

## **Cabinet**

**13 February 2024**

### **Star Hill to Sun Pier Conservation Area Significance Led Development Framework Supplementary Planning Document – Request for Adoption**

Portfolio Holder: Councillor Simon Curry, Portfolio Holder for Climate Change and Strategic Regeneration

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#### **Summary**

This report outlines the work undertaken to date to assemble and formally consult upon the Star Hill to Sun Pier Conservation Area Significance-led Development Framework Supplementary Planning Document (the 'Development Framework'). This report seeks Cabinet approval for adoption.

#### **1. Recommendation**

1.1. The Cabinet is asked to agree to formally adopt the Star Hill to Sun Pier Significance-Led Development Framework Supplementary Planning Document.

#### **2. Suggested reasons for decision**

2.1. To meet the agreed outputs of the High Street Heritage Action Zone Programme.

#### **3. Budget and policy framework**

3.1. The Development Framework has been prepared by HTA Design LLP with guidance from Council Officers across the planning service, including conservation and urban design specialists, to ensure it meets the requirements of national planning policy and guidance. Historic England Officers have also provided input into the draft document.

3.2. The Development Framework was subject to formal public consultation in October and November 2023 following Cabinet approval in September 2023

(decision number 143/2023). Feedback was provided by members of the public, community groups, landowners, and other interested stakeholders.

- 3.3. Minor amendments have now been made to the Development Framework taking into account the comments raised. Notwithstanding these amendments, it is not fundamentally different to the version previously presented to the Cabinet.
- 3.4. The adoption of the Development Framework will help to deliver sustainable, inclusive, and accessible development in the Star Hill to Sun Pier Conservation Area. A Diversity Impact Assessment document is appended to this report.

## 4. Background

- 4.1. In April 2020, Medway Council was awarded £1.6m in funding through Historic England as part of their High Street Heritage Action Zones (HSHAZ) programme, which is funded by the Government. The aim of this programme is to transform high streets into thriving town centres through the power of heritage, by delivering physical improvements and cultural activities to regenerate historic high streets and/or town centres. This programme also has a key role in fuelling the economic, social, and cultural recovery of these areas following the Covid-19 pandemic which had a profound effect on high streets.
- 4.2. One of the programme's workstreams is the creation of a Significance Led Development Framework for the Star Hill to Sun Pier Conservation Area (known locally as 'Chatham Intra' or 'Old High Street Intra') to guide future development in a way which protects the character and significance of the Conservation Area, whilst enabling sensitive sustainable growth and regeneration.
- 4.3. Intra is strategically located between Chatham and Rochester, including sections of both Chatham and Rochester High Streets, and has excellent links with the wider area and the South-East. It is seeing population growth, which is leading to greater demand for more and better-quality places to live, work and enjoy.
- 4.4. The Development Framework aims to celebrate heritage and local identity, create opportunities for new homes which consider the area's unique context, improve permeability, stimulate economic vitality, create a thriving high street, reimagine the wharves and lanes, increase use of the river, and promote biodiversity and sustainability.
- 4.5. The Development Framework is intended to replace the existing 'Star Hill to Sun Pier Planning and Design Strategy', adopted in May 2004, which is dated and requires comprehensive review and refresh given the changes which have taken place since it was adopted.
- 4.6. This Development Framework is intended to be adopted as a Supplementary Planning Document (SPD), which provides additional guidance to Local Plan

policy, and is a material consideration in the determination of planning applications.

- 4.7. The Development Framework forms one of the agreed outputs of the HSHAZ programme, with the expectation that it should be adopted by the end of the 2023/24 financial year.
- 4.8. In February 2021, HTA Design LLP were appointed as lead consultants for implementation, planning, and delivery of the Development Framework, working alongside both Medway Council and Historic England.
- 4.9. As part of the production of the Development Framework, extensive engagement exercises have been undertaken with stakeholders, the local community, and Council Officers. This includes formal consultation from 16<sup>th</sup> October to 26<sup>th</sup> November 2023 in order to fulfil the legislative requirements set out in Part 5 of the Town and Country Planning (Local Planning) (England) Regulations 2012, and as contained within the provisions for SPDs within the Council's Statement of Community Involvement.
- 4.10. In light of the feedback raised, minor amendments have now been made to the Development Framework. These amendments seek to provide further information and clarity on certain elements included in the Framework, and do not fundamentally change the Development Framework or its main principles or guidance.
- 4.11. A final draft of the Development Framework is set out at Appendix 1. This document reflects the collaborative working undertaken with Historic England, the public and community in Chatham Intra, and wider stakeholders to guide future development that responds positively to the unique heritage features of this historic riverside route between Chatham and Rochester.

## 5. Options

- 5.1. The options available are:
  - a) Approve the request for the adoption of the Star Hill to Sun Pier Conservation Area Significance-led Development Framework Supplementary Planning Document;
  - b) Reject the request for adoption.

## 6. Advice and analysis

- 6.1. The creation of the Development Framework is one of the workstreams associated with the HSHAZ programme, through which Medway Council was awarded Government funding through Historic England. The intention from Historic England is that the Development Framework would need to be adopted before the end of the 2023/24 financial year.
- 6.2. Should the Development Framework be adopted, it will provide guidance to both the public and private sector on how existing and emerging planning

policies and guidance should be implemented with a focus on conserving local heritage and achieving sustainable change within Chatham Intra.

- 6.3. The Development Framework has been prepared by HTA Design LLP with guidance from Council Officers across the planning service, including conservation and urban design specialists, to ensure it meets the requirements of national planning policy and guidance. Historic England Officers have also provided input, and the Development Frameworks benefits from having been subject to formal and informal consultation with the public, community groups, and other stakeholders such as the Environment Agency, Pell Ports, and the Marine Management Organisation.
- 6.4. The adoption of the Development Framework will help to deliver sustainable, inclusive, and accessible development in the Star Hill to Sun Pier Conservation Area. A Diversity Impact Assessment document is appended to this report.

## 7. Risk management

- 7.1. Risk management is an integral part of good governance. The Council has a responsibility to identify and manage threats and risks to achieve its strategic objectives and enhance the value of services it provides to the community.

Risk	Description	Action to avoid or mitigate risk	Risk rating
Not adopting the Supplementary Planning Document.	There is currently no adopted Supplementary Planning Document for the Star Hill to Sun Pier Conservation Area.	Adoption of Supplementary Planning Document will help provide the necessary guidance and framework to help conserve and enhance the Conservation Area.	CII
Reliance on the existing Planning & Design Strategy	The existing adopted strategy is dated and requires refreshing to reflect recent changes and help avoid inappropriate or harmful development.	Adopt the SPD.	DIII
Delayed adoption leading to the Development Framework not being adopted by March 2024	Reputational risk of not delivering agreed output of HSHAZ funding.	Adopt the SPD in February 2024	DII

For risk rating, please refer to the following table:

<b>Likelihood</b>	<b>Impact:</b>
A Very likely	I Catastrophic
B Likely	II Major
C Unlikely	III Moderate
D Rare	IV Minor

## 8. Consultation

- 8.1. The project team have consulted with various external stakeholders such as the Environment Agency, Peel Ports, the Marine Management Organisation, Historic England, as well as the local community and Council officers throughout the preparation of the document. They have provided specialist technical advice and guidance on the information and proposals contained within the Development Framework.
- 8.2. Deep and wide public engagement has formed part of the strategy for producing the Development Framework, with community forums, symposia and stakeholder group meetings held between 2020 and 2023.
- 8.3. Additional engagement and awareness has also taken place through the University of Kent School of Architecture and Planning, with associated projects intended to continue into the future.
- 8.4. The formal consultation on the Development Framework was undertaken for a six-week period in October and November 2023 in line with the provisions of national legislation and the Council's Statement of Community Involvement. It was consulted upon alongside the Star Hill to Sun Pier Conservation Area Appraisal and Management Plan, which is subject to a separate request from Cabinet for approval for adoption.
- 8.5. Consultation responses were gathered through the bespoke consultation software 'OpusConsult' used by the Planning Service. A small number of consultation responses were also sent to the Planning Service via email. These were then shared with the project team working on the Development Framework itself.
- 8.6. In line with the Council's Statement of Community Involvement, a summary table of the key issues raised as part of the formal consultation, how they have been considered, and if they require any amendments to the document is set out below.

<b>Key Issue/Theme</b>	<b>Response</b>	<b>Amendments made?</b>
Transport: Concern that the measures to encourage sustainable modes of transport will	Encouraging sustainable transport is a key objective for the Council. The document includes guidance on how this can be achieved, and this includes traffic	Additional text to refer to the need to discuss transport provision and impacts of development proposals with the LPA

Key Issue/Theme	Response	Amendments made?
adversely affect those who use private vehicles.	calming measures and creating additional space for pedestrians. Whilst this may affect journey times for trips undertaken by private vehicle, it should not affect their ability to take place in the first instance and journey times should not be significantly affected. Any residual impact is not likely to be outweighed by the potential benefit gained by pedestrians and cyclists, modal shift to more sustainable modes of transport, as well as in terms of highways safety. In any event, the specific transport provision and impact of a development should be discussed with the LPA and the Highways Team, and be subject to consultation	and Highways Team. Parking provision and impacts on the wider transport network should be considered on a case-by-case basis.
Transport: making the area more pedestrian friendly, including through creating a vehicle-free zone in the town centre	The document includes guidance and information on how the area can be made to be more pedestrian friendly and safe for pedestrians and cyclists. Following engagement with the Council's Transport department, a car-free zone is not proposed at this time.	None, however, this could be considered further with the LPA and Highways Team, including as part of pre-application enquiries from developers and/or landowners relating to specific proposals.
Heritage: greater clarity on what heritage significance-led means.	This can be more clearly defined as a development framework which has been informed by an in-depth analysis into the heritage assets and value in the area.	Minor amendments to text to better clarify this term.
Housing: encourage greater re-use of existing buildings before opting for new-build construction	The retention, conservation, and re-use of existing buildings will be prioritised, and this is already set out sufficiently within the document.	None, as this is considered to be sufficiently covered in detail within the document.
Housing: greater emphasis on new homes being of a high quality, and	Creating great new homes is a key design principle set out within the document. It involves securing high quality housing and built	None, as this is considered to be sufficiently covered in

Key Issue/Theme	Response	Amendments made?
with an appearance which is in keeping with the surrounding area.	environment design which takes into account the surrounding area, including heritage assets if relevant/proximate.	detail within the document.
Building Heights: concern with the provisions to limit building heights to 4/5 storeys, including that it will affect development viability and the ability to deliver on other requirements, for example, creating outdoor space.	Whilst this is acknowledged, an in-depth study of the character, heritage, and townscape in and around Intra has informed the guidance on building heights within the document. In addition, buildings being a maximum height of 4-5 storeys has been directly advocated by Historic England and the Council's Heritage and Conservation Team. In any event, developers and landowners are not restricted from bringing forward proposals for taller buildings, and are not restricted in engaging with the Council, local community, and other stakeholders are pre-application and application stage to demonstrate that a different approach is appropriate. Any building which is taller than specified must be of an exceptional design quality and respond sufficiently to the Site's historic context, and viability challenges should be evidenced through the submission of viability information for the Council's review, if this is relevant in affecting the proposals which come forward.	Following engagement with the Council who are also working to prepare a separate Design Code for Chatham Intra, minor provisions were added to the document setting out that proposed buildings which are taller than specified in the SPD must be of exceptional design quality, as established through a rigorous design review process, and protect and enhance the surrounding heritage context. This aligns with the approach which has been set out in the Design Code as currently drafted, thereby ensuring a consistent approach towards how proposals for buildings which are taller than the SPD sets out should be treated.
Heritage: greater emphasis on preserving the existing character of historic buildings/areas as much as possible.	The vision set out in the document refers to the need for new development to integrate within the historic environment, and how Intra's heritage will ultimately be a key driver in ensuring that new development is appropriate and of a high quality. This has directly influenced the celebrating heritage and local identity design principle, which is	None, as this is considered to be sufficiently covered in detail within the document.

Key Issue/Theme	Response	Amendments made?
	a 'golden thread' running through the document and its contents. In addition, the retention, conservation, and re-use of existing buildings will be prioritised and this is set out within the document.	
Heritage: encouraging greater use of the River Medway, including by creating a heritage harbour where historic vessels such as the HMS President (formerly HMS Saxifrage) could be homed and restored.	One of the document's eight overarching design principles is to increase the use of the River Medway, and this feeds through the guidance set out particularly in Section 6 of the document which refers to development on the river edge and extends to the use of the river itself. The creation of a heritage harbour, whilst outside of the scope of this document, is in line with this design principle however would need to be explored by the Council and other stakeholders in greater detail before specific provision for it can be included.	None, as the increased use of the River Medway is considered to be sufficiently covered in detail within the document. The creation of a heritage harbour would require further engagement and investigation however the document and its guidance does not need to be amended in light of this, given that as drafted it does not preclude this from taking place in the future.
Heritage: greater recognition of the Jewish and LGBTQ+ heritage of the area	The document can be updated to include more information on local Jewish and LGBTQ+ heritage.	Minor updates to text to refer to the presence and importance of Jewish and LGBTQ+ heritage in the area.
Public Realm: Greater emphasis on ensuring public spaces and routes are well-lit, including wayfinding/signage, and are safe for women.	These aspects can be more clearly emphasised within the relevant sections of the document relating to public realm.	Minor updates to text to emphasise need for new development to consider lighting, wayfinding/signage, and safety.
Public Realm: include provision for greater street cleansing.	The document includes guidance which aims to create a more pleasant and healthy public realm environment, which would be clean, uncluttered, safe, and attractive. This is considered sufficient as it is not within the	None, as this is not fully within the scope of this document as a Supplementary Planning Document, however the guidance included would help to



Key Issue/Theme	Response	Amendments made?
	scope of this document to include measures referring to a more comprehensive street cleaning programme, which in any event is governed by the Council through separate policies/regulations.	create a more clean and pleasant public realm environment if implemented and monitored.
Biodiversity: greater emphasis on protecting and enhancing marine biodiversity	The document refers to the need for new development to improve biodiversity and ecological connections. This would include marine biodiversity as appropriate. The document also refers to the requirement for new development to be compliant with national and local requirements for Biodiversity Net Gain.	None, as this is considered to be sufficiently covered in detail within the document.
Infrastructure: ensure that new development is supported by sufficient levels of infrastructure to support any population uplift.	The importance of having the right levels of infrastructure to facilitate and support new development is fully acknowledged. This is reflected in the inclusion of infrastructure as a consideration within three of the key design principles in the document. It also includes dedicated information in Section 7 of the document which requires wider public-private collaboration to bring forward infrastructure as appropriate, and sets out the expectation that necessary infrastructure is developed as part of new development through the use of planning obligations and/or conditions in line with the Council's adopted guidance on developer contributions and obligations, and relevant national planning policy.	None, as this is considered to be sufficiently covered in detail within the document.
Land Use: greater emphasis on the importance of food and beverage/nightlife	Whilst the document includes guidance on how the public realm can be designed so as to encourage a vibrant and high-quality high street and allow for café/restaurant spill-out spaces, it is not within the scope of the	None, as this is not fully within the scope of this document as a Supplementary Planning Document, however the guidance included would help to

Key Issue/Theme	Response	Amendments made?
uses in supporting the local economy.	document to set out specific land uses which are appropriate for the Conservation Area.	create a more vibrant, accessible, and high-quality high street which could better foster food and beverage/nightlife uses.
Content: some parts of the draft guidance are overly prescriptive.	The document has been informed by comprehensive research and study, as well as engagement with key stakeholders over an extended period. It is considered that whilst it is rich in detail, it will be the responsibility of an applicant working with the LPA as part of the pre-application and application process to determine how the document's guidance is applied or where it is not relevant to the specific proposals. Nevertheless, the specific feedback raised on this will be reviewed and any parts which are indeed overly prescriptive will be amended.	Minor updates to text to remove overly specific or detailed guidance. Care will be taken to not 'water down' any reasonable requirements.
Implementation and Delivery: the Development Framework should include reference to a delivery strategy or action plan for implementing the framework.	This is a valuable contribution, and therefore Section 7 of the document now contains a new, specific section setting out the delivery strategy for the framework.	New action added at 7.1.1 (page 55).

## 9. Climate change implications

- 9.1. [The Council declared a climate change emergency in April 2019](#) - item 1038D refers, and has set a target for Medway to become carbon neutral by 2050.
- 9.2. The information and guidance within the Development framework will support existing and emerging planning policies within the Council's Development Plan and the National Planning Policy Framework (NPPF), including those relating to sustainability, sustainable development, and mitigating the effects of climate change.

9.3. The Development Framework sets out opportunities to increase biodiversity, tree planting, improve air quality, Sustainable Urban Drainage, and the environmental quality of new development though, as guidance, does not give detailed concrete solutions to all such issues.

## 10. Financial implications

10.1. The costs of producing the document have been met from within the externally funded HSHAZ programme. There are no financial implications to the Council, other than the printing costs for a limited number of paper copies of the Development Framework and officer time, which can be accommodated from within existing revenue budgets.

## 11. Legal implications

11.1. The Development Framework, as an SPD, will contain guidance on how the Council's Development Plan policies can be implemented.

11.2. Whilst not being a statutory part of the Development Plan itself, if adopted it will become a material consideration in the determination of planning applications.

11.3. The team have engaged with Planning Officers to understand how guidance is to be written, and how it should align with the Development Plan.

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## Appendices

Appendix 1 - Star Hill to Sun Pier Conservation Area Significance-led Development Framework Supplementary Planning Document

Appendix 2 – Diversity Impact Assessment

## Background papers

None