

Dartford Borough Council

FAO Ian Kemp (Programme Officer)

29 September 2022

Dear Sirs

Dartford Borough Local Plan Examination – Stage 2 Hearing Arrangements

Further to the representations made in 2021 by Savills on our behalf find set out further observations regarding the Inspector's Matters, Issues and Questions Stage 2.

Matter 3: The Spatial Strategy and the distribution of development

Spatial Strategy

Q33. 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?

- London Resort Company Holdings Limited ('LRCH') supports the overall spatial strategy but remains critical that the policy framework for Swanscombe Peninsula (the majority of which lies within the Order Limits for the London Resort Development Consent Order) which fails to provide a positive or effective basis for bringing forward development on this critical previously-developed post-industrial site.
- Additionally the site is also subject to a Planning Act (2008) S.35 direction and whilst the DCO application has been withdraw, LRCH still intends to re-submit revised proposals.
- The site also lies within the boundary of the Ebbsfleet Development Corporation.
- We are aware that Swanscombe Developments have commented in detail that the site has long been identified as a key strategic development site and subject to a number of policy statements including:
 - The Thames Gateway Planning Framework (2003) and the subsequent Thames Gateway policy and latterly the Thames Gateway Strategy.
 - Thames Waterfront Priority Area under the Dartford Core Strategy (adopted September 2011).
 - Ebbsfleet Development Corporation ('EDC') (2015).
 - Thames Estuary 2050 Vision.
- The site's continued identification as an important policy objective is testament to the high quality proposals being promoted by LRCH which will:

- Regenerate a former industrial site; and
- Remediate industrial waste including cement kiln dust and provide a long term solution to the existing ground contamination;
- Retain and improve important ecosystems and habitats (we are not developing all the site!) which without careful intervention will continue to evolve and become considerably less important. This is something that Natural England have failed to recognise instead making unrealistic assertions as how to heavily contaminated site could be managed with naïve notions of grazing cattle etc!
- Create at considerable expense offsite mitigation to compensate for disruption on the peninsula which will deliver significant bio-diversity net gain (BNG) at scale (over 700 acres) within 30km of the site.
- Our proposals provide a perfect solution to resolve the now obvious tensions that will grow between Natural England and The Environment Agency by remediating the site and compensating for any adverse affects whilst also delivering significant social value to the area. A win, win win! This was clearly articulated within the London Resort DCO application and subsequent updates.
- LRCH's Nationally Significant Infrastructure Project ('NSIP') designation remains extant, meaning that a new Development Consent Order ('DCO') submission could be made in accordance with regulations.
- The Council's approach to promoting the site without any reference to the London Resort is at the least curious but at the worst inappropriate and we respectfully request that Policy S1 recognises the Resort proposals.

S37. Is the focus of the Spatial Strategy on large-scale brownfield sites justified?

- The Spatial Strategy focus on previously-developed sites, including Swanscombe Peninsula, is appropriate.
- The Kent riverside area remains an important and unique opportunity for regeneration both locally and nationally. It is important that the Dartford Local Plan recognises its importance nationally and regionally particularly where development of sites such as the Peninsula provide countless benefits and not just socio-economic.
- SDLLP raise important points which we reiterate:

"Paragraph 11 of the National Planning Policy Framework ('the Framework') recognises that improving the environment and making effective use of land are key plan-making objectives and should be reflected in plan policies. There is also a need to recognise that some compromises may be necessary to secure the wider regeneration benefits of the regeneration of those sites. The development management process allows for those compromises to be identified, appraised and balanced during decision -making – a process again recognised in paragraph 11 of the Framework (and in particular, in limb (ii) of clause (d)) which recognises

that national designations may, in demonstrable cases, be outweighed by other material benefits. Paragraph 174 of the Framework further notes that establishing resilient ecological networks (bullet (d) and remediating despoiled, degraded and contaminated land (bullet (f) are policy objectives. Paragraph 179 further notes the importance"; and that

"Policy S1, as it relates to Swanscombe Peninsula, is therefore not consistent with national planning policy (nor indeed with other policy initiatives such as the Thames Estuary growth framework); neither is it justified on the basis of the clear need for regeneration at Swanscombe Peninsula (in a Resort-off policy framework as set out by the Council). In particular, bullet 5 fails to recognise the provisions of Paragraph 11 of the Framework, neither does it recognise the provisions in paragraphs 174 and 179 of the importance of safeguarding ecological interests in the longer term, as well as securing environmental improvements to degraded land, particularly where that requires application of the planning balance."

We would conclude that that the Council's decision to set aside the prospects for the London Resort are inconsistent with the NSIP status which the project continues to benefit from and ignore the opportunity the Resort proposals present to resolve long term environmental issues.

Yours faithfully

A handwritten signature in blue ink, appearing to read "LRCH".

LONDON RESORT COMPANY HOLDINGS LIMITED