HIGH HALSTOW NEIGHBOURHOOD PLAN SUBMISSION VERSION

EXAMINATION

EXAMINER’S NOTE 2

1. On 31 August 2023 I held an exploratory meeting to discuss basic conditions issues in relation to the above Plan. The meeting, held remotely, was attended by High Halstow Parish Council, Medway Council, and representatives of Redrow Homes Limited and Dean Lewis Estates.
2. The meeting was prompted by my Note 1, which raised two concerns as to the compliance of the Plan with the basic conditions. The first concern arose from the relationship between draft policies and proposals in the Plan around the development of some 760 homes at Land East of High Halstow (LEHH), and (in particular) Policy S1 of the adopted Medway Local Plan 2003. The second concern essentially related to the sustainability credentials of LEHH, in the light of presently planned infrastructure proposals. At my suggestion, the meeting focused mainly on the first of these concerns.
3. I invited short written responses from the parties as to two potential options: Option 1—postponing the examination until a date after Spring 2024, following the publication under Regulation 19 of the Medway Local Plan, together with strategic infrastructure evidence; Option 2—a more rapid approach whereby the Plan would be amended now, so as to conform more closely with the adopted Local Plan.
4. The responses of Medway Council and the developer interests favoured Option 1. The Parish Council favoured Option 2.
5. I have carefully considered these responses. In making my decision I have been guided by the relevant advice in paragraph 009 of NPPG. I have borne in mind the very out-of-date nature of the adopted Local Plan.
6. My decision is that Option 1 should be followed. The Regulation 19 Local Plan and its evidence base will be highly relevant to the basic conditions relating to national policy and guidance, and the achievement of sustainable development.
7. This delay is an exceptional step to take in the examination of a neighbourhood plan. However, I am satisfied that it is justified by the unusual circumstances giving rise to it.
8. The Neighbourhood Plan will still, of course, have to be in general conformity with the strategic policies of the adopted Local Plan, for it to proceed (prior to the adoption of the future Local Plan). The parties favouring Option 1 will doubtless have considered this aspect.
9. There are two alternatives as to the formal next step to take. Alternative 1 is that I formally suspend the examination until a date in, say, April 2024, and resume at that stage. The potential disadvantage of this course is that I could have no role in being informed of, and taking any steps in the event of, unexpected circumstances (such as delay in the Local Plan process). Alternative 2, therefore, is that the examination is simply “paused” until a date expected to be April 2024, leaving it open for Medway Council to inform me from time to time of Local Plan progress etc and any other material developments.
10. I favour Alternative 2, subject to receiving any contrary views. I ask Medway Council to inform me (having consulted the other parties to the exploratory meeting) of the desired way forward, by Tuesday 10 October 2023.

Christopher Lockhart-Mummery KC

Examiner

3 October 2023