

Planning Policy Team  
Medway Council  
Gun Wharf  
Dock Road  
Chatham  
Kent  
ME4 4TR

28th April 2023

Dear Sir or Madam,

## Representations to High Halstow Neighbourhood Plan 2020-2037 Regulation 16 Submission Consultation

On behalf of Redrow Homes Limited ("Redrow"), Knight Frank LLP ("Knight Frank") submit this Representation Letter to Medway Council in response to the High Halstow Neighbourhood Plan 2020-2037 Regulation 16 Submission Consultation, which closes on the 30th April 2023. In partnership with URBED, the Parish Council have also published the High Halstow Design Code (October 2022).

Redrow have a major land interest at Land East of High Halstow ('the Site'), which is identified in the High Halstow Neighbourhood Plan Regulation 16 Submission under Policy HH PQ4 'Land to the East of High Halstow' and within the supporting High Halstow Design Code. It is also noted that Dean Lewis Estate Land forms part of the proposed Site, and while this land will be brought forward separately by Dean Lewis Estate Land, it has been carefully considered as part of the overall masterplan.

It is acknowledged that in October 2021, High Halstow Parish Council published the Regulation 14 Consultation of the Neighbourhood Plan 2020 – 2037. Formal representations were submitted on behalf of Redrow to the Regulation 14 Consultation given their land interest and they should be read in conjunction with this further representation.

This Representation Letter provides Redrow's comments on the Regulation 16 Consultation of the High Halstow Neighbourhood Plan. Redrow maintain their support for the Neighbourhood Plan and in particular the inclusion of their land interest in the documentation. It is important to recognise that our comments are intended to help contribute towards meeting the basic conditions set out in the NPPG, to permit the Neighbourhood Plan to proceed to referendum stage.

Significantly the comments are also based on Redrow's detailed and comprehensive understanding of the Site, and it is important to note that in March 2023, a hybrid planning application for up to 760 new dwellings plus supporting infrastructure and community facilities has been submitted to Medway Council (Ref. MC/23/0855). As part of the extensive pre-application stage a number of meetings were undertaken with a range of stakeholders, including High Halstow Parish Council.

### Land East of High Halstow

Redrow has a major land interest within the Neighbourhood Plan as developers of Land East of High Halstow, which would be affected by those development management policies and site-specific policy guidance contained within the Neighbourhood Plan.

[REDACTED]

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In addition, the Dean Lewis Estate Land forms part of the proposed Site, and while this land will be brought forward separately by Dean Lewis Estate Land, a careful and collaborative approach has been adopted as part of the overall masterplanning exercise.

Redrow proposes to develop the Site for high-quality and sustainable residential-led development comprising around 760 new homes. The sensitive nature of the Site, especially in terms of landscape and design is fully recognised and that it has a strategic and significant role to play in shaping the future village of High Halstow, whilst contributing to wider planned development on the Hoo Peninsula and meeting local development needs. As such, Redrow has adopted an extensive programme of pre-application and public consultation engagement over the last five years, and they continue to be committed to genuine collaboration and engagement with Medway Council, High Halstow Parish Council and other key stakeholders

The Site was allocated for residential development (including land reserved for a 2FE primary school and other commercial/communities uses) in both the Medway Local Plan Regulation 18 (June, 2020) and the Regulation 19 (October, 2021) consultations, as site 1113 'Land East of High Halstow' and F.4, respectively. In August 2022, the Medway Local Plan was withdrawn by the Council.

Subsequently, Medway Council have restarted the process and are preparing a new Local Plan (to 2040) that will set out a vision for future development in Medway to ensure that the needs of the area are met through a number of housing, employment and supporting infrastructure policies and proposals.

In November 2022, Medway Council launched a Call for Sites Consultation and Redrow submitted representations to these providing the case for the Proposed Development at the Site, demonstrating that the Site is deliverable for future residential-led development and should be allocated within the Medway new Local Plan for such purposes.

Notwithstanding the above, the Site continues to be promoted for development in the emerging Hoo Development Framework ("HDF") document, which is being prepared by Medway Council and will set out a high-level masterplan and key development principles to guide future development on the Peninsula. This growth is aligned with the Housing Infrastructure Fund ("HIF") which allocated £170 million from Central Government to Medway Council in November 2019, for major infrastructure developments.

In March 2023, Redrow submitted a hybrid planning application to Medway Council for the residential-led development of Land to the East of High Halstow (Ref. MC/23/0855). The application was validated with the following description of development:

*"Hybrid Planning Application seeking:*

- 1) Outline permission (all matters reserved except for access) for the erection of up to 482no. residential units (including affordable housing), and a primary school (Use Class F1(a)) with new vehicular access points, car and cycle facilities and provision of public open space, sustainable drainage and landscaping works; and*
- 2) Full Planning Application (Phase 1) for the erection of 278no. residential units (including affordable housing) and the local centre (up to 1,000 sqm Use Classes E and F) with open space, associated vehicle, cycle and pedestrian access off Christmas Lane, upgrade of existing Public Right of Way, associated services and infrastructure, public realm, landscaping and SuDS. (Together with off-site highway works)."*

It is in this context that Redrow is submitting further representations to Neighbourhood Plan Regulation 16 Submission Consultation, to ensure that it promotes sustainable development and where areas pre-empt the Medway new Local Plan that these policies and/or requirements are not overly onerous or a barrier to development coming forward.

### Neighbourhood Planning Context and Process

Paragraph 29 of the National Planning Policy Framework ("NPPF") explains that neighbourhood planning gives communities the power to develop a shared vision for the area. NPPF Paragraph 29 requires that Neighbourhood Plans should not promote less development than set out in the strategic policies for the area or undermine those strategic policies.

The National Planning Practice Guidance (“NPPG”) explains that a Neighbourhood Plan must meet a set of basic conditions before it can proceed to a referendum and be made (Para. 8(2) of Schedule 4B to the Town and Country Planning Act 1990, as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004). The basic conditions are:

- a) Having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the order (or neighbourhood plan).
- b) Neighbourhood Plan contributes to the achievement of sustainable development.
- c) Neighbourhood Plan is in ‘general conformity’ with the strategic policies contained in the development plan for the area of the authority (or any part of that area).
- d) The Neighbourhood Plan does not breach, and is otherwise compatible with, EU obligations.

NPPF Footnote 18 explains that Neighbourhood Plans must be in general conformity with the strategic policies contained in any development plan that covers their area. When considering whether a policy is in general conformity, the independent examiner must also ensure policies consider emerging policies, in particular those proposed by Medway Council in the new Local Plan and HDF, as required by Section 38(5) of the Planning and Compulsory Purchase Act 2004).

The NPPG notes that while a Neighbourhood Plan is not tested against the policies in an emerging development plan the reasoning and evidence informing the Local Plan process is likely to be relevant to the consideration of the ‘basic conditions’, against which a Neighbourhood Plan is tested. Furthermore, the NPPG advises that where local and neighbourhood plans have conflicting policies, the later adopted plan will carry more weight.

It should be noted that strategic concerns have been raised by Medway Council at a Cabinet Meeting in March 2023, where Officer’s advised Cabinet that “*there are areas where the draft Neighbourhood Plan could be seen to pre-empt the new Medway Local Plan, and some policies and requirements in the design code could be overly onerous and a barrier to development coming forward*”<sup>1</sup>. There are significant contextual matters that must be addressed between all parties to ensure the Neighbourhood Plan does not prematurely prejudice development coming forward in High Halstow.

## Comments on High Halstow Neighbourhood Plan (Regulation 16) Consultation

### Policy HH PQ4 Land to the East of High Halstow

The overarching comment is that the Neighbourhood Plan should not be a barrier to development, or to promote less development than set out in the strategic policies for the area or undermine those strategic policies. Neighbourhood plans should develop a shared vision for the area and help to deliver sustainable development, in accordance with the social, economic and environmental objectives within paragraph 8 of the NPPF.

It is therefore suggested that the underlying tone of the Neighbourhood Plan, most notably the references within Policy HH PQ4 and paragraph 7.14 that state “*applications for development of the site will be considered premature ahead of the new Medway Local Plan being adopted and HIF strategic infrastructure being in place*” are removed entirely.

This requirement is not reasonable nor justified and implies that the Site is not suitable for development, which is in direct conflict with the Council’s growth aspirations for the area, and Redrow’s suite of technical evidence that was submitted as part of the hybrid planning application (Ref. MC/23/0855) which demonstrates that the Site is now capable of delivering sustainable development.

The suitability of residential-led development at the Site is evidenced at the local level in a variety of planning documents which are important considerations for plan-making and decision-taking. The Site was allocated for residential development (including land reserved for a 2FE primary school and potential other uses, which are yet to be defined) in both the Medway Local Plan Regulation 18 (June, 2020) and the Regulation 19 (October, 2021) documents, as site 113 ‘Land East of High Halstow’ and F.4, respectively.

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<sup>1</sup> <https://democracy.medway.gov.uk/mgconvert2pdf.aspx?id=67974>

Furthermore, the Site was assessed by Medway Council within the Strategic Land Availability Assessment 2019 (Site Ref: 113). The Site was considered to be achievable and available for development, and it was also considered suitable subject to transport and environmental impacts to be mitigated by schemes funded by the Housing Infrastructure Fund ("HIF").

Accordingly, the Site is also identified as part of the wider growth identified on the Hoo Peninsula in the emerging Medway Hoo Development Framework ("HDF") document, which will support the new Medway Local Plan. This growth is aligned with the HIF which allocated £170M to Medway Council in November 2019, for major infrastructure developments. It is evident that substantial investment is allocated for the Hoo Peninsula, and it is understood that the Council are committed to developing plans to deliver the new homes by providing strategic road, transport and environment improvements.

The Site has explicitly been identified for residential-led development in a number of planning and development documents, including the now revoked emerging Medway Local Plan, HDF, and HIF. In combination, these planning considerations establish a strong principle to how and why the Site should come forward for residential development.

In addition, the hybrid planning application demonstrably confirms that the development proposals for the Site achieve sustainable development in accordance with Paragraph 8 of the NPPF. The exhaustive benefits of the development are a result of the sensitive and thoughtful design of the new neighbourhood especially relating to the layout, mix and location of community uses, enhanced linkages, series of connected open spaces and other improvements, which ensure the Proposed Development is well integrated with the existing village.

In terms of economic benefits, the economic impact of housebuilding is significant and covers both the construction and operational phases where there will be 110 and 38 direct new jobs respectively, plus 129 indirect new jobs. Local spending will also increase, and the skillset of new residents will contribute towards the local workforce.

In terms of social benefits, the proposals will encourage healthy lifestyles, through the creation of a legible and walkable neighbourhood (in combination with the existing village). The 2FE Primary School, Local Centre, open spaces and allotments are all highly accessible and are set within a high quality and attractive new neighbourhood.

In terms of environment, the landscape setting has driven the design of the proposals, and the application delivers a range of environmental improvements with a significant biodiversity net gain. Measures to combat climate change are also embedded in the application including sustainable drainage, electric charging points and energy efficient building design and construction.

The proposed development makes a significant and effective contribution towards meeting housing needs, including the provision of much needed affordable homes, whilst delivering a sustainable development and creating and strengthening a vibrant community.

In summary, the proposed development represents sustainable development and seeks to help address the acute need for housing in the local area, as well as providing additional employment and community facilities for the local population. The overall benefits of the proposed development are considered to strongly outweigh any harm, particularly when applying the presumption in favour of sustainable development and considering the acuteness of the Council's 5-year housing land supply deficit.

**We require Policy HH PQ4 to be repositioned to align with the growth aspiration evidenced by Medway Council, as the Parish Council should consider the underpinning evidence-base undertaken by Medway Council in relation to the suitability of the Site for development.**

Policy HH PQ4 also contains a number of site-specific requirements that are also presented as part of the Design Code, which is expected to sit alongside the Neighbourhood Plan, consolidating its vision and design principles to provide specific commitments for development approvals.

Given that this document intends to guide designers and developers to meet the aspirations of the existing High Halstow community and ensure that design proposals are of high quality, Redrow has sought to actively engage with its development. Therefore, over the course of 2021, six virtual meetings were held with the Parish Council for them to firstly introduce the Design Code and then discuss its progression.

The High Halstow Design Code has been prepared following extensive discussions with Medway Council and the Redrow Design Team, to establish an overall masterplan, area types, densities and street types. The development proposals do draw upon the principles of those discussions and the Design Code to propose an indicative scheme.

The High Halstow Design Code also hopes to align with the principles of the HDF. The key variances are around the main access route from south-east alignment and densities distribution. Whilst the principles and framework within the Design Code are generally agreed, there a number of detailed elements, including proposed densities, street sections and the approach to frontages and set-backs, approach to parking etc, which are considered too prescriptive and not supported in the Redrow proposals.

### **Themes and Proposed Policies**

#### **1. Community**

Policy HH C1 (Village Centre and Facilities) continues to list important local services and facilities within the village centre that should be protected from loss. Policy HH C1 also sets out that where appropriate, applications to enhance and provide additional community facilities will be supported where they are located within or close to the village centre.

Policy HH C1 adds that new facilities that would be supported include a health centre, café and employment hub. Provision of an employment hub, with online and video conferencing capabilities, as well as creche and primary school places, will help support local lifestyles arising from the Covid pandemic.

It is noted that the development proposals will deliver a new Local Centre with the provision of up to 1,000sqm of non-residential floorspace to provide commercial and community facilities to meet local needs that will be accessible to both existing and new residents.

While, support is afforded to the guiding principles of Policy HH C1 to ensure High Halstow village centre remains vibrant, it was previously recommended that the level of provision for additional community facilities should be informed by the revised Medway Infrastructure Delivery Plan and relevant evidence base materials. Such evidence base material appears to be absent from the Neighbourhood Plan.

We contend that Policy HH C1 should acknowledge that the Site can help provide community facilities, however the level of provision required must be based on robust evidence.

#### **2. Education**

Policy HH C2 (Education) remarks that development of the Site will need to contribute towards the provision of new primary school places in the village. Policy HH C2 sets out location preferences for new primary school places, explaining that any new school buildings should be located as close as possible to the existing village, maximising connectivity and access for existing and new pupils.

A series of meetings were also held with Medway Council Education Team and Leigh Academies Trust to confirm the education requirement resulting from the development at the Site. The Council advised that a development of 760no. units would result in the requirement for a 1FE (plus 5 additional students) primary school but did recognise that the provision of a 2FE primary school would not be expected.

The Education Team supported Redrow's proposals to provide a 2FE primary school and that it would come forward as part of the first phase to ensure it will be delivered by 2027/28, which is the forecasted primary school tipping point. Therefore, it was agreed in principle that the Site would incorporate a 2FE primary school in the early stages of the development.

It is fundamental that the Parish Council, in collaboration with Medway's Education Team advice, ensure Policy HH C2 provides a clear and robust strategy for the delivery of the new primary school at the Site.

#### **3. Self and Custom Build Housing**

Policy HH PQ6 (Self and Custom Building Housing) explains that the provision of plots and self and custom build homes will be supported, and that a minimum of 5% of the plots at the Site shall be for self and custom building.

This policy requirement goes beyond the neighbourhood planning remit and does not satisfy paragraph 62 of the NPPF that clearly states the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies.

The 5% requirement is not positively prepared, nor does it appear to be justified or based on any available proportionate evidence. Therefore, it is submitted that this should be removed from the Neighbourhood Plan but if the principle is retained, the language must be recast to provide sufficient flexibility to ensure any different housing needs requirements are informed by an identified local need.

#### 4. Design Code

In summary we consider that the Design Code goes beyond what is required in relation to the level of detailed guidance for the Site.

#### **Summary**

Redrow supports the preparation of the Neighbourhood Plan and Design Code and continue to broadly agree with the Parish Council's overall vision and objectives set out in the Regulation 14 Consultation. Redrow however do take issue with the prematureness of the Neighbourhood Plan and mirror Medway Council's concerns that some of the proposed policies and requirements are overly onerous and would act as a barrier to sustainable development coming forward.

We submit that Redrow's Site is capable of delivering significant residential-led development that will serve as an extension to High Halstow. There is a robust case for the development of the Site, and this will positively contribute to the overarching objectives of the NPPF and the Medway new Local Plan, by delivering opportunities to plan for further growth on the Hoo Peninsula supported by the success of the Future Hoo HIF bid.

Given the sustained and detailed nature of discussions on the specific merits of the proposed development of the Site, as discussed throughout this Representation Letter, it is important that this evidence based and collaboratively developed proposal can be delivered without being bound by unduly onerous and retrospective policy references in the Neighbourhood Plan.

In the meantime, should you have any queries or require further information at this stage, please contact Roland Brass

[REDACTED] or [REDACTED]

Yours faithfully,

[REDACTED]

[REDACTED]