

16. Monitoring and Implementation

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16.1 Monitoring

Local Plan Aim

To monitor the implementation of the Local Plan's key objectives by assessing the effectiveness of the policies and proposals.

16.1 Introduction

16.1.1 PPG12 requires local planning authorities to keep under review the matters which may be expected to affect the development or the planning of their area to ensure that they are achieving what they set out to and to identify policies in need of review. 'Best Value' will become a statutory requirement during the life of the Plan and monitoring will take on greater importance.

16.1.2 The purpose of this section of the Plan is to set out the general approach the Council intends to adopt for this task. It is likely that over time, the monitoring system will be refined with the benefit of experience and Government guidance, such as that contained in the documents 'A Better Quality of Life: A Strategy for Sustainable Development in the UK' (DETR, May 1999), 'Monitoring the Provision of Housing through the Planning System: Towards Better Practice' (DETR, October 2000), and best practice and advice resulting from the 'Best Value' process.

16.1.3 The Council recognises the need for, and the benefits that can arise from, the monitoring of its activities and policies. The effectiveness and continuing relevance of this Plan will be assessed through the development control process, including appeals, in relation to site-specific matters, and with reference to the changing external policy climate, for example Planning Policy Guidance Notes and the Kent Structure Plan. The Council, with the County Council, already monitors a number of specific issues such as residential completions and take-up of employment planning permissions, as well as retail uses – including vacancies – in the town centre and district and local shopping centres. The monitoring of this Plan will continue the processes already in place.

Local Plan Monitoring Approach

16.1.4 In order to enhance the scope and quality of the monitoring process, 26 targets have been incorporated in the Plan, shown at the end of this chapter. They will be used to comprehensively monitor the effectiveness of the Plan's policies and will be implemented on a phased basis. In particular, the targets will focus on how the Plan's policies are directing/impacting upon the location and provision of new development within the Borough and/or protecting its features which have special qualities. It is the Council's aim to achieve all of the targets by the end of the Plan period. A series of indicators will be used to collect information relating to the targets and these are also located at the end of this chapter.

16.1.5 Collection of information relating to the indicators will occur on a continual basis and will be assessed on a yearly basis. An Annual Monitoring Report will assess the collected information to determine whether the targets have been achieved and whether the Plan's policies and key objectives have been delivered; and if not, establish why. In particular, the Annual Monitoring Report will be used to identify where existing targets and indicators need to be amended or deleted and/or new

ones included. The Annual Monitoring Report will also identify the need for, and the scope of, a review of the Plan.

16.1.6 In addition to the targets and indicators, further contextual information may be collected regarding the state of the Borough and the changes occurring within it. For instance, an assessment of house prices and average earnings in the Borough will be particularly helpful in determining the amount of affordable housing required in the future. Once again, assessments of contextual information will be included within the Annual Monitoring Report.

16.1.7 The extent to which policies are given effect through the development control process and upheld on appeal to the Secretary of State, including an assessment of the number of planning permissions granted as formal departures from the Plan and the reasons will be monitored as part of the Annual Monitoring Report process.

16.1.9 Periodic reviews will be undertaken of supplementary planning guidance, where necessary.

Local Plan Review Procedure

16.1.10 The Plan's time horizon is 2001-2011. Government advice suggests that the Plan should be reviewed at least once every five years. However, the pace and scale of development in Kent Thameside means that local planning is a continuous process for the Council. In response to the monitoring of the Plan, undertaken as part of the Annual Monitoring Report process, any significant changes or anomalies which may be identified will be considered by the Council. When necessary, draft alterations to the Plan will be published and the views of interested parties invited, prior to the adoption of any revised policies. Such changes will then be reviewed and incorporated into the Plan, as formal alterations, at the next review which will be within five years of the Plan's adoption. The Sustainability Appraisal of the Plan will be updated at each major stage of policy refinement.

16.2 Implementation

Local Plan Aim

To secure the implementation of the Plan's policies and proposals through all possible means, including the development control process, the encouragement of development on a site-specific basis and through available funding streams, including external funding.

Implementation of Local Plan Policies and Proposals

16.2.1 The implementation of the Plan policies will be mainly through the operation of the development control process under the Town and Country Planning Act 1990 and related statutes and regulations. There are obligatory requirements for consultation with public bodies, whilst people likely to be affected by a proposal are also consulted. Proposals likely to have a particularly harmful impact on a neighbourhood, such as 'poor' neighbour applications, and departures from the Local Plan are also advertised in the local press and comments invited.

16.2.2 Local Plan policies must be realistic and capable of implementation during the currency of the Plan, except where the Plan provides to the contrary. Implementation will require primarily private sector actions and finance.

- 16.2.3 There is presently a wide range of different service agencies and providers responsible for the provision of transport and social and community infrastructure. Additionally, it is possible that the institutional and legislative framework for the delivery of at least some of these services will change during the lifetime of the Plan.
- 16.2.4 Kent Thameside is identified as a major growth area of regional significance. The Kent Thameside local authorities, Dartford, Gravesham and Kent County take seriously the implementation of the Thames Gateway Regeneration Strategy through the development plan process. Given the range of issues affecting the area, the long term nature of development and the need to co-ordinate the planning and delivery of transport and community infrastructure to underpin this major growth the local authorities have established a Member level Joint Executive Committee under the provisions of Section 101 of the Local Government Act. An officer level Strategic Implementation Team has also been set up. Other partnership bodies including the private sector have also been established in the area. The Dartford and Gravesham local plans are being reviewed in tandem in order to provide a 'seamless' planning policy basis for development in the Thameside area.
- 16.2.5 The major part of the Kent Thameside development potential lies within Dartford Borough and much of it is concentrated in a small number of major sites such as Ebbsfleet, Eastern Quarry, North Dartford and Ingress Park. The development of these, and other sites in the area, will involve: restoration/ground work treatment; possible land shaping; major transport infrastructure; community and social facilities and a network of public open space. As such there will be a wide number of competing claims on the limited land value of these sites. Not only are there a number of different sites but, as noted above, there is also a wide range of agencies involved in the development process, such as the privatised utility companies, transport infrastructure and services, and the County service providers. Furthermore, the scale of new growth will result in new urban villages and walkable neighbourhoods which will require significant levels of new infrastructure that are not usually required with the incremental expansion of existing settlements, such as secondary schools, community centres and major parkland. The Thameside Strategic Implementation Team has therefore commissioned consultants to undertake an assessment of existing social and community provision and additional facilities that will be required as a direct consequence of the level of new development proposed in the area taking account of any shortfall. The study outputs include a draft Community Infrastructure Plan for the provision of community infrastructure. The findings of the study have formed an input into the Community Facilities and Major Development Sites chapters and will help guide negotiations on the level of social and community facilities necessitated by new developments.

Planning Obligations

- 16.2.6 This Plan and its associated supplementary planning guidance provides policy guidance for developers to contribute, where appropriate, towards the social and community facilities and infrastructure requirements generated by their development (see Community Facilities chapter) and for the major development sites (see Major Developments Sites chapter). These policies are based on the advice set out in Circular 1/97 and Section 106 of the Town and Country Planning Act 1990 as substituted by the 1991 Act. The Kent local authorities have also prepared a 'Good Practice Guide on Development Contributions'.
- 16.2.7 Because of the scale of growth and the need to fund a wide range of social and community facilities, and other infrastructure the Council will, where there are shortfalls in provision resulting from the development, seek development

contributions through obligations to fund the necessary provision. The Plan does not operate a minimum threshold approach as to the size of site which might trigger this process because the incremental effect of a number of small developments can make just as significant demands as a large development. Instead applications will be assessed against factors such as the level of existing spare capacity.

16.2.8 Paragraph 7 of Circular 1/97 sets out the tests which the Secretary of State expects to be met when entering into planning obligations. The local planning authority will secure obligations that are:

- necessary;
- relevant to planning;
- directly related to the proposed development;
- fairly and reasonably related in scale and kind to the proposed development; and
- reasonable in all other respects.

16.2.9 Depending on the circumstances of particular sites, the Council will seek to use planning obligations, 'Grampian' style conditions, or a combination of both to secure infrastructure provision.

16.2.10 The local planning authority will continue to expect high standards of layout, design, external appearance, landscaping and means of access irrespective of the level of development contributions sought for other services and facilities. The payment of development contributions should not therefore be offset against the overall quality of the development.

Principles for Negotiating Planning Obligations

16.2.11 The cost of providing necessary social and community facilities and other infrastructure relating directly to the development, where there is no existing spare capacity, should normally be borne by the development. Nevertheless, the local planning authority recognises that the scale of the Thameside sites and the cost penalty of dealing with 'brownfield' conditions place abnormal demands on development values. Furthermore, much of the supporting infrastructure will need to be in place before income can be realised from some sites. There may, therefore, in some instances be a need to investigate and utilise sources of 'gap' funding. Where a developer is of the view that the full funding of infrastructure from the development value is not possible the local planning authority will expect developers to justify why they should not be expected to meet requirements in full and to be prepared to work on an 'open book' accounting basis in order to substantiate their case. If a developer is unwilling to participate in this approach then the local planning authority would have no justification for setting aside the requirement for a full contribution. The costs of validating the accounts will be borne by the applicant or exceptionally by the beneficiaries of the package. Information obtained through 'open book' accounting will be treated as confidential.

16.2.12 It will often be appropriate to phase contributions and commuted sums. The phasing agreements will be clearly set out in the legal agreement.

16.2.13 In order to ensure that the necessary social and community infrastructure is provided at appropriate phases during the construction of a new residential or mixed-use development, the guidelines set out in Appendix 14 and the standards in Policy LRT12 specify the number of completed dwellings that will trigger the provision of the particular infrastructure required, be it schools, community halls or public open space. This will be achieved either by way of a planning obligation or through a 'Grampian' style condition.

16.2.14 Funds obtained through planning obligations will only be used for the purposes that accord with the terms of the planning obligation. In particular, the planning obligation will specify the time limit within which the Council or service provider may use the money and/or land and include provisions requiring its repayment to the developer with interest.

16.2.15 In addition to the need for new facilities to be provided where necessary, developers may, where appropriate, also be required to adequately replace any features or facilities to be lost.

16.2.16 Developers will be required to pay the local planning authority's reasonable legal and accounting costs resulting from preparing and sealing a Section 106 planning obligation.

16.2.17 It is the Council's practice for Section 106 obligations to be concluded within six months of the Committee meeting that approved the development subject to agreement. Where an agreement is not concluded within 6 months the application will be referred back to Committee. Where appropriate the terms of the legal agreement(s) may be subject to amendment to take account of factors such as changes in shortfall, and inflation.

Targets and Indicators

Target Number	Targets	Indicators
Chapter 2 Development and Design		
1	60% of all new development located on previously-developed land	<ul style="list-style-type: none"> Percentage of new development and conversions, permitted and completed, on previously-developed land compared to greenfield land development
2	All new residential development to be in accordance with Development and Design policies	<ul style="list-style-type: none"> Percentage of new permissions: <ul style="list-style-type: none"> - with access to employment opportunities as well as community, educational, social, recreation, open space and shopping facilities - with access to local pedestrian, cycle and public transport networks.
3	Planning permissions on identified sites and windfall sites larger than 1 hectare in accordance with policy DD6	<ul style="list-style-type: none"> Number of planning permissions granted not in accordance with policy DD6 Amount of new open space created via the granting of planning permissions which contribute to the Green Grid
4	Public art incorporated into development schemes larger than 2 hectares	<ul style="list-style-type: none"> Percentage of new development schemes larger than 2 hectares which incorporate public art
Chapter 3 Housing		
5	Sufficient housing units provided to meet Structure Plan requirements	<ul style="list-style-type: none"> Total number of housing units permitted by 2006 and by 2011, compared to the Structure Plan requirement Percentage of housing units permitted on windfall sites compared to total new residential build
6	Planning permissions relating to residential developments in accordance with housing policies / PPG3.	<ul style="list-style-type: none"> Percentage of residential permissions in accordance with policy H1 Percentage of residential permissions with average densities per hectare in accordance with PPG3 Percentage of residential permissions not achieving average densities per hectare in accordance with PPG3
7	30% of new residential development on qualified sites as affordable housing	<ul style="list-style-type: none"> Percentage of residential permissions on qualified sites (H16) as affordable housing compared to total new residential build on qualified sites

Chapter 4 Employment		
8	Net gain in employment floorspace to meet Structure Plan requirements	<ul style="list-style-type: none"> Total B1 and B2-B8 floorspace permitted Percentage of floorspace permitted compared to the Structure Plan requirement Loss of floorspace from existing employment sites
Chapter 5 Transport		
9	All new development* to have reasonable access to the local public transport network (* excluding B8 use)	<ul style="list-style-type: none"> Percentage of new development* with specific linkages to the local public transport network Percentage of new development* without reasonable access to the local public transport network
10	New development does not exceed maximum parking standards	<ul style="list-style-type: none"> Percentage of new permissions in urban locations which exceed the maximum car parking standards Percentage of new permissions in rural locations which exceed the maximum car parking standards Percentage of residential permissions with off street car parking spaces per dwelling of 1.5 or below, compared to total new residential build Average off street car parking spaces for residential permissions within 400 metres of a bus stop and/or 800 metres of a rail station
Chapter 6 The Green Belt		
11	No inappropriate development in the Green Belt	<ul style="list-style-type: none"> Number of planning permissions granted not in accordance with GB policies.
Chapter 7 Retailing		
12	Planning permissions relating to retail developments in accordance with the sequential approach as specified in policy R1	<ul style="list-style-type: none"> Number of planning permissions granted not in accordance with the sequential approach as specified in policy R1 Amount of new retail floorspace developed in the town centre, Bluewater, edge of centre, neighbourhood centres, and out of town Percentage of new convenience retail floorspace in locations other than identified sites Total amount of new comparison retail floorspace
Chapter 8 Community Facilities		
13	Community facilities required by a development are provided for	<ul style="list-style-type: none"> Number and type of community facilities required by developments Number and type of community facilities provided for, through section 106 agreements or by other means
Chapter 9 Leisure, Recreation and Tourism		
14	New leisure and recreation development to be permitted at identified locations throughout the Borough	<ul style="list-style-type: none"> Number of planning permissions granted not in accordance with policies LRT1 and LRT5 Total floorspace and range of leisure/recreation activities in locations other than identified sites
15	New open spaces required by a development are provided for	<ul style="list-style-type: none"> Hectares of open space required by developments Hectares of open space provided for as part of developments, through section 106 agreements or by other means Percentage of new development with open spaces not meeting the standards in policy LRT12
Chapter 10 Built Environment		
16	No damage or loss to Listed Buildings, Conservation Areas and Scheduled Ancient Monuments	<ul style="list-style-type: none"> Number of proposals permitted which would damage or result in the loss of Listed Buildings, Conservation Areas and Scheduled Ancient Monuments
Chapter 11 Natural Resources		
17	Planning permissions relating to development in the floodplain in accordance with flooding policies	<ul style="list-style-type: none"> Number of planning permissions granted within the floodplain which are contrary to: <ul style="list-style-type: none"> technical guidance in PPG25 the advice given by the Environment Agency
18	Planning permissions relating to	<ul style="list-style-type: none"> Number of planning permissions granted which are

	noisy developments in accordance with noise policies	contrary to: <ul style="list-style-type: none"> - technical guidance in PPG24 - the advice given by Environment Health
19	Planning permissions relating to pollution emitting developments in accordance with air and water policies	<ul style="list-style-type: none"> • Number of planning permissions granted which are contrary to: <ul style="list-style-type: none"> - technical guidance in PPG23 - Dartford Borough Council's Air Quality Strategy - the advice given by Environment Health and/or the Environment Agency.
20	No new development located on contaminated and/or landfill sites prior to the completion of an investigative survey and remediation works.	<ul style="list-style-type: none"> • Percentage of new developments (which require investigations into contamination issues) that are commenced only after contamination issues have been identified in an investigative survey and remediation works have been completed to the satisfaction of the Council • Number of planning permissions granted which are contrary to: <ul style="list-style-type: none"> - technical guidance in PPG23 - DBCs Contaminated Land Strategy - the advice given by Environment Health and/or the Environment Agency.
Chapter 12 The Countryside and the Villages		
21	No new development located on best and most versatile agricultural land	<ul style="list-style-type: none"> • Number of planning permissions granted for built development on best and most versatile agricultural land
22	No damage or loss to SSSIs, NNRs, SNCIs, LNRs and woodlands	<ul style="list-style-type: none"> • Number of proposals permitted which would damage or result in the loss of SSSIs, NNRs, SNCIs, LNRs and woodlands
Chapter 13 The River Thames		
23	New development to provide access to the banks of the River Thames	<ul style="list-style-type: none"> • Number of planning permissions granted for built development which precludes public access to the banks of the River Thames
Chapter 14 Dartford Town Centre		
24	At least 70% of primary shopping frontage in A1 use	<ul style="list-style-type: none"> • Percentage of total town centre frontage in A1 use
Chapter 15 Major Development Sites		
25	MDS have adopted planning briefs prior to the submission of a planning application	<ul style="list-style-type: none"> • Percentage of MDS with adopted planning briefs prior to the submission of planning applications • Number of adopted planning briefs which conform with relevant MDS policies • Percentage of MDS where planning applications have been granted
Chapter 16 Monitoring and Implementation		
26	All targets monitored	<ul style="list-style-type: none"> • Percentage of targets monitored

Please Note: These targets and indicators will be located at the end of the relevant chapters 2-15 in the adopted version of the Plan.