

For office use only	
Consultee ID:	1412
Agent ID:	
Date Received: :	

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	Miss	
Name	Victoria Cutmore	
Organisation / group	M Scott Properties Ltd	
Address 1		
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: :	
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Please use a separate sheet for each representation

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

Paragraph <input style="width: 100%;" type="text"/>	Policy <input style="width: 100%; text-align: center; value: S1;" type="text"/>	Policies Map <input style="width: 100%;" 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 style="width: 100%; text-align: center; value: x;" type="text"/>	No	<input style="width: 100%;" type="text"/>
(2) Sound	Yes	<input style="width: 100%;" type="text"/>	No	<input style="width: 100%; text-align: center; value: x;" type="text"/>
(3) Complies with the duty to co-operate	Yes	<input style="width: 100%; text-align: center; value: x;" type="text"/>	No	<input style="width: 100%;" type="text"/>

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.

We consider the spatial strategy of the Dartford Local Plan to 2037 Pre-Submission (Publication) Document September 2021 (the 'Plan') to be unjustified, given it fails to identify any areas within the south of the Borough which may be suitable to accommodate growth. There has also been a lack of consideration of the reasonable alternatives to the distribution of growth within the Borough, particularly of options which consider growth in the south of the Borough or in the Green Belt. As well as failing to demonstrate the most appropriate strategy, such an approach is inconsistent with national policy; paragraph 60 of the NPPF stresses the importance for a sufficient amount and variety of land can come forward where it is needed. The Council has failed to consider the housing and infrastructure needs within any settlement south of the A2 and has instead created an arbitrary divide within the Borough, resulting in an automatic exclusion of any settlement to the south, where growth may be appropriate.

In respect of the options for housing distribution within the Borough appraised within the Sustainability Appraisal of Dartford Local Plan (the 'SA'), four options were considered under Main

Plan Option 1. Of these, it is only Option 1D which references considering locations within the Green Belt for development, however, this option is combined with the rejection of a brownfield land focus, in favour of new growth locations within the Borough. We do not consider that this alternative should have been considered, given national policy requires strategic policies to set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of brownfield land (paragraph 119, NPPF).

Given that the majority of the Borough is designated as Green Belt (as acknowledged within paragraph 1.17 of the Plan), as a minimum, the SA should have considered the release of Green Belt land as a reasonable alternative. This would not preclude a focus on brownfield redevelopment as part of the overall approach, which would be consistent with national policy.

Paragraph 4.110 of the SA highlights that the SA found Option 1D (reject a brownfield land focus, in favour of new growth locations elsewhere in the Borough, including more dispersed development that may include locations within the Green Belt) would have a large number of significant negative effects, compared to the preferred option.

As no Green Belt review has been undertaken as part of the Plan process, there is no awareness as to whether any parcels within the Borough would be suitable for release from the Green Belt. Despite this, the SA applies the assumption that the Green Belt in the Borough holds significance in terms of landscape, soil and wildlife. This is despite it being a planning designation only, and whilst this is recognised in paragraph 5.230 of the SA, we consider the SA misapplies the role of the Green Belt in its assessment. Examples of this include the assumption that the Policy M13 (Green Belt) is likely to conserve the Green Belt for wildlife and could maintain or improve local access to open space. Such conclusions are unfounded, particularly with no Green Belt review having been undertaken in the Borough.

Whilst the SA suggests at paragraph 4.109 that Dartford's development needs can be met outside the Green Belt, therefore no exceptional circumstances exist for the release of Green Belt land, we do not consider this to be the case, as set out more fully in our comments on Policy S4: Borough Development Levels. It is clear from the Housing Trajectory (Appendix C to the Plan and Appendix D to the SHLAA) that as well as a number of years with a supply deficit against the housing need, there is also an overall shortfall in the housing supply across the Plan period.

The SA does not consider any alternatives to the proposed approach to focus all growth within the northern half of the Borough only. Paragraph 4.41 discusses the Preferred Policy approach to focus development on the two Priority Regeneration Centres of Dartford Town Centre and Ebbsfleet Garden City, with paragraph 4.42 suggesting that this derived primarily from the Main Plan Option 1. We dispute that this strategy is supported by Main Plan Option 1, not least because this concerns the extent to which brownfield land should be used to deliver homes and jobs, and not the location of growth within the Borough. No other option with the SA examines the appropriate location for growth within the Borough, focussing only on the strategy for Dartford Town Centre, Ebbsfleet Central Area and Swanscombe Peninsula as locations for growth, as well as a strategy to retain and improve green space and planning for a better transport network.

Paragraph 1.14 of the Plan describes the southern part of the Borough as areas of open countryside, much of which is within the Green Belt, interspersed with villages and some hamlets. Regardless of the Green Belt status, this fails to acknowledge the individual characteristics of the settlements, many of which would be suitable to accommodate growth. For example, Wilmington is described in paragraph 1.14 of the Plan as having the largest population of all the settlements in the south. Geographically, it is the closest located settlement to Dartford, and occupies an area which has been bisected by the A2, therefore part of which lies within the so-called northern part of the Borough. Wilmington benefits from several facilities and services, including two Grammar schools, an academy, a primary school and a nursery, as well as a convenience store, pubs, restaurants and many local businesses. Further, there are many bus stops located throughout the

settlement providing access into Dartford and the surrounding areas within the Borough. Dartford Train Station is less than 3 miles away.

We consider that Wilmington represents a sustainable location for growth. Whilst we acknowledge its Green Belt status, we consider that had the Council undertaken a Green Belt review of the Borough as part of the Plan process, this would have identified suitable additional parcels which could assist in meeting the Borough's housing need, particularly in light of the apparent shortfall in supply, as shown in the Housing Trajectory. Such an approach would also be consistent with paragraph 78 of the NPPF, which specifies that housing should be located where it will enhance or maintain the vitality of rural communities. The approach taken by the Council is inconsistent with this requirement, whereby growth within such settlements was discounted at an early stage in the Plan making process and not considered as an alternative within the SA.

We also have concerns regarding the reliance upon large strategic sites to meet the majority of the Borough's housing need and the resulting effect on the Plan's ability to meet the housing needs in the short-term. This is especially as the Housing Trajectory in Appendix C to the Plan show many years within the Plan period where there is a projected deficit in the supply against the annual housing requirement. Appendix D to the SHLAA shows the reliance upon sites which have been identified as suitable and developable. We question what evidence exists that these sites will be delivered within the Plan period, particularly as the SHLAA confirms at paragraph 2.2 that some of the sites assessed within the SHLAA (albeit an unknown quantity) have been identified through a desktop study of brownfield sites within the Borough. Yards and garages in the Borough are provided as examples. There is no certainty that such sites, which do not benefit from a formal allocation in the Plan will be capable of contributing towards the housing supply within the Plan period, therefore cannot be said to be achievable. We question the reliability of the assessment in determining the projected housing supply within the SHLAA, particularly given the lack of detailed assessment that appears to have taken place. Given there already appears to be a deficit in projected supply, this further undermines the Plan's ability to meet the identified housing need in full.

In relation to the suitability of sites within the SHLAA, we have concerns as to the consistency of the assessments undertaken, particularly given the lack of detail to support the conclusions made. Scott Properties submitted the land at Wilmington, between Stock Lane and Orchard Way and south of High Road (site ref: 72), for specialist housing for older people in response to the 2018 Call for Sites. This submission was also accompanied by a letter from Kent County Council in support of the specialist accommodation proposed on the site.

The site was deemed unsuitable against the 'Location Suitability Outcome', as well as the 'Physical Outcome', due to it being unclear whether a suitable access into the site could be achieved. Previous representations to the Plan process in respect of the site have confirmed that access into the site is achievable from High Road to the north, through land which is within the control of Scott Properties. This area currently contains a disused building which would be demolished, providing sufficient space to facilitate safe and suitable vehicular access into the site. This also forms part of the brownfield element of the site, the reuse of which would be consistent with the Plan's strategy to deliver the Borough's housing need on previously developed sites. The Initial Concept Plan which was submitted in our response to the Call for Sites demonstrates this, however, this has been overlooked within the SHLAA, and resulted in the site being deemed as unsuitable in respect of the 'Physical Outcome'.

We have concerns that the SHLAA automatically discounted any site which was outside of Dartford Town Centre or the urban area (defined as all land north of the A2 not within the Green Belt), or brownfield sites. This reflects the Council's strategy to exclude the southern area of the Borough as a suitable location for growth, as well as the assumption that exceptional circumstances do not exist to identify any sites which may be suitable for release from the Green Belt. The latter cannot be said to be the case, given the deficit in housing supply against the identified housing need.

Paragraph 69 of the NPPF highlights the important contribution that small and medium sites can make towards meeting the housing requirements of an area. We do not consider that suitable provision for such sites is made within the Plan, given the lack of allocations therein, in favour of an approach which relies upon speculative applications from sites identified as suitable and deliverable within the SHLAA. In addition, the lack of detail in the SHLAA confers no certainty that the sites have been assessed in any detail and therefore whether they are achievable.

The assessment of these sites within the SHLAA is inadequate, given it does not consider the availability of the sites in any detail. The SHLAA does not demonstrate that any site is free from any legal or ownership impediments to development, or whether this has been considered as part of the assessment. This is particularly relevant to the sites which have been identified through desktop assessments, whereby there is no confirmation as to the availability of the site for residential use within the Plan period.

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.

In order to make the Plan sound, the SA should consider development in the Green Belt as a reasonable alternative, combined with an approach which seeks to maximise the redevelopment of brownfield land. The Plan's inability to meet the identified housing need does not support the conclusion in the SA that there are no exceptional circumstances to justify Green Belt release. As confirmed in *Compton Parish Council & Ors v Guildford Borough Council & Anor*, the release of Green Belt to meet housing needs would constitute exceptional circumstances. It has not been demonstrated that brownfield land alone is capable of meeting the identified housing need within the Plan period.

The SHLAA should be revisited, with all the sites reassessed in greater detail and without the unduly restrictive locational criteria to determine suitability, which would identify additional sites across the Borough that are suitable for residential development. This should be informed by a Green Belt review to identify any locations within the south of the Borough that may be suitable for allocation.

The SA should also re-assess the Preferred Policy approach to focus development on the two Priority Regeneration Centres of Dartford Town Centre and Ebbsfleet Garden City to demonstrate that this is a sound strategy, including assessment of the reasonable alternatives to focussing growth in the northern half of the Borough only.

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)

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

We are seeking changes to the Plan.

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 2: Representation

For office use only Consultee ID: Agent ID: Date Received: :	
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Please use a separate sheet for each representation

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

Paragraph Policy Policies Map

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" value="x"/>	No	<input type="text"/>

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The Phased Housing Land Supply, set out in Appendix D to the SHLAA shows a cumulative total of 15,646 dwellings, which represents a shortfall of 134 dwellings against the Council’s identified requirement of 790 homes in Policy S4. In addition, 12 years within the 20-year Plan period experience a shortfall in supply against the housing requirement. This clearly demonstrates that the Plan is not able to meet the housing requirement in full, with persistent under delivery in the majority of the Plan period. As such, we disagree with the conclusions in paragraph 4.108 of the SA, that the Borough’s housing needs can be met outside the Green Belt and suggest this demonstrates that the Council should consider other areas within the Borough outside Dartford Town Centre and Ebbsfleet to address the shortfall in housing provision within the Plan.

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.

The SHLAA should be revisited to identify additional sites to enable the Plan to meet the identified housing requirement in full across the Plan period and prevent the undersupply predicted in the majority of years within the Plan period. This should include a full Green Belt assessment to identify suitable sites within the Green Belt, as the SHLAA has failed to identify sufficient sites within the north of the Borough and outside of the Green Belt to meet the housing requirement.

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.

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Part 2: Representation

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Please use a separate sheet for each representation

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

Paragraph Policy Policies Map

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" value="x"/>	No	<input type="text"/>

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.

Paragraph 16 of the NPPF requires Plans to be prepared positively in a way that is aspirational but deliverable. Paragraph 60 reminds Local Planning Authorities that the Government’s objective is to significantly boost the supply of homes and that it is therefore important that a sufficient amount and variety of land comes forward where it is needed, and that the groups with specific housing requirements are addressed. Paragraph 69 recognises the important contribution that small and medium sized sites can make to meeting the housing requirement of an area as they can be built out relatively quickly.

Paragraph 62 confers a clear duty for the size, type and tenure of housing needed for different groups within the community to be assessed and reflected in planning policies, including, inter alia, older people and people with disabilities. Older people are defined within the NPPF as:

“People over or approaching retirement age, including the active, newly retired through to the very frail elderly; and whose housing needs can encompass accessible, adaptable general needs housing through to the full range of retirement and specialised housing for those with support or care needs.”

The ‘Housing for older and disabled people’ PPG also highlights the critical need to provide housing for older people. It describes the benefits of providing older people with a better choice of accommodation to suit their needs, which include helping people live independently for longer, feeling more connected to their communities and helping to reduce the costs to the social care and health systems (Paragraph: 001 Reference ID: 63-001-20190626).

The PPG confirms that Plans must provide for specialist housing for older people where a need exists, conferring a duty on Plan-makers to consider the size, location and quality of dwellings needed in the future for older people to enable them to live independently and safely in their own home for as long as possible, or, move to suitable accommodation if they wish (Paragraph: 012 Reference ID: 63-012-20190626).

The Dartford and Ebbsfleet Housing Needs Assessment – October 2019 (the ‘HNA’) at paragraph 6.7 states:

“The disaggregated local housing need projections (set out in Chapter 4) indicate that the population aged 65 or over is going to increase dramatically in Dartford over the plan period; from 16,121 in 2019 to 24,784 in 2036, a rise of 53.7%.”

At paragraph 1.34 of the Plan, it is stated that the Plan needs to respond to a range of key Borough factors, which include, inter alia, a rapidly growing population, as well as an ageing population that should have the right kind of community infrastructure easily available to meet needs.

The February 2021 Submission Version of the Plan also stated that the ageing population should have the right kind of homes to suit needs, and we question why this reference has been removed, particularly in light of the requirement within national policy to ensure sufficient accommodation is available for older people, as well as the Plan’s evidence base which identifies a considerable need.

The HNA identifies a need for 597 additional specialist units, which includes both housing for older people (for which 527 units are required) and housing with extra care (for which 70 units are required). Despite this identified need, the Plan makes no provision for such accommodation, nor does it acknowledge the need to provide this. This is contrary to national policy and results in a Plan which will be ineffective at meeting the identified housing need for older people.

Paragraph 6.9 of the HNA states:

“In line with the updated PPG that says ‘offering older people a better choice of accommodation to suit their changing needs can help them live independently for longer, feel more connected to their communities and help reduce costs to the social care and health systems’ it will be necessary for the Council to consider how the requirements of these groups could be accommodated in the future.”

It is assumed in this paragraph that the majority of older persons households will reside in the general housing stock in Dartford in 2036, noting that this reflects the current situation. The HNA fails to acknowledge the wider factors likely influencing this situation, such as the current undersupply of specialist accommodation within the Borough, as noted in paragraph 6.11. The HNA then goes on to recommend that the HAPPI design principles, adoption of the Building for Life Standards and the Accessible and Adaptable Standards of construction within the Building Regulations may ensure that housing is suitable for the widest range of groups.

We dispute that the suggested approach in the HNA to ensuring new housing is suitable for older people will adequately address the identified need. Firstly, this fails to recognise the wide-ranging needs of older people, which, as set out in the NPPF can include those approaching retirement age through to the frail elderly. The proposed approach within the Plan, requiring all new properties to be built to M4(2) standards fails to address the needs of those who may not wish to live in general market housing, or those whose needs are not suited to such properties. Further, such homes will not specifically be available for older people, therefore there is no guarantee that these will be available for older people, nor a way in which to monitor whether the needs of older people are being met.

The proposed allocations within the Plan do not require any provision for specialist accommodation. Whilst paragraph 3.36 of the Plan notes an expectation that specialist accommodation will come forward as part of the regeneration of Dartford Town Centre, this does not form part of any policy requirement, therefore there is no certainty that this will be delivered. Further, the Local Plan Viability Assessment 2021 assesses the viability of specialist accommodation in the form of flatted developments only. We consider this to further confer uncertainty that, even if such accommodation is delivered, it will provide the necessary variety of housing as required by national policy to reflect the diverse needs of older people, given the viability of this has not been explored. This further undermines the ability of the Plan to deliver suitable accommodation for older people, given it cannot be demonstrated that any other forms of housing than flatted developments would be viable in the Borough.

Further, the majority of housing supply is made up of sites assessed as suitable or deliverable within the Strategic Housing Land Availability Assessment (SHLAA), which do not benefit from allocations within the Plan. Development proposals on such sites will therefore be assessed in accordance with the Policy requirements within the Plan, which include Policy M8: Housing Mix. As set out in our comments in relation to this Policy, we do not consider it confers a requirement for any site to deliver specialist housing.

We question how the identified need for 597 additional specialist units will be delivered within the Plan period, in the absence of any site-specific allocations or policy requirements.

Scott Properties does not consider that Policy M8 will ensure the needs of older people are met, given it does not expressly require any form of specialist accommodation. Part 2 of the Policy requires all new dwellings to meet the requirement M4(2) – Category 2 – Accessible and Adaptable Dwellings. It is not considered that this should be a substitute for providing specialist housing for older people, given it will be available to the general housing market, not specifically for older people. Further, this will not provide a sufficient mix of homes to meet the diverse needs of older people, contrary to PPG.

Part 3 of Policy M8 provides support for specialist accommodation for older people, as opposed to any requirement, which does not provide the certainty that this will be delivered. Whilst paragraph 5.72 of the Plan confirms that standalone specialist housing developments may be acceptable where there is a need for the type and mix of accommodation proposed and they are sustainably located, this is not reflected in Policy M8, which provides support for specialist accommodation as part of mixed neighbourhoods only.

The Policy also requires sites to be sustainably located. Policy M9 concerns Sustainable Housing Locations, defined as sites identified in the housing land supply (which are focused entirely within the north of the Borough only), or located in accordance with the Central Dartford or Ebbsfleet and Swanscombe policies. For unplanned windfall development with Class C3, which would include many specialist forms of housing, Policy M9 requires this, inter alia, to be located on brownfield land unless the Council cannot demonstrate a five-year land supply. Given the historic housing delivery which has taken place on brownfield land (as acknowledged in paragraph 2.54 of the Plan), as well as the proposed allocations in the Plan, we question how sufficient additional land will be available to provide specialist accommodation for older people.

The Plan fails to provide any specific site allocations or policy requirements in respect of the sites allocated for residential development in the Plan. Therefore, there is no certainty nor guarantee that specialist housing for older people will be included. Further, the majority of sites expected to deliver housing within the Plan period are not allocated within the Plan, therefore apply the criteria of Policy M8, will not be required to provide any specialist housing.

Policy M9 requires windfall development of five or more dwellings to be located on brownfield land unless the Council cannot demonstrate a five-year land supply. Given the historic brownfield redevelopment in the Borough, as well as the Plan's Spatial Strategy in the Plan which seeks to deliver 80% or more of new homes on brownfield sites, we question whether sufficient additional brownfield land will be available to accommodate windfall development.

Further, the SHLAA identifies sites which will be supported for development, and which are included within the housing trajectory to be delivered in the Plan period. The SHLAA confirms that these have been sourced through both through previous Call for Sites exercises and desktop searches to identify brownfield sites across the northern part of the Borough. We would question whether any additional sites exist in addition to those which have been identified through this exercise (either as suitable within the SHLAA, in which case have been included within the housing trajectory, or as unsuitable, which would suggest would not be granted planning permission) and also whether sites within the southern half of the Borough would be considered sustainable.

As previously stated in our comments in respect of Policies S1 and S4, we consider that the undersupply of land for residential development in the Borough, including the lack of provision for older persons' accommodation represent exceptional circumstances to justify a review of the Green Belt within the Borough. Such an approach would also enable the Plan to respond to the housing needs of older people within the south of the Borough, where no doubt a current need exists, but which are precluded from being met as a result of the Plan's spatial strategy.

Whilst we dispute the availability of sufficient brownfield windfall sites capable of delivering accommodation for older people, in addition to those already identified or allocated, the Plan's spatial strategy, combined with Policy M9 of the Plan would preclude such delivery within the south of the Borough. Those in need of specialist accommodation would therefore be forced to move away from friends and family to find suitable accommodation (should any be built within the Plan period, which we dispute will be the case).

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.

The Plan will not be effective in meeting the diverse needs of older people. To address this, we consider that the Council should look to identify additional sites for specialist accommodation, which will require a review of the Green Belt and reassessment of the sites within the SHLAA that were discounted on the basis they did not constitute brownfield development or were not located within the north of the Borough. Specialist accommodation should be located in areas where there is an identified need. This further reinforces the necessity to consider settlements within the southern half of the Borough to ensure older people do not have to relocate away from friends and family to find suitable accommodation.

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.

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Part 2: Representation

For office use only Consultee ID: Agent ID: Date Received: :	
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Please use a separate sheet for each representation

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

Paragraph <input style="width: 100%;" type="text"/>	Policy <input style="width: 100%; text-align: center; value: M9;" type="text"/>	Policies Map <input style="width: 100%;" 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 style="width: 100%; text-align: center; value: x;" type="text"/>	No	<input style="width: 100%;" type="text"/>
(2) Sound	Yes	<input style="width: 100%;" type="text"/>	No	<input style="width: 100%; text-align: center; value: x;" type="text"/>
(3) Complies with the duty to co-operate	Yes	<input style="width: 100%; text-align: center; value: x;" type="text"/>	No	<input style="width: 100%;" type="text"/>

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.

In respect of specialist housing for older people, we consider that Policy M9 will restrict the ability for specialist housing to come forward within the Plan period, as set out more fully in our comments on Policy M8: Housing Mix.

In accordance with Policy M8, specialist housing is supported where it meets the criteria of Policy M9, which requires any windfall development to be located on brownfield land in sustainable locations.

We question what surplus brownfield land exists, given the historic redevelopment of such sites, coupled with the Plan’s requirement for a minimum of 80% of new development to be delivered on brownfield land. Further, the SHLAA assessed parcels of brownfield land within the Borough, and these are factored into the housing land supply and supported for development within Policy M9.

We would also seek clarification on what constitutes a sustainable location, given the Plan's focus on sustainable development in the north of the Borough, with a refusal to accept that any areas within the south could provide sustainable locations for growth. This strongly suggests that sustainable locations are considered to be in the north of the Borough only, where the development opportunities have been maximised through the Plan, with a resulting undersupply in housing across the Borough.

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.

To ensure the identified housing need for older people is met, additional opportunities for growth within the south of the Borough for this type of accommodation should be explored. This would require a Green Belt review and a reassessment of sites within the SHLAA which were previously excluded due to their location or non-brownfield status.

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.

We are seeking changes to the Plan.

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:

27 October 2021