

Council

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Publication of Medway Local Plan (Regulation 19)

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

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Summary

This report presents the Pre-Submission Draft Medway Local Plan to Council to consider approval to publish at Regulation 19 for representations. The report outlines the work carried out in preparing the draft Medway Local Plan and defining a development strategy to manage Medway's growth up to 2041. It provides information on the processes followed and evidence collated to prepare the Draft Plan, and the purpose and requirements of Regulation 19 in advance of its submission for independent examination. The Draft Plan details proposed policies and site allocations and is set out at Appendix 1.

1. Recommendations

- 1.1. The Council is asked to:
- 1.2. Approve the publishing of the Pre-Submission Draft Medway Local Plan (Regulation 19), as set out in Appendix 1 to the report, for a period of six weeks for written representations.
- 1.3. Grant a delegation to the Director of Place, in consultation with the Portfolio Holder for Climate Change and Strategic Regeneration, to make any minor amendments, such as the correction of any typographical errors, prior to the publishing of the Pre-Submission Draft Medway Local Plan (Regulation 19).
- 1.4. Approve submission of the Proposed Submission Local Plan and supporting documents to the Secretary of State for examination, with the Regulation 19 representations.
- 1.5. Grant a delegation to the Director of Place, in consultation with the Portfolio Holder for Climate Change and Strategic Regeneration, to prepare an addendum to the Plan that may be necessary to address soundness issues

raised by representations received on the Regulation 19 Draft Plan, and to include this in the submission materials to the Planning Inspectorate.

- 1.6. Grant a delegation to the Director of Place, in consultation with the Portfolio Holder for Climate Change and Strategic Regeneration, to agree to any Main Modifications and to undertake a 6 week public consultation on any Main Modifications that arise out of the Local Plan examination process and for this information to be forwarded to the Planning Inspectorate.

2. Budget and policy framework

- 2.1. The Medway Local Plan is an important component of the authority's Development Plan. The Development Plan is part of the Council's Policy Framework. On adoption, the new Local Plan will replace the Medway Local Plan 2003. Decisions on the publication and adoption of the Local Plan are matters for Council. The costs of preparing the Local Plan are met within the Planning Service budget. As part of the budget for 2024/25 the Planning Service budget was increased by £320,000 to cover the anticipated cost for the preparation of the Local Plan.

3. Background

- 3.1. The Local Plan is a Development Plan Document that sets out the vision, framework and policies for guiding new development in Medway. Local Plans set out a long-term vision and strategy for how an area will evolve and grow in the future, with policies that will shape development. The preparation of the new Medway Local Plan has reached a key stage. This report presents a proposed 'Regulation 19' Plan that sets out a framework and policies for managing development in Medway up to 2041. The Draft Plan shows our residents, businesses, statutory and voluntary organisations a blueprint for Medway's future, providing a sustainable strategy to meet Medway's growth needs over the plan period. The Draft Local Plan provides more certainty on how and where development will take place, boosting confidence in investment, and helping to secure sustainable development that benefits residents, and conserves our important natural environment and heritage. Subject to approval by Members, it represents the Council's preferred approach to the new Local Plan, and significant progress towards the adoption of an updated Local Plan, reflecting our ambitions for Medway.
- 3.2. This is an important stage in plan-making and builds on the work carried out in Regulation 18 consultations in 2023 and 2024, and in assembling a wide-ranging evidence base, including site assessments and sustainability appraisal and strategic working on cross border matters. The Pre-Submission Draft Local Plan, as set out at Appendix 1, is presented to Full Council for Members' consideration. Subject to approval by Council, the Plan will be published for a six-week period to gather written representations. The Regulation 19 consultation needs to follow the formal statutory process set out in legislation. The Regulation 19 consultation is the last stage of public engagement before the Council submits the Draft Plan to the Planning Inspectorate for examination. This is a formal process that requires comments to focus on the soundness and legal compliance of the plan. The Planning

Inspector will be sent any representations that are made during this Regulation 19 public consultation.

Defining the development needed over the plan period

- 3.3. The Draft Plan sets out a spatial strategy for Medway's growth and identifies sites for allocation for development over the plan period. Details are provided in the Draft Plan and the Policies Map, set out at Appendix 2. The strategy reflects the outcome of technical assessments and consultation. The plan is positively prepared to meet Medway's development needs. These include provision for housing, employment and services, such as schools and green spaces. Housing is a major issue for the plan, and the scale of defined housing needs requires significant land to be identified for new housing sites. This is an important driver of the spatial strategy. The Local Housing Needs requirement is defined through use of a government standard method formula. The annual need for 1,636 homes a year has been projected over 15 years of the plan period to 2041, resulting in a need to plan for 24,540 homes. The Local Plan provides for housing land supply through implementation of schemes with planning permission – 'pipeline' sites, new site allocations for development, and allowance for 'windfall' sites. Windfall sites are those that receive planning permission, outside of local plan allocations. The supply provided in the draft plan consists of:
- Pipeline sites (with planning consent, not completed or allocated) – 1,762
 - Local Plan allocations – 21,194
 - Windfall sites – 1,584
- 3.4. This provides a small buffer on supply over need. Further details on the calculation and definition of components of housing land supply are set out in the Land Availability Assessment, 2025. This document also outlines information on sites considered as options for development allocations in the plan. The report considers the capacity and potential use of sites and phasing of development over the plan period, recognising lead in times and build out rates on housing sites.
- 3.5. The Council commissioned an Employment Land Needs Assessment to identify land requirements to support and strengthen the local economy over the plan period. This has identified a need for 204,000 sqm of industrial floorspace and 36,500 sq m of office floorspace. The plan provides sufficient land for a portfolio of sites that meet the needs of different types of businesses. The strategy recognises the potential to realise the strategic economic role of sites such as Grain and Kingsnorth in growing sectors, such as low carbon energy and AI.
- 3.6. A Retail Needs Assessment was also commissioned to provide evidence of retail floorspace needed in the earlier part of the plan period. The shorter projection period reflects the uncertainty with longer term forecasts in retail, given significant changes in shopping patterns in recent years. This was updated in 2025. The plan's strategy supports existing high streets and centres, and provides for new retail floorspace as part of mixed development in strategic allocations.

Defining the spatial strategy

- 3.7. The Local Plan sets out a strategy for how Medway can meet our development needs sustainably. Work has assessed options for accommodating growth in different locations across Medway, including urban regeneration and expansion of villages and suburban neighbourhoods. In the Regulation 18 consultation in 2024, the Council presented three broad development strategies for comments. There was an indicative preferred strategy that included regeneration on brownfield land, and development bordering towns and villages.
- 3.8. This work has been reviewed, with regard to comments made in the consultation and further assessment through the Sustainability Appraisal (see Appendix 3) and the interim Habitats Regulations Assessment. In addition, the Council has produced an updated Land Availability Assessment. This considers all development sites for their suitability, achievability and deliverability, against a range of constraints and development potential.
- 3.9. Work has identified an appropriate strategy to meet Medway's development needs and provide for sustainable development over the plan period. The strategy provides for a mix of development, reflecting the different needs of Medway's communities. It reflects the broad strategy set out in the preferred growth option in the 2024 Regulation 18 consultation, but there have been some changes.
- 3.10. The Council has taken a 'brownfield first' approach, seeking to bring forward opportunities for investment in urban centres and waterfront sites, continuing to deliver on Medway's regeneration potential. This component will deliver around 40% of the housing needs in the Local Plan. This supports our centres, with significant development potential identified in Chatham and Strood, linked to work on Design Codes, masterplans and development briefs. The plan also brings in redevelopment at Frindsbury Peninsula (Medway City Estate) later in the plan period, responding to change in the surrounding area, businesses looking to relocate and nature based solutions to managing flood risk.
- 3.11. However, greenfield sites also provide an important component of land supply, as the largely flatted development on regeneration sites will not meet the needs of all residents. The mix of lower density housing on the edges of Medway's towns and villages will provide for greater choice in the housing market. The strategy proposes around 30% of the plan's housing in extensions to suburban areas that provide access to existing services. In addition, around 30% of the plan's housing is to be directed to Medway's rural areas, mainly to the larger villages on the Hoo Peninsula, that will be accompanied by investment in new services and facilities.
- 3.12. The main changes to the preferred growth approach from the consultation in 2024 are reductions in the scale of development in smaller, more remote villages on the Hoo Peninsula, and a greater focus around Hoo St Werburgh, supporting investment in new and expanded services and infrastructure. Land to the west of Strood is now allocated for development, as part of an

anticipated cross border urban expansion. Development has been reduced to the east of Rainham, but a site to the north of Rainham is allocated as a dedicated site for a SME housebuilder consortium. These changes respond to representations made in the consultation, strategic cross border working through the Duty to Cooperate, additional evidence collated, and external factors, such as changes to national planning policy in relation to Green Belt and consideration of the impacts of cross border development on Medway. Details of the proposed site allocations are set out in the Policies map (see Appendix 2).

Evidence base and supporting documents

- 3.13. The Plan has been informed by a wide evidence base. The Council's Local Plan webpages include dedicated sections on evidence base documents, which have been updated during the preparation of the Plan. Some reports have been updated, or have reached a final iteration to support the Regulation 19 stage. These are outlined below. The studies have helped to understand the area's development needs, the impacts of the proposals and options in the Plan, test the delivery of the growth strategy and identify mitigations required to secure sustainable development. This work has come together to define a preferred spatial growth strategy, and inform site allocation policies and wider strategic and development management policies.
- 3.14. There are a number of supporting documents, which are not appended to this report because they do not require formal approval. This report refers to those supporting documents, which provide evidence on relevant matters, such as development needs for housing, employment and retail land, and assessments of the potential impacts of the plan's proposals. These documents are published on the Council's website, and are available for review with the Regulation 19 Local Plan. Representations on the Draft Plan may wish to comment on the supporting documents. As usual officers will be available to support Councillors in accessing the electronic material should it be required.

Local Housing Needs Assessment

- 3.15. The Council commissioned an updated evidence base on the housing needs of Medway's communities over the plan period. This work has involved analysis of demographics and market conditions. It provides information on the mix of housing types needed, such as family housing, smaller households, older people and students. It has also identified the level of need for affordable housing, representing around 27% of total need. This report has been used in drafting housing policies in the plan, and in site allocations to achieve a mix of housing types to suit Medway's residents. Reflecting the ageing population trends, about 10% of the household growth in Medway is for specialist accommodation for older person households.
- 3.16. Following government changes to the planning definition of a traveller in Planning Policy for Gypsy and Travellers in December 2024, an addendum clarification has been added to the Medway Gypsy and Traveller Accommodation Assessment, 2024. This sets out the implications resulting

from this change in definition, which includes all other persons with a cultural tradition of nomadism, or of living in a caravan.

Employment Land Needs Assessment

- 3.17. The Local Plan makes provision for economic development, through allocating and safeguarding land for employment uses. The Council commissioned an updated study of employment land needs to inform the quantum and mix of land needed in the Plan. The study looked at Medway's economy, both the current content and trends, in comparison with sub-regional and national data. The assessment focused on land for manufacturing, offices and distribution and storage. The report sets out the socio-economic conditions, a review of the commercial property market, and the demand for and supply of employment land in Medway. It is noted that Medway has a good supply of industrial land, particularly on the Hoo Peninsula, and that there is sufficient capacity to support economic growth through the strategy and portfolio of sites identified in the new Local Plan.

Retail Needs Assessment

- 3.18. The retail sector has undergone structural change in recent years, exacerbated by the impacts of Covid. The Local Plan should make provision for retail needs, and support a network of town and local centres across Medway. Given the uncertainty in longer term forecasting of retail trends, there is a shorter focus in the evidence base work. The retail needs assessment has been updated in the Medway Retail and Town Centres Study, 2025, to provide advice on the quantum of floorspace needed for comparison and convenience shopping. This information has fed into the policies for centres and High Streets, and in allocations for strategic development sites.

Strategic Transport Assessment

- 3.19. Planning for transport is integral to the Local Plan. In defining a growth strategy and policies to manage development, consideration has been given to how to avoid unsustainable increases of car based travel. This has involved allocating development in locations with a good choice of transport modes, reducing the need to travel, by locating homes close to services and jobs, and improving travel choice in more peripheral locations. The Strategic Transport Assessment shows the transport impacts associated with the planned growth, identifies where there will be detriments to the highway capacity, and how these impacts could be mitigated. A number of schemes, such as signalisation of junctions have been outlined as means of addressing the impacts of proposed growth. The transport schemes are set out in the Infrastructure Delivery Plan, and included in the requirements on developers in site allocation policies. The most significant mitigation is required at the junctions at Four Elms, Sans Pareil, and Gillingham Gate. The Strategic Transport Assessment has taken account of the Lower Thames Crossing. The Council has worked closely with Kent County Council, as the neighbouring Local Transport Authority, and neighbouring local planning authorities, and National Highways in producing this work, so that cross border impacts are considered

in this evidence. A report on the initial transport modelling results is provided in the supporting documents, as part of the wider work on the Strategic Transport Assessment.

Environmental studies and plans

- 3.20. The Local Plan has been informed by various plans and strategies that aim to conserve and strengthen the natural environment. The Council has published an updated Landscape Character Assessment in 2024. There is ongoing work in planning for the environment, such as in sensitive areas such as the Hoo Peninsula. The plan has had reference to the emerging work on the Kent and Medway Local Nature Recovery Strategy, linking to local work on green and blue infrastructure. The plan reflects wider corporate plans for the environment, such as on climate change, air quality Action Plans and active travel.

Strategic Flood Risk Assessment

- 3.21. The National Planning Policy Framework (NPPF) requires local planning authorities to apply a risk-based approach to the preparation of development plans with respect to potential flooding. The Council has commissioned a Strategic Flood Risk Assessment to inform the new Local Plan. This study provides an up-to-date analysis of the main sources of flood risk across Medway, together with a detailed means of appraising development allocation sites and planning policies, against the risks posed by flooding over this coming century. It uses the latest information available from the Environment Agency. This analysis has informed work on site assessment and plan policies. It has included a Level 2 assessment on specific sites and has identified where mitigations are required.

Green Belt review

- 3.22. The government has published updated policy and guidance on Green Belt. This includes consideration of 'grey belt' land within the existing designation. As part of the evidence base for the new plan, the Planning Service has carried out a review of the Green Belt land in Medway. This has assessed if the land meets the purposes of Green Belt, as set out in the NPPF at paragraph 143. The study has also considered the criteria for identifying 'grey belt' land. This work provides an updated evidence base for the Green Belt policy in the new Local Plan. It has also been an important component of the land availability assessment and defining an appropriate strategy for Medway's growth over the plan period, particularly given the high level of development needs. The Council has liaised with the relevant neighbouring local planning authorities, specifically Gravesham Borough Council, in this work.

Infrastructure Delivery Plan

- 3.23. Medway has a high level of development needs, particularly for housing. The Plan strategy will involve large scale development across parts of Medway. Local communities have raised concerns about the impacts of new

development on existing services and infrastructure, some of which are already under pressure. The development plan will be accompanied by an Infrastructure Delivery Plan (IDP). This outlines the current state of services and infrastructure, plans for investment, and needs arising from planned growth, such as new schools and open spaces. The IDP is reflected in the policy requirements in the Plan and informs the update to the Council's developer contribution policy. The Planning Service carried out a review of services in Medway's rural areas for the IDP, given the specific issues experienced in these smaller and more remote communities. This is set out in a Village Infrastructure Audit. Neighbourhood plans and the Hoo Community Infrastructure Framework have also been reviewed to inform the IDP. The latest iteration of the IDP is being published with the draft plan, and further work and consultation is planned in coming months to update the content and costings. The Local Plan Regulation 19 consultation will invite comments on the draft IDP from stakeholders, including service providers, developers, parish councils and other community infrastructure providers and residents. The IDP is a 'live document', which will be updated to reflect any further information from service providers or when revised evidence is produced, projects are completed and new projects identified.

Viability Assessment

- 3.24. The Local Plan must be aspirational and deliverable. The Viability Assessment is one means of ensuring that the plan proposals can come forward. This report considers the development market across Medway and assesses the costs and profits of various types of development in different market areas in Medway. This study recognises the differences in the inner urban brownfield sites and the less constrained greenfield sites. It assesses the costs of the policy requirements, such as infrastructure contributions, on development, to demonstrate that there is value in the proposed development, and that the Council has a deliverable strategy. The assessment has informed policies on developer contributions to infrastructure, and affordable and specialist housing. It is noted that developers will often bring forward sites that may be assessed as unviable, where they have the conditions and opportunities. It is anticipated that an addendum will be provided in response to comments raised in consultation with the submission documents.

Health

- 3.25. A key objective of the Plan is to support healthy communities in Medway. The Planning Service has worked closely with Public Health colleagues and health services to prepare policies in the Plan. The Plan includes a requirement for Health Impact Assessments for larger developments. This work is further explained in a Health and Wellbeing topic paper and Health Impact Assessment template.

Legal Compliance

- 3.26. A number of legal aspects will be tested at examination. A key matter will be if the Council has demonstrated that it has met the Duty to Cooperate on cross border strategic matters. There has been ongoing liaison and work with

neighbouring local authorities and statutory consultees throughout the preparation of the Plan. This work has included consideration of the impacts of the proposed Lower Thames Crossing, motorway junctions on the strategic road network and large development proposals and allocations on Medway's boundaries. A key area of engagement has been the cross border working in relation to the Lidsing Garden Community in Maidstone, and existing neighbourhoods in Medway and areas near Capstone proposed for development in the Medway Local Plan. There has also been liaison with Gravesham Borough Council in relation to the promotion of development on the Medway boundary in their emerging Regulation 19 plan.

- 3.27. The Council has discussed the matter of potential unmet housing need in neighbouring areas. This has been identified as a cross border issue with Gravesham Borough Council. The Planning Service is collating the record of its engagement and consultation activities in a Duty to Cooperate report that will be submitted with the Draft Plan for examination. This work will be further supported by individual Statements of Common Ground between the Council and key organisations. At this stage, the Council is publishing a Duty to Cooperate report and a composite Statement of Common Ground identifying key strategic matters. The Planning Service will continue to work with neighbouring local authorities and statutory consultees up to the submission of the plan for examination. This engagement will allow consideration and discussion of matters that have been identified in the Regulation 19 plan, and the production of individual Statements of Common Ground and an updated Duty to Cooperate report, that will be submitted with documents for examination.
- 3.28. The development of the Plan has been shaped by an iterative process of Sustainability Appraisal (SA) and a Habitats Regulations Assessment (HRA). Interim SA and HRA reports were published with the Regulation 18 consultation in July 2024. Comments made on the interim reports have been considered by the Council and its consultants. All potential sites, broad locations and reasonable alternatives for development, and policies have been assessed in the SA and HRA reports. Updated SA and HRA reports have been produced for the Regulation 19 stage of the Local Plan, considering the impacts of proposed development sites and policies, including mitigation being secured through the Plan.

4. Options

- 4.1. The preparation of the new Medway Local Plan has involved a lengthy and complex consideration of options in defining an appropriate strategy for our area's sustainable development needs. The Council has consulted on options for growth strategies, broad locations and specific sites for development as part of the plan making process. Most recently there was a 'Regulation 18' public consultation in 2024, with details of potential development sites under consideration. This consultation document was informed by an interim Sustainability Appraisal (SA), which considered the social, environmental and economic impacts of development approaches and individual sites. The SA is an iterative process, and an updated report has been prepared for the Pre-

Submission Draft Medway Local Plan to be published at Regulation 19. The SA process provides a tool to help assist in drawing up a Local Plan that meets the requirements of sustainable development. The SA has a specific purpose in identifying and assessing alternatives, to inform decision making in determining a sustainable development strategy and plan content. The iterative stages of SA have included consideration of different levels of growth, and approaches and locations for growth.

- 4.2. The proposed Regulation 19 plan is based on a thorough analysis of options for defining and managing Medway's growth, using an evidence-based approach to justify the strategy and policies to meet the plan's vision and strategic objectives.
- 4.3. Given this context of the legal position that the Medway Local Plan has now reached in approaching publication at Regulation 19, the options appraisal is focused on procedural matters:
- 4.4. Support the publication of the Pre-Submission Draft Medway Local Plan – this provides certainty in progressing the plan towards examination and adoption.
- 4.5. Seek an additional consultation stage on options in the Local Plan – this would need to be carried out under Regulation 18, and would significantly delay the progress of the Medway Local Plan to examination and adoption. The absence of an up-to-date Local Plan leaves Medway open to speculative development and in a weaker position in managing development and attracting investment, as a new Local Plan provides greater clarity and confidence for local people, wider stakeholders and developers. The potential advantages of this option would be to provide additional opportunities for consultation and engagement before selecting a preferred development strategy.
- 4.6. Seek amendments to the content of the proposed Pre-Submission Draft Local Plan prior to its publication for representations at Regulation 19. This could result in lengthy and costly delays to the plan-making process. Changes to the spatial strategy, where sites are removed, and/or new sites brought into the strategy would require re-appraisal through the evidence base. This would include new iterations of the Strategic Transport Assessment, Habitats Regulations Assessment and Sustainability Appraisal, and would be likely to take months to complete, given the complexity of the technical assessments, and the requirements for linked evidence base reports to be subsequently revisited, such as the Viability Assessment and Infrastructure Delivery Plan. The advantages of considering amendments prior to the publication of the Draft Plan would be to increase engagement in the plan-making process.
- 4.7. It is considered that the most appropriate option is to proceed with publishing the Pre-Submission Draft Plan for representations. The Regulation 19 process allows for comments to be made on the soundness and legal compliance of the draft Plan. Representations can set out changes sought to the Plan, such as removing or adding sites to the development strategy, and policy wording. These representations will be considered by the Planning Inspector appointed

to examine the Plan. This legal process provides the opportunities for further considerations of amendments to the Plan before adoption.

5. Advice and analysis

- 5.1. The programme and timetable for the preparation of the new Local Plan is set out in the Local Development Scheme (LDS), 2024. This report is in line with the timing of the key stages set out in the LDS:

Stage	Date
Regulation 18a – Setting the direction for Medway 2040	September - October 2023
Regulation 18b – Reasonable alternatives of the spatial strategy and draft policies	July - September 2024
Regulation 19 – Publication of the Pre-Submission draft local plan	June 2025
Regulation 20 – Representations on the draft local plan	June- August 2025
Regulation 22 – Submission to the Secretary of State	November 2025
Adoption – determined on outcome of Examination	December 2026

- 5.2. The purpose of the Regulation 19 consultation is to inform the independent examination of the Local Plan. The examination of the Plan considers if it is legally compliant, sound, and complies with the Duty to Cooperate on cross border strategic matters. Representations to the Regulation 19 Plan must be made under these three aspects.

- 5.3. These tests are further explained in the NPPF 2024 at paragraph 36:
‘Local plans and spatial development strategies are examined to assess whether they have been prepared in accordance with legal and procedural requirements, and whether they are sound. Plans are ‘sound’ if they are:

a) Positively prepared – providing a strategy which, as a minimum, seeks to meet the area’s objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;

b) Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;

c) Effective – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and

d) Consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in the NPPF and other statements of national planning policy, where relevant’.

- 5.4. This report outlines the process followed and information used by the Planning Service to prepare the Regulation 19 Draft Local Plan. It is considered that the Draft Plan meets the requirements of plan-making and the tests of examination – meeting legal requirements, aligning with national policy, and providing an appropriate and effective growth strategy to meet the area’s development needs. The Draft Plan has been informed by engagement, advice and technical information provided through the Regulation 18 consultations in 2023 and 2024. The process has considered a range of alternatives to development sites and broad locations in defining a preferred growth strategy. The Planning Service has worked with neighbouring local planning authorities and statutory consultees in developing the Plan, and identifying and assessing strategic matters and cross border impacts. It has addressed cross-boundary strategic matters, and the Council has actively engaged in the Duty to Cooperate process.
- 5.5. The government updated the NPPF in December 2024, and has issued various updates to national Planning Practice Guidance (PPG) since July 2024. The Planning Service has taken account of these policy and guidance updates, such as the new definition of ‘grey belt’ in producing the Draft Plan. The Council is also aware of Government’s expectations to meet local housing needs, recently updated to 1,636 homes a year in Medway, and for Plans to be well prepared for examination.
- 5.6. The Draft Plan is considered sound. It has been positively prepared, meeting Medway’s development needs. It is an approach based on evidence, and which demonstrates how alternative approaches have been considered. The plan is deliverable and the housing trajectory robust. The Draft Plan aligns with national policy, including recent updates. It sets the direction for Medway’s future and provides a framework to secure development that respects the natural and built environment, supports Medway’s economy and provides for the needs and well-being of local communities. It is considered appropriate for the Pre- Submission Draft Plan to be published for representations this summer, in advance of submission for examination.
- 5.7. Following the close of the Regulation 19 public consultation period, the responses (representations) will be recorded, and reviewed. The main issues arising from the consultation will be summarised for the Local Plan Inspector. The Local Plan and the representations will be submitted to the Planning Inspectorate for examination by an Inspector to be appointed by the Secretary of State. This will help the Local Plan Inspector to plan for the examination and to identify a series of questions that they would like the Council to respond to. It is normal procedure that there will be a range of questions that the Inspector will ask for a response to. These can range from matters of clarification in terms of how for example, sites were selected for development or very specific questions that the Inspector would like clarified.

- 5.8. As part of the representation review process, it is envisaged that it may be appropriate to provide the Inspector with a schedule of amendments to the Plan which address comments that have been made. For example, this could include minor amendments to policy wording or other minor editorial adjustments to the Local Plan (such as points of clarity or typographical errors). It is proposed that this schedule of amendments would then be submitted to the Planning Inspectorate alongside the Proposed Submission Medway Local Plan (Regulation 19). The proposed changes will not be considered as part of the submitted Plan, however they are submitted so they can be considered by the Inspector during the examination process. The Inspector that has been appointed to conduct the Local Plan examination will then advise whether they consider the proposed minor amendments to be appropriate. This is standard practice for Local Plan examinations and assists all parties to understand the Council's position.
- 5.9. If changes to the Proposed Submission Local Plan (Regulation 19) are suggested by statutory consultees or new issues are raised, these will be addressed in Statements of Common Ground (SoCG) with those parties, which will be submitted as supporting documents to supplement the schedule of changes. These may also lead to proposed minor amendments to the plan which will be considered in the same way by the Inspector during the examination process.
- 5.10. If an issue is raised that results in significant change needing to be made to the Plan which fundamentally affects its soundness, it may be that this would need to be reconsidered by the Council.
- 5.11. The role of the Plan is to provide for sustainable development. Sustainability Appraisal (SA) is intrinsic to the plan making process. An SA has been prepared for the Regulation 19 Draft Plan. (see Appendix 3) This considers the potential impacts of proposed policies and growth options and sites on a matrix of economic, environmental and social objectives. This provides an evidence base to inform decision making and transparency of information for interested parties. The aim of the Plan is to provide for sustainable growth, and this is reflected in the selection of potential development sites and locations, and the content of policies. However, the scale of growth needed in Medway over the plan period will involve significant change and potential impacts are noted in the SA report. The SA reviewed how the proposed policies mitigate the potential negative impacts and contribute to positive impacts. Recommendations have been taken from the SA to strengthen wording in policies.
- 5.12. A Diversity Impact Assessment has been prepared for the Regulation 19 Draft Local Plan and is set out in Appendix 4. The Local Plan impacts on many aspects of the economy, environment and society, so has potential implications for the wide community. The Plan provides for a mix of housing types to suit different needs and households, seeks to secure services, green spaces and healthy environments close to where people live.

6. Risk management

- 6.1. The preparation of the Local Plan is subject to a large number of risks, including the impacts of external policies and developments, challenges and objections to the plan's proposals, and internal resourcing issues. These are considered in the table below. As the Plan is now approaching the latter stages of the plan making process, some of the risks are now more related to the independent examination process. These include objections to the plan and challenges that the plan is not legally compliant and/or has met the tests of soundness. The significant changes proposed across Medway with development allocations of over 21,000 new homes will generate concerns and challenges, particularly from residents, community and voluntary organisations and some developers and land-owners. This may bring a risk of criticism of the Council and its preferred approach to managing Medway's growth needs. The Draft Plan is supported by a wide-ranging evidence base and the Regulation 19 stage is a material consideration in decision making on planning applications. This helps to manage the risk of speculative development.

Risk	Description	Action to avoid or mitigate risk	Risk rating
Delays to plan adoption through slippage in Local Plan programme	Lack of certainty in managing Medway's growth and area open to speculative development.	<p>The current programme is set out in the Local Development Scheme (LDS) approved in December 2024.</p> <p>Publication of Regulation 19 Draft plan is a material consideration in determining planning applications.</p> <p>Meeting the timetable for the Regulation 19 stage supports the timely submission of the Draft Plan for examination.</p>	CII
Government intervention	The Secretary of State can intervene in the Medway Local Plan process, which could undermine local control of the appropriate strategy for Medway's growth.	Ongoing engagement with MHCLG officers and Planning Advisory Service. Meeting programme set out in the LDS	CII
Resources - financial	Budget pressures could constrain work on the publication, submission and examination of the draft local plan, potentially	Planning Service to provide clarity on projected budget needs for timely consideration by senior management and members,	CII

Risk	Description	Action to avoid or mitigate risk	Risk rating
	impacting on the quality of work, and opening up challenges to the plan.	and ongoing budget monitoring.	
Insufficient resources – Planning Service	This includes the size of the Policy team, skills and experience, and competing commitments outside core Local Plan work. There is the risk of insufficient capacity to effectively carry out the necessary work.	The Policy team is fully staffed, and is supported by the wider Planning Service and other corporate and external services, and consultants to progress work on the plan.	CII
Successful challenges to the soundness of the Plan	Inability to justify Plan content and spatial strategy, and demonstrate deliverability could lead to challenges or failure at Examination.	Collation of wide-ranging evidence base and robust SA process has supported preparation of Draft Plan, published at Regulation 19 to demonstrate the reasoning for the direction and content of the Draft Plan.	CII
Objections to the preferred spatial strategy and site allocations	Challenges raised at Regulation 19 and Examination to the Plan's growth strategy and specific sites, if successful could result in changes prior to adoption. Criticism of Council's preferred strategy could involve reputational damage.	Clear communications on reasons for identified spatial strategy, with reference to the SA and the HRA, and the evidence base which have informed the direction of the Draft Plan.	BIII
Plan not effective in delivering sustainable development	Plan at risk of being found unsound, with uncertainty on delivery of development. Strategic sites and infrastructure dependencies may delay delivery.	Housing trajectory has been informed by best practice and market engagement. Infrastructure requirements identified and prioritised. Ongoing monitoring and review mechanisms.	CII
Successful legal challenges to plan	This could lead to failure at Examination. Key grounds of challenge are on the SA process and Duty to Cooperate.	Independent SA process has met legal requirements. Ongoing work on Duty to Cooperate on cross border issues, and further work with neighbouring LPAs.	CII
Engagement with statutory consultees,	These bodies may raise challenges to the Plan, and lack of collaboration on	The Council has actively engaged with statutory consultees in the	CIII

Risk	Description	Action to avoid or mitigate risk	Risk rating
neighbouring local authorities, prescribed Duty to Cooperate bodies, and infrastructure providers	strategic matters may have implications for Medway's plan. Significant projects and developments may impact on Medway.	preparation of the plan and collaborated in cross border strategic working. The draft Plan will be accompanied by a Duty to Cooperate report and a Statement of Common Ground with key parties. This identifies projects and developments that may have cross border impacts on Medway.	
Resourcing effective consultation and managing expectations on Council's response to changes to plan	Formal publication at Regulation 19 has time and resource implications and may raise expectations that cannot be met, particularly in the Council responding to comments for changes sought to the Plan.	Communications plan to be clear on purpose and scope of Regulation 19 stage in non-technical language. Programme includes public events, and non-technical materials. Use of bespoke consultation software and review of assessment processes and seeking external support in analysing and collating Reg 19 representations prior to Submission if necessary.	BIII
Strategic infrastructure mitigations not secured	Lack of funding/certainty on delivery could be a barrier to demonstrating sustainable development.	The Draft Plan is supported by an updated evidence base on Infrastructure Delivery and Viability Assessment, and sets out policy requirements for infrastructure. Ongoing work in securing external funding.	BII
Changes in national planning policy impact on Local Plan	Revisions to national policy could require significant changes to work on the Local Plan, which could delay progress and create further uncertainty.	Ongoing review on policy changes, including consideration of NPPF 2024 update. As the plan is reaching Regulation 19 stage, in preparation for submission for examination, national policy changes will potentially present a lower risk, as a transition period is generally given.	CIII

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

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

7. Consultation

7.1. The Council carried out a 'Regulation 18' stage consultation on the emerging Local Plan between 15 July and 8 September 2024. This consultation provided details of draft policies and options for development, and a number of supporting technical evidence base documents. The consultation was widely promoted through direct contact with key consultees, organisations, residents, developers, and wider stakeholders who had signed up to the Planning Service's local plan contact list. In addition, the Council's Communications team used a wide range of channels to publicise the consultation and raise awareness of the Local Plan. These activities included local media briefings, social media, online and printed notices and articles and e-bulletins before and during the consultation. The Council made good use of online resources through its website. In addition to the consultation documents, the online materials included bespoke videos, a podcast, including a presentation and interview session with the Portfolio Holder and Chief Planning Officer, and non-technical explanations of the emerging Plan. Briefings were held for Council members and Parish Councils. Printed copies of the consultation document and supporting plans were available to view in public libraries and community hubs across Medway. The Planning Service held 10 staffed exhibitions in towns and villages across Medway, and five stakeholder events. Over 600 people attended the staffed exhibitions, and the website content was very popular. There were over 50,000 viewings of the Local Plan videos and 11,000 viewings of the podcast. This blended approach of online resources and staffed events was considered successful in raising awareness of the Local Plan.

7.2. 403 written representations were received to the consultation. Comments were received by a range of stakeholders.

Respondent type	Number of responses	
Member of the public	255	(63%)
Developers / agent for developers	69	(17%)
MPs, Members and Parish Councils	31	(8%)
Statutory bodies	19	(5%)
Voluntary & community organisations	18	(4%)
Other	7	(2%)
Business	4	(1%)
Total	403	(100%)

- 7.3. The issues raised at the consultation events and in the written submissions generally reflected the nature of the stakeholder. Local residents were largely concerned about the scale and impact of planned growth across Medway, and particularly the pressures on services and infrastructure, including health, schools and transport. People also raised issues about the cost and mix of housing. Representations from developers largely focused on site promotion, meeting national planning policy requirements and providing for flexibility in the Plan to be responsive to changing circumstances over the plan period. Interest groups, statutory consultees and voluntary organisations provided detailed comments on specific policy wording and aspects of the spatial strategy. The comments received in the 2024 consultation have been recorded and analysed by the Planning Policy team. Planning officers have considered each written comment in assessing changes to the draft policies which were published for consultation, and in identifying an appropriate development strategy for the Local Plan. The 2024 Regulation 18 consultation responses have been published on the Council's website. The Planning team has produced a Consultation Report (see Appendix 5) summarising the process followed, the responses received, and how the Council has taken account of the matters raised.
- 7.4. The publication of the Pre-Submission Draft Plan at Regulation 19 has a different status than the consultations held at Regulation 18 stage in the preparation of the Local Plan. The Regulation 19 consultation needs to follow the formal statutory process set out in the relevant legislation. The Regulation 19 consultation is the last stage of public engagement before the Council submits the draft plan to the Inspectorate for examination. This is a formal process that requires comments to focus on the soundness and legal compliance of the plan. Comments made during the publication period will be considered by the Planning Inspector appointed to examine the Local Plan. People will be asked if they consider that the Plan is legally compliant; sound; and if it complies with the Duty to Co-operate. Where they answer no to any of these questions, they will have the opportunity to provide details on their view, and to set out their suggestions for modifications to the Plan to make it legally compliant and sound.
- 7.5. Subject to approval there will be a six-week consultation period in which people, organisations and businesses can make their representations on the Draft Plan. It is proposed that the publication period runs from 30 June to 11 August 2025.
- 7.6. The Council is organising the communication programme for the Regulation 19 stage following a similar approach to the programme for the Regulation 18 consultation in 2024. This will involve publicity, communications and engagement work. This includes raising awareness of the opportunity to make comments on the Draft Plan and explaining the proposals to mixed audiences. The approach will use both online resources and in person events and briefings, and there will be hard copies of documents in public libraries for viewing. Materials and information on the plan will explain in non-technical language the legal requirements of Regulation 19, and how people can make comments.

- 7.7. Officers have discussed the work on the Draft Local Plan with members of the Local Plan Cross Party Member Working Group in May. Briefings for all Members, through political groupings, have been set up for late June, before the Council meeting on 26 June. A briefing for Parish Councils will be held at the Rural Liaison Board meeting on 25 June.
- 7.8. A programme of public exhibitions is proposed during the consultation period at venues across Medway. These will provide opportunities for people to view the proposals in the plan and speak to Council officers. There will also be a range of materials to view online, reflecting the evaluation of the role of the website in the Regulation 18 consultation in 2024.

8. Climate change implications

- 8.1. The purpose of the Local Plan is to secure sustainable development across Medway. The Council must ensure that the Plan makes effective provision to mitigate and adapt to the impacts of climate change. This is a requirement of national planning policy. It is recognised that significant growth in Medway up to 2041 will have implications for the natural environment and the Local Plan will need to set out an effective strategy and policy framework to address the climate emergency. The Local Plan has an important role in contributing to the Council's aims for a net zero carbon Medway by 2050.
- 8.2. The need to address climate change is intrinsic to the plan. The commitment to provide for sustainable growth that adapts to and mitigates the impacts of climate change are stated in the vision and strategic objectives of the plan. There is a strategic Planning for Climate Change policy that will apply to all development. Many wider policies also reflect the aspirations to reduce carbon emissions and provide mitigations and adaptations. These include policies for transport, green infrastructure, water management, and design. The Regulation 19 Draft Plan is accompanied by a SA, and HRA. The SA report considers the potential impacts of proposed policies and site allocations and growth options on a range of economic, social and environmental measures. The report details the potential impacts of each proposed policy, growth option and site against the SA framework. The SA framework includes objectives for:
- climate change mitigation (minimise Medway's contribution to climate change);
 - climate change adaptation (plan for the anticipated impacts of climate change);
 - pollution and waste;
 - natural resources; and
 - transport and accessibility (improving the choice of sustainable transport and reducing the need to travel).
- 8.3. The SA recognises that the scale of growth proposed in the plan to meet development needs will have environmental impacts, including additional energy use, waste and pollution. The SA has assessed how the policies in the plan can mitigate the impacts, such as reducing the need for car-based travel,

use of sustainable urban drainage systems, planning and implementing green infrastructure networks with development, and more energy efficiency in new buildings. The SA assessment has assisted in strengthening policy wording to achieve sustainable development.

9. Financial implications

- 9.1. The costs of preparing the Local Plan are met within the Planning Service budget. As part of the budget for 2024/25 the Planning Service budget was increased by £320,000 to cover the anticipated cost for the preparation of the Local Plan. In addition, the Council received a grant of £227,962.50 to support plan preparation from the Ministry of Housing, Communities and Local Government in March 2025. Any expenditure in excess of the current budget would represent a pressure on the budget for 2025/26.
- 9.2. The preparation costs have included commissioning of technical reports which are required as the evidence base for the Local Plan. This evidence base is now largely complete, with only shorter updates being anticipated to support the examination process. This will significantly reduce spend on technical reports. The examination process will involve the costs of a Planning Inspector, Programme Officer, legal and consultant advice. Following the adoption of the Plan, the Council will consider the process and timetable for carrying out a review, in the context of changes to national planning policy on plan making and anticipated local government review.

10. Legal implications

- 10.1. 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).
- 10.2. The publication of the Pre-Submission Draft Local Plan is a statutory requirement prior to the submission of the Plan to the Secretary of State for independent examination.

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Appendices

Appendix 1: Pre-Submission Draft Medway Local Plan, 2025

Appendix 2: Pre-Submission Policies Map

Appendix 3: Medway Local Plan Regulation 19 Sustainability Appraisal

Appendix 4: Diversity Impact Assessment

Appendix 5: Medway Local Plan Regulation 18 Consultation Statement

Background papers

The background papers listed below are available to download via the following link:

<https://medway.oc2.uk/document/30>

Hard copies of the background papers are available for inspection at the Medway Council offices (main reception), Gun Wharf, Dock Road, Chatham, ME4 4TR

01 - Medway Local Plan Regulation 18 Consultation, 2024

02 - Medway Local Development Scheme, 2024

03 - Medway Local Plan Land Availability Assessment, 2025

04 - Medway Local Plan Regulation 19 Interim Habitats Regulation Assessment

05 - Medway Employment Land Needs Assessment, 2025

06 - Medway Local Housing Needs Assessment, 2025

07 - Medway Retail and Town Centres Study, 2025

08 - Medway Gypsy and Traveller Accommodation Assessment, addendum, 2025

09 - Medway Strategic Transport Assessment, 2025

10 - Medway Landscape Character Assessment, 2024

11 - Medway Strategic Flood Risk Assessment, 2025

12 - Medway Green Belt Review, 2025

13 - Medway Infrastructure Delivery Plan, 2025

14 - Medway Village Infrastructure Audit, 2025

15 - Medway Local Plan Viability Assessment, 2025

16 - Medway Local Plan Health and Wellbeing Topic Paper, 2025

- 17 - Medway Health Impact Assessment Toolkit, 2025
- 18 - Hot Food Takeaway Guidance Note, 2025
- 19 - Medway Heritage Asset Review, 2025
- 20 - Medway Local Plan Duty to Cooperate report
- 21 - Medway Local Plan Initial Proposed Composite Statement of Common Ground with Statutory Bodies
- 22 - Initial Proposed Statement of Common Ground with Thurrock Council
- 23 - Agreed Statement of Common Ground with Kent County Council
- 24 - Self Build and Custom Housebuilding Topic Paper, 2025
- 25 – Medway Waste Needs Assessment, 2024
- 26 – Local Aggregates Assessment 2023
- 27 – Medway Minerals and Waste Topic Paper, 2025