



Ref:

11th May 2020

Catherine Smith
Planning Policy
Medway Council
Gun Wharf
Dock Road
Chatham
ME4 4TR

Dear Catherine,

**Re: Town and Country Planning Act 1990 (as amended)
Consultation on Proposals for the Hoo Peninsula**

Introduction

We act on behalf of F D Attwood and Partners and this submission responds to the consultation in respect of potential development on the Hoo Peninsula which relies on the provision of infrastructure to support a mixed development including up to 12,000 dwellings. The required infrastructure is to be financed, as we understand it, by the monies secured through the Housing Infrastructure Fund (HIF) bid approval secured in November 2019.

The formal consultation response form has not been completed because all suggested feedback response options relate to the quoted 'vision' of how a new settlement might best be delivered. It will be shown that the consultation document should instead be addressing more fundamental questions at this stage of the local plan process including;

1. Should the new community be developed in this location and is this comparatively the best spatial option available as a "building block" of the local plan?
2. What are the timescales for delivery? There is little recognition in the document that the £170 million HIF funding to deliver crucial rail, road and green infrastructure will be spent by the 2023 bid deadline. Instead the document suggests a 'vision' "that by 2037, this new settlement will be a thriving community" without any evidence to back this assertion up.

It is relevant that several unsuccessful attempts have been made by our clients during the HIF bid process to access information via both Medway Council and MCHLG (including Freedom of Information requests to both bodies). For these reasons, it is uncertain what extra capacity the HIF bid actually creates and how much of the public funding is dealing with existing capacity problems (or giving a recognised unsustainable location some basic credibility as a possible sustainable location for growth leading to a question of whether the planned infrastructure will create sufficient capacity for a 12,000 home development. As a result, it has not been possible to compare the 'value for money' from this £170m level of public investment in the scheme with other spatial options.

It is evident that as part of the HIF bid, a cost benefit assessment was undertaken but there is no evidence in the public domain that growth proposals for the Attwood family landholding (which offers a significant alternative urban extension option which is not reliant on any public funding to deliver infrastructure), will not deliver greater benefits. This is particularly relevant when account is taken of the fact that growth and supporting infrastructure in the Hempstead corridor would not only benefit new householders but also the existing neighbourhoods surrounding it.

There are similarities to the Tandridge Local Plan where the Local Planning Authority has committed, up until an advanced stage of the local plan process, a spatial strategy that was predicated on a new community at South Godstone that was reliant on HIF funding. After a recent announcement that the HIF fund bid had been unsuccessful, the Local Plan Inspector has questioned the Council's spatial strategy (the HIF Fund response from the MCHLG highlights the cost/benefit analysis findings and the Local Plan Inspector's follow up response letter is appended to this statement.

It is acknowledged that the situation in Medway is different where the bid was successfully announced in November 2019 but it would appear unlikely that this funding could be spent on the critical infrastructure within the time constraints of 2023 set out in the bid. We assert that a renewed HIF bid (or extension request) which would be submitted, within a completely different economic landscape, should not be presumed to be guaranteed and will need to be re-evaluated by the Government in due course. Even if the timing of the HIF expenditure is extended, the MCHLG have made clear in response to our submissions, that a commitment to funding availability should not pre-determine spatial decision making as part of the Medway Local Plan process.

Overall, we are critical of this timing of the "Hoo vision" consultation for the peninsula by Medway Council because this stage of the local plan process should, we feel, be focused on evaluating the best location for growth for Medway. Instead, the vision document in our view represents a sales promotion brochure for one preferred spatial destination that the council has been pursuing unsuccessfully as a general location for decades now.

Vision Objectives?

The breakdown of the 4 key principles embodied in the vision document of being;

1. Landscape led
2. Access and movement
3. Vibrant and sustainable neighbourhood and
4. Attractive and tailored built form

are really no more than a commitment to best practice when planning any new community/neighbourhood and represent principles that could equally be applied to a greenfield site in other locations.

By the vision brochures own admission on Page 4 it states *'We also need to make sure that development takes place in the most appropriate places. This means that growth must be sensitive to the environment and be supported by services and infrastructure.'*

However, Medway Council has ignored a strategic spatial option owned by the Attwood family that would not only incorporate all of the above best practice 'vision principles' embodied in the consultation document but would also benefit the existing surrounding communities and in addition would have a greater chance of being delivered within a shorter timeframe with no reliance on public funding.

Comparative Environmental Effects

The vision document is apologetic of the environmental effects of development at Hoo and whilst the general narrative and supporting images are attractive, the design theme of 'homes set in rural character' is a recognition of the sensitivity of the character of the area. The proposed branding of the five individual character areas as 'parkland', 'riverside rural town', 'village living' with the focus of development alongside the proposed rail hub described as 'contemporary living', are an acknowledgement themselves of the sensitivity of the landscape.

It is asserted in the document that these character areas will allow housing to be assimilated within the landscape, with the green corridors functioning to separate Hoo St Werburgh and Chattenden and High Halstow and Hoo St Werburgh and maintain what are considered the important strategic gaps of Chattenden and Strood. This green infrastructure, it is stated, will maintain the rural character of the peninsula serving to consolidate the natural buffer between urban and rural Medway.

The assertion that growth of this scale circa 12,000 houses with road, community services employment and infrastructure can safeguard the wider rural character of the Peninsula and maintain its distinctiveness from 'urban Medway' south of the river, is a bold and central assumption in the document. There is much emphasis placed in the vision document on green infrastructure, again funded by a £14m HIF fund bid.

The conclusion that the delivery of a country park is an attraction of positioning development growth in a remote and sensitive location, directly conflicts with Medway Council's assessment of its own existing green assets in "urban Medway". The council has previously claimed that patronage of the Capstone Country Park is low. This existing and underutilised green asset is a centrepiece of the Attwood family's own vision for the Hempstead corridor that will improve accessibility and maintain a green lung which is accessible to a very significant population catchment and will take recreational pressure away from the SPA and SSSIs on the Hoo Peninsula in line with Natural England's wider objectives.

Improving the land area, accessibility and facilities of Capstone Country Park would be of benefit to new and existing residents in the catchment area securing investment in an existing asset to make it more attractive and usable. Nor would such a locational selection be reliant on some £14 million of public funding. Although we cannot access any cost benefit results undertaken to date, by any comparison index, the delivery of enhancements to the Capstone

Country Park would have wider benefits than the vision for Hoo which look to be offered in an attempt to lessen the impact of development on the character of the area and to prevent sprawl of the Medway urban area on to the peninsula and to mitigate the more significant biodiversity impacts. National planning guidance is clear that the correct spatial assessment approach should be to avoid harm in the first place only seeking mitigation when the harm is unavoidable. This approach has been highlighted to Medway Council at earlier consultation stages of the local plan by both Natural England and the Kent Wildlife Trust.

Page 12 of the vision document concludes; ‘these measures will ensure natural and gradual growth of Hoo without losing its rural identity, rather strengthening it through better accessibility and the overall quality of life.’ These statements represent a simplistic aspirational narrative of what is necessary to make an unsustainable location more acceptable for policy decision makers driven by a singularly focused leadership commitment to a new settlement on the Peninsula without an objective assessment of the alternatives. This was the reason that the Medway Local Plan was previously forced to withdraw and because of the limited availability of background evidence and recognition of the true environmental effects of development of this scale on the peninsula, there is no evidence to suggest that this comparative assessment, which should be a building block of the local plan, has been undertaken to date.

There are other environmental implications of development aside from the impact of development on the wider character of the area and existing settlements which are not acknowledged within the vision document including;

- Air quality because of the proximity of Hoo to an air quality “blackspot”.
- The environmental implications of necessary supporting road infrastructure including the proposed road “bypass” of Chattenden, which is not detailed to any degree in the document or evidence base and because the alignment is not clear, the impact on the SSSI are not in the public domain and how this will impact on the SSSI is also uncertain.
- General highway capacity issues.....The existing problems of the Four Elms roundabout which have already led to a separate Local Economic Partnership (SELEP) funding being successful committing over £11 million to improve capacity issues between the M2, Junction 1 and the Medway Tunnel. There is little evidence in the public domain about the additional infrastructure that will be delivered by the circa £86m of HIF funding or the resultant environmental implications of what is planned (e.g there is a reference to a flyover between Main Road to the Wainscott bypass) and the suggestion that this infrastructure will be delivered before 2023, is optimistic in our view.

Landscape and Habitats

The Hoo Peninsula has been the subject of studies of both its landscape and biodiversity. The Green Cluster Study of the Peninsula published in March 2008 and in which the council was a stakeholder, is one of a number that seek to create a green grid across the public realm and sets out ways to implement it. It concisely defines the qualities and character of the Peninsula as follows;

The Hoo Peninsula shelters the River Medway forming a buffer and landscape setting for Medway City. The wide ridge at the core of the peninsula is a solid backbone flanked by the vast, flat open Cliffe Marshes and Cooling Marshes to the west and the more secluded wetlands of Yantlet Creek to the east. Beyond Yantlet Creek, the Isle of Grain seems separate and remote despite a constant stream of heavy lorries servicing the industry and container terminal there. It is an exceptionally large-scale, exposed rural landscape, where domestic, rather “urban” villages and open farmland are juxtaposed with expansive coastal marshes and clusters of huge industrial buildings.

The Executive Summary states that the purpose of the Green Clusters Studies’ vision for the Hoo Peninsula draws together and expresses a common vision for the Cluster as a whole. It will create a more distinctive, valued landscape which will be attractive, popular and accessible to local communities, urban dwellers from Medway and visitors alike. It goes on to say that the Peninsula has long been perceived as a location for heavy industry and local communities typically have low expectations and morale.

Historic England produced a book in 2015 entitled *The Hoo Peninsula Landscape*. This was a substantial and informative publication that looked at the characteristics of the landscape in different locations and the manner in which historic uses and activity have resulted in the diversity it holds now. When discussing the future of the Peninsula’s landscape, the book concludes that change has created a distinctiveness of place and sustainable planning decisions need to recognise the cultural processes that have shaped it. It goes on to say that it is not a blank canvas upon which major change can take place without consequences for its historic character and the way that character benefits the people who live, work and spend time there.

The book concludes by stating that the Hoo Peninsula is highly prized for the beauty of its natural environment and contains habitats and populations of flora and fauna that are of international importance. Despite the impact of past and present industries on the Peninsula, it always was and largely remains, a predominantly agricultural landscape.

The current proposals for up to 12,000 dwellings in a mixed development, despite the proposed green infrastructure, will have a substantial impact on the character of the area. Development of the scale envisaged will also substantially change the character of the villages and the landscaped setting in which they lie and would appear inimical to the objectives of the Green Clusters Study and the findings set out in the Historic England book. This raises the question as to whether the Peninsula is a suitable place *per se* for the development currently being considered.

Development on the Peninsula will need to be assessed for its potential impact on habitats in the Thames Estuary and Marshes, Medway Estuary and Marshes and the Swale Special Protection Areas and Wetland of International Importance under the Ramsar Convention (Ramsar Sites). It will also impact on the Chattenden Woods and Lodge Hill Site of Special Scientific Interest (SSSI).

The emerging local plan will require a Sustainability Appraisal and Strategic Environmental Assessment to assess the likely effects of the plan when judged against reasonable alternatives. The plan will also require an Appropriate Assessment as set out in the Conservation of Habitats and Species Regulations 2017 (as amended) because development on the Peninsula as currently considered, will have significant effects on habitat sites. The

Sustainability Appraisal will also need to take account of the findings of the Appropriate Assessment.

Once again, the outcome of these findings may conclude that the Peninsula is unsuitable for the scale of development contemplated because the level of impact will be such as to be beyond the current provisions and requirements of the Thames, Medway and Swale Estuaries Strategic Access Management and Monitoring Strategy (SAMMS) or indeed any competent system of management and monitoring.

For these reasons it is considered that Medway Council has underestimated the manner in which the development will impact on the character of the Peninsula, particularly its landscape, the historic settlements within it and the wide ranging habitat interests of international importance. These are substantial constraints to development which the council has overlooked and failed to address.

The approach taken is the wrong way around. The constraints outlined above are clearly the determining factor in the level of development, if any, that might be accommodated on the Peninsula, whereas the council has come up with an untested level of development which at this stage is no more than an outline project promoted in untested terms for which there is no foundation.

Delivery

There are other factors that are relevant to the comparative assessment of housing delivery in the Hoo Peninsula relative to the Hempstead Corridor owned by the Attwood family which must be considered at this stage.

- The Attwood landholding is in single family ownership so there is no land fragmentation or land value equalisation issues between landowners.
- All infrastructure in the Hempstead corridor will be developer funded and this investment will also secure benefits to the existing surrounding population catchment. For the Hoo location, all of the public funded infrastructure investment is necessary to make a currently unsustainable location more sustainable and there will be limited wider benefits other than for the community that the infrastructure individual serves.
- If the £170m HIF fund is not spent by 2023, it cannot now be certain that the Government's funding commitment will be extended in the current economic climate. This risks Medway Council being placed in a similar situation to the Tandridge example case highlighted earlier in this statement. During the consultation, we sought points of clarification on the bid which was not forthcoming. The required infrastructure is substantial, and it was noted that it may require the compulsory acquisition of the necessary land to provide it. No understanding has been provided of the terms of the bid or the manner and timing of infrastructure provision and importantly who or what agency will effectively project manage the necessary works. There are many interrelated issues that would be required to make growth at Hoo a success including;
 - a) By what exact date in 2023 does the infrastructure need to be provided as a condition of the bid?
 - b) Who or what agency will oversee, co-ordinate and project manage infrastructure provision and indeed subsequent development on the Peninsula?

- c) Whether the money from the bid has to be repaid should the development yield a return?
- d) At what point are the first dwellings anticipated to be built? It is relevant that the first 800 dwellings at East Hill in the Hempstead corridor are subject to a current planning application that will go to Planning Committee in July 2020 and will be capable of delivering housing in 2021 with other phases following promptly should this wider area be allocated.

The vision document does not include any breakdown of phasing. A fundamental of the vision and attempting to make this location more sustainable is the circa £63m public investment in rail infrastructure including the provision of a new station at Sharnal Street. The vision document recognises that higher density and a range of medical, education and other services will be delivered around the proposed hub and this must be a building block of this whole growth option. This brings into question;

- a) whether the development can proceed if this rail infrastructure around the hub cannot be delivered and;
- b) if there is delay, what will happen to the delivery of later phases of planned growth which are acknowledged in the document to be totally reliant on the rail hub and the new core services and facilities (including education/medical and employment) that are proposed?

What is known at this stage is that rail investment has been costed and that £63 million has been identified for the provision of a new train station at Sharnal Street and potentially the construction of what is described as the Medway Chord to Higham. What is not clear from the figure for rail improvements is whether it takes into account the operating costs of the additional train service i.e. rolling stock, track access, electricity and staff. The other issue that is not clear is whether a demand assessment has been carried out to determine whether the scheme represents Value for Money (VfM), an issue that will be decided by the Department for Transport (DfT). A demand assessment is required to establish a Benefit Cost Ratio (BCR) i.e. the calculated return for every pound spent. The DfT considers a scheme to represent medium VfM with a BCR between 1.5 and 2.0 and a high VfM with a BCR of between 2.0 and 4.0.

Answers to these questions will determine whether it is realistic to expect rail infrastructure to be provided within the required timescale; and of course provision and justification for this level of expenditure relies on development in the manner proposed being a component part of the local plan which is not to be adopted until the end of 2021 at the earliest.

We are uncertain about the level of progress that has been made on rail provision and the position of the DfT in respect of any demand assessment. Also, if the Higham Chord is to be provided whether or not this requires the compulsory acquisition of land or whether disposal of the necessary land is to be through private treaty.

Highway improvements appear equally substantial and we question whether work at Four Elms roundabout and overall improvements to the A228 and A289 will be completed in the time required by the conditions of the bid. There is also the currently running issue of traffic modeling in respect of the level of development required through the local plan and Highways England's concern about capacity at the various junctions of the M2 Motorway. What level of

improvement to junctions 1 and 2 as well as junction 3 is necessary to accommodate the level of growth proposed on the Peninsula?

Employment is proposed as part of the vision, but this is located a significant distance from the motorway network. The Hempstead corridor growth option by comparison directly connects with Junction 4 of the M2. Employment at the Peninsula is a) not best placed relative to known locational interest by employment investors, b) will place more strain on the local highway network as employment traffic seeks to access the motorway network and c) the locational justification in the vision document to locate employment uses on the peninsula again seems to be motivated by making an unsustainable location more sustainable.

The vision also adopts the assumption that Hoo will become a 'sought after place', in other words, locationally purchasers will want to live there. Whilst it is easy to sell the location through the vision brochure, the 'better dressing' of the location on the peninsula is a gamble in terms of delivery. In this respect, proposal for the peninsula would be comparable to the long standing commitment to growth on the Isle of Sheppey for neighbouring Swale. It should be recognised that the Isle of Sheppey never developed in the planned timescale anticipated by Swale policy makers because of market demand and this is the reason why recent growth at Faversham and Iwade, adjacent to Sittingbourne, has needed to be recognised in local plan allocations. In the more recently adopted Swale Local Plan, because of the marginal viability (due to comparably low sales values) and in an effort to stimulate development, it has been accepted that development on the Isle of Sheppey will not contribute affordable or infrastructure contributions. We have attached the Barton Hill Appeal decision where the Inspector upheld the provision of zero affordable housing in a 700-unit development on Sheppey, (LPA Ref 18/503135/OUT and APP/V2255/W/19/3238171).

Conclusion

The vision document fails to make any mention of the reasons for the locational decision to focus on the peninsula relative to the comparative advantages of alternative growth options nor provide any focus on development delivery which are fundamental flaws of the consultation, and for this reason we conclude that feedback on the details of the vision itself is premature at this point.

For these reasons, the vision document functions at this stage as a 'sales promotion brochure', or example of best practice of what the planning system should be delivering and is very generic, without explaining why the same development principles, which are fundamental to good place making, could not be delivered in other greenfield locations in Medway. We are therefore concerned that the document fails to respond to the more relevant and primary function of spatial policy making at this juncture of the local plan process, namely could this vision be delivered in-

- A more sustainable location;
- With less environmental and biodiversity impact;
- Where a known market already exists for housing and there is strong employment demand because of the sites proximity to the M2 motorway;

- Represents an option that is not reliant on £170 million of Government funding for rail and road infrastructure necessary to correct some fundamental flaws in the choice of location in the first place and are therefore necessary before the peninsula could be given any credible acceptance as a sustainable location.
- which also relies on public funding investment in country parks to lessen the impact of development on the wider character of the peninsula when there are existing assets such as the Capstone Country Park where investment could be focused that would also benefit existing communities too.

Finally, the document fails to identify why the outlined design principles in the “vision” cannot be achieved at the edges of existing urban area where;

- a) infrastructure is already in place accelerating the delivery of housing and ;
- b) benefits delivered by the new development can also be spread to existing communities in the immediate urban area who will gain from new facilities, better public transport and road systems and green infrastructure and cycle and footway linkages. Such locations would promote social cohesion better in comparison with the Hoo Peninsula where an “island” of development is offered and where the facilities and services will have a limited wider benefit to existing communities.

For these reasons, it is maintained that the vision document is a generic universal brochure “selling” how residential development of scale should be planned to reduce its impact and is not a convincing justification why growth should be directed to Hoo. It is asserted that the documented design principles of a) landscape led, b) movement, c) vibrant neighbourhood and d) quality of built form could equally be delivered in any of the greenfield options available to Medway local plan policy decision makers.

It is concluded that the consultation at this stage of the local plan process should instead focus on what are the locational benefits of Hoo relative to other spatial available options. As part of this assessment, there should be convincing evidence available to justify from a cost benefit perspective why such a level of public funding is necessary just to make an otherwise unsustainable location more sustainable.

If this more fundamental question is not critically reviewed at this point then it would be justifiable to argue that the “vision” of a place should not be leading where the growth locationally should be sited as appears to be the case. Like previous local plans that have focused unsuccessfully at Lodge Hill and now the wider Hoo Peninsula, there is no evidence that the comparative benefits of an urban extension in the Hempstead corridor that can be delivered without the crutch of public funding have been properly examined. This represents a fundamental flaw of the spatial decision making process and the soundness of the plan, which we will be expanding upon when more details of the environmental and technical evidence supporting Hoo are understood and additionally whether the expected delivery rates for housing are realistic.

The final paragraph of the consultation document on Page 21 suggests that feedback will be considered in the drawing up of the local plan. Given that the Regulation 19 consultation stage

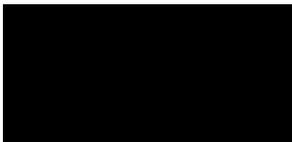
of the Medway Local Plan is due to be published in October 2020 and the fact that the document really is looking for feedback on matters of detailed place making; this consultation, combined with the timing of the HIF bid and lack of public information being made available to date, would suggest that Medway Council has continued a pre-determined focus on Hoo as the centrepiece of the spatial strategy. This stage of the consultation should instead be focused on the comparative advantages of Hoo relative to other spatial options.

Whilst we offer no comments on the 'vision', this is because it is generic and reflects best practice and in our view, represents a side-line issue with the most important consideration at this point being what is the best spatial location to accommodate Medway's growth in the most sustainable areas where the prospects of this development being delivered, are greatest and can be secured without public funding and where rather than creation of a 'neighbourhood island' infrastructure, benefits will also be felt by the existing surrounding population catchment.

We would welcome the opportunity to meet and discuss the contents of this response.

Regards

Yours sincerely



A J Hume

Principal

Hume Planning Consultancy Limited

Tandridge District Council. Examination of 'Our Local Plan:2033'

Inspector: Philip Lewis BA(Hons) MA MRTPI

Programme Officer: [REDACTED]

Tel: [REDACTED]

Elaine Jackson

Acting Chief Executive

Tandridge District Council

28 April 2020

Dear Ms Jackson

Examination of the Tandridge District Council Our Local Plan: 2033

As I indicated at the conclusion of the examination hearings on 28 November 2019, I intend to set out my thoughts on the Tandridge District Council Our Local Plan: 2033 (the Plan) and outline my thoughts on the way forward for the examination. Before I do so however, I have a number of questions arising from the recent decision by the Ministry of Housing, Communities and Local Government (MHCLG) in regard to the unsuccessful bid made to the Housing Infrastructure Fund (HIF) Forward Funding: Unlocking Strategic Development Sites (HIF/FF/577).

By way of background, the Statement of Common Ground with Highways England (SDTCE23) is clear that the impacts of the development proposed through the Plan as a whole on the Strategic Route Network would be in terms of the National Planning Policy Framework 'severe'. It is the view of Highways England that mitigation is required at Junction 6 of the M25 by 2024/25, unless a later date is justified. This strategic infrastructure is considered necessary prior to any delivery of dwellings at the proposed South Godstone Garden Community (Policy SGC01).

Given the outcome of the HIF bid, I would welcome your views on what the implications are for the delivery of the housing supply as proposed in the Local Plan including the proposed South Godstone Garden Community and for the soundness of the Plan.

In particular, I would welcome your comments on the implications of the HIF bid decision for the deliverability and developability of the proposed housing supply and for the housing trajectory. You may wish to consider whether there is a need to undertake further transport modelling to ascertain what is the level of development which may take place in advance of the necessary strategic infrastructure works which were to be funded through the HIF bid and delivered by 2024/25? It would be helpful if you could confirm your position through a statement of common ground with Surrey County Council as Highways Authority and Highways England.

I would also welcome your views on how, in the absence of HIF funding, any necessary strategic infrastructure would be secured and consider any implications for the viability of the proposals in the Plan, given that the HIF process has refined the infrastructure costs from those assumed in the viability assessment for the Plan.

The MHCLG letter also expresses a concern that the South Godstone Garden Community has the potential to create increased congestion on local roads, without clear mitigations. This appears at odds with the transport evidence submitted in support of the Plan where mitigation measures are proposed to address the transport effects. Could you explain the difference and what bearing does the conclusion reached in MHCLG letter have in relation to soundness?

Finally, we are at present working within the unique and difficult circumstances due to the Coronavirus (COVID-19). Please provide your realistic estimate as to when the Council will be able to respond to my questions given the present circumstances, with particular regard to the fact that answering my questions will require cooperation other bodies, including Surrey County Council and Highways England. Please advise my Programme Officer Mr Chris Banks accordingly and we can agree the way forward.

On receipt of this letter, the Council should make it available to all interested parties by adding it to the Examination website. However, I am not seeking, nor envisage accepting, any responses to this letter from any other parties to the examination at this stage.

Your sincerely

A solid black rectangular box redacting the signature of the Inspector.

INSPECTOR