# **Arches (Chatham) Draft Neighbourhood Plan – Medway Council comments at Regulation 16**

## **Overview**

Medway Council broadly supports the Neighbourhood Plan for Arches Chatham. The neighbourhood planning forum has engaged positively with the council, both as local planning authority, and corporately, in the preparation of the plan.

The plan has been developed in the context of the emerging Medway Local Plan, and wider regeneration and development programmes for the centre of Chatham. The council is impressed by the depth and scale of consultation carried out in the preparation of the plan, reaching diverse communities and stakeholders.

The council published the draft plan for representations at Regulation 16 from 17 March to 30 April 2023. It publicised the Regulation 16 through a public notice in the local press, and direct mailings to statutory consultees and a broad range of stakeholders who have notified the council that they wish to be informed on planning policy consultations. The Planning Service also arranged for the Neighbourhood Planning Forum to present the draft plan to Medway Council members. Six responses were received to the consultation. This low number of responses may reflect the extensive consultation carried out at earlier stages by the neighbourhood forum.

The Planning Service has provided some planning and development context below for the Examiner. In the absence of an up-to-date local plan, the council has sought to signpost the Examiner to relevant evidence base documents and workstreams. The council’s comments are also attached. The comments have been collated by the Planning Service, but also reflect input from wider services, such as Housing, Environmental Protection, Greenspaces and Transport.

Copies of the external representations received at Regulation 16, and a summary of the issues raised are provided separately. For clarification, Medway Council is a unitary authority. Comments have been received from Kent County Council as a neighbouring authority, and its role for specialist services. Medway Council has SLAs with Kent County Council for the provision of specialist archaeology and ecology services.

## **Medway Local Plan**

The current Medway Local Plan was adopted in 2003. The council has experienced a number of challenges in preparing a new local plan, which have led to significant delays in updating the plan. The council is working to a Regulation 18 consultation this autumn, focusing on spatial strategy alternatives, in advance of publishing the draft plan in early 2024.

Due to the age of the current Local Plan, and the lack of a five-year land supply for housing, the council does not rely on the allocations and development boundaries. However, the majority of the policies are compliant with the NPPF. The current plan does not specify strategic policies, but a number of policies, such as for the environment and economy continue to provide strategic direction.

The council has carried out three rounds of consultation at Regulation 18 to support the preparation of the new local plan. A range of evidence base documents have been published. The council carried out a Call for Sites which closed at the end of February 2023. The Planning Service is producing a Land Availability Assessment that includes information gathered through the Call for Sites, as well as wider sources. This will be used in the preparation of the Regulation 18 consultation planned for this autumn on spatial strategy alternatives, before identifying the council’s preferred development strategy in the draft plan next year. It is anticipated that the new local plan will be adopted in 2025.

Medway has a strong record of urban regeneration in recent decades, notably in the transformation of the former dockyard to the north of Chatham, and wider waterfront sites. The council promotes the regeneration of Medway’s urban waterfront and centres as a core component of its vision for the area’s sustainable development. Much of the existing policy framework supports these ambitions, with a number of development briefs and masterplans, and programmes setting out opportunities and guidance for the regeneration of urban Medway.

Chatham has a critical role in the regeneration and wider growth plans for Medway. Part of the Arches (Chatham) Neighbourhood Area includes the centre of Chatham which is the focus of current and planned development. It is anticipated that the centre of Chatham will be a strategic growth location in the new local plan, with a number of development allocations and opportunity areas.

Development is already taking place in the area, such as on former car park sites off The Brook. The Neighbourhood Plan includes parts of the central Chatham regeneration area, and key sites such as the former Go Outdoors and Buzz Bingo. The former site is subject to pre-application discussions with the council, and a planning application (MC/22/2904) has been submitted for the latter site.

The council has secured a place in the government’s national pilot programme for Design Codes, run by the Department for Levelling Up, Housing and Communities (DLUHC). The focus of the project in Medway is the Chatham Design Code. This includes part of the Arches (Chatham) Neighbourhood Area. The Chatham Design Code proposes parameters on new development to achieve a vision of a thriving, healthy and green city centre, recognising the area’s natural and built heritage. It recognises the development potential of much of central Chatham, to provide new homes, commercial and community facilities.

The council has worked with the Arches Chatham Neighbourhood Forum and Create Streets in the development and consultation on the Chatham Design Code. The council is broadly supportive of the approach taken in the Arches NP Design Code, but there are some variations with the emerging Chatham Design Code. These include a finer grain approach to building heights, where in certain locations, the council’s work would support building at higher levels than set in the NP Design Code. The council is seeking to consult on the draft Design Code this autumn.

## **Medway Council Comments on Draft Neighbourhood Plan**

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| **Page Number/**  **Reference** | **Medway Council comments** |
| P.11 HO1 | The council supports the proposed policy. The 10% Affordable Housing level has been informed by work on the emerging Medway Local Plan and draft Viability Assessment. The council is seeking to promote higher levels of affordable housing delivery on greenfield sites, where viability is stronger. Planning applications for development in urban regeneration areas such as the centre of Chatham often show marginal viability and lower affordable housing contributions are delivered.  The council notes that 25% of the Affordable Housing contribution must be First Homes, in line with the NPPF.  The price cap on First Homes is £250k (after the 30% discount is applied), therefore it is unlikely that 3 bed homes and higher would be viable – the First Homes are likely to be 1 and 2 bed homes. |
| P.12 HO3 | The council supports this policy, and it aligns with current policy in the 2003 Medway Local Plan. |
| P.13 HO4 | See detailed comments for Chapter 4 below |
| P.13 HO5 | The council supports this policy, and it aligns with the emerging Local Plan policy and provides a useful basis for potential Article 4 direction work. |
| P.14 HO6 | The aim of the policy is supported, but the specific wording is queried in parts. Although the policy is clearly within the housing chapter, the policy could be clearer by referencing residential development. |
| P14 HO6 | There seems some confusion between private and public outdoor space here and this should be clarified. The proposed policy is smaller than what should be provided under the Medway Housing Design Standards (Interim) 2011, which the council doubts is the intention of the policy.  The current Medway Local Plan Policy L4 should also be referred to (or subsequent replacement).  If the policy is to align to current policy, the council requests a modification to the policy:  *There should be a minimum of 5m2 of private outdoor space (patio, balcony or roof terrace) provided for 1-2 person flat and an extra 1m2 should be provided for each additional occupant of the flat.  Communal space should be well designed and could include community growing spaces.  Houses should have a private garden with a minimum length of 7m. 10m will normally be expected. Open space should be a minimum of 10m in width on small sites and commensurately wider on larger sites.  Further details on public open space should follow Medway Local Plan Policy L4.* |
| P14 HO7 | The council’s Conservation Officer has some concerns that the proposed policy doesn’t go beyond what is currently prescribed through existing local and national policy, and therefore isn’t going to be specific enough to the NHP area and the characteristics of the historic environment that the NHP intends to address.  (see additional comments under BNE6) |
| P18 BNE2 | The council supports the designation of the proposed Local Green Spaces. |
| P18 BNE3 | The council suggests that the policy could refer to the Local Plan guidance for what should be provided for new public open space.  The council queries the rationale on last point in the policy regarding utilities specifically. |
| P18 BNE3 | Rationale text: *There are two principal public open spaces in the area, Town Hall Gardens and Luton Millennium Green. These spaces are underused, poorly maintained and lack good accessibility to all residents. Despite this, public open spaces are important to the community and valuable in their social, environmental and economic benefits, as evidenced by national studies including the National Heritage Fund’s Parks for People 2021 report.*  The council disagrees with the wording of the text highlighted in yellow.  These spaces are not poorly maintained and would question underused.  Accessibility is difficult to Town Hall Gardens, due to the nature of the surrounding terrain (steep slope up Whiffens Avenue).  The council suggests this sentence could be reworded to: *In a densely populated area, these spaces are valuable parks for local communities and should be further invested in, providing suitable additional facilities and improved access (where possible).* |
| P19 BNE4 | The aim of the policy is welcomed, but the council would like to suggest modifications to the wording of the policy. The policy may also benefit from a wider consideration of categories and scale of developments, beyond householder applications, where it may not be appropriate to apply this policy. It would be useful to provide reference to a strategy or project supporting the 25% canopy cover target. The proposed modifications are to recognise that the focus of the policy is on trees, supporting biodiversity, and securing resilience, especially in the context of the climate emergency.  Proposed modification to policy, rationale and addition to glossary:  ***BNE4 – Urban Forest & Greening***  *Planning decisions must ensure that every opportunity is taken to incorporate trees in developments, increase tree canopy cover, ensure that measures are in place to secure the long-term maintenance of new trees, and ensure that existing trees of merit are retained and safeguarded wherever possible. To achieve this:*   * *Where trees grow on or adjacent to a site, or where new tree planting is proposed, any proposal for development must be assessed following the guidance and recommendations contained in the current version of British Standard 5837.* * *New tree planting proposals must follow the ethos of ‘right tree in the right place’. Species should reflect local character and growing conditions, maximise opportunities for biodiversity, be resilient to a future changing climate and provide maximum ecosystem services to residents.* * *The size of trees planted should be appropriate to site constraints and design objectives. It is sometimes the case that where larger trees are proposed they will be slower to establish, with an increased risk of failure – conversely smaller trees might be more prone to vandalism. Tree planting proposals should be assessed against the current version of British Standard 8545.* * *Existing and proposed trees should contribute toward a target of achieving a future tree canopy cover of 25% for the neighbourhood plan area/on each site over the plan period. Where it can be demonstrated by the developer that contributions toward this target cannot be achieved on site, this will be achieved first and foremost through tree planting and establishment in the immediate area. On the rare occasion that it can be demonstrated that this is impractical, the use of other green infrastructure (e.g. green roofs and walls, hedges or hedgerows) will be considered as an alternative means of mitigating any shortfall.*   **BNE4 – Rationale**  Trees make an important contribution to the character and quality of urban environments. They provide support biodiversity and can help mitigate and adapt to climate change. Both the National Planning Policy Framework and the England Trees Action Plan recognise and support the need for trees and woodland.  Various studies demonstrate the ability of trees to reduce toxic air mortality, improve mental health, and encourage biodiversity. For example, (Riondato, 2020), (Wolf, 2018) and (Wood & Marzluff, 2020).  There is currently a clear lack of urban green infrastructure in the area and the limited amount in existence is not well joint up. Community-led efforts by Arches Local to introduce greenery into the dense, built-up parts of the area have proved successful and are continuing annually. |
| P19 BNE4 | Typo in rationale text – replace joint with joined. |
| P20 BNE6 | The council suggests that there may be potential to strengthen this policy, through allowing a mechanism for the NHP group to update non-designated heritage assets (so not to limit the policy to just those identified so far), and a policy wording along the lines of: *The effect of a proposal on the significance of Non-Designated Heritage Assets will be taken into account to avoid or minimise conflict between the heritage asset’s conservation and any aspect of the proposal.* |
| P22 ST1 | The council is broadly supportive of this policy, but suggests some modifications to the policy wording to reference the wider ambitions and requirements in existing council policy and guidance.  *Air quality Developments which provide a gain of housing*, except those which involve the change of use of premises….  The council is not sure why change of use would be excluded - all developments need to be considered in air quality terms and the council’s planning guidance sets out where air quality may be a material consideration, for example in the checklists. This has not recognised the impact of existing areas of poor air quality on new developments, and that introducing new exposure may result in new AQMAs/extensions to an existing AQMA- this would not be acceptable.  Further suggestions for modifications to the wording of the policy are set out below in red font:  …. *Proposals should also be in accordance with any local air quality action plan and planning guidance. New developments and street improvements should encourage active travel and the reduction of car dependency by including the following, where appropriate: • Use of low emission vehicles in construction • Street-level greenery to absorb pollution • Tree planting (where possible native, particularly those best suited for pollution absorption) • Freight consolidation • Pedestrian-priority street design • Cycle parking • Segregated cycle tracks • Incorporating active travel routes through sites (This is a non-exhaustive list). Mitigation shall be determined in line with our planning guidance, and we have minimum levels of mitigation (EV charging and low NOx boilers) and depending on the developments impact additional mitigation may be required.* |
| P22 ST1 | Rationale text –  PM2.5 is not a pollutant of concern, and the council has no statutory responsibility for it. Suggest removing this reference.  The council also considers that the final sentence of the rationale text should be removed. |
| P22 ST2 | Rationale Text – comments/context from MC officers for noting:  Officers are currently developing a Local Cycling and Walking Infrastructure Plan ‘LCWIP’ to build upon the 80+ miles of cycle route on Medway’s network. This includes proposals for a rationalised ‘desire network’ with appropriate network density and connections. Priority Cycling Corridors in the Arches Chatham Neighbourhood Plan area include Route 3: Luton Road. |
| P23 ST4 | Support policy, but suggest rewording to *‘New developments should minimise parking, be well integrated and parking should not dominate the streetscene. Opportunities for on-street car parking should be supported by a parking stress survey’*.  The policy could be allied to sustainable development aims with reference to supporting active travel and public transport. |
| P23 ST4 | Rationale Text – suggest wording change from:  *The absence of space taken by car dependent developments could create opportunities for additional homes, …*  To: *Reducing the spatial impact of parking could create opportunities for additional homes, …’* |
| P30 CS3 | Typo – replace ‘my’ with ‘by’ |
| P34 Site 1 | The council supports the principle of development on the proposed allocation. It aligns with wider regeneration proposals for the centre of Chatham. However, the council considers that the allocation should consider the immediate adjacent land to the proposed site to present a more coherent development opportunity. |
| P35 – Site 2 | The council supports the principle of development on the proposed allocation. This is anticipated as an allocation/development opportunity in the new Local Plan, and is a key site in the Chatham Design Code. Work on the latter has identified the importance of public open space and greenery at the frontage to this site, to form part of strategic green networks in the centre of Chatham and addressing the poor quality environment for people along the Brook and the junction of High Street.  There has been further work on planning for this site, involving the ACNF and Medway Council. There is the opportunity to jointly review specific wording in this site allocation.  Note typo – replace ‘urban gain’ with ‘urban grain’ |
| P36 - Site 2 | Comments/background context:  May be worth referring to the recently published report ‘Tackling loneliness through the built environment’ which highlights the need for: ‘Hyper-local’ spaces - the inclusion, design and thoughtful use of shared spaces in housing developments may also be used to create a hyper-local environment which is supportive of social connection. ‘Threshold’ spaces such as lobbies in residential buildings, backyards and balconies may be used to encourage more incidental encounters.  See the [Tackling loneliness through the built environment report](https://www.campaigntoendloneliness.org/tackling-loneliness-through-the-built-environment/). |
| P36 - Site 2 | Suggest rewording to ‘Restitch the High Street back together by fitting into the surrounding urban structure reflecting the local context, character, and scale’. |
| P42 – Site 8 | The council has concerns about the achievability of sustainable development at this site. The site access is poor, using a service road, which would need upgrading, and the quality of development and amenity could be compromised by the constrained location. The council would prefer to see the site removed as an allocation, or the policy modified to acknowledge the challenges and constraints of the site. |
| P44 – Chp 6 | Typo – should be Chapter 5 |
| P45 – Action Plan | Luton Road Shoppers Car Park improvements.  Text states: Inspired by schemes such as Gillett Square and Barcelona's Superblock, …  Suggest that Barcelona’s Superblock may not be an appropriate design reference. Suggest including other projects which have revitalised neglected corners of urban areas such as Blue House Yard Creative Workspace in Wood Green, London and Dalston Eastern Curve Garden in London. |
| P49 - Glossary | Additional information in support of BNE4:  **New entries for Glossary**   * British Standard 8545 - British Standard 8545 *‘Trees: from nursery to independence in the landscape – Recommendations’*. A standard intended to assist people involved in planning, designing, resourcing, producing, planting and managing new trees in the landscape. * British Standard 5837 - British Standard 5837 *‘Trees in relation to design, demolition and construction – Recommendations’*. A standard providing recommendations and guidance for anyone interested in harmony between trees and development in its broadest sense. * Ecosystem Service benefits – in the context of policy BNE4, the benefits to people derived from trees, such as carbon storage, rainfall interception, pollution removal and amenity. For further advice go to the [Forest Research website](file:///C:\Users\skye.maskell\AppData\Local\Microsoft\Windows\INetCache\Content.Outlook\KMVNWS6W\•%09https:\www.forestresearch.gov.uk\research\quantification-and-valuation-of-benefits-provided-by-urban-trees\selecting-urban-trees-for-ecosystem-service-provision\). * England Trees Action Plan – A plan that sets out the government’s long-term vision for the treescape it wants to see in England by 2050 and beyond. The plan provides a strategic framework. * Urban Forest – The trees and forests in and around urban areas. For further advice see the [urban forestry guidance on GOV.UK](https://www.gov.uk/guidance/urban-forestry). |

## **Links to background documents and evidence base**

The current Medway Local Plan can be viewed at: [Medway Local Plan 2003](https://www.medway.gov.uk/downloads/file/2400/medway_local_plan_2003)

The current Local Development Scheme can be viewed at: [Local Development Scheme 2022](https://www.medway.gov.uk/downloads/file/7852/local_development_scheme_2022)

Work on the emerging Local Plan can be viewed at: [Local Plan Evidence Base](https://www.medway.gov.uk/downloads/download/32/local_plan_evidence_base),

## **Evidence base documents**

[Strategic Land Availability Assessment](https://www.medway.gov.uk/downloads/download/21/medway_strategic_land_availability_assessment)

Local Housing Needs Assessment, 2021 [Local Housing Needs Assessment](https://www.medway.gov.uk/downloads/file/6239/medway_local_housing_needs_assessment_2021)

Chatham Town Centre Masterplan, 2019 [Chatham Town Centre Masterplan](https://www.medway.gov.uk/downloads/file/4524/chatham_town_centre_masterplan)

Medway Housing Design Standards (Interim) 2011 [Medway Housing Design Standards](https://www.medway.gov.uk/downloads/file/61/medway_housing_design_standards)

Medway Building Heights SPD documents listed at: [Development briefs, area based policies and other guidance](https://www.medway.gov.uk/downloads/download/30/development_briefs_area_based_policies_and_other_guidance)