

**CHATAM INTERFACE LAND DEVELOPMENT BRIEF**

**REPORT ON PUBLIC CONSULTATION 2017**



## **1. INTRODUCTION**

- 1.1 A Development Brief for the 'Interface Land' sites has been produced by Medway Council, working with the landowner, the Homes and Communities Agency (HCA). The Development Brief has been informed by discussions with Council officers from Planning, Design, Conservation, Flood Risk, and Highways teams, and also statutory consultees Historic England and the Environment Agency. Discussions have also been held with the Chatham Historic Dockyard Trust and Chatham Maritime Trust.
- 1.2 The Development Brief forms an adopted non-statutory planning guidance document and is a material planning consideration against which decisions can be made in relation to proposals for development of the two sites.
- 1.3 This report provides a record of the formal stage of consultation (Regulation 12 – Preparation of Supplementary Planning Document) undertaken in latter part of 2017, between November and December. It outlines the consultation process and highlights the main themes emerging from the responses. The council has considered the comments made in refining the development brief, which is also demonstrated below in section 6.
- 1.4 The consultation was largely managed through online resources, using the council's website. Planning officers also arranged for the consultation document to be made available at the relevant libraries and at reception at the Council offices. Further details of the consultation programme are set out in section 3 of this report.
- 1.5 A total of 57 responses were received. The comments made ranged between building heights, densities, and potential conflicts with businesses that operate close by, transport impact, consideration of heritage and retaining access to the waterfront.

## 2. COMPLIANCE WITH THE STATEMENT OF COMMUNITY INVOLVEMENT

- 2.1 The consultation carried out by the council has complied with the statutory requirements of the plan making process – under Regulation 12 of the Town and Country Planning (Local Planning)(England) Regulations 2012. The legislation defines ‘specific’ consultation bodies that are statutory consultees, and ‘general’ consultation bodies that cover wider stakeholders and residents. The consultation design was therefore mindful of the legal requirements that it needs to satisfy.
- 2.2 Medway Council prepared its latest Statement of Community Involvement in 2014. This statutory document sets out the approaches and standards to be followed in carrying out consultation on planning matters. The SCI provides a basis for how the council will involve the community in the preparation of planning policy documents, such as the Local Plan, and how it consults on planning applications. The document covers consultation and engagement methods, who will be consulted and the role of elected councillors.
- 2.3 Consultation on the development brief ran from 10<sup>th</sup> November 2017 to the 22<sup>nd</sup> December 2017 and sought the involvement of a wide range of specific and general consultation bodies including; voluntary bodies, bodies representing the interests of different racial, ethnic or national groups in Medway; bodies representing the interests of disabled people in Medway and bodies representing business interests in Medway.
- 2.4 A wide range of engagement methods, compliant with the adopted 2014 SCI, were used to promote the development brief in order to make contact with a cross-section of relevant and interested stakeholders, this included:
- **Email** sent directly to all contacts on the Local Plan consultation database
  - All materials made available on the **Council’s website** including a **questionnaire** (set out at Appendix 1).
  - **Reference copies** of the consultation document were available to view at the council’s offices, libraries/community hubs across Medway.
  - **Meetings** with key stakeholders to reach agreement on issues of concern.
- 2.5 People and organisations could respond to the consultation in different ways. Written comments could be made by email, an online survey form, or postal letter. There was an online questionnaire posted on the council’s website and hard copies of the questionnaire were available at Medway Council’s reception desk and libraries/community hubs across Medway during the consultation. Local people were

most likely to use the online questionnaire. Statutory and voluntary organisations, developers and planning agents were most likely to submit their responses by email.

### **Use of information gathered**

- 2.6 All written comments, information and personal contact details, submitted as part of the Chatham Interface Land Development Brief consultation were recorded as formal responses to the preparation of the development brief. The information was added to the consultation recording system for both documentation and analysis purposes.
- 2.7 Respondents contact details are held by the council in the Local Plan consultation database for the sole purpose of the Local Plan work and will not be shared with any other council services, or used for other purposes other than Planning Policy. The council retains the contact details for future Local Plan consultations, unless individuals have specifically asked the council not to.
- 2.8 Due to recent legislative changes (GDPR) in how we are expected to manage data written representations have not been published on the council's website as part of a formal record of development brief preparation. Instead details of changes as a result of comments made are set out in section 6. Information will be held until an appropriate period after the adoption of the development brief.

### **3. CONSULTATION PROGRAMME**

3.1 The council wishes to reach a broad range and cross section of organisations, businesses, and residents, and others with an interest in Medway, in preparing the content and direction of the Chatham Interface Land Development Brief to ensure that it effectively considers wider views of how the sites should develop. This section outlines how the council carried out consultation on the development brief and the different interests contacted.

#### **Consultation database**

3.2 A key tool in managing consultation on planning policy documents in Medway is the Medway Local Plan consultation database. This has over 1100 contacts and has been built up over a number of years and includes contact details of a wide range of organisations and people with an interest in Medway's development. These contacts include statutory organisations, voluntary and community groups; individuals, many of whom live in Medway; businesses, developers, landowners, planning consultants and representatives of partnerships. The database covers social, economic and environmental interests. This database is regularly updated and anyone who contacts the council about the Local Plan is asked if they would like to be added to the database so they can be kept updated of work on development policy in Medway. The majority of contacts include email addresses, but there are also many postal contacts, primarily in the local community. The council used the database to send notification of the start of the development brief consultation directly by email or letter to the organisations and people registered on the list.

#### **Audiences/stakeholders**

3.3 The various interests in the preparation of the Chatham Interface Land Development Brief can be considered under a number of broad categories:

- Elected member (councillor)
- Statutory consultees (defined in planning legislation)
- Developers
- Interest, voluntary and Community Groups
- Residents
- The wider business community

3.4 Elected Member engagement is critical to ensure the democratic basis of the plan, and to input members' views and knowledge into the new Local Plan. The plan needs civic leadership and wide ownership for the vision and development strategy being promoted.

Engagement was undertaken through:

- Briefings for members prior to submission to Cabinet for approval to consult the public
- Formal decision making – Cabinet approval to consult the public on the Draft Chatham Interface Land Development Brief
- Briefing portfolio holders post public consultation

3.5 Statutory consultees are organisations defined in legislation. The government requires certain organisations, such as Natural England and the Environment Agency, to be consulted during the preparation of planning policy. This is a technical audience that will seek opportunities to influence policy formulation in key thematic areas, and ensure that the development brief is consistent with national policy. The council sought the views of these organisations on the development brief.

3.6 Developers are a key sector to engage in the preparation of the development brief. Details of developers and planning agents with an interest in Medway are held on the Local Plan consultation database. The government seeks councils to work constructively with the development industry to identify potential sites and input to the preparation of policies.

3.7 Interest and Community Groups form a core set of the ‘general consultation bodies’ that councils must involve in the plan preparation process. The Local Plan consultation database includes a number of these groups with interests in Medway. The main areas of representation cover:

- Interest groups – these include environmental and amenity groups, arts and heritage groups, and social welfare organisations; and organisations with specific interests – e.g., housing associations, services and facilities.
- Community sectors – e.g., young people, older people, faith communities, people with disabilities, minority ethnic communities.

3.8 Medway’s residents are directly affected by planning and the approach taken to development in the development brief. The Local Plan database contains contact details for a number of residents who have asked to be kept updated on planning policy issues, and they have been directly invited to respond to the development brief consultation.

3.9 The wider business community is important to a strong local economy. The Planning Service has contact details for many local and sectoral businesses.

## **Communications and Notification**

- 3.10 The consultation was largely managed through online resources and email in line with corporate communications protocol. The consultation document was available to view on the council's website and responses could be made via email, letter response and online questionnaire. There was a strong media presence on the council's website, with information on the front page of the website.
- 3.11 A Public Notice was placed in the Kent Messenger to alert people to the consultation. The council contacted over 1000 people on its Local Plan consultation database, which included postal letters to a number of residents who had indicated that they wanted to be kept informed of progress on planning policy matters. The Planning Service placed copies of the consultation document in public libraries and community hubs across Medway.

## **Engagement**

- 3.12 Officers attended stakeholder meetings with Historic England and Chatham Historic Dockyard Trust at various stages:
- during preparation of the draft consultation;
  - during public consultation; and
  - post public consultation. This was a follow up meeting to discuss concerns and reach agreement on how to address them.
- 3.13 Briefings were held for Medway councillors in advance of and during the consultation.
- 3.14 These various methods of publicising the consultation enabled a range of people to express their views and opinions on development options within Medway.

#### **4. DUTY TO COOPERATE**

- 4.1 The Development Brief is prepared within the context of the National Planning Policy Framework, the Localism Act 2011 and other relevant legislation. In general Local Authorities are committed to 'engage constructively, actively and on an ongoing basis' with other Local Planning Authorities and public bodies and services to address 'strategic matters'. This legal obligation is known as the 'Duty to Cooperate'. For purposes of this development brief, however, no strategic cross boundary issues are identified and therefore do not necessitate consideration of Duty to Cooperate.

##### **Consulting on the development brief**

- 4.2 The council contacted all statutory consultees who represent interests as part of the consultation, seeking their comments to inform the preparation of the emerging development brief. Responses were received from statutory and public sector bodies, residents and community groups.
- 4.3 Specific meetings were held with :
- Chatham Historic Dockyard Trust
  - Historic England
  - Homes and Communities Agency as the applicant
- 4.4 These meetings were held to understand ambitions and issues arising and to achieve consensus on how to progress preparation of the development brief.



## 5. RESPONSE ANALYSIS

### Overview of responses

- 5.1 The council invited comments on the matters set out in the Draft Chatham Interface Land Development Brief. Views were sought on the proposed aspirations and development approach. Many respondents focused on specific areas of interest, heritage, access to the waterfront, building heights, densities, transport implications and identifying potential impacts of conflicting land uses.
- 5.2 The responses were submitted through the online questionnaire and by email/letter to the council. The online questionnaire was most frequently used by members of the public. Developers and statutory consultees generally submitted responses by email, focusing on specific matters of interest.
- 5.3 The 'general' responses fell into a number of broad categories of stakeholders listed in the table below with the largest proportion of responses coming from the public at 42% followed by community groups (30%).

<b>Proportion of total responses by respondent type</b>	
<b>Category of Stakeholder</b>	<b>Percentage</b>
Members of the public	42%
Business	5%
Charity/Community/Faith group	30%
University	2%
Government department/Public bodies	17%
Environmental group	2%
Other	2%

- 5.4 Most comments were supportive with the most frequently raised matters concerning the scale and height of the envisaged development proposals, impact of proposed uses on existing businesses, impact of noise on the proposed residential use, restriction of access to the waterfront, impact on the operation of existing businesses, impact on heritage and the transport network.

### Summary of responses by structure of the Development Options document

#### *Heritage*

- 5.5 There were many concerns around the ability of the proposed development to retain and respond positively to the heritage of the area. The area has a very rich heritage background (military and manufacturing) which is retained by the current uses and it's configuration on site. Any proposal on site needs to recognise the historic and

heritage background and demonstrate this through a sympathetic approach to heritage assets and its setting.

#### *Building heights*

- 5.6 Concerns were raised generally about the proposed heights being too ambitious for the area particularly given the inherent sensitivities associated with an area of such valued heritage and the need for proposals to be sympathetic to this.

#### *Housing and noise*

- 5.7 The guidance document points to a mixture of uses on site with schemes being predominantly residential lead. Given the existing noisy manufacturing and processing uses in close proximity to the site, concerns have been raised on the noise impact of these uses on the tranquillity of a high quality residential scheme. The quality of life of prospective residents would be severely impacted upon.
- 5.8 Impact will also be felt by the existing uses that currently operate without significant restricts on hours. Should the residential use be permitted, how will the businesses be affected? Would operation be restricted impacting on the productivity and therefore viability for future prosperity of the businesses. Security of a healthy functioning business is at risk, its contribution to the economy and creation of jobs for locals.

#### *Transport*

- 5.9 The development quanta could generate a fair amount of further traffic movements, which could have an impact on the already congested road network in the area. The increase in vehicle presence on the site could also have implications for accessibility to the current uses on site and its business operation.
- 5.10 The impact of the increased movements on the air quality and the AQMA specifically was raised.

#### *Access to the waterfront*

- 5.11 The Dockyard is one of the few waterfront areas in Medway where the general public have access to the river waterfront for sporting activities and as such many sailing and boating clubs are located in this area. Access to the waterfront is therefore valued. Concerns were raised that proposals would restrict, reduce or prevent access to the waterfront and/or create limitations for the healthy operation of their clubs.

## 6. REFINEMENT OF THE DOCUMENT

- 6.1 In refining the development brief for adoption, the comments made to the public consultation were analysed and parts of the development brief amended to reflect concerns raised where appropriate. This section provides a summary of how the development brief has been refined as a result of the public comments received and provides comment on questions raised.

### Scale and type of development

- 6.2 *Compliance with guidance and the evidence base*

Answer: Applicants will need to adhere to national and local planning application requirements and undertake necessary and appropriate assessment work to support the proposals.

- 6.3 *Lack of detail in the development brief*

Response: Details of exact development parcels will come forward as proposals evolve.

Response: Reference to 600 units and 'up to 10 storeys' has been removed. It is not for the Brief to determine the scale and type of development, actual design or capacity for the site. This is for applicants to determine within the design, policy, and environmental parameters set within the development brief. A higher rise development may be appropriate should all requirements be met.

Response: Site uses and capacity will be determined in due course it is not for the Brief to definitively stipulate. The site is owned by Homes England who has a remit to deliver housing on brownfield sites. Proposals are likely to be housing led but will be determined by market demand given the site is in the ownership of Homes England - a government agency tasked with delivery housing on difficult brownfield sites. There is also a shortage of housing land in Medway.

- 6.4 *Uses*

Response: Whilst 'pink areas' are shown as developable areas they could be developed for any use including recreational and open space. They are purely illustrative at this stage. The setback extent will be determined as proposals evolve.

- 6.5 *Recognise beneficial relationship with university*

Response: Additional bullet point added under 'Land Use Potential' to include Further & Higher Educational Uses (page 13).

Reference to Policy CF7 has been included within the policy box on page 15. Consultation with the 'universities at Medway added on page 8.

## **Design**

### 6.6 *Lack of design detail in the development brief*

Response: Design details will come forward at application stage. The Brief makes reference to more medium density development which reflects the housing at Marc Brunel Way. The Brief frequently references to importance of good design.

### 6.7 *Views*

Response: The Brief now makes reference to 'Views from within the Dockyard out' which will also work in reverse (page 24). It is agreed that proposals will seek to preserve all key view lines wherever possible.

### 6.8 *Sight lines*

Response: Sight lines are referred to in Table 3.2 which covers 4 separate sight lines. The actual development 'edge' will come forward as proposals evolve.

### 6.9 *Active Design*

Response: Following text added under sustainable connection in Section 4: 'Applicants should embrace Sport England's Active Design concept which promotes healthy communities through good urban design'

### 6.10 *Impact on Heritage*

Response: If the applicant can show that the design, policy, and environmental matters (particularly heritage) set out in the Brief can be addressed, then up to 600 units may be feasible but this needs to be demonstrated.

### 6.11 *Building heights*

Response: It is for the applicant to test the height of buildings can meet the requirements of the Brief in terms of sightlines and also the Council's Building Heights SPD.

## **Referencing**

6.12 Minor issues regarding the accuracy of data in the development brief has been taken on board where inaccuracies were found.

6.13 Reference to Medway Vision document now made in early part of the Brief.

## **Air Quality**

6.14 *Include reference to and consideration of Air Quality Management areas (AQMA)*

Response: The Land Quality section of the Brief had been renamed Land Quality , Air Quality & Noise and advises applicants that proposals should consider the impacts on the AQMA and discuss the need for and scope of an AQMA at pre-app stage.

## **Existing businesses and uses**

### 6.15 *Impact on existing businesses*

Response: Section 7 renamed Land Quality, Air Quality & Noise and following text added:

### 6.16 *Noise impact*

Response: The Riverside site lies adjacent to the Slip Buildings which have been in heavy industrial shipyard and boatyard use for centuries and remain so today. Equally the Brunel site lies adjacent to the Brunel Saw Mill which also has an ongoing industrial use. The uses within the Slip Buildings and the Saw Mill are safeguarded and the commercial viability of businesses should not be negatively impacted as a result of future residential use and potential noise complaints. Proposals must seek to address noise through careful planning, layout and design mitigation measures to ensure the noise impact for future users is made acceptable. Applicants should discuss the need for, and scope of, a Noise Assessment at early pre-application stage.'

Response: Section on Noise and commercial viability of industrial businesses added to Section 7

### 6.17 *Impact on access to slipway for water based activities*

Response: The Brief requires future proposals to retain and safeguard the Slipway. Additional line added in Table 3.2, item 4 - 'Sufficient space should be provided around the slipway to enable effective use'

## **Transport**

### 6.18 *Evidence*

Response: The Transport Assessment will assess traffic impact and mitigation improvements if necessary.

Response: The applicant will be required to produce a Transport Assessment assess the impacts of the number of units proposed and the resulting impact of vehicles. Proposals may be below 600 units.

### 6.19 *Access*

Response: Access considerations will progress at planning application stage. The Transport Assessment will assess access options and traffic impact.

### 6.20 *Air quality concerns emerging from trips generated*

Response: Minor comments were made by Highways England, which we feel the development brief addresses sufficiently. In addition details of matters such as

charging equipment for electric cars will come forward as proposals evolve and in line with the mitigation recommendations from the Air Quality Assessment. AQMA now referenced in Section 7.

6.21 *Car parking*

Response: Final parking details will come forward as the planning application proposals evolve.

**Environmental considerations**

6.22 *Ecology*

Response: Supportive comments were received from Natural England around the potential for this site to deliver ecological enhancements.

Response: Ecological details will come forward at application stage and in discussion with ecology officer.

Response: an additional line added to pages 40 and 41 say 'it is for the applicant to undertake appropriate ecology surveys and determine ecological presence or absence on site.'

6.23 *Flood Risk*

Response: Detailed technical flood assessment work has been undertaken to guide flood risk direction in the Brief. Applicants will be required to mitigate against flood risk and undertake a FRA as part of the planning application ensuring robust proposals and effective mitigation measures.

6.24 *Biodiversity and habitat*

Response: Further over-arching principle added to address comments made by the Environment Agency and to address issues of biodiversity: 'Proposals should seek to encourage habitat creation through a considered approach to scheme design' on page 40.

**Heritage**

6.25 *Setting the context*

Response: Medway Council and Homes England met with Chatham Historic Dockyard Trust and discussed the Brief in some detail leading to quite significant changes to the front end of the document. The Trust had a final opportunity to comment on the Brief following these amends.

6.26 *Compliance with Statutory bodies*

Response: The details of the Historic Environment section including the concepts and expectations have been prepared working closely with Peter Kendall and Tom Foxall of Historic England. All comments on page 3 of Historic England's letter have been added following a further meeting.

Response: a conscious decision was made from the outset that the Development Brief should be a planning policy tool which sets the policy context and sets up a number of design and technical parameters which future development should seek to address, rather than considering actual design solutions.

6.27 *Canal*

Response: The plan in 3.5 (page 25, bullet 2) requires 'canal route and shaft to be interpreted' as part of the proposals for the site. This relates to the underground architecture of the canal from the South Mast Pond to the Sawmill.

**Access to the river**

6.28 Optimising river access is included in Section 4.

6.29 The riverside connectivity can't proceed through the Historic Dockyard since the land is owned by Chatham Historic Dockyard Trust. This would not impact on public accessibility, i.e. the public would still be able to access the dockyard.

6.30 Final details regarding footpath/ river connections will come forward as the planning application proposals evolve.

**Utilities**

6.31 Section 8.3 amended to reflect SW comment that easement would be required if diversion were not possible regarding foul sewer traversing the northern portion of the Brunel site.

6.32 Reference to S106 made in Developer Contributions section 10.3.

## **7. CONCLUSION**

This summary report has documented the public consultation process for record. The final development brief has been refined and addresses comments received from various stakeholders.