

Medway Council  
Hoo development Framework Consultation.  
Gun Wharf.  
Dock Road.  
Chatham.  
Kent.  
ME4 4TR

22/11/2022

Dear Sir/Ms

### Hoo Development Framework Consultation

#### Pre-empting the Local Plan

The consultation suggests that Medway Council is in the process of making firm decisions on the location of housing development on the Hoo Peninsula, pre-empting the local planning process. The new Medway Local Plan is only at the Regulation 18 stage. Consultation on the Draft Development Framework denies the local community from determining its preferred choice of housing sites through a full public consultation on all options, as part of the Local Plan process.

There has been no proper consideration of options, including robust consideration of comparative environmental impacts. I note that previous informal consultation has assumed that growth would be substantially accommodated in Hoo, rather than engaging the public on genuine development options.

The Council's adoption of the Hoo Development Framework prior to

the Local Plan would clearly be inappropriate, and likely to breach environmental legislation. In order to be 'sound', Local Plans have to be based on a robust Sustainability Appraisal following an early-stage Scoping Report. This has not been carried out.

The Draft Hoo Development Framework sets out ambitions for potential growth on the Hoo Peninsula up until 2055. However, the time-period of the new Local Plan is from 2037 to 2040. The new Local Plan after 2040 may have different housing aspirations, based on the up-to-date evidence and national policy and guidance at that time. It is difficult to understand the status of the current consultation and its relationship to the Local Plan.

We note the lack of reference to the emerging Hoo St Werburgh and Chattenden Neighbourhood Plan, which is currently at the screening stage.

#### Merits of the Draft Hoo Development Framework

The Draft Development Framework acknowledges that it is a high-level strategic overview of potential development on the Hoo Peninsula over the next 30 years. It is high on aspiration but low on detail. It is not detailed enough to provide meaningful feedback on the amount of development envisaged.

There is insufficient information to show how the suggested development will meet all requirements of a Local Plan (not just housing). It is difficult to comment on its acceptability without this. The NPPF, Paragraph 73 (b), outlines that authorities should ensure that the size and location of larger scale development must support a sustainable community, with sufficient access to services and employment opportunities within the development itself.

The scale of development proposed for the Hoo Peninsula is predicated on the Housing Infrastructure Fund (HIF) of £170m of investment in strategic transport improvements and environmental measures. No indication of the scope and timing of infrastructure works is included in the document. It is impossible to comment on the merits of the Draft Hoo Development Framework without also knowing exactly what the impact of any necessary infrastructure or environmental measures will be.

No detailed information is included in the Draft Development Framework on the anticipated landscape impact of the proposals. This is essential when the public is being asked to comment on the merits of such a significant amount of development. The sensitivity of the landscape outlined in the document is a subjective judgement that is open to challenge.

The document does not appear to show the maximum number of dwellings (see Figure 1.7 Hoo Development Framework - summary diagram under section 1.1) anticipated in different locations. Without this, it is impossible for interested parties to comment on the suitability of what is being proposed.

There is no problem with the general development principles suggested, which are broad and generic, but only if they are applied to more sustainable locations within Medway.

#### Lawful Consultation

The Local Authority will be aware of consultation case law relating to legitimate expectation and Gunning four principles. Gunning applies to all consultations by public bodies, not just where the requirement for consultation is set out in legislation.

Gunning 1: The content of the consultation, with no options other than growth in Hoo, and the HIF proposals strongly suggest that the decision is not at a formative stage. I believe that the local authority has pre-empted the outcome of this consultation (and indeed the Local Plan statutory planning process).

Gunning 2: The current consultation does not contain sufficient information to allow for intelligent consideration.

Gunning 3: It is unclear how the consultation is accessible to those without access to the internet.

I can't comment on Gunning 4 at this stage, but would note that any decision based on this consultation would pre-empt the statutory planning process.

#### Conclusions

This consultation pre-empts the Local Plan process, including consideration of options and environmental impacts. The local

community is being denied choice through proper public consultation on all options as part of the Local Plan process. This is clearly contrary to Paragraph 73 of the NPPF, which refers to the need to work with the support of their communities.

There is no explanation or justification for such a significant and disproportionate amount of development to be proposed for the Hoo Peninsula. I strongly object to the Hoo Development Framework.

**Yours faithfully**



**Michael Williams**