

Medway Local Plan 2020- 2040
(Regulation 18) Consultation 2023
Response from CPRE Kent

Introduction

We are CPRE, the countryside charity. Formed in 1926, CPRE is a registered charity and one of the longest established and most respected environmental groups in England, with over 40,000 members and supporters living in our cities, towns, villages and the countryside. CPRE Kent is the largest of the CPRE County branches.

Our vision is of a beautiful and thriving countryside that enriches all our lives, and our mission is to promote, enhance and protect that countryside.

We believe that the planning system is a toolbox for achieving better – for people, nature and the economy – while supporting the delivery of more badly-needed homes to end the housing crisis.

In general, CPRE Kent supports a development strategy which meets the following criteria:

1. Brownfield first, especially in urban areas and not in rural areas where it would result in unsustainable patterns of development
2. Development should result in sustainable communities
3. Provision in rural areas where there is an identified local need and the scale of development is appropriate for the size of the settlement
4. The plan should promote development in locations:
 - a. That are well supported by, or that will support, sustainable transport and active travel.
 - b. That are well served by regular public transport services and social and community facilities, that are in safe walking and cycling distance or would support, or result in, a sustainable settlement.
5. Ensuring our unique English countryside landscapes are protected and valued for the benefit of current and future generations.

Overall, it is our position that local planning authorities should seek to ensure that the impact of development on the countryside, both directly and indirectly, is kept to a minimum and that development is sustainable in accordance with national planning policy.

Our detailed comments on the Consultation Document are as follows:

1. Vision for Medway in 2040

CPRE Kent consider that overall, the vision appears to be a comprehensive and ambitious vision with positive goals. However, it will be vital that the final vision is far more specific than the text provided within the consultation document. That is, whilst the text discusses Medway's vision broadly, it lacks specific details and actionable plans. It's essential to have measurable goals and specific strategies to achieve them. For example, it mentions transitioning to a low-carbon economy and achieving 'net zero,' but it doesn't provide a clear roadmap for how this will be achieved.

Overall, whilst the text presents a positive vision for Medway's future, it could benefit from more concrete and detailed plans to achieve the stated goals. Providing specific strategies, measurable targets, and a clear roadmap will enhance the credibility and effectiveness of this vision.

2. Strategic objectives

Again, it is CPRE Kent's overall view that the strategic objectives are largely positive with a rightly strong emphasis on the need to conserve and enhance the natural, built, and historic environment, which aligns with CPRE Kent's goal of protecting the countryside. However, it is important that these objectives are not just lip service but translate into firm actions and policies that prioritise the environment over development.

For example, whilst the Plan talks about improving transport networks, it should also consider the impact of transportation infrastructure on rural areas. Building more roads will lead to increased car dependant development and urban sprawl in rural regions, which can negatively affect the countryside. This is a particular concern that we have had with respect to the Hoo Peninsula, as made clear within our responses to the various HIF related consultations we have previously participated in. Likewise, whilst we support the aspiration for high-quality houses that genuinely meets the housing needs of Medway, it is our view that there needs to be far greater emphasis within the strategic objectives of redeveloping brownfield sites over greenfield sites.

More specifically, we welcome the placement of delivering the Council's commitment to the Climate Emergency at the top of the proposed strategic objectives, though would encourage that this be expanded to also meeting the ecological emergency. As above, it's essential to have measurable goals and specific strategies to achieve them made clear from the outset of the plan.

In this regard, it is CPRE Kent's view that the countryside itself can provide many of the solutions to tackling climate breakdown and ecological emergency, while supporting rural communities and economies to thrive. We need development to meet local needs, while contributing to efforts to mitigate and adapt to the climate emergency. Sustainable development needs to be redefined to focus on living within environmental limits and the importance of addressing the climate emergency. At the national level, CPRE is campaigning for all new development to demonstrate a net negative carbon footprint, and for all plans and infrastructure programmes to demonstrate how they will achieve a reduction in total road transport, not just the need to travel, and that climate action is a key test of soundness in the examination of all development plans.

We therefore consider that the new local plan will need to give 'positive discrimination' towards the environment by giving clear priority to policies which seek to mitigate climate change. For Medway, fundamental to this will be ensuring that the overall strategy for the new local plan is firmly focused upon optimising the recycling of land that has already been used for buildings by adopting a truly 'brownfield first' strategy. This will need to be put firmly at the forefront of thinking as the plan develops so that it is clearly reflected within each objective of the plan.

Alongside this, we would expect to see ring-fencing of all environmental measures within the local plan viability appraisal as being non-negotiable fixed costs. This should include the need for all new-build residential development to be designed to achieve zero carbon homes, with a requirement for detailed carbon assessments demonstrating how the design and layout of the development has sought to maximise reductions in carbon emissions, a water efficiency standard of less than 100 litres and ensuring significant improvements in the dwelling emission rate over the target carbon dioxide emission rates. We would also expect to see proactive policies which increase the area of habitats that sequester and store carbon and those which support projects

for retrofitting the existing building stock. Again, this will need to be clearly reflected within the objectives of the plan.

Overall, the proposed objectives show a commitment to environmental sustainability, but it's essential to ensure that these objectives are effectively translated into precisely worded policies and actions that prioritise the protection of the countryside and its unique ecosystems. Furthermore, robust monitoring and enforcement mechanisms should be put in place to ensure that development does not come at the cost of rural landscapes.

3. Developing a Spatial Strategy

As a first and overarching point, we are concerned as to the emphasis already being placed within the consultation document on the extent to which sites submitted by developers (as part of the Land Availability Assessment) will dictate the overall spatial strategy. It is CPRE Kent's experience that this is a flawed approach to plan making as, consciously or sub consciously, it places too much undue influence in the hands of developers who will naturally prioritise their financial interests over the genuine needs of communities. In this respect, such an approach inevitably leads to predominantly greenfield only spatial strategy, as it is greenfield sites that are almost unilaterally promoted by developers, as it is greenfield sites upon which the greatest profits can be made.

Such undue reliance upon developer submitted sites inevitably leads to a haphazard spatial strategy that lacks a cohesive, long-term vision. This in turn neglects important aspects such as sustainable infrastructure, environmental considerations, and the social well-being of residents. A far more effective approach is one in the Council takes firm ownership of the direction of the spatial strategy from the start, which then proactively identifies potential development sites to deliver that strategy. As set out below, this may include targeted call for sites, though will certainly be grounded in comprehensive, evidence-based planning that prioritises the environment (and identifies the positive qualities and placemaking benefits of 'constraints' to the environment) and the well-being of both current and future Medway residents, rather than short-term developer interests. It is our strong view that such an approach would naturally lead to a true "brownfield-first" spatial strategy.

More specifically, we have read and considered the 2021 Local Housing Needs assessment and welcome that it at least considered alternatives to the "Standard Method". For Medway, a strategy predicated upon rushing to try and meet the arbitrary housing target as set by the standard method would be an unmitigated disaster and doomed to failure from the start. As set out within the document, Medway has been averaging a net completion of only 730 dwellings a year. To suddenly expect that this will increase to 1,667 dwellings a year overnight is frankly bonkers.

However, and as recognised by both the consultation document and the housing needs assessment, the Medway Local Plan timetable is to coincide with a period of change with respect to how Local Plans are developed. That is, it has been confirmed that the long-awaited revised version of the NPPF which makes it clear the Standard Method is to be an advisory starting point only is to be published this Autumn now what was the Levelling Up and Regeneration Bill has gained Royal Assent. The Levelling Up and Regeneration Act itself will now usher in a new streamlined Local Plan making process underpinned by an as yet unknown, new Standard Method for calculating housing supply, though one which will be based upon the more up to date 2021 census data. Even without these changes, it is the case the Housing Needs Assessment would need to be updated, which as a minimum would need to be based upon the most up-to population projections and 2021 census releases.

Against this background of current uncertainty, it is CPRE Kent's view that Medway should be doing everything it can to ensure its baseline evidence is as up-to-date and robust as possible. This is because the clear direction of travel is towards a Local Plan system which is able to genuinely take into account both the opportunities and constraints of a district in terms of setting housing targets. For Medway, we see significant opportunities with

respect to a local plan which spearheads the regeneration and improvement of its urban areas. Likewise, we see significant constraints with respect to the amazing environmental and ecological features that the district is blessed with, particularly upon the Hoo Peninsula.

Therefore, and for the reasons set out above and below, Medway Council need to take ownership of setting a spatial strategy which is truly deliverable and sustainable having regard to the opportunities and constraints of the district. It certainly must not allow the direction of its spatial strategy to be unduly influenced at this early stage by the simple availability of unsustainable greenfield sites being promoted for profit. Likewise, it should not allow trying to meet some clearly unachievable arbitrary housing targets panic the Council into pursuing an unsustainable spatial strategy, particularly at a time when these targets are to be changed anyway.

In any event, we would firmly believe such an alternative approach is entirely warranted given the District's unique circumstances and would be found sound under both the current and the soon to be revised NPPF paragraph 35 soundness test. We would point to the Worthing Local Plan Inspectors Report¹ where, in agreeing that the specific constraints of the Borough meant a housing figure 74% lower than Standard Method figure was appropriate, the Inspector Steven John Lee BA(Hons) MA MRTPI stated:

"A local plan must also strive to meet the NPPF's objectives in relation to the quality of the built environment, the recognition of the intrinsic beauty of the countryside, protection of the natural environment and ensuring the residents of the Borough live in well-designed, beautiful and safe places with accessible services and open spaces. Housing delivery is important, but it is not the be-all and end-all of a Plan's role".

4. Urban Regeneration

For the reasons above, it is clear to CPRE Kent that Medway's new Local Plan should unashamedly embrace a true "brownfield-first" spatial strategy. That is, before any greenfield land is released, far more needs to be done to demonstrate that brownfield opportunities have been maximised.

The Council know that those sites in the brownfield register are simply a list of sites already known to it, either as a consequence of a planning application or an existing local plan allocation. These add nothing in terms of identifying future additional supply. It is also the case that very few brownfield sites will ever come forward as part of a call for sites exercise as these are usually in locations where the principle of development is already acceptable, meaning there is very little point in a landowner going through the unnecessary expense of promoting their site through a local plan process. Instead, the real profits are to be made from the promotion of greenfield sites where the principle of development has not been agreed, hence why these naturally dominate any call for sites exercise as set out above.

Instead, a far more proactive approach needs to be undertaken. Key to this will be a full, detailed and up-to-date Urban Capacity review that robustly identifies where further development opportunities are within the urban areas. Alongside this, we would want to see a brownfield land specific call for sites that is advertised as widely as possible. This should include local communities and the general public being encouraged to identify brownfield sites, with the Council working alongside to identify and overcome existing delivery constraints. We as an organisation are happy to work proactively with the Council on this, utilising the CPRE Brownfield land register toolkit which has been developed specifically for this purpose <https://www.cpre.org.uk/resources/brownfield-land-register-toolkit/>. Likewise, we would welcome working with Medway Urban Greenspaces Forum to identify

¹ https://www.adur-worthing.gov.uk/media/Media_168683.smxx.pdf – see paragraph 78 onwards.

where there may be further opportunities for regeneration that's welcomed by communities and developers alike.

With respect to delivery, it has always been our opinion the HIF Funding of £170 million being directed to releasing development upon greenfield sites upon the Hoo Peninsula was a massive, wasted opportunity. Rather, Medway Council should have been doing everything it could to get this funding re-directed to bringing forward the various stalled brownfield sites within the Medway Urban Areas. We are therefore extremely pleased to see that Medway has now just received £3,968,371 from the first phase of the Department for Levelling Up, Housing and Communities Brownfield Land of £60 million to help release brownfield sites, including the Strood Waterfront and the Debenhams building in Chatham. With the second phase of £180 million funding to be released later this year and a total fund of £4.8 billion available, we would expect to see evidence of the Council having been fully engaged in securing the necessary funding to bring forward both the brownfield sites that have currently stalled and new sites identified. We would also expect to see Medway's leaders partnering with Homes England to bring forward identified brownfield sites and regenerating Medway's high streets, where an increased residential offering will be anticipated. We would also expect to see evidence of the Council having fully engaged with all possible delivery partners before deciding that any sustainably located brownfield site is not deliverable.

With respect to density, CPRE Kent will be calling upon the new plan to maximises the development potential of those sites located within the most sustainable areas. This needs to come hand in hand with good design, sufficient infrastructure and in particular sufficient active travel and public transport options that provide a realistic alternative to car dependency, along with sufficient well designed green spaces and inviting public realm environments. Higher density certainly does not have to come at the expense of good planning.

Overall, unless such proactive steps are undertaken, we are not going to accept the usual argument given to CPRE Kent that there are insufficient brownfield sites available for development, leaving no option but to allocate further greenfield land.

5. Suburban Expansion

CPRE Kent could support growth adjoining the existing urban areas to the south and east of Medway if it was demonstrated a true brownfield first approach had been undertaken, vital greenspaces were maintained and enhanced, and that sufficient infrastructure was to be provided. We are however concerned that much of the area identified is Best and Most Versatile land. As set out within CPRE's recent report "Building on our food security"² in the past 12 years England has lost over 14,000 hectares of Grade 1 and 2 agricultural land to development, the equivalent to the productive loss of around 250,000 tonnes of vegetables. It also appears that this figure is increasing. Nationally there has been a 100-fold increase in 2022, from that built on in 2010. This loss cannot continue to be ignored which is why it remains our view that the selection of these site is at odds with NPPF paragraph 174(b). This issue will need to be given significantly more genuine consideration with respect to the allocations which do make it to any submission version of the plan.

Specifically, we would want to see and understand what sequential measures have been undertaken so as to minimise loss of BMV land. We would also want to see how this significant constraint has been given the due regard necessary with both the setting of an appropriate housing figure for Medway and then the site selection process, informing which sites are taken forward to allocation. It is however our starting assumption that any loss of BMV could be avoided.

² <https://www.cpre.org.uk/wp-content/uploads/2022/07/Building-on-our-food-security.pdf>

Where sites on the urban edge are to come forward, we would want to see that sufficient active travel and public transport options that provide a realistic alternative to car dependency are provided. We would also want to see that existing green spaces are sufficient protected and improved/expanded to accommodate an increasing population. Where new land is given over to development, it should be used as efficiently as possible, as appropriate for that site's location. The higher the density, the more benefits accrue, and the more (greenfield) land is saved. High density building does not equate to high rise apartment blocks. CPRE London published a report in 2019 on this issue called 'Double the density³, halve the land needed' which sets out both the benefits of higher density design along with providing examples of higher density developments being achieved by a variety of means. This includes a mixed-use residential development at Springhead Park, Ebbsfleet, Kent where 160dph is being achieved.

6. Rural Development

As alluded to above, we believe it is wrong to simply continue sacrificing yet more greenfield land in an attempt to accommodate what is an unsatisfiable external market demand. We would therefore firmly object to any further allocation upon the Hoo Peninsula beyond that accepted by the existing communities, as needed to maintain and support those communities.

This position is in recognition that the Hoo Peninsula is a largely rural area, containing significant environmental constraints including ancient woodlands, SSSI's, SAC's SPA's and RAMSAR sites. It is also predominately Best and Most Versatile agricultural land and has significant areas of intrinsically dark skies, the loss of which should be strongly resisted. The ecology upon the Hoo Peninsula is extremely sensitive, containing one of the largest breeding sites in the UK for the nightingale population, highly protected water voles along with recently proven habitats of the rare purple emperor butterfly and a rare breed of dormouse. Medway also has at least six red listed rare birds sheltering in its boundaries including the Black Tailed Godwit, the Curlew and the Pochard and many more on the amber list. We note only this September, surveys on the Isle of Grain discovered the extremely rare Shrill Carder Bee only known to be found in seven areas across England and Wales and never before discovered in Kent.

It is also the fact that the Four Elms Hill and Peninsula Way through Chattenden suffers significant levels of air pollution, hence it being designated an Air Quality Management Area (AQMA). The proposed development associated with the £170 HIF funding bid largely sought to justify itself on the basis it was needed to help fund this new road infrastructure. With car ownership and usage rates on the Peninsula already much higher than the rest of Medway, our responses to the various HIF consultations strongly objected to the principle of the building yet more traffic inducing new roads that facilitate building, or "unlocking", greenfield sites. The benefits of new roads schemes are extremely over-stated and in reality, generate traffic above background trends by inducing traffic, which leads to permanent and significant environmental damage. Specifically, and as set out in our *The end of the road? Challenging the road building consensus*, March 2017 <https://www.cpre.org.uk/resources/transport/roads/item/4543-the-end-of-the-road-challenging-the-road-building-consensus>, the building of new roads to accommodate further growth is just going to significantly exacerbate the Peninsula's accepted existing problem with ingrained car dependency.

Even at this early stage in the plan making process, we remain utterly unconvinced that the selection of the Hoo Peninsula for any substantial housing development beyond what is needed to support existing communities would survive the scrutiny of the Local Plan process. Focus therefore must now be on mitigating

³ https://www.cprelondon.org.uk/wp-content/uploads/sites/10/2020/02/DoubleTheDensityHalveTheLandNeeded_1.pdf

the worst effects of the unplanned windfall development that has taken advantage of the HIF Funding debacle and are now coming forward without any plans for the necessary mitigation being put in place. As a minimum, Medway must be doing all it can to resist these developments as they continue to come forward. The first step to this will be making it as clear as possible, as early as possible, that Medway's new local plan will not be looking to allocate any further significant development upon the Hoo Peninsula

For any allocations upon the Hoo Peninsula to be considered remotely acceptable by us, they would need to be demonstrably sustainable with very genuine levels of self-containment and deliverable sustainable transport options. This may include alternatives to the previously proposed rail station such as zero-emission dedicated bus routes that we are beginning to see elsewhere in Kent, such as Dover's new Fastrack service between Whitfield and Dover - <https://www.dover.gov.uk/Planning/Regeneration/Fastrack/Dover-Fastrack.aspx>.

7. Green Belt Release

CPRE led the campaign for the creation of green belts, the defining feature of which is its permanence; the assurance that it will remain for generations to come to reap the benefits. CPRE Kent would therefore have an in-principle objection to release of greenfield sites within the green belt, particularly within a District that only contains 5% green belt of which much is also part of the North Downs AONB. Against this context, we would find it very difficult to agree that "exceptional circumstances" exist to review the green belt boundary within Medway nor that "very special circumstances" outweighing harm to the green belt would apply to those sites in the green belt under current NPPF policies.

8. Employment Sites

We note that the employment section of the consultation document appears to be the most under-developed section of the document. We also recognise that the Employment Land Need Assessment was undertaken at the height of the Covid-19 pandemic and therefore a number of the assumptions within will need to be reconsidered/updated. There also remains significant uncertainty with respect to the Lower Thames Crossing, though with respect to the London Resort proposal, it looks increasingly unlikely that this will now be occurring and therefore our view is that it should be disregarded for forecasting purposes.

It is CPRE Kent's view that the overprovision of employment space that has no realistic prospect of delivery as employment space alone could be better utilised for housing or mixed-use schemes. It is also our view that Government funding via future Brownfield Land Release Funding could be directed towards the much-needed regeneration of sustainable brownfield sites within the Medway urban area. Again, this would support a truly brownfield first strategy and potential alleviate the need to allocate on greenfield agricultural land. We would also call for the residential density at these urban sites to be sufficiently high to take advantage of the sustainable locations, whilst still providing a realistic level of employment and retail space.

9. Conclusion

CPRE Kent would welcome a Local Plan which genuinely recognised the need to conserve and enhance the natural, built, and historic environment in the manner set out within the draft objectives. We are, however, concerned that the direction of the overall spatial strategy is already being unduly influenced by a desire to meet clearly unsustainable levels of housing growth through greenfield sites which may be available but are not sustainable.

Rather, it is clear to CPRE Kent that Medway should currently be doing everything it can to robustly evidence that a true "brownfield-first" spatial strategy is the correct strategy for Medway, having regard to opportunities and constraints, whilst still delivering the housing and economic growth that the district genuinely needs.