

## “PLANNING FOR GROWTH” - HOO PENINSULA CONSULTATION DRAFT

### 1 INTRODUCTION

- 1.1 Rapleys LLP is instructed on behalf of AC Goatham & Sons to submit representations to Medway Council, as LPA, in relation to the consultation draft, entitled “*Planning for Growth*” on the Hoo Peninsula (“Draft Document”). The intended status of any adopted version of this document is presently unclear. For present purposes it is treated as an intended draft/supplementary planning document or guidance.
- 1.2 These representations follow on from earlier representations prepared by Rapleys LLP in respect of the Regulation 18 consultation (June 2018).
- 1.3 These representations include consideration of the following:
- Present stage of local plan-making process and its onward scheduling
  - Housing Infrastructure Fund
  - LPA’s overarching vision for development of the Hoo Peninsula
  - Constraints to development of the Hoo Peninsula.
    - Transport capacity
    - Pedestrian and cycle provision
    - Air quality and climate change implications
    - SSSI and landscape implications
    - Green infrastructure provision
    - Sustainability
  - Review of housing delivery and supply, encompassing SLAA 2019

### 2 LOCAL PLAN-MAKING PROCESS

- 2.1 Following regulation 18 consultation in Summer 2018, the LPA is yet to publish a draft Local Plan for regulation 19 consultation. The timescale for doing so has progressively slowed considerably. It is now very unlikely that the LPA will meet even their revised target (Local Development Scheme December 2019) of “*Summer 2020*”. The consultation document now broadly advises publication “*later this year*”. This is very unlikely to prove achievable.
- 2.2 Any adoption of a (sound) local plan even by December 2021, is now almost certainly unachievable.

### 3 OVERARCHING VISION FOR DEVELOPMENT ON THE HOO PENINSULA

- 3.1 Building on the regulation 18 consultation document (Development Strategy 2018), the Draft Document seems to continue to pursue ‘Scenario 3’ within the context of concentrated housing delivery of the Hoo Peninsula. This is despite the very recent approval by the Council of a sizeable housing scheme (202 units) at Land South of Lower Rainham Road.
- 3.2 The Draft Document is notably very limited in detail. It appears instead to adopt the format of an uninformed, very high-level ‘vision’ document. It does not incorporate any considered assessment but merely outlines the one proposed option: for the provision of up to 12,000 homes on Hoo Peninsula. Disappointingly, no consideration is given to any alternatives for the delivery of housing.
- 3.3 Quite aside from the demerits of concentrating housing development, of such a scale, on Hoo Peninsula, this represents a fundamentally flawed approach since the growth strategy will ultimately prove dependent on very significant infrastructure delivery and upgrading - of which, again, conspicuously no detail has been

provided by the Council. If any one of the significant and interdependent infrastructure projects (whether road or rail, etc.) were not to come forward, then consequently, the level of development provided would inevitably be frustrated - and in significant part.

- 3.4 It is unsatisfactory that a proposal for what amounts to a very significant level of development is so precariously dependent upon doubtful and vaguely expressed infrastructure schemes, the delivery of which remains without evidence and highly questionable.
- 3.5 In addition to infrastructure, various constraining environmental designations (including the protection of Hoo Peninsula's habitats, etc.) require appropriate protection and management. Other protections are afforded to various local landscapes. No detailed consideration is given within the Draft Document to the impact on protected habitats, features and landscapes, of a strategy for delivering c.12,000 homes. It presently appears doubtful that such constraints can sustainably be met.
- 3.6 Consistently, our previous representations fundamentally questioned whether the Hoo Peninsula is, first, the most sustainable location for significant housing development and second, if it is a sustainable location in principle, whether development of such a scale is sustainable and indeed deliverable. The Draft Document regrettably does nothing to alleviate these basic concerns.
- 3.7 We note that whilst the Draft Document incorporates a list of headline opportunities that provide for a (very high level) illustration of the potential of Hoo Peninsula sites, these fail to address the severe constraints associated with the envisaged level of development of the Hoo Peninsula. These do not extend into any meaningful discussion of sustainability or deliverability. The opportunities outlined are just three generic statements which purport (poorly) to address obvious concerns with development on the Hoo Peninsula. This includes: new inward investment in the local economy associated with large scale residential development; improvements to the road network and public transport, yet no assessment of how additional movements will be managed, is given; and, an improvement in the 'general quality of life', which may be true of many locations where up to 12,000 additional homes are proposed to be built. Overall, the insignificant opportunities do not begin to outweigh the major constraints noted within these representations and which are indeed recognised by the Council.
- 3.8 In addition, an alternative concern arises even were such large-scale development even sustainable in principle (which is strongly doubted). Should development fall materially below the level projected in the Draft Document, due (say) to lack of critical mass, then it would follow that many of the improvement opportunities outlined would also fall away. Such improvements are presently suggested to include an aspirational re-opening of the train station at Hoo and revival of some stopping passenger train services, in addition to road network improvements, and bus service and cycle route enhancements.
- 3.9 This concern is substantiated by the Council's approval on 28 April 2020 for 202 units on the unallocated site at Land South of Lower Rainham Road (MC/18/1796). The Council here acknowledges that Scenario 3 and the Hoo Peninsula cannot suitably deliver the quantum of housing it claims.

#### 4 HIF

- 4.1 The Draft Document is heavily reliant on HIF. There is clear acknowledgment that much of any development of the Hoo Peninsula will only prove possible in conjunction with HIF funded infrastructure and derivative investment. HIF was awarded in November 2019. However, the specific triggers for and any phasing etc. remains unknown.
- 4.2 To our knowledge there remains no published information detailing the content of the Council's HIF award. Three published reports to Committee provide scant information of the progression to the award:
  - Cabinet Meeting of 5 February 2019;
  - Council Meeting of 10 October 2019; and
  - Cabinet Meeting of 7 April 2020.

- 4.3 Development of the Hoo Peninsula was discussed at a Committee meeting on 10 October 2019. This report was inviting additional funding to allow for work to continue in association with the HIF bid. Whilst the decision was approved, the additional work required to be undertaken to properly formulate the bid (and ultimately to direct any award) and which had been briefly mentioned, is still yet to be published.
- 4.4 The report had stated that the work to be completed by December 2019 (if the expenditure deadline was to be met) included the publication of an Infrastructure Delivery Plan and associated viability assessment for the Hoo Peninsula. Unsatisfactorily, there remains no evidence that this work has been meaningfully progressed, still less completed, internally. No Infrastructure Delivery Plan has been published, to date.
- 4.5 The 7 April 2020 Report to Cabinet failed to detail the progression/timescales of any HIF funded projects, albeit it did suggest that all HIF money must be spent by 31 March 2024. No evidence has been published by the Council projecting any infrastructure works.
- 4.6 In the circumstances, there is serious doubt on the ability of the Council to allocate/expend all (or even the majority part) of the HIF money awarded. This is before any scrutiny is given of the triggers for HIF expenditure. This will, in turn, have obvious implications for the delivery of all infrastructure necessary to support development of the Hoo Peninsula.

## 5 CONSTRAINTS TO DEVELOPMENT ON THE HOO PENINSULA

### Transport Capacity

- 5.1 The Draft Document unsurprisingly confirms that the development of a small rural town on the Hoo Peninsula and extended employment areas will be much dependent on strengthened connections and significant transportation upgrades. Highway improvements to the existing A228 and A289, a new road and new rail passenger services are highlighted as key infrastructure projects.
- 5.2 A break-down of funding was outlined in a report to Committee in October 2019:
- Road investment - £86.7m
  - Rail investment - £64m
  - Other essential infrastructure - £14.3m
- [Professional fees - £5m]
- 5.3 The Council has suggested that this infrastructure will unlock the delivery of 10,000 new homes. The Council's own understanding is that this includes a 'deadweight' figure of 2,000 homes for Hoo Peninsula. 'Deadweight' has been approached by the Council as to mean the number of dwellings said to be capable of delivery when accounting for current infrastructure, without the requirement for HIF money. No evidence has been provided regarding how the deadlock figure has been reached, especially considering existing constraints acknowledged by the Council.

### Road Network

- 5.4 Identified, required, road improvements total circa £86.7 million. These include:
- improvements to A289 for:
    - Anthony's Way Roundabout, and
    - Sans Pareil Roundabout;
  - Four Elms Hill;
  - local road improvements Bells Land and Ropers Lane roundabout;
  - new bypass from A228 Main Road roundabout to:

- A289 west of Four Elms, and
  - A228 at Chattenden Road;
  - new signalised junction to replace roundabout at Main Road and Hoo Peninsula;
  - New signalised access road off Ratcliffe Highway for new train station at Sharnal Street.
- 5.5 The Draft Document confirms that HIF money will be necessary to bring about a reduction of traffic queuing on Four Elms Hill, an acknowledged area highlighted in the Draft Document to be a major constraint. No specification is given for these improvements, and so their acceptability cannot properly be assessed.
- 5.6 For the Council to even have the chance of meeting the HIF timescale (i.e. expenditure by 31 March 2024), this road scheme, as with others, would need to reach (developed design) ‘RIBA stage 3’ and include coordinated and updated proposals, realistically, as part of a December 2020 submission. There is no basis for thinking this to be achievable.
- 5.7 More generally, there is a continued absence of any detailed proposals in respect of required road investments, which the Council itself acknowledges.
- 5.8 If the Council has indeed completed design work as part of progressing the above road or other improvements, then this warrants publication, further consultation and review.

#### Rail

- 5.9 Proposed rail improvements, totalling £64 million, may include:
- Creation of new (direct) service from London Victoria to Hoo Peninsula:
    - Up to one train per hour frequency (said to be deliverable with existing infrastructure);
  - reopened station at Sharnal Street:
    - new modular station and platform;
    - passenger drop-off area;
    - new signalised access off Ratcliffe Highway;
    - new access road to the station;
    - public space;
    - car parking;
  - Link on Medway Cord line to Higham:
    - allowing freight to connect to Paddock Wood, without travel via London;
    - new services from Hoo to Medway via Higham and Strood;
    - Up to two trains per hour frequency.
- 5.10 No information has been forthcoming regarding possible rail improvements within the Draft Document. None is available online.
- 5.11 The accent within the Draft Document on rail infrastructure coming forward rather emphasises the importance of detailed infrastructure delivery plans to fully set out such proposed improvements, as well as the timescales and basis for their sustainable delivery.
- 5.12 In their absence it is obviously impossible to appreciate how these will enable or impact upon the deliverability more generally of housing on the Hoo Peninsula. The complete absence of this information is

the more disappointing given the Council's present direction of travel for the Hoo Peninsula to be a significant focus of the eventual submission local plan.

- 5.13 More particularly, in that the Council outlines its vision that the reopening of a train station may be achievable and an extended service provided, it is highly questionable that there exists the wider integrating infrastructure across the rail network to sustain this. Discussions with Network Rail appear to be at a very early stage. We anticipate that Network Rail will require a robust business case to justify the provision of a new rail service, subject to integration within the network.
- 5.14 Further, without the delivery of a new train station, it is questionable whether the significant level of development for Hoo Peninsula would prove sustainable and deliverable.
- 5.15 Even if sustainable in principle, delivery of rail infrastructure would inevitably take considerable time. Even were the Council now in a position to forecast the delivery of this infrastructure (which, evidently it clearly is not), its reliability would be questionable given the Council's track record.
- 5.16 It is by no means characteristic of a HIF award authority to withhold or fail to work up a properly developed infrastructure proposal. For example, the proposal by Essex County Council for Beaulieu Station and North Eastern Bypass is, openly, to provide a new railway station alongside highways improvements (including a bypass similar to that proposed by Medway Council). By an update published 19 February 2020, ECC had announced the following 'opening' dates:
- North Eastern Bypass - 2024;
  - Beaulieu Station - 2025/16.
- 5.17 A request for a Scoping Opinion (ref. CC/CHL/14/20/SPO on Essex CC's planning database) was also validated 21 February 2020 for: *Chelmsford North East Bypass (CNEB): A single carriageway road between Roundabout 4 of the Beaulieu Park Radial Distributor Road (RDR1) and a new roundabout on the A131 at Chatham Green plus dualling of the existing A131 between Chatham Green and Deres Bridge roundabout.*
- 5.18 We add that albeit Medway Council's HIF bid was c.£50 million less than that of ECC, it has seemingly been made in respect of broadly the same level of infrastructure works.
- 5.19 In clear contrast with ECC, the Council is regrettably yet to publish any detailed information for future HIF expenditure and intended HIF works.
- 5.20 Indeed, were ECC's infrastructure delivery trajectory to be adopted as any comparable guide, it appears highly unlikely that Medway will complete HIF infrastructure works before 2025.

#### Pedestrian & Cycle Provision

- 5.21 The Draft Document also rightly highlights various significant barriers to development of the Hoo Peninsula. But one notable constraint is the existing pedestrian network which is notably fractured throughout the Peninsula. Other parts of this network are unsafe (e.g. travelling north east along Stoke Road, and access between Peninsula Way and Stoke Road (north - south). Additionally, as also noted by the consultation document, Peninsula Way acts as a barrier for movement with limited safe crossings. Evidently, with proposed development to the north and south of Peninsula way, safe crossings are vital to allow for sustainable travel. However, the document provides limit information on how this will be provided, instead it loosely locates two areas on the peninsula where this might be possible.
- 5.22 The pedestrian network will certainly require very significant improvement, inevitably requiring significant investment - which it is presently uncertain to come forward.
- 5.23 There is additionally the road network, other than intended HIF road improvements. Ropers Lane has seen investment to improve the pedestrian and cycle routes yet many other roads have not (including between the new proposed train station, and proposed or existing settlements at Hoo and High Halstow along Christmas Lane and Ratcliffe Highway). It has not been demonstrated that any funding will be available

through HIF in order to carry out what amount to essential strategic infrastructure works in support of such development of the Hoo Peninsula.

#### Sustainability

- 5.24 The Hoo Peninsula is notably poorly connected to surrounding large towns such as Gillingham, Chatham and Strood. The Four Elms roundabout which serves as a gateway in and out of the Peninsula already suffers severe congestion. In the absence of any detailed evidence regarding improvement to the Four Elms roundabout, it is unknown whether this gateway can begin to sustain very sizeable development of up to 12,000 homes.
- 5.25 The Hoo Peninsula is also poorly connected by public transport. The bus service providing direct access to Rochester and Chatham is limited and journey times are often delayed due to congestion on Four Elms Hill and across the River Medway. There is also no rail service which provides high speed travel.

#### Air Quality & Climate Change

- 5.26 The gateway into Hoo Peninsula is the Four Elms Roundabout. There is a traffic bottleneck between the Four Elms roundabout and the roundabout at the junction of Peninsula Way and Main road. This stretch is included within an Air Quality Management Area. It is unknown how the Council intends to successfully develop an action plan for air quality improvement within this area, compatibly with the development of up to 12,000 homes on the Hoo Peninsula.
- 5.27 The only information showing any integrated consideration of air quality and development on Hoo Peninsula is briefly set out in the Council's 2019 air quality monitoring report. This rather unconvincingly suggests that the intended development of the Hoo Peninsula is likely to bring about air quality action planning benefits, including:
- increasing bus use, albeit this is dependent on traffic flow improvements, enabling shorter journey times and increased punctuality in services. Whilst an improved bus network may well be introduced when development come forwards, service take-up is a complete unknown and most likely to be marginal when compared with the considerable level of private car use. Private car use is not addressed;
  - promoting walking and cycling, through new walking and cycling routes via a Strategic Environmental Management Scheme. However, only a small proportion of pedestrians will be located within a reasonable walking distance of the proposed train station, which will likely give rise to only an immaterial reduction in private car use for those travelling through the AQMA; and
  - Hoo peninsula masterplaning.

#### SSSI & Landscape

- 5.28 Chattenden Woods and Lodge Hill are Sites of Special Scientific Interest (SSSI), including an area of ancient woodland and rare grassland, are of national importance. Any development inappropriately affecting the habitats and features of either of these sites and their ineffective management, will be contrary to national policy and no less important environmental policies of the development plan.
- 5.29 The Draft Document plainly proposes a very significant level of housing development in close proximity to (and directly abutting) the boundary of the Chattenden Woods and Lodge Hill SSSI. It is however unclear what justification the Council may provide for the arising impacts on the SSSI and whether an appropriate level of SSSI management could be achievable alongside development on this scale.

#### Green Infrastructure

- 5.30 The Draft Document outlines that a comprehensive green infrastructure network consisting of both natural green assets and public open spaces will enable travel to key destinations for pedestrians and cyclists. These areas are however currently shown merely as green buffers on a plan. No evidence has been provided of how much of these networks will be need to enable sustainable movement.
- 5.31 The green corridors and landscape buffers located between Hoo St Werburgh, Port Werburgh and Chattenden appear to be minimal. It is unclear how these will provide the necessary buffers required to adequately protect the characteristic open landscape of Hoo Peninsula.
- 5.32 Overall, it is far from clear how the constraints acknowledged by the Council will be adequately protected and with appropriate mitigation, where required. The very limited scope of the Draft Document fails obviously to detail and provide comfort that proposed development of the scale of anything approaching 12,000 homes can prove sustainable and deliverable. The strong appearance is that such significant focus within Hoo Peninsula will prove unsustainable and undeliverable.
- 5.33 We again urge the Council to develop alternative strategies for housing delivery.

## 6 HOUSING DELIVERY

- 6.1 The 2019 Housing Delivery Test (HDT) results were published in February 2020. The result in Medway is 46% (4,328 required; 1,978 delivered; 2,350 shortfall).
- 6.2 While the overall number of units delivered has increased since 2018, the overall result has worsened. Had the Council seen the delivery of just 53 fewer units over the previous three years, the result would have fallen to below 45%.
- 6.3 Next year (and for all those following) the presumption will be triggered by any delivery below 75% of housing required. The Council would have to see the delivery of c.2,200 units in the next year. This will almost inevitably prove unachievable.
- 6.4 The housing supply shortfall is expected to exacerbate extensively over subsequent years. Should the Council plan for such a large concentration of housing delivery in Hoo Peninsula, in respect which the delivery rate is expected to be slow, this will only undermine the Council's housing supply over the immediate and medium terms.
- 6.5 Since 2002, the Council's rate of delivery has averaged at 699dpa. Since the expiration of the Kent Structure Plan in 2011, this has reduced to 605dpa. When viewed against the standard method requirement of 1,693, this highlights an annual and increasing shortfall of an average of 1,000 units.
- 6.6 There is strong evidence that the Council has consistently over-estimated its housing supply. It has been unable to deliver more than c.3,400 units per five-year period, since at least 2009.

### 2019 SLAA

- 6.7 The 2019 SLAA suggests that all sites have been reassessed. However, within the Appendix 3 schedule, very little detail is given of this reassessment. Several sites are also now included which were acknowledged to be unsuitable by the preceding SLAA (June 2018).
- 6.8 The SLAA now includes 22 new sites located within the Hoo Peninsula, in respect of which it is suggested that HIF money will provide for appropriate mitigation. The SLAA inadequately suggests for all of these that "*Transport and environmental impacts to be mitigated by Housing Infrastructure Fund*". Of these sites, it is suggested that a total of 1,324 units will come forward over the next 5 years. In light however of the questionable support which HIF money will offer within this same timescale, the significant level of infrastructure which will be required, and the absence of detail over infrastructure delivery, this is a wholly unrealistic 'vision'.
- 6.9 Additionally, albeit there are 17 new sites which have now been considered suitable outside of Hoo Peninsula, the reason for promoting these sites is not set out, even in outline, for many sites. No update is

given in respect of 10 sites. 2 sites maintain previous text outlining that the site is “*unachievable and unavailable*”. There is presently no evidence as to the suitability and availability of these sites. Absent this, these sites may only properly be considered to be undeliverable. The contribution of these sites to overall supply (totalling 895) should be removed.

## 7 CONCLUSION

- 7.1 In summary, it is almost inconceivable that the Council will be able to progress the Local Plan in the timescale previously outlined. Aside from programme issues, a Plan which is proposing to concentrate housing development on the Hoo Peninsula represents a fundamentally flawed approach. Development on the Hoo Peninsula is dependent on very significant infrastructure delivery and upgrading, which is primarily proposed to be funded by HIF. There is serious doubt on the ability of the Council to use the HIF money awarded, in the timescale outlined. If any one of the significant infrastructure projects were not to come forward, then the level of development would also be impacted.
- 7.2 Albeit the Draft Document includes headline opportunities, these fail to address the severe constraints associated with the level of development envisaged on the Hoo Peninsula. But one major constraint is the need for necessary infrastructure. There is a continued absence of any detailed proposals in respect of potential road and rail investment. From the bare information available timescales are already slipping in relation to the delivery of such projects.
- 7.3 The Hoo Peninsula is poorly connected by public transport. The Draft Document offers notably limited information on how this will be improved. Indeed, Four Elms Hill suffers severe congestion, and the local bus network will be severely impacted. Four Elms Hill is the subject of severe air quality concerns, with this stretch of road having been included in an AQMA. It is unknown how the Council intends to successfully develop an air quality action plan for improving air quality whilst proposing up to 12,000 homes on the Hoo Peninsula which will inevitably increase traffic movements through the AQMA.
- 7.4 Equally, as noted in the Draft Document, the pedestrian network will require significant improvement. However, no detailed information is provided. From a review of the projected HIF spend, it is uncertain how these improvements may come forward. Additionally, the development of 12,000 homes will prove transformational in landscape terms and have a severe impact on the adjacent SSSI and other protected landscapes. The green corridors and landscape buffers located between Hoo St Werburgh, Port Werburgh and Chattenden appear to be minimal. It is unclear how these will provide the necessary buffers required to adequately protect the SSSI and characteristic open landscape of Hoo Peninsula.
- 7.5 Notwithstanding the flawed approach to development on the Hoo Peninsula, the Council has continually under-delivered on their housing requirement, with an annual shortfall of 1,000 units. This emphasises the need for well-considered, plan-led delivery housing, especially during the early part of the plan period and in evidently sustainable locations.
- 7.6 Overall, the level of development envisaged on the Hoo Peninsula is unsustainable and highly unlikely to prove deliverable. Even if sustainable, projected timescales offered by the Council are wholly unrealistic.