

Examination of the Dartford Local Plan

Inspector: Philip Mileham BA (Hons) MA MRTPI

Programme Officer: Ian Kemp

Email: Idkemp@icloud.com

Mr Mark Aplin
Dartford Borough Council
Civic Centre
Home Gardens
Dartford
KENT
DA1 1DR

25 January 2022

Dear Mr Aplin,

Initial questions for examination

1. As you will be aware, I have been appointed by the Secretary of State to conduct the examination of the Dartford Local Plan 2017-2037. I have commenced my initial preparation and have a number of initial questions as set out below.

Duty to Co-operate (DtC)

2. The Duty to Co-operate Compliance Statement [ref COR-11] provides an overview of the cooperation that has taken place between Dartford Borough Council (DBC) and Gravesham Borough Council (GBC). Specifically, Document COR-11 includes reference to a request made for DBC to accommodate a proportion of GBC's housing needs that it will not be able to provide within its own administrative boundary. The Duty to Co-operate Statement of Common Ground [SCG-2] goes on to confirm that there is disagreement between the authorities regarding whether or not DBC is in a position to contribute towards any unmet housing need from Gravesham.
3. Based on the information provided, GBC formally requested help from DBC in meeting their housing needs as far back as 2015. The Duty to Co-operate evidence demonstrates that in 2020 the Council held meetings with GBC, however, what went before this? How did discussions held prior to 2020 inform the preparation of the Plan? Is any further evidence available covering any discussions held on this matter between 2015 and 2020?
4. Paragraph 2.57 of the submitted Local Plan states in the fourth bullet that the proposed housing requirement (which is higher than the Local Housing Need (LHN) figure taken from the standard method) *'is consistent with potentially supporting delivery of some unmet needs in the wider area'*. However, this does not confirm positively that it is intended to meet any potential unmet

need, or where and how such needs will be met. What is the reason for proposing a housing requirement which is higher than LHN and is it intended to help meet GBC's needs? If so, what amount does it contribute? If it does not meet all the unmet needs, why doesn't it?

5. The Duty to Co-operate Compliance statement Appendix 6: Meeting Minutes [COR-14] includes notes of meetings held on 10/08/21 and 31/08/21. Both suggest that the Council consider that longstanding objections from GBC should be pursued through Local Plan and examination process. The meeting notes of 01/10/21 also appear to indicate a similar suggestion that GBC '*have the channel to expand on their own perspective in full during the current Regulation 19 representations period*'. Is this approach consistent with the advice contained in the national Planning Practice Guidance, which states that "Inspectors will expect to see that strategic policy making authorities have addressed key strategic matters through joint working, and not deferred them to subsequent plan updates or are not relying on the Inspector to direct them".
6. The notes of what appears to be the final DtC meeting between DBC and GBC held on 18/11/21 prior to submission did not appear to discuss the potentially unresolved issue of unmet housing needs. Is there any further evidence that documents any additional discussions held between the two authorities in respect of unmet housing need from GBC prior to submission?
7. Has the extent of GBC's unmet needs been quantified? If so, is there any agreement on what that figure might be? And has DBC explained why it cannot help (assuming that is its position)? In light of the above, please can the Council clarify whether GBC's outstanding request has been formally resolved, and if so, where this is has been documented? The Act requires that there is constructive, active and ongoing co-operation on strategic matters (in this case unmet housing needs). Is there any further evidence which the Council can point to which demonstrates that the duty to cooperate set out in S33A of the Act has been met?

Approach to site allocations

8. The Council's overall approach to identifying sufficient land to meet its housing need identifies a number of regeneration opportunity areas and Policy M9 indicates that sites will be permitted in accordance with central Dartford, Ebbsfleet and Swanscombe policies.
9. Policy M9 states that sites located in accordance with the identified housing land supply will be permitted for residential development. However, the SHLAA/ 5 year housing supply are not part of the Development Plan for the area, and as such, where sites within those documents do not have planning permission. As such, it appears as though a considerable number of these sites have not been subject to public consultation through a plan-making

process or subsequent examination. Is that the case? And what implications does this have for their delivery?

10. Other than the site allocations that include elements of residential development as set out at Policies D4, D5, D6, E4 and E5 it appears that no further residential allocations have been included in the submitted plan. How will the Council ensure housing needs will be met over the full plan period?
11. What is the scale of growth envisaged in other smaller settlements in the Borough? Is this set out anywhere in the submission plan? Is any growth in other locations to be managed through a settlement hierarchy or other policy mechanism to guide the scale and location of residential development?
12. What forms of development might be acceptable on the land North of London Road Area, Swanscombe outside the identified Employment Area (policy E6)? Is the site intended for further employment development? Or is residential or a mixed use development envisaged for this site?
13. Other than the table on page 11 of the Sequential Approach paper [ECC-7], is there a document that sets out in relation to flood risk, the sequential and exceptions test results for each of the site allocations in the plan? The current document does not appear to set out on a site by site basis the respective justification for the exceptions test for those sites where this is required by national policy.

Overall approach to housing requirement and the plan period

14. The Dartford and Ebbsfleet Residential Needs Assessment update August 2021 [HOU-8] provides the inputs to the calculation of housing need for the area. The PPG states¹ that the standard method median workplace-based affordability ratios take into account the effect of under delivery prior to the date of the affordability ratios. The PPG also states that: *Strategic policy-making authorities will need to calculate their local housing need figure at the start of the plan-making process. This number should be kept under review and revised where appropriate. The housing need figure generated using the standard method may change as the inputs are variable and this should be taken into consideration by strategic policy-making authorities. However, local housing need calculated using the standard method may be relied upon for a period of 2 years from the time that a plan is submitted to the Planning Inspectorate for examination.*²

¹ Paragraph: 011 Reference ID: 2a-011-20190220

² Paragraph: 008 Reference ID: 2a-008-20190220 Revision date: 20 02 2019

15. What is the justification for the plan period commencing in 2017/18 when the standard method calculation utilises the median workplace-based affordability ratio from 2020?
16. Paragraph 22 of the National Planning Policy Framework (NPPF) requires strategic policies to look ahead for 15 years from adoption. What is the justification for a plan that would not achieve 15 years?
17. Table 1 (page 45 of submission plan) shows sources of supply to contribute to a proposed housing requirement of 11,900 new homes to 2031/2 (15 years at 790 dwellings per annum from 2017). Is the Phased Housing Land Supply table at Appendix D of the Strategic Housing Land Availability Assessment (SHLAA) [HOU-2] intended to support the housing trajectory set out at Appendix C of the plan? How will the Council demonstrate that the housing requirement will be met in total over the full plan period?
18. Please can the Council provide an up to date table or schedule of how the housing requirement will be met and from what sources (i.e. commitments, allocations, other sources)?

Approach to Gypsies, Travellers and Travelling Showpeople accommodation

19. The GTAA indicated that the overall need in DBC over the period to 2035 is 70 pitches. The national Planning Policy for Traveller sites states at paragraph 9 that Local Planning Authorities should set pitch targets for gypsies and travellers. Why does the Local Plan not identify the pitch requirement for the full plan period and how will these needs be met?
20. The GTAA also identifies the potential for pitch needs for 9 households where the planning status was undetermined. Has the Council made any allowance in the plan for the pitch needs of Gypsies and Travellers where the current status is undetermined?
21. What is the potential capacity (in pitches) within existing authorised and tolerated sites? Policy M12 indicates that the Council is seeking to allocate land for additional pitches at Tennis Courts Sutton at Hone and at Salinas Darenth Wood Road. What is the current capacity of these sites and what is the potential increase their capacity to meet identified needs?
22. I note that the proposed allocation boundaries were shown as proposed changes to the Policies Map to be excluded from the Green Belt. What evidence is there to support the consideration of exceptional circumstances necessary to justify an amendment to the Metropolitan Green Belt boundary?
23. Policy M12 indicates potential for Traveller pitches to be found within Ebbsfleet Garden City. Has any assessment been made of the potential sites

within the Garden City area having regard to the outline planning permission and subsequent areas where reserved matters have been approved and other masterplanned areas and how would this supply be achieved in these circumstances?

London Resort Nationally Significant Infrastructure Project (NSIP)

24. The plan highlights the potential of the London Resort NSIP proposal as a scheme with the potential to have a significant impact on the Borough and its development strategy. The plan indicates in Table 11 that the Council's position would be to review the Local Plan within 6 months of commencement of the access road if the London Resort proposal were to be allowed. What does the Council consider the significant impacts of the London Resort NSIP on the plan to be?
25. Given the potential overlap of timescales between the DLP examination and the DCO timetable, is the current approach of including a trigger in Table 11 (within the Monitoring and Implementation Framework section) of the plan sufficiently clear and robust? Would the review trigger result in the need to review the whole plan or particular policies?
26. Please can the Council also provide me with a factual note on the current NSIP position.

Transport

27. The submission Local Plan is accompanied by Strategic Transport Modelling [INF – 6 to INF-13]. However, the option testing output is dated September 2021. How did the options testing results inform the preparation of the plan and was this made available to inform comments on the plan during public consultation?
28. National Highways indicated in their representations that they will not be able to review and comment on the pre-submission Local Plan in respect of the Strategic Road Network until they are content with the transport modelling and assessment. They also indicate that a merge and diverge assessment has not been undertaken in respect of the effect of the proposed spatial strategy on the strategic road network. Is this assessment covered by the Stage 4 Local Plan mitigation modelling report dated November 2021 [INF-12]? Or is the further work requested by National Highways in their representation intended to be a separate exercise to the Stage 4 report and thereby still in progress?
29. Have specific mitigation measures been identified and have any costings been produced for any such measures identified in the mitigation modelling report

[INF-12]? Are these included in the Infrastructure Delivery Plan (November 2021) [INF-2]? Is there an intention to progress a Statement of Common Ground with National Highways?

Economic Development

30.Does the Economic Land Report September 2021 [BAR-6] provide robust projections of employment needs for the full plan period to 2037 and is this justified? What is the relationship between the scale of economic development proposed and the supply of labour over the plan period? Is there any assessment of the potential effect on commuting?

31.Has any assessment of the potential capacity within the existing identified employment areas to accommodate additional floorspace or the intensification of employment density been carried out?

Next steps

32.So that the examination is not unduly delayed, I would be grateful if the Council could provide an indication of the timetable for the production of responses to the questions above. As you will appreciate, until I have received and considered the Councils' response it is difficult to establish a timeframe for the next stages of the examination.

33.In the meantime, if you have any questions please do not hesitate to contact me via the Programme Officer. I have asked the Programme Officer to upload this letter to the examination website, but I am not seeking representations from any participants on the contents of this letter.

Yours sincerely,

Philip Mileham

INSPECTOR