

# Examination of the Dartford Borough Local Plan

Statement on behalf of Taylor Wimpey UK Ltd

Matter 3 – The Spatial Strategy and the Distribution of Development

September 2022

**Turley**

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**Client**

Taylor Wimpey UK Ltd

**Our reference**

TAYS3108

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## Introduction

- 1.1 This statement is submitted on behalf of Taylor Wimpey UK Ltd for purposes of the Examination of the Dartford Borough Local Plan.
- 1.2 The statement responds to the Inspectors' Issues and Questions for Matter 3 – The Spatial Strategy and the Distribution of Development.
- 1.3 The concerns outlined by our client at the Regulation 19 stage, on issues pertaining to the plan's legal compliance and soundness, have not in our view been overcome thus far. If anything, the documents published by the Council for examination purposes serve to highlight the deficiencies evident in the production of the plan now submitted.
- 1.4 Accordingly, we have examined the Inspector's questions for Matter 3 and provide responses to those we wish to contribute to debate on. We have also respectfully requested the opportunity to participate in the forthcoming hearing sessions to assist the Inspector further on such matters.

# Response to Issues and Questions for Matter 3 – The Spatial Strategy and the Distribution of Development

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

## *Spatial Strategy*

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

- 2.1 As we contend in our Matter 2 and Matter 9 Statements, the Council have not identified sufficient housing land supply to meet objectively assessed needs for the 15 years period post anticipated adoption of the Local Plan to 2038. The Council is also unable to meet its own need for affordable housing, and was in receipt of formal requests for assistance with unmet housing needs from Gravesham and Sevenoaks Councils before formally submitting their Local Plan for independent examination.
- 2.2 As set out in our Matter 2 Statement, the Council's approach to assessing and testing appropriate growth strategies is predicated on the availability and suitability of brown field sources of supply only. This runs to the heart of the scope of the SA for the Local Plan and the commissioning of its evidence base at the outset. This includes the Council's decision not to commission a Green Belt assessment as part of the early stages of local plan production process. This appears to have been informed by a predetermined assumption that exceptional circumstances did not exist to justify assessing the contribution of Green Belt site options.
- 2.3 As outlined in our Matter 2 and Matter 9 Statement, there are several grounds to suggest there is a need for an upward adjustment to the boroughs housing requirement, other than just for unmet needs of adjoining LPAs, that would have justified an exceptional need to at least assess such options.
- 2.4 Contrary to paragraph: 010 Reference ID: 2a-010-20201216 (NPPG, 2020)], that guides LPAs to ensure their housing requirement are, '*.....assessed prior to, and separate from, considering how much of the overall need can be accommodated (and then translated into a housing requirement figure for the strategic policies in the plan).*', the Council appear to have proceeded with a predetermined assumption that exceptional circumstances do not exist to justify assessing Green Belt site options.
- 2.5 As set out in our Matter 2 Statement, this is evidenced throughout the Local Plan consultation stages. For example, Paragraph 2.50 of the Pre-Submission Local Plan (Feb 2021) instead confirmed that the borough housing requirement:

*'Is directly based on the actual developable supply of housing land (for over 10 years ahead, with additional supply in later years), accounting for the confirmed Dartford capacity to achieve sustainable new homes in the Borough (see Table 1 below);'*

2.6 Again, at paragraph 2.51, the Council confirmed:

*'This capacity led strategy has already enabled a substantial uplift in housing delivery at planned locations.'*

2.7 Paragraph 4.109 of the Sustainability Appraisal (LUC, July 2021) accompanying the submitted Local Plan asserts the Council have tested (without the benefit of a Green Belt assessment) an alternative option including Green Belt lands and concluded this to perform worse than others. This alternative option comprises 1D, as referenced at Appendix C, to 'Reject a brownfield land focus, in favour of new growth locations elsewhere in the Borough, including more dispersed development that may include locations within the Green Belt.'

2.8 This is not in our view a 'reasonable alternative', it is an extreme and unreasonable alternative that predictably results in more negative effects when compared with others tested. We would not advocate rejecting a brownfield land focus, as this would be contrary to national guidance. Rather we advocate a balanced approach, with reasonable Green Belt site options tested to assess what contribution and benefit could be derived from such sources during the early iterations of the plans production, when housing need and supply considerations were still in a state of flux.

2.9 Contrary to national guidance therefore, the housing requirement the local plan strategy is based upon appears to have been very much led by the availability and capacity of existing suitable, deliverable, and developable brownfield sites, rather than housing need. Devising a housing requirement and distribution strategy based solely on the availability and capacity of suitable non-Green Belt sites, does not consider actual needs, nor where the borough needs such development and infrastructure to occur in the future.

2.10 As detailed in our Regulation 19 representations (Policy S4), we contend DBC are not only providing insufficient housing to meet their own needs, particularly for affordable housing, they have also not made any meaningful attempt to agree a joint strategy to address known unmet needs with their neighbours.

2.11 As outlined in our Matter 1 Statement, and contrary to NPPG Paragraph: 018 Reference ID: 11-018-2014030, the Council have not therefore tested 'reasonable' alternatives to their urban supply-based housing requirement, one that makes a concerted effort to assess options for meeting more of their own needs in full, within the plan period, or the potential to assist neighbouring authorities meet their unmet needs in accordance with paragraph 35 of NPPF.

2.12 In the spirit of forging a positively prepared plan, there was more than sufficient justification in our view to commission an assessment of the contribution Green Belt releases could make to meeting such needs over the plan period. This could have been tested as reasonable alternatives through the SA process, to help arrive at a reasonable strategy to progress to submission. Deferring such considerations to a later review is

not in our view consistent with paragraphs 35 or 140 of NPPF, as the plan's strategy is neither positively prepared nor likely to endure the plan period as a consequence. As we set out in our Matter 1 Statement, neither do we consider this is compliant with the SEA Regulations. These matters should be revisited through the modification stages of the Local Plan, and additional sites allocated accordingly.

- 2.13 In this respect, we respectfully recommend lands abutting the south eastern edge of Dartford, west of Hawley Road, north of the A2, are included in such assessments (SHLAA Ref: 237 & 178). The site is well located on a main public transport corridor into Dartford, abutting a main employment area with access to a range of local services and facilities. The site is highly sustainable and well suited to residential development, and our initial site assessments and master planning indicates there are no known overriding constraints to its delivery early within the plan period.
- 2.14 The site is contained by the existing urban area, Hawley Road and the A2, which act as strong, logical, and defensible boundaries to realign Green Belt boundaries toward. We therefore commend this site for reassessment as part of a suggested modification stage to the plan. This should be accompanied and informed by a revised SA process that is objective in setting reasonable alternative strategies to test. The current SHLAA assessment of these sites (Ref: 273 & 178) concludes there to be no overriding constraints to its delivery for housing, but classifies them as unsuitable owing to a 'policy-on' presumption against the release of Green Belt. As outlined above, we contend there are strong grounds to support the need to release these sites. They are well located and suited for release, and are importantly of a scale capable of being delivered in the first five years of the plan period.

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

- 2.15 No. As elaborated upon in our Matter 9 Statement, we contend the Council have not identified sufficient land supply to meet objectively assessed needs for the 15-year period post anticipated adoption of the Local Plan to 2038. The housing land supply is heavily reliant on large complex brownfield sites, with little or no contingency or slippage allowance built in to assure a continuous rolling supply over the plan period. Even with this reliance, the supply of land identified for housing is insufficient to meet objectively assessed needs over the relevant 15-year period.
- 2.16 Given the evident shortfall in the plans land supply provisions, the lack of contingency built in to ensure evidenced needs are met within the plan period, the mounting levels of unmet needs in adjoining authorities, and the unmet needs for affordable homes in the Borough, we would suggest that there are exceptional and compelling grounds to explore the contribution that modest, suitable, and deliverable Green Belt sites could make in addressing the shortcomings of this plan. We elaborate further on this in our Matter 9 Statement, re-iterating the need for additional sites (inc. Green Belt) to be assessed, identified, consulted upon, and allocated through the Modification Stages of the Local Plan.

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