

CABINET

7 FEBRUARY 2023

HOO DEVELOPMENT FRAMEWORK – OUTCOME OF CONSULTATION

Portfolio Holder: Councillor Jane Chitty, Portfolio Holder for Planning, Economic Growth and Regulation

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Summary

This report presents the findings of the consultation held in the last quarter of 2022 on the draft Hoo Development Framework. It outlines the consultation programme and the main themes of the comments received. The report is for information only.

1. Budget and policy framework

- 1.1. This work relates to an informal consultation on a draft Hoo Development Framework. It is not a policy document. The consultation has gathered comments that will be used to inform further work on the new Medway Local Plan. The Development Plan is part of the Council's policy framework.
- 1.2. The costs of preparing the Hoo Development Framework document and the consultation programme have been met through the Local Plan development cost centre.

2. Background

- 2.1. As part of its work on planning for Medway's growth and the new Local Plan, the Council has been considering the option of strategic scale growth on the Hoo Peninsula. Such a scale of growth requires careful consideration, including attention to design, planning for services and infrastructure, and the rural setting. The investment from the Housing Infrastructure Fund (HIF) programme provides the basis for addressing strategic transport and environmental constraints to facilitate further growth in this area. The Council commissioned landscape and urban design consultants to prepare a Hoo Development Framework to consider some of the planning and design issues associated with strategic scale growth.

- 2.2. There has been ongoing work on the Hoo Development Framework for some years. This has included workshops and meetings over a five-year period with council and external services, community representatives, key consultees and stakeholder groups and developers with interests on the Hoo Peninsula. The Council consulted on a high-level version of the Hoo Development Framework in 2020. This consultation was impacted by the Covid pandemic, but a range of comments were received, and work continued to provide more detail on a potential masterplan and guiding principles for future growth.
- 2.3. During more recent consultation on the HIF programme, residents have asked for information about the potential development plans for the Hoo Peninsula and further detail on the Hoo Development Framework. The Council decided to publish the draft framework for consultation, in advance of the next stage of work on the Local Plan, to support further engagement and gather information that could feed into the preparation of the Local Plan. Some respondents also used this consultation to provide additional comments on the HIF programme, particularly the options for sustainable transport.
- 2.4. This report sets out the high-level findings of the consultation, and a summary of the process and comments is provided in a report set out at Appendix 1.

3. Options

- 3.1. This report presents information on the outcome of the consultation on the draft Hoo Development Framework. This is a factual report and it is not therefore necessary to consider options.

4. Advice and analysis

- 4.1. High level findings of the consultation are set out at Section 6 of this report. It is noted that most of the responses were received from local residents and groups who expressed concerns about the wide-ranging potential impacts of the scale of growth proposed in the framework. These comments are consistent with earlier representations and discussions held with parish councils and neighbourhood planning groups in recent years. Some comments also made reference to aspects of the HIF programme. Sustainable transport was viewed as critical to any considerations of further growth on the Hoo Peninsula.
- 4.2. Wider views were received from the development and business sector, who were broadly supportive, but sought reassurance that there would be flexibility in applying master planning and development principles in considering future planning applications, reflecting more detailed technical information available at that stage.
- 4.3. Although the responses reflected a range of interests, few people or organisations provided detailed comments on the proposals or content of the document, preferring to focus on strategic matters.

- 4.4. The status of the framework and its relationship to the new Local Plan and its evidence base was raised in several representations. This is the most critical issue to emerge from the consultation and informs the Council's approach in addressing the issues raised as part of the core work on the Local Plan.
- 4.5. The report presents information on the comments received to the consultation. It is not proposing a policy or service change and a Diversity Impact Assessment is not proposed for the Cabinet report. The content of the development framework considers sustainable development matters, but the purpose of this report is to communicate the information received during the consultation.

5. Risk management

- 5.1. Some representations commented that the consultation on the Hoo Development Framework was premature to further certainty on the Local Plan. If this were found to be the case, there could be a legal challenge to the Local Plan on the grounds of pre-determination. A successful challenge could result in the failure of the Local Plan at examination. The Planning Service is very alert to this risk, and this has been reflected in the Local Plan work programme, particularly on ongoing iterative work on the Sustainability Appraisal and options for the spatial strategy. The communications on the consultation Framework also referred to further work on the Local Plan determining Medway's future spatial strategy. Wider risks relate to the potential for reputational damage to the Council.

Risk	Description	Action to avoid or mitigate risk	Risk rating
Legal challenge to local plan on pre-determination.	Challenge that proposals in HDF considered to pre-determine local plan strategy in advance of published evidence base and Sustainability Appraisal (SA). Local Plan fails on legal compliance test.	Expert advice sought to ensure that the HDF complies with the Local Plan process and does not amount to pre-determination. Comprehensive review of sites and growth locations to inform Reg 18 consultation. SA and evidence base to be published with draft plan. No updates to HDF to be made in advance of further progress on local plan.	C2
Criticism of consultation process	Reputational risk that HDF consultation process unclear and proposals fixed in advance of local plan.	Publication of consultation responses provides transparency. Consultation comments to be	C3

Risk	Description	Action to avoid or mitigate risk	Risk rating
		considered and referenced in further work on local plan.	
Lack of confidence in infrastructure delivery	Risk that upgrades in services do not meet growth in demand from new development.	Ongoing work on infrastructure planning with key stakeholders. Further details in evidence base documents on infrastructure and viability for local plan.	C3

For risk rating, please refer to the following table:

Likelihood	Impact:
A Very high	1 Catastrophic (Showstopper)
B High	2 Critical
C Significant	3 Marginal
D Low	4 Negligible
E Very low	
F Almost impossible	

6. Consultation

- 6.1. The Council consulted on the draft framework from 23 September to 25 November 2023. This followed consideration of the proposed consultation document by Members. Details of the consultation methodology and a summary of the responses received are set out in the Consultation Report at Appendix 1. All comments received have been published on the Council's website, with sensitive personal information redacted, to coincide with the publication of the Cabinet papers.
- 6.2. The consultation was largely managed through a dedicated webpage on the Council's website and a bespoke online consultation platform. In addition, printed copies of the consultation document were available to view in public libraries across Medway. Copies were also placed at Chattenden Community Centre. The Planning Service provided printed copies of the document to parish councils. The population of the Hoo Peninsula is over 39,000 people according to the 2021 Census, so there was a large number of people to reach. A leaflet publicising the consultation and outlining the key content was distributed to all households on the Hoo Peninsula and neighbouring post codes. Articles were placed in local media, such as the community magazine, Village Voices. Posters publicising the consultation and exhibitions were sent to local businesses and community facilities, such as Hoo Library and Hoo Sports Centre. There was significant social media activity using a range of

channels and distribution groups to publicise the consultation. All stakeholders on the Council's planning policy contacts database were notified.

- 6.3. Officers from the Planning Service presented on the Hoo Development Framework to Members of Rural Liaison Committee in September where all parish councillors were invited to attend. Three staffed exhibitions were held in High Halstow, Hoo and Chattenden, and three signposting sessions in urban Medway, including the main shopping centres. Over 120 people attended the staffed exhibitions, but fewer than 10 people were engaged in the signposting sessions. Comments received verbally at the exhibitions are noted in the Consultation Report.
- 6.4. 147 written responses were received to the consultation. (103) 70% of the responses were submitted through the consultation platform, 38 (26%) were submitted by email and a handful as hard copies. 70% of the responses came from members of the public. Where people provided post code details, officers were able to identify the geographical range of comments submitted. These were largely from residents of the Hoo Peninsula. There was a small cluster from the Frindsbury and Wainscott area, many in relation to a specific issue about a footpath, relating to the HIF programme. This information on locations of respondents is mapped in the Consultation Report. Around 11% of responses were from developers, or their planning agents. Parish Councillors, Ward Councillors, the Medway Labour and Cooperative Group, the Green Party, Kent County Council and Gravesham Borough Council also responded to the consultation. Comments were received from Natural England, Historic England, Network Rail and Arriva. A number of interest groups also responded, particularly from the environmental sector: Kent Ornithological Society, RSPB, CPRE Kent, Woodland Trust. There were submissions from business interests on the Hoo Peninsula, including Uniper Energy, Berkeley Homes, Goodman, AC Goatham and National Grid.
- 6.5. Comments from local residents, parish councils and Ward Councillors were largely in opposition to the proposals in the draft framework. Companies and land owners promoting development on the Hoo Peninsula were broadly supportive. Wider stakeholder groups and consultees raised specific issues relating to their areas of interest.
- 6.6. Generally, responses raised strategic matters and in principle views on the consultation document. Relatively few representations provided detailed comments in relation to design or the wording of the vision, objectives and principles.
- 6.7. Some comments related to the HIF programme. There was a specific matter raised by around 10% of respondents on a proposed footpath link near Wainscott Primary School. More widely comments were made on the HIF transport proposals. These included references to the rail project and questioning the certainty of delivery of this aspect of the transport infrastructure. A number of comments suggested that an integrated and much improved programme of bus services would provide a more economical and flexible approach to providing sustainable transport options. This could help to

address current travel issues for people and businesses on the Hoo Peninsula and improve links to urban Medway. The use of an electric vehicle fleet or other new technologies was promoted to improve air quality.

- 6.8. Developers with land interests on the Hoo Peninsula generally sought for flexibility in the masterplan and development principles to allow for more detailed planning and design responses to be aligned to the preparation of planning applications. Businesses sought a higher profile for economic development in the framework vision.
- 6.9. Comments from local residents and organisations raised some concerns about the impacts of the potential development, and the ability to achieve sustainable growth. These matters included loss of prime agricultural land, pressure on transport networks and wider infrastructure, environmental impacts on wildlife, air quality, water resources, landscape, and a loss of rural character and distinctive historic villages. People were not confident that infrastructure and services would be upgraded in line with housing growth, and reported current pressures on transport, health, sports and education facilities. There were strong messages seeking improvements in a range of services and infrastructure. There was a recurrent theme of responses challenging the government's formula for calculating the level of local housing needs and a perception that houses would be benefitting people moving from London, not local people. People frequently questioned why the Hoo Peninsula should accommodate such a high proportion of Medway's growth needs, and what consideration had been given to development in other parts of Medway.
- 6.10. RSPB restated its concerns about the potential impacts on the Lodge Hill and Chattenden Woods SSSI from development in proximity to the designated area. Historic England advised that further recognition had to be given to the historic environment in considering growth on the Hoo Peninsula. Gravesham Borough Council referred to ongoing Duty to Cooperate work as part of the Local Plan processes, the need to consider its potential unmet needs for development, and cross boundary impacts if growth was to come forward on the peninsula.
- 6.11. A common issue raised across all categories of responses was the status of the consultation document in advance of further progress on the Local Plan. Many responses referred to the role of the evidence base and Sustainability Appraisal to assess and justify the Local Plan spatial strategy, and that the consultation framework was premature to this due process. Developers also questioned the status of the document in advance of the Local Plan and its weight in planning decisions.
- 6.12. An overview of the consultation process and the findings is provided in the Consultation Report at Appendix 1.

7. Climate change implications

- 7.1. The report presents information on the comments received to the consultation. It therefore does not have direct implications for climate change.
- 7.2. However, it is noted that the draft framework seeks to address climate change, and this is reflected in the key principles to guide sustainable growth. Some of the comments received made specific reference to climate change. Some questioned how the proposals in the draft framework would be able to make a positive contribution to addressing the climate emergency. Others were supportive of measures such as green infrastructure and active travel links in helping to address climate change. Sustainable transport was a frequent theme in responses.
- 7.3. Further work on assessing the impacts of future growth proposals on climate change will be published with the new Local Plan.

8. Financial implications

- 8.1. The report presents information on the comments received to the consultation on the draft Hoo Development Framework. As a factual report, it does not have direct financial implications.
- 8.2. The costs of preparing the Hoo Development Framework and consultation materials were met through the dedicated Local Plan development cost centre. The report does not consider the financial implications associated with the development proposed in the framework document.

9. Legal implications

- 9.1. As the report is focused on presenting the comments received from the consultation on the draft framework, there are no direct legal implications. However, it is noted that comments were made on the possible pre-determination of the Local Plan.
- 9.2. The Local Plan forms part of the council's policy framework and must be prepared in accordance with statutory processes. These include conformity with the Planning and Compulsory Purchase Act 2004 and the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).

10. Recommendation

- 10.1. Cabinet is requested to note the outcomes of the consultation on the draft Hoo Development Framework.

11. Suggested reasons for decision

- 11.1. To communicate outcomes of the consultation process.

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Appendices

Appendix 1 Hoo Development Framework – Consultation Report January 2023.

Background papers

Hoo Development Framework Consultation Draft

<https://democracy.medway.gov.uk/mgconvert2pdf.aspx?id=64390>