

Dartford Borough Council Local Plan Examination

Stage 1 - Matters, Issues and Questions identified by the Inspector

Inspector's Matters Issues and Questions

Introduction

Stage 1 of the hearing sessions will cover the matters set out below. If after the completion of the Stage 1 hearing sessions, I consider that in relation to these issues the examination may proceed, the remaining matters including housing and employment requirements, site allocations, housing supply and delivery and development management policies, will be considered at a later date. A further set of matters, issues and questions will then be issued prior to those hearings.

Matter 1- Procedural and legal requirements including the Duty to Co-operate

Issue 1

Whether the Council has complied with the Duty to Co-operate in the preparation of the Dartford Local Plan.

Questions

Housing needs, the housing requirement and housing provision

- 1.1 Other than Gravesham Borough Council, were any other requests made to Dartford Borough Council from other authorities to accommodate any unmet housing need? If so, from who and when were any such requests made?
- 1.2 From which authorities' is the proposed 40 dwellings per annum (d.p.a) 'contribution to unmet housing need in the wider area' intended to meet? What proportion of this unmet housing need is proposed to be accommodated from each?
- 1.3 Was engagement with Gravesham Borough Council on the quantum of unmet housing need to be accommodated in the Dartford Local Plan constructive, active and ongoing during the plans' preparation?
- 1.4 What evidence is there of the attempts made to reach agreement between Dartford Borough and Gravesham Borough Council in respect of unmet housing need?
- 1.5 What evidence is there of any attempts to reach agreement with any other authorities' in respect of unmet housing need?

Approach to Bluewater shopping centre

1.6 What evidence is there that constructive, active and ongoing co-operation has been undertaken in respect of the approach to the treatment of the Bluewater shopping centre?

1.7 What are the outcomes from those discussions?

Other strategic matters

1.8 Are there any other relevant strategic matters in relation to the Duty to Cooperate?

1.9 If so, how have they been addressed through co-operation and what is the outcome of this? How have these informed the plan's policies?

1.10 Are there any strategic cross-boundary issues in relation to any of the proposed site allocations and any general policies, and if so, how have they been considered via the Duty to Cooperate?

Overall

1.11 Overall, has the Council maximised the effectiveness of the Local Plan by engaging constructively, actively and on an ongoing basis with the prescribed bodies on relevant strategic matters during the preparation of the Local Plan and what form has this taken?

Issue 2

Whether the Council has complied with relevant procedural, legal and other requirements.

Questions

Plan preparation

1.12 Has the plan been prepared in accordance with the Council's Statement of Community Involvement and met the minimum consultation requirements in the Regulations?

1.13 Has the preparation of the plan been carried out in accordance with the Local Development Scheme?

1.14 Is the plan sufficiently clear whether there are any policies from the existing development plan that would be superseded by its adoption?

Habitats Regulations Assessment

1.15 How was the Habitats Regulations Assessment (HRA) carried out and was the methodology appropriate?

1.16 What potential impacts of the Local Plan were considered? What were the conclusions of the HRA and how has it informed the preparation of the Local Plan?

- 1.17 Have any concerns been raised regarding the HRA and if so, what is the Council's response to these? How has Natural England been involved?

Sustainability Appraisal

- 1.18 How has the Sustainability Appraisal (SA) informed the preparation of the Local Plan at each stage and how were options considered?
- 1.19 What were the conclusions of the SA and how has it informed the preparation of the Local Plan?
- 1.20 Are the likely environmental, social and economic effects of the Local Plan adequately and accurately assessed in the SA?
- 1.21 Did the SA test an option for Dartford to accommodate some unmet housing need from Gravesham Borough Council? If not, why not?
- 1.22 Did the SA test the output from the Standard Method for calculating housing need as an option? Were other options for different levels of housing growth considered and what were they? What were the outcomes of those assessments? Are those assessments included in the submission SA report?
- 1.23 Having regard to Appendix C of the SA, can the Council advise whether the reasonable alternatives were assessed to the same level of detail as submitted plan option (preferred option) including any consideration of whether any residual negative effects of alternatives could be mitigated?

Climate Change

- 1.24 Does the plan accord with s19(1A) of the Planning and Compulsory Purchase Act (2004) (as amended) by including policies that are designed to secure that the development and use of the land in the Borough contribute to the mitigation of, and adaptation to, climate change?

Equality and diversity

- 1.25 Having regard to the Dartford Customer Access Review document [COR-15], in what way does the Plan seek to ensure that due regard is had to the three aims expressed in Section 149 of the Equality Act 2010 in relation to those who have a relevant protected characteristic?

Other matters

- 1.26 In accordance with NPPF paragraph 21, does the plan identify 'Strategic Policies' – including for the purpose of those strategic policies against which any Neighbourhood Plan or Business Neighbourhood Plan would be required to be in general conformity with? Are any other the implementation policies to be regarded as 'strategic policies'?