

Dartford Borough Council Local Plan

Local Development Scheme 2018

1. Purpose of this Document

- 1.1 A Local Development Scheme (LDS) is a project management document produced to set out and maintain an up-to-date and relevant planning strategy.
- 1.2 It confirms Dartford's existing and emerging planning policy framework. The LDS clarifies how Dartford Council intends to tackle the need to review and refresh policies for the Borough's long-term development. The LDS sets out the council's timetable for preparation and adoption of future Local Plan documents over the following three years.
- 1.3 A clear planning policy programme explains both:
 - The characteristics of current and forthcoming documents. This identifies their overall role and scope and the issues they are expected to address, see the outline for the main document in section 6.
 - The key stages in producing policy. Landowners are thereby informed of the introduction of new policy approaches. Moreover, this provides organisations and the public with notice of forthcoming opportunities to get involved in Local Plan production. The timetable is illustrated in section 7.
- 1.4 Effective involvement of organisations and local communities improves planning policies, and is a requirement of producing sound Local Plans. Clarity on planning policy production can be seen as important to supporting the legal requirement for effective co-operation on Local Plan production between public bodies (Duty to Cooperate).
- 1.5 Planning ahead needs to account for recent changes, but also to have regard to likely future opportunities and risks. These matters are considered in section 4.
- 1.6 Dartford Borough faces a combination of potential future changes or areas of uncertainty in its long-term development, including:
 - Very large developments within the Borough there are underway anticipated to remain under construction for ten or more years ahead.
 - Major new infrastructure schemes that may occur in, or with impacts on, the Borough
 - Significant uncertainties over further amendments to the national planning legislation and policy, and new planning strategies being explored in adjoining areas.
 - Undertaking cross-boundary planning in the context of an increasingly complex set of strategic functional relationships with a number of other administrative areas and organisations.
- 1.7 This LDS outlines the planning policy programme put forward in response or Dartford.

2. Current Planning Policy Documents

2.1 Planning policies with Development Plan status comprise of Local Plans it adopts, Neighbourhood Plans successfully produced, and Minerals and Waste Local Plans prepared and adopted by the County Council.

2.2 Development Plan documents in the Borough produced by Dartford Council are currently made up of:

- **The Dartford Core Strategy (2011).**
- **The Dartford Development Policies Plan (2017) and Policies Map.**

2.3 The Ebbsfleet Development Corporation has been responsible for dealing with most planning applications in its area since 2015 as explained in Chapter 2 of the Development Policies Plan; however it cannot produce Local Plans. Dartford's current and emerging planning policies apply within the Ebbsfleet part of the Borough.

2.4 The planning system in this country is led by Local Plans, with national policy embedded in them. The recently-adopted Development Policies Plan provides explains the existing and future relationship between national and local planning policies. Paragraph 1.6: *"The Development Plan has been prepared with regard to national policy. Dartford Local Plans promote sustainable growth, infrastructure development and regeneration within the Borough, while seeking to enhance a sense of place, and maintain and enhance Dartford's heritage, open space and existing or emerging residential neighbourhoods. The policies in the Development Policies Plan are considered to be in conformity with national planning policy contained in the National Planning Policy Framework (NPPF) and associated online guidance; and finalisation of the Plan has involved confirming the consistency between national policy and Core Strategy policies, on which the Development Policies Plan is based."*

2.5 Kent County Council adopted the Kent Minerals & Waste Local Plan in 2016, which is also part of the development plan for the Borough. It is intending to produce further supporting Local Plans on these topics within this LDS period.

2.6 A neighbourhood planning area for Stone was confirmed in 2015. However no draft Neighbourhood Development Plan has been prepared at the date of writing. If progressed successfully, a Neighbourhood Plan for the whole of Stone Parish would be 'made' as part of Dartford's development plan by the end of period covered by this LDS (2020).

3. Existing Supporting Documents

3.1 Documents - other than Local Plans - supporting planning and regeneration in the Borough are highlighted here. The Development Policies Plan (Figure 2) presents the current structure of Dartford's planning policy documents:



3.2 *Supplementary Planning Documents (SPDs)* expand or add details to policies laid out in Local Plan documents. The 'Dartford Development Policies Plan & Overall Programme' Cabinet Report (December 2014, paragraph 3.4) noted: "The following are expected to remain important parts of the Borough's planning policy framework:

- The Dartford Housing Windfall SPD 2014
- The Parking Standards SPD 2012
- The Northern Gateway SPD 2012

These should be accorded significant weight, having been through the formal process and consultation set out in the relevant legislation. In contrast other development guides/ briefs still in existence (available on the Council's website) have lesser weight." It should therefore be noted that other documents may apply in providing guidance.

3.3 The 2017 Development Policies Plan confirmed a Town Centre SPD was in production. This is expected to be adopted in 2018 and will form a very weighty and important consideration for planning applications in, and the forward planning of, Dartford Town Centre.

3.4 *The Authorities Monitoring report (AMR)* will continue to be produced annually to report on the performance and relevance of these policies and Local Plans, and to provide data on against economic, environmental and social objectives. The AMR will also report on ongoing Duty to Cooperate activity. As with the Five Year Supply of housing land, which is updated annually, this is an outcome of monitoring at the close of the financial year. They therefore tend to be produced in the latter part of the calendar year.

3.5 *The Dartford Community Infrastructure Levy (CIL)* came in to force on 1st April 2014. The Borough's CIL Charging Schedule, introduced after viability testing, public consultation and Examination in Public, sets out £/sqm levies on certain types of development to help fund infrastructure. Viability assessment supporting Dartford's CIL was prepared before the major upturn in house prices and delivery.

3.6 It is considered the CIL has become established in Dartford and revenues are now increasing. A formalised local governance regime to inform expenditure decisions is close to completion. An updated version of the Infrastructure Delivery Plan is now available and will be implemented. Given this, and as national government are not currently putting forward significant changes to the system, Dartford's CIL Charging Schedule is proposed to remain in place; subject to potential future review.

3.7 The council is aware that timetabling information on CIL and SPDs is useful so will ensure applicable details are made available for information purposes through the council's website.

3.8 *Brownfield Land Register* is a requirements of new regulations. The first Register was produced in December 2017 and in line with regulations will be updated annually, at the end of the calendar year. The 2017 Register contained 30 brownfield sites, large and small, on Part 1; and zero entries on Part 2.

3.9 *The Dartford Statement of Community Involvement (SCI)* sets out how the crucial process of public engagement will shape planning in the district. Dartford's new SCI was adopted in 2017 following public consultation. Its principles are salient for guiding public involvement in planning decisions.

4. Review and Risk Assessment

4.1 To set out a new Local Development Scheme timetable to update planning policies as necessary, future uncertainties, and potential risks to progressing plan production need to be assessed.

4.2 A positive timescale to move ahead should be set out. Risks identified in revising policy need to be balanced against risks of a 'no new Plan situation': insufficient guidance being available to support bids for new infrastructure and for the major proposals at Dartford Town Centre, Ebbsfleet and other growth locations. It is essential a suitable local framework is in place for decision takers. In preparing this, close regard is had the scale of risks and scale of implications arising, alternative scenarios and opportunity costs, and mitigating actions.

4.3 The chance, and the implications, of changing national legislation and policy for Local Plans are both high. This needs careful evaluation.

4.4 The Right Homes in the Right Places 2017 consultation proposals by government was centred on two key proposed changes:

- A new methodology for calculating local housing demand.

- The introduction of specific requirements, with target dates, to demonstrate how the Duty to Cooperate is being fulfilled.

These two changes have an interrelationship that introduces major local uncertainty and risk to Local Plan preparation. The draft NPPF for consultation in spring 2018 introduces further changes, but has helped confirm the government's intent to fully apply these two changes.

4.5 North and west Kent, and surrounding areas, face growing housing demand; to be addressed in the context of strategic planning responsibilities fragmented across several different public authorities. Adding to this, there are potential long-term implications in Kent arising from the changes that may be considered necessary by the Planning Inspectorate to finalise the London Plan.

4.6 It is an option to prepare a Local Plan jointly. If feasible, this would likely address Duty to Cooperate legislation. However regard has to be had to the actual context and practicalities (for example, as outlined in evidence for the adopted Development Policies Plan):

- There is a lack of clarity on the terrain over which Duty to Cooperate needs extends, and queries for a non-single authority Local Plan would arise as to how it could logically and robustly be produced:
 - The Borough has strong east-west flows reflecting communications; however Dartford is a well-connected Borough that also has other influential strategic connections e.g. the north-south M25 and High Speed trains from Ebbsfleet to Ashford.
 - Strategic planning for housing would consider links eastwards into Kent from Greater London, but this is not reflected in administrative arrangements. Although some discussion has occurred with authorities in the South East, the draft London Plan does not help clarify in this respect.
 - Also it must be noted Dartford also has a vibrant commercial sector. This means the scale and pattern of movements into the Borough for jobs and facilities such as Bluewater and Darent Valley Hospital is likely of cross-boundary significance, but does not necessarily align well with likely housing market geography.
- Little appetite has arisen elsewhere eg in north/ west Kent, for a joint Local Plan. Collective arrangements are in place or well advanced in London and Essex. Clear and continued commitment between organisations would be necessary to introduce and resource Local Plan production, and to ensure cross-boundary agreement is maintained.

In this current context a move to a joint Local Plan is likely to result in significant delay in delivering housing, economic development, and the regeneration of the Borough.

4.7 In any event, it is considered attempting to coordinate an alignment of Local Plan arrangements, to begin possible Joint Plan production, is likely to be a period of years rather than months. Further delay may occur if the cross-boundary working relationship is not maintained when the Plan reaches key decision-taking stages.

4.8 Conversely, good cross-boundary working relationships are already in place on matters such as planning decisions at Ebbsfleet, including the cross-boundary Ebbsfleet Development Corporation, and future infrastructure (for instance the C2E Crossrail extension partnership).

4.9 It should be remembered other changes to national planning policy are occurring, notably over housing methodologies. It is proposed this risk is dealt with through a Dartford Local Plan that sets a timescale that is responsive to Duty to Cooperate sensitivities and general extra preparation necessitated.

4.10 The proposed production timetable set out in this LDS is considered to be appropriate to allow up to date policies to be maintained. Other potential factors include:

- **Medium chance/ high** levels of implications: Ongoing *recruitment and retention* issues could continue, presenting difficulties in the recognised context of skills shortages in the planning profession.
- **Medium chance/ medium** levels of implications: *Political change*; Dartford's local elections are scheduled for May 2019, County Council elections in the Borough are 2021; a general election may not be until 2022 (or could be sooner). However the risks of most changes in national policy are already largely factored in.

- **Low chance/ medium** levels of implications: Additional resources needed following unexpected *outcomes of engagement* with key stakeholders and the public (an abnormally large volume of comments at consultation stages, or demands for further technical evidence),

4.11 In conclusion, the legislative need and political commitment to have up-to-date plans in place remains firmly in place. A flexible strategy to planning policy production is possible within Dartford and can deal with both short term pressures and longer term expectations, and this philosophy has influenced the programme proposed here.

4.12 The Borough has already adopted and been applying a successful strategy in line with national policy and the need for regeneration in Dartford. It is proposed the Borough should be allowed to the opportunity to maintain its proven strategy of delivering new homes and better neighbourhoods through an updated Local Plan for Dartford Borough. Delay can be minimised through a Dartford Local Plan allied with the expanded Duty to Cooperate mechanisms the government have now outlined.

4.13 Monitoring and review of the LDS, and cooperative cross-boundary actions, will be carried out through the Authorities Monitoring Report (AMR). This is important to enable communities and interested parties to be aware of progress.

5. Future Local Plan Policies: Proposed Approach

5.1 The Core Strategy will continue to apply into the medium term. This is supported by its sufficiency as a strategic plan, having recently been considered and accepted through the process of preparing and adopting the Development Policies Plan. It is achieving the delivery of all the major areas for regeneration identified in the Borough; and is found to accord with current national policy.

5.2 The Core Strategy, and the major brownfield land identified, is supporting a five year supply of deliverable housing land: the Borough has been hitting the high rates of house building projected. Record rates of housing delivery have been consistently achieved (albeit following a significant post-recession lag).

5.3 The stated time horizon of the Core Strategy (to 2026) remains relevant in many respects, however (as expected) many developments and potential infrastructure projects will extend beyond this period. The Development Policies Plan (paragraph 3.5) states: *“Following adoption of this Plan and when greater clarity is available in relation to Ebbsfleet and other strategic matters, the Council anticipates commencing a review of Core Strategy provisions. This would result in a new Local Plan for the Borough looking at updated long-term development strategy (up to and) beyond 2026, including a retail review (see Policy DP14:3).”*

5.4 New government regulations require that: *“a local planning authority must review a local development document within the following time periods- in respect of a local plan, the review must be completed every five years, starting from the date of adoption of the local plan.”* A re-appraisal of the Core Strategy is necessitated on this basis. It is probably safe to assume that with emerging national planning policy (or for other reasons) at least one policy will, allowing time to prepare a new policy, require work to start on a new Local Plan.

5.5 The form and scope of Local Plans has been changeable. Overall it appears the government is now more pragmatic about the structure of development plans (for example whether contained in one or more Local Plans) provided they deal effectively with strategic matters- most notably housing supply.

5.6 Locally, good progress on housing delivery means strategic priorities must include infrastructure delivery. A focus on overall strategy for development and infrastructure is also warranted as the Borough now also benefits from newly adopted Local Plan focussed on development management. Provisions are in place to better deal with the majority of (smaller) planning applications in line with existing government policy.

5.7 Accordingly, it is proposed that the form and scope of the next Local Plan be taken forward by a first consultation focussed on the major strategic issues facing the long-term development of the Borough.

5.8 Commonly a further ‘Regulation 18’ consultation takes place under to allow informal public comments on draft proposals/ preferred options, if necessary. This is not stipulated, and reaching Plan publication stage (‘Regulation 19’) in a timely manner is generally preferable as the Plan can be submitted and the input of an Inspector gained; nevertheless a time contingency has been allowed depending on the outcome of the first consultation and new local evidence.

5.9 Also, further major revisions may occur to national policy (from the draft new NPPF) when it is finalised later in 2018. These steps, and the associated further stages required to take forward Local Plan production, are the focus on this LDS and the timetable to 2020/21.

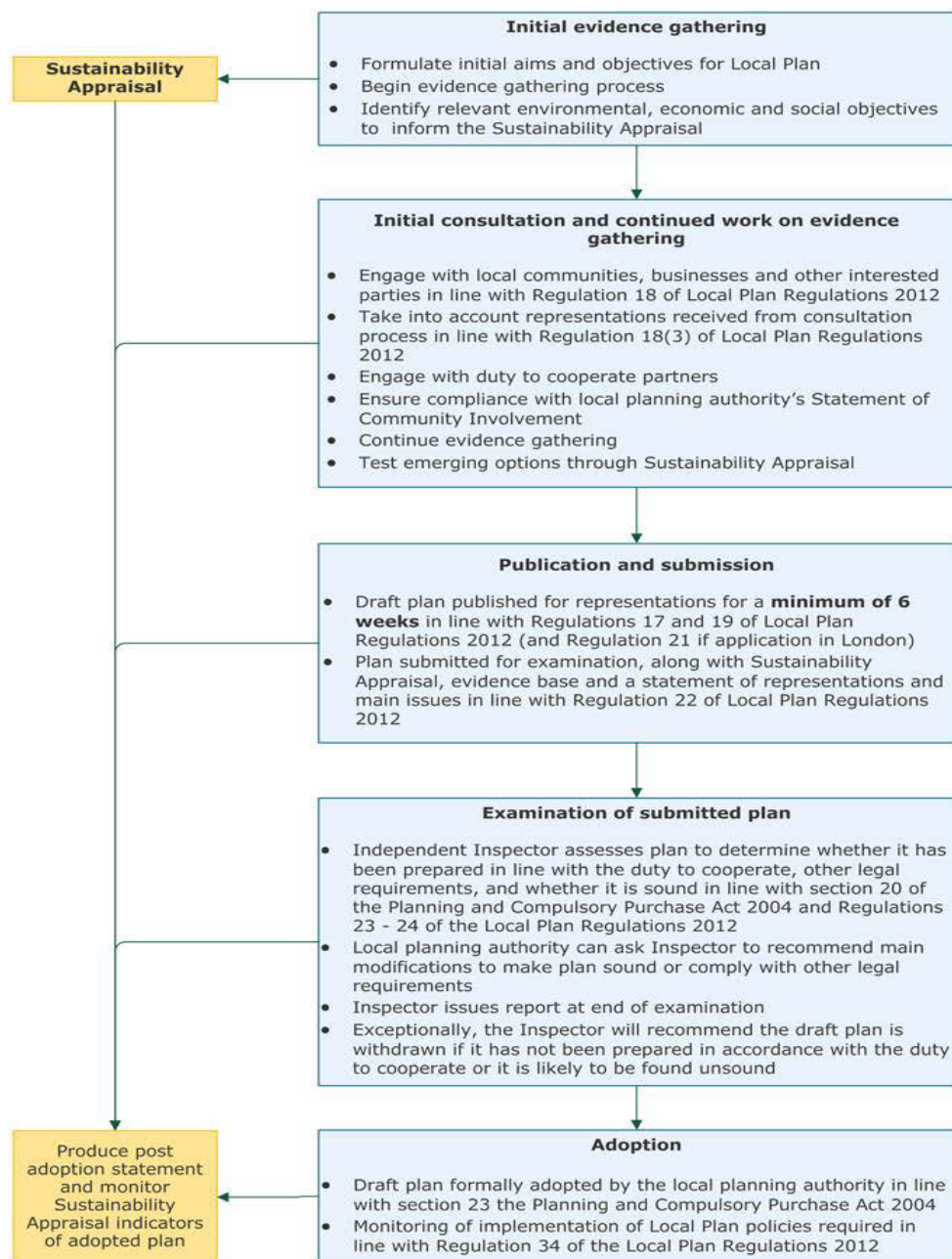
5.10 Specific dates for future stages are considered unrealistic at present. They can be confirmed and publicised via the website. A reasonable projection of expected broad dates has been featured in the LDS timescale. In addition to current uncertainties, the fact remains that on submission to the Secretary of State, steps forward are in the hands of the Planning Inspectorate, who have their own resource constraints and will decide on steps necessary to finalise the Plan.

5.10 A Dartford Core Strategy review/ new Local Plan will be a fundamental corporate and collaborative undertaking requiring considerable up front evidence gathering, including major cooperation on strategic

matters, updated housing need evidence and a fresh programme of public participation. With this work, adoption of a new Local Plan strategy is not possible until 2020 at the earliest. However it is considered important broad dates are outlined and understood to explain the local approach to dealing with strategic issues.

6. Stages in Local Plan Timetable

6.1 Local Plans are produced through an iterative process structured by national regulations, with public consultation / examination at milestone stages. This is set out in the diagram below, extracted from the online national planning policy guidance. The parallel process of Sustainability Appraisal is also highlighted:



6.2 Supporting statutory processes for Local Plans are significant, such as The Duty to Cooperate, Habitats Regulations Assessment and testing of Local Plan options by formal Sustainability Appraisal. These will all be significant considerations in any new strategic Local Plan. Other legislation can also impact on how planning policy has to be prepared.

6.3 Core Strategy Review / New Local Plan Profile:

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|---|---|--|
| Role / Subject | A revised strategic approach for the Borough, including any changes to account for: <ul style="list-style-type: none">• Progress in delivering major sites and regeneration, including in the EDC area• Updated information on development and infrastructure needs, including new national methodology for housing need (and other government policy changes)• Duty to Cooperate progress• National infrastructure and major new investment decisions e.g. transport projects Informed by new technical studies/ Statements of Common Ground. | |
| Conformity | National policy, with regard to other policy. Produced in accordance with Sustainability Appraisal and Habitats Regulations requirements. | |
| | | |
| Coverage | Whole Borough including EDC area within Dartford. | |
| Potential Key Partners Include | EDC, KCC, LPAs and public bodies (Duty to Cooperate), TfL/ GLA, Parish/ Town Councils, and residents and workers across the Borough. | |
| Timetable: | | |
| Initial public consultation (Regulation 18) | Summer 2018 | |
| Publication of Plan for formal consultation (Regulation 18) | Spring 2020 | |
| Submission for Examination in Public | Autumn 2020 | |
| Adoption (subject to being found sound by the Inspector at Examination in Public) | Late 2020 onwards | |

The current aim is to publish a draft Plan in the latter part of next year (2019) or 2020 for formal public comments: Regulation 19 stage. This leads to submission of the Plan to the Secretary of State (Regulation 22), after which point the timescale is determined by a Planning Inspector. This should enable adoption of a Plan in 2020 or 2021.

This requires significant evidence gathering and the early public participation (Regulation 18) starting in 2018. A strategic issues consultation is planned for mid 2018, particularly focussing on clarifying the position of key landowners, national agencies and local planning authorities (The Duty to Cooperate) including the EDC. Depending on the outcome of this, a further public consultation may be held under Regulation 18 with more detail. The issues arising from public consultation and the Duty to Cooperate will influence when a draft Plan can be published.

| | | 2018 | | | 2019 | | | | 2020 | | | | 2021 |
|---|--|---|----|----|------|----|---|----|---|----|----|----|------|
| | | Q2 | Q3 | Q4 | Q1 | Q2 | Q3 | Q4 | Q1 | Q2 | Q3 | Q4 | Q1 |
| Core Strategy Review Local Plan: | | | | | | | | | | | | | |
| <i>Reg-ulation</i> | <i>Outline of phase-</i> | <i>Explanation of steps and requirements-</i> | | | | | | | | | | | |
| R18 | DBC Evidence gathering + early public participation | <ul style="list-style-type: none"> • A review of 2011 Core Strategy policies is required • A new Local Plan would require extensive supporting evidence • Preparation of consultation documents and explanatory background materials in line with Dartford SCI 2017 • At least one stage of public participation under this Regulation | | | | | | | | | | | |
| R19 | DBC Plan publication+ formal consultation | | | | | | <ul style="list-style-type: none"> • Preparation of 'final draft' plan and formal supporting documents • GAC confirm plan is considered sound by DBC • Then a 6 week period for representations to be made on its 'soundness' by public | | | | | | |
| R22-25 | Submission to Secretary of State (SoS), examination | | | | | | | | <ul style="list-style-type: none"> • Public representations on Plan 'soundness' sent to SoS, with full evidence base • SoS appoints independent Planning Inspector (PINS) to consider the soundness | | | | |

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|---|--|--|--|--|--|--|--|---|--|--|---|--|
| | <i>of Plan by SoS + potential modifications consultation</i> | | | | | | | and legal compliance of the Plan <ul style="list-style-type: none">• Inspector set schedule for Examination in Public including hearing days• Inspector commonly requires a period for further consultation on modifications• Could extend into 2021, depending on PINS | | | | |
| R26 | <i>DBC Adoption</i> | | | | | | | | | | <ul style="list-style-type: none">• GAC confirm the Plan is legally in force.• Requires SoS confirmation of soundness.• May not occur until 2021 onwards. | |
| ONGOING REPORTING <ul style="list-style-type: none">• Main monitoring results collated after end of financial year.• Brownfield Land Register required annually (by December) | | | AMR, Brownfield Land Register & 5yr Housing Supply produced by DBC | | | | AMR, Brownfield Land Register & 5yr Housing Supply produced by DBC | | | | AMR, Brownfield Land Register & 5yr Housing Supply produced by DBC | |