
Examination Statement

Savills on behalf of Countryside Properties

Dartford Borough Council Local Plan
Examination in Public – Stage 1

May 2022

1. Introduction

- 1.1. This Examination Statement is submitted by Savills on behalf of Countryside Properties. Countryside Properties are a FTSE 250 top ten housebuilder, recognised as being at the forefront of the delivery of sustainable development and new communities.
- 1.2. Countryside Properties Representations to Dartford Borough Council (DBC) Regulation 19 Local Plan consultation have been given the reference: **1484**.

2. Response to Inspectors Initial Matters, Issues and Questions

Matter 1: Procedural and legal requirements including the Duty to Cooperate

Issue 1: Whether the Council has complied with the Duty to Co-operate in the preparation of the Dartford Local Plan.

Housing needs, the housing requirement and housing provision

QUESTION 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?

The Duty to Cooperate (DtC) requires Council's to engage constructively, pro-actively and on an on-going basis in the preparation of the Plan. The London Plan (2021) contains a clear request for support from authorities beyond London to address unmet housing need within the capital. The capacity and extent to which Dartford can and should contribute should have been considered from the outset of the Local Plan process, including within the Sustainability Appraisal.

Given the proximity of Dartford to outer London boroughs, most notably Bexley, there is a strong inter-relationship between the Housing Market Areas as acknowledged in Dartford Borough Council's (DBC) Statement of Common Ground with the London Borough of Bexley (**SCG-1**, para 20-25, p4).

The Bexley Local Plan is currently at Examination and the Statement of Common Ground (SoCG) submitted as part of the Bexley Examination in Public (EiP) illustrates the housing and economic relationship between Dartford and outer London stating:

'Bexley remains by far the most common location of origin for households relocating to Dartford Borough. In 2019, 21.2% of those who moved to Dartford Borough came from Bexley, equating to 1,906 people.' (Bexley and Dartford SoCG, para 22, November 2021).

Furthermore, Dartford and the wider northern parts of Kent are forecasting increased levels of economic and housing growth in addition to greater levels of connectivity to the Capital and other urban areas (e.g. extension of the Queen Elizabeth Line, Lower Thames Crossing, KenEx Tram proposal¹). Issues of affordability within London, changes in flexible working practices and re-aligned housing preferences have increased demand for homes in towns outside the capital^{2 3}. The above factors will further strengthen established linkages between housing market areas of Dartford and London, and most notably LB Bexley.

¹ <https://kenextransit.co.uk/kenex-project/>

² <https://www.ft.com/content/59f80797-be47-43d7-93ae-d34c9bd50327>

³ <https://cep.lse.ac.uk/pubs/download/cepcovid-19-020.pdf>

The examination report on the London Plan (October 2019, para 174) outlined that the overestimation of the contribution of small sites reduces the supply of new homes from 65,000 to 52,000 homes p.a. This means that there is a shortfall of 140,000 homes between 2018 and 2028 in the capital.

There is recognition within the London Plan that London will need support from authorities within the south-east to address significant unmet housing needs within the capital:

'Although this Plan is seeking to accommodate the majority of London's future growth within its boundary, given the pressure for growth in both London and the WSE, the barriers to housing delivery that need to be overcome to avoid a further increase of the backlog, and potential changes to projections over time, it is prudent to also plan for longer-term contingencies. Therefore, the Mayor is interested in working with willing partners beyond London to explore if there is potential to accommodate more growth in sustainable locations outside the capital.' (London Plan, 2021 para 2.3.4)

Dartford is on the immediate fringe of London, is well connected to London by sustainable means and has established inter-relationship in terms of housing market areas. These factors means that Dartford should contribute to regional growth in Kent and help address unmet housing needs within London.

QUESTION 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?

We do not agree with the inference that the plan will assist in meeting unmet housing needs within the wider area.

790 dwellings per annum target is 40 dwellings above the standard method, equating to a 5% increase from the 'minimum' starting point. Dartford has a chronic and persistent issue with low housing delivery when measured against adopted housing delivery targets as evidenced at Para 3.58 of our Reg 19 representations (**ref: 1484**). Our representations identified the need to include sufficient contingency in Dartford's allocations to ensure a rolling five-year housing land supply and increase the prospect of the housing requirement being achieved in-full. In establishing the scale of allocations that are required within the Plan to meet the Local Plan housing target, the Council has not built a suitable contingency into its housing allocations.

Furthermore, the emerging Local Plan is vague and uncommitted as to whether the housing requirement is a contribution to wider unmet needs, stating that this level of housing: *'Is consistent with potentially supporting delivery of some unmet residential needs in the wider area'* (Dartford Local Plan, p43, para 2.57)

QUESTION 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?

The Inspector's attention is drawn to Gravesham Borough Council's (GBC) Regulation 19 response (**ref:0042**). It is clear from the tone set within the representations that GBC do not feel that DBC has responded positively to the plan preparation process;

'Whilst it is intended to apply Calverton principles as part of this process, it is also necessary to ask neighbouring authorities whether they can meet any unmet need. GBC formally notified DBC of the above situation in 2015 and you are aware that the request remains 'live'
(GBC Regulation 19 representations, October 2021)

The above suggests that there are a number of strategic matters that remain unresolved. This is also clear from the following:

'At the time of writing these comments, GBC is in the process of attempting to arrive at a Statement of Common Ground with you to assist the Inspector in his/her deliberations. In so doing, GBC is having regard to the Planning Advisory Service (PAS) Statement of Common Ground Advice and Template (Jan 2019) and all other statutory and policy requirements in respect of the duty to co-operate under s.33(A) of the 2004 Act. However, there remain significant areas of un-common ground which represent issues between the two authorities.' (GBC Regulation 19 representations, October 2021).

QUESTION 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?

This is considered more for DBC to comment on. However, we would note the following:

'Points made by GBC at the previous Regulation 19 consultation remain relevant. In particular, whether DBC has properly considered unmet need from neighbouring authorities in arriving at its local housing need figure under paragraph 11 of the NPPF. In this respect, GBC still awaits a formal response from DBC on whether it is in a position to meet unmet need from Gravesham to facilitate progress on its own local plan. GBC would also question whether the wording of (now) paragraph 2.58 and Table 1 are appropriate given they take the start of the Local Plan as being 2017/18 and fail to address the requirement of paragraph 22 of the NPPF that strategic policies should look ahead over a minimum 15 year period from adoption.'
(GBC Regulation 19 representations, October 2021)

Other strategic matters

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

When considering Dartford in the regional context, it has comparably fewer constraints to growth (e.g. Sevenoaks is 93% Green Belt and 60% AONB). It also benefits from good transport connectivity, which is due to improve through the Lower Thames Crossing and potential extension of the Queen Elizabeth Line. Dartford is not impacted by the nutrient neutrality moratorium that afflicts authorities in east Kent. Considering these facts, DBC should have properly assessed its capacity to accommodate housing need that cannot be met in neighbouring areas.

Darent Valley Hospital (DVH), Dartford, currently designated within the Green Belt, is an acute general hospital built in 1997. DVH is the key hospital in the Dartford and Gravesham NHS Trust which serves 500,000 residents. The regional importance of the DVH is agreed by GBC and DBC; *'It is agreed that the Darent Valley Hospital provides strategic health infrastructure which serves the residents of both Boroughs'* (page 16, DBC-GBC SocG). The future of the DVH should be viewed as a strategic matter because of its regional importance and role. The Council's Infrastructure Delivery Plan (IDP) (ref: INF-2, p13) identifies the need to build additional capacity at DVH as a result of planned growth.

Despite the fact that the hospital was built on the site of a former Darenth Park Hospital erected in 1878, it is almost completely surrounded by development and major roads and will need to expand. The Council has not undertaken a Green Belt review nor justified its retention within the Green Belt. Gravesham BC representations recommended that Dartford undertake a Green Belt review to look at this issue, however, despite this formal request no such review has taken place;

'GBC also notes that the issue of whether or not the Darent Valley Hospital (DVH) site should be removed from the Green Belt as part of your Local Plan review remains outstanding. On this, GBC notes that one of the consequences of the development of Stone Pit and the previous development of the remainder of the adjoining hospital site in the past is that the DVH site will be almost completely surrounded by development except on its eastern boundary. This raises the question as to whether the openness of the area has been compromised and whether it will really perform any Green Belt purpose moving forward. Taken together with future needs to enlarge the hospital and the fact that green infrastructure on the site could be afforded alternative protection under policy M14 as Borough Open Space may be sufficient to make an 'Exceptional Circumstances' case.' (GBC Regulation 19 representations, October 2021)

The continued designation of this major developed and important strategic site is not justified and will impede and set an automatic presumption against future expansion to meet the needs of the 500,000+ residents it serves. Gravesham BC also suggests land to the east of the hospital should be removed from the Green Belt because this land no longer contributes to the openness of the Green Belt and could therefore provide an opportunity to facilitate jobs and economic growth.

Countryside has prepared a concept masterplan for the site that they are promoting to the east of DVH. This includes provision for an amount of land that could be given over to the Hospital for future expansion should there be a need. Furthermore, their Regulation 19 response, explains the following: *'Dartford & Gravesham NHS Trust employs approximately 3850 staff, many of whom are local and represent a wide and diverse section of the population.'* (Dartford & Gravesham NHS Trust Regulation 19 representations, October 2021). Significantly, DBC and GBC both agree that:

DBC includes a number of large employers, including company headquarters, and construction, transport and service sectors. There are some significant sized business parks at Crossways, Questor and The Bridge. Other locations where the land use supports a high concentration of jobs includes Darent Valley Hospital and Bluewater. As a result, DBC is a net importer of labour. (page 2, DBC-GBC SocG)

The importance of the hospital as a healthcare facility, and its contribution to local employment means that it is a regionally significant asset. A more sustainable pattern of development might involve the provision of residential, key worker and care accommodation around the hospital (thereby reducing the number of vehicular trips to the hospital). Furthermore, and given that DBC is a net importer of labour from the Gravesham Borough, and that this labour is concentrated on the aforementioned areas, then the provision of housing would help to both accommodate housing growth; and ensure the provision of houses are located sustainably close to jobs and services in a strategically advantageous way.

It should also be noted that both DBC and GBC agree the following within their SoCG:

'The urban area of DBC includes the Bluewater Regional shopping centre and the Darent Valley Hospital. The Ebbsfleet Valley is a key natural feature which runs along the boundary of the two Boroughs and Ebbsfleet International Station is located within this area.' (page 2, DBC-GBC SocG)

This is therefore an important recognition of the extent of the 'urban area' which includes some of DBC's land within the Green Belt.

Issue 2: Whether the Council has complied with relevant procedural, legal and other requirements.

Sustainability Appraisal

QUESTION 1.18 - How has the Sustainability Appraisal (SA) informed the preparation of the Local Plan at each stage and how were options considered?

The Local Plan makes incorrect assumptions regarding both the housing requirements for Dartford and balance of housing needed. The proposed levels of growth would fail to deliver sufficient affordable housing and specialist accommodation to meet assessed need and would give rise to significant negative socio-economic effects that have not been factored into the SA. Furthermore, DBC have not fully engaged the DtC or assessed if Dartford Borough could accommodate unmet housing needs arising.

These significant errors fed into the SA, which has only assessed a requirement to accommodate between 797 to 865 homes per annum (p353) and in doing so concluded that such needs can be met outside of the Green Belt.

As a consequence, DBC took a blinkered view and did not fully consider reasonable alternatives. This position is set out in more detail within Countryside's regulations 19 responses (**ref:0042**).

QUESTION 1.20 - Are the likely environmental, social and economic effects of the Local Plan adequately and accurately assessed in the SA?

The Council has not assessed how the quantum of proposed growth would address housing need, including that for affordable homes and specialist accommodation. Indeed, the Council's own evidence demonstrates that the proposed level of growth would not deliver sufficient affordable housing to meet Dartford's assessed need. The failure to deliver sufficient affordable housing and specialist accommodation would give rise to negative socio-economic effects. However, this is not considered by the SA as no such assessment has been undertaken by the Council as part of the Local Plan evidence or as part of the SA.

The SA (p82) states 'Given that Dartford's development needs can be met outside the Green Belt, the Council has not identified any exceptional circumstances for the release of Green Belt land in the Borough'. As detailed in these representations, Dartford's housing needs are significantly in excess of those assessed in the SA and the Council's evidence in the SHLAA demonstrates that these housing needs cannot be adequately met on land outside of the Green Belt. The SA has failed to properly consider the reasonable alternatives, which include the ability of Dartford to accommodate appropriate levels of growth to meet Dartford's housing need and any unmet need arising from the DtC.

QUESTION 1.21 - Did the SA test an option for Dartford to accommodate some unmet housing need from Gravesham Borough Council? If not, why not?

We cannot see that this option has been explored. It is reasonable to consider that the option should have been tested in the SA given the requests made under the DtC.

QUESTION 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?

The options tested in the SA are as follows:

- 1A: Brownfield land should be used to its greatest extent across both the urban and rural parts of the Borough.
- 1B: Brownfield land should be used to a full extent in locations very well served by public transport (preferred option).
- 1C: Brownfield land not a strong priority, with non-Green Belt land encouraged for development (including some greenfield sites).
- 1D: Reject a brownfield land focus, in favour of new growth locations elsewhere in the Borough, including more dispersed development that may include locations within the Green Belt.

DBC have taken a blinkered view in preparing its SA and did not assess reasonable alternative options in detail. The way the options were constructed skewed outcomes away from the consideration of undertaking a Green Belt review. Option 1D suggests DBC felt there was a binary approach to assessing the options of either '*rejecting a brownfield land focus*' or '*more dispersed development that may include locations within the Green Belt.*' This is not the case because:

- a) A brownfield land focus does not need to exclude all consideration of development within other areas (e.g. a brownfield land focus can be prioritised while considering development in other sustainable locations); and
- b) Rejecting a brownfield land focus does not necessarily mean more dispersed development (e.g. there is land available in Green Belt locations that would not necessarily result in a dispersed pattern of development).

The above highlights that DBC did not keep an open mind when considering reasonable options. In addition, it has not considered the significant negative social and economic impacts of the significant residual unmet need for affordable and specialist housing that will arise.

Andrew Watson
Director

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