

Council

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Adoption of Hoo St Werburgh and Chattenden Neighbourhood Plan

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

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Summary

This report presents the Hoo St Werburgh and Chattenden Neighbourhood Plan for formal adoption by the Council. The Council held a referendum on the Neighbourhood Plan in the parish of Hoo St Werburgh and Chattenden on 7 November 2024. The majority of voters were in favour of the plan, so the plan is recognised as 'made'. The Neighbourhood Plan forms part of the development plan for Medway and will be used to help decide planning applications in the Hoo St Werburgh and Chattenden Neighbourhood Area.

1. Recommendation

- 1.1. It is recommended that Council approves that the Hoo St Werburgh and Chattenden Neighbourhood Plan (as set out at Appendix 1) be 'made', as part of the statutory development plan for Medway Council.

2. Budget and policy framework

- 2.1. Neighbourhood Plans were introduced through the Localism Act 2011 and are considered to be a means of encouraging the wider participation of local communities in planning for the future of their local areas. Once adopted, or 'made', the Neighbourhood Plan, alongside the Medway Local Plan, forms part of the Development Plan for the local planning authority. The Development Plan forms part of the Council's policy framework.
- 2.2. The Council has responsibility for supporting the preparation of Neighbourhood Plans, including meeting the costs of an independent examination and referendum. The Government provides a Neighbourhood Planning grant towards these costs, but it is anticipated that the funding will not meet the full costs on the authority, placing further pressures on budgets.

Wider work of the local planning authority in relation to supporting neighbourhood planning is met within the Planning Service budget.

3. Background

3.1. The parish of Hoo St Werburgh was formally designated by the Council in December 2018 for the purposes of preparing a Neighbourhood Development Plan. The work has been led by the Hoo St Werburgh and Chattenden Neighbourhood Plan group, which was set up to progress the plan, working with its Parish Council. The group has been active in working with local communities and wider stakeholders in preparing a plan that promotes sustainable development.

3.2. The plan's vision is to:

'To support sustainable growth and development to meet diverse local needs, addressing Climate Change, and preserving or enhancing the distinctive character and local facilities of the parish, the village of Hoo St Werburgh and hamlet of Chattenden and their rural landscape settings'.

3.3. The Vision is to be achieved through a set of planning aims and the policies in the Plan. The planning aims are:

- A. To ensure that development in the parish and in Hoo St Werburgh village and the hamlet of Chattenden is sustainable and retains their distinctive identities and separation.
- B. To ensure that development takes account of climate change and biodiversity.
- C. To maintain or expand the range of community facilities and employment, to create more sustainable work/life patterns and meet the diverse needs of the community.
- D. To ensure that housing development is well-designed, sustainable and meets a range of local needs.
- E. To preserve or enhance the natural and historic environments of Hoo St Werburgh and Chattenden Parish.
- F. To promote sustainable forms of transport and active travel, including cycling and walking.

3.4. Following local consultation, the Parish Council submitted its draft plan to Medway Council in October 2023. The Council published the draft plan for representations at Regulation 16 in January 2024. The plan was then submitted for examination in Spring 2024. The Council appointed an independent examiner, in consultation with the Neighbourhood Forum and he issued his report in August 2024. The examiner's report recommended a number of modifications to the plan. These were agreed by the Neighbourhood Planning Group, Parish Council and the local planning

authority. A report was presented to Cabinet in August 2024, seeking approval to send the modified plan to referendum.

- 3.5. Following Cabinet approval to send the plan to referendum, the Council made arrangements for the referendum, in line with the Neighbourhood Planning Regulations. In consultation with the Neighbourhood Planning Group and Parish Council, it was agreed to hold the referendum on 7 November 2024.
- 3.6. The referendum asked the question: “Do you want Medway Council to use the Neighbourhood Plan for Hoo St Werburgh and Chattenden to help it decide planning applications in the neighbourhood area?”. 1887 ballot papers were verified in the vote. 1752 (92.9%) people voted in favour, and 133 (7.1%) against. The turnout was 21.06%. As more than 50% of those who voted in the referendum were in favour, the Neighbourhood Plan becomes part of the statutory development plan.
- 3.7. The Council must ‘make’ or formally adopt the Neighbourhood Plan within eight weeks of the referendum. However, the Neighbourhood Plan is afforded full planning weight on the outcome of a successful referendum. The Plan has been presented to this meeting of Full Council, the first meeting after the referendum on 7 November, to provide a formal adoption as part of the Development Plan for Medway. The Council’s governance process for Neighbourhood Planning has been set out in a report to Cabinet on 18 October 2022. This process confirms that the adoption of a Neighbourhood Plan is a decision for Full Council.

4. Options

- 4.1. There are no options to consider at this stage in the process. The Council must follow the legislative requirements for Neighbourhood Plans. If the majority of those who vote in the referendum are in favour of the draft Neighbourhood Plan, then the plan must be made by the local planning authority within 8 weeks of the referendum.
- 4.2. There are narrow circumstances where the local planning authority is not required to make the Neighbourhood Plan. These are where it considers that the making of the Neighbourhood Plan would breach, or otherwise be incompatible with, any EU or human rights obligations.
- 4.3. The Council does not consider that the Hoo St Werburgh and Chattenden Neighbourhood Plan would breach such obligations.
- 4.4. Therefore, it is recommended that the Council approves the Neighbourhood Plan as set out at Appendix 1, as part of the Development Plan.

5. Advice and analysis

- 5.1. The Council’s Planning Service has liaised with the Neighbourhood Planning Group throughout the development of the Hoo St Werburgh and Chattenden Neighbourhood Plan and sought to ensure that there is not conflict with the current or emerging Medway Local Plan. The Neighbourhood Plan has been

independently examined and found to meet the basic conditions for Neighbourhood Plans. The plan has been put to referendum and the majority of voters were in favour of using the plan to help determine planning applications. It is therefore appropriate that the plan be considered for formal adoption by the Council, and 'made'.

- 5.2. The policies in the Neighbourhood Plan align with the National Planning Policy Framework to seek sustainable development. A Diversity Impact Assessment has been carried out and is set out at Appendix 2. The plan seeks to benefit a wide range of communities in the neighbourhood area, and to protect the environment.

6. Risk management

- 6.1. This report concerns the formal adoption of the Neighbourhood Plan following a referendum. There are limited risks associated with this specific matter. The Council must 'make' the Neighbourhood Plan within eight weeks of a Referendum, where the majority of voters are in favour of the plan. However, this report is being presented to the first meeting of Council following the referendum. The Planning Service will provide additional training to officers and members on the new Neighbourhood Plan policies and update internal procedures, so that officers and members clearly understand the content of the plan in making decisions on planning applications.

Risk	Description	Action to avoid or mitigate risk	Risk rating
Delay in formal adoption of plan	Council fails to make timely decision to 'make' plan.	Report presented to Council 23 January 2025. Neighbourhood Plan has planning weight from outcome of successful referendum.	B IV
Lack of awareness of NP policies in determining planning applications.	Decisions do not reflect policy context of NP	Member training and review of internal processes in Planning Service.	C III

6.2. For risk rating, please refer to the following table:

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

7. Consultation

- 7.1. This is not a consultation stage in the Neighbourhood Plan process.
- 7.2. Iterative consultation was carried out on the emerging and draft Neighbourhood Plan over a number of years. A report of the work carried out by the Neighbourhood Planning Group was provided in the Consultation Statement submitted with the draft plan. Comments received at the Regulation 16 stage in early 2024 were published and provided to the Examiner as part of the examination documents and materials. The Examiner noted that the Plan has been underpinned by extensive community support and engagement.
- 7.3. The Planning Service will arrange additional training for members and officers on the use of Neighbourhood Plan policies in decision making on planning applications.

8. Climate change implications

- 8.1. The Neighbourhood Plan promotes sustainable development in the Hoo St Werburgh and Chattenden area. There is a specific planning aim to ensure that development takes account of climate change and biodiversity. The plan seeks to mitigate and adapt to climate change. These include the promotion of sustainable transport choices, making it safer, more attractive and healthier for people to walk and cycle. An important theme in the plan is the preservation and enhancement of the natural environment and biodiversity.

9. Financial implications

- 9.1. The costs of preparing the Neighbourhood Plan have largely been met by the Hoo St Werburgh and Chattenden Neighbourhood Forum. The Council has responsibility for the costs of the independent examination and referendum. The government provides a Neighbourhood Planning grant to support the costs of this work. Local planning authorities can claim a £20,000 grant from when they issue a decision statement detailing their intention to send the plan to referendum. The wider work of the local planning authority in relation to supporting neighbourhood planning is met within the Planning Service budget.
- 9.2. Given the size of the parish of Hoo St Werburgh and Chattenden, and the need for a 'stand-alone' referendum, and the work needed on the arrangements for a referendum, it is not anticipated that the external

Government grant will meet the full anticipated cost, estimated at C£24k, of the examination and referendum. It is anticipated that costs in excess of the grant can be met from within existing budgets in the planning service. If not, this will create a budget pressure on the Council.

10. Legal implications

- 10.1. The Neighbourhood Plan has been prepared in accordance with legislation, including the Neighbourhood Planning (General) (Amendment) Regulations 2015. The 'made' Neighbourhood Plan forms part of the development plan for Medway Council. In line with the Planning and Compulsory Purchase Act 2004, applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise.

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Appendices

Appendix 1 – Hoo St Werburgh and Chattenden Neighbourhood Plan, 2022-2040
Appendix 2 – Diversity Impact Assessment

Background papers

[Cabinet report 27 August 2024 – Hoo St Werburgh and Chattenden Neighbourhood Plan – Request to send to Referendum](#)