

Dartford Local Plan Pre- Submission (Publication) September 2021 Town and Country Planning (Local Planning) England Regulations 2012 – Regulation 19 Representation Form

Representations on the Dartford Local Plan should be submitted by **5pm on Wednesday 27th October 2021. Late representations will not be accepted.**

Representations should be made using this form and submitted to Dartford Borough Council by email to localplan@dartford.gov.uk or sent to: Planning Policy Team, Dartford Borough Council, Civic Centre, Home Gardens, Dartford, Kent DA1 1DR.

Additional copies of the form can be obtained from the Council's website at: <https://www.dartford.gov.uk/by-category/environment-and-planning2/new-planning-homepage/planning-policy/new-local-plan>. Photocopies of blank forms can also be made.

Advice on how to make representations is provided in the guidance notes which accompany this form. You are strongly advised to read the guidance notes before completing this form. ***Please note that if you responded to the previous version of the Pre-Submission Local Plan February 2021, your previous representation will not be automatically carried forward and you will need to respond again.***

This form comprises 3 parts:

- Part 1: Your details
- Part 2: Your representation(s). Please fill out a separate sheet for each representation you wish to make. However, only fill in Part A once and send all representations in together.
- Part 3: Declaration

If you have any queries about this consultation, please contact the Planning Policy Team by emailing localplan@dartford.gov.uk or by phoning 01322 343213.

You only need to fill this section out once.

Part 1: Your details

You only need to fill this section out once

	1. Personal details	2. Agent details (if applicable)
Title		
Name		Paula Carney
Organisation / group	Kitewood Estates	CarneySweeney Limited
Address 1	c/o Agent	
Address 2		
Address 3		
Postcode		
Telephone number		
Email address		

If you are replying on behalf of a group, how many people does it represent?

Part 2: Representation

For office use only

Consultee ID:

Agent ID:

Date Received:

Please use a separate sheet for each representation

Name or Organisation:	Kitewood Estates
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1. To which part of the Local Plan does this representation relate (please specify paragraph or policy number)?

Paragraph	<input type="text"/>	Policy	<input type="text" value="S1"/>	Policies Map	<input type="text"/>
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2. Do you consider the Local Plan is:

Please mark with a cross in the boxes as appropriate

(1) Legally compliant	Yes	<input type="text" value="X"/>	No	<input type="text"/>
(2) Sound	Yes	<input type="text"/>	No	<input type="text" value="X"/>
(3) Complies with the duty to co-operate	Yes	<input type="text"/>	No	<input type="text" value="X"/>

3. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

See attached.

(Continue on a separate sheet / expand box if necessary)

4. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 3 above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

S1 – add need to review Green Belt and inclusion of settlements with appropriate level of services in the southern part of the borough as having potential for housing subject to a Green Belt review taking place. This can be done through additions to the text in criteria 2 and 3 of the policy. This would also cover the potential for land to be excluded from the Green Belt on the edge of such settlements to provide for housing needs beyond the Plan period or to come forward to address any five year housing land shortfalls within the Plan period.

(Continue on a separate sheet / expand box if necessary)

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I do not wish to participate in hearing session(s)

☐

Yes, I wish to participate in hearing sessions(s)

☒

Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate.

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.

Kitewood's representations in relation to changes to Policy S1 are wide-ranging and raise a number of fundamental considerations relevant to the finalisation of a revised spatial strategy in the Plan. Kitewood intends to make further representations on these issues in accordance with the agenda which the Inspector would publish prior to the Examination and expect to participate in discussions and raise further questions about the Council's current position.

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they may wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

Part 3: Declaration

Data Protection

The personal information you provide on this form will be processed in accordance with the Data Protection Act 2018 and the Privacy and Electronic Communications (EC Directive) Regulations 2003. The information you provide will only be used for the purposes of the preparation of the Local Plan as required by the Planning and Compulsory Purchase Act 2004, and may be used by the Council to contact you, if necessary, regarding your submission. Under Regulation 22, we have a duty to send all representations to the appointed Planning Inspector. Your name, organisation name (if relevant), comments and town/parish of residence will be made available for public inspection when displaying and reporting the outcome of the statutory consultation stage and cannot be treated as confidential. You will not be asked for any unnecessary information and we will not publish any personal data beyond what is stated in this declaration.

Please sign and date this form. Forms signed electronically will be accepted.

Declaration:

By completing and signing this form, I agree to my name, organisation, town/parish of residence and representations being made available for public inspection.

Signature:

On behalf of Paula Carney

Date:

27/10/2021

REPRESENTATIONS ON BEHALF OF KITWOOD ESTATES TO REGULATION 19 DRAFT OF DARTFORD LOCAL PLAN REVIEW

Introduction and summary of Kitewood's position

Kitewood Estates welcome the opportunity to comment on the Regulation 19 draft version of the Dartford Borough Local Plan. Kitewood made representations to the Pre-Submission Allocation Draft Local Plan in April 2021. These earlier representations related to the following matters:

1. The overall development/spatial strategy for new housing and employment development in the Borough (Policies S1 and M9).
2. The strategy for Green Belt review or lack of it (Policy S1).
3. The scale of housing land provision (Policy S4).

To a great extent Kitewood reiterate the points made in April and also add to their comments as follows.

Kitewood has land interests at Wilmington which is in the southern part of the Borough and is not intended (by the Council) to be the subject of any housing/economic growth of a notable scale. This is because the area (including Wilmington) is Green Belt and the Council has taken the decision that it will not review the Green Belt nor concentrate any development other than minor infilling within settlement boundaries within that area (around 200 new dwellings in total).

The Local Plan strategy is to concentrate new development in the northern part of the Borough and seek to achieve a target of 80% brownfield land development for housing and other uses. Kitewood consider that whilst this strategy is generally in accordance with Government objectives, an opportunity is being missed to allow sustainable small-scale growth in the settlements in the Green Belt (through rounding off of settlement boundaries). This will add a relatively small but significant amount to the housing supply within the southern part of the Borough, which will also be sustainable in the larger settlements where there are existing services such as schools (ref. Policy M9).

The need for the Local Plan to review Green Belt boundaries around such settlements would be in accordance with the NPPF – indeed the Green Belt in its current form is argued not to comply with the NPPF because the boundaries of it are unlikely to endure beyond the end of the Plan period – 2037.

In addition to there is a strong case for the Council to review its position with regard to Green Belt settlements in the southern of the Borough to accommodate some relatively modest growth, Kitewood is also concerned that in seeking to achieve the scale of housing set out in Policy S4 there is reliance upon significant delivery of large allocations at Ebbsfleet, Ashmere and Orchard centres as well as an allowance (which is not quantified) for development in Dartford town centre. Kitewood is concerned that the delivery anticipated on the larger sites (set out in the SHLAA and supporting evidence base) is optimistic and therefore additional allocated sites need to be identified in the Local Plan now.

Kitewood would comment that the Policy S4 housing requirement – some 790 dwellings per annum – is in accordance with the 2017 OAN assessments made by the Government – however there is no allowance made for any overspill from Greater London. Kitewood observe that in the Preferred Options report published by the Council in 2020, the range of housing need that was identified was

between 790 and 865 dwellings per annum. The Policy S4 figure of 790 dpa is at the lowest end of that range.

Comments on issues identified within the Regulation 19 draft

Kitewood wish to comment on the following policy issues contained within the Regulation 19 version of the Local Plan Review:

1. Development/Spatial Strategy

The strategy for development and new allocations in the Local Plan Review (LPR) is set out in section 2 of the Plan and Policy S1. Broadly the Council wishes to concentrate all significant development in the northern part of the Borough within the Dartford area and also by relying on Ebbsfleet to contribute a significant proportion of new housing growth required (see below). In that context the Council is seeking to achieve an objective of 80% of new housing on brownfield sites.

Whilst the brownfield site objective is laudable, it is stated in the evidence base (Residential Requirement Report September 2021) that in the period 2006 - 2021 an 81% figure for brownfield land development has been achieved. With the Plan period of the review going from 2021 to 2037, it is inevitable that the availability and capacity of brownfield land for development will decline over time – as the best and most available sites will have been developed first. Therefore, the Council should be realistic in its evaluation of whether the 80% target is achievable. If difficulties are envisaged in delivering brownfield land development in the Local Plan period, there will be a need for further allocations to be considered on greenfield land.

Although the Council may say that if that event arises decisions on new allocations could be made in the context of a review of the Plan, if such decisions result in the need to review the Green Belt boundary, then the Local Plan as it stands would not be sound because of the requirement (in accordance with the NPPF) for Green Belt boundaries to endure beyond the Plan period (see below).

In Kitewood's view the opportunity has been missed in the Spatial Strategy to consider more seriously the ability of the larger settlements that are currently within the Green Belt within the southern part of the Borough for proportionate housing growth. In the case of the settlements – such as Wilmington and others – these already benefit from a level of services which could support additional growth (see representations made in August 2020 and April 2021). In Wilmington's case there are three secondary schools, a FE College and a primary school as well as other shopping, leisure, community and health facilities that have capacity to accommodate more housing. The factor which is preventing new housing being provided in sustainable locations is the Council's refusal to even consider a review of Green Belt boundaries around those settlements.

The Local Plan is the most appropriate way of reviewing Green Belt boundaries – although in recent times planning appeals for housing in the Green Belt have been allowed where there are circumstances (including significant housing land shortfalls) that are regarded as 'very special' for that purpose. In the context of Government policy in section 13 of the NPPF, it would be justifiable to review Green Belt boundaries around the largest settlements in the southern part of the Borough because of the potential to accommodate sustainable housing development in those locations.

This is particularly what is envisaged in paragraph 142 of the NPPF which states:

"When drawing up or reviewing Green Belt boundaries the need to promote sustainable patterns of development should be taken into account. Strategic policy making authorities should consider

the consequences for sustainable development of channelling development towards the urban areas inside a Green Belt boundary towards towns and villages inset within the Green Belt or towards locations beyond the outer Green Belt". (my emphasis)

In addition to the policy making process relating to sustainable development, it is also necessary in defining Green Belt boundaries (or redefining them) through paragraph 143 of the NPPF that a Local Plan should "be able to demonstrate that Green Belt boundaries do not need to be altered at the end of the Plan period". In the case of the Local Plan Review to 2037 there remain considerable uncertainties about key issues affecting housing provision and delivery. This relates to the defining of what the housing requirement for Dartford Borough would actually be between 2021 and 2037 (and how it may change within the Plan period); the certainty of delivery of housing on some of the larger allocations proposed in the Local Plan Review and the ability of the larger allocations to deliver the services that would reduce the need for residents of those new sites to travel.

In this case, therefore, it would be in accordance with the NPPF for the Council to not only add the principle of considering a contribution to housing requirements from sustainable settlements within the Green Belt in the south of the Borough as part of the development strategy in Policy S1 but also carry out a review of the Green Belt as part of this Local Plan in accordance with the NPPF. Such a review need only concentrate on the larger settlements in the south of the Borough which have the more significant levels of services to support housing growth – other than the minor infill that is otherwise suggested. The settlement of Wilmington given the range of services available should be one of those settlements where a Green Belt review of its boundaries to identify sites should take place and reference to such settlements should be added to Policy M9. Without such a review it is highly likely that the Green Belt boundary currently proposed will have to be changed and that is contrary to paragraph 142 of the NPPF. Therefore, the strategy in relation to distribution of new housing and a Green Belt review would not be sound for the purposes of paragraph 142 of the NPPF.

2. The provision of housing

There are a number of key issues which are relevant to decisions concerning what the appropriate housing requirement should be within the Local Plan in the 2021 to 2037 period. This arises from the recent political debates about the appropriate national housing requirement figures on a Council by Council basis – with the current position being that the Government has stated that for the purposes of Local Plan Reviews, councils should use as a starting point the '2017' version of the housing requirement figures. In the case of Dartford the figure used is 790 dwellings per annum to be provided for. This generates a request of some 12,640 dwellings within the 16 year Plan period.

Whilst it is logical for the Local Plan to use the '2017' figure as a major plank of its justification for the generation of dwelling requirements, it is a starting point for the calculations and there are other material factors that may result in the 2017 figure being amended. In this regard, a number of factors would need to be discussed further. These include:

- i. Whether the 2017 figure proposed within the 2021 to 2037 period genuinely can be said to represent a 'significant boost' in housing land supply in accordance with the key objectives of the NPPF. In this regard, Policy CS10 of the existing Core Strategy sought to provide up to 865 dwellings per annum in its Plan period between 2006 and 2026. The September 2021 Residential Requirement Report (Fig. 3) submitted as part of the evidence base to the Local Plan Review confirms that the completion rates of dwellings in the ten year period from 2002 to 2012 was 724 dwellings per annum. Therefore, notwithstanding the fact the Council says it has a high level of housing commitments, ie planning permissions and extant allocations, the actual delivery rate of development in the past has not achieved the Core Strategy requirements. An increase in the

Local Plan housing requirement to circa 790 dwellings per annum is only some 65 dwellings per annum more than the Council has been completing on average in the last ten years.

Kitewood doubt whether an additional provision in policy terms of around 65 dwellings per annum could be described as a significant boost to housing land supply in accordance with the NPPF. A continuation of the 865 dwelling per annum requirement in the current Local Plan (which was one of the options considered in the Preferred Options document published in 2020) would be more likely to be regarded as such a 'boost' to make the Plan 'sound'.

- ii. The issue of the potential contribution that Dartford Borough (alongside other boroughs in northern Kent) could make to the potential 'overspill' of housing need from Greater London has not been factored in. You will be aware that in his letter of 29 January 2021 to the Mayor of London, the then Secretary of State for Housing, Communities and Local Government commented asked the Mayor *'to work closely with those authorities that surround London to develop a strategy to help alleviate the housing pressure that is faced both inside and immediately outside the capital.'* Dartford is very closely related to Bexley and Bromley in particular. Indeed, the Dartford and Ebbsfleet Housing Needs Assessment – October 2019 states: *'To the west of Dartford are the London Boroughs of Bexley and Bromley, ...[and] in order to plan for longer-term contingencies, the Mayor is interested in working with willing partners beyond London to explore if there is potential to accommodate more growth in sustainable locations outside the capital (1.27).'* This suggests that it would be advisable to factor into the strategy a provision of either reserved housing sites or (in connection with the Green Belt strategy referred to above) the removal of sites from the Green Belt that would only be developed should need arise. Again, the Council may say that those matters could be picked up in a review of the Plan – but that does not obviate the need to look at the potential of release of land from the Green Belt as 'white land' in due course in accordance with the NPPF.

So overall Kitewood suggest that the Council should review upwards the annual housing land requirement figure based on the starting point of the OAN so that it constitutes a significant boost to housing land supply rather than actually being 75 dpa less than the current Core Strategy required annual rate and only 65 dwellings per annum higher than completion rates over the last ten years.

3. Housing delivery

The Council provide in appendix C of the Local Plan Review the trajectory for annual delivery on all committed housing sites.

It is not the purpose of these representations to go through each site and to comment on the accuracy of the likely delivery of each of the allocated or committed sites. However, in general Kitewood do have concern about the realistic delivery on a number of the key sites and the Council should rigorously review the robustness of the assumptions that have been made. This particularly relates to the following sites:

- The various allocations comprising the Ebbsfleet new settlement.
- The Ashmere site phases 3, 4, 5 and 6.
- The Priory shopping centre site in Dartford.
- The Orchard shopping centre.

The allocated sites at Dartford (Westgate D4, Lowfield Street D5 and the Priory Centre D6) and Ebbsfleet (E4 & E5) deliver some 49% of the overall assumption for new allocations within the Plan period. Whilst Kitewood do not object to the allocation of these sites in principle, the delivery rates

in the past at Ebbsfleet have not been at levels that would enable a conclusion to be made that these sites will come forward as envisaged in the trajectory. Delivery rates in the last 10 years have been less than those required in the Core Strategy.

Kitewood has doubts about the genuine ability of the Dartford town centre to provide significant amounts of new housing. The three main allocated sites are mixed use development sites which also rely on the provision of significant retail and office uses, the market for which has been substantially altered over the last number of years.

It is also the case that in the annual trajectory figures (in appendix C) demonstrate that the annual OAN requirement of 790 dwellings would not be achieved in 10 of the 16 years of the Plan period. The Council is assuming that it will be 2024 before the significant delivery of the larger sites at Ebbsfleet and elsewhere will enable the Council to 'catch up' on the under-provision in the early years of the Plan – and after three years of good delivery (2022/4 to 2025/6) supply this falls until 2032. This situation in itself does not represent an adequate and continuous supply of housing land in accordance with the NPPF.

This situation is likely to mean additional sites should be allocated that could be developed in the short term and throughout the Local Plan Review process. It is often the case that brownfield land (which is the Council's principal source of housing) takes longer to be delivered because of difficulties on matters such as contamination; access; ownership etc. If the Council is required to provide for sites for housing development at various points in the Local Plan period these need to be free from constraints so would typically be either smaller sites or greenfield sites. Whilst this may be unpalatable for the Council in the context of its current strategy, the over-riding objective of Government policy in the NPPF is to provide for a significant boost to housing supply. Kitewood's view is the current Local Plan fails to do that over the Local Plan period including the early years as is evidenced by the trajectory. Hence it is suggesting changes in terms of strategy, potential housing provision in selected Green Belt locations and anticipation of future development needs that result in a selective approach to Green Belt review around the larger sustainable settlements in the southern part of the Borough.

Proposed changes to policy/strategy requested

On the basis of the above, we request the following changes to the emerging Local Plan:

1. Amendments to Spatial Policy S1 to refer to a Green Belt review and that land released from the Green Belt in the larger settlements to be able to be developed in line with Policy M9.
2. An increase in the housing requirement in Policy S4 of 790 dwellings pa.
3. Reference to Wilmington in Policy M9 as a larger settlement where housing development is sustainable.
4. Reference to the potential need to accommodate some of London's housing needs within the plan period.

Dartford Local Plan Pre- Submission (Publication) September 2021 Town and Country Planning (Local Planning) England Regulations 2012 – Regulation 19

Representation Form

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Part 1: Your details

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Title		
Name		Paula Carney
Organisation / group	Kitewood Estates	CarneySweeney Limited
Address 1	c/o Agent	
Address 2		
Address 3		
Postcode		
Telephone number		
Email address		

If you are replying on behalf of a group, how many people does it represent?

Part 2: Representation

For office use only

Consultee ID:

Agent ID:

Date Received:

Please use a separate sheet for each representation

Name or Organisation:

Kitewood Estates

1. To which part of the Local Plan does this representation relate (please specify paragraph or policy number)?

Paragraph

Policy

S4

Policies Map

2. Do you consider the Local Plan is:

Please mark with a cross in the boxes as appropriate

(1) Legally compliant

Yes

X

No

(2) Sound

Yes

No

X

(3) Complies with the
duty to co-operate

Yes

No

X

3. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

See attached.

(Continue on a separate sheet / expand box if necessary)

4. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 3 above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

S4 – the housing requirement figure should be increased – up to 865 dpa (paragraph 3 of the policy). Paragraph 5 should be amended to identify that should the housing land supply fall below five years within the Plan period the Council (see representations to Policy S1) will have identified either reserve housing sites or land excluded from the Green Belt in the southern part of the borough that could be brought forward to address such a shortfall.

(Continue on a separate sheet / expand box if necessary)

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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No, I do not wish to participate in hearing session(s)

☐

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☒

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Matters related to housing land requirements – including the potential for the borough to accommodate overspill from Greater London – will be the subject of further clarification before the Examination. Kitewood would wish to participate in discussions on these matters which typically address the matter more efficiently than through exchanges of lengthy statements. The consequence of lack of provision of an appropriate land supply is a fundamental issue relating to the lack of soundness of the Plan and the implications of it should be discussed in detail at the Examination in due course – linked to the current position and need to change the spatial strategy in Policy S1.

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they may wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

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On behalf of Paula Carney

Date:

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The need for the Local Plan to review Green Belt boundaries around such settlements would be in accordance with the NPPF – indeed the Green Belt in its current form is argued not to comply with the NPPF because the boundaries of it are unlikely to endure beyond the end of the Plan period – 2037.

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Whilst the brownfield site objective is laudable, it is stated in the evidence base (Residential Requirement Report September 2021) that in the period 2006 - 2021 an 81% figure for brownfield land development has been achieved. With the Plan period of the review going from 2021 to 2037, it is inevitable that the availability and capacity of brownfield land for development will decline over time – as the best and most available sites will have been developed first. Therefore, the Council should be realistic in its evaluation of whether the 80% target is achievable. If difficulties are envisaged in delivering brownfield land development in the Local Plan period, there will be a need for further allocations to be considered on greenfield land.

Although the Council may say that if that event arises decisions on new allocations could be made in the context of a review of the Plan, if such decisions result in the need to review the Green Belt boundary, then the Local Plan as it stands would not be sound because of the requirement (in accordance with the NPPF) for Green Belt boundaries to endure beyond the Plan period (see below).

In Kitewood's view the opportunity has been missed in the Spatial Strategy to consider more seriously the ability of the larger settlements that are currently within the Green Belt within the southern part of the Borough for proportionate housing growth. In the case of the settlements – such as Wilmington and others – these already benefit from a level of services which could support additional growth (see representations made in August 2020 and April 2021). In Wilmington's case there are three secondary schools, a FE College and a primary school as well as other shopping, leisure, community and health facilities that have capacity to accommodate more housing. The factor which is preventing new housing being provided in sustainable locations is the Council's refusal to even consider a review of Green Belt boundaries around those settlements.

The Local Plan is the most appropriate way of reviewing Green Belt boundaries – although in recent times planning appeals for housing in the Green Belt have been allowed where there are circumstances (including significant housing land shortfalls) that are regarded as 'very special' for that purpose. In the context of Government policy in section 13 of the NPPF, it would be justifiable to review Green Belt boundaries around the largest settlements in the southern part of the Borough because of the potential to accommodate sustainable housing development in those locations.

This is particularly what is envisaged in paragraph 142 of the NPPF which states:

"When drawing up or reviewing Green Belt boundaries the need to promote sustainable patterns of development should be taken into account. Strategic policy making authorities should consider

the consequences for sustainable development of channelling development towards the urban areas inside a Green Belt boundary towards towns and villages inset within the Green Belt or towards locations beyond the outer Green Belt". (my emphasis)

In addition to the policy making process relating to sustainable development, it is also necessary in defining Green Belt boundaries (or redefining them) through paragraph 143 of the NPPF that a Local Plan should "be able to demonstrate that Green Belt boundaries do not need to be altered at the end of the Plan period". In the case of the Local Plan Review to 2037 there remain considerable uncertainties about key issues affecting housing provision and delivery. This relates to the defining of what the housing requirement for Dartford Borough would actually be between 2021 and 2037 (and how it may change within the Plan period); the certainty of delivery of housing on some of the larger allocations proposed in the Local Plan Review and the ability of the larger allocations to deliver the services that would reduce the need for residents of those new sites to travel.

In this case, therefore, it would be in accordance with the NPPF for the Council to not only add the principle of considering a contribution to housing requirements from sustainable settlements within the Green Belt in the south of the Borough as part of the development strategy in Policy S1 but also carry out a review of the Green Belt as part of this Local Plan in accordance with the NPPF. Such a review need only concentrate on the larger settlements in the south of the Borough which have the more significant levels of services to support housing growth – other than the minor infill that is otherwise suggested. The settlement of Wilmington given the range of services available should be one of those settlements where a Green Belt review of its boundaries to identify sites should take place and reference to such settlements should be added to Policy M9. Without such a review it is highly likely that the Green Belt boundary currently proposed will have to be changed and that is contrary to paragraph 142 of the NPPF. Therefore, the strategy in relation to distribution of new housing and a Green Belt review would not be sound for the purposes of paragraph 142 of the NPPF.

2. The provision of housing

There are a number of key issues which are relevant to decisions concerning what the appropriate housing requirement should be within the Local Plan in the 2021 to 2037 period. This arises from the recent political debates about the appropriate national housing requirement figures on a Council by Council basis – with the current position being that the Government has stated that for the purposes of Local Plan Reviews, councils should use as a starting point the '2017' version of the housing requirement figures. In the case of Dartford the figure used is 790 dwellings per annum to be provided for. This generates a request of some 12,640 dwellings within the 16 year Plan period.

Whilst it is logical for the Local Plan to use the '2017' figure as a major plank of its justification for the generation of dwelling requirements, it is a starting point for the calculations and there are other material factors that may result in the 2017 figure being amended. In this regard, a number of factors would need to be discussed further. These include:

- i. Whether the 2017 figure proposed within the 2021 to 2037 period genuinely can be said to represent a 'significant boost' in housing land supply in accordance with the key objectives of the NPPF. In this regard, Policy CS10 of the existing Core Strategy sought to provide up to 865 dwellings per annum in its Plan period between 2006 and 2026. The September 2021 Residential Requirement Report (Fig. 3) submitted as part of the evidence base to the Local Plan Review confirms that the completion rates of dwellings in the ten year period from 2002 to 2012 was 724 dwellings per annum. Therefore, notwithstanding the fact the Council says it has a high level of housing commitments, ie planning permissions and extant allocations, the actual delivery rate of development in the past has not achieved the Core Strategy requirements. An increase in the

Local Plan housing requirement to circa 790 dwellings per annum is only some 65 dwellings per annum more than the Council has been completing on average in the last ten years.

Kitewood doubt whether an additional provision in policy terms of around 65 dwellings per annum could be described as a significant boost to housing land supply in accordance with the NPPF. A continuation of the 865 dwelling per annum requirement in the current Local Plan (which was one of the options considered in the Preferred Options document published in 2020) would be more likely to be regarded as such a 'boost' to make the Plan 'sound'.

- ii. The issue of the potential contribution that Dartford Borough (alongside other boroughs in northern Kent) could make to the potential 'overspill' of housing need from Greater London has not been factored in. You will be aware that in his letter of 29 January 2021 to the Mayor of London, the then Secretary of State for Housing, Communities and Local Government commented asked the Mayor *'to work closely with those authorities that surround London to develop a strategy to help alleviate the housing pressure that is faced both inside and immediately outside the capital.'* Dartford is very closely related to Bexley and Bromley in particular. Indeed, the Dartford and Ebbsfleet Housing Needs Assessment – October 2019 states: *'To the west of Dartford are the London Boroughs of Bexley and Bromley, ...[and] in order to plan for longer-term contingencies, the Mayor is interested in working with willing partners beyond London to explore if there is potential to accommodate more growth in sustainable locations outside the capital (1.27).'* This suggests that it would be advisable to factor into the strategy a provision of either reserved housing sites or (in connection with the Green Belt strategy referred to above) the removal of sites from the Green Belt that would only be developed should need arise. Again, the Council may say that those matters could be picked up in a review of the Plan – but that does not obviate the need to look at the potential of release of land from the Green Belt as 'white land' in due course in accordance with the NPPF.

So overall Kitewood suggest that the Council should review upwards the annual housing land requirement figure based on the starting point of the OAN so that it constitutes a significant boost to housing land supply rather than actually being 75 dpa less than the current Core Strategy required annual rate and only 65 dwellings per annum higher than completion rates over the last ten years.

3. Housing delivery

The Council provide in appendix C of the Local Plan Review the trajectory for annual delivery on all committed housing sites.

It is not the purpose of these representations to go through each site and to comment on the accuracy of the likely delivery of each of the allocated or committed sites. However, in general Kitewood do have concern about the realistic delivery on a number of the key sites and the Council should rigorously review the robustness of the assumptions that have been made. This particularly relates to the following sites:

- The various allocations comprising the Ebbsfleet new settlement.
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- The Priory shopping centre site in Dartford.
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The allocated sites at Dartford (Westgate D4, Lowfield Street D5 and the Priory Centre D6) and Ebbsfleet (E4 & E5) deliver some 49% of the overall assumption for new allocations within the Plan period. Whilst Kitewood do not object to the allocation of these sites in principle, the delivery rates

in the past at Ebbsfleet have not been at levels that would enable a conclusion to be made that these sites will come forward as envisaged in the trajectory. Delivery rates in the last 10 years have been less than those required in the Core Strategy.

Kitewood has doubts about the genuine ability of the Dartford town centre to provide significant amounts of new housing. The three main allocated sites are mixed use development sites which also rely on the provision of significant retail and office uses, the market for which has been substantially altered over the last number of years.

It is also the case that in the annual trajectory figures (in appendix C) demonstrate that the annual OAN requirement of 790 dwellings would not be achieved in 10 of the 16 years of the Plan period. The Council is assuming that it will be 2024 before the significant delivery of the larger sites at Ebbsfleet and elsewhere will enable the Council to 'catch up' on the under-provision in the early years of the Plan – and after three years of good delivery (2022/4 to 2025/6) supply this falls until 2032. This situation in itself does not represent an adequate and continuous supply of housing land in accordance with the NPPF.

This situation is likely to mean additional sites should be allocated that could be developed in the short term and throughout the Local Plan Review process. It is often the case that brownfield land (which is the Council's principal source of housing) takes longer to be delivered because of difficulties on matters such as contamination; access; ownership etc. If the Council is required to provide for sites for housing development at various points in the Local Plan period these need to be free from constraints so would typically be either smaller sites or greenfield sites. Whilst this may be unpalatable for the Council in the context of its current strategy, the over-riding objective of Government policy in the NPPF is to provide for a significant boost to housing supply. Kitewood's view is the current Local Plan fails to do that over the Local Plan period including the early years as is evidenced by the trajectory. Hence it is suggesting changes in terms of strategy, potential housing provision in selected Green Belt locations and anticipation of future development needs that result in a selective approach to Green Belt review around the larger sustainable settlements in the southern part of the Borough.

Proposed changes to policy/strategy requested

On the basis of the above, we request the following changes to the emerging Local Plan:

1. Amendments to Spatial Policy S1 to refer to a Green Belt review and that land released from the Green Belt in the larger settlements to be able to be developed in line with Policy M9.
2. An increase in the housing requirement in Policy S4 of 790 dwellings pa.
3. Reference to Wilmington in Policy M9 as a larger settlement where housing development is sustainable.
4. Reference to the potential need to accommodate some of London's housing needs within the plan period.

Dartford Local Plan Pre- Submission (Publication) September 2021 Town and Country Planning (Local Planning) England Regulations 2012 – Regulation 19 Representation Form

Representations on the Dartford Local Plan should be submitted by **5pm on Wednesday 27th October 2021. Late representations will not be accepted.**

Representations should be made using this form and submitted to Dartford Borough Council by email to localplan@dartford.gov.uk or sent to: Planning Policy Team, Dartford Borough Council, Civic Centre, Home Gardens, Dartford, Kent DA1 1DR.

Additional copies of the form can be obtained from the Council's website at: <https://www.dartford.gov.uk/by-category/environment-and-planning2/new-planning-homepage/planning-policy/new-local-plan>. Photocopies of blank forms can also be made.

Advice on how to make representations is provided in the guidance notes which accompany this form. You are strongly advised to read the guidance notes before completing this form. ***Please note that if you responded to the previous version of the Pre-Submission Local Plan February 2021, your previous representation will not be automatically carried forward and you will need to respond again.***

This form comprises 3 parts:

- Part 1: Your details
- Part 2: Your representation(s). Please fill out a separate sheet for each representation you wish to make. However, only fill in Part A once and send all representations in together.
- Part 3: Declaration

If you have any queries about this consultation, please contact the Planning Policy Team by emailing localplan@dartford.gov.uk or by phoning 01322 343213.

You only need to fill this section out once.

Part 1: Your details

You only need to fill this section out once

	1. Personal details	2. Agent details (if applicable)
Title		
Name		Paula Carney
Organisation / group	Kitewood Estates	CarneySweeney Limited
Address 1	c/o Agent	
Address 2		
Address 3		
Postcode		
Telephone number		
Email address		

If you are replying on behalf of a group, how many people does it represent?

Part 2: Representation

For office use only

Consultee ID:

Agent ID:

Date Received:

Please use a separate sheet for each representation

Name or Organisation:

Kitewood Estates

1. To which part of the Local Plan does this representation relate (please specify paragraph or policy number)?

Paragraph

Policy

M9

Policies Map

2. Do you consider the Local Plan is:

Please mark with a cross in the boxes as appropriate

(1) Legally compliant

Yes

X

No

(2) Sound

Yes

No

X

(3) Complies with the
duty to co-operate

Yes

X

No

3. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

See attached.

(Continue on a separate sheet / expand box if necessary)

4. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 3 above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

M9 – a new criteria 3 should be introduced which – on the basis of the recommended Green Belt review in the southern part of the borough – should state that housing would be acceptable in principle at those identified settlements with suitable supporting facilities in the southern part of the borough and/or on sites specifically identified for either housing or excluded from the Green Belt (if a lack of five year land supply exists) adjacent to those settlements.

(Continue on a separate sheet / expand box if necessary)

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I do not wish to participate in hearing session(s)

☐

Yes, I wish to participate in hearing sessions(s)

☒

Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate.

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.

The changes requested to Policy M9 are directly linked to the spatial strategy – see representations to Policy S1 and housing land provision – see representations to Policy S4. Policy M9 again goes to the heart of the development strategy which Kitewood wishes to discuss further at the Examination.

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they may wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

Part 3: Declaration

Data Protection

The personal information you provide on this form will be processed in accordance with the Data Protection Act 2018 and the Privacy and Electronic Communications (EC Directive) Regulations 2003. The information you provide will only be used for the purposes of the preparation of the Local Plan as required by the Planning and Compulsory Purchase Act 2004, and may be used by the Council to contact you, if necessary, regarding your submission. Under Regulation 22, we have a duty to send all representations to the appointed Planning Inspector. Your name, organisation name (if relevant), comments and town/parish of residence will be made available for public inspection when displaying and reporting the outcome of the statutory consultation stage and cannot be treated as confidential. You will not be asked for any unnecessary information and we will not publish any personal data beyond what is stated in this declaration.

Please sign and date this form. Forms signed electronically will be accepted.

Declaration:

By completing and signing this form, I agree to my name, organisation, town/parish of residence and representations being made available for public inspection.

Signature:

O

On behalf of Paula Carney

Date:

27/10/2021

REPRESENTATIONS ON BEHALF OF KITWOOD ESTATES TO REGULATION 19 DRAFT OF DARTFORD LOCAL PLAN REVIEW

Introduction and summary of Kitewood's position

Kitewood Estates welcome the opportunity to comment on the Regulation 19 draft version of the Dartford Borough Local Plan. Kitewood made representations to the Pre-Submission Allocation Draft Local Plan in April 2021. These earlier representations related to the following matters:

1. The overall development/spatial strategy for new housing and employment development in the Borough (Policies S1 and M9).
2. The strategy for Green Belt review or lack of it (Policy S1).
3. The scale of housing land provision (Policy S4).

To a great extent Kitewood reiterate the points made in April and also add to their comments as follows.

Kitewood has land interests at Wilmington which is in the southern part of the Borough and is not intended (by the Council) to be the subject of any housing/economic growth of a notable scale. This is because the area (including Wilmington) is Green Belt and the Council has taken the decision that it will not review the Green Belt nor concentrate any development other than minor infilling within settlement boundaries within that area (around 200 new dwellings in total).

The Local Plan strategy is to concentrate new development in the northern part of the Borough and seek to achieve a target of 80% brownfield land development for housing and other uses. Kitewood consider that whilst this strategy is generally in accordance with Government objectives, an opportunity is being missed to allow sustainable small-scale growth in the settlements in the Green Belt (through rounding off of settlement boundaries). This will add a relatively small but significant amount to the housing supply within the southern part of the Borough, which will also be sustainable in the larger settlements where there are existing services such as schools (ref. Policy M9).

The need for the Local Plan to review Green Belt boundaries around such settlements would be in accordance with the NPPF – indeed the Green Belt in its current form is argued not to comply with the NPPF because the boundaries of it are unlikely to endure beyond the end of the Plan period – 2037.

In addition to there is a strong case for the Council to review its position with regard to Green Belt settlements in the southern of the Borough to accommodate some relatively modest growth, Kitewood is also concerned that in seeking to achieve the scale of housing set out in Policy S4 there is reliance upon significant delivery of large allocations at Ebbsfleet, Ashmere and Orchard centres as well as an allowance (which is not quantified) for development in Dartford town centre. Kitewood is concerned that the delivery anticipated on the larger sites (set out in the SHLAA and supporting evidence base) is optimistic and therefore additional allocated sites need to be identified in the Local Plan now.

Kitewood would comment that the Policy S4 housing requirement – some 790 dwellings per annum – is in accordance with the 2017 OAN assessments made by the Government – however there is no allowance made for any overspill from Greater London. Kitewood observe that in the Preferred Options report published by the Council in 2020, the range of housing need that was identified was

between 790 and 865 dwellings per annum. The Policy S4 figure of 790 dpa is at the lowest end of that range.

Comments on issues identified within the Regulation 19 draft

Kitewood wish to comment on the following policy issues contained within the Regulation 19 version of the Local Plan Review:

1. Development/Spatial Strategy

The strategy for development and new allocations in the Local Plan Review (LPR) is set out in section 2 of the Plan and Policy S1. Broadly the Council wishes to concentrate all significant development in the northern part of the Borough within the Dartford area and also by relying on Ebbsfleet to contribute a significant proportion of new housing growth required (see below). In that context the Council is seeking to achieve an objective of 80% of new housing on brownfield sites.

Whilst the brownfield site objective is laudable, it is stated in the evidence base (Residential Requirement Report September 2021) that in the period 2006 - 2021 an 81% figure for brownfield land development has been achieved. With the Plan period of the review going from 2021 to 2037, it is inevitable that the availability and capacity of brownfield land for development will decline over time – as the best and most available sites will have been developed first. Therefore, the Council should be realistic in its evaluation of whether the 80% target is achievable. If difficulties are envisaged in delivering brownfield land development in the Local Plan period, there will be a need for further allocations to be considered on greenfield land.

Although the Council may say that if that event arises decisions on new allocations could be made in the context of a review of the Plan, if such decisions result in the need to review the Green Belt boundary, then the Local Plan as it stands would not be sound because of the requirement (in accordance with the NPPF) for Green Belt boundaries to endure beyond the Plan period (see below).

In Kitewood's view the opportunity has been missed in the Spatial Strategy to consider more seriously the ability of the larger settlements that are currently within the Green Belt within the southern part of the Borough for proportionate housing growth. In the case of the settlements – such as Wilmington and others – these already benefit from a level of services which could support additional growth (see representations made in August 2020 and April 2021). In Wilmington's case there are three secondary schools, a FE College and a primary school as well as other shopping, leisure, community and health facilities that have capacity to accommodate more housing. The factor which is preventing new housing being provided in sustainable locations is the Council's refusal to even consider a review of Green Belt boundaries around those settlements.

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This is particularly what is envisaged in paragraph 142 of the NPPF which states:

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In addition to the policy making process relating to sustainable development, it is also necessary in defining Green Belt boundaries (or redefining them) through paragraph 143 of the NPPF that a Local Plan should "be able to demonstrate that Green Belt boundaries do not need to be altered at the end of the Plan period". In the case of the Local Plan Review to 2037 there remain considerable uncertainties about key issues affecting housing provision and delivery. This relates to the defining of what the housing requirement for Dartford Borough would actually be between 2021 and 2037 (and how it may change within the Plan period); the certainty of delivery of housing on some of the larger allocations proposed in the Local Plan Review and the ability of the larger allocations to deliver the services that would reduce the need for residents of those new sites to travel.

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Late representations will not be accepted.

Representations should be made using this form and submitted to Dartford Borough Council by email to localplan@dartford.gov.uk or sent to: Planning Policy Team, Dartford Borough Council, Civic Centre, Home Gardens, Dartford, Kent DA1 1DR.

Additional copies of the form can be obtained from the Council's website at: <https://www.dartford.gov.uk/by-category/environment-and-planning2/new-planning-homepage/planning-policy/new-local-plan>. Photocopies of blank forms can also be made.

Advice on how to make representations is provided in the guidance notes which accompany this form. You are strongly advised to read the guidance notes before completing this form.

This form comprises 3 parts:

- Part 1: Your details
- Part 2: Your representation(s). Please fill out a separate sheet for each representation you wish to make. However, only fill in Part A once and send all representations in together.
- Part 3: Declaration

If you have any queries about this consultation, please contact the Planning Policy Team by emailing localplan@dartford.gov.uk or by phoning 01322 343213.

You only need to fill this section out once

Part 1: Your details

You only need to fill this section out once

	1. Personal details	2. Agent details (if applicable)
Title		Mr
Name		Simon Chadwick
Organisation / group	Kitewood Estates Limited	SC5 Planning Limited
Address 1	c/o Agent	
Address 2		
Address 3		
Postcode		
Telephone number		
Email address		

If you are replying on behalf of a group, how many people does it represent?

Part 2: Representation

For office use only

Consultee ID:

Agent ID:

Date Received: :

Please use a separate sheet for each representation

Name or Organisation:	
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1. To which part of the Local Plan does this representation relate?

Paragraph

Policy

S1, S4, M9

Policies Map

2. Do you consider the Local Plan is:

Please mark with a cross in the boxes as appropriate

(1) Legally compliant

Yes

X

No

(2) Sound

Yes

No

X

(3) Complies with the
duty to co-operate

Yes

X

No

3. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

Policy S1

Kitewood made representations to the Local Plan Preferred Options Consultation 2020. Their concerns at that point were that the Local Plan strategy – whilst concentrating housing and other development in the main urban areas of Dartford and Ebbsfleet Garden Village missed the opportunity to provide sustainable growth (at a proportionate scale) within settlements in the southern rural part of the district. Furthermore, the Local Plan has chosen not to carry out a review of the boundaries of the Green Belt around specific settlements in circumstances where (in accordance with the NPPF) Local Plans should provide Green Belt boundaries that would endure in the long term and particularly beyond the end date of a specific Local Plan concerned – in this case 2037.

It remains the case that the now published Local Plan does not respond in any positive way to the original representations which Kitewood made to the earlier draft plan in February 2020. Therefore, Kitewood would generally maintain its position set out in those representations. However, in relation to the settlement strategy in Policy S1 in the current draft Plan, Kitewood would make the following points:

1. In order for the settlement strategy to be soundly based it needs to be assured that the strategy will deliver the appropriate amount of development for both housing and employment purposes within the Plan period and to ensure that at all times there is (in housing terms) more than a five year housing land supply available in the Plan period.
2. The strategy should consider the potential of the entire district and base its policies on the principles of sustainable development. Sustainable development can be provided in smaller settlements as well as larger ones and new garden settlements such as Ebbsfleet. The Council's strategy has not properly considered the potential of the southern part of the district and the settlements within it to make a meaningful contribution to particularly the housing requirements for Dartford Borough within the Plan period.
3. As far as the calculation of housing land requirements is concerned, it is noted that the Council bases its requirements on the 2017 Standard Housing Methodology figures (endorsed by Government as being the appropriate figures to use). These result in an annual requirement of some 790 dwellings coming forward and therefore a requirement through the Plan period of 15,800 dwellings. It is unclear from the Housing Land Requirement report whether any allowance is made or anticipated to be made for housing requirements being met from within the Greater London area. Whether this is a matter the Local Plan takes into account now or allows for later would have an effect on whether a Green Belt review would be appropriate that could, inter alia, identify 'reserve' housing sites or exclude land from the Green Belt to meet development requirements in the long term or to meet any shortfalls within the Plan period in relation to the five year requirement.
4. Whilst the emphasis in the settlement strategy on providing development on brownfield sites within Dartford and then expansion within the Ebbsfleet Garden Village is in principle acceptable, considerable doubt can be expressed upon the delivery of dwellings in those two areas given the historic problems of permissions lapsing in the Ebbsfleet Garden Village and the viability of delivery of brownfield sites within the urban area of Dartford. In this regard, the intention of the Local Plan is to provide approximately 2,000 dwellings on brownfield land and allocations within Dartford and 9,300 dwellings in the Plan period through the expansion and continued development of Ebbsfleet Garden Village. Thus, some 11,300 dwellings of the 15,800 housing requirement in the Plan period (or some 72%) are to be delivered in these two areas. In Kitewood's view this is an over-reliance on these two areas for housing provision and at the very least the Council should have a 'plan B' for bringing land forward for housing development in the event that the over-reliance on these two areas does not result in housing being delivered at the rates intended.

Whilst these points are developed below in terms of Policy S4, it is recommended that further criteria be put in Policy S1 that requires the consideration of sustainable development in the rural areas in those settlements which have an appropriate level of community and other supporting facilities to allow housing growth to take place. It is also recommended that a review of the Green Belt take place across the Borough with a view to identifying either reserved housing sites that could come forward for housing on a sustainable basis in circumstances where housing delivery is delayed in Dartford urban area and Ebbsfleet Garden Village or indeed further housing land is allocated to ensure that the Council has a sufficient safety net to allow more than a five year housing land supply to be provided at all times. In this regard (see objection to Policy S4), it appears likely that the Council will not maintain a continuity of supply over five years throughout the Local Plan period.

Policy S4

This relates to the overall levels of development proposed in the Local Plan. In housing terms (see objection to Policy S1) the Council's calculation based on the 2017 figures for standard housing methodology in Dartford are that some 15,800 dwellings will be required in the Plan period. Whilst Kitewood does not challenge that particular calculation, there is concern about whether that calculation takes account of any overspill from Greater London (and when) and also whether the Council can achieve (from its calculation of housing trajectory) a continuous five year housing land supply throughout the Plan

period based on its predictions as to when housing development would come forward in the two main areas for development – ie Dartford town centre and Ebbsfleet Garden Village.

It is acknowledged the use of the standard housing methodology annual requirement rate of 790 dwellings per annum represents an uplift on what has previously been built historically in Dartford Borough. Although the Council appears confident that it can achieve these levels of housing through relying on long standing permissions and identified sites, Kitewood does not share this confidence. Whilst the allocations proposed in Dartford town centre appear logical as land use allocations, the delivery of highly constrained urban sites (which the allocations are) would not be straight forward – particularly given issues such as multi-ownership; access; pollution; contamination and the complexities of developing land constrained sites within the urban area on a viable basis. The recent experience of sites being brought forward with less than policy compliant affordable housing due to lack of viability should be a signal to the Council that the delivery of such allocations will not be straight forward.

Similarly, as far as the Ebbsfleet Garden Village is concerned, whilst Kitewood is entirely supportive of the principle of that coming forward the take-up rates that are anticipated through the Local Plan appear optimistic given the recent history and the constraints of the sites in Ebbsfleet and Swanscombe.

As referred to in the objection to Policy S1, the combination of the Dartford town centre allocation and Ebbsfleet Garden Village proposals are that they make up 70% of the overall housing requirement in the Borough through the Plan period. This is an inadvisable over-reliance on two particular sources of sites for development to come forward. If either or both of the areas for housing identified are delayed, then this will have an immediate adverse impact on the Council's housing land supply as a whole. The Council does not have an appropriate range of sites that could make up any shortfall that delays in the implementation of housing in the two main areas of allocation would cause.

Thus, Kitewood is concerned that the allocation of housing land is not sound as there is insufficient range of site available and there is too great a reliance on allocations coming forward for development at the Ebbsfleet Garden Village and Dartford town centre. The Council's own housing trajectory estimates (see Appendix C of the Local Plan) concedes that even on its projections there will be a deficit of delivery compared to annual housing requirements in the years 2025/26; 2026/27; 2027/28 and 2028/29. One would expect that a soundly based Plan provided housing allocations and identified sites that would not result in significant annual deficits in housing provision for four years in a row.

What is therefore required, in Kitewood's view, is the bringing forward of additional sites in sustainable locations to augment the main sources for housing delivery at Ebbsfleet Garden Village and Dartford town centre. The appropriate locations for additional housing – bearing in mind the Plan should be looking at housing provision across the Borough as a whole – would be in suitably sustainable settlements in the south of the Borough including those currently within the Green Belt. The Local Plan should carry out a review of the Green Belt to identify appropriate sites either for housing or for removal from the Green Belt to allow housing to take place if a shortfall of housing existed in the Plan period. Amongst the settlements that should be considered as being sustainable and for which particular sites could be identified as exclusions from the Green Belt is Wilmington (see objection to Policy M9 below). The site which Kitewood put forward in the Preferred Options Consultation is site ref. 201 in the SHLAA north of Edwin Road (see below).

Policy M9

This is a general policy related to allowing housing in sustainable locations with the first part of it stating that sites that have been planned and showed to be deliverable or developable in the housing land supply will be supported for residential development where the proposed number of dwellings is broadly in line with supplies projected capacity. This basically is a confirmation that those sites that have been identified in the SHLAA or other processes should be allowed to come forward. The second part of the policy

reiterates that new homes should be focused on planned development locations and unplanned windfall residential sites would only be acceptable in certain circumstances – particularly where they are in a sustainable location.

In the light of Kitewood's objections to Policies S1 and S4, it is considered that Policy M9 needs to be expanded considerably to identify a list of the sustainable settlements where further housing land would be allowed (up to a certain scale) and for those sites to be identified and specifically allocated in the Plan itself. The Local Plan makes specific allocations for development relating to areas in Dartford; Ebbsfleet Garden Village and Swanscombe. Given Kitewood's suggestions that the Plan – to be soundly based – needs to carry out a review of the Green Belt and allocate land for housing in sustainable settlements in the southern part of the Borough then the Local Plan strategy for identifying allocated sites throughout the Plan needs to be done. In the case of the land that Kitewood controls at Wilmington (land at Edwin Road see plan attached) it is considered that any sensible review of the Green Belt boundary would exclude this site from the Green Belt and allow a sustainable housing development to take place.

In this regard, the site is well located adjacent to the existing residential area to the south and east with the A2 being its northern boundary. The site is immediately adjacent to Wilmington primary school and would be a logical and contained extension to the existing settlement. In the consideration of the site in the SHLAA process, it was conceded that the site does not feature any physical adverse or environmental constraints that could not be mitigated. The reason for its non-inclusion as an allocation was simply its current status as Green Belt and the fact the Council had decided in principle not to review the Green Belt boundary.

Kitewood considers (see objection to Policy S1) that the Council should use the Local Plan now to review the Green Belt boundaries in Dartford Borough in order for the potential for housing land in the sustainable settlements in the southern part of the Borough to be fully identified and allocated. In the case of the Kitewood land, its allocation for housing and/or removal from the Green Belt could take place in accordance with the process for allocation and Green Belt boundary amendments set out in section 13 of the NPPF and particularly paragraph 139. The site does not currently perform a significant role in relation to the five purposes of the Green Belt in paragraph 134 and its development for housing would allow the strategic functions of the Green Belt to be maintained.

(Continue on a separate sheet / expand box if necessary)

4. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 3 above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

For Policy S1 additional criteria need to be inserted related to:

1. A review of the Green Belt to identify additional housing land and/or land to be excluded from the Green Belt in sustainable locations throughout the Borough.
2. A consideration of the potential for housing and employment development in those settlements in the southern rural area with appropriate supporting community and other facilities.

For Policy S4 an additional paragraph after existing paragraph 5 to refer to the need for additional housing to be allocated above the 15,800 dwelling figure to ensure continuity of supply and to avoid the deficit of housing land projected supply against annual requirements in Appendix 3 of the Local Plan.

For Policy M9 (or an additional policy) to identify those settlements (including in the southern rural area) that subject to a Green Belt review would be suitable for further housing growth on sustainability grounds and individual sites to be allocated – including the Kitewood land at Edwin Road, Wilmington (SHLAA site reference 201).

(Continue on a separate sheet / expand box if necessary)

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?

No, I do not wish to participate in hearing session(s)

☐

Yes, I wish to participate in hearing sessions(s)

☒

Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate.

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.

To enable Kitewood to enlarge upon the points made above as they relate not only to calculations of housing land requirement but strategy on major elements of the Local Plan that are considered to be unsound. The Council will doubtless seek to respond to these criticisms and Kitewood would wish to discuss the wide-ranging issues that would be relevant both from the existing evidence base and the Council's further justification for its current position.

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they may wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

Part 3: Declaration

Data Protection

The personal information you provide on this form will be processed in accordance with the Data Protection Act 2018 and the Privacy and Electronic Communications (EC Directive) Regulations 2003. The information you provide will only be used for the purposes of the preparation of the Local Plan as required by the Planning and Compulsory Purchase Act 2004, and may be used by the Council to contact you, if necessary, regarding your submission. Under Regulation 22, we have a duty to send all representations to the appointed Planning Inspector. Your name, organisation name (if relevant), comments and town/parish of residence will be made available for public inspection when displaying and reporting the outcome of the statutory consultation stage and cannot be treated as confidential. You will not be asked for any unnecessary information and we will not publish any personal data beyond what is stated in this declaration.

Please sign and date this form. Forms signed electronically will be accepted.

Declaration:

By completing and signing this form, I agree to my name, organisation, town/parish of residence and representations being made available for public inspection.

Signature:

Date:

9 April 2021

SHLAA SITE SUMMARY REPORT

Site Ref 201 North of Edwin Road, Wilmington

Hectares 8.86

Current Use Unused and grazing land

Source Call for Sites

Any Green Belt? Yes

Site Description and Information

The site is located to the north of the residential area of Martin Road, Edwin Road and Taylor Row, and to the south of the A2 and Oakfield Lane. The grounds of Wilmington Primary School lie to the west. The relatively flat site comprises unused and grazed land. There are some trees/ vegetation on the site and dense woodland between the site and properties fronting Oakfield Lane. There is a landscaped embankment to the north of the site, alongside the boundary with the A2.



Qualifying Outcome: Qualifies

Land Restrictions (Policies Map): Other Land Restrictions:



Location Suitability Outcome: Unsuitable

Community and Open Space Outcome: N/A

Availability Outcome:

Achievability Outcome:

Assessed 2018 SHLAA

Physical Outcome: Physical Suitability Issues

Physical Overview - Brief Summary

If principal sustainability and other key policy issues were to be set aside, in terms of the criteria at this stage of assessment the site may not feature adverse physical/ environmental respects that cannot be mitigated, depending on its size, scale and impacts on the landscape. Any development would need to take into account air quality, noise and ecological issues, including the TPO trees to the north.

Potential Capacity:

SHLAA Result
Unsuitable