 7 - water efficiency, wastewater management and the ecological receiving environment (MLP/ED39)

77. The Inspectors specifically asked whether the viability evidence had considered the water-efficiency issue raised by Southern Water. MLP/ED39 replies that the Local Plan

45 MLP/ED24A, para 2.13.6, pp.31–32 (Environment Agency's 13 August 2026 position, quoted in full, and unresolved disagreement).
46 MLP/ED24A, para 2.13.4, p.31 (Environment Agency comments of 14 January 2026, including sites CHR14, RWB2 and SNF15).
47 MLP/ED27, Medway Flood Defences High Level Appraisal (2026), conclusions and recommendations, section 6.

Viability Assessment considered the costs of water standards, but that the Council and its viability consultant did not include 100 litres per person per day or a tighter level in the preferred policy mix. Instead the tested preferred mix used 110 litres per person per day, corresponding to the optional Building Regulations water-efficiency standard. The Council should identify the environmental evidence and policy judgement supporting that choice, rather than equating the presence of some cost modelling with an assessment of whether the preferred standard is ecologically appropriate.[48]

78. The same note addresses possible revisions to Policy DM1 to prevent new surface-water connections to foul sewers, resist such connections to combined sewers and encourage separating clean rainwater from wastewater at source. The viability consultant expressly says that it is not a specialist in the field and assumes separation consistent with the Building Regulations. That statement may be a reasonable initial viability assumption, but it is not a site-by-site engineering assessment of capacity, infiltration suitability, drainage routing, pumping, overflow risk, treatment headroom or the cost and timing of network works.[49]

79. STHP's concern is appropriately confined to ecological pathways. Where additional foul-water loads, surface-water arrangements, abstraction demands or discharge changes could affect the protected estuary environment, the relevant competent authorities and Southern Water should confirm the baseline, capacity, applicable permits, actual network interventions, anticipated cost, secured delivery and HRA conclusions, alone and in combination. The Campaign does not claim that a 110-litre standard is automatically unlawful, that 100 litres is legally mandatory, or that every wastewater uncertainty causes adverse site-integrity effects. It asks the Council to show why the adopted assumptions remain safe for the environmental receptors upon which the Plan depends.

80. If further water or wastewater safeguards are needed for Hoo allocations, they must be reflected in the same environmental mitigation cost, apportionment, phasing and enforceability schedule requested under Ground 1. An untested or omitted cost must not disappear merely because the Hoo Consortium SoCG agrees a housing delivery profile. The Council should publish Southern Water's substantive response to the October 2026 consultation and any final policy wording proposed in response to the Inspectors' questions.

## 11. Consequences for soundness, HRA, SA and reasonable alternatives

81. Read together, MLP/ED24A and MLP/ED24B disclose the decisive mismatch. The statutory adviser (Natural England) sees a strategic environmental framework as capable, subject to significant further work and an explicit SSSI exception, of supplying mitigation; the relevant strategic promoters (Hoo Consortium) have agreed a housing trajectory but have deliberately NOT agreed the form, cost, phasing, funding, apportionment or mechanisms for the infrastructure. The Council has not yet published a complete costed programme or demonstrated how that gap will be closed. A mitigation measure is not an adequate foundation for the Plan merely because it is technically imaginable; it must also be realistically delivered.

82. The Council should identify the precise assumptions about HPSEP, SAMMS+, SSSI buffers, site-specific ecological surveys, habitat creation and management which underpin its HRA and Sustainability Appraisal. It should then publish an assessment-change log showing whether the still-developing mitigation programme, revised site layouts or funding and phasing restrictions alter any material effect or reasonable alternative. Where they do, the assessments and proposed policy wording must be revised and consulted upon appropriately.

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48 MLP/ED39, Technical Note – Viability Assessment Review of Southern Water's Request, 2 October 2026, p.1; Local Plan Viability Assessment (B5), paras 8.46, 10.44, 10.53d and 10.54b as cited there.

49 MLP/ED39, p.2 (Policy DM1 wording and viability consultant's express caveat concerning drainage expertise).

83. There are plainly reasonable spatial questions to test: removing or relocating housing from an evidence-based Lodge Hill buffer; reducing or redistributing allocations near Northward Hill and High Halstow; converting the most sensitive parcels to genuinely lower-impact uses; reducing or phasing housing until requisite mitigation is operational; and making fuller use of ecologically suitable urban opportunities. "Urban Density First" is a request for comparative analysis of realistically deliverable, lower-impact alternatives, not a claim that every brownfield site is ecologically harmless.[50]

84. The Council may be able to resolve some of these matters by properly evidenced and publicly consulted main modifications. But it cannot ask the Inspectors to conclude that the present allocations are effective simply on the basis that costed measures, a development consortium funding agreement, complete land rights and final SSSI safeguards can be negotiated after the Examination. If the environmental safeguards required by the HRA or by sound planning policy cannot be delivered, the allocation and its assumed quantum must be reconsidered rather than the safeguard diluted.

85. The Environment Agency's continuing objection and the water-efficiency and drainage questions add to, rather than replace, the central Hoo ecological case. They reinforce the need for a spatial appraisal that does not assume that delayed urban land is necessarily unavailable, or that environmental constraints at Hoo can be solved later without a costed, deliverable scheme. Flood-risk and water-infrastructure issues are to be weighed on their proper evidence and legal tests, separately from the HRA integrity standard and SSSI protection duties. The Council should show how the resulting environmental constraints affect the final selection, phasing and ecological assessment of allocations, and should not rely on a partial SoCG or a high-level topic paper as a comprehensive environmental clearance.[51]

86. The combined effect of the September/October material must therefore be assessed, not merely summarised. MLP/ED24A says the HPSEP costed programme, final ecological agreement and the Lodge Hill exception require further work; MLP/ED24B does not establish the developers' infrastructure funding commitments; MLP/ED27 leaves a continuing Environment Agency objection; MLP/ED39 requires further clarity on water choices and drainage assumptions; and MLP/ED37 sets priorities whose delivery remains to be demonstrated. Each may be a manageable issue individually, but the Inspectors need assurance that competing demands on developers' contributions, land, consent programmes and long-term stewardship are feasible together.

87. The remedy must distinguish between (i) legal or ecological safeguards required as a precondition of an acceptable allocation; (ii) longer-term enhancement aspirations which may be beneficial but are not relied upon to avoid harm; and (iii) infrastructure works required to make the alternative spatial strategy credible. No claim of HRA certainty should rely on an item in category (ii), or on financing and phasing left unagreed in category (i). A further consultation on updated HRA/SA and necessary main modifications will be needed if the ultimate package materially changes the assessed policy or spatial strategy.

88. The final remedy must be expressed in operative planning terms. If the Council relies upon a revised HPSEP, a particular nightingale buffer or additional SAMMS measures, it should identify the corresponding wording for Policies S2, S3 and SA8 and the affected allocation policies, including which development or occupation cannot lawfully proceed until specified measures are available and functioning. The package should say what happens if required land

50 STHP, Scrutinising the Proposed Submission Documents, Regulation 19 representation, August 2025 (Urban Density First and reasonable alternatives); RSPB, letter 27 July 2021, p.2 (less harmful non-residential alternatives near the SSSI).

51 MLP/ED24A, para 2.13.6, pp.31–32 (Environment Agency objection); MLP/ED39, 2 October 2026, pp.1–2 (water standards and drainage).

is unavailable, contributions fall short, monitoring triggers are exceeded or a measure fails to achieve its ecological purpose. The existence of a framework outside the Plan, even one supported in principle by Natural England, should not be confused with binding policy requirements capable of being tested and implemented.[52]

89. The Planning Inspectorate's legacy examination procedure distinguishes changes which can properly be delivered through main modifications from a plan that would need more fundamental reworking. Proposed main modifications must be assessed through SA/HRA as necessary and consulted upon, normally for at least six weeks. STHP does not suggest that every new ecological detail automatically requires republication; its point is that any material change to the location, housing capacity, operative buffer or mitigation needed to support the integrity conclusion must be disclosed and subject to a fair opportunity to respond before it forms the basis of the Inspectors' conclusions.[53]

## 12. Specific information, modifications and procedural action requested

90. STHP respectfully requests that the Inspectors require a published, reasoned response to the following focused matters before accepting the environmental case for the Hoo Peninsula allocations. The requests are interdependent: mitigation cannot be soundly assessed without its costs and delivery mechanism, and funding cannot make an ecologically ineffective measure adequate.

(a) Publish the final costed HPSEP, distinguishing completed, committed and merely proposed works and showing capital, land, maintenance, monitoring and contingency costs for the full period of effect.

(b) Publish an Environmental Mitigation Funding and Delivery Schedule for every Hoo allocation, with evidence of each funding commitment, the split between developer contributions and external finance, apportionment among Hoo Consortium members, land rights, legal instrument, responsible delivery body and date by which each measure must be operational.

(c) Clarify paragraph 1.1.9 of MLP/ED24B by producing an updated SoCG or a signed supporting infrastructure schedule that states precisely what has and has not been agreed between Medway Council and the Hoo Consortium for environmental mitigation. Do not represent the housing-trajectory SoCG as agreement to fund mitigation.

(d) Map the Chattenden Woods and Lodge Hill SSSI and all residential parcels within 150 metres, 400 metres and other scientifically reasoned distances; provide a formal ecological response to the RSPB/KWT 400-metre advice and the inadequacy of fencing or other alternatives where applicable; remove or redesign sites where adequate protection cannot be demonstrated.

(e) Address Natural England's express Chattenden Woods and Lodge Hill SSSI exception with a completed evidence-based protection strategy, site-specific measures and legally enforceable timing, in addition to any appropriate SAMMS contributions.

(f) Publish a site-by-site impact-pathway and mitigation matrix for other Hoo Peninsula designated sites and functionally linked land, particularly Northward Hill, High Halstow National Nature Reserve and nearby estuary SPA/Ramsar sites.

(g) Publish the data and methodology underpinning Bird Wise/SAMMS effectiveness assertions by site, species and sector, the timetable and scope of the commissioned

52 MLP/ED24A, paras 2.6.32–2.6.37 (Policies S2/SA8, costed programme, governance and possible modifications); Planning Inspectorate, Procedure Guide for Local Plan Examinations (legacy system), 11th ed., sections 1 and 6.

53 Planning Inspectorate, Procedure Guide for Local Plan Examinations (legacy system), 11th ed. (updated August 2026), Introduction, section 6 and Stage 2: main modifications, SA/HRA and minimum six-week consultation.

ten-year review, and a list of every allocation needing SAMMS+ with the corresponding separate costs and obligations.

(h) Convert the relevant MLP/ED37 ecological network priorities into clearly mapped, funded, monitored and enforceable avoidance and mitigation requirements, rather than relying on general commitments to green infrastructure.

(i) Publish Natural England's response to the final HPSEP and all relevant modifications, including any updated HRA/SA and policy wording, and consult sufficiently before the close of the Examination to allow meaningful scrutiny.

(j) Provide the Environment Agency's complete current position and a reasoned response to its continuing unsoundness objection; identify the allocations and defence works still disputed, the funding and timing of any essential interventions, and assess potentially material coastal habitat consequences of those works where relevant.

(k) Publish Southern Water's response, the environmental justification for the 110-litre preferred viability standard, the proposed final DM1 wording and the ecological assessment and financing of any necessary wastewater and surface-water measures.

(l) Provide a full schedule comparing the specific scope of each developer Statement of Common Ground, including MLP/ED24B-F, with the environmental infrastructure on which the corresponding allocations rely; identify what has actually been agreed, what is conditional and what remains without a secured delivery mechanism.

(m) Where the costed ecological mitigation package cannot be funded, legally secured, implemented or shown effective in advance of the relevant impacts, delete, relocate, reduce or appropriately rephase the affected allocation and re-examine reasonable alternatives.

(n) Set out the draft main-modification wording needed to make the revised SSSI buffers and strategic and site-specific mitigation binding, including objective triggers preventing premature occupation and a funded remedial mechanism where measures underperform. Assess and consult on the resulting policy and assessment package as required.

91. The Campaign asks that its previous legal and examination representations be retained alongside this response. It reserves the right to respond to material new environmental evidence or modifications, and requests participation in any hearing session in which the ecological adequacy or funding and deliverability of the Hoo environmental mitigation package is examined.

## 13. Conclusion

92. The Council's own September/October evidence shows why the case for the present Hoo Peninsula allocations is not yet established. Natural England's support for HPSEP is qualified, with an express unresolved SSSI exception; the programme still requires a costed delivery plan and settled governance; and MLP/ED24B expressly disclaims agreement to infrastructure costs, funding, apportionment and delivery mechanisms. The outstanding question is therefore not simply whether environmental mitigation is desirable or technically conceivable, but whether the measures required to justify the housing strategy are adequately evidenced, funded, secured and capable of being effective at the necessary time.

93. The 400-metre buffer evidence for the Lodge Hill nightingales makes the consequence tangible. If residential development cannot safely occur in the environmentally sensitive part of an allocation, no general agreement on housing numbers can make that location sound. If the necessary protections depend on finance and legal obligations not yet agreed, a promise to negotiate later cannot be treated as confirmation that the mitigation is deliverable.

94. Nor has the Environment Agency withdrawn its documented unsoundness objection, and the October 2026 water-efficiency note does not by itself resolve every potential estuary

water-quality pathway. These issues require careful environmental examination without treating the Agency's flood objection as an objection about SAMMS, or a non-specialist drainage assumption as evidence of ecological harm. They also matter to reasonable alternatives: the Council must not rely on one set of unresolved environmental constraints to defend another set of environmentally sensitive allocations.

95. STHP respectfully asks the Inspectors not to accept the current Hoo allocation strategy as sound on the environmental evidence presently before them. The Council should first provide and consult upon the completed ecological programme, funding and delivery commitments, expert assessment and policy modifications identified above. In default of a demonstrated and sufficiently certain solution, the environmentally harmful allocations or parts of allocations should be removed or reconfigured. This representation should be placed in full on the Examination record and brought to the Inspectors' attention.

**MR MICHAEL PEARCE**
Campaign Leader
For and on behalf of the Save The Hoo Peninsula campaign
26 October 2026

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## Appendix 1 – Key environmental evidence and matters requiring resolution

| Examination evidence | What it establishes | Proof or modification required |
|---|---|---|
| MLP/ED24B, §1.1.9 | Housing trajectory agreed in principle; detailed infrastructure cost, funding, apportionment and delivery expressly not agreed by this SoCG. | Signed environmental mitigation funding/apportionment schedule; identify any separate enforceable agreement. |
| MLP/ED24A, §§2.6.30–2.6.37 | HPSEP additional to SAMMS; some projects underway, but costed programme, detailed agreement and governance evolving; NE expressly excepts Lodge Hill SSSI. | Full costed, phased HPSEP, land rights, independent monitoring, Natural England written response and enforceable policy changes. |
| RSPB (2021, 2025); KWT (2023–2025) | Scientific case for 400m residential buffer and concerns about nightingale impacts, cats and urbanisation. | Mapped 150m/400m alternatives, evidence-led conclusion and removal/reconfiguration of harmful residential parcels. |
| MLP/ED24A §§2.6.19–2.6.27; Bird Wise bundle | NE support for SAMMS; documented activity and behavioural improvements; ongoing monitoring limitations and commissioned review. | Site/feature-specific HRA explanation, ten-year review timetable and funded SAMMS+ measures as required. |
| RSPB Reg 19 rep 4580; MLP/ED37 | Northward Hill, High Halstow and functionally linked land face separate impacts and connected landscape pressures. | Allocation-specific impact pathways, ecological mitigation plans, funding and lead-in triggers. |
| MLP/ED24D–F (and ED24C, as applicable) | Developer SoCGs cover expressly defined trajectory matters. ED24D–F expressly reserve detailed infrastructure cost, funding, apportionment and delivery. | Reconcile each environmentally sensitive allocation with a separate, costed and enforceable ecological infrastructure programme; do not equate signatures with full mitigation agreement. |
| MLP/ED24A §2.13 and MLP/ED27 | The Environment Agency agreed the appraisal findings but maintained its conclusion that the Plan and evidence base were unsound; flood defences still require further work. | Publish the current Agency position and site-by-site defence and environmental-effect programme with cost, funding and timing. |
| MLP/ED39 and Southern Water | Preferred viability mix tests 110 l/person/day rather than 100 or less; DM1 sewer-separation conclusions include a stated non-specialist assumption. | Explain and evidence appropriate standards and any water-quality impacts on designated receptors, publish Southern Water’s response and secure essential measures. |

## Appendix 2 – Principal sources and evidence

1. MLP/ED24A, Statement of Common Ground with Prescribed Bodies, version 9.4 (September 2026), especially paras 2.6.19–2.6.37.
2. MLP/ED24B, Statement of Common Ground with Hoo Consortium, 9 September 2026, especially paras 1.1.4–1.1.10 and 2.1.1–2.1.2.
3. MLP/ED37, Medway Green and Blue Infrastructure Framework, October 2026 consultation copy.
4. MLP/ED39, Viability Assessment Review of Southern Water's Request, 2 October 2026 (only insofar as relevant to ecological receiving waters).
5. Natural England, Regulation 19 representation, 11 August 2025, and earlier Regulation 18 representations.
6. RSPB, letter concerning 150m versus 400m nightingale buffer, 27 July 2021; Regulation 18 (2023 and 2024) and Regulation 19 (August 2025) representations.
7. Kent Wildlife Trust, Regulation 18 representations 2023 and 2024, and Regulation 19 letter dated 7 August 2025.
8. Kent Wildlife Trust Consultancy Services, North Kent SAMMS – Bird Disturbance Surveys Winter 2021/22 (May 2022).
9. Bird Wise North Kent, Mitigation Strategy 2024–2029; Annual Report 2025; Visitor Surveys 2025 – Results Summary (March 2025).
10. MLP/ED16A, RSPB representation 5098; MLP/ED16C, Medway Council's consideration of representations, July 2026, especially pp.5–6 and 23.
11. STHP, August 2025 Regulation 19 representations; Richard Buxton Solicitors' March/July 2026 submissions; STHP Matter 1 Hearing Statement.
12. Habitats Regulations 2017 (reg.105); relevant NPPF provisions; Waddenzee C-127/02; R (Wyatt) v Fareham Borough Council [2022] EWCA Civ 983.
13. MLP/ED27, Medway Flood Defences High Level Appraisal (2026), especially conclusions and recommendations; MLP/ED24A, §2.13, the Environment Agency's recorded objection.
14. MLP/ED24D, Rainham Parkside Village SoCG, paragraph 1.1.7; MLP/ED24E, North Gillingham SoCG, paragraph 1.1.7; MLP/ED24F, Land West of Strood SoCG, paragraph 1.1.7; all September 2026.
15. MLP/ED39, Technical Note – Viability Assessment Review of Southern Water's Request, 2 October 2026, pp.1–2; MLP/ED21, Southern Water SoCG (cited in ED39).