

Examination of the Dartford Borough Local Plan

Statement on behalf of Taylor Wimpey UK Ltd

Matter 2 – Meeting Dartford's Housing Needs

September 2022

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Client

Taylor Wimpey UK Ltd

Our reference

TAYS3108

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Introduction

- 1.1 This statement is submitted on behalf of Taylor Wimpey UK Ltd for purposes of the Examination of the Dartford Borough Local Plan.
- 1.2 The statement responds to the Inspectors' Issues and Questions for Matter 2 – Meeting Dartford's Housing Needs.
- 1.3 The concerns outlined by our client at the Regulation 19 stage, on issues pertaining to the plan's legal compliance and soundness, have not in our view been overcome thus far. If anything, the documents published by the Council for examination purposes serve to highlight the deficiencies evident in the production of the plan now submitted.
- 1.4 Accordingly, we have examined the Inspector's questions for Matter 2 and provide responses to those we wish to contribute to debate on. We have also respectfully requested the opportunity to participate in the forthcoming hearing sessions to assist the Inspector further on such matters.

Response to Issues and Questions for Matter 2 – Meeting Dartford’s Housing Needs

Issue 1: Whether the Local Plan has been positively prepared and whether it is justified, effective and consistent with national policy in relation to meeting housing needs.

Question 1. Has the calculation of Local Housing Need been carried out correctly?

- 2.1 Yes, but as set out in our Regulation 19 representations, the government is clear that this is to be regarded as a minimum starting point.

‘It does not attempt to predict the impact that future government policies, changing economic circumstances or other factors might have on demographic behaviour. Therefore, there will be there will be circumstances where it is appropriate to consider whether actual housing need is higher than the standard method indicates.

This will need to be assessed prior to, and separate from, considering how much of the overall need can be accommodated (and then translated into a housing requirement figure for the strategic policies in the plan).’ (our emphasis)¹

- 2.2 As we elaborate on further in this Statement, we contend there are strong grounds to suggest a need for an upward adjustment to the LHN figure. This has not been appropriately assessed or positively planned for in our opinion. This includes adjustments to help meet more of the areas needs for affordable housing for example.

- 2.3 PPG Reference ID: 2a-024-20190220 confirms that:

‘The total affordable housing need can then be considered in the context of its likely delivery as a proportion of mixed market and affordable housing developments, taking into account the probable percentage of affordable housing to be delivered by eligible market housing led developments. An increase in the total housing figures included in the plan may need to be considered where it could help deliver the required number of affordable homes (our emphasis).

- 2.4 Policy M7 of the Submission Local Plan sets a headline target of at least 35% new housing on applicable sites to be delivered to meet the current national definition of affordable housing. However, Footnote 79 of the Dartford and Ebbsfleet, Housing Needs Assessment (DBC, October 2019) confirms that the application of the Councils affordable housing target will in theory deliver around 26% new affordable units, once non qualifying sites are discounted. Taken as a proportion of the proposed housing requirement of 790pa, this would deliver around 205 affordable homes in per annum in principle. This is versus an identified need in Dartford of 263 homes per year (Table 5.1 of same document), and assumptions applied therein with respect to the need for affordable home ownership. Therefore, by this metric alone, and not accounting for evidenced unmet needs in adjoining LPAs (see our Matter 1 Statement), there is

¹ PPG Reference ID: 2a-010-20201216

justification to consider an upward adjustment to the standard method output, beyond the 790pa currently proposed. An upward adjustment to test options above 1000pa is justified in our opinion. It is unclear why the Council have not sought to do so through the SA process.

- 2.5 This is particularly important we suggest in an area where housing affordability ratios have risen significantly over the last 20+ years, from 3.42 in 1997 to 8.86 in 2021 [ONS House price to workplace-based earnings ratio, March 2021].
- 2.6 Whilst the Council assert their supply led housing requirement is 40 dwellings per annum more than the 750pa requirement calculated under the standard method at the point of submission of their Local Plan, it is evident 790pa is insufficient to meet the affordable housing needs they have identified. In doing so, some 58 affordable dwellings per annum are not being provided for versus need.
- 2.7 Indeed, applying the latest affordable housing ratio of 8.86 to the standard method calculation results in an understandable increase in the baseline minimum from 750pa to 762pa. A reflection of worsening affordability, and further justification for an upward adjustment, of the nature envisaged and underlined by us in the PPG extract above.
- 2.8 National guidance [Paragraph: 010 Reference ID: 2a-010-20201216 (NPPG, 2020)] also states a housing requirement, *'...will need to be assessed prior to, and separate from, considering how much of the overall need can be accommodated (and then translated into a housing requirement figure for the strategic policies in the plan).'* Nevertheless, the Council appear to have proceeded contrary to such guidance.
- 2.9 Paragraph 2.50 of the Pre-Submission Local Plan (Feb 2021) nevertheless confirmed that the borough housing requirement:
- 'Is directly based on the actual developable supply of housing land (for over 10 years ahead, with additional supply in later years), accounting for the confirmed Dartford capacity to achieve sustainable new homes in the Borough (see Table 1 below);'*
- 2.10 Again, at paragraph 2.51, the Council confirmed:
- 'This capacity led strategy has already enabled a substantial uplift in housing delivery at planned locations.'*
- 2.11 The aforementioned paragraphs have been updated to make this predetermined capacity led strategy less overt in the latest Pre-Submission Local Plan (Sept 2021), now paragraphs 2.57 and 2.58, but essentially confirm the same approach.
- 2.12 This runs to the heart of the scope of the Local Plan and the commissioning of its evidence base at the outset. This includes the Council's decision not to commission a Green Belt assessment as part of the early stages of local plan production process. This appears to have been informed by a predetermined assumption that exceptional circumstances did not exist to justify assessing the contribution of Green Belt site options.

- 2.13 As outlined in paragraphs 2.3-2.11 above, and contrary to NPPG Paragraph: 018 Reference ID: 11-018-2014030, the Council have not therefore tested 'reasonable' alternatives to their urban supply-based housing requirement, one that makes a concerted effort to assess options for meeting more of their own needs in full, within the plan period, and in accordance with paragraph 35 of NPPF. Nor have they assessed reasonable alternatives that seek to assess the potential to assist neighbouring authorities.
- 2.14 Paragraph 140 of the NPPF states, *'Strategic policies should establish the need for any changes to Green Belt boundaries, having regard to their intended permanence in the long term, so they can endure beyond the plan period.'* (our emphasis). As we assert in our Regulation 19 representations to Policy S4, there is strong evidence to suggest the Council's approach to Green Belt policy is neither sound or likely to *'endure beyond the plan period'*.
- 2.15 In conclusion, an affordable housing need exists that is not being met by the LHN figure, and as set out in our Matter 1 Statement, there is evidence of mounting unmet needs in adjoining authorities. These provide justification in our view to explore an upward adjustment to the LHN figure to assess reasonable alternative options to meet these needs, including through a review of the green belt, through the SA process. This needs to be addressed through the Modifications stages of the Local Plan to accord with Paragraph 35 of NPPF; and should not be deferred to an early review of the Local Plan, as envisaged in the latest LDS (DBC, July 2021).

Question 2. Is the base date of 2017/18 justified and appropriate having regard to the use of the 2020/21 affordability ratio? Alternatively, should the base date be 2020/21?

- 2.16 No to the first question and yes to the second. The standard method for calculating housing need set out in the PPG confirms the current year should be used as the baseline starting point from which to calculate growth for the next 10 years. Step two requires the use of the most recent median workplace-based affordability ratios published by the ONS. It is clear from section 3 of the *'Dartford Residential Requirement Report'* (DBC, September 2021), that the Local Housing Need (LHN) figure the Council seek to rely upon for their submitted Local Plan, was calculated in 2021, following the publication of the latest ONS affordability ratio for 2020. Accordingly, the base date utilised in the LHN calculation is 2020/21. Given the standard method seeks to address under, or over delivery from previous years through the affordability adjustment, the Councils decision to use a base date of 2017/18 is unjustified, contrary to the PPG and confusing to those seeking to engage with the Local Plan process. This should accordingly be updated through main modifications to this plan.

Question 3. Is a proposed housing requirement appropriate and is it justified? How has the proposed additional 40 dwellings per annum above the standard method been calculated?

- 2.17 No to the first question. See our response to Question 1 above and our Matter 1 Statement. The requirement, including the 40dpa, has been deduced from a supply led approach, rather than in response to objectively assessed needs. The approach fails to plan for the full needs of the area for the 15-year period post anticipated adoption in 2023, or outline the contribution that could be made to assisting adjoining LPAs with

known unmet needs. As a result, the plan does not accord with paragraph 35 of NPPF, as it is not positively prepared, nor does this approach accord with national planning policy set out in PPG Reference ID: 2a-024-20190220 ID: 2a-010-20201216 and 2a-024-20190220.

Question 5. Is policy S4 clear as to the total quantum of housing being planned for over the full plan period?

- 2.18 No. Policy S4 indicates a rolling annual requirement of 790pa, but no plan period or total requirement against which this can be monitored. Preceding Table 1 and subsequent Table 2 only address the period to 2031/32, whereas the Local Plan front cover confirms the plan period is to 2037. The policy as drafted therefore is not clearly written or unambiguous and should be amended accordingly.

Question 6. Do the strategic policies look ahead a minimum 15-year period from the anticipated adoption of the plan, as required by paragraph 22 of the Framework?

- 2.19 No. The anticipated adoption date for the Local Plan has been delayed by up to a year from that envisaged in the LDS published in 2021. The July 2021 update to this indicates adoption now in Q2 of 2023, suggesting the plan period and land supply assumptions to 2037 needs adjusting to 2038 to be consistent with government guidance.

Question 7. How would the plan be able to respond if unmet need from Gravesham is clearly quantified in future?

- 2.20 Paragraph 6.17 of the Local Plan infers this would need to be addressed through a review of the Local Plan. As set out in our Matter 1 Statement and rehearsed at the Matter 1 hearing session, the Council have not in our view positively prepared their Local Plan (paragraph 35, NPPF), or put in place a housing strategy that will be effective in enduring the plan period envisaged (paragraph 140, NPPF). Given there are known unmet needs evidenced now and likely to increase within the first five years of the plan period, it is important the plan is positively prepared and effective in its response. Deferring an opportunity to do so to an early review does not in our opinion comprise a positively prepared or legally compliant plan.
- 2.21 As we outline above and in our Matter 1 Statement, the Council is unable to meet its own need for affordable housing, and was in receipt of formal requests for assistance with unmet needs from at least Gravesham and Sevenoaks Councils well before the formal submission of the Local Plan. In the spirit of forging a positively prepared plan, there was more than sufficient justification to commission an assessment of the contribution Green Belt options could make to meeting such needs over the plan period. This could have been tested through the SA process as reasonable alternatives, to help arrive at a reasonable strategy to progress to submission. Deferring such considerations to a later review is not in our view consistent with paragraphs 35 or 140 of NPPF, as the plan's strategy is neither positively prepared nor likely to endure the plan period as a consequence. As we set out in our Matter 1 Statement, neither do we consider this is compliant with the SEA Regulations. These matters should be revisited through the modification stages of the Local Plan.

Issue 2: Whether the plan will be effective in delivering sufficient affordable housing to meet the needs of the Borough

Question 8. Is the plan sufficiently clear as to the overall level of affordable housing need in the Borough that is required?

- 2.22 No. See response to Question 1 above.

Question 19. Policy M9 indicates that sites in the SHLAA identified as deliverable/developable will be permitted for residential development. Is this approach justified having regard to such sites accounting for around 10% of the housing requirement? Should these sites be allocated in the plan?

- 2.23 No. As elaborated upon in our Matter 9 Statement, we contend the Council have not identified sufficient land supply to meet objectively assessed needs for the 15 years period post anticipated adoption of the Local Plan to 2038. The housing land supply is heavily reliant on large complex brownfield sites, with little or no contingency or slippage allowance built in to assure a continuous rolling supply over the plan period. The SHLAA sources of supply are not allocated for residential use in the Local Plan. As a result, there are no policies in place to resist the loss of such sites to alternative uses. This increases the level of uncertainty surrounding this source, which makes up a significant element of supply. We elaborate further on this in our Matter 9 Statement, re-iterating the need for additional sites (inc. Green Belt) to be assessed, identified, consulted upon, and allocated through the Modification Stages of the Local Plan.
- 2.24 In this respect, we respectfully recommend lands abutting the south eastern edge of Dartford, west of Hawley Road, north of the A2, are included in such assessments (SHLAA Ref: 237 & 178). The site is well located on a main public transport corridor into Dartford, abutting a main employment area with access to a range of local services and facilities. The site is highly sustainable and well suited to residential development, and our initial site assessments and master planning indicates there are no known overriding constraints to its delivery early within the plan period.
- 2.25 The site is contained by the existing urban area, Hawley Road and the A2, which act as strong, logical, and defensible boundaries to realign Green Belt boundaries toward. We therefore commend this site for reassessment as part of a suggested modification stage to the plan. This should be accompanied and informed by a revised SA process that is objective in setting reasonable alternative strategies to test. The current SHLAA assessment of these sites (Ref: 273 & 178) concludes there to be no overriding constraints to its delivery for housing, but classifies them as unsuitable owing to a 'policy-on' presumption against the release of Green Belt. As outlined above, we contend there are strong grounds to support the need to release these sites. They are well located and suited for release, and are importantly of a scale capable of being delivered in the first five years of the plan period.

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