
EXAMINATION STATEMENT

Matter 3 – The Spatial Strategy and the distribution of development

Dartford Local Plan

Representations on behalf of
Storefield Group Ltd

September 2022

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MATTER 3 – The Spatial Strategy and the distribution of development

DARTFORD LOCAL PLAN

REPRESENTATIONS ON BEHALF OF: STOREFIELD GROUP LTD

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1.0 INTRODUCTION

- 1.1 This Hearing Statement has been prepared by Barton Willmore, now Stantec on behalf of Storefield Group Ltd. We are 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 This Statement is prepared in response to the Matters, Issues and Questions raised by the Inspector in respect of Matter 3 relating to 'The Spatial Strategy and the distribution of development'.
- 1.3 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).
- 1.4 These representations have been considered in the context of the tests of 'Soundness' as set out at Para 35 of the NPPF. These required that a Plan is:
- Positively Prepared – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
 - Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
 - Effective – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground;
 - Consistent with National Policy – enabling the delivery of sustainable development in accordance with the policies in this Framework and other statements of national planning policy, where relevant.

2.0 RESPONSE TO MATTER 3: MEETING DARTFORD'S HOUSING NEEDS

Issue: Whether the Spatial Strategy and the distribution of development are justified, effective and consistent with national policy.

Q.33. Is the spatial distribution of development across the borough justified and what factors influenced the Spatial Strategy, for example physical and environmental constraints and the capacity to accommodate development?

- 2.1 DBC's Local Plan sets out the key social and economic factors facing the Borough, and it is against these factors that an "adequate" and "proportionate" evidence base should be produced to enable an understanding of the issues, thereby leading to clear analysis and a consequential strategic or policy position within the Plan¹. Therefore, the Plan's evidence should justify the policy options in order to formulate an appropriate strategy within the Plan to fully meet the identified challenges, in accordance with national policy and guidance.
- 2.2 As the Plan's principal strategic policy, the overriding assumption of **Policy S1** is that for sites that are not strategic allocations but within the defined Urban Area, the spatial strategy is to direct development:
- to sites in the identified housing land supply, and in line with the economic strategy;
 - that are brownfield land not within the Green Belt; and
 - sites with good access by public transport and walking/cycling to a range of local supporting services/infrastructure.
- 2.3 Turning to the Plan's evidence base then, it is pertinent to consider DBC's Strategic Housing Land Availability Assessment (SHLAA) as the primary evidence that informed the selection of this spatial strategy in relation to housing. While we note that the SHLAA's overall methodology framework is broadly in line with the NPPF and PPG, we are of the opinion that the DBC's approach to assessing "suitability" is contrary to national policy and guidance.
- 2.4 As explained in the SHLAA, and in the accompanying SHLAA Methodology (September 2021, HOU-5), DBC's approach to assessing "suitability" for qualifying sites comprised three steps:

¹ PAS Evidence for Plan Making, February 2020
(https://www.local.gov.uk/sites/default/files/documents/PAS_Evidence%20for%20Plan%20Making_1.0.pdf)

- i. Location and accessibility criteria
- ii. Essential policy [Borough Open Space (BOS) and Community Service Land]
- iii. Site physical [environmental] factors

It is explained that 'suitability was assessed in the order outlined above. Land (or sites) needs to meet the suitability criteria at each stage to proceed'.

- 2.5 However, it is widely accepted that an LPA should take a pro-active approach to identify a mix of sustainable (or can be potentially made sustainable) sites within their areas, leaving "no stone unturned" in their approach to ensure that all development opportunities can be identified at the outset of the plan preparation. This entails taking a flexible yet ambitious approach to site assessment, keeping in mind that a site's constraints can have the potential to be mitigated to be considered a "suitable" site.
- 2.6 However, we find that DBC's approach to assessing site physical factors was over-precautionary and narrow in its scope and ambition, and therefore has resulted in an overly constrained supply of identified land. This is especially true with DBC's assessment of our Client's Site at Stone Pit 9.
- 2.7 In planning policy terms, the Site does not (officially) count as "brownfield" or "previously developed land" – due to its former status as a landfill site and subsequent restoration. However, it is nevertheless an **area of land that has been previously developed** (i.e., it is not a "fresh greenfield" site), and therefore sequentially preferable in this context.
- 2.8 Our submission to DBC's Regulation 19 consultation included in the appendices two technical reports addressing the issues of gas emissions and groundwater. The reports concluded that future residential receptors at the Site would not be impacted by gas hazards owing to mitigation methods. Equally, development of the Site would not lead to negative impacts on groundwater sources. On the contrary, development of the Site would reduce permeable drainage through former landfill resulting in betterment in this regard. Drainage solutions could entail infiltration away from landfill sources or other potential measures (including of-site treatment).
- 2.9 The SHLAA refers to other matters to be considered including transport, air quality, heritage, landscape, ecology, minerals, and TPO trees. These matters can be addressed through development management policies and considered through the submission of technical reports at the planning application stage.

- 2.10 Therefore, the Site is considered a sustainable site in the urban area of Dartford (Stone area) and it has been clearly demonstrated to DBC that the Site can be delivered with appropriate mitigation to avoid potential environmental hazards.
- 2.11 In this regard, we are of the opinion that DBC's SHLAA assessment has not followed its own prescribed methodology and has not been prepared in a pro-active and flexible manner, contrary to national policy and guidance. The Plan is therefore not "justified" in its spatial strategy, being not based on "adequate" and "proportionate" evidence. The Plan should be flexible and positively prepared to enable previously developed and sustainable sites like Stone Pit 9 to come forward for redevelopment within the Plan period to contribute towards its housing requirement.
- 2.12 Furthermore, the Plan's spatial strategy seeks to direct employment floorspace to general locations set out in **Policy M19**: the Central Dartford Area, Ebbsfleet Garden City or/at land adjacent to the identified employment area. Our full analysis of this strategy can be found in our response to Matter 7. Nevertheless, along with providing housing, the Site can be redeveloped as part of a mixed used scheme incorporating 4,000 – 5,000 sqm of employment floorspace, or up to 40,000 sqm if solely for employment purposes, that could also contribute towards meeting DBC's employment land needs.

Q.34. What alternative options for the spatial strategy were considered?

- 2.13 In addition to the above points relating to the SHLAA, we also find that the Plan is unjustified in its assessment (or lack thereof) of alternative options for the spatial strategy, and therefore unjustified in its position.
- 2.14 In DBC's 'Sustainability Appraisal of Dartford Local Plan – Sustainability Report' (SA) (July 2021, LUC), it is presented that four options were considered for Main Plan Option 1 (that is, 'to what extent should brownfield land in the Borough be used for new homes and jobs?'). We consider that the four options do not cover the full range of reasonable alternative options that are available. There should have been the inclusion of at least another option as follows:

Brownfield land should be used to a full extent along with non-Green Belt land in locations very well served by public transport

- 2.15 This would offer an option with greater flexibility than the preferred option, as it would enable non-Green Belt yet sustainably located sites to come forward for development for housing and/or employment. Technical constraints or matters attributed to individual non-Green Belt sites could be dealt with by the Plan by building into it Development

Management policy options that development would need to adhere to in order to overcome such technical constraints, in conjunction with national policy as a whole.

- 2.16 The wider benefit that this policy option would enable is to ensure that the Plan's strategy is less 'capacity driven' that seeks to maximise brownfield land capacity within the Borough during the Plan period. This has the real risk of putting pressure on Green Belt land either later in the Plan period or beyond, as the Plan effectively has put its "eggs into one basket" through its brownfield land focussed strategy. In this sense, the Plan should also have undertaken a Green Belt review as part of its preparation in order to fully and clearly assess the alternative options available to DBC in its spatial strategy.
- 2.17 As previously mentioned in our response to Matter 2, DBC cannot currently demonstrate it can meet its own identified housing requirement over the full Plan period to 2037, notwithstanding the uncertain amount of future unmet need from neighbouring authorities. Additionally, as discussed in our response to Matter 7, the Plan is inflexible in its approach to employment land provision. Therefore, DBC should be seeking to fully meet its housing requirement and employment land needs through the allocation of a mixed supply of sites, rather than purely focussing on developing brownfield land.

Q.35. Why was the submitted approach chosen and is it an appropriate strategy having regard to reasonable alternatives?

- 2.18 No further comment than above.

Q.36. Is the Plan sufficiently clear about the scale of development envisaged in each settlement/ area?

- 2.19 No further comment than above.

Q.37. Is the focus of the Spatial Strategy on large-scale brownfield sites justified?

- 2.20 No further comment than above and in our responses to Matters 4 and 6.

Q.38. In other respects, is the approach in Policy S1 justified, effective and consistent with national policy?

- 2.21 No further comment than above.

Q.39. Is table 2 justified and will it be effective?

2.22 No further comment than above and our responses to Matters 4, 6, and 7.

Q.40. How will the need for pre-school and special educational needs places be addressed?

2.23 No comments.

Q.41. Does the plan identify any settlement/ development boundaries and if so, what is the approach to development in such areas?

2.24 No further comment than above.