DARTFORD LOCAL PLAN

**Environment and Climate Change Topic Paper** 

December 2021



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### **PURPOSE**

- 1.1 Dartford Borough Council has produced a series of Topic Papers to support the submission of the Dartford Local Plan 2021<sup>1</sup>. This follows the publication of Pre-Submission (Publication) Local Plans<sup>2</sup> in February and September 2021. The Publication Local Plan was informed by previous consultations on the Local Plan in January 2020 (Preferred Options) and June 2018 (Strategic Issues)<sup>3</sup>.
- 1.2 The purpose of the five Topic Papers is to bring together relevant national planning policy and local evidence to justify the policies in the Pre-Submission Dartford Local Plan (referred to in this topic paper as the Local Plan).
- 1.3 This topic paper relates to Climate Change and Environment and will set out relevant information in relation to the following policies in the Local Plan:
  - Strategic Policy S3
  - Development Management Policies M1–M6, M10, M14 and M15
- 1.4 The purpose of these policies is to deliver the Strategic Objectives set out in paragraph2.2 of the Local Plan. The most relevant Strategic Objectives relevant to Climate Change and Environment include:

**W2:** Improving health, wellbeing, and air quality arising from congestion, through reducing the need to travel by private vehicle, particularly by retaining and providing jobs, services, shops, community facilities and open space at suitable locations close to residential areas and where good public transport services are within easy walking distance.

- **G1:** Protecting Green Belt land to maintain a distinct and enduring open environment for the Borough and the positive setting of Dartford's villages and rural heritage assets, retaining overall countryside character and openness of the Green Belt.
- **G2:** Securing quality and sustainable built design, public streets, and good open and amenity space provision in new development, and recognising and respecting heritage and green assets so that Dartford's historic environments and new neighbourhoods are enjoyed by current and future generations.
- **G3:** Ensuring the Borough is able to adapt to the effects of climate change and contributes towards reducing Dartford's carbon footprint through an increase in the proportion of water efficient buildings, the uptake of domestic and small scale renewable energy, and promoting environmental resilience, new greenspace and tree planting.
- **G4:** Promoting sustainable local environments and habitats; achieving biodiversity net gain and active and healthy living, at new developments and through greenspace and landscape protection and provision; enhancing the green grid of

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<sup>&</sup>lt;sup>1</sup> under section 20(1) of the Planning and Compulsory Purchase Act 2004

<sup>&</sup>lt;sup>2</sup> under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012

<sup>&</sup>lt;sup>3</sup> under Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012

footpaths, public rights of way, cycle routes, wildlife corridors, rivers and countryside links.

**G5:** Acting to ensure no increase in flood risk in the Borough, and creating attractive and accessible riversides, encouraging sensitive recreation and travel on and alongside the Rivers Thames, Darent and Ebbsfleet.

## **OVERVIEW JUSTIFICATION**

## National Planning Policy Framework

- 1.1 Chapters 14 'Meeting the challenge of climate change, flooding and coastal change' and 15 'Conserving and enhancing the natural environment' are the key areas of the National Planning Policy Framework (NPPF) relating to climate change and the environment.
- 1.2 Chapter 16 'Conserving and enhancing the historic environment' will also be referenced and evidenced in this paper.
- 1.3 Table 1 lists the key NPPF requirements in relation to climate change and environment and provides a corresponding reference to the Local Plan policy that achieves the requirement.

Table 1: NPPF Paragraphs and Corresponding Local Plan Policy

NPPF paragraph	Corresponding Local Plan Policy Summary		
98 Open space and recreation:	S3:3 addresses the protection and creation of new green and blue infrastructure		
Importance of high quality open spaces	M14:1 requires new green and blue infrastructure development		
99-100 Open space and recreation:	S3:3 provides the principle of protecting green and blue infrastructure, including (by definition) public rights of way		
Protection for open space and public rights of way	M14:3 protects Borough Open Spaces on the Policies Map in line with the NPPF's requirements		
101-103 Open space and recreation: Local green space	M14:2 protects the existing set of Protected Local Green Spaces, designated in accordance with the NPPF		
	S3:1 encourages reduced carbon emissions, reduced need for travel and increased resilience through a package of measures integrated at an early stage of development design and planning		
	S3:2 encourages active travel and public transport to reduce need on private vehicular use and carbon emissions		
152 Meeting the	S3:6 development will efficiently use and re-use natural resources		
challenge of climate change, flooding and coastal change	S3:7 development design will work towards reducing carbon emissions and the need for heating/cooling and incorporate renewable and low carbon energy where possible		
coastal change	M1 requires good design in line with national and local guidelines, both of which responds to sustainability		
	M3 requires construction and building performance to reduce carbon emissions. The policy addresses; adaptability of buildings for future uses; embodied carbon within construction materials; construction waste; recycling/ composting; passive design to minimise the need for heating/ cooling; and zero or low carbon technology features		

NPPF paragraph	Corresponding Local Plan Policy Summary		
	M4 addresses flood risk in order to contribute to the boroughs resilience to flooding events and ensure no greater risk is incurred. This includes requiring applications to demonstrate that the proposal is safe from all types of flooding for its lifetime and that it will not displace water or worsen flood risk elsewhere. Additionally, M4 protects space needed for local and strategic flood defences; requires development along the river frontages to contribute to the improvement of the riparian landscape; and requires major development to incorporate multi-functional SuDS		
	S3:3 addresses the protection and creation of new green and blue infrastructure		
	S3:4 and S3:5 together address reducing flood risk and improving flood defences and sustainable design and technology		
153 Planning for	S3:6 addresses resource efficiency and re-use		
climate change: Mitigating and adapting to climate change	S3:7 addresses reducing energy consumption and regulating internal temperatures as well as street level shading, renewable/low carbon energy sources and future sustainable technology compatibility		
	M10 ensures all residential units have their own amenity provision, helping to contribute to the Borough's resilience		
	M14 requires new green and blue infrastructure development. Additionally policy M14 protects existing Protected Local Green Spaces and Borough Open Spaces		
154 Planning for climate change: New development should	S3:4 and S3:5 directs development to be in areas at lower risk of flooding and encourages development to deliver/maintain existing and future local and strategic flood defences and SuDS		
avoid increased vulnerability and reduce emissions	S3:7 addresses reducing energy consumption and regulating internal temperatures as well as street level shading, renewable/low carbon energy sources and future sustainable technology compatibility		
emissions	M1 requires good design in line with national and local guidelines, both of which responds to sustainability		
	M3 requires construction and building performance to reduce carbon emissions. The policy addresses; adaptability of buildings for future uses; embodied carbon within construction materials; construction waste; recycling/ composting; passive design to minimise the need for heating and cooling; and zero or low carbon technology features. Additionally the policy requires major development to achieve a reduction in carbon emissions of at least 19% beyond the building regulations		

NPPF paragraph	Corresponding Local Plan Policy Summary	
	M4 addresses flood risk in order to contribute to the boroughs resilience to flooding events and ensure no greater risk is incurred. This includes requiring applications to demonstrate that the proposal is safe from all types of flooding for its lifetime and that it will not displace water or worsen flood risk elsewhere. Additionally, M4 protects space needed for local and strategic flood defences; requires development along the river frontages to contribute to the improvement of the riparian landscape; and requires major development to incorporate multi-functional SuDS	
155 Planning for	S3:7 addresses reduced energy consumption and regulated internal temperatures as well as street level shading, renewable/low carbon energy sources and future sustainable technology compatibility	
climate change: Increasing renewable	M3 accords with the Kent and Medway Energy and Low Emissions Strategy 2020	
and low carbon energy	M3 addresses potential impacts of technologies on character and heritage	
S3:4 guides development to areas at lower risk of flooding		
159 Planning and flood risk: Avoiding inappropriate development in areas of flood risk	M4 addresses flood risk in order to contribute to the boroughs resilience to flooding events and ensure no greater risk is incurred. This includes requiring applications to demonstrate that the proposal is safe from all types of flooding for its lifetime and that it will not displace water or worsen flood risk elsewhere. Additionally, M4 protects space needed for local and strategic flood defences; requires development along the river frontages to contribute to the improvement of the riparian landscape; and requires major development to incorporate multi-functional SuDS	
161 Planning and flood	Policies S3 and M4 are informed by a recent SFRA that covers flood risk from all sources	
risk: Sequential testing	S3:4 guides development to areas at lower risk of flooding	
	S3:3 supports protection and enhancement of existing green spaces, habitats and tree coverage, new provision and biodiversity net gain	
174 Conserving and enhancing the natural environment:	M2:1 requires development to demonstrate that it does not result in unacceptable material impacts on the Borough's environment or public health, including; water quality; air quality; noise disturbance or vibration; land instability and more	
Enhancing the natural and local environment	M2:3 addresses applications within or nearby to landfill sites: to be supported by technical analysis of the site and its surroundings in order to determine any potential hazards	
	M15 protects sites designated for their biodiversity value and expects biodiversity net gain on applicable sites	

NPPF paragraph	Corresponding Local Plan Policy Summary		
175 Conserving and enhancing the natural	S3 and M14 address green and blue infrastructure		
environment: Strategic approach to	S3:3 specifically references and supports the mitigation hierarchy		
maintaining and enhancing networks	M15 addresses the hierarchy of international, national and locally designated sites – requiring screening for development of 15 units or more that are within 10km if the North Kent Special Protection Areas and Ramsar sites, in accordance with the Habitats Regulations		
179 Habitats and biodiversity: Protecting biodiversity and geodiversity	M15 states that development on sites designated for their biodiversity value will not be supported. Additionally, proposals located in or near to irreplaceable or priority species must demonstrate no adverse impact. Accompanying supporting text makes it clear that weight will be given to Local Wildlife Sites which are sites identified by the Kent Wildlife Trust as important for the conservation of wildlife. Local Wildlife Sites, and sites designated for their biodiversity, are included in the Policies Map		
183-184 Ground conditions and pollution: Ground conditions, land instability and contamination	M2 requires development to demonstrate that it does not result in unacceptable material impacts on the Borough's environment or public health, including; water quality; air quality; noise disturbance or vibration; land instability and more. The policy requires planning applications on or nearby to landfill sites to be accompanied by a full technical analysis to demonstrate there will be no hazard from the gas; that there is no risk posed to the wider community; and that the cost of remediation won't impact delivery		
189 Conserving and enhancing the historic	M5 sets out that any proposed harm or loss to a designated heritage asset will require clear and convincing justification. The policy clarifies that any harm, that is less than substantial, will be weighed against the public benefits of the proposal		
environment: Heritage asset conservation	M6 requires development to contribute to the conservation of the historic environment. Developments affecting designated and non-designated heritage assets in their setting will have to demonstrate how the asset will be protected, conserved or enhanced as appropriate. M6 also lists the Borough's non-designated heritage assets		
190 Conserving and enhancing the historic environment: Strategy for the historic environment	M5 states that development management decisions will take into account the; significance of the asset; the desirability of sustaining and enhancing the significance of heritage assets; and the desirability of ensuring viable uses are found for assets		

1.4 More detail on national policy and guidance is provided within individual evidence documents (see below).

## Sustainability Appraisal Headlines

- 1.5 The Sustainability Framework is made up of 15 objectives for which the Local Plan policies have been assessed against. The Sustainability Appraisal (SA) objectives relating to climate change and the environment are:
  - SA 9: To maintain and improve the quality of the Borough's waters
  - SA 10: To reduce air pollution and ensure improvements in air quality
  - SA 11: To avoid and mitigate flood risk
  - SA 12: To minimise the Borough's contribution to climate change
  - SA 13: To conserve, connect and enhance the Borough's wildlife, habitats and species
  - SA 14: To conserve and/or enhance the significant qualities, fabric, setting and accessibility of the Borough's historic environment
- 1.6 Overall, the SA has determined that these objectives will be positively met by the Local Plan strategies and policies. Table 2 presents the overall summary for each objective in the Sustainability Framework when taking the Local Plan together as a whole. A full key of symbols used by the SA can be found at appendix 1 and a brief description is provided below table 2.

Table 2: Sustainability Objectives and Cumulative Effects of Plan Policies

SA Objective	Result
SA 9: To maintain and improve the quality of the Borough's waters	+
SA 10: To reduce air pollution and ensure improvements in air quality	++/-
SA 11: To avoid and mitigate flood risk	+
SA 12: To minimise the Borough's contribution to climate change	++/-
SA 13: To conserve, connect and enhance the Borough's wildlife, habitats and species	++/-
SA 14: To conserve and/or enhance the significant qualities, fabric, setting and accessibility of the Borough's historic environment	+/-

#### KEY:

- + minor positive effect
- ++/- significant positive and minor negative effect
- +/- a mixture of positive and negative effects

1.7 Chapter 5 of the SA sets out the appraisal results for each policy. Table 3 presents the scores for Policy S3 Climate Change Strategy. A full key for the symbology used by the SA can be found at appendix 1 or a brief description is provided below table 2.

**Table 3: Sustainability Appraisal Results for Policy S3** 

	SA objective	<b>S</b> 3
1.	To ensure that everyone has the opportunity to live in a decent home.	+/-?
2.	To ensure ready access to essential services and facilities for all residents.	0
3.	To strengthen community cohesion.	0
4.	To improve the population's health and reduce inequalities.	+
5.	Facilitate a sustainable and growing economy and a vital and viable town centre.	+/-?
6.	To reduce the need to travel and encourage sustainable and active alternatives to motorised vehicles to reduce congestion.	+
7.	To conserve the Borough's mineral resources.	0
8.	To conserve the Borough's soils.	+
9.	To maintain and improve the quality of the Borough's waters.	+
10.	To reduce air pollution and ensure improvements in air quality.	+
11.	To avoid and mitigate flood risk.	++
12.	To minimise the Borough's contribution to climate change.	++
13.	To conserve, connect and enhance the Borough's wildlife, habitats and species.	+
14.	To conserve and/or enhance the significant qualities, fabric, setting and accessibility of the Borough's historic environment.	0
15.	To conserve and enhance the special qualities, accessibility, local character and distinctiveness of the Borough's settlements, countryside and landscape.	+

### KEY:

- ++ significant positive effect
- + minor positive effect
- 0 negligible effect
- ? effect is uncertain
- +/- an equal mixture of minor positive and minor negative effects
- 1.8 As can be seen, policy S3 is expected to have significant positive effects when assessed against the SA objectives, particularly in terms of avoiding flood risk (SA

- objective 11) and minimising the Borough's contribution to Climate Change (SA objective 12).
- 1.9 The policy is set to have positive or nil impact when assessed against many of the remaining SA objectives (SA objectives; 2-4; 6-10; and 13-15)
- 1.10 In the case of two objectives, the borough development levels policy has the potential for negative as well as positive effects, although there is also a level of uncertainty with regards to both objectives. These relate to:
  - Ensuring that everyone has the opportunity to live in a decent home (SA objective 1), and
  - Facilitating a sustainable and growing economy and a vital and viable town centre (SA objective 5)

## **POLICY S3**

## Relationship with existing policy

1.11 Some policies within the Local Plan derive from existing policies from Dartford's Local Plan (made up primarily of the Core Strategy 2011 and the Development Policies Plan 2017). Whilst policy S3 is a new strategic policy, table 4 highlights elements of the policy that have evolved from existing policies.

**Table 4: Relationship with Existing Policy S3** 

Proposed Policy	Existing Policy
S3:1  Development will be well located, and innovatively designed and constructed, to mitigate and adapt to the effects of climate change. Development in the Borough should contribute to minimising carbon emissions from properties and processes, and reducing the need for unsustainable travel, avoiding vulnerability and increasing resilience to the effects of climate change by a package of bespoke measures integrated within development at an early stage of design and planning, including the measures set out in criteria 2-7.	<ul> <li>CS23 Minimising Carbon Emissions</li> <li>Requires new development to demonstrate reductions in energy use through passive design where practical</li> <li>requires 100+ proposals to achieve Code Level 4 and incorporate design that enables the potential for zero carbon in the future</li> <li>CS25 Water Management:</li> <li>Commits the LPA to working with water utility providers to ensure the pace of development does not outstrip the water supply and waste water/ sewerage treatment capacity</li> </ul>
	<ul> <li>DP11 Sustainable Technology and Construction</li> <li>Encourages development to tackle climate change, minimise flood risk and natural resource use and aim to increase water efficiency – setting 110 litres as the maximum water use level per day</li> <li>Sets requirements to be considered for all low/ zero carbon technology and installations</li> </ul>
S3:2  The use of sustainable and active travel modes will be embedded into developments; designing for walking/cycling (particularly at locations which benefit the Green Grid), public transport and low carbon motorised personal transport (including for future electric vehicle charging points/cabling needs). This should be designed to be adaptable to allow for future changes to technology and transport methods.	CS15 Managing Transport Demand:     Encourages mixed use development, requires Fastrack provision from major development and encourages the use of the River Thames for the transportation of goods and passengers in order to reduce the need to travel and minimise car use  DP4 Transport Access and Design     Encourages development to promote walking, cycling and public transport use
S3:3	CS14 Green Space:

#### **Proposed Policy Existing Policy** Existing green spaces, habitats, and tree CS14:1a commits to the creation of new coverage will be protected and enhanced, green spaces and CS14:1b requires new and new provision will be made in order to development to make a contribution to the to absorb carbon dioxide, support Green Grid, in proportion to the size of the biodiversity and reduce surface water development site runoff. The biodiversity mitigation hierarchy • CS14:1e commits to the protection and (avoid, reduce, mitigate, compensate) will enhancement of existing spaces apply, with the priority being to protect, enhance and integrate existing features of CS24 Flood Risk: biodiversity interest. Achieving biodiversity CS24:1d sets the ambition for existing open net gain will play an important part in space to be safeguarded and for new green delivering this strategy. and blue spaces to be provided through new development DP24 Open Space: States that development on playing pitches. Borough Open Space or non-designated public amenity space will not be permitted unless certain criteria are met **DP25 Nature** Conservation and **Enhancement:** Recognises the hierarchy of designated Requires any loss or adverse impact from development on existing biodiversity features to be mitigated • Expects development to preserve and enhance existing habitats and ecological qualities. S3:4 **CS24 Flood Risk:** Development will be sequentially located in CS24:1 commits to applying the sequential areas at lower risk of flooding, from any test and engaging with the Environment source unless the development Agency and DEFRA on the TE2100 plan demonstrably provides specific wider sustainability benefits and will be safe for its lifetime. Planned development in flood risk areas will fully mitigate flood risk impacts. S3:5 CS24 Flood Risk: Development will be planned to deliver/ • CS24:1d sets the ambition for existing open maintain existing and future local and space to be safeguarded and for new green strategic flood defences, and major and blue spaces to be provided through development will provide sustainable new development drainage systems which reduce surface water flood risk and benefit the green infrastructure network. S3:6 **CS25 Water Management:** Development will efficiently manage and re-• CS25:1b and 1c require water efficiency use natural resources and waste, including standards to be met

measures.

through the use of water efficiency

#### **Proposed Policy Existing Policy** S3:7 **CS23 Minimising Carbon Emissions:** The design, location and construction of • Requires new development to demonstrate development will: minimise energy reductions in energy use through passive consumption; regulate internal design where practical temperatures; provide appropriate natural • Requires 100+ proposals to achieve Code shading on buildings, at street level and in Level 4 and incorporate design that enables open spaces; incorporate renewable or low/ the potential for zero carbon in the future zero carbon energy sources; and allow for Seeks the provision of low/zero carbon other new sustainable technologies to be CHP from certain developments provided or readily incorporated in the • Requires non-residential development over future. 1,000 sqm to achieve BREEAM excellent **DP11** Sustainable **Technology** and Construction: • Encourages development to tackle climate change, minimise flood risk and natural resource use and aim to increase water efficiency - setting 110 litres as the maximum water use level per day Sets requirements to be considered for all low/ zero carbon technology and

1.12 As can be seen, the development of policy S3 has clear derivation from various policies (food risk, minimising carbon) within the existing Development Plan framework.

installations

- 1.13 Clause one of the S3 policy works to combine the intentions and strategic aspects of CS23, CS25 and DP11 into one concise overarching policy that clearly sets out the Councils ambitions and expectations, maintaining particular stress on emission reduction and mitigation of climate change effects.
- 1.14 The public transport element of clause two derives from CS15 which incorporates the same intention of reducing the need to travel by car. Clause two however has been strengthened to incorporate the Council's strategic ambition for increasing sustainable and active travel modes and low carbon motorised personal transport as well as the public transport element somewhat stemming from DP11 which goes into more detail on expectations but encourages the promotion of walking, cycling and public transport use through development design, layout and provision.
- 1.15 Clause three sets out the Councils strategic ambition that is largely derived from and update of DP25 and CS14. Policy S3:3 adds strength to the existing policies by recognising the important role green and blue infrastructure play in contributing to emissions reductions. Clause three combines the strategic elements from various existing policies and leaves the detail to development management policies which will be discussed later in this topic paper. The biodiversity net gain agenda is also acknowledged.
- 1.16 Clause four and five are continuations of CS24 and leave the existing intentions largely unchanged, and reflects current national policy.

1.17 Clause six seeks to add the recognition of waste as a natural resource needing management to the existing policy on water efficiency. Clause seven is a new strategic policy that seeks to clarify the expectations of development's role in addressing climate change and provide further detail than what was previously included in CS23 on reducing emissions.

### Local evidence

#### **Dartford**

- 1.18 In a motion submitted by the Leader of the Council at a General Assembly (full council) in October 2019, the Council made recognition of the serious impacts of climate change and of the climate emergency. As such, the Council made a commitment to contribute to tackling climate change, beyond existing actions and ambitions.
- 1.19 Carbon emission data for Dartford Borough, from 2005 through to 2017<sup>4</sup> is provided below.

	Industry and Commercial	Domestic	Transport	Grand Total	Emissions per Capita
2005	315.1	207.7	437.9	957.9	10.6
2006	334.0	208.4	416.4	955.6	10.5
2007	315.6	204.8	410.3	927.3	10.1
2008	320.6	207.8	388.5	913.3	9.7
2009	230.2	188.2	396.3	811.1	8.5
2010	228.3	202.4	384.2	811.0	8.4
2011	200.3	176.6	390.0	762.8	7.8
2012	219.6	192.3	387.0	794.7	8.0
2013	189.4	188.7	375.5	749.2	7.5
2014	159.0	159.7	370.6	684.8	6.7
2015	144.1	157.8	401.8	699.1	6.8
2016	125.2	152.1	405.3	677.9	6.4
2017	121.2	144.5	392.5	653.4	6.1
2005 based percentages*	33%	22%	46%		
2017 based percentages	18%	22%	60%		

1.20 Policy S3 overall seeks to reduce the Boroughs emissions. Given the split between transport emissions (60% at 2017 levels) and built environment emissions (40% at 2017 levels), the policy addresses both sectors as well as acknowledging the positive role the natural environment can play in CO2 sequestration. Transport is a major focus

<sup>&</sup>lt;sup>4</sup> Department for Business, Energy and Industrial Strategy

in the Borough currently for this reason (and a range of other environmental reasons). Topic Paper 3 discusses Infrastructure and Transport including the Borough's sustainable transport ambitions which are embedded in a range of policies throughout the Plan and will contribute to the climate change objectives by minimising the proportion of emissions attributed by the transport sector.

- 1.21 When looking at the domestic emissions, which accounted for 22% of the Boroughs emissions in 2005 and remains at 22% in 2017, it's important to understand how the Local Plan policies can contribute to a reduction. Over the past five years (2016-2020), 4,717 homes were built<sup>5</sup>. Dartford's estimated dwelling stock at 2020 is 48,000<sup>6</sup>. This suggests that roughly 10% of the total building stock is made up of new builds, demonstrating that domestic new builds play an important role in contributing to reducing the Borough's greenhouse gas emissions as well as resource management.
- 1.22 While reductions in emissions from the industry and commercial sector are evident between 2005 and 2017, the policy maintains its current focus on all development (not just domestic) contributing to reducing emissions and addressing climate change.

#### Kent

- 1.23 Dartford is signed up to the <u>Kent and Medway Energy and Low Emissions Strategy</u>.
  This notes:
  - 72,000 households in Kent and Medway are in fuel poverty
  - Kent and Medway's mortality rate associated with poor air quality is worse than the national average
  - The rate of excess winter deaths is higher in Kent than for both the south east and the whole of England
- 1.24 The Kent and Medway Energy and Low Emissions Strategy sets out ten priorities each with number of short and longer term actions. Priority three relates to planning and development and identifies a short term action to 'set stretching net-zero targets for any new development over 100 houses' (page 18). This has been incorporated into proposed policy S3 and M3.

<sup>&</sup>lt;sup>5</sup> ONS, Table 122: Housing Supply; Net-Additional Dwellings, by Local Authority District <a href="https://www.gov.uk/government/statistical-data-sets/live-tables-on-dwelling-stock-including-vacants">https://www.gov.uk/government/statistical-data-sets/live-tables-on-dwelling-stock-including-vacants</a> <a href="https://www.gov.uk/government/statistical-data-sets/live-tables-on-dwelling-stock-including-vacants">https://www.gov.uk/government/statistical-data-sets/live-tables-on-dwelling-stock-including-vacants</a>

## POLICIES M1 - M4

## Relationship with existing policy

1.25 Table 5 highlights how policies M1 through to M4 have evolved from various policies from within the existing Development Plan Framework.

Table 5: Relationship with existing policy, proposed policies M1 through to M4

Local Plan proposed policy	Applicable existing policy
M1 Good Design for Dartford  1. Development must demonstrate that it is designed in line with the National Design Guide and the National Model Design Code, considers the principles of Kent Design, and satisfies all of the following locally specific criteria for good design in the Borough:  a) Responding to, reinforcing and enhancing positive aspects of the locality. Opportunities to create appropriately distinctive high quality and beautiful places should be taken, particularly using and enhancing prominent physical attributes which include the Borough's distinctive riverside environments, extensive open spaces, biodiversity assets, landscape and tree coverage;  b) Ensuring appropriate regard is given to heritage assets and that the character of historic towns and villages and Areas of Special Character are respected;  c) Facilitating a sense of place with social interaction, a physical environment encouraging health and wellbeing, attractive active travel options and environments, and secure, inclusive and integrated neighbourhoods through a mix of uses and careful design and layout that ensures that commercial and public facilities are well integrated within the site and the wider locality;  d) Providing permeability for the site to sufficiently connect to its surrounds and for the public to traverse the site, through clear pedestrian and cycle linkages and, where appropriate, active frontages, open streets, and a fine grain mix of buildings and spaces;  e) Reinforcing and enhancing good design by integrating new development with public realm and open space, and providing biodiversity gain and natural features including rivers and lakes/ ponds; and f) Meeting the requirements set out in any supplementary local design guidelines which will be produced	<ul> <li>CS17 Design of Homes:</li> <li>Requires development to apply the principles of the Kent Design Guide</li> <li>Requires locally important criteria to be addressed</li> <li>DP2 Good Design in Dartford:</li> <li>DP2:1 requires development proposals to respond to locally specific criteria for good design <ul> <li>a) Encourages the creation of high quality places, particularly using physical attributes such as the riverside environments, cliff faces, open spaces and tree coverage</li> <li>b) Ensures appropriate regard is had to heritage assets</li> <li>c) Ensures a sense of place is facilitated with social interaction, walking/ cycling, health and</li> </ul> </li> </ul>
after public consultation consistent with these principles and national requirements, to be adopted as formal Supplementary Planning Documents or design codes.  2. Development must be shown to be suitable in terms of its height, mass, form, scale, orientation, siting, access, overlooking, overshadowing, articulation, detailing, roof form, and landscaping relative to neighbouring buildings and the wider locality. Materials must support a sense of place and relate well to the local character. Outstanding or innovative design which helps raise design standards in the wider area will be supported on appropriate sites which are not closely related to sensitive areas or assets.  3. The appropriate scale and density of development at a site should be the outcome of securing high	walking/ cycling, health and wellbeing and inclusive neighbourhoods d) Ensures permeability through clear pedestrian and cycle linkages and where appropriate active frontages • The height, mass, form, scale, orientation, siting, setbacks, access, overshadowing, articulation, detailing, roof form and landscaping of proposals
quality development through a design-led process and demonstrated by agreed masterplans on large sites, having proper regard to:	will be considered in relation to the neighbouring buildings and wider locality

Local Plan proposed policy	Applicable existing policy
a) the current built environment context including heritage assets; b) the location of the site in the Borough and its characteristics: i) Assessment of development potential using locally specific design or conservation guidance documents, and fulfilling applicable Plan objectives for the area; ii) Outside the urban area, design should, in particular, be sympathetic to local landscape and townscape character; c) providing spacious, green and good quality developments including clearly meeting or exceeding nationally described space standards for new homes, and fulfilling policy for amenity space and green infrastructure provision; and d) the principle of securing a mix of uses and residential types, achieving efficient re-use of land where appropriate, and delivering regeneration at urban locations well-served by public transport and services.  4. Public spaces in and outside buildings and all accommodation must be designed to be inclusive, safe and accessible for all Dartford's communities, including young, elderly, disabled and less mobile people. The design of buildings, open space and the private and public realm must be in accordance with active design principles and reduce the fear of, and opportunities for crime. 5. Signage and advertisements must be of a scale and design that is sympathetic to the building and locality, particularly in the designated Area of Special Advertisement Control, and must not have a negative impact on visual amenity, public safety or the safe and convenient movement of pedestrians, cyclists and vehicles.	<ul> <li>Requires spaces to be designed to be inclusive, safe and accessible</li> <li>Requires signage and advertisements to be of a scale and height that is sympathetic to the building and locality</li> <li>DP8 Residential Space and Design in New Development:</li> <li>DP8:1 requires C3 dwellings to meet the Nationally Described Space Standards</li> </ul>
M2 Environmental and Amenity Protection  1. Development must demonstrate that it does not result in unacceptable material impacts, individually or cumulatively, on neighbouring uses, the Borough's environment or public health. Particular consideration must be given to the design of proposals in areas and subjects of potential sensitivity in the built and natural environment (including as highlighted on the Policies Map), and other potential amenity/ safety factors including:  a) air quality, in particular potential impacts within or immediately adjacent to air quality management areas;  b) water quality, including groundwater source protection zones;  c) intensity of use, including hours of operation;  d) anti-social behaviour and littering;  e) traffic, access, and parking;  f) noise disturbance or vibration;	<ul> <li>Protection:         <ul> <li>Requires development to have no unacceptable material impact on neighbouring uses, environment or public health – with particular consideration given to areas and subjects of potential sensitivity</li> <li>Prevents development from materially impeding the continuation of lawfully existing uses</li> </ul> </li> </ul>

Local Plan proposed policy	Applicable existing policy
g) odour; h) light pollution; i) overshadowing, overlooking and privacy; j) electrical and telecommunication interference; k) HSE land use consultation zones; l) land instability; and m) ground contamination and gassing. 2. Development must not materially impede the continuation of lawfully existing uses. Where impacts cannot be adequately mitigated, planning applications are likely to be refused. 3. Planning applications on or in the immediate vicinity of landfill sites must be accompanied by a full technical analysis of the site and its surroundings, in accordance with Environmental Health and Environment Agency requirements. Analysis must establish that landfill gas will not represent a hazard on development of the site or that development will not cause adverse impacts on groundwater. Development must clearly demonstrate that it can be safely, satisfactorily and fully achieved, including: a) avoidance of risks to neighbouring uses/ the wider area; and b) design quality, infrastructure provision, affordable housing and other policy requirements are not compromised as a result of high remediation costs or to allow for delivery uncertainties.	Where proposals are nearby to landfill sites a full technical analysis is required to be submitted to the planning authority
M3 Sustainable Technology, Construction and Performance  1. The design, construction and whole life carbon cost of development must contribute to the mitigation of, and adaption to, climate change. This includes, but is not limited to, reducing embodied and operational carbon emissions, improving energy performance and preserving water. Applicants should demonstrate best endeavours to use recognised assessment tools/ quality standards.  Preserving Resources  2. All residential development must demonstrate delivery of the water efficiency level of no more than 110 litres per person per day for all dwellings created. In order to demonstrate high levels of energy performance and water efficiency, non-residential development over 1,000sqm must achieve the BREEAM excellent standard, showing that available water credits have been met.  3. Development should aim to increase a building's length of life and its adaptability for future uses.  4. Development materials should be carefully considered in order to reduce embodied carbon and reduce/ prevent waste in all development. Materials for construction should be recycled or re-used from within the site, or sourced locally, where possible.	<ul> <li>CS23 Minimising Carbon Emissions:</li> <li>Requires new development to demonstrate reductions in energy use through passive design where practical</li> <li>Requires 100+ proposals to achieve Code Level 4 and incorporate design that enables the potential for zero carbon in the future</li> <li>Seeks for the provision of low/ zero carbon CHP from certain developments</li> <li>Requires all new homes to achieve at least level 4 of the Code for sustainable Homes in terms of water use</li> <li>Requires non-residential development over 1,000 sqm to achieve BREEAM excellent</li> </ul>

#### **Local Plan proposed policy** Applicable existing policy 5. All development should achieve a layout and design that enables re-use, recycling and composting for the future occupiers. Convenient and suitable arrangements for the storage of refuse and **CS25 Water Management:** recyclable materials must be made. • CS25:1d requires non-residential **Energy and Carbon** development over 1,000 sqm to achieve 6. All residential development should incorporate passive design in order to optimise solar and daylight BREEAM excellent standards of water access and reduce the risk of overheating and the need for cooling. efficiency 7. Major residential development must achieve a minimum on-site reduction in regulated carbon emissions of at least 19 per cent beyond Part L of the Building Regulations, unless it can be DP11 Sustainable Technology and demonstrated that such provision is not feasible. This will be required until such time that amendments Construction: are made to national legislation/policy which have the effect of surpassing this level of performance. • Requires development to tackle climate Large residential development of 100 dwellings or more should also demonstrate additional significant change, minimise flood risk and natural zero and/ or low carbon or sustainable technology features across the site. resources use and aim to increase water 8. At applicable sites, the appropriate technology and systems should be deployed to minimise impact efficiency on heritage and character. • Requires all development to achieve Developments for Energy Generation and Storage delivery of 110 litres of water per day 9. In determining applications for energy storage or small and large scale low/ zero carbon technology · Sets out that proposals for small and and installations, the economic and environmental benefits of the proposal will be weighed against the large-scale low/ zero carbon technology individual and cumulative impact of the development. Development will only be permitted in line with and installations will be permitted in line national policy and where the following factors have been satisfactorily taken into consideration where with national policy and where local applicable: criteria, such as character and a) Minimising landscape impacts and impacts on ecology and agriculture; biodiversity, have been taken into b) Shadow flicker and glare; consideration c) Electronic and telecommunication interference/ navigation and aviation issues; and d) Ensuring installations are removed when no longer in use and land is then restored. M4 Floodrisk and Riverside Design CS24 Flood Risk: 1. Development with a frontage along the Rivers Thames or Darent will be expected to fully explore • CS24:1 commits to applying the potential for improving: the riparian landscape; biodiversity; access and appeal for pedestrians and sequential test and engaging with the cyclists; and opportunities for river based recreation. This should be planned along with securing any Environment Agency and DEFRA on the flood defence infrastructure that may be required under criterion 2. TE2100 plan 2. Development which is proposed on sites which fall partly or wholly within the tidal flood defence • CS24:1d sets the ambition for existing raising zone must not constrain the future management, maintenance and upgrading of flood defences open space to be safeguarded and for and, where feasible, development must seek to contribute to the delivery of the Thames Estuary 2100 new green and blue spaces to be plan. provided through new development

Local Plan proposed policy	Applicable existing policy
3. Planning permission for development will only be granted where: a) It can be demonstrated that the site is safe from all types of flooding, now and for the lifetime of the development, taking into account the effects of climate change; and b) It does not materially displace flood water or worsen flood risk elsewhere. 4. Where development is within an area at risk of flooding from any source, it will be required to: a) Locate the most vulnerable development in areas of lowest flood risk unless there are overriding reasons for not doing so; b) Include measures which reduce the overall level of flood risk at the site, where possible; c) Provide a safe means of access and egress; and d) Incorporate flood protection and resilience measures. 5. Development which is proposed on sites with a riverside frontage or providing access to flood defences must make sufficient space for the defences and for future river levels available where necessary, and provision for the future management, maintenance and upgrading of the defences. 6. All major development must incorporate multi-functional Sustainable Drainage Systems (SuDS) to reduce surface water run-off and ensure that it does not increase flood risk elsewhere. Infiltration SuDS will only be acceptable where they will not lead to deterioration of groundwater quality in Groundwater Source Protection Zones. Where possible, SuDS should be multi-functional and deliver benefits to green infrastructure.	CS25 Water Management:  Commits the LPA to working with water utility providers to ensure the pace of development does not outstrip the water supply and waste water/ sewerage treatment capacity  DP11 Sustainable Technology and Construction:  Requires development to tackle climate change, minimise flood risk and natural resources use and aim to increase water efficiency  Requires major developments with potentially significant water supply, flooding or wastewater implications to set out how appropriate and effective mitigation/ management is to be delivered

- 1.26 As can be seen above, each policy from M1 M4 has significantly stemmed from one or more policies within the adopted Development Plan Framework.
- 1.27 M1 policy is overall is a strong continuation of DP2, with adjustment for some new national policy. Criteria listed in DP2:1a-d regarding local specificities that must be considered have been maintained, with two additional criteria added relating to how development integrates with the public realm and any future requirements set out by a supplementary planning document or design code in line with current central government ambitions. DP2: 3 and DP2:5 have not been carried over into this policy as they are more relevant to heritage and sustainability respectively and have been carried over elsewhere in the publication Plan. Policy M1 has also carried over the requirement for the Kent Design Guide to be accorded with as per existing CS17, in addition reference to the National Model Design Code has also been incorporated.
- 1.28 Additionally M1 now sets out the methodology for determining the density of sites, this varies from existing CS17 policy which set a dwellings per hectare figure for sites based on their geographical setting. M1 now sets a design-led process that has regard to the physical context of the site, the ability to provide open space and meet internal space standards as well as secure a mix of uses and residential types. Internal space standards were previously a requirement of DP8 Residential Space and Design but have now been amalgamated with the principle policy on design which is M1.
- 1.29 Policy M2 is largely a continuation of policy DP5, with the criteria that was on air and water quality now being split into two separate factors under M2:1a and M2:1b.
- 1.30 Policy M3 has sought to combine the development management aspects of CS23, CS25 and DP11. It has also been strengthened in line with growing need and commitment and changes in national policy for sustainable construction. The previous reference to the Code for Sustainable Homes has been removed and replaced with reference to the upcoming changes to the Building Regulations.
- 1.31 The emphasis on passive design, addressing embodied carbon and encouraging occupier uptake of recycling and composting have all been strengthened or added in order to holistically address sustainability. M3:9 is a condensed equivalent of previous policy.
- 1.32 Whilst M4 is a new development management policy, it very much works to combine existing policies and intentions to provide greater clarity and also make prominent (criterion 1) for the specific context of riverside environments when designing developments. The policy maintains the need for major development to incorporate SuDS.

### Local evidence

#### **M**1

1.33 Dartford promotes the Kent Design Guide which provides a locally based approach to developing good design and a core set of principles to guide and shape high quality residential and other developments. Along with the National Design Guide, the Kent Design Guide provides current context for the design criteria benchmarks for M1,

- particularly M1:1. This will be complemented in future by Dartford design coding, produced under national guidance.
- 1.34 Dartford's most recent monitoring report (2020-21) shows that 99.7% of consented residential units were designed in line with the National Described Space Standards (NDSS) as required by adopted policy DP8. In 2019-20 and 2018-19, similar results were achieved with 99.6% and 99.7% respectively. The Authority Monitoring Report results over the past 3 years demonstrate that the policy is efficiently being implemented and is an effective method for achieving sufficiently sized homes in Dartford.
- 1.35 In keeping with a greater national emphasis on design, a criteria-based, largely design and location led approach features within the Local Plan (M1:3). This followed previous local research considering if development trends necessitated a prescriptive approach to residential design in the Borough or not. Page 48 of the Dartford Housing Density Paper (2017) concludes that that new developments within the Borough vary from 15dph to 280dph, with higher densities being found in the Town Centre and close to the train station, and lower densities being found in the rural south. The paper also adds that the average dwelling sizes have not decreased, indicating that higher densities are not leading to smaller dwelling sizes.

#### **M2**

- 1.36 The Borough has a history of heavy industry, including aggregates extraction. The recently adopted Kent Minerals and Waste Plan forms part of Dartford's Development Plan Framework. The large minerals extraction sites have now mostly been fully worked. Their current environmental and planning status varies, however there is overall a legacy of dumped waste in many former quarries in Dartford. This includes hazardous waste at a number of sites, although historic records of landfill waste are sometimes inconclusive. The majority of former quarries without fill have been/ are being redeveloped, or alternatively gassing landfill sites are being suitably managed largely requiring long-term monitoring and gradual remediation. These issues were key considerations in the development of proposed policy M2.
- 1.37 Addressing pollution is a big aspect of policy M2 and Dartford has a number of areas that are designated Air Quality Management Areas (AQMAs) due to their poor air quality. The 2020 Annual Status Report concluded that pollution levels have reduced at the majority of monitoring sites and within the year of 2019 only 7 out of the 55 monitored sites breached the annual objective levels. These 7 areas were however within the AQMAs, demonstrating that further reductions need to take place in these locations and that the Local Plan must continue to ensure that negative impact from new development is avoided. Data from 2020 is due to be reported on by the Council in 2021 however due to the national Covid lockdown it is unlikely that the data can be considered a representative year for air quality monitoring.

#### М3

1.38 Policies within the existing development framework have been contributing to the achievement of the Corporate Plan's climate change related objectives.

- 1.39 For example, in order to reduce carbon emissions and ensure sustainable developments, adopted policy CS23 requires non-residential development over 1,000sqm to achieve BREEAM Excellent rating and adopted policy CS25 requires development to achieve the water efficiency level of no more than 110 litres per day. Over the past two monitoring years, it has been found that all applicable developments have these two requirements set by policies CS23 and CS25. These two requirements, have therefore been carried over to M3:2
- 1.40 In monitoring of the BREEAM notification, it was found that the BRE updated the specifications for achieving 'Excellent' which meant that the Council has since been accepting 'Very Good' rating. It is for this reason that the supporting text has clarified that 'Excellent' will be expected for the lifetime of the Plan, despite any future BRE updates.
- 1.41 The continuation of expecting BREEAM excellence in policy M3:2 has been viability tested for the Council and supported. The Local Plan Viability Assessment (Dixon Searle, 2021) concluded, on page 6, that "a viable development would not be made unviable by this requirement".
- 1.42 The 2021 Authority Monitoring Report found that out of the Energy Performance Certificates lodged for properties on the market in Dartford, 58.3% received either energy rating A, B or C. Only 0.8% achieve energy rating A, which is the highest grading possible. While these achievements show that majority of houses on the market (including both new build and existing stock) are relatively energy efficient, there is still room for improvement. As such, policy M3:6 requires all residential development to incorporate passive design in order to reduce the need for energy.
- 1.43 Clause M3:7 requires a minimum of a 19% reduction in carbon emissions from the current building regulation requirements. This is a continuation of the equivalent level of performance set out in the Core Strategy, however it is set out as an interim in response to current government plans to strengthen the building regulations. In 2019/2020 the government hosted a public consultation on proposed changes to the Building Regulations, in particular around Part L, conservation of fuel and power, and Part F ventilation. In January 2021 the government published a response to the consultations in which a commitment was made to an interim amendment that would result in a 31% reduction in carbon emissions from the current Part L standards. The interim step was referred to as the '2021 uplift' and is said to be the first step towards achieving the full Future Homes Standard.
- 1.44 As no changes to the building regulations have yet been made, Dartford Borough Council have aligned policy M3:7 to the existing PPG which still states that Local Plans should not set policies with requirements above the equivalent of the energy requirement of Level 4 of the Code for Sustainable Homes which is around a 19% reduction beyond the current regulations. Whilst it is known that the building regulations are likely to be changed shortly, it was not felt suitable to go beyond the limits set in the planning guidance. Rather, policy M3:7 clarifies that the 19% requirement will only apply until the time in which the building regulations are changed. If this occurs before or during the examination of the Local Plan, Dartford Borough Council may accept necessary amendments to clause M3:7.

#### М4

- 1.45 A level 1 and 2 Strategic Flood Risk Assessment February 2021 (SFRA) has been carried out to support the Submission Local Plan. The level 1 assessment identifies where flooding is not a major issue to allow the application of the sequential test set out in the NPPF. The level 2 assessment has been carried out for sites within flood zones 2 and 3 to consider the detailed nature of the flood characteristics within the flood zone and assessment of other sources of flooding.
- 1.46 The SFRA recognises that flood risk within the Borough is primarily from fluvial and tidal sources, with surface water, groundwater, sewer and reservoir flooding also a potential risk. The maps of the areas affected by flooding are contained in the appendices as follows:
  - Appendix B: Historic flooding
  - Appendix D: Flood zones
  - Appendix E: Climate change
  - Appendix F: Surface Water Flooding
  - Appendix G: Surface Water Climate change
  - Appendix H: Groundwater

However, the areas of the Borough potentially affected by tidal flooding from the River Thames are protected by flood defences. Appendices I and K of the SFRA give information on the flood defences and the potential for them to be breached under different scenarios.

- 1.47 The level 2 SFRA was carried out for the Priory Centre (policy D6) and Ebbsfleet Central (policy E4) strategic allocations, the areas of Central Dartford within the Station Surrounds/ River Darent Area (policy D7), Swanscombe Peninsula and a number of other sites (including those with potential for residential and employment development).
- 1.48 The SFRA has been used to inform the text in paragraph 5.42 of the Local Plan which supports policy M4. Furthermore, the areas shown within flood zones 2 and 3 in the SFRA have led to the proposed Policies Map Changes for flood risk areas. The recommendations will also be used to inform site specific flood risk assessments.
- 1.49 A Flood Risk Sequential Approach Paper September 2021 (the Sequential Approach Paper) was produced to justify the approach towards strategic allocations, broad areas for development and deliverable/ developable sites in the Strategic Housing Land Availability Assessment within areas at risk of flooding.
- 1.50 Much of Central Dartford is within areas at risk of flooding. In relation to this area, paragraph 4.5 of the Sequential Approach Paper lists the sites, which flood zone they are in, whether a level 2 SFRA was undertaken and the relevant policy. The justification for the inclusion of those sites in terms of the application of the sequential approach and exceptions test is set out in paragraphs 4.6 and 4.7 of the Sequential Approach Paper. Only a very small part of the Ebbsfleet Central allocation is affected by flood risk and paragraph 4.10 of the paper makes clear that development of the site can be planned so that more vulnerable development avoids the areas at greatest risk of flooding. In terms of other sites which have been found to be deliverable/developable for residential development in the SHLAA, paragraph 4.12 of the Sequential Approach Paper lists the sites and the flood zone that they are located within. The justification for these is included in paragraphs 4.13-4.15 of the paper.

## **POLICIES M5 and M6**

## Relationship with existing policy

1.51 Table 6 highlights how policies M1 through to M4 have evolved from various policies from within the existing Development Plan Framework.

Table 6: Relationship with existing policies, proposed policy M5 and M6

Local Plan proposed policy	Applicable existing policy
M6 Historic Environment Strategy  1. Development must contribute to the conservation and enjoyment of the Borough's historic environment. The local planning authority will work with developers on strategies to realise this in the context of site heritage opportunities and constraints.  2. Where heritage may be at risk, landowners will be expected to work proactively with the local planning authority in bringing forward proposals to preserve or enhance these assets, to facilitate their successful rehabilitation and seek their viable re-use consistent with their heritage value and special interest.  3. Development proposals which may affect the significance of both designated and non-designated heritage assets or their setting must demonstrate how these assets will be protected, conserved or enhanced as appropriate. Proposals must aim to reflect and interpret the historic character of a site and conserve its most significant historical and/ or architectural aspects.  Non-Designated Heritage Assets  4. The Borough's non-designated heritage assets include:  a) Archaeological sites, including sites holding an interest as defined in the NPPF;  b) Applicable sites within Areas of Special Character;  c) Sites with significant industrial heritage;  d) Land with historic landscape character;  e) Historic open space, parks and gardens; and  f) Assets that may be designated through a local list, produced after public consultation.  5. Development proposals affecting non-designated heritage assets must establish the asset's significance. Development must conserve or enhance those aspects that have been identified as significant and should seek to better reveal an asset's significance.  6. In determining planning applications affecting non-designated assets, the effect of the proposal on the asset's significance will be taken into account. A balanced judgement will be taken having regard to the significance of the heritage asset and the scale of any harm or loss of significance. Development resulting in a total loss of signi	<ul> <li>PP12 Historic Environment Strategy:</li> <li>Requires development to conserve the historic environment</li> <li>Expects landowners to work with the Council in preserving, enhancing or rehabilitating assets</li> <li>Requires development that may affect designated and non-designated heritage assets or their settings to set out how the proposal will protect, conserve or enhance as appropriate. Developments should aim to reflect the historic character of a site</li> <li>Lists out the Borough's non-designated heritage assets</li> <li>States that when determining applications affecting non-designated assets, the effect of the proposal on the assets significance will be taken into consideration.</li> </ul>

- 1.52 Policy M5 has principally maintained DP13, however in addition a clause (M5:9) has been added to add reference to geoarchaeological sites and their protection and conservation. This is due to the SSSIs at Swanscombe Skull and Swanscombe Peninsula being designated not only for biodiversity/ ecological values but for their geoarchaeological interests.
- 1.53 Policy M6 largely reflects DP12. In addition to non-designated assets listed in DP12:4, assets designated through a local list have been added at M6:4f. The previous reference to the requirement for a heritage statement within policy DP12:4 is not referred to in replacement policy M6 as this is a procedural matter and is set out in paragraph 5.54 of the supporting text to the policy.

### Local evidence

- 1.54 Each Conservation Area is supported by an <u>appraisal</u> that sets out the value, importance and character of the area. Additionally, there are 13 <u>Area of Special Character Appraisals</u> outlining the value, importance and character of each area to support the non-designated assets referenced in policy M6.
- 1.55 Development within the conservation areas is managed in order to maintain, preserve and/or enhance the areas, depending on the value and objectives for each area. Therefore, not all development is refused and there are instances in which development can bring value to a conservation area or heritage asset. The AMR monitors developments affecting designated heritage assets and demonstrates that applications are dealt with by appropriately applying the existing framework, which is proposed to be maintained. The applications received and processed over the past two years are listed below:
  - 2019/20: Four Listed Building Consents were granted, all for minor amendments or extensions that were not expected to bring harm. One relevant application within a conservation area was permitted which was for the demolition of a boundary wall.
  - 2020/21: Four Listed Building Consents were granted, two for minor alterations, one for an extension and one for a change of use from office to residential. None of these developments were expected to bring harm. There were no conservation area consents granted.

# POLICIES M10, M14 and M15

## Relationship with existing policy

1.56 Table 7 highlights how policies M10, M14 and M15 have evolved from various policies from within the existing Development Plan Framework.

Table 7: Relationship with existing policies, policy M10, M14 and M15

Local Plan proposed policy	Applicable existing policy
M10 Residential Amenity Space	CS17 Design of Homes:
M10 Residential Amenity Space  1. Residential development must provide sufficient and high quality amenity space to meet the health, recreation and functional needs of occupants and to contribute to good design, wellbeing and wider environmental objectives. Sites should be laid out to provide for private amenity space requirements and contribute to multi-functional green infrastructure, where possible.  2. The design of all private and communal amenity types and spaces must be attractive, enable maximum functionality for the end users and be suitable to the location and character of the development. In this respect, the applicant must demonstrate how the following, as a minimum, have been taken into consideration and provided within the design:  a) Good sunlight and fresh air; b) Leisure and recreation space; c) Children's play needs; d) Storage space sufficient for the needs of likely occupiers; e) Relative privacy and tranquillity as appropriate to the setting; f) Opportunity for food growing where possible; and g) Accessible and secure entrances. 3. To achieve this aim, all new build residential development must provide a quantity of	<ul> <li>Requires locally important criteria to be addressed in the design of homes, including usable private amenity space usually provided as a garden in family houses and balcony, patio or roof garden in flats and high quality communal open space</li> <li>CS18 Housing Mix:</li> <li>Requires that where flats/ apartments are provided there is provision of private amenity space, such as balconies or roof gardens, wherever possible and outdoor and/ or indoor communal space</li> </ul>
private amenity space that is:	DP8:3 Residential Space and Design in New Development:
a) Clearly ample for each house in a development. This should be predominantly a single area, provided through an attached (preferably spacious rear) garden; and b) sufficient and highly usable in the form of a balcony, winter garden, terrace or garden for each flat in a development.	<ul> <li>Requires all new C3 dwellings to provide a range of useable size and good quality private amenity spaces, including residential gardens and balconies. Development will not be permitted where provision is insufficient or where storage, daylight, sunlight, privacy, overlooking or overshadowing are unacceptable</li> </ul>
	DP8:4 Residential Space and Design in New Development:

• Residential developments of 100 dwellings or more must provide inviting and

accessible communal open space serving

the community it serves

### **Local Plan proposed policy**

## M14 Green and Blue Infrastructure and Open Space Provision

- 1. New development will be required to contribute to the Green and Blue Infrastructure network as follows:
- Sites of 20ha and over: at least 30% of the site area
- Sites of between 2ha and 20ha: at least 20% of the site area
- Sites of less than 2ha will be considered on a site by site basis for a proportionate contribution

This should include multi-functional land, providing opportunities for formal and informal recreation, habitats and corridors for wildlife, native trees/ landscaping, and other measures to mitigate and adapt to the impacts of climate change. Ongoing maintenance and management of such areas will need to be demonstrated. Where the provision of on-site Green and Blue Infrastructure or public realm open space is not appropriate or feasible, contributions may be sought for off-site improvements of open space in the vicinity of the site.

- 2. Protected Local Green Spaces will be retained (or enhanced) to maintain their openness and special local role. They must continue to provide high quality spaces to support attractive, distinctive and sustainable neighbourhoods. Development of Protected Local Green Spaces will be refused unless very special circumstances apply, considering national and Dartford Green Belt policy (particularly policy M13 criteria 1-3 and 13-14).
- 3. Borough Open Spaces will maintain their overall green environmental value. Development on Borough Open Space will not be permitted unless it is clearly demonstrated that one of the following criteria is satisfied:
- a) Where the space will be retained in its current primary function, with development limited to a small proportion of land, the proposal must support or enhance the existing space in this overall green infrastructure role. The proposal must not lead to any significant loss or deterioration in quantity and level of open space provision.
- b) Where development will result in a significant loss in the quantity of open space, like for like re-provision must be delivered within easy, safe and secure walking distance of the site, unless it is clearly demonstrated that the existing provision is surplus to current and future requirements for biodiversity and/ or the amenity and health/ wellbeing of residents. The replacement must be shown to be of an equivalent type and of equal or greater quantity and quality to that being lost.

## Applicable existing policy

## CS14:1b Green Space:

- Requires new development to contribute to new green and blue infrastructure provision and sets criteria that has been supported in S3:3 and carried into M14
- Accepts off-site improvements where onsite is not appropriate or feasible

### **DP23 Protected Local Green Space:**

 Protected Local Green Spaces are designated to maintain their openness and special role. Development of protected local green spaces will not be permitted unless very special circumstances apply

### DP24:2 Open Space:

 Requires justification for any development of a non-designated public amenity space

Local Plan proposed policy	Applicable existing policy
<ul> <li>4. Development of other public amenity space will only be permitted where a convincing justification is made. This must take account of: a) the quality, quantity and function of the space relative to alternative provision in the locality; and</li> <li>b) the benefits/ disbenefits arising from the proposed development.</li> <li>M15 Biodiversity and Landscape</li> </ul>	DP25 Nature Conservation and
1. Development on sites designated for their biodiversity value will not be granted planning permission unless it can be clearly demonstrated that the biodiversity value will not be adversely affected by the proposals. Proposed development located on or in close proximity to designated sites, priority or other irreplaceable habitats or priority species, or with potential effects on them, must demonstrate that it will not adversely impact on the biodiversity value or ecological pathways. Residential developments of more than 15 dwellings located within 10km of the North Kent Special Protection Areas and Ramsar sites will be subject to screening and, if necessary, assessment under the Habitats Regulations. This may require the implementation of mitigation measures to ensure that there are no likely significant effects on the protected features of those sites.  2. Developments will be expected to protect and enhance biodiversity. In the event that development adversely affects any existing habitats, this must be replaced by compensatory habitat of a similar type, size and condition in close proximity to that which is being lost. The new national biodiversity net gain requirements will apply to all applicable developments. Local delivery of net gains should preferably be made by enhancing existing habitats and/ or creating new habitats on-site or, in cases where this is not achievable, off-site within the Biodiversity Opportunity Areas. These will need to be informed by and link to the Dartford Green Grid network and any Local Nature Recovery Strategy.  3. All new developments should be designed and laid out in a way which is sympathetic to their landscape setting. Major developments will be expected to deliver a landscaping scheme that is visually attractive, enhances biodiversity, uses native species, incorporates sustainable drainage measures, and helps to mitigate and adapt to climate change. This will need to incorporate the following elements: a) New trees and other landscape features should be used to create	<ul> <li>Enhancement:</li> <li>Recognises the hierarchy of designated sites and states that development on these sites will not be permitted and development nearby should demonstrate no adverse impact</li> <li>Expects development to; avoid significant adverse impact on existing biodiversity; and preserve and enhance existing habitats and ecological quality</li> <li>Requires development within 10km of the North Kent European Protected sites to undertake a Habitats Regulation Assessment</li> <li>Encourages existing tree protection or replacement provision</li> </ul>

Local Plan proposed policy	Applicable existing policy
4. In all development proposals, including works to trees protected under a Tree	
Preservation Order, existing tree coverage, hedgerows and other landscape features should	
be retained wherever possible. If retention is demonstrated not to be feasible and/ or	
removal is justified, replacement provision should be of an appropriate native tree species or	
landscape feature which reflects the maturity, canopy cover and location of that being	
replaced.	

- 1.57 Policy M10 seeks to combine and expand on CS17 and DP8 by requiring all development in the Borough to provide amenity space whether private or communal. Additionally, the policy has been expanded and now sits as a stand-alone policy in order to provide clarity and set additional criteria. The criteria has been designed to be able to respond to the needs and context of individual sites and avoid becoming a prescriptive 'tick box' quantitative process. On top of expecting amenity space, the policy largely focuses on the usability of the space for the end user. It therefore sets out design considerations that must be considered to ensure that the benefits can be achieved.
- 1.58 Policy M14:1 has taken forward the requirement of CS14:1b for sites over 2 hectares to provide green infrastructure based on set percentages according to the size of the site. It has been clarified and is consistent with other policy that sites under that size should make some contribution proportionately. Additionally, M14 combines in existing policy DP23 and DP24 in order to protect various green and blue infrastructure.
- 1.59 The main principles of existing policy DP25 have been carried forward into M15.

#### Local evidence

#### M10

1.60 Examination of recently approved and/ or completed residential developments, supports paragraph 5.90. In the Borough, the size of amenity space provided in houses varied significantly but were consistently provided. Conversely, amenity space in flatted developments hasn't always been provided. The policy therefore seeks to ensure there is access to amenity space regardless of dwelling type, and that the scale and form of provision is usable and effective.

#### M14 and M15

- 1.61 In support of the publication Regulation 19 consultation, Dartford prepared and published a <u>Green Infrastructure Paper</u>. The paper reviews various designations and concludes, on page 19, that:
  - There have been no changes to internationally designated biodiversity sites
  - There are no designated landscapes within the borough
  - There are no new designations for Protected Local Green space
  - There are some proposed changes to Borough Open Space which are set out in appendix one of the Green Infrastructure Paper
- 1.62 As discussed in the Green Infrastructure Paper, the Dartford Local Plan was published for Regulation 19 consultation in September 2021 when the Swanscombe Peninsula SSSI had been notified by Natural England but not yet designated. This follows discussion with partners over the implications of the notification earlier in 2021 and prospects for designation. The Council concluded given government requirements to rapidly update Local Plans, and local growth aspirations, the most suitable approach was to proceed forward with plan-making, featuring revisions in line with the notification and discussions over expected impacts on development proposals. It was considered the clearest and simplest approach for everyone by which to do this was to re-publish a Plan (undertake a second Regulation 19 stage) also taking on board the opportunity for other selected modifications.

- 1.63 The September 2021 publication Plan therefore acknowledged and referenced the SSSI as it was notified. As of November 2021, the final boundary of the SSSI has now been agreed upon and the SSSI is designated, however Natural England have made small changes to the notified boundary. A total, by area, of 98% of the notified land has been confirmed as SSSI.
- 1.64 If there is the opportunity to make modifications to the Local Plan as it progresses through examination to show the final approved boundaries of the SSSI, Dartford Borough Council would support this; however it is clear these are very small scale areas with no impact on the overall approach to the development of Ebbsfleet Garden City and the green infrastructure strategy. The latter point is evident in Plan Diagram 10, which draws from SSSI proposals, the Ebbsfleet Implementation Framework and the Borough Green Grid. The amended SSSI boundary is shown in figure 1 with areas not designated as SSSI shown in red.

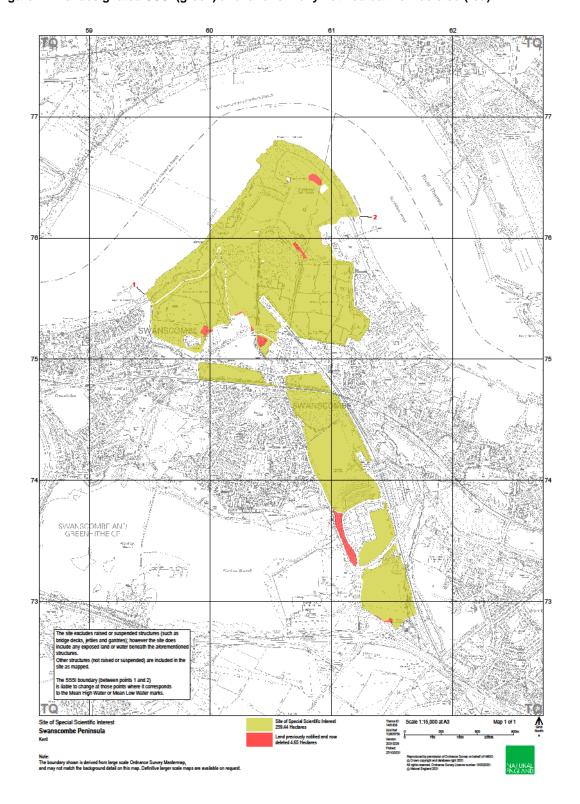


Figure 1 Final designated SSSI (green) and land formally notified but now deleted (red)

1.65 Additionally, page 12 of the Green Infrastructure Paper provides an update on playing pitches which identifies a variety of newly permissioned or agreed playing pitches and sports facilities since the 2016 Playing Pitch Study.

- 1.66 Each year as part of the AMR the Council reports on the level of development taking place on Protected Local Green Space designations that are currently protected under DP23 and proposed for continued protection under M14. Across the last three monitoring years (2018/18 2020/21) it was found that there were no developments on any of these designated areas.
- 1.67 The AMR also reports on new green and blue infrastructure provided within each year as a result of CS14 and proposed M14. Across the three year period (2018/18 2020/21) it was reported that nine new areas of open space, two new areas of play space provision and one green corridor have been completed.

# **APPENDIX 1: SUSTAINABILITY APPRAISAL EXCERPTS**

#### Symbols - Key

++	This option is likely to have a significant positive effect on the SA objective(s).
++/-	The option is likely to have a mixture of <b>significant positive</b> and <b>minor negative</b> effects on the SA objective(s)
+	The option is likely to have a <b>minor positive</b> effect on the SA objective(s).
0	The option is likely to have a <b>negligible</b> or no effect on the SA objective(s).
-	The option is likely to have a <b>minor negative</b> effect on the SA objective(s).
/+	The option is likely to have a mixture of <b>significant negative</b> and <b>minor positive</b> effects on the SA objective(s).
	The option is likely to have a <b>significant negative</b> effect on the SA objective(s).
?	It is <b>uncertain</b> what effect the option will have on the SA objective(s).
+/- or ++/	The option is likely to have an equal mixture of <b>both minor</b> or <b>both significant positive and negative effects</b> on the SA objective(s).

## Policy S3

	SA objective	<b>S</b> 3
1.	To ensure that everyone has the opportunity to live in a decent home.	+/-?
2.	To ensure ready access to essential services and facilities for all residents.	0
3.	To strengthen community cohesion.	0
4.	To improve the population's health and reduce inequalities.	+
5.	Facilitate a sustainable and growing economy and a vital and viable town centre.	+/-?
6.	To reduce the need to travel and encourage sustainable and active alternatives to motorised vehicles to reduce congestion.	+
7.	To conserve the Borough's mineral resources.	0
8.	To conserve the Borough's soils.	+
9.	To maintain and improve the quality of the Borough's waters.	+
10.	. To reduce air pollution and ensure improvements in air quality.	+
11.	. To avoid and mitigate flood risk.	++
12.	. To minimise the Borough's contribution to climate change.	++
13.	To conserve, connect and enhance the Borough's wildlife, habitats and species.	+
14.	To conserve and/or enhance the significant qualities, fabric, setting and accessibility of the Borough's historic environment.	0
15.	To conserve and enhance the special qualities, accessibility, local character and distinctiveness of the Borough's settlements, countryside and landscape.	+

#### Policies M1

	SA objective	M1
1.	To ensure that everyone has the opportunity to live in a decent home.	0
2.	To ensure ready access to essential services and facilities for all residents.	0
3.	To strengthen community cohesion.	++
4.	To improve the population's health and reduce inequalities.	++
5.	Facilitate a sustainable and growing economy and a vital and viable town centre.	0
6.	To reduce the need to travel and encourage sustainable and active alternatives to motorised vehicles to reduce congestion.	+
7.	To conserve the Borough's mineral resources.	0
8.	To conserve the Borough's soils.	0
9.	To maintain and improve the quality of the Borough's waters.	0
10.	. To reduce air pollution and ensure improvements in air quality.	+
11.	. To avoid and mitigate flood risk.	0
12.	. To minimise the Borough's contribution to climate change.	+
13.	To conserve, connect and enhance the Borough's wildlife, habitats and species.	+?
14.	To conserve and/or enhance the significant qualities, fabric, setting and accessibility of the Borough's historic environment.	+
15.	To conserve and enhance the special qualities, accessibility, local character and distinctiveness of the Borough's settlements, countryside and landscape.	++

	SA objective	M2
1. To ensure that home.	everyone has the opportunity to live in a decent	0
2. To ensure read residents.	ly access to essential services and facilities for all	0
3. To strengthen of	community cohesion.	0
4. To improve the	population's health and reduce inequalities.	+?
5. Facilitate a sus viable town cer	stainable and growing economy and a vital and ntre.	0
	need to travel and encourage sustainable and active motorised vehicles to reduce congestion.	0
7. To conserve the	e Borough's mineral resources.	0
8. To conserve the	e Borough's soils.	+?
9. To maintain and	d improve the quality of the Borough's waters.	+?
10. To reduce air p	pollution and ensure improvements in air quality.	+?
11. To avoid and m	nitigate flood risk.	0
12. To minimise the	e Borough's contribution to climate change.	+?
13. To conserve, co	onnect and enhance the Borough's wildlife, habitats	+?
	nd/or enhance the significant qualities, fabric, setting ity of the Borough's historic environment.	0
	nd enhance the special qualities, accessibility, local distinctiveness of the Borough's settlements, and landscape.	+?

	SA objective	М3
1.	To ensure that everyone has the opportunity to live in a decent home.	0
2.	To ensure ready access to essential services and facilities for all residents.	0
3.	To strengthen community cohesion.	0
4.	To improve the population's health and reduce inequalities.	0
5.	Facilitate a sustainable and growing economy and a vital and viable town centre.	0
6.	To reduce the need to travel and encourage sustainable and active alternatives to motorised vehicles to reduce congestion.	0
7.	To conserve the Borough's mineral resources.	0
8.	To conserve the Borough's soils.	+?
9.	To maintain and improve the quality of the Borough's waters.	#
10.	To reduce air pollution and ensure improvements in air quality.	0
11.	To avoid and mitigate flood risk.	0
12.	To minimise the Borough's contribution to climate change.	++
13.	To conserve, connect and enhance the Borough's wildlife, habitats and species.	+?
14.	To conserve and/or enhance the significant qualities, fabric, setting and accessibility of the Borough's historic environment.	+?
15.	To conserve and enhance the special qualities, accessibility, local character and distinctiveness of the Borough's settlements, countryside and landscape.	+?

	SA objective	M4
1.	To ensure that everyone has the opportunity to live in a decent home.	0
2.	To ensure ready access to essential services and facilities for all residents.	0
3.	To strengthen community cohesion.	+?
4.	To improve the population's health and reduce inequalities.	+?
5.	Facilitate a sustainable and growing economy and a vital and viable town centre.	0
6.	To reduce the need to travel and encourage sustainable and active alternatives to motorised vehicles to reduce congestion.	+?
7.	To conserve the Borough's mineral resources.	0
8.	To conserve the Borough's soils.	0
9.	To maintain and improve the quality of the Borough's waters.	+
10.	To reduce air pollution and ensure improvements in air quality.	0
11.	To avoid and mitigate flood risk.	+
12.	To minimise the Borough's contribution to climate change.	+
13.	To conserve, connect and enhance the Borough's wildlife, habitats and species.	+?
14.	To conserve and/or enhance the significant qualities, fabric, setting and accessibility of the Borough's historic environment.	0
15.	To conserve and enhance the special qualities, accessibility, local character and distinctiveness of the Borough's settlements, countryside and landscape.	+

## Policy M5 and M6

	SA objective	M5	М6
1.	To ensure that everyone has the opportunity to live in a decent home.	0?	0?
2.	To ensure ready access to essential services and facilities for all residents.	0	0
3.	To strengthen community cohesion.	0	0
4.	To improve the population's health and reduce inequalities.	0	0
5.	Facilitate a sustainable and growing economy and a vital and viable town centre.	0?	0?
6.	To reduce the need to travel and encourage sustainable and active alternatives to motorised vehicles to reduce congestion.	0	0
7.	To conserve the Borough's mineral resources.	0	0
8.	To conserve the Borough's soils.	0	0
9.	To maintain and improve the quality of the Borough's waters.	0	0
10	To reduce air pollution and ensure improvements in air quality.	0	0
11	. To avoid and mitigate flood risk.	0	0
12	. To minimise the Borough's contribution to climate change.	+	0
13	. To conserve, connect and enhance the Borough's wildlife, habitats and species.	0	0
14	To conserve and/or enhance the significant qualities, fabric, setting and accessibility of the Borough's historic environment.	++?	++
15	To conserve and enhance the special qualities, accessibility, local character and distinctiveness of the Borough's settlements, countryside and landscape.	+	+

	SA objective	M10
1.	To ensure that everyone has the opportunity to live in a decent home.	0
2.	To ensure ready access to essential services and facilities for all residents.	0
3.	To strengthen community cohesion.	0
4.	To improve the population's health and reduce inequalities.	++
5.	Facilitate a sustainable and growing economy and a vital and viable town centre.	0
6.	To reduce the need to travel and encourage sustainable and active alternatives to motorised vehicles to reduce congestion.	+?
7.	To conserve the Borough's mineral resources.	0
8.	To conserve the Borough's soils.	+?
9.	To maintain and improve the quality of the Borough's waters.	+?
10.	To reduce air pollution and ensure improvements in air quality.	+?
11.	To avoid and mitigate flood risk.	+?
12.	To minimise the Borough's contribution to climate change.	+?
13.	To conserve, connect and enhance the Borough's wildlife, habitats and species.	+
14.	To conserve and/or enhance the significant qualities, fabric, setting and accessibility of the Borough's historic environment.	0
15.	To conserve and enhance the special qualities, accessibility, local character and distinctiveness of the Borough's settlements, countryside and landscape.	+

SA objective	M14
To ensure that everyone has the opportunity to live in a decent home.	0
2. To ensure ready access to essential services and facilities for a residents.	+
3. To strengthen community cohesion.	+
4. To improve the population's health and reduce inequalities.	++
5. Facilitate a sustainable and growing economy and a vital and viable town centre.	+
6. To reduce the need to travel and encourage sustainable and act alternatives to motorised vehicles to reduce congestion.	tive +
7. To conserve the Borough's mineral resources.	0
8. To conserve the Borough's soils.	+
9. To maintain and improve the quality of the Borough's waters.	+
10. To reduce air pollution and ensure improvements in air quality.	+
11. To avoid and mitigate flood risk.	+
12. To minimise the Borough's contribution to climate change.	+
13. To conserve, connect and enhance the Borough's wildlife, habit and species.	tats ++
14. To conserve and/or enhance the significant qualities, fabric, set and accessibility of the Borough's historic environment.	ting 0
15. To conserve and enhance the special qualities, accessibility, local character and distinctiveness of the Borough's settlements, countryside and landscape.	t++

SA objective	M15
To ensure that everyone has the opportunity to live in a decent home.	0
2. To ensure ready access to essential services and facilities for a residents.	all 0
3. To strengthen community cohesion.	0
4. To improve the population's health and reduce inequalities.	+
5. Facilitate a sustainable and growing economy and a vital and viable town centre.	0
6. To reduce the need to travel and encourage sustainable and ac alternatives to motorised vehicles to reduce congestion.	tive 0
7. To conserve the Borough's mineral resources.	0
8. To conserve the Borough's soils.	0
9. To maintain and improve the quality of the Borough's waters.	0
10. To reduce air pollution and ensure improvements in air quality.	+
11. To avoid and mitigate flood risk.	+
12. To minimise the Borough's contribution to climate change.	0
13. To conserve, connect and enhance the Borough's wildlife, habi and species.	itats ++
14. To conserve and/or enhance the significant qualities, fabric, se and accessibility of the Borough's historic environment.	tting 0
15. To conserve and enhance the special qualities, accessibility, lo character and distinctiveness of the Borough's settlements, countryside and landscape.	ocal ++