

Mr. Adam Waters  
Programme Officer  
c/o Medway Council  
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Your Ref:  
Our Ref: 1112NA00

3<sup>rd</sup> May 2013

Dear Mr. Waters,

**MEDWAY CORE STRATEGY EXAMINATION: ADDITIONAL LODGE HILL HEARING  
STATEMENT OF REPRESENTATION ON BEHALF OF THE  
CHURCH COMMISSIONERS FOR ENGLAND**

DTZ have been instructed by the Church Commissioners for England to submit further statements of representation in response to the *Matters and Issues* to be considered at the additional Lodge Hill hearing at the *Medway Core Strategy Examination* on Wednesday 22<sup>nd</sup> May 2013.

**Background**

The Church Commissioners for England are amongst the largest landowners in Medway and you will recall that we submitted representations on their behalf to the draft *Submission Stage Core Strategy (2006)* on 9<sup>th</sup> October 2006. As a result of the Planning Inspector finding that draft plan unsound at Examination in Public and the Council's subsequent recommencement of work to prepare their draft *Core Strategy*, DTZ submitted representations to the *Pre-Publication Draft Core Strategy (2010)* (ref. MC03) on 10<sup>th</sup> December 2010. We also submitted representations to the *Publication Draft Core Strategy (2011)* (ref. MC02) on 12<sup>th</sup> October 2011. On 25<sup>th</sup> May 2012, in advance of the second *Core Strategy Examination*, which opened in June 2012, DTZ submitted statements of representation in response to the Inspector's list of *Matters and Issues* to be addressed.

I enclose the relevant extracts from each of the above which relate to Lodge Hill.

In June 2012, I attended (but did not appear or participate in) the *Core Strategy Examination in Public* in full and took detailed minutes to inform the Church Commissioners' development aspirations for the Rochester Estate.

Following the Inspector's suspension of the Examination, to allow assessment of the implications of the potential SSSI designation upon the deliverability of development at Lodge Hill, the Church Commissioners were approached by Medway Council. The Council sought to investigate whether any of the Church Commissioners' landholdings could be used for compensatory Nightingale habitat to accommodate that lost at Lodge Hill, should the draft allocation of 5,000 homes be implemented. The Church Commissioners provided the requested site details and the

A list of directors' names is open to inspection at the above address  
DTZ Debenham Tie Leung Limited Registered in England No 2757768  
Registered office 125 Old Broad Street London EC2N 2BQ



Council's assessment concluded that none of the Church Commissioners' land holdings are suitable for further consideration as an alternative Nightingale habitat.

We understand that the Examination has now re-opened and that the Church Commissioners are invited to submit further statements to the Planning Inspector in relation to Lodge Hill.

### **Further Statements of Representation**

I enclose three copies of our further statements of representation in relation to the Inspector's *Matters and Issues* for Examination at the Lodge Hill hearing along with a map of the Church Commissioners' landholdings in Rochester. Please note that the combined word count of the statements does not exceed 3,000 words as per your request.

I formally request that these statements are given due consideration by the Planning Inspector in the Examination of the draft *Medway Core Strategy* in order to ensure the soundness of this Plan in accordance with the requirements of the *National Planning Policy Framework*.

The Commissioners are committed to high quality, sustainable development and believe that their sites could make a substantial contribution towards meeting housing need in Medway.

We note that in the *SA Addendum (March 2013)* (ref. EX83) commissioned by the Council, the Church Commissioners' land at Hoo St Werburgh is identified as falling within *Option 2: Expanded Hoo*, which is deemed the second most sustainable location for strategic housing development in Medway after *Option 1: Lodge Hill*.

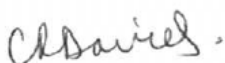
The Commissioners respect the specialist advice set out in the British Trust for Ornithology (BTO) report (October 2012) (ref. EX60), the Environment Bank Report (December 2012) (ref. EX76) and the RSPB and Kent Wildlife Trust's letter of 8 April 2013. We are concerned that the two reports state that the creation of compensatory habitat for Nightingales could be possible to enable the proposed Lodge Hill scheme to be delivered, but that this is uncertain and that there are significant risks.

On this basis we believe that the Church Commissioners' land offers a practical solution to delivering a substantial proportion of Medway's housing need without delay.

Further to our formal request on 19 April 2013, we seek to attend the Examination on 22 May 2013 and will be ready to assist the Inspector if she wishes. I would be grateful if you could provide confirmation of our places to attend the hearing.

I trust that the enclosed statements are in accordance with the *Guidance Notes for Participants*. Please do not hesitate to contact me should you wish to discuss.

Yours sincerely,



**Claire Davies BA(Hons) MSc MRTPI**  
**Consultant, Development Consulting, DTZ**

cc. Gerald Allison DTZ

Enc.

3<sup>rd</sup> May 2013

**MEDWAY CORE STRATEGY EXAMINATION: ADDITIONAL LODGE HILL HEARING  
STATEMENT OF REPRESENTATION ON BEHALF OF THE  
CHURCH COMMISSIONERS FOR ENGLAND**

**Wednesday 22 May 2013  
10am – Matter 1 – Policy Context**

**Inspector's Questions**

**a) South East Plan (SEP) Revocation:**

**i) What are the implications of the revocation of the South East Plan (in particular paragraph 19.5) for the Lodge Hill allocation?**

Lodge Hill was previously given strategic importance for housing development by regional planning policy set out in the *South East Plan* (ref. RD01). In this respect, **Paragraph 19.5** of the *South East Plan* stated that the “*the main locational effects of the Core Strategy and related policies will be ...concentrations of new dwellings ... within the Medway urban area ... to the north on Ministry of Defence land at Chattenden*”.

The Church Commissioners consider that the revocation of the *South East Plan* decreases the strategic importance of the Lodge Hill site in Chattenden for the delivery of housing in Medway. Indeed this increases the Council's scope to adopt a flexible approach to the location of housing development to meet housing need in Medway.

With regard to the *South East Plan's* wider housing growth figures for Medway, the Church Commissioners previously expressed support for the Council's intention to deliver growth in accordance these targets. In our statement of 25 May 2012 (copy attached), we expressed the Church Commissioners' concern that the *Submission Draft Core Strategy* (2012) (ref. MC01) contained a reduction in the total level of housing growth anticipated from ‘*Projected Strategic Land Availability Sites*’ (not including some of the large sites and allocations) and in Table 5.2 (the distribution of New Housing by Sub Area from 2011-2018).

We note that the Council's letter of 8<sup>th</sup> March 2013 to the Planning Inspector (ref. EX86) stated that “*all the material submitted to the Examination by the Council sought to anticipate revocation [of the South East Plan] during proceedings*”.

Further to the revocation of the *South East Plan*, the Church Commissioners retain their **formal request** that rather than the draft *Core Strategy* reducing growth targets, it should be seeking alternative suitable locations to deliver the higher, established rates of housing growth set out in previous iterations of the *Core Strategy*. Whilst we recognise that in the short term market conditions lower than anticipated levels of housing may be coming forward, we consider that such circumstances do not reflect the Government emphasis upon sustainable planning for new homes set out in the *National Planning Policy Framework*. The revocation of the *South East Plan* should not be seen as a justification to set lower housing growth targets in the *Medway Core Strategy*.

The Church Commissioners are major landowners in Medway and the significant coverage of their Rochester Estate is shown in the enclosed *Ownership Plan*. The Commissioners' land is let on agreements that can be terminated within one year or less if the land is required for development.

The Council recognised in the *Publication Draft Core Strategy* (2011) (ref. MC02) that Lodge Hill is unlikely to meet the anticipated housing delivery rates in the Plan period. The potential partial designation of Lodge Hill as a SSSI, due to recent figures on Nightingale population further jeopardise the extent of housing delivery in this location.

Discussions with Medway Council confirmed that none of the Commissioners land offers suitable alternative Nightingale habitats to accommodate those that would be lost should the proposed development of 5,000 homes be delivered at Lodge Hill.

The conclusions of the British Trust for Ornithology (BTO) report (October 2012) (ref. EX60) and the Environment Bank (December 2012) report (ref. EX76) are key. These are that the creation of compensatory habitat for Nightingales could be possible to enable the proposed Lodge Hill scheme to be delivered, but that this is uncertain and not without significant risks.

The fact that none of the Commissioners extensive landholdings are suitable further confirms that the risk is real and substantial suggesting that Lodge Hill is not a viable housing option.

The Church Commissioners are concerned that this matter is still in dispute despite the clarity of advice from specialists including the RSPB and the Kent Wildlife Trust in their letter to the Inspector on 8 April 2013 and we note that the *SA Addendum* (January 2013) (ref. EX83) states that:

*“The revision to the SA/SEA of the five strategic spatial options found that the Lodge Hill site (Option 1) had the potential for a greater positive effect than the other Options against SA objectives relating to the economy and communities. The Lodge Hill site was also considered to have the least negative effects on the majority of environmental SA objectives **apart from SA Objective 1 - biodiversity** [emphasis added] given the potential for the incorporation of mitigation measures as a comprehensive freestanding settlement promoted by a single developer”.*

The Church Commissioners consider that it would be inappropriate for the *Core Strategy* to rely upon Lodge Hill to deliver the anticipated housing levels given that no certainty can be placed on the provision of compensatory habitats for nightingales. This clearly indicates that the Council’s reliance on Lodge Hill for the delivery of housing development is without sufficient justification.

The NPPF encourages Local Authorities to include housing growth targets and a contingency figure of up to 20% where there have been recently low growth levels to ensure that growth continues to come forward, in a sustainable manner, but to achieve growth targets. At present the *Core Strategy* is clearly unsound as it fails to comply with this requirement. In order to comply with the NPPF, *the Core Strategy* should create the capacity for higher, sustainable, delivery rates, including flexibility to achieve higher overall growth levels in an appropriate manner.

We **formally request** that the *Core Strategy* is modified to include alternative, suitable and sustainable locations for housing development, such as land around the wider Lodge Hill area and in Hoo St. Werburgh. Indeed the latter, in the Church Commissioners’ ownership, is identified as falling within *Option 2: Expanded Hoo*, the second most sustainable location for strategic housing development in Medway after *Option 1: Lodge Hill* in the *SA Addendum*.

**b) The National Planning Policy Framework (the Framework).**

**i) Does the proposed allocation comply with paragraph 118 which indicates that proposed development on a SSSI should not normally be permitted.....an exception should only be made where the benefits of the development.....clearly outweigh both the impacts it is likely to have on the features of the site that make it of special scientific interest and any broader impacts on the national network of SSSIs?**

We understand that Natural England has commenced the process of notification of the enlargement of Chattenden Woods SSSI to extend across part of the Lodge Hill site under the *Wildlife and Countryside Act 1981* (as amended by the *Countryside and Rights of Way Act 2000*).

Given the conclusions of the BTO report (ref. EX60) and the Environment Bank report (ref. EX76), together with the most recent letter of 8 April 2013 from the RSPB and the Kent Wildlife Trust, the Church Commissioners believe that it would be wholly inappropriate for the *Core Strategy* to rely upon the delivery

of 5,000 homes at Lodge Hill as there is no certainty that compensatory habitats for Nightingales could be provided.

The evidence against the deliverability of development at Lodge Hill continues to grow whilst the attempts to demonstrate the potential for alternative habitats have no certainty. This places the supply of new homes in jeopardy unnecessarily, given the existence of alternative sites for sustainable development in Medway. It is time for the reliance upon Lodge Hill for housing delivery to cease, due to the complexity of issues on the site. Efforts should instead focus upon modifying the draft *Core Strategy* to ensure flexibility for the delivery of housing on the sites that are ready to meet the housing need.

The Church Commissioners consider that given this context, the suggested benefits of housing development at Lodge Hill do not at all outweigh the impacts that it is likely to have on the features of the site that make it of special scientific interest. Again, we **formally request** that the *Core Strategy* is therefore made suitably flexible to consider alternative, suitable and sustainable locations for housing development, such as land around the wider Lodge Hill area and land in the Church Commissioners' ownership, including Hoo St. Werbergh (see enclosed *Ownership Plan*). This is necessary in the event that further testing identifies that compensatory habitat for Lodge Hill's Nightingale population will not be achievable and thus that the scheme at Lodge Hill will not be deliverable.

Only where these Modifications are made will the *Core Strategy* be sound and compliant with paragraph 118 of the NPPF.

#### **c) Core Strategy**

##### **i) Is there an internal conflict between Policies CS6 and CS33?**

Given the lack of certainty and clarity that compensatory habitats can be provided to allow the anticipated levels of development at Lodge Hill, the Church Commissioners consider that draft **Policy CS6** and draft **Policy CS33** are in conflict in their current form.

The former affords particular importance to the preservation and enhancement of natural assets of *"international, national and local importance and as priorities in the UK ... or where they are protected or designated under relevant legislation"*. We note that draft **Policy CS6** further states that *"development that causes unacceptable harm to important habitats and species ... will not be permitted unless it can be demonstrated that measures can be taken to overcome any significant risk"*.

The reliance upon the delivery of 5,000 homes at a potential SSSI extension across Lodge Hill in **draft Policy CS33** is unnecessarily precarious and clearly in conflict with **draft Policy CS6**. We **formally request** that this conflict is resolved by making **draft Policy CS33** more flexible to consider alternative, suitable and sustainable locations for housing development, such as land around the wider Lodge Hill area and land in the Church Commissioners' ownership, including Hoo St. Werbergh (see enclosed *Ownership Plan*).

Only where these changes are made will the *Core Strategy* be sound in accordance with the requirements of the NPPF.

**MEDWAY CORE STRATEGY EXAMINATION: ADDITIONAL LODGE HILL HEARING  
STATEMENT OF REPRESENTATION ON BEHALF OF THE  
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**Wednesday 22 May 2013**

**10am – Matter 2 – Mitigation/ Compensation Measures**

**Inspector's Questions**

**a) Is providing compensatory habitat, rather than preservation in situ, the right approach for a site with nature conservation value of national importance?**

No. The concept of the future provision of compensatory habitat has no certainty. The *Core Strategy* cannot rely on compensatory habitat based upon the current evidence. None of the Church Commissioners land offers compensatory habitat.

**b) If it is acceptable, I am minded to give significant weight to the conclusions of the BTO study that it is 'theoretically feasible to create habitat that will be occupied by nightingales in lowland England' and that 'if the right conditions are satisfied', there is greater probability of achieving success in Kent than in most parts of the Country'. On that basis:**

**i) How much compensatory habitat is required and how likely is it that sufficient land of a suitable type will be made available and what potential adverse impacts may arise, such as loss of good quality agricultural land?**

It is our firm view that compensatory habitat is not acceptable. The Commissioners' discussions with the Council suggest that the adverse impact would be substantial and that it would be difficult to secure the compensatory habitat without the exercise of Compulsory Powers. We are not convinced that those Powers exist in relation to Lodge Hill.

**ii) What are the likely consequences of the time lag between loss of habitat at Lodge Hill and the provision of new habitat if development proceeds as currently proposed? Alternatively what are the implications for the Core Strategy if development at Lodge Hill is delayed to allow for new/ restored/ improved habitat to become available?**

There is no certainty that the compensatory habitat could be provided.

The Church Commissioners have concerns regarding the lack of confirmation in the conclusions of the British Trust for Ornithology (BTO) report (October 2012) (ref. EX60) and the Environment Bank's report (December 2012) (ref. EX76). These state that the creation of compensatory habitat for Nightingales could be possible to enable the proposed Lodge Hill scheme to be delivered, but that this is uncertain and that there are significant risks.

We also note that the 'Addendum to the Sustainability Appraisal (SA)/ Strategic Environmental Assessment (SEA)' (January 2013) report (ref. EX83) states that:

*"The revision to the SA/SEA of the five strategic spatial options found that the Lodge Hill site (Option 1) had the potential for a greater positive effect than the other Options against SA objectives relating to the economy and communities. The Lodge Hill site was also considered to have the least negative effects on the majority of environmental SA objectives (apart from SA Objective 1 - biodiversity) [emphasis added] given the potential for the incorporation of mitigation measures as a comprehensive freestanding settlement promoted by a single developer".*

Given this lack of certainty, should the *Core Strategy* as currently drafted be adopted, the Church Commissioners are concerned that long delays in the delivery of development at Lodge Hill are inevitable to

allow for the creation or acquisition of new/ restored/ improved habitat to become available. In this respect, we note Natural England's letter of 30 November 2012 (ref. EX75) in response to the Planning Inspector's question as to "*whether there is a reasonable prospect that adequate compensatory habitat could be established, thus reducing the residual impact of the development*". Natural England's letter states that there are a range of assumptions which can only be tested at the point when specific parcels of land have been identified and can be secured through the planning process.

Stalling the commencement of proposed housing growth at Lodge Hill will put significant additional pressures upon housing need in Medway and upon the local economy in contravention of the NPPF.

In this respect, we **formally request** that the *Core Strategy* is made suitably flexible to consider alternative, sustainable locations for housing development, such as land around the wider Lodge Hill area and other land in the Church Commissioners' ownership (see enclosed map), particularly at Hoo St. Werburgh. Indeed the latter is identified as falling within *Option 2: Expanded Hoo*, which is deemed the second most sustainable location for strategic housing development in Medway after Option 1: Lodge Hill in the *SA Addendum* (ref. EX83).

**c) To what extent can the loss of the area of MG5 Grassland be mitigated by changes to the Masterplan and if offsite provision is necessary what are the risks to delivery?**

No comment.

**MEDWAY CORE STRATEGY EXAMINATION: ADDITIONAL LODGE HILL HEARING  
STATEMENT OF REPRESENTATION ON BEHALF OF THE  
CHURCH COMMISSIONERS FOR ENGLAND**

**Wednesday 22 May 2013  
10am – Matter 3 – SA Addendum**

**Inspector's Questions**

**a) Does the SA Addendum provide a robust assessment of alternative options? In particular:**

**i) Are there other reasonable alternatives that should be evaluated in greater detail bearing in mind the changing circumstances in relation to Lodge Hill?**

**For example, is it right to reject a more dispersed pattern of development without a more detailed evaluation of what that might mean in practice?**

**Should neighbouring authorities be approached under the duty to cooperate in order to avoid development at Lodge Hill if there really is no reasonable alternative within Medway?**

The Church Commissioners welcome the identification of their landholdings at Hoo St. Werburgh as part of *Option 2: Expanded Hoo* in the SA Addendum's 'Updated Summary of Key Alternatives Considered' (**Table 4.3**) (ref. EX83). We understand that whilst this land was discounted, the Council consider it to be their second best option for strategic housing delivery after *Option 1: Lodge Hill*.

We note that the Council's conclusions in relation to *Option 2: Expanded Hoo* are that "*dispersed development pattern would generate higher car based travel and not offer as great opportunities for public transport improvements. Impact on agricultural land. Inability to support same range of services as Lodge Hill and limited ability to act as an economic catalyst. As a result this Option was rejected.*"

The Church Commissioners agree with the Council's earlier statement in **Table 2.1** that this option would make a "*good contribution towards achieving the sustainability objectives*".

The Council's negative comments in **Table 4.3** of the SA Addendum are without thorough consideration and suggest that the Council's focus on Lodge Hill has ignored the opportunity of exploring solutions which would bring benefit to existing communities as well as new residents. In relation to the Council's specific points:

1. There is strong potential to work with the existing community at Hoo to improve public transport to reduce the dependence on car based travel;
2. The existing agricultural land is very close to the existing community and its loss would be marginal;
3. In contrast to Lodge Hill, community services already exist in Hoo and their viability will be increased by additional residents;
4. The concept of Lodge Hill as an economic catalyst has no certainty;
5. The delay in bringing Lodge Hill forward deprives the local community of economic vitality;
6. The economic stimulus can be delivered on alternatives sites including Hoo St. Werburgh.

In contrast to Lodge Hill, *Option2: Expanded Hoo* is a reality. We therefore **formally request** that a more robust assessment of the deliverability of this site is undertaken, particularly given the changing circumstances at Lodge Hill. The Commissioners will cooperate with urgency.

The Church Commissioners **object** to the Council's rejection of a more dispersed pattern of development without a more detailed evaluation of what that might mean in practice. In the context of the lack of certainty regarding the extent of deliverability of housing at Lodge Hill, we **formally request** that the *Core Strategy* is made suitably flexible to consider alternative, suitable and sustainable locations for housing development. This should include land around the wider Lodge Hill area and other land in the Church Commissioners' ownership (see enclosed map), particularly at Hoo St. Werburgh.



With regard to the Inspector's question in relation to the *Duty to Cooperate*, the Church Commissioners consider that there is a reasonable alternative to housing development at Lodge Hill within Medway, at land around the wider Lodge Hill area and their landholdings at the Rochester Estate, including Hoo St. Werburgh (see enclosed *Ownership Plan*) as identified above. Only where potential alternative development sites within Medway cross over an administrative boundary into a neighbouring local authority, should the latter be approached. We **formally request** that this approach is adopted in relation to the Church Commissioners' land at **Chapter Farm**, which lies partially within Medway and partially within the administrative area of Gravesham.

In order to boost the local economy, every effort should be made by the Council to ensure that housing need in Medway is met within Medway. Only where it can be demonstrated through robust assessments that housing development cannot be delivered at Lodge Hill and that there is no reasonable alternative to Lodge Hill for housing delivery within Medway, should neighbouring authorities be approached under the *Duty to Cooperate*.

Chapter Farm is immediately adjacent to the Medway boundary and in every practical sense is part of the Medway community and physically separated from Gravesham by the trunk road.

**ii) Does the SA Addendum meet the requirement established in *Heard v Broadland* that alternatives must be appraised as thoroughly as the preferred option; and the implications of *Cogent Land LLP v Rochford DC* and *Bellway Homes Ltd* (as reported in JPEL issue 2 2013 (pages 170-192)) that an addendum report must be a genuine exercise rather than a mere justification for the decisions that have already been taken.**

The Church Commissioners' land should be given a more thorough appraisal and we are ready to urgently assist the Council.

**4. Is the 'very positive' score given to the Lodge Hill option in relation to previously developed land justified?**

**a. How much of the development area meets the definition of previously developed land set out in Annex 2 to the framework?**

The Church Commissioners note that Annex 2 of the *National Planning Policy Framework* (NPPF) defines Previously Developed Land as "*land which is or was occupied by a permanent structure, including the curtilage of the developed land ... This excludes... land that was previously-developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape in the process of time*".

The former Ministry of Defence Land at Lodge Hill has now very much '*blended into the landscape*' through the process of time and is characterised by established grass and shrubbery. This is reflected by the recent increase in Nightingale habitats on the site, leading to Natural England commencing the process of notification of the enlargement of Chattenden Woods SSSI to extend across part of the Lodge Hill site under the *Wildlife and Countryside Act 1981* (as amended by the *Countryside and Rights of Way Act 2000*).

In this context, the Church Commissioners do not consider that Lodge Hill constitutes 'previously developed land' as defined by the NPPF and therefore **object** to the 'very positive' score given to *Option 1: Lodge Hill* in Table 4.2 of the *SA Addendum* in relation to 'previously developed land'. We formally request that given the 'green' characteristics of the site, Lodge Hill's score in relation to previously developed land should not be significantly more positive than that given to the greenfield site at *Option 2: Extended Hoo*. Indeed, this unfairly inflates the overall sustainability score for *Option 1: Lodge Hill*, thus the Church Commissioners **formally request** that it is given a more negative score for previously developed land. We also consider that more weight should be given to the very negative score for biodiversity at Lodge Hill, given the extent of the implications of the potential SSSI designation.

This is necessary to provide a more realistic and closer overall score of sustainability for the two options. We **formally request** that this is reflected in the *Core Strategy* by making it suitably flexible to consider alternative and sustainable locations for housing development, including land around the wider Lodge Hill area and other land in the Church Commissioners' ownership (see enclosed map), particularly at Hoo St. Werburgh.

**b. Should the scoring be tempered by the Framework's core planning principle that reusing previously developed land should be encouraged, provided that it is not of high environmental value?**

In the context of our comments in relation to issue 4 (a) above, the Church Commissioners **formally request** that the sustainability scoring for 'previously developed land' is applied consistently with the NPPF's core planning principle that reusing previously developed land should be encouraged, provided that it is not of high environmental value.

This is necessary to ensure that the score for previously development land (and overall sustainability) for the former Ministry of Defence site at Lodge Hill, which is now of high environmental value, is not unfairly inflated in comparison to potential alternative strategic housing allocation sites. This is particularly true in relation to the Church Commissioners' land at Hoo St. Werburgh within *Option 2: Extended Hoo*.



Blyth Sands

MEDWAY

Hoo Peninsula

Hoo St Werburgh

ROCHESTER

GILLINGHAM

CHATHAM

ISLE OF GRAIN

RIVER MEDWAY



**EXTRACTS FROM**  
**DTZ'S PREVIOUS REPRESENTATIONS**  
**ON BEHALF OF**  
**THE CHURCH COMMISSIONERS FOR ENGLAND**  
**IN RELATION TO LODGE HILL**



<b>Name</b>	Mrs. Julia Riddle	Your response will be processed in accordance with the Law, in particular the Data Protection Act 1998. The information that you provide will only be used for Council purposes unless there is a legal authority to do otherwise. <b>Your responses cannot be treated as confidential.</b>
<b>Organisation</b>	Church Commissioners for England	
<b>Address</b>	c/o DTZ, 125 Old Broad Street, London	
<b>Post code</b>	EC2N 2BQ	
<b>Email address</b>	julia.riddle@DTZ.com	

Regulation 25 Consultation  
Comments Form

Please provide the policy, paragraph, and figure / table, number upon which you are commenting.

Policy CS33: Lodge Hill
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Please tick one box.

Strongly agree ☐ Agree ☐ No opinion ☐ Disagree ☒ Strongly disagree ☐

Please provide your comments. (Continue over...)

<p>The Church Commissioners generally support the delivery of a new settlement at Lodge Hill on the basis that it can deliver a new sustainable community.</p> <p>However, the Church Commissioners have concerns, expressed in relation to earlier drafts of the Core Strategy, as to whether this area will be able to deliver a truly sustainable mixed-use community at the scale proposed. Delivering sufficient critical mass is essential to ensure the new settlement is able to fund the provision of new and improved road and rail infrastructure, plus the appropriate level of employment, retail, leisure, education and social infrastructure necessary to deliver a sustainable community.</p> <p>The Church Commissioners note that an additional 76 hectares of land has been included in this allocation compared to earlier drafts of the Core Strategy, however remain unconvinced that there is a sufficient and credible evidence base at this stage to demonstrate that 5000 homes at Chattenden can deliver a sustainable new settlement. This is of particular concern in the context of the changes to PPS3, which reduce minimum density levels for residential development. If housing were to come forward at a now acceptable lower density, this site is unlikely to be able to achieve the housing numbers and therefore sustainable settlement anticipated. It is therefore considered inappropriate to fix the ultimate size of the new settlement until the sustainability (including balance of land uses) has been tested.</p>
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Please advise us of any changes or additions needed to the policy or text.

The following comment should be added into the policy:

"In the event that the proposals are found through the review process not to be delivering development as anticipated, other land surplus to the requirements of the Ministry of Defence and other landowners around Lodge Hill should be identified as a means of delivering this development, through a review of the allocation boundary."

Your signature .....

Date 10<sup>th</sup> December 2010

Please return to:

LDF Core Strategy Consultation, Development Plans and Research Team, Gun Wharf, Dock Road, Chatham, Kent, ME4 4TR

**For official use only**

Ref number

Date received

Date Acknowledged







Ref:

Date received:

(Official use only)

## Medway Core Strategy Publication Draft Core Strategy

Consultation 30<sup>th</sup> August - 14<sup>th</sup> October 2011

### Representation Form

**Please return to:**

**Post:** Development Plans and Research, Medway Council, Gun Wharf, Dock Road, Chatham, Kent ME4 4TR or

**E-mail:** [ldf@medway.gov.uk](mailto:ldf@medway.gov.uk) **no later than 5 p.m. on Friday, 14<sup>th</sup> October 2011.**

This form has two parts –

**Part A** – Personal Details

**Part B** – Your representation(s).

Please fill in a separate sheet for each representation you wish to make.

We will accept photocopies of this form or you can download copies from the Council's website at:  
<http://www.medway.gov.uk/ldf>

\*If an agent is appointed, please complete only the Title, Name and Organisation boxes below but complete the full contact details of the agent in 2.

Part A	1. Personal Details*	2. Agent's Details (if applicable)
Title (Mr. Mrs. Miss)		Mrs.
First Name		Julia
Last Name		Riddle
Job Title (where relevant)		Associate Director, Development Consulting
Organisation (where relevant)	The Church Commissioners for England	DTZ
Address		125 Old Broad Street, London
Post Code		EC2N 2BQ
Telephone Number		020 3296 3129
E-mail Address (where relevant)		julia.riddle@dtz.com

## Part B – Please use a separate sheet for each representation

Name or Organisation:

### 3. To which part of the DPD does this representation relate?

Paragraph		Policy	CS33	Proposals Map, Figure or Table.	
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### 4. Do you consider the DPD is:

4.(1) Legally compliant

Yes
<input checked="" type="checkbox"/>
<input type="checkbox"/>

No
<input type="checkbox"/>
<input checked="" type="checkbox"/>

4.(2) Sound \*

\* The considerations in relation to the DPD being 'Sound' are explained in Planning Policy Statement 12 in paragraphs 4.36 – 4.47, 4.51 and 5.52 and the boxed text. (See associated 'Guidance Notes for Submitting Representations').

If you have entered **No** to 4.(2), please continue to Q5. In all other circumstances, please go to Q6.

### 5. Do you consider the DPD is unsound because it is not:

(1) Justified

<input type="checkbox"/>
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(2) Effective

<input checked="" type="checkbox"/>
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(3) Consistent with national policy

<input type="checkbox"/>
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### 6. Please give details of why you consider the DPD is not legally compliant or is unsound. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the DPD, please also use this box to set out your comments.

The Church Commissioners support the proposal to deliver a sustainable new community at Lodge Hill. In order to ensure the delivery of a sustainable new settlement, which is appropriately connected to the existing communities in the area, the new settlement will need an appropriate balance of housing, employment and other land uses, whilst respecting the character of the local area.

The Church Commissioners have expressed concerns previously as to the ability of this site to deliver the full amount of development previously anticipated by emerging plan guidance and therefore welcome the recognition in the current draft Plan, that Lodge Hill is unlikely to meet the full delivery level of 5,000 homes in the plan period.

Some work has clearly been undertaken in relation to the capacity of the site, but provision should be made if the number of homes which can be delivered is found to be less, upon more detailed assessment of the site or if the anticipated delivery is not achieved for any other reason, such as market demand or lower density levels.

The Church Commissioners support the strong aim of policy to achieve high quality design and sustainability in relation to the future development of this area, supported by extensive community consultation.

There should be provision in the policy that if the more detailed design process demonstrates that this site is unable to deliver the scale and nature of development anticipated or required to meet future requirements, that alternative land should be identified to meet the potential shortfall. This should also incorporate flexibility as to where and when this provision will be made to respond to the changing market context during the plan period.

**7. Please set out what change(s) you consider necessary to make the DPD legally compliant or sound, having regard to the test you have identified at 5 above where this relates to soundness. You will need to say why this change will make the DPD legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.**

The Church Commissioners reiterate their request in their comments on the Pre-Publication Draft Core Strategy that the following sentence should be added into draft Policy CS33:

*"In the event that the proposals are found through the review process not to be delivering development as anticipated, other land surplus to the requirements of the Ministry of Defence and other landowners around Lodge Hill, including Hoo St. Werburgh, should be identified as a means of delivering this development, through a review of the allocation boundary".*

**Please note** your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will not normally be a subsequent opportunity to make further representations at the submission stage.

**After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he identifies for examination.**

**8. If your representation is seeking a change, do you consider it necessary to participate at the oral part of the examination?**

☐

**No**, I do not wish to participate at the oral examination

☒

**Yes**, I wish to participate at the oral examination

**9. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:**

The Church Commissioners are a major land owner in Medway and wish to be actively involved in the Core Strategy Examination process.

**Please note** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

**Signature:**

Claire  
Davies

Digitally signed by Claire Davies  
DN: dc=com, o=dtzglobal, ou=GBR,  
ou=LondonOldBroadSt, ou=Users,  
cn=Claire Davies,  
email=Claire.Davies@dtz.com  
Date: 2011.10.12 14:12:14 +0100

**Date:**

12-Oct-2011

**Data Protection Statement:** The information you provide will be held and used by Medway Council, in accordance with the Data Protection Act 1998, to help in the preparation of the Medway Local Development Framework and related planning policy issues. Please note that all responses received will be available for public inspection and will be placed on the Council's website. Your personal details will however remain confidential.



**Box 6 cont.**

When commenting on the Pre-Publication Draft Core Strategy (2010) the Church Commissioners suggested that additional land around Lodge Hill and potentially Hoo St. Werburgh, should be identified as a potential location for meeting any shortfall in housing provision and to achieve the desired balance between employment and housing delivery. We retain the view that this would be a suitable location to deliver growth, which would provide an alternative or additional option for the delivery of housing numbers in the event that Lodge Hill did not come forward, or came forward at lower densities therefore not meeting the anticipated number of units.

It is inappropriate to fix the size of the new settlement at Lodge Hill until the sustainability (including the balance of land uses) has been tested. The Church Commissioners therefore reiterate the need to take a flexible approach to the provision of sites to deliver sustainable development.

The Commissioners are concerned that a number of aspects of this Policy have been omitted since the consultation on the Pre-Publication Draft Core Strategy (2010). The policy notes that there will be some strategic infrastructure required in advance of the phased delivery of the site, but does not determine what this will consist of nor its means of delivery. The early delivery of infrastructure is key to unlocking the development potential of sites, therefore the Church Commissioners consider that in order for there to be certainty as to the delivery of this site, there should be some greater detail as to the infrastructure which will be necessary to support the development of this site and the timing and nature of its provision. This should include details as to the means of access to the site.





Medway Core Strategy additional comments on behalf of the  
Church Commissioners for England (11)  
25<sup>th</sup> May 2012

Wednesday 13<sup>th</sup> June  
10am – Matter 3 - Housing Supply and Location

#### Inspector's Questions

***a) Will the strategy deliver the number of new homes required to meet the RS requirements/identified needs?***

The Church Commissioners have previously expressed support for the intention to deliver growth in accordance with the RSS housing growth figures and it remains correct, in policy terms, that the Council should be preparing their plan in accordance with regional guidance.

The Submission Document has reduced the total level of housing growth anticipated from 'Projected Strategic Land Availability Sites' (not including some of the large sites and allocations). It recognised that there may be evidence which demonstrates that these sites or the extent of development on them might not come forward at the levels which were previously anticipated. It is not clear however, on what basis this reduction has been undertaken and what the impact of it might be on the total delivery of growth in this area. It is considered that the Plan should not be pursuing a reduction in growth targets, but rather seeking alternative suitable locations on which to deliver the higher and already established growth rates from previous iterations of the Plan.

Similarly, the figures in Table 5.2 (the distribution of New Housing by Sub Area from 2011 – 2018) are lower in the submission draft document. Although there are inevitably reductions in the levels to reflect the elapsed time since the earlier draft documents, there should not be a reduction in the overall growth levels anticipated in this Plan period. There should remain an aspiration to deliver sustainable growth, in accordance with the Regional Spatial Strategy, with the flexibility to achieve the delivery of these rates in the most appropriate manner, dependent upon the sites which come forward during the plan period.

A number of the figures have reduced in terms of housing targets. Of particular note to the Church Commissioners are tables; 10.1 (Housing Development in Strood), 10.4 (Housing Development in Rochester), 10.7 (Housing Development in Chatham), 10.16 (Housing Development on Hoo Peninsular) and 10.19 (Housing Development in the Medway Valley). It is noted that this may partially reflect an elapsed time period since the previous iteration of the Plan, however it is not clear how this has been established. The Church Commissioners recognise that in recent years, the rates of housing growth have been lower than in preceding years, largely as a result of market conditions and that it is likely that rates of delivery will take some time to pick up again. Nonetheless, the NPPF encourages Local Authorities to include housing growth targets and a contingency figure (of up to 20%), where there have been recently low growth levels to ensure that growth continues to come forward, in a sustainable manner, but to achieve growth targets. It is therefore considered that in accordance with NPPF guidance, the general and area specific housing targets should be seeking to achieve more challenging delivery rates and higher overall growth levels.





Medway Core Strategy additional comments on behalf of the  
Church Commissioners for England (11)  
25<sup>th</sup> May 2012

***b) Are the locations identified for the supply of new housing the most appropriate when considered against all reasonable alternatives?***

The Church Commissioners are major landowners in the Kingsnorth area and are supportive of the aspirations for growth in this area. It is considered that there are other sites in this area which would be capable of the delivery of development both within the Plan period and beyond. It is also considered that there are sites in addition to those expressed in this Plan, which would be capable of suitably delivering development in the event that development was not forthcoming either as quickly or to the density anticipated within the identified growth areas. The Plan should therefore be suitably flexible to consider any such provision, when supported by a suitable evidence base, to assist in meeting the plan targets in the event that the anticipated sites are not forthcoming.

***c) Is there a reasonable prospect that the identified sites are deliverable/developable during the plan period, particularly those sites that have been carried forward from the local plan?***

The Church Commissioners have previously noted the recognition that Lodge Hill might not meet the anticipated housing delivery rates within the Plan period. It is also considered that the delivery of growth in this area should only be sought where it can be sustainable in terms of the delivery of supporting infrastructure and the balance of housing and employment growth.

In the event that the Lodge Hill area does not deliver growth in accordance with the anticipated rates and levels, there should be provisions in the Plan for the delivery of growth in alternative, equally suitable locations, such as land around the wider Lodge Hill area and in Hoo St Werburgh. These alternative locations may be capable of delivering development in an equally, if not more sustainable manner, particularly where they release pressure on the delivery of development at Lodge Hill and allow for the delivery of infrastructure commensurate with housing growth.

***d) Will the needs of gypsy and traveller communities and travelling showpeople be met by Policy CS16? Does the Policy comply with the National Planning Policy for Traveller sites (March 2012), including the requirement to set pitch and plot targets and to identify a five year supply of deliverable sites and developable sites or broad locations for the later years of the plan period?***

No Comment

**Hearing Participants**

Medway Council

Barratt Strategic (Judith Ashton Associates) (04)

Berkeley First (75th Barton Willmore) (05)

Chatham Maritime Trust (09)

Church Commissioners (DTZ) (11)

Countryside Properties (cgMs Consulting) (14)

David Ferrett (DHA Planning) (22)

Gillingham Football Club (DHA Planning) (26)

Sounding Board Properties (DHA Planning) (66)

Medway Sports and Leisure Park (Peter Court Associates) (47)

Rochester Bridgewood Ltd (Peter Court Associates) (62)

Medway Countryside Forum (44)





**Medway Core Strategy additional comments on behalf of the  
Church Commissioners for England (11)  
25<sup>th</sup> May 2012**

RSPB (65)



Medway Core Strategy additional comments on behalf of the  
Church Commissioners for England (11)  
25<sup>th</sup> May 2012

Thursday 14<sup>th</sup> June  
10am – Matter 5 – Lodge Hill Strategic Allocation

**Inspector's Questions**

***a) Will the proposed development at Lodge Hill contribute to sustainable development having regard to:***

- i) Accessibility issues;***
- ii) Impact on Chattenden Woods SSSI;***
- iii) Impact on agricultural land;***
- iv) Impact on existing communities.***

The Church Commissioners have previously expressed reservations as to whether the level of development proposed at Lodge Hill is adequate to deliver a truly sustainable new community. There are also concerns as to whether, even with a more extensive land area, the level of development anticipated in this area will actually be delivered. It is considered likely that further additional land will be required in order to achieve the target growth levels and that the Plan should be flexible to respond to this eventuality.

It is considered therefore that the overall sustainability of development at Lodge Hill needs to be fully tested and that it is inappropriate to fix the level and nature of growth in this area until this assessment has been undertaken. This should include consideration of the impact on the Chattenden Woods SSSI, existing agricultural land and existing communities and where this is not found to be suitable, consideration should be given to additional land, which might be capable of assisting in the delivery of these development aspirations in a more sustainable manner.

***b) Is there a realistic prospect that the goal of a free-standing settlement can be achieved, particularly bearing in mind uncertainties relating to employment provision?***

It is considered unlikely that the Lodge Hill area will deliver the levels and extent of growth identified by this Plan. Previous representations have also expressed concerns as to whether the area of land available will be capable of delivering adequate levels of community facilities and associated development required to deliver a truly sustainable community.

It is, however, considered that there is adequate land in the area (around Lodge Hill and potentially at Hoo St Werburgh) to deliver the anticipated growth rates and that with flexibility, this level of growth could be achieved in a sustainable manner, subject to the consideration of alternative (additional) areas of land which could contribute to these overall growth targets.

***c) Is the timetable for development realistic and achievable, particularly the necessary infrastructure provision and its impact on viability?***

***d) Relationship to development brief***

No comment.

**Hearing Participants**  
Medway Council



**Medway Core Strategy additional comments on behalf of the  
Church Commissioners for England (11)**

**25<sup>th</sup> May 2012**

Land Securities (CBRE) (40)

Church Commissioners (DTZ) (11)

Frindsbury & Wainscott Community Association (24)

Kent Wildlife Trust (37)

Rochester Bridge Trust (Smiths Gore) (61)

RSPB (65)

Jones, Ballard and Satwell (Page and Wells) (33)