

Dear Sir/Madam,

Background.

Since adopting its Local Plan (2003) Medway has attempted, unsuccessfully, three times to produce a Core Strategy/Local Plan. This is now Medway's third reg 18 consultation on this Local Plan. It is 2 years behind its November 2015 LDS and is now stuck at Reg 18 stage for a 3rd time.

Medway Councils failure to produce two core strategies is clear evidence of a significant problem with its plan making function. Its inability to allocate an SSSI (Lodge Hill) for development has left it no better off than pre-2011. It is against this backdrop of disappointing progress that this repetitive and wasteful consultation has taken place.

The Council's Housing land supply is almost 50% behind its 5 year supply target¹. Local residents and businesses report how Medway's economic performance continues to decline by a lack of an up to date economic strategy that could be delivered if they had an adopted Local Plan. Medway is relying on ad hoc, speculative development which lacks co-ordination that does not make the most of their areas potential.

Previous Reg 18 (2016 and 2017)

Without contingencies, the withdrawal of the Planning application at Lodge Hill has made all the previous options (Reg 2017) meet less than OAN. These are not options for development and Medway have to re-start Reg 18 again.

Natural England's letter dated 18th April 2017 confirms they are opposed to development within the SSSI at Lodge Hill and concerned with Medway's SA that has been used to support such a development. They state how such a development would be contrary to the sustainability principles contained in the NPPF and also fails to see how Medway have identified alternatives to Lodge Hill as suggested in a recent Inspectors report.

Comments from Natural England, Kent Wildlife Trust, RSPB, past Planning Inspectors, significant numbers of Medway residents, adjoining local authorities, two unsound core strategies and the allocation of an SSSI would have probably made any other Council give Lodge Hill up.

At Reg 18 (2017) additional work on infrastructure planning, viability testing, environmental and economic considerations and growth delivery was to be commissioned (I&O2 para 34). This has not been done and there is significant work Medway needs to do if it is to generate credible options for growth.

Reg 18 (2018) Objectively Assessed Need

Medway state that it's OAN for housing using the governments 'standard method' is 37,143 over the plan period. Medway understands that this housing need figure applies now. Medway's 2015 North Kent SHENA uses a Housing figure of (29,463) and is now out of date.

Scenarios.

Scenario 1 and 2 use the SHENA (2015) 29,463 out of date housing figure and neither meet OAN. They are not suitable options for development.

¹ Medway Authority Monitoring Report 2017 Net additional dwellings in previous years pp29

Scenario 3 aims to meet the Government's Standard method for calculating housing need as 37,143 over the plan period. However it fails to meet it by 1,182 and is not an option for development. There appears to be valuable land in the SLAA that may not have been included. Medway are probably ruling out usable sites and the SLAA may need to be reviewed. These and other issues are confirmed by a number of other respondents. However, Medway may not be serious about meeting this uplift figure. As mentioned in a recent Kent online² article. Medway's cabinet members were vocal with their criticism of the Government's uplift figure. A Council leader describing it as, 'something from Monty Python'.

Nevertheless, why were the public told Medway needed Lodge Hill when its OAN was only 29,463? It has now found housing land that exceeds this figure without Lodge Hill. Where have all these sites come from?

With its significant negative impacts on the SSSI why Scenario 4 has been put forward is unclear. Medway recognises the highest level of protection, given to land designated a SSSI. Paragraph 152 of the Framework³ advises that significant adverse impacts on any of the dimensions of sustainable development should be avoided by, wherever possible, pursuing alternative options. Medway understands the NPPF avoid, mitigate compensate principles. Yet it never makes a case how the benefits of development at Lodge Hill outweigh the impacts on the SSSI. Nor does the Council seek to argue that identified needs cannot be met elsewhere in the District.

We are told that Homes England is working with Natural England in compiling its evidence base and assessing its approach to Lodge Hill. The outcome of this, given Natural England's previous and recent comments, is awaited. We are also told that Homes England is preparing a new Planning application for Lodge Hill.

However, Medway appears to be proposing land swap where SSSI land at Lodge Hill could replace the need to release land at Lower Stoke and south of Shawstead Road in the Capstone Valley. Using principles in the NPPF maybe it should be the other way around? The documents then states that Housing at Lodge Hill (Scenario 4) would then be added to the land supply in Scenario 1. But this still does not meet OAN and is not an option for development.

I doubt the positive assessment of Scenario 4 in the SA is merited and the recommendations of the other Scenarios lack credibility. For example Scenario 3 is the least positively scored yet it is the one that comes closest to meeting the Government's Standard method for OAN for housing.

In summary none of the 4 Scenarios meet OAN. It is hard to understand why they have been put forward for public consultation. Together with a lack of important evidence from this and previous consultations, a SA that lacks credibility, it questions the validity of the options generation process.

If Medway pursues these scenarios to examination it may not be justified under para 182 of the NPPF. **Justified** – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence. So far under Reg 18 Medway may not have consulted the public on any reasonable alternative strategies.

² <http://www.kentonline.co.uk/medway/news/monty-python-jibe-at-housing-targets-181230/>

³ NPPF

At some point Medway may have to consult the public: 1) using enough housing land to meet its OAN or say why it can't. And; 2) explain why it needs to build on an SSSI or omit it.

Local Plan Intervention

With the above in mind the Governments recent Local Plan Interventions may become a priority where:

- the least progress in plan-making has been made
- policies in plans had not been kept up to date
- there was higher housing pressure; and
- intervention would have the greatest impact in accelerating Local Plan production

Medway Council have made no progress in plan making since adoption of its 2003 Local Plan. In the last 15 years it has been found unsound twice with 2 core strategies and is now 2 years behind in its Local Plan stalling twice at reg 18. Maybe a third. Even worse Medway's Local Plan 2003 contains out of date policies and saved policies dating from 1993. None of which are compliant with the NPPF.

Medway Councils Housing land supply is almost 50% behind its 5 year target⁴. Additionally, there is high housing pressure in Medway which has seen an uplift from 29,463 dwellings to 37,143 over the plan period. This is a significant increase. If the article in Kent online⁵ is to be believed Medway Councillors do not appear willing (at the moment) to accept this new housing target. Describing it as 'something from Monty Python...'

Its reported unwillingness to accept the uplift in housing need, may affect its co-operation to produce reasonable alternatives. If Medway continue producing its local plan is there a high probability it could, a) be found unsound at examination? and b) a fourth reg 18 consultation may result in further delays to the programme and further uncertainty over the requirements of the evidence base.

If so, the case for starting the intervention process is compelling and could be the best way forward. If reasonable help failed, may be neighbouring authorities could be invited to produce Medway's Local Plan, with support from PAS a significantly shorter program with evidential studies could be commissioned to support it.

Yours sincerely

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⁴ Medway Authority Monitoring Report 2017 Net additional dwellings in previous years pp29

⁵ <http://www.kentonline.co.uk/medway/news/monty-python-jibe-at-housing-targets-181230/>