
EXAMINATION STATEMENT

Matter 01 – Procedural and Legal Requirements including the Duty to Co-operate

Dartford Local Plan

Representations on behalf of
Storefield Group Ltd

May 2022

EXAMINATION STATEMENT

***MATTER 01 – PROCEDURAL AND LEGAL REQUIREMENTS
INCLUDING THE DUTY TO CO-OPERATE***

DARTFORD LOCAL PLAN

**REPRESENTATIONS ON BEHALF OF:
STOREFIELD GROUP LTD**

MAY 2022

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1.0 INTRODUCTION

- 1.1 This Statement has been prepared by Barton Willmore now Stantec on behalf of Storefield Group Ltd. Barton Willmore is acting on behalf of Storefield Group regarding its land interest at "Stone Pit 9" – presently an omission site as part of the emerging Local Plan.
- 1.2 Notwithstanding our client's specific land interests, this Matter Statement has been prepared in objective terms in line with the National Planning Policy Framework (NPPF) and National Planning Practice Guidance (NPPG).
- 1.3 This Matter Statement focuses on the "Duty to Cooperate" elements to the Local Plan, as follows:
- There is prevailing uncertainty in terms of housing needs being met in adjacent authorities, most notably in Gravesham and Sevenoaks, but also in Bexley. Given the strategic and spatial context for Gravesham and Sevenoaks, there is potential for unmet needs to be significant. This need could be met in part in the urban area of Dartford.
 - Accordingly, it will be important for flexibility to be built in to the DBC Local Plan to be able to respond to unmet needs when they arise.
 - In the context, it is considered that the present buffer (5.3%) in the Local Plan should be increased closer to 20%. This can be achieved through additional allocations and our client's site in the urban area at Stone Pit 9 provides a feasible option in this context. Stone Pit 9 is able to deliver residential development as well as associated uses including retirement, commercial, medical and retail, including such uses on ground floor with residential above. An increased buffer will provide flexibility and choice and competition in the market in line with the NPPF.
 - A review mechanism should be inserted to the Plan to ensure it is responsive to the potential for unmet needs arising through ongoing Duty to Co-operate work.

2.0 RESPONSE TO MATTER 01: DUTY TO CO-OPERATE

Issue 01: 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

Q.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?

Q.1.2 From which authorities is the proposed 40 dwellings per annum contribution to unmet housing need in the wider area intended to meet? What proportion of this unmet need is proposed to be accommodated from each?

Q.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?

Q.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?

Q.1.5 What evidence is there of any attempts to reach agreement with any other authorities in respect of unmet housing need?

2.1 The answers to these questions are intertwined so are therefore set out below.

2.2 The Dartford Local Plan seeks to provide 790 dwellings per annum up to 2037. This is against the requirement of c. 750dpa set by the Government's Standard Method for growth. Dartford Borough Council (DBC) is proposing that the surplus of 40dpa makes a contribution towards meeting potential unmet needs from other/neighbouring authorities. This surplus totals 800 dwellings over the proposed 20 year Plan period (2017 - 2037) which amounts to a 5.3% buffer above the overall housing requirement.

- 2.3 DBC's *Response to Inspector - Paper A (March 2022)* provides a helpful synopsis of the Duty to Co-operate engagement with neighbouring authorities, albeit this paper provides a focused emphasis on discussions with Gravesham BC (east). We note that DBC also shares direct functional links with the London Borough of Bexley (west) as well as with Sevenoaks DC (south).
- 2.4 We do not comment here on the extent of discussions/engagement DBC has undertaken with the above authorities. This will be for the Inspector to examine through questioning of evidence, albeit, on the face of it, it would appear that DBC has sought to undertake effective and active engagement with neighbouring authorities on the strategic issues of the Plan.
- 2.5 We comment here on those matters related to the Duty to Co-operate in particular regard to the potential for, yet, presently unknown unmet needs arising from adjacent authorities.

a) Gravesham BC

- 2.6 Since 2015, Gravesham BC has indicated that unmet needs were likely to arise within its local authority area. GBC has (on numerous occasions) requested assistance in meeting this need, however it has thus far been unable to establish/quantify the extent of unmet need arising. These discussions are explained in DBC's *Response Paper* and are thus not repeated here.
- 2.7 Further certainty on GBC's need should come to light when GBC publishes its Regulation 19 Local Plan. There is no definitive timetable for the Reg 19 consultation, yet the GBC/DBC Statement of Common Ground indicates it will occur in Summer 2022.
- 2.8 The present Government Standard Method requirement for GBC is 707dpa. This represents a significant uplift (52%) on the current Core Strategy (2014) requirement – an average of 342dpa.
- 2.9 Equally, GBC comprises a small local authority area with Green Belt forming most of the area outside the main urban settlement of Gravesend. Accordingly, it is difficult to envisage that the emerging GBC Local Plan is going to be able to meet its needs in full, or even reach a provision near to its Standard Method requirement. This may require significant Green Belt releases which should only occur in "exceptional circumstances".

b) Sevenoaks DC

- 2.10 The Sevenoaks Local Plan was the subject of examination (2019) and was subsequently withdrawn (2021). The primary reason for its withdrawal related to issues concerning the Duty to Co-operate and the perceived failure to meet the Duty to Co-operate in terms of addressing unmet housing needs.
- 2.11 SDC, at the time of its examination, was proposing an unmet need of 1,900 dwellings. This figure was the subject of much discussion/consideration at examinations in Tonbridge and Malling (2020) and Tunbridge Wells (2022).
- 2.12 Whilst, it is understood that SDC no longer relies upon the 1,900 figure (given the withdrawn status of its Local Plan), it nonetheless provides an indicator as to the potential for future unmet needs to arise from Sevenoaks. In this context, we note that the present Standard Method requirement for SDC entails a need for 711dpa – a significant uplift on the existing Core Strategy (2015) requirement (165dpa).
- 2.13 Equally, 93% of land in Sevenoaks comprises Green Belt, and akin to GBC it is difficult to foresee SDC being able to meet its housing needs. Needs will ultimately come to light during the Local Plan process, and SDC has a current, albeit overly, optimistic timetable for this (with submission of the Plan occurring in April 2023).

c) Bexley

- 2.14 The emerging Bexley Local Plan is presently the subject of examination with hearing sessions having commenced on 10 May 2022. The Plan proposes (albeit not yet tested) that it will meet the Mayor's 10-year housing target for Bexley of 6,850 new homes (685dpa) up to 2028/29.
- 2.15 There is however uncertainty with regard to longer term (post 2028/29) needs, with LB Bexley intending to "roll forward" the Mayor's target (685dpa) up to 2037 (end of Plan period) – this position is confirmed in the LB Bexley/DBC Statement of Common Ground.
- 2.16 This longer-term objective fails to recognise or give reference to actual need in Bexley as per the Government's Standard Method. The SM figure amounts to an uplift in need in Bexley of 1,295dpa for which will undoubtedly be considered (in a longer-term context) during the examination of the Bexley Local Plan.

d) Buffer to DBC Local Plan

- 2.17 The above demonstrates an uncertain context in terms of housing needs being met in adjacent authorities, most notably in GBC and SDC. Accordingly, it will be important for flexibility to be built in to the DBC Local Plan to be able to respond to needs when they arise.
- 2.18 The Plan is seeking to provide an additional 800 dwellings up to 2037 *"to allow for a contribution towards unmet housing needs"*. Whilst this could be considered to be admirable, it does not go far enough particularly given the potential extent of unmet needs arising from GBC and SDC. In this context, we note of SDC's previously requested unmet need of 1,900 homes, and that Green Belt occupies large areas in both local authorities.
- 2.19 Accordingly, we would recommend an increased buffer closer to 20% (3,000 homes) rather than the present buffer of 5.3% (800 homes). In line with the NPPF, this will provide flexibility and allow for choice and competition in the market for land. This could be met through additional allocations in the Plan including in the urban area such as at our client's site at Stone Pit 9. This site could contribute c. 300 – 400 units (likely as flatted development) towards additional potential unmet needs, including associated uses such as retirement, commercial, medical and retail.

e) Review Mechanism

- 2.20 It is also considered that a review mechanism be put in place to enable the Local Plan to respond to potential for unmet needs arising from neighbouring authorities. Helpfully, para 6.17 of the Plan recognises the need for a new Plan to go through a formal review process depending on, inter-alia, *"Duty to Co-operate activity in Dartford Borough and adjoining areas"*.
- 2.21 This matter will be dealt with at later stages of the examination, at which, it is recommended that a review mechanism policy is inserted into the Plan. Presently reference to such is only prescribed in supporting text to the Plan. In addition, table 11 refers to the first review of the Plan occurring in 2027. We recommend that this includes an *"or earlier"* clause depending on the progress and outcomes of the emerging Local Plans for adjoining authorities. We will return to these "soundness" matters at later stages of the examination.

f) Summary

- 2.22 There is prevailing uncertainty in terms of housing needs being met in adjacent authorities, most notably in Gravesham and Sevenoaks, but also in Bexley. Given the strategic and spatial (Green Belt) context for Gravesham and Sevenoaks, there is potential for unmet needs to be significant. This need could be met in part in the urban area of Dartford.
- 2.23 Accordingly, it will be important for flexibility to be built in to the DBC Local Plan to be able to respond to unmet needs when they arise.
- 2.24 In the context, it is considered that the present buffer (5.3%) in the Local Plan should be increased closer to 20%. This can be achieved through additional allocations and our client's site in the urban area at Stone Pit 9 provides a feasible option in this context. An increased buffer will provide flexibility and choice and competition in the market in line with the NPPF.
- 2.25 A review mechanism should be inserted to the Plan to ensure it is responsive to the potential for unmet needs arising through ongoing Duty to Co-operate work.