

**EXAMINATION OF THE MEDWAY LOCAL PLAN 2041  
PHASE 1 HEARINGS: MATTER 8 – RETAIL, TOWN CENTRES & LEISURE  
HEARING STATEMENT ON BEHALF OF ENDEAVOUR GILLINGHAM LTD  
REPRESENTOR ID: SDLP 208-212  
27<sup>th</sup> AUGUST 2026**

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## **Introduction**

1. We act as Town Planning Consultants to Endeavour Gillingham Ltd (“EGL”). EGL is the owner and asset manager of Hempstead Valley Shopping Centre (“HVSC”), Hempstead Valley Drive, Hempstead, ME7 3PD.
2. We have been instructed by EGL to appear on their behalf at the forthcoming Medway Local Plan (“MLP”) Examination Hearing. The preparation of this Hearing Statement follows the submission of representations by EGL to the Regulation 18 and 19 stages by TDH Estates. We do not repeat the important context provided in these representations which explain the history, profile and offer of HVSC.
3. EGL is registered under Matters 3, 8 & 10 but only wishes to advance a Statement and appear at the Matter 8 session. This Statement is structured to respond to the questions of relevance to EGL. Where this Statement does not respond to a specific question, it is either of no relevance to EGL, or they do not wish to advance any written evidence beyond that explained in the Regulation 19 representation.

## **Matter 8 Questions**

### ***Policy S16: Hierarchy of Centres***

*Question 8.6 Why is Hempstead Valley defined as a District Centre in the hierarchy under Policy S16 (1.b) as it seems to have a significantly different character compared to the rest of the centres?*

4. Our understanding is that HVSC has been defined as a District Centre because it follows the definition of a Centre in line with the first paragraph of Policy S16 and as referenced in the 2026 NPPF ‘Town centre’ definition which includes District Centres.
5. The Centre is a multi-purpose destination as it offers meeting places for the local community and visitors through a range of visitor destinations, food & beverage and public realm both in and outside the Shopping Centre building. It also provides a range of retail, community, services, leisure and employment use in the retail, service, food & beverage and leisure businesses and attractions in and around HVSC. All of these uses and the supporting services and functions of HVSC are employment generating uses for the local community and wider Medway area. This is entirely consistent with the first paragraph of Policy S16.
6. HVSC also contains a number uses which fall within the NPPF definition of ‘Main town centre uses’. The only uses that are not present in HVSC from that definition are offices (apart from

the management suite), arts, culture and tourism. This is a key distinction between the role and function of HVSC as a District Centre, compared to Chatham in its role as the Principal Town Centre.

7. HVSC instead has a strong collection of convenience, comparison, service and food & beverage uses which provide the essential services and linked trip efficiencies which support the local community. This is consistent with the definition of a District Centre in criterion 1. b. of the policy. This is a definition that we support in the absence of a District Centre definition in the NPPF and/or PPG as it reflects the multi-purpose role that HVSC and other District Centres have.
8. Whether a retail destination can be defined as a District Centre based on its 'character' does relate to its role and function. We infer from the question that 'character' also relates to its physical design and layout. We agree HVSC does differ from the other District Centres in the Plan area, but this should not determine whether it can be defined as a District Centre or not. The other District Centres in the area are based on traditional 'high street' typologies due to their historic origin, whereas HVSC was originally purpose built as a covered shopping centre. This was the design approach of new retail destinations in the 1980s and is thus a product of the commercial architectural design requirements of that period. HVSC has since evolved to include freestanding public house and food & beverage units in the wider external area and is not just a covered destination.
9. There are numerous examples of purpose-built part covered shopping centres in the UK which have been defined in their respective Development Plans as District Centres. This is due to their localised retail and service function in support of a specific part of an urban area. Such Centres are also generally smaller and complementary to the main Town or City Centre in the urban / plan area. This matches the relationship between HVSC and Chatham Town Centre.
10. We provide at **Figure 1** overleaf, summary details of a District Centre which is a purpose-built shopping centre design typology and thus comparable to HVSC. The example is Hampton Shopping Centre, Peterborough (PE7 8BE) which is defined as a District Centre in the Peterborough Local Plan (Policy LP12).
11. Figure 1A is an extract from Google Earth which illustrates the design/layout of the Centre. Figure 1B is an extract from the Peterborough Local Plan which confirms the site's policy designation and position in the retail hierarchy.

**Figure 1: Hampton Shopping Centre, Peterborough**

Figure 1A: Google Earth extract



Figure 1B: Development Plan Policy extract

Peterborough City Council | Peterborough Local Plan (Adopted version)

**The Policies**

6

**Other Town Centre Uses**

6.7.15 A sequential approach will also be applied to other town centre uses in line with the NPPF and as set out in policy LP12.

6.7.16 However, in accordance with policy LP4 (Spatial Strategy for Employment, Skills and University Development) office developments will also be supported in defined General Employment Areas and Business Parks.

6.7.17 Policy LP30 also sets out a wider approach to culture leisure and tourism, and identifies exceptional circumstances where other locations may be appropriate.

6.7.18 Other uses such as libraries, medical centres and community facilities should be located in or on the edge of centres where possible, but will not be restricted to those locations if they would be unsuitable or inappropriate in relation to the community that they would serve.



**Policy LP12: Retail and Other Town Centre Uses**

The overall strategy for retail and other main town centre uses within the City, District and Local Centres of Peterborough is to:

- support and regenerate the city centre in order to promote its viability and vitality and to maintain its position at the top of the retail hierarchy;
- protect, support, and where necessary regenerate, existing District Centres and Local Centres to ensure they continue to cater for the needs of the communities they serve;
- provide appropriate development in the form of new centres in the emerging and proposed urban extensions, to serve the needs of the new communities created, as set out in policy LP5.

**Hierarchy of Centres:**

The hierarchy of designated centres in Peterborough is as follows, and are identified on the Policies Map:

| 1 - Peterborough City Centre*   |                     |
|---------------------------------|---------------------|
| Peterborough City Centre        |                     |
| 2 - District Centres*           |                     |
| Bretton<br>Hampton<br>Millfield | Orton<br>Werrington |

12. The Centre is in a large urban area and in a retail policy hierarchy which has District Centres with differing physical characteristics including those following the High Street typology. Although a purpose-built shopping centre has different physical characteristics, the role and function are still the same, albeit in a different layout and design. This example demonstrates that to be a District Centre you do not automatically need to have a 'High Street' as is suggested at supporting paragraph 8.13.1. This reference should be deleted.
13. EGL's Regulation 19 representation explained the steps taken by EGL to widen the range of facilities and services available at HVSC. This reflects the diversification of centres generally from retail due to the changes in consumer shopping patterns and a specific strategy by the former and current owners to diversify the centre's offer to strengthen its local community role. The reference to a "relative shortage of non-retail facilities" at supporting paragraph 8.13.1 is therefore inaccurate and should be deleted.
14. There is no longer guidance in the NPPF (specifically Policy TC1) or the PPG advising how a Centre and indeed a District Centre can be defined. These are generally up to a plan-making authority to define based on general understanding of role and function and how the centre operates spatially across a given urban area. In our view, if a Centre has a role serving the entirety of an urban area and has wider civic and employment functions, it is generally a Town Centre. A District Centre has a more focused retail and service role with some community provision servicing a specific part of an urban area. HVSC meets this definition.
15. If a District Centre meets the definition of a Centre and contains Main town centre uses, then the layout and character of the centre and its difference from other centres is not a consideration for definition. This is not identified by the NPPF or PPG and is therefore a matter of judgement for the plan-making authority based on its evidence base.
16. Although related to Policy S16, we recommend for related soundness grounds that the first sentence of Policy S23 is deleted as there is no policy reason for a centre to be referred to as 'non-traditional' and to have 'a high street'.

*Question 8.12 How has the Medway Retail and Town Centres study (B13) been used to inform the hierarchy?*

17. We note the hierarchy is analysed in in Section 5 of this study (Document Ref: B13) (see paragraphs 5.5-5.11). It is explained how the hierarchy builds upon the content of the previous 2016, 2018 and 2021 studies (see B13 paragraph 5.7). In our view, this provides an acceptable recommendation for the hierarchy based on the evidence formulated.

#### **Policy T17: Impact Assessment**

18. We note there is no question relating to why HVSC has been included in this policy for the submission of an Impact Assessment. This is despite the objection being raised at the Regulation 19 stage. This objection remains for the reasons outlined in that representation and we deal with related policy implications in our responses to Policy S23 below to ensure EGL's position is clear on the soundness or otherwise of the Impact test.

**Policy S23: Hempstead Valley District Centre**

*Question 8.61 Why is this District Centre (Hempstead Valley) not defined on the Policies Map?*

19. From our reading of the evidence base, Medway Council has provided no explanation or justification for not defining the extent of the District Centre on the Proposals Map. If there was justification to exclude the District Centre from a definition, we would expect this to be reported in the July 2024 Retail Topic Paper (Ref: C2.14). Without justification, this policy decision is therefore unsound as it is not appropriate without an evidential rationale.
20. The Council has accepted that HVSC is a District Centre for the purposes of Policy S16 and its inclusion in the retail hierarchy. This is not therefore a question of whether HVSC is a District Centre in terms of that specific omission. We have nonetheless answered that in response to Question 8.6. The rationale for no Proposals Map definition is therefore unclear.
21. The failure to define the District Centre's boundary is also contrary to NPPF policy TC1 b. i. which requires policies to define the location and extent of a town centre. This also renders this unsound as the absence of a spatial definition on the Proposals Map is inconsistent with national policy. As HVSC is included within the Policy S16 hierarchy, the absence of a definition also means the objectives of the policy and the area to which it applies cannot be accurately interpreted.
22. Whilst there is an area of disagreement between us and Medway Council on the application of the Impact Test under Policies T17 and S23, the definition of the District Centre boundary would also assist the interpretation of that policy in the event our soundness change request is not accepted.
23. We therefore recommend the spatial extent of HVSC is defined on the Proposals Map. This will support interpretation of Policies S16 and S23 to ensure soundness on justification and national policy consistency grounds.

*Question 8.62 As this District Centre (Hempstead Valley) is not defined, is it the intention under Policy S23 to permit the enlargement of this centre, e.g. for a new foodstore (paragraph 8.13.4, noting the typo)?*

24. Our reading of the policy is that it supports the principle of growth to meet local needs where it is commensurate with this role and function. This general policy objective is supported by EGL as it takes a proportionate approach to support growth which is positive and thus sound. The policy is therefore worded to permit enlargement subject to the current proposed draft wording (irrespective of our objection to the use of the Impact test).
25. The reference to a new foodstore at paragraph 8.13.4 is supported as it acknowledges the growth potential that HVSC has. Reference to a foodstore is also significant, as this is a certain type of retail use that caters for the needs of the local community in one specific part of the area. This is consistent with the District Centre role.

*Question 8.63 Does Policy S23 (and identifying it in the hierarchy) have the potential to undermine Chatham Town Centre and the other more traditional District Centres, as Policy S23 in principle supports further retail and leisure?*

26. Notwithstanding our objection to the use of the Impact test in the draft policy (see EGL's Regulation 19 representation and paragraph 18 above), there is no potential to undermine Chatham Town Centre and other District Centres in the Plan area.
27. From our reading of the draft Plan and evidence base, the Plan supports growth in each Centre. The growth objectives as reflected in each policy have been designed to be specific to the needs of that specific Centre and the steps required to achieve improvement. Reference to growth in HVSC does not therefore come at the price of undermining those Centres or lead to prejudice in terms of potential investment opportunities. This is particularly the case where the Council recognises HVSC currently provides for local needs and must grow to support this part of Medway. The size of the urban area and its varied shopping patterns are also such that a positive and proactive strategy for each Centre must be used in the Plan.
28. The wording of the first paragraph policy ensures that growth can be managed not to undermine Chatham Town Centre and other centres. The final paragraph makes it clear that modernisation and growth will be supported "*...in appropriate circumstances where commensurate to its role and function, within the retail hierarchy*". This provides a clear instruction to the reader that any proposal must demonstrate how the proposal is consistent with the District Centre role and how the proposal and its position in the hierarchy. The instruction being that the scheme should not alter that position in the hierarchy and the local needs function for this part of the Medway area should remain.
29. This provides more than sufficient guidance to a decision-maker and avoids the complications of having to introduce an Impact test which is an incorrect tool for use in controlling the scale of development within defined centres such as HVSC. That test applies only to proposals on the edge or outside of town centres (as per NPPF Policy TC4.1) and so cannot be used for development in-centres as this is inconsistent with national guidance. The second and third paragraphs of the draft Policy should therefore be deleted on soundness grounds. The retention of the first paragraph (as recommended to be amended) can ensure it will not undermine Chatham Town Centre and other Centres.

*Question 8.64 If it does have the potential to undermine these centres, how is the policy justified?*

30. As there is no potential to undermine the other Centres, we consider the policy to be justified.

*Question 8.65 Why does Policy S23 not allow for other uses, such as housing or employment?*

31. As explained in EGL's Regulation 19 representation, we have not sought specific reference to other uses as Policy S15 is generally permissive. Should the Inspectors identify otherwise we would not object to the inclusion of additional policy wording which we can comment on as part of any modifications consultation.

*Question 8.66 Please explain if/how the impact assessment under Policy S23 (second paragraph) would differ from the requirements under Policy T17?*

32. Our reading is that the requirements of the impact assessment are the same under the two policies given the wording cross reference in the second paragraph of Policy S23. We would welcome Medway Council's explanation before commenting further at the Examination Hearing.

*Question 8.67 How would the Capstone Valley strategic allocation and the Lidsing proposal in Maidstone (paragraph 8.13.4) have implications for further retail provision in the area, in particular the Hempstead Valley District Centre?*

33. EGL supports the approach being taken to this planned residential provision whereby HVSC has a potential role in meeting local needs for existing and future communities (see paragraphs 5.92-93 of the Study). We would welcome Medway Council's explanation before commenting further at the Examination Hearing.

*Question 8.68 How has the Medway and Retail Town Centres Study (paragraph 8.13.7, noting the typo) (ref: B13) informed the particular policy approach for this centre?*

34. We understand that paragraphs 5.83-5.93 of the Study have informed the policy approach for this centre and specifically the use of the Impact Test. We disagree with the interpretation of the PPG presented in the Study and how it justifies the use of the Impact Test for HVSC as a policy approach.
35. The Impact Test is first introduced by the PPG at Paragraph: 014 Reference ID: 2b-014-20190722. This confirms that the purpose of the test is to consider the impact of out-of-centre and edge-of-centre proposals. It continues to state the test relates to retail and leisure developments which would be located outside existing town centres. There is no reference in the PPG to undertaking impact tests for development in centre.
36. We note at paragraph 5.90 of the Study that the justification for an Impact Assessment is based on the current content of the PPG which refers to the requirement for proportionate assessments. That part of the PPG is presented at Paragraph: 011 Reference ID: 2b-011-20190722. This paragraph is after the section we refer to above, which sets the locational context for where the test should be used. This instruction relates to how the impact test should be applied in decision making. Just because an impact test should be undertaken on a proportionate basis does not mean it can be then applied to a District Centre location. That conflicts with the locational guidance at the outset of this section of the PPG.
37. The NPPF (see Policy TC1) sets no requirement for the Impact Test in plan-making, particularly for in-centre development. Policy TC4 relating to the Impact Test in decision-making, expressly refers to developments proposals located outside town centres (see TC4.1). There is no reference to this being applied to in-centre development.
38. The contradiction in policy interpretation makes it way into paragraph 8.13.5 which goes on to identify how impact assessments are required for proposals outside of defined town centres.

The wording of this paragraph should be reviewed and in part deleted to avoid inconsistency with the NPPF/PPG.

39. The requirements of the test clearly do not therefore relate to HVSC which is a Centre for the purposes of national policy as recognised in the retail hierarchy. This rolls forward the 2003 Local Plan which also defined HVSC as part of the hierarchy of centres.
40. We welcome the Study's explanation at paragraph 5.90 that "*...there will not be a need for a lengthy and detailed impact assessment*". This nevertheless is still at odds with the PPG and NPPF which do not require the Impact Test for development in this location. The first part of the policy which is accepted can be retained. This serves the purpose that we believe Medway Council and the evidence base is seeking which is to ensure that the role and function of the Centre is unchanged. If this does not change, then patently Chatham Town Centre and others in the hierarchy will not be undermined.
41. To ensure this policy is appropriate and consistent with national policy, we recommend deletion of paragraphs two and three of Policy S23 and related supporting paragraphs to remove the requirement for the Impact test.

## **Overall Conclusions**

42. Against this background, for the MLP to achieve soundness based on EGL's specific objections, we recommend the following modifications:
  - (i) Define the extent of HVSC District Centre on the Proposals Map. This should match the present definition on the 2003 Local Plan Proposals Map.
  - (ii) Delete reference to Hempstead Valley Shopping Centre in Policy T17.
  - (iii) Delete reference in the first sentence of Policy S23 to "non-traditional centre" and "without a high street". Also remove reference to "the lack of a high street" and "relative shortage of non-retail facilities" at supporting paragraph 8.13.1.
  - (iv) Delete paragraphs two and three of Policy S23 and related supporting paragraphs (including amendments to paragraph 8.13.5) to remove the requirement for the Impact Test.
43. We look forward to discussing this submission at the forthcoming Local Plan Examination Hearing.

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