

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	Mrs	
Name	Janice Burgess	
Organisation / group	National Highways (Highways England)	
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?

5000+

Part 2: Representation

For office use only

Consultee ID:

Agent ID:

Date Received: :

Please use a separate sheet for each representation

Name or Organisation:	National Highways
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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"/>	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="checkbox"/>	No	<input type="checkbox"/>
(2) Sound	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
(3) Complies with the duty to co-operate	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>

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 have made a representation by email that has been submitted with form attached. It is not relevant for National Highways to complete each of these sections in the form.

(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.

(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)

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

National Highways may wish to participate in the hearing sessions.

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.

Participation in the hearing sessions will be subject to the remainder of our review of the local plan and the potential for an agreed position through a statement of common ground.

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

For the attention of: Mark Aplin, Planning Policy Manager, Dartford Borough Council

Re: Pre-Submission Dartford Local Plan September 2021

National Highways Ref: #14855

Dear Mark,

Thank you for your formal notification email of 15 September 2021 inviting Highways England (now National Highways) to comment on the Pre-Submission Local Plan, as part of the consultation process.

On behalf of the Secretary of State for Transport, National Highways is responsible for operating, maintaining and improving the Strategic Road Network (SRN) i.e. the Trunk Road and Motorway Network in England, as laid down in Department for Transport (DfT) Circular 02/2013 (Planning and The Strategic Road Network). Related to the Dartford Local Plan area, the SRN comprises the A282/M25 south of the Dartford Crossing and A2 in Dartford Borough although other junctions and sections of the SRN may also experience impacts.

National Highways is a key delivery partner for sustainable development promoted through the plan-led system, and as a statutory consultee we have a duty to cooperate with local authorities to support the preparation and implementation of development plan documents. We are aware of the relationship between development planning and the transport network, and we are mindful of the effects that planning decisions may have on the operation of the SRN and associated junctions. We cannot cater for unconstrained traffic growth generated by new developments, and we therefore encourage policies and proposals which incorporate measures to reduce traffic generation at source and encourage more sustainable travel behaviour. In order to constructively engage in the local plan-making process, we require a robust evidence-base so that sound advice can be given to local planning authorities in relation to the appropriateness of proposed development in relation to the SRN. This also extends to include transport solutions that may be required to support potential site allocations.

We would like to draw your attention to 'The Strategic Road Network, Planning for the Future: A guide to working with Highways England on planning matters' (September 2015). This document sets out how Highways England (now National Highways) intends to work with local planning authorities and developers to support the preparation of sound documents which enable the delivery of sustainable development. The document indicates that we will review and provide comments on local plans proposed by local planning authorities that have the potential to affect any part of the SRN. Responses to Local Plan consultations are also guided by other pertinent policy and guidance, namely the NPPF and the 'Highways Agency (National Highways) and the Local Plan Process' protocol.

Local Plan Context

The draft Local Plan proposes at least 15,000 new homes over the Plan Period to 2037, approximately 8,000 of which will come from existing consents. The Plan will also aim to deliver approximately 8,000 to 16,000 new jobs through a combination of strategic expansion and sustainable intensification.

Strategic Policies

National Highways has not provided comments on specific draft site allocations in the Local Plan but has provided general comments that relate to our primary interests for the continuing operation and safety of the SRN. Comments are provided below under each of the Local Plan policy headings:

Policy M1 Good Design for Dartford

Policy criterion 5 covers signage. No reference is currently made to the SRN or National Highways (formally Highways England) within this Local Plan policy.

The display of advertisements is subject to a separate consent process within the planning system. This is principally set out in the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

Most advertisements on land directly facing motorways and trunk roads require the express consent from the relevant local planning authority, as well as prior permission from the landowner before they may be displayed lawfully. It is a requirement of the local planning authority to consult National Highways on the road safety aspects of advertisements proposed alongside the SRN. Advertisements that are likely to distract motorists are unlikely to be approved. Ordinarily we will need to consider location, if visible from the SRN, size, brightness/lighting (if any) and effect on public safety as well as the type of intended advertising.

Policy S1 Borough Spatial Strategy

For sites positioned close to the SRN carriageway and junctions, it will be necessary to ensure that the proposals mitigate appropriately the potential for ground conditions, lighting, noise and vibration impacts. In terms of noise, we would expect the site masterplan to be designed to minimise the exposure of noise-sensitive receptors to strategic traffic, using either a combination of a landscape buffer and acoustic bund designed to shield the settlement from motorway noise. In addition to noise impacts, we would also draw attention to the importance of ensuring that drainage, landscaping, lighting and boundary treatment proposals for the proposals, in accordance with the DfT Circular 02/2013 Annex A A1, which states that all noise fences, screening and other structures must be erected on the developers land, and far enough within the developers land to enable maintenance to take place without encroachment onto highway land. We would expect that these issues are considered when finalising the site layout and masterplan proposals

Impacts arising from any disruptions during construction, noise, vibration, traffic volume, composition or routing and transport infrastructure modification should be fully assessed and reported.

Policy M4 Flood Risk and Riverside Design

We request that reference is made to the SRN or National Highways within these Local Plan policies.

In relation to drainage and the SRN, it is important to note that no new connections are permitted to the SRN drainage network. In the case of an existing 'permitted' connection, this can only be retained if there is no land use change. Development must not lead to any surface water flooding on the SRN carriageway. These points apply to the site operation and construction phases. National Highways should be contacted to discuss these points in detail as part of, or in advance of a planning application submission.

Policies S2 Infrastructure Planning Strategy, M16 Travel Management and M17 Active Travel, Access and Parking

National Highways is interested in the potential traffic impacts of any development site proposal and/or policies coming forward, and the need to ensure that these are fully assessed during the plan-making stage. It is also imperative to identify any improvements needed to deliver aspirations at this early stage, as set out in Government policy. Paragraph 18 of the DfT Circular 02/2013 states that 'capacity enhancements and infrastructure required to deliver strategic growth should be identified at the Local Plan stage, which provides the best opportunity to consider development aspirations alongside the associated strategic infrastructure needs. Enhancements should not normally be considered as fresh proposals at the planning application stage'.

Additionally, we would expect any identified and necessary SRN improvements to have already been identified and tested as part of the cumulative assessment of the Plan. It should identify the provision of infrastructure at the right time to support the development strategy, combined with developer contributions to secure infrastructure provision as part of an Infrastructure Delivery Plan (IDP). As such, as site allocations come forward as part of the planning application process, they will be expected to proceed in line with the necessary highway improvements identified as part of IDP strategy. This being the case, the only issues for consideration as part of a planning application submission, would be the phasing of the development in relation to the IDP strategy. We would look at individual planning applications for sites covered by the Plan to ensure compliance with an adopted Plan, where appropriate, recommending Grampian conditions to ensure that necessary infrastructure is in place prior too or phased in relation to the development becoming operational. This will be necessary to ensure operation and safety of the SRN.

SRN Traffic Impact

As you are aware we have been involved in ongoing discussions about the assessment of Local Plan impacts on the SRN. To this end we have previously provided comments about the Strategic Transport Modelling Reports 1 to 3B in your Local Plan Evidence Base. You will be aware that we have had recent correspondence with you and your transport consultants in relation to the Stage 3B Local Plan Options Testing Output report and we are currently working through the details of the latest reports with you. We have requested additional information to allow us to ascertain the impacts on the SRN junctions including the merges and diverges with the main carriageway and look forward to your response. We should then be in a position to assess whether mitigation is required for the Local Plan.

Summary

We have reviewed the Pre-Submission Local Plan and provide comments above in relevant to the SRN and we will continue to liaise over your Transport Assessment covering any mitigation requirements. Until we are content with the transport modelling and assessment, we will not be able to review a local plan version of the IDP, which identifies mitigation measures based on this assessment. This is a key consideration in determining the soundness of the Plan.

We look forward to continuing to participate in future consultations and discussions. In the meantime, if you have any questions with regards to the comments made in this response, please do not hesitate to contact me.

A signed representation form is attached to this email.

Regards,

Janice

Janice Burgess, Spatial Planning Manager
National Highways Limited