

# Dartford Borough Local Plan Examination

## Stage 2 Hearings

Matter 3: Spatial Strategy

Participant No.1431:Kitewood Estates  
Ltd

Represented by CarneySweeney

Date: 30 September 2022



**CARNEYSWEENEY**  
PLANNING



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Appendix 1 : Representations submitted to the draft Dartford Local Plan on behalf of  
Kitewood, October 2021

Prepared by:	
Checked by:	



## 1.0 Introduction

- 1.1.1 Founded in 1993, Kitewood Estates Ltd (“Kitewood”) is a privately held property development and investment company focus on delivery high quality niche development schemes in London and the South East. The company has an excellent track record of creating well-conceived high quality residential development. With a strong, experienced team, the company deals with developments from planning through to construction and ultimate sale.
- 1.1.2 Kitewood is currently delivering on several sites in Kent totalling in excess of 350 new homes and employment floorspace. Again, specifically in Kent, the company will be seeking to deliver a further 1,000 homes and employment floorspace over the next 5-10 years and are therefore very much invested in delivering sustainable development within the county.
- 1.1.3 Kitewood control land in the settlement of Wilmington. The summary of Kitewood’s concern with the Dartford Local Plan is that it fails to a consistently sufficient, varied and affordable supply of housing development in order to meet the needs across the whole plan period.
- 1.1.4 On behalf of Kitewood, we are submitting statements to the Examination in relation to the following matters:
- Matter 2: Housing Needs;
  - Matter 3: Spatial Strategy;
  - Matter 4: Approach to Housing Allocations; and
  - Matter 9: Supply and Delivery of Housing Land.
- 1.1.5 This statement deals with Matter 3: Spatial Strategy.



## 2.0 Matter 3: Spatial Strategy

- 2.1.1 The Council's housing trajectory clearly shows shortages in supply, during the first half of the plan period in particular. Indeed, housing delivery is expected to fall well short of the required annual amount for several years. This trajectory was set out in 2021, prior to the current declining economic position which is likely to continue across the same constrained period of the plan where these shortages occur. As a result, housing delivery is anticipated to be less than expected in the Local Plan.
- 2.1.2 The Local Plan places significant emphasis on the delivery of brownfield sites. Due to their nature, the economics of the viability of such sites is likely to be hit harder than green field sites and therefore the delivery of the identified housing sites in the borough will come under further pressure. Indeed, the Council's own viability assessment by Dixon Searle describes the viability on the identified brownfield sites in Dartford as 'challenging' even prior to the current economic slump.
- 2.1.3 As a result, it is important that the local plan identifies a greater variety and quantum of land across the first half of the plan period to ensure delivery throughout the current economic downturn. Sites which are less complex to deliver and have a lower cost base should be identified for development. These sites will also have a greater chance of being able to deliver the required 35% affordable housing.
- 2.1.4 As a result, the draft Local Plan is not positively prepared, is not effective and is unsound.
- 2.1.5 In order to resolve the position, the plan must consider the potential of the larger settlements that are currently within the Green Belt within the southern part of the Borough for proportionate housing growth. In the case of the settlements – such as Wilmington and others – these already benefit from a level of services which could support additional growth. In Wilmington's case there are three secondary schools, a FE College and a primary school as well as other shopping, leisure, community and health facilities that have capacity to accommodate more housing. The factor which is preventing new housing being provided in sustainable locations is the Council's refusal to even consider a review of Green Belt boundaries around those settlements. The Local Plan is the most appropriate way of reviewing Green Belt boundaries.



- 2.1.6 In the context of Government policy in section 13 of the NPPF, it would be justifiable to review Green Belt boundaries around the largest settlements in the southern part of the Borough because of the potential to accommodate sustainable housing development in those locations. This is particularly what is envisaged in paragraph 142 of the NPPF which states: “When drawing up or reviewing Green Belt boundaries the need to promote sustainable patterns of development should be taken into account. Strategic policy making authorities should consider the consequences for sustainable development of channelling development towards the urban areas inside a Green Belt boundary towards towns and villages inset within the Green Belt or towards locations beyond the outer Green Belt”. (emphasis added)
- 2.1.7 In addition to the policy making process relating to sustainable development, it is also necessary in defining Green Belt boundaries (or redefining them) through paragraph 143 of the NPPF that a Local Plan should “be able to demonstrate that Green Belt boundaries do not need to be altered at the end of the Plan period”. There remain considerable uncertainties about key issues affecting housing provision and delivery in Dartford, as referred to in statements relating to previous Matters raised by the Inspector.
- 2.1.8 In this case, therefore, it would be in accordance with the NPPF for the Council to not only add the principle of considering a contribution to housing requirements from sustainable settlements within the Green Belt in the south of the Borough as part of the development strategy in Policy S1 but also carry out a review of the Green Belt as part of this Local Plan in accordance with the NPPF. Such a review need only concentrate on the larger settlements in the south of the Borough which have the more significant levels of services to support housing growth. The settlement of Wilmington, given the range of services available, should be one of those settlements where a Green Belt review of its boundaries to identify sites should take place and reference to such settlements should be added to Policy M9. Without such a review it is highly likely that the Green Belt boundary currently proposed will have to be changed and that is contrary to paragraph 142 of the NPPF.
- 2.1.9 The need for the Local Plan to review Green Belt boundaries would be in accordance with the NPPF; indeed, the Green Belt in its current form is argued not to comply with the NPPF because the boundaries of it are unlikely to endure beyond the end of the Plan period due to housing pressures prior to 2038.
- 2.1.10 The approach to amending Green Belt boundaries to provide flexibility in supply was considered by the High Court in *Crompton Parish Council & Ors v Guildford BC* [2019] EWHC 3232 (Admin) in 2019. This was found to be a reasonable approach to remove Green Belt land in order to provide headroom against land supply slippages, and for flexibility to ensure that a rolling five-year housing land supply could be maintained.



## APPENDIX 1



# Dartford Local Plan Pre- Submission (Publication) September 2021 Town and Country Planning (Local Planning) England Regulations 2012 – Regulation 19 Representation Form

Representations on the Dartford Local Plan should be submitted by **5pm on Wednesday 27<sup>th</sup> October 2021. Late representations will not be accepted.**

Representations should be made using this form and submitted to Dartford Borough Council by email to [localplan@dartford.gov.uk](mailto:localplan@dartford.gov.uk) or sent to: Planning Policy Team, Dartford Borough Council, Civic Centre, Home Gardens, Dartford, Kent DA1 1DR.

Additional copies of the form can be obtained from the Council's website at: <https://www.dartford.gov.uk/by-category/environment-and-planning2/new-planning-homepage/planning-policy/new-local-plan>. Photocopies of blank forms can also be made.

Advice on how to make representations is provided in the guidance notes which accompany this form. You are strongly advised to read the guidance notes before completing this form. ***Please note that if you responded to the previous version of the Pre-Submission Local Plan February 2021, your previous representation will not be automatically carried forward and you will need to respond again.***

This form comprises 3 parts:

- Part 1: Your details
- Part 2: Your representation(s). Please fill out a separate sheet for each representation you wish to make. However, only fill in Part A once and send all representations in together.
- Part 3: Declaration

If you have any queries about this consultation, please contact the Planning Policy Team by emailing [localplan@dartford.gov.uk](mailto:localplan@dartford.gov.uk) or by phoning 01322 343213.

You only need to fill this section out once.

## Part 1: Your details

You only need to fill this section out once

	1. Personal details	2. Agent details (if applicable)
Title		
Name		

If you are replying on behalf of a group, how many people does it represent?



## Part 2: Representation

**For office use only**

Consultee ID:

Agent ID:

Date Received:

Please use a separate sheet for each representation

Name or Organisation:

Kitewood Estates

**1. To which part of the Local Plan does this representation relate (please specify paragraph or policy number)?**

Paragraph

Policy

M9

Policies Map

**2. Do you consider the Local Plan is:**

Please mark with a cross in the boxes as appropriate

(1) Legally compliant

Yes

X

No

(2) Sound

Yes

No

X

(3) Complies with the  
duty to co-operate

Yes

X

No

**3. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.**

See attached.

(Continue on a separate sheet / expand box if necessary)

**4. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 3 above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.**

M9 – a new criteria 3 should be introduced which – on the basis of the recommended Green Belt review in the southern part of the borough – should state that housing would be acceptable in principle at those identified settlements with suitable supporting facilities in the southern part of the borough and/or on sites specifically identified for either housing or excluded from the Green Belt (if a lack of five year land supply exists) adjacent to those settlements.

(Continue on a separate sheet / expand box if necessary)

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

**5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?**

No, I do not wish to participate in hearing session(s)

☐

Yes, I wish to participate in hearing sessions(s)

☒

Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate.

**6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.**

The changes requested to Policy M9 are directly linked to the spatial strategy – see representations to Policy S1 and housing land provision – see representations to Policy S4. Policy M9 again goes to the heart of the development strategy which Kitewood wishes to discuss further at the Examination.

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they may wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

## Part 3: Declaration

### Data Protection


The personal information you provide on this form will be processed in accordance with the Data Protection Act 2018 and the Privacy and Electronic Communications (EC Directive) Regulations 2003. The information you provide will only be used for the purposes of the preparation of the Local Plan as required by the Planning and Compulsory Purchase Act 2004, and may be used by the Council to contact you, if necessary, regarding your submission. Under Regulation 22, we have a duty to send all representations to the appointed Planning Inspector. Your name, organisation name (if relevant), comments and town/parish of residence will be made available for public inspection when displaying and reporting the outcome of the statutory consultation stage and cannot be treated as confidential. You will not be asked for any unnecessary information and we will not publish any personal data beyond what is stated in this declaration.

**Please sign and date this form.** Forms signed electronically will be accepted.

### Declaration:

**By completing and signing this form, I agree to my name, organisation, town/parish of residence and representations being made available for public inspection.**

**Signature:**


On behalf of Paula Carney

**Date:**

27/10/2021

## **REPRESENTATIONS ON BEHALF OF KITWOOD ESTATES TO REGULATION 19 DRAFT OF DARTFORD LOCAL PLAN REVIEW**

### **Introduction and summary of Kitewood's position**

Kitewood Estates welcome the opportunity to comment on the Regulation 19 draft version of the Dartford Borough Local Plan. Kitewood made representations to the Pre-Submission Allocation Draft Local Plan in April 2021. These earlier representations related to the following matters:

1. The overall development/spatial strategy for new housing and employment development in the Borough (Policies S1 and M9).
2. The strategy for Green Belt review or lack of it (Policy S1).
3. The scale of housing land provision (Policy S4).

To a great extent Kitewood reiterate the points made in April and also add to their comments as follows.

Kitewood has land interests at Wilmington which is in the southern part of the Borough and is not intended (by the Council) to be the subject of any housing/economic growth of a notable scale. This is because the area (including Wilmington) is Green Belt and the Council has taken the decision that it will not review the Green Belt nor concentrate any development other than minor infilling within settlement boundaries within that area (around 200 new dwellings in total).

The Local Plan strategy is to concentrate new development in the northern part of the Borough and seek to achieve a target of 80% brownfield land development for housing and other uses. Kitewood consider that whilst this strategy is generally in accordance with Government objectives, an opportunity is being missed to allow sustainable small-scale growth in the settlements in the Green Belt (through rounding off of settlement boundaries). This will add a relatively small but significant amount to the housing supply within the southern part of the Borough, which will also be sustainable in the larger settlements where there are existing services such as schools (ref. Policy M9).

The need for the Local Plan to review Green Belt boundaries around such settlements would be in accordance with the NPPF – indeed the Green Belt in its current form is argued not to comply with the NPPF because the boundaries of it are unlikely to endure beyond the end of the Plan period – 2037.

In addition to there is a strong case for the Council to review its position with regard to Green Belt settlements in the southern of the Borough to accommodate some relatively modest growth, Kitewood is also concerned that in seeking to achieve the scale of housing set out in Policy S4 there is reliance upon significant delivery of large allocations at Ebbsfleet, Ashmere and Orchard centres as well as an allowance (which is not quantified) for development in Dartford town centre. Kitewood is concerned that the delivery anticipated on the larger sites (set out in the SHLAA and supporting evidence base) is optimistic and therefore additional allocated sites need to be identified in the Local Plan now.

Kitewood would comment that the Policy S4 housing requirement – some 790 dwellings per annum – is in accordance with the 2017 OAN assessments made by the Government – however there is no allowance made for any overspill from Greater London. Kitewood observe that in the Preferred Options report published by the Council in 2020, the range of housing need that was identified was

between 790 and 865 dwellings per annum. The Policy S4 figure of 790 dpa is at the lowest end of that range.

### **Comments on issues identified within the Regulation 19 draft**

Kitewood wish to comment on the following policy issues contained within the Regulation 19 version of the Local Plan Review:

#### **1. Development/Spatial Strategy**

The strategy for development and new allocations in the Local Plan Review (LPR) is set out in section 2 of the Plan and Policy S1. Broadly the Council wishes to concentrate all significant development in the northern part of the Borough within the Dartford area and also by relying on Ebbsfleet to contribute a significant proportion of new housing growth required (see below). In that context the Council is seeking to achieve an objective of 80% of new housing on brownfield sites.

Whilst the brownfield site objective is laudable, it is stated in the evidence base (Residential Requirement Report September 2021) that in the period 2006 - 2021 an 81% figure for brownfield land development has been achieved. With the Plan period of the review going from 2021 to 2037, it is inevitable that the availability and capacity of brownfield land for development will decline over time – as the best and most available sites will have been developed first. Therefore, the Council should be realistic in its evaluation of whether the 80% target is achievable. If difficulties are envisaged in delivering brownfield land development in the Local Plan period, there will be a need for further allocations to be considered on greenfield land.

Although the Council may say that if that event arises decisions on new allocations could be made in the context of a review of the Plan, if such decisions result in the need to review the Green Belt boundary, then the Local Plan as it stands would not be sound because of the requirement (in accordance with the NPPF) for Green Belt boundaries to endure beyond the Plan period (see below).

In Kitewood's view the opportunity has been missed in the Spatial Strategy to consider more seriously the ability of the larger settlements that are currently within the Green Belt within the southern part of the Borough for proportionate housing growth. In the case of the settlements – such as Wilmington and others – these already benefit from a level of services which could support additional growth (see representations made in August 2020 and April 2021). In Wilmington's case there are three secondary schools, a FE College and a primary school as well as other shopping, leisure, community and health facilities that have capacity to accommodate more housing. The factor which is preventing new housing being provided in sustainable locations is the Council's refusal to even consider a review of Green Belt boundaries around those settlements.

The Local Plan is the most appropriate way of reviewing Green Belt boundaries – although in recent times planning appeals for housing in the Green Belt have been allowed where there are circumstances (including significant housing land shortfalls) that are regarded as 'very special' for that purpose. In the context of Government policy in section 13 of the NPPF, it would be justifiable to review Green Belt boundaries around the largest settlements in the southern part of the Borough because of the potential to accommodate sustainable housing development in those locations.

This is particularly what is envisaged in paragraph 142 of the NPPF which states:

**"When drawing up or reviewing Green Belt boundaries the need to promote sustainable patterns of development should be taken into account. Strategic policy making authorities should consider**

**the consequences for sustainable development of channelling development towards the urban areas inside a Green Belt boundary towards towns and villages inset within the Green Belt or towards locations beyond the outer Green Belt". (my emphasis)**

In addition to the policy making process relating to sustainable development, it is also necessary in defining Green Belt boundaries (or redefining them) through paragraph 143 of the NPPF that a Local Plan should "be able to demonstrate that Green Belt boundaries do not need to be altered at the end of the Plan period". In the case of the Local Plan Review to 2037 there remain considerable uncertainties about key issues affecting housing provision and delivery. This relates to the defining of what the housing requirement for Dartford Borough would actually be between 2021 and 2037 (and how it may change within the Plan period); the certainty of delivery of housing on some of the larger allocations proposed in the Local Plan Review and the ability of the larger allocations to deliver the services that would reduce the need for residents of those new sites to travel.

In this case, therefore, it would be in accordance with the NPPF for the Council to not only add the principle of considering a contribution to housing requirements from sustainable settlements within the Green Belt in the south of the Borough as part of the development strategy in Policy S1 but also carry out a review of the Green Belt as part of this Local Plan in accordance with the NPPF. Such a review need only concentrate on the larger settlements in the south of the Borough which have the more significant levels of services to support housing growth – other than the minor infill that is otherwise suggested. The settlement of Wilmington given the range of services available should be one of those settlements where a Green Belt review of its boundaries to identify sites should take place and reference to such settlements should be added to Policy M9. Without such a review it is highly likely that the Green Belt boundary currently proposed will have to be changed and that is contrary to paragraph 142 of the NPPF. Therefore, the strategy in relation to distribution of new housing and a Green Belt review would not be sound for the purposes of paragraph 142 of the NPPF.

## 2. The provision of housing

There are a number of key issues which are relevant to decisions concerning what the appropriate housing requirement should be within the Local Plan in the 2021 to 2037 period. This arises from the recent political debates about the appropriate national housing requirement figures on a Council by Council basis – with the current position being that the Government has stated that for the purposes of Local Plan Reviews, councils should use as a starting point the '2017' version of the housing requirement figures. In the case of Dartford the figure used is 790 dwellings per annum to be provided for. This generates a request of some 12,640 dwellings within the 16 year Plan period.

Whilst it is logical for the Local Plan to use the '2017' figure as a major plank of its justification for the generation of dwelling requirements, it is a starting point for the calculations and there are other material factors that may result in the 2017 figure being amended. In this regard, a number of factors would need to be discussed further. These include:

- i. Whether the 2017 figure proposed within the 2021 to 2037 period genuinely can be said to represent a 'significant boost' in housing land supply in accordance with the key objectives of the NPPF. In this regard, Policy CS10 of the existing Core Strategy sought to provide up to 865 dwellings per annum in its Plan period between 2006 and 2026. The September 2021 Residential Requirement Report (Fig. 3) submitted as part of the evidence base to the Local Plan Review confirms that the completion rates of dwellings in the ten year period from 2002 to 2012 was 724 dwellings per annum. Therefore, notwithstanding the fact the Council says it has a high level of housing commitments, ie planning permissions and extant allocations, the actual delivery rate of development in the past has not achieved the Core Strategy requirements. An increase in the

Local Plan housing requirement to circa 790 dwellings per annum is only some 65 dwellings per annum more than the Council has been completing on average in the last ten years.

Kitewood doubt whether an additional provision in policy terms of around 65 dwellings per annum could be described as a significant boost to housing land supply in accordance with the NPPF. A continuation of the 865 dwelling per annum requirement in the current Local Plan (which was one of the options considered in the Preferred Options document published in 2020) would be more likely to be regarded as such a 'boost' to make the Plan 'sound'.

- ii. The issue of the potential contribution that Dartford Borough (alongside other boroughs in northern Kent) could make to the potential 'overspill' of housing need from Greater London has not been factored in. You will be aware that in his letter of 29 January 2021 to the Mayor of London, the then Secretary of State for Housing, Communities and Local Government commented asked the Mayor *'to work closely with those authorities that surround London to develop a strategy to help alleviate the housing pressure that is faced both inside and immediately outside the capital.'* Dartford is very closely related to Bexley and Bromley in particular. Indeed, the Dartford and Ebbsfleet Housing Needs Assessment – October 2019 states: *'To the west of Dartford are the London Boroughs of Bexley and Bromley, ...[and] in order to plan for longer-term contingencies, 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 (1.27).'* This suggests that it would be advisable to factor into the strategy a provision of either reserved housing sites or (in connection with the Green Belt strategy referred to above) the removal of sites from the Green Belt that would only be developed should need arise. Again, the Council may say that those matters could be picked up in a review of the Plan – but that does not obviate the need to look at the potential of release of land from the Green Belt as 'white land' in due course in accordance with the NPPF.

So overall Kitewood suggest that the Council should review upwards the annual housing land requirement figure based on the starting point of the OAN so that it constitutes a significant boost to housing land supply rather than actually being 75 dpa less than the current Core Strategy required annual rate and only 65 dwellings per annum higher than completion rates over the last ten years.

### 3. Housing delivery

The Council provide in appendix C of the Local Plan Review the trajectory for annual delivery on all committed housing sites.

It is not the purpose of these representations to go through each site and to comment on the accuracy of the likely delivery of each of the allocated or committed sites. However, in general Kitewood do have concern about the realistic delivery on a number of the key sites and the Council should rigorously review the robustness of the assumptions that have been made. This particularly relates to the following sites:

- The various allocations comprising the Ebbsfleet new settlement.
- The Ashmere site phases 3, 4, 5 and 6.
- The Priory shopping centre site in Dartford.
- The Orchard shopping centre.

The allocated sites at Dartford (Westgate D4, Lowfield Street D5 and the Priory Centre D6) and Ebbsfleet (E4 & E5) deliver some 49% of the overall assumption for new allocations within the Plan period. Whilst Kitewood do not object to the allocation of these sites in principle, the delivery rates

in the past at Ebbsfleet have not been at levels that would enable a conclusion to be made that these sites will come forward as envisaged in the trajectory. Delivery rates in the last 10 years have been less than those required in the Core Strategy.

Kitewood has doubts about the genuine ability of the Dartford town centre to provide significant amounts of new housing. The three main allocated sites are mixed use development sites which also rely on the provision of significant retail and office uses, the market for which has been substantially altered over the last number of years.

It is also the case that in the annual trajectory figures (in appendix C) demonstrate that the annual OAN requirement of 790 dwellings would not be achieved in 10 of the 16 years of the Plan period. The Council is assuming that it will be 2024 before the significant delivery of the larger sites at Ebbsfleet and elsewhere will enable the Council to 'catch up' on the under-provision in the early years of the Plan – and after three years of good delivery (2022/4 to 2025/6) supply this falls until 2032. This situation in itself does not represent an adequate and continuous supply of housing land in accordance with the NPPF.

This situation is likely to mean additional sites should be allocated that could be developed in the short term and throughout the Local Plan Review process. It is often the case that brownfield land (which is the Council's principal source of housing) takes longer to be delivered because of difficulties on matters such as contamination; access; ownership etc. If the Council is required to provide for sites for housing development at various points in the Local Plan period these need to be free from constraints so would typically be either smaller sites or greenfield sites. Whilst this may be unpalatable for the Council in the context of its current strategy, the over-riding objective of Government policy in the NPPF is to provide for a significant boost to housing supply. Kitewood's view is the current Local Plan fails to do that over the Local Plan period including the early years as is evidenced by the trajectory. Hence it is suggesting changes in terms of strategy, potential housing provision in selected Green Belt locations and anticipation of future development needs that result in a selective approach to Green Belt review around the larger sustainable settlements in the southern part of the Borough.

### **Proposed changes to policy/strategy requested**

On the basis of the above, we request the following changes to the emerging Local Plan:

1. Amendments to Spatial Policy S1 to refer to a Green Belt review and that land released from the Green Belt in the larger settlements to be able to be developed in line with Policy M9.
2. An increase in the housing requirement in Policy S4 of 790 dwellings pa.
3. Reference to Wilmington in Policy M9 as a larger settlement where housing development is sustainable.
4. Reference to the potential need to accommodate some of London's housing needs within the plan period.



# Dartford Local Plan Pre- Submission (Publication) September 2021 Town and Country Planning (Local Planning) England Regulations 2012 – Regulation 19

## Representation Form

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- Part 2: Your representation(s). Please fill out a separate sheet for each representation you wish to make. However, only fill in Part A once and send all representations in together.
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You only need to fill this section out once.

## Part 1: Your details

You only need to fill this section out once

	1. Personal details	2. Agent details (if applicable)
Title		
Name		

If you are replying on behalf of a group, how many people does it represent?

## Part 2: Representation

### For office use only

Consultee ID:

Agent ID:

Date Received:

Please use a separate sheet for each representation

Name or Organisation:	Kitewood Estates
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**1. To which part of the Local Plan does this representation relate (please specify paragraph or policy number)?**

Paragraph

Policy

S1

Policies Map

**2. Do you consider the Local Plan is:**

Please mark with a cross in the boxes as appropriate

(1) Legally compliant

Yes

X

No

(2) Sound

Yes

No

X

(3) Complies with the  
duty to co-operate

Yes

No

X

**3. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.**

See attached.

(Continue on a separate sheet / expand box if necessary)

**4. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 3 above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.**

S1 – add need to review Green Belt and inclusion of settlements with appropriate level of services in the southern part of the borough as having potential for housing subject to a Green Belt review taking place. This can be done through additions to the text in criteria 2 and 3 of the policy. This would also cover the potential for land to be excluded from the Green Belt on the edge of such settlements to provide for housing needs beyond the Plan period or to come forward to address any five year housing land shortfalls within the Plan period.

(Continue on a separate sheet / expand box if necessary)

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

**5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?**

No, I do not wish to participate in hearing session(s)

☐

Yes, I wish to participate in hearing sessions(s)

☒

Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate.

**6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.**

Kitewood's representations in relation to changes to Policy S1 are wide-ranging and raise a number of fundamental considerations relevant to the finalisation of a revised spatial strategy in the Plan. Kitewood intends to make further representations on these issues in accordance with the agenda which the Inspector would publish prior to the Examination and expect to participate in discussions and raise further questions about the Council's current position.

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they may wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

## Part 3: Declaration

### Data Protection


The personal information you provide on this form will be processed in accordance with the Data Protection Act 2018 and the Privacy and Electronic Communications (EC Directive) Regulations 2003. The information you provide will only be used for the purposes of the preparation of the Local Plan as required by the Planning and Compulsory Purchase Act 2004, and may be used by the Council to contact you, if necessary, regarding your submission. Under Regulation 22, we have a duty to send all representations to the appointed Planning Inspector. Your name, organisation name (if relevant), comments and town/parish of residence will be made available for public inspection when displaying and reporting the outcome of the statutory consultation stage and cannot be treated as confidential. You will not be asked for any unnecessary information and we will not publish any personal data beyond what is stated in this declaration.

**Please sign and date this form.** Forms signed electronically will be accepted.

### Declaration:

**By completing and signing this form, I agree to my name, organisation, town/parish of residence and representations being made available for public inspection.**

**Signature:**


On behalf of Paula Carney

**Date:**

27/10/2021

## **REPRESENTATIONS ON BEHALF OF KITEWOOD ESTATES TO REGULATION 19 DRAFT OF DARTFORD LOCAL PLAN REVIEW**

### **Introduction and summary of Kitewood's position**

Kitewood Estates welcome the opportunity to comment on the Regulation 19 draft version of the Dartford Borough Local Plan. Kitewood made representations to the Pre-Submission Allocation Draft Local Plan in April 2021. These earlier representations related to the following matters:

1. The overall development/spatial strategy for new housing and employment development in the Borough (Policies S1 and M9).
2. The strategy for Green Belt review or lack of it (Policy S1).
3. The scale of housing land provision (Policy S4).

To a great extent Kitewood reiterate the points made in April and also add to their comments as follows.

Kitewood has land interests at Wilmington which is in the southern part of the Borough and is not intended (by the Council) to be the subject of any housing/economic growth of a notable scale. This is because the area (including Wilmington) is Green Belt and the Council has taken the decision that it will not review the Green Belt nor concentrate any development other than minor infilling within settlement boundaries within that area (around 200 new dwellings in total).

The Local Plan strategy is to concentrate new development in the northern part of the Borough and seek to achieve a target of 80% brownfield land development for housing and other uses. Kitewood consider that whilst this strategy is generally in accordance with Government objectives, an opportunity is being missed to allow sustainable small-scale growth in the settlements in the Green Belt (through rounding off of settlement boundaries). This will add a relatively small but significant amount to the housing supply within the southern part of the Borough, which will also be sustainable in the larger settlements where there are existing services such as schools (ref. Policy M9).

The need for the Local Plan to review Green Belt boundaries around such settlements would be in accordance with the NPPF – indeed the Green Belt in its current form is argued not to comply with the NPPF because the boundaries of it are unlikely to endure beyond the end of the Plan period – 2037.

In addition to there is a strong case for the Council to review its position with regard to Green Belt settlements in the southern of the Borough to accommodate some relatively modest growth, Kitewood is also concerned that in seeking to achieve the scale of housing set out in Policy S4 there is reliance upon significant delivery of large allocations at Ebbsfleet, Ashmere and Orchard centres as well as an allowance (which is not quantified) for development in Dartford town centre. Kitewood is concerned that the delivery anticipated on the larger sites (set out in the SHLAA and supporting evidence base) is optimistic and therefore additional allocated sites need to be identified in the Local Plan now.

Kitewood would comment that the Policy S4 housing requirement – some 790 dwellings per annum – is in accordance with the 2017 OAN assessments made by the Government – however there is no allowance made for any overspill from Greater London. Kitewood observe that in the Preferred Options report published by the Council in 2020, the range of housing need that was identified was

between 790 and 865 dwellings per annum. The Policy S4 figure of 790 dpa is at the lowest end of that range.

### **Comments on issues identified within the Regulation 19 draft**

Kitewood wish to comment on the following policy issues contained within the Regulation 19 version of the Local Plan Review:

#### **1. Development/Spatial Strategy**

The strategy for development and new allocations in the Local Plan Review (LPR) is set out in section 2 of the Plan and Policy S1. Broadly the Council wishes to concentrate all significant development in the northern part of the Borough within the Dartford area and also by relying on Ebbsfleet to contribute a significant proportion of new housing growth required (see below). In that context the Council is seeking to achieve an objective of 80% of new housing on brownfield sites.

Whilst the brownfield site objective is laudable, it is stated in the evidence base (Residential Requirement Report September 2021) that in the period 2006 - 2021 an 81% figure for brownfield land development has been achieved. With the Plan period of the review going from 2021 to 2037, it is inevitable that the availability and capacity of brownfield land for development will decline over time – as the best and most available sites will have been developed first. Therefore, the Council should be realistic in its evaluation of whether the 80% target is achievable. If difficulties are envisaged in delivering brownfield land development in the Local Plan period, there will be a need for further allocations to be considered on greenfield land.

Although the Council may say that if that event arises decisions on new allocations could be made in the context of a review of the Plan, if such decisions result in the need to review the Green Belt boundary, then the Local Plan as it stands would not be sound because of the requirement (in accordance with the NPPF) for Green Belt boundaries to endure beyond the Plan period (see below).

In Kitewood's view the opportunity has been missed in the Spatial Strategy to consider more seriously the ability of the larger settlements that are currently within the Green Belt within the southern part of the Borough for proportionate housing growth. In the case of the settlements – such as Wilmington and others – these already benefit from a level of services which could support additional growth (see representations made in August 2020 and April 2021). In Wilmington's case there are three secondary schools, a FE College and a primary school as well as other shopping, leisure, community and health facilities that have capacity to accommodate more housing. The factor which is preventing new housing being provided in sustainable locations is the Council's refusal to even consider a review of Green Belt boundaries around those settlements.

The Local Plan is the most appropriate way of reviewing Green Belt boundaries – although in recent times planning appeals for housing in the Green Belt have been allowed where there are circumstances (including significant housing land shortfalls) that are regarded as 'very special' for that purpose. In the context of Government policy in section 13 of the NPPF, it would be justifiable to review Green Belt boundaries around the largest settlements in the southern part of the Borough because of the potential to accommodate sustainable housing development in those locations.

This is particularly what is envisaged in paragraph 142 of the NPPF which states:

**"When drawing up or reviewing Green Belt boundaries the need to promote sustainable patterns of development should be taken into account. Strategic policy making authorities should consider**

**the consequences for sustainable development of channelling development towards the urban areas inside a Green Belt boundary towards towns and villages inset within the Green Belt or towards locations beyond the outer Green Belt". (my emphasis)**

In addition to the policy making process relating to sustainable development, it is also necessary in defining Green Belt boundaries (or redefining them) through paragraph 143 of the NPPF that a Local Plan should "be able to demonstrate that Green Belt boundaries do not need to be altered at the end of the Plan period". In the case of the Local Plan Review to 2037 there remain considerable uncertainties about key issues affecting housing provision and delivery. This relates to the defining of what the housing requirement for Dartford Borough would actually be between 2021 and 2037 (and how it may change within the Plan period); the certainty of delivery of housing on some of the larger allocations proposed in the Local Plan Review and the ability of the larger allocations to deliver the services that would reduce the need for residents of those new sites to travel.

In this case, therefore, it would be in accordance with the NPPF for the Council to not only add the principle of considering a contribution to housing requirements from sustainable settlements within the Green Belt in the south of the Borough as part of the development strategy in Policy S1 but also carry out a review of the Green Belt as part of this Local Plan in accordance with the NPPF. Such a review need only concentrate on the larger settlements in the south of the Borough which have the more significant levels of services to support housing growth – other than the minor infill that is otherwise suggested. The settlement of Wilmington given the range of services available should be one of those settlements where a Green Belt review of its boundaries to identify sites should take place and reference to such settlements should be added to Policy M9. Without such a review it is highly likely that the Green Belt boundary currently proposed will have to be changed and that is contrary to paragraph 142 of the NPPF. Therefore, the strategy in relation to distribution of new housing and a Green Belt review would not be sound for the purposes of paragraph 142 of the NPPF.

## 2. The provision of housing

There are a number of key issues which are relevant to decisions concerning what the appropriate housing requirement should be within the Local Plan in the 2021 to 2037 period. This arises from the recent political debates about the appropriate national housing requirement figures on a Council by Council basis – with the current position being that the Government has stated that for the purposes of Local Plan Reviews, councils should use as a starting point the '2017' version of the housing requirement figures. In the case of Dartford the figure used is 790 dwellings per annum to be provided for. This generates a request of some 12,640 dwellings within the 16 year Plan period.

Whilst it is logical for the Local Plan to use the '2017' figure as a major plank of its justification for the generation of dwelling requirements, it is a starting point for the calculations and there are other material factors that may result in the 2017 figure being amended. In this regard, a number of factors would need to be discussed further. These include:

- i. Whether the 2017 figure proposed within the 2021 to 2037 period genuinely can be said to represent a 'significant boost' in housing land supply in accordance with the key objectives of the NPPF. In this regard, Policy CS10 of the existing Core Strategy sought to provide up to 865 dwellings per annum in its Plan period between 2006 and 2026. The September 2021 Residential Requirement Report (Fig. 3) submitted as part of the evidence base to the Local Plan Review confirms that the completion rates of dwellings in the ten year period from 2002 to 2012 was 724 dwellings per annum. Therefore, notwithstanding the fact the Council says it has a high level of housing commitments, ie planning permissions and extant allocations, the actual delivery rate of development in the past has not achieved the Core Strategy requirements. An increase in the

Local Plan housing requirement to circa 790 dwellings per annum is only some 65 dwellings per annum more than the Council has been completing on average in the last ten years.

Kitewood doubt whether an additional provision in policy terms of around 65 dwellings per annum could be described as a significant boost to housing land supply in accordance with the NPPF. A continuation of the 865 dwelling per annum requirement in the current Local Plan (which was one of the options considered in the Preferred Options document published in 2020) would be more likely to be regarded as such a 'boost' to make the Plan 'sound'.

- ii. The issue of the potential contribution that Dartford Borough (alongside other boroughs in northern Kent) could make to the potential 'overspill' of housing need from Greater London has not been factored in. You will be aware that in his letter of 29 January 2021 to the Mayor of London, the then Secretary of State for Housing, Communities and Local Government commented asked the Mayor *'to work closely with those authorities that surround London to develop a strategy to help alleviate the housing pressure that is faced both inside and immediately outside the capital.'* Dartford is very closely related to Bexley and Bromley in particular. Indeed, the Dartford and Ebbsfleet Housing Needs Assessment – October 2019 states: *'To the west of Dartford are the London Boroughs of Bexley and Bromley, ...[and] in order to plan for longer-term contingencies, 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 (1.27).'* This suggests that it would be advisable to factor into the strategy a provision of either reserved housing sites or (in connection with the Green Belt strategy referred to above) the removal of sites from the Green Belt that would only be developed should need arise. Again, the Council may say that those matters could be picked up in a review of the Plan – but that does not obviate the need to look at the potential of release of land from the Green Belt as 'white land' in due course in accordance with the NPPF.

So overall Kitewood suggest that the Council should review upwards the annual housing land requirement figure based on the starting point of the OAN so that it constitutes a significant boost to housing land supply rather than actually being 75 dpa less than the current Core Strategy required annual rate and only 65 dwellings per annum higher than completion rates over the last ten years.

### 3. Housing delivery

The Council provide in appendix C of the Local Plan Review the trajectory for annual delivery on all committed housing sites.

It is not the purpose of these representations to go through each site and to comment on the accuracy of the likely delivery of each of the allocated or committed sites. However, in general Kitewood do have concern about the realistic delivery on a number of the key sites and the Council should rigorously review the robustness of the assumptions that have been made. This particularly relates to the following sites:

- The various allocations comprising the Ebbsfleet new settlement.
- The Ashmere site phases 3, 4, 5 and 6.
- The Priory shopping centre site in Dartford.
- The Orchard shopping centre.

The allocated sites at Dartford (Westgate D4, Lowfield Street D5 and the Priory Centre D6) and Ebbsfleet (E4 & E5) deliver some 49% of the overall assumption for new allocations within the Plan period. Whilst Kitewood do not object to the allocation of these sites in principle, the delivery rates



in the past at Ebbsfleet have not been at levels that would enable a conclusion to be made that these sites will come forward as envisaged in the trajectory. Delivery rates in the last 10 years have been less than those required in the Core Strategy.

Kitewood has doubts about the genuine ability of the Dartford town centre to provide significant amounts of new housing. The three main allocated sites are mixed use development sites which also rely on the provision of significant retail and office uses, the market for which has been substantially altered over the last number of years.

It is also the case that in the annual trajectory figures (in appendix C) demonstrate that the annual OAN requirement of 790 dwellings would not be achieved in 10 of the 16 years of the Plan period. The Council is assuming that it will be 2024 before the significant delivery of the larger sites at Ebbsfleet and elsewhere will enable the Council to 'catch up' on the under-provision in the early years of the Plan – and after three years of good delivery (2022/4 to 2025/6) supply this falls until 2032. This situation in itself does not represent an adequate and continuous supply of housing land in accordance with the NPPF.

This situation is likely to mean additional sites should be allocated that could be developed in the short term and throughout the Local Plan Review process. It is often the case that brownfield land (which is the Council's principal source of housing) takes longer to be delivered because of difficulties on matters such as contamination; access; ownership etc. If the Council is required to provide for sites for housing development at various points in the Local Plan period these need to be free from constraints so would typically be either smaller sites or greenfield sites. Whilst this may be unpalatable for the Council in the context of its current strategy, the over-riding objective of Government policy in the NPPF is to provide for a significant boost to housing supply. Kitewood's view is the current Local Plan fails to do that over the Local Plan period including the early years as is evidenced by the trajectory. Hence it is suggesting changes in terms of strategy, potential housing provision in selected Green Belt locations and anticipation of future development needs that result in a selective approach to Green Belt review around the larger sustainable settlements in the southern part of the Borough.

### **Proposed changes to policy/strategy requested**

On the basis of the above, we request the following changes to the emerging Local Plan:

1. Amendments to Spatial Policy S1 to refer to a Green Belt review and that land released from the Green Belt in the larger settlements to be able to be developed in line with Policy M9.
2. An increase in the housing requirement in Policy S4 of 790 dwellings pa.
3. Reference to Wilmington in Policy M9 as a larger settlement where housing development is sustainable.
4. Reference to the potential need to accommodate some of London's housing needs within the plan period.

# Dartford Local Plan Pre- Submission (Publication) September 2021 Town and Country Planning (Local Planning) England Regulations 2012 – Regulation 19

## Representation Form

Representations on the Dartford Local Plan should be submitted by **5pm on Wednesday 27<sup>th</sup> October 2021. Late representations will not be accepted.**

Representations should be made using this form and submitted to Dartford Borough Council by email to [localplan@dartford.gov.uk](mailto:localplan@dartford.gov.uk) or sent to: Planning Policy Team, Dartford Borough Council, Civic Centre, Home Gardens, Dartford, Kent DA1 1DR.

Additional copies of the form can be obtained from the Council's website at: <https://www.dartford.gov.uk/by-category/environment-and-planning2/new-planning-homepage/planning-policy/new-local-plan>. Photocopies of blank forms can also be made.

Advice on how to make representations is provided in the guidance notes which accompany this form. You are strongly advised to read the guidance notes before completing this form. ***Please note that if you responded to the previous version of the Pre-Submission Local Plan February 2021, your previous representation will not be automatically carried forward and you will need to respond again.***

This form comprises 3 parts:

- Part 1: Your details
- Part 2: Your representation(s). Please fill out a separate sheet for each representation you wish to make. However, only fill in Part A once and send all representations in together.
- Part 3: Declaration

If you have any queries about this consultation, please contact the Planning Policy Team by emailing [localplan@dartford.gov.uk](mailto:localplan@dartford.gov.uk) or by phoning 01322 343213.

You only need to fill this section out once.

## Part 1: Your details

You only need to fill this section out once

	1. Personal details	2. Agent details (if applicable)
Title		
Name		

If you are replying on behalf of a group, how many people does it represent?

## Part 2: Representation

**For office use only**

Consultee ID:

Agent ID:

Date Received:

Please use a separate sheet for each representation

Name or Organisation:

Kitewood Estates

### 1. To which part of the Local Plan does this representation relate (please specify paragraph or policy number)?

Paragraph

Policy

S4

Policies Map

### 2. Do you consider the Local Plan is:

Please mark with a cross in the boxes as appropriate

(1) Legally compliant

Yes

X

No

(2) Sound

Yes

No

X

(3) Complies with the  
duty to co-operate

Yes

No

X

### 3. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

See attached.

(Continue on a separate sheet / expand box if necessary)

**4. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 3 above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.**

S4 – the housing requirement figure should be increased – up to 865 dpa (paragraph 3 of the policy). Paragraph 5 should be amended to identify that should the housing land supply fall below five years within the Plan period the Council (see representations to Policy S1) will have identified either reserve housing sites or land excluded from the Green Belt in the southern part of the borough that could be brought forward to address such a shortfall.

(Continue on a separate sheet / expand box if necessary)

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

**5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in the examination hearing session(s)?**

No, I do not wish to participate in hearing session(s)

☐

Yes, I wish to participate in hearing sessions(s)

☒

Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate.

**6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.**

Matters related to housing land requirements – including the potential for the borough to accommodate overspill from Greater London – will be the subject of further clarification before the Examination. Kitewood would wish to participate in discussions on these matters which typically address the matter more efficiently than through exchanges of lengthy statements. The consequence of lack of provision of an appropriate land supply is a fundamental issue relating to the lack of soundness of the Plan and the implications of it should be discussed in detail at the Examination in due course – linked to the current position and need to change the spatial strategy in Policy S1.

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## Part 3: Declaration

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On behalf of Paula Carney

**Date:**

27/10/2021

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To a great extent Kitewood reiterate the points made in April and also add to their comments as follows.

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The need for the Local Plan to review Green Belt boundaries around such settlements would be in accordance with the NPPF – indeed the Green Belt in its current form is argued not to comply with the NPPF because the boundaries of it are unlikely to endure beyond the end of the Plan period – 2037.

In addition to there is a strong case for the Council to review its position with regard to Green Belt settlements in the southern of the Borough to accommodate some relatively modest growth, Kitewood is also concerned that in seeking to achieve the scale of housing set out in Policy S4 there is reliance upon significant delivery of large allocations at Ebbsfleet, Ashmere and Orchard centres as well as an allowance (which is not quantified) for development in Dartford town centre. Kitewood is concerned that the delivery anticipated on the larger sites (set out in the SHLAA and supporting evidence base) is optimistic and therefore additional allocated sites need to be identified in the Local Plan now.

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between 790 and 865 dwellings per annum. The Policy S4 figure of 790 dpa is at the lowest end of that range.

### **Comments on issues identified within the Regulation 19 draft**

Kitewood wish to comment on the following policy issues contained within the Regulation 19 version of the Local Plan Review:

#### **1. Development/Spatial Strategy**

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Whilst the brownfield site objective is laudable, it is stated in the evidence base (Residential Requirement Report September 2021) that in the period 2006 - 2021 an 81% figure for brownfield land development has been achieved. With the Plan period of the review going from 2021 to 2037, it is inevitable that the availability and capacity of brownfield land for development will decline over time – as the best and most available sites will have been developed first. Therefore, the Council should be realistic in its evaluation of whether the 80% target is achievable. If difficulties are envisaged in delivering brownfield land development in the Local Plan period, there will be a need for further allocations to be considered on greenfield land.

Although the Council may say that if that event arises decisions on new allocations could be made in the context of a review of the Plan, if such decisions result in the need to review the Green Belt boundary, then the Local Plan as it stands would not be sound because of the requirement (in accordance with the NPPF) for Green Belt boundaries to endure beyond the Plan period (see below).

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The Local Plan is the most appropriate way of reviewing Green Belt boundaries – although in recent times planning appeals for housing in the Green Belt have been allowed where there are circumstances (including significant housing land shortfalls) that are regarded as 'very special' for that purpose. In the context of Government policy in section 13 of the NPPF, it would be justifiable to review Green Belt boundaries around the largest settlements in the southern part of the Borough because of the potential to accommodate sustainable housing development in those locations.

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**"When drawing up or reviewing Green Belt boundaries the need to promote sustainable patterns of development should be taken into account. Strategic policy making authorities should consider**

**the consequences for sustainable development of channelling development towards the urban areas inside a Green Belt boundary towards towns and villages inset within the Green Belt or towards locations beyond the outer Green Belt". (my emphasis)**

In addition to the policy making process relating to sustainable development, it is also necessary in defining Green Belt boundaries (or redefining them) through paragraph 143 of the NPPF that a Local Plan should "be able to demonstrate that Green Belt boundaries do not need to be altered at the end of the Plan period". In the case of the Local Plan Review to 2037 there remain considerable uncertainties about key issues affecting housing provision and delivery. This relates to the defining of what the housing requirement for Dartford Borough would actually be between 2021 and 2037 (and how it may change within the Plan period); the certainty of delivery of housing on some of the larger allocations proposed in the Local Plan Review and the ability of the larger allocations to deliver the services that would reduce the need for residents of those new sites to travel.

In this case, therefore, it would be in accordance with the NPPF for the Council to not only add the principle of considering a contribution to housing requirements from sustainable settlements within the Green Belt in the south of the Borough as part of the development strategy in Policy S1 but also carry out a review of the Green Belt as part of this Local Plan in accordance with the NPPF. Such a review need only concentrate on the larger settlements in the south of the Borough which have the more significant levels of services to support housing growth – other than the minor infill that is otherwise suggested. The settlement of Wilmington given the range of services available should be one of those settlements where a Green Belt review of its boundaries to identify sites should take place and reference to such settlements should be added to Policy M9. Without such a review it is highly likely that the Green Belt boundary currently proposed will have to be changed and that is contrary to paragraph 142 of the NPPF. Therefore, the strategy in relation to distribution of new housing and a Green Belt review would not be sound for the purposes of paragraph 142 of the NPPF.

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Whilst it is logical for the Local Plan to use the '2017' figure as a major plank of its justification for the generation of dwelling requirements, it is a starting point for the calculations and there are other material factors that may result in the 2017 figure being amended. In this regard, a number of factors would need to be discussed further. These include:

- i. Whether the 2017 figure proposed within the 2021 to 2037 period genuinely can be said to represent a 'significant boost' in housing land supply in accordance with the key objectives of the NPPF. In this regard, Policy CS10 of the existing Core Strategy sought to provide up to 865 dwellings per annum in its Plan period between 2006 and 2026. The September 2021 Residential Requirement Report (Fig. 3) submitted as part of the evidence base to the Local Plan Review confirms that the completion rates of dwellings in the ten year period from 2002 to 2012 was 724 dwellings per annum. Therefore, notwithstanding the fact the Council says it has a high level of housing commitments, ie planning permissions and extant allocations, the actual delivery rate of development in the past has not achieved the Core Strategy requirements. An increase in the



Local Plan housing requirement to circa 790 dwellings per annum is only some 65 dwellings per annum more than the Council has been completing on average in the last ten years.

Kitewood doubt whether an additional provision in policy terms of around 65 dwellings per annum could be described as a significant boost to housing land supply in accordance with the NPPF. A continuation of the 865 dwelling per annum requirement in the current Local Plan (which was one of the options considered in the Preferred Options document published in 2020) would be more likely to be regarded as such a 'boost' to make the Plan 'sound'.

- ii. The issue of the potential contribution that Dartford Borough (alongside other boroughs in northern Kent) could make to the potential 'overspill' of housing need from Greater London has not been factored in. You will be aware that in his letter of 29 January 2021 to the Mayor of London, the then Secretary of State for Housing, Communities and Local Government commented asked the Mayor *'to work closely with those authorities that surround London to develop a strategy to help alleviate the housing pressure that is faced both inside and immediately outside the capital.'* Dartford is very closely related to Bexley and Bromley in particular. Indeed, the Dartford and Ebbsfleet Housing Needs Assessment – October 2019 states: *'To the west of Dartford are the London Boroughs of Bexley and Bromley, ...[and] in order to plan for longer-term contingencies, 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 (1.27).'* This suggests that it would be advisable to factor into the strategy a provision of either reserved housing sites or (in connection with the Green Belt strategy referred to above) the removal of sites from the Green Belt that would only be developed should need arise. Again, the Council may say that those matters could be picked up in a review of the Plan – but that does not obviate the need to look at the potential of release of land from the Green Belt as 'white land' in due course in accordance with the NPPF.

So overall Kitewood suggest that the Council should review upwards the annual housing land requirement figure based on the starting point of the OAN so that it constitutes a significant boost to housing land supply rather than actually being 75 dpa less than the current Core Strategy required annual rate and only 65 dwellings per annum higher than completion rates over the last ten years.

### 3. Housing delivery

The Council provide in appendix C of the Local Plan Review the trajectory for annual delivery on all committed housing sites.

It is not the purpose of these representations to go through each site and to comment on the accuracy of the likely delivery of each of the allocated or committed sites. However, in general Kitewood do have concern about the realistic delivery on a number of the key sites and the Council should rigorously review the robustness of the assumptions that have been made. This particularly relates to the following sites:

- The various allocations comprising the Ebbsfleet new settlement.
- The Ashmere site phases 3, 4, 5 and 6.
- The Priory shopping centre site in Dartford.
- The Orchard shopping centre.

The allocated sites at Dartford (Westgate D4, Lowfield Street D5 and the Priory Centre D6) and Ebbsfleet (E4 & E5) deliver some 49% of the overall assumption for new allocations within the Plan period. Whilst Kitewood do not object to the allocation of these sites in principle, the delivery rates

in the past at Ebbsfleet have not been at levels that would enable a conclusion to be made that these sites will come forward as envisaged in the trajectory. Delivery rates in the last 10 years have been less than those required in the Core Strategy.

Kitewood has doubts about the genuine ability of the Dartford town centre to provide significant amounts of new housing. The three main allocated sites are mixed use development sites which also rely on the provision of significant retail and office uses, the market for which has been substantially altered over the last number of years.

It is also the case that in the annual trajectory figures (in appendix C) demonstrate that the annual OAN requirement of 790 dwellings would not be achieved in 10 of the 16 years of the Plan period. The Council is assuming that it will be 2024 before the significant delivery of the larger sites at Ebbsfleet and elsewhere will enable the Council to 'catch up' on the under-provision in the early years of the Plan – and after three years of good delivery (2022/4 to 2025/6) supply this falls until 2032. This situation in itself does not represent an adequate and continuous supply of housing land in accordance with the NPPF.

This situation is likely to mean additional sites should be allocated that could be developed in the short term and throughout the Local Plan Review process. It is often the case that brownfield land (which is the Council's principal source of housing) takes longer to be delivered because of difficulties on matters such as contamination; access; ownership etc. If the Council is required to provide for sites for housing development at various points in the Local Plan period these need to be free from constraints so would typically be either smaller sites or greenfield sites. Whilst this may be unpalatable for the Council in the context of its current strategy, the over-riding objective of Government policy in the NPPF is to provide for a significant boost to housing supply. Kitewood's view is the current Local Plan fails to do that over the Local Plan period including the early years as is evidence by the trajectory. Hence it is suggesting changes in terms of strategy, potential housing provision in selected Green Belt locations and anticipation of future development needs that result in a selective approach to Green Belt review around the larger sustainable settlements in the southern part of the Borough.

### **Proposed changes to policy/strategy requested**

On the basis of the above, we request the following changes to the emerging Local Plan:

1. Amendments to Spatial Policy S1 to refer to a Green Belt review and that land released from the Green Belt in the larger settlements to be able to be developed in line with Policy M9.
2. An increase in the housing requirement in Policy S4 of 790 dwellings pa.
3. Reference to Wilmington in Policy M9 as a larger settlement where housing development is sustainable.
4. Reference to the potential need to accommodate some of London's housing needs within the plan period.