

**Planning, Infrastructure and
Economic Development Policy
Advisory Committee**

4th October 2023

**Response to Medway Council Local Plan 2022-2040
Regulation 18 Consultation**

Timetable	
Meeting	Date
Planning, Infrastructure and Economic Development Policy Advisory Committee	4 th October 2023
Cabinet Member for Planning, Infrastructure and Economic Development	5 th October 2023

Will this be a Key Decision?	No
Urgency	Not Applicable
Final Decision-Maker	Cabinet Member for Planning, Infrastructure and Economic Development
Lead Head of Service	Karen Britton (Head of Spatial Planning and Economic Development)
Lead Officer and Report Author	Helen Smith (Principal Planner, Strategic Planning) Tom Gilbert (Principal Planner, Strategic Planning)
Classification	Public
Wards affected	All

Executive Summary

Medway Council is preparing a new Local Plan and has launched an early stage (Regulation 18) public consultation, which closes on 31 October 2023. The new Local Plan will cover the period up to 2040. This report provides a headline summary of the consultation document and recommends that the Council's draft response to the consultation, set out in Appendix 1, is formally submitted. The report is to be considered by the Planning, Infrastructure and Economic Development Policy Advisory Committee before being passed to the Cabinet Member for a decision.

Purpose of Report

Recommendation to Cabinet Member.

This report asks the Committee to consider the following recommendation to the Cabinet Member for Planning, Infrastructure and Economic Development:

1. That Maidstone Borough Council's response to the Medway Local Plan Regulation 18 consultation, attached as Appendix 1 to this report, is submitted to Medway Council, ahead of the 31st October 2023 deadline.

Response to Medway Council Local Plan 2022-2040 Regulation 18 Consultation

1. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
Impact on Corporate Priorities	<p>The four Strategic Plan objectives are:</p> <ul style="list-style-type: none"> • Embracing Growth and Enabling Infrastructure • Safe, Clean and Green • Homes and Communities • A Thriving Place <p>As this report relates to the content of a neighbouring authority's local plan, we do not expect the recommendations will by themselves materially affect achievement of corporate priorities.</p>	Karen Britton, Head of Spatial Planning and Economic Development
Cross Cutting Objectives	<p>The four cross-cutting objectives are:</p> <ul style="list-style-type: none"> • Heritage is Respected • Health Inequalities are Addressed and Reduced • Deprivation and Social Mobility is Improved • Biodiversity and Environmental Sustainability is respected <p>The report recommendation supports the various strands of the Council's ongoing strategic planning work, including compliance with the duty to cooperate, which contributes toward achievement of the cross cutting objectives.</p>	Karen Britton, Head of Spatial Planning and Economic Development
Risk Management	Already covered in the risk section	Karen Britton, Head of Spatial Planning and Economic Development
Financial	The financial costs of responding to Medway Council Local Plan consultation at this stage can be accommodated within existing budgets.	Mark Green

Staffing	We will deliver the recommendations with our current staffing.	Karen Britton, Head of Spatial Planning and Economic Development
Legal	<p>The duty to cooperate was created by the Localism Act 2011 and amends the Planning and Compulsory Purchase Act 2004. It places a legal duty on local planning authorities, county councils in England and public bodies to engage constructively, actively and on an ongoing basis to maximise the effectiveness of Local Plan preparation in the context of strategic cross boundary matters.</p> <p>This approach also helps ensure that Maidstone Borough Council's interests are communicated clearly to Medway Council as it progresses work on its Local Plan.</p>	Cheryl Parks Mid Kent Legal Services (Planning)
Information Governance	The recommendations do not impact personal information (as defined in UK GDPR and Data Protection Act 2018) the Council processes.	Lauren McNicol
Equalities	The recommendations do not propose a change in service therefore will not require an equalities impact assessment.	Helen Smith
Public Health	We recognise that the recommendation will not negatively impact on population health or that of individuals.	Helen Smith
Crime and Disorder	The recommendation will not negatively impact on crime and disorder.	Karen Britton, Head of Spatial Planning and Economic Development
Procurement	Not applicable	Karen Britton, Head of Spatial Planning and Economic Development
Biodiversity and Climate Change	The implications of this report on biodiversity and climate change have been considered and at this stage in the consultation process there are no implications on biodiversity and climate change.	Helen Smith

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2. INTRODUCTION AND BACKGROUND

2.1 Medway Council is currently consulting on an early stage (Regulation 18) Local Plan document. The consultation runs from 18th September to 31st October 2023.

2.2 This section of the report provides a summary of the consultation and the proposed response from Maidstone Borough Council. The full draft response is set out in Appendix 1 of this report.

Background

2.3 Medway Council is preparing a new Local Plan. It is intended that this Plan, once adopted, will supersede the 2003 Medway Local plan. The new Local Plan will cover the period 2022 to 2040.

2.4 Medway Council is now carrying out an early-stage public consultation on the new Local Plan. This is a Regulation 18 stage consultation in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012, as amended. The consultation document is titled 'Regulation 18 Consultation – Setting the Direction for Medway 2040'. The document does not detail policies or identify sites preferred for new development. The detail will be shown in the next stage of the Local Plan which will be published next year.

2.5 Further information about the consultation and links to view documents are available online: <https://www.medway.gov.uk/futuremedway>

2.6 Medway's Local Development Scheme (LDS) sets out the timetable for preparing the Local Plan. Following the current Regulation 18 consultation the LDS provides for a Regulation 19 consultation (early 2024), Regulation 22 submission of the Local Plan to the Secretary of State for examination (summer 2024) and adoption (autumn 2025).

Consultation content

2.7 The Local Plan consultation document focusses principally on setting the scope of the new plan and getting stakeholder input on the plan's direction and content. The document includes contextual information and identifies the main issues and priorities for the plan across a range of topic areas. It proposes a vision for Medway in 2040 and a number of strategic objectives. It also presents spatial options to address the identified issues. The document does not set out preferred policy approaches or identify preferred sites as these will be established later in the plan process, informed by consultation feedback and additional evidence.

2.8 The consultation document is organised into five main sections, as follows:

- Introduction
- Context
- Vision for Medway 2040
- Strategic objectives

- Developing a spatial strategy
- Next steps

2.9 There are no formal/set questions within the document, leaving respondents able to comment freely on any paragraph in the document.

2.10 The Local Plan consultation document provides an indication of the authority's future growth requirements that the plan will seek to address. These requirements are informed by the latest evidence base, including the Medway Employment Land Assessment 2020, and the Medway Housing and Demographics Report 2021. The Plan includes a need for c.62.3 hectares of employment land (to 2037) and a local housing need figure of 1,667 dwellings per annum or 28,339 (gross) dwellings across the plan period up to 2040; a figure derived using the government's 'Standard Method' calculation. The inclusion of a buffer to allow for some sites not coming forward increases this figure to over 29,000 dwellings. In addition, the Council must consider if there is capacity to provide up to an additional 2,000 homes to help meet Gravesham's housing needs, following a request from the neighbouring borough. The consultation document does not identify specific development requirements for retail nor for Gypsy, Traveller and Travelling Showpeople accommodation.

2.11 To address identified needs for new development the consultation document identifies four broad categories of locations for distributing growth:

- Urban regeneration;
- Suburban growth;
- Rural development; and
- Green Belt loss.

2.12 These broad locations are based upon a Land Availability Assessment (LAA); itself informed by a Call for Sites, as well as sites from other sources such as the Brownfield Land Register and development briefs. The consultation document sets out the opportunities, issues and constraints for each of the four broad growth location categories. It should be noted that 'suburban expansion' includes potential development sites in the southern part of the borough in proximity to Maidstone Borough, essentially extending Lidsing Garden Community. Medway Council acknowledge, under 'issues and constraints' that "*Development to the south around the Capstone Valley would potentially adjoin the development of the proposed 'Lidsing Garden Community' in Maidstone. The landowner is promoting a cross-border masterplan. There are a number of potential impacts, including transport, infrastructure and the natural environment*".

2.13 For employment land, the consultation document identifies that the majority of land would be needed for warehousing and distribution activities. It identifies strategic sites at Grain and Kingsnorth on the Hoo Peninsula, as well as the Innovation Park Medway.

2.14 Medway council highlight that any growth strategy and potential development sites/locations will be tested against a range of criteria, including transport impacts and viability.

2.15 In terms of next steps, Medway Council continues to collate its evidence base to support the Local Plan. Further assessments of sites will also take place. Specific reference is made to further work on transport and infrastructure planning. This further evidence work, combined with consultation feedback, will all contribute to the next stage of Medway Council's Local Plan.

Maidstone Borough Council response

2.16 The Regulation 18 consultation document does not contain a set list of formal questions for response. It is therefore proposed that a long-form response is provided in order to focus on those key areas of interest specific to Maidstone Borough Council. The draft response is attached as Appendix 1 to this report.

2.17 The Council has a statutory duty to cooperate with prescribed bodies, including neighbouring local authorities, on strategic cross-boundary matters. Maidstone Borough Council has and will continue to engage positively and proactively with Medway through the Local Plan process. The consultation response reaffirms this position and welcomes the opportunity to comment on the emerging local plan as part of the ongoing engagement.

2.18 At this stage in the plan process there are no preferred policy approaches or development sites confirmed and it is therefore difficult to assess the implications of the plan on Maidstone borough. However, the response does provide feedback on the 'suburban expansion' growth location in terms of its relationship to Lidsing Garden Community and the future work required, particularly on the highway network and air quality.

2.19 The consultation response also provides additional comments on selected topic areas which may have strategic cross-boundary implications, including housing and infrastructure.

3. AVAILABLE OPTIONS

3.1 Option 1: That the Planning, Infrastructure and Economic Development Policy Advisory Committee recommend that the draft response to the consultation be approved by the Cabinet Member for Planning, Infrastructure and Economic Development. This would allow the response to be sent by the submission deadline and help to ensure the Council fulfils its statutory duty to cooperate.

3.2 Option 2: That the Planning, Infrastructure and Economic Development Policy Advisory Committee recommend that the draft response be approved by the Cabinet Member for Planning, Infrastructure and Economic Development, subject to further comments and changes. Depending on the extent and timing of the receipt of these comments, this would allow the response to be sent by the submission deadline.

3.3 Option 3: That the Planning, Infrastructure and Economic Development Policy Advisory Committee recommend that the draft response is not approved by the Cabinet Member for Planning, Infrastructure and Economic

Development. However, this would mean the response would not be sent and the Council's views on the Regulation 18 document would not be duly submitted for consideration by Medway Council as work on their Local Plan progresses. It may also compromise the Council's ability to demonstrate it has fulfilled its statutory duty to cooperate.

4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

- 4.1 Option 1: That the draft response to the consultation be approved by the Cabinet Member for Planning, Infrastructure and Economic Development. This would allow the response to be sent by the submission deadline and help to ensure the Council fulfils its statutory duty to cooperate.
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5. RISK

- 5.1 The risk associated with the recommendation, including the risks should the Council not act as recommended, have been considered in line with the Council's Risk management Framework.
- 5.2 If agreement is secured, per the recommendations, then we are satisfied that the risks associated are within the Council's risk appetite and will be managed as per the Policy.
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6. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

- 6.1 If agreed, the response provided as Appendix 1 will be presented to the Cabinet Member and then if approved submitted to Medway Council on behalf of Maidstone Borough Council.
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7. REPORT APPENDICES

The following documents are to be published with this report and form part of the report:

- Appendix 1: Draft Response to Medway Local Plan Regulation 18 consultation
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8. BACKGROUND PAPERS

The Medway Council Local Plan Regulation 18 consultation document can be viewed online at the following link: <https://www.medway.gov.uk/futuremedway>