

DARTFORD LOCAL PLAN

Inspector's Initial Questions 2 – 7, Duty to Cooperate: DBC Response (Paper A)

March 2022

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Questions 2 and 3

2. The Duty to Co-operate Compliance Statement [ref COR-11] provides an overview of the cooperation that has taken place between Dartford Borough Council (DBC) and Gravesham Borough Council (GBC). Specifically, Document COR-11 includes reference to a request made for DBC to accommodate a proportion of GBC's housing needs that it will not be able to provide within its own administrative boundary. The Duty to Co-operate Statement of Common Ground [SCG-2] goes on to confirm that there is disagreement between the authorities regarding whether or not DBC is in a position to contribute towards any unmet housing need from Gravesham.

3. Based on the information provided, GBC formally requested help from DBC in meeting their housing needs as far back as 2015. The Duty to Co-operate evidence demonstrates that in 2020 the Council held meetings with GBC, however, what went before this? How did discussions held prior to 2020 inform the preparation of the Plan? Is any further evidence available covering any discussions held on this matter between 2015 and 2020?

Introduction

- 1.1 The relevant submitted evidence comprises the Duty to Cooperate Compliance Statement and 7 Statements of Common Ground (COR-11 to COR-14 and SCG-1 to SCG-7). In addressing the Inspector's Initial Questions 2 to 7, these documents are supported by other primary evidence relevant to duty to cooperate actions and further evidence contained in appendices 3A, 3B, 5A, 6A and 7A related to this document.
- 1.2 The evidence shows that Dartford Borough Council (DBC) has engaged in constructive, active and on-going cooperation with partners on strategic matters. This has occurred throughout the Local Plan Regulation 18 and Regulation 19 stages, with there having been a significant amount of strategic engagement with partners pre-2020, as illustrated in this document and in Appendix 1 of the Duty to Cooperate Compliance Statement (COR-12).
- 1.3 Focusing on Gravesham Borough Council (GBC), there is a long record of duty to cooperate meetings, correspondence and engagement on Local Plan consultations. Relevant to the preparation of the Dartford Local Plan and GBC's preliminary request for DBC to help meet its housing needs in 2015, key information can be found in the following locations:
 - Appendix 3A includes all documented notes of meetings and correspondence from 2015-2019 inclusive. It also includes DBC's and GBC's responses on Local Plan consultations from 2015-2020 inclusive;
 - The Duty to Co-operate Compliance Statement and separate Appendix 6 previously submitted (COR-11 and COR-14) include information and notes from the meetings held between DBC and GBC in 2020 and are not repeated in Appendix 3A; and
 - Appendix 3B includes a summary of relevant information from all meetings, correspondence, DBC's responses on the Gravesham Local Plan consultations, GBC's responses on earlier Dartford Local Plan consultations, plus summaries of relevant information from the Gravesham Local Plan consultation documents.
- 1.4 Section 2 of the Duty to Cooperate Compliance Statement (pages 5-17 of COR-11) outlines factual local context for working up agreements in Statements of Common Ground. It notes the impact of the timing of the preparation of Local Plans for neighbouring authorities (see Table 1 on page 7 of COR-11) and the availability of data to inform Duty to Cooperate negotiations. One aspect throughout the progression of

the Dartford Local Plan has been limited clarity and information available on housing capacity and need in the wider area. This has driven DBC's further discussions with partners over several years, and the continued requests for additional dialogue and information. Nevertheless, which areas neighbouring DBC will or will not meet their own housing need remains unclear.

- 1.5 Positive discussions and areas of agreement have been secured by DBC across strategic matters with a range of councils and partners as outlined in Statements of Common Ground (SCG-1 to SCG-7). DBC has constructively sought ongoing clarification, however there is not full certainty. This can largely be attributed to the fact that not one Local Plan in the adjoining area has been adopted following the adoption of the Dartford Development Policies Plan in 2017, albeit noting that the London Plan came into force in 2021.
- 1.6 Working collaboratively with partners, DBC has taken a proactive approach to these challenging circumstances, sharing and taking on board available information to enable the Local Plan to progress and reach agreements with partners. DBC has been consistently positive in intent with all partners, maintaining negotiations and relevant options with partners to confirm and demonstrate agreements. Progress on the Dartford Local Plan has brought to light valuable factual data that has been constructively applied to help secure agreements. An example is the housing market links between the London Borough of Bexley and DBC identified in the Dartford and Ebbsfleet Residential Needs Assessment and Update (page 19 of HOU-7 and page 13 of HOU-8) which has guided the housing agreement in the Statement of Common Ground with the London Borough of Bexley (page 7 of SCG-1).
- 1.7 The Submission Dartford Local Plan and associated Statements of Common Ground will contribute to addressing unmet housing needs in the wider area which will provide greater certainty and can support other Local Plans to make progress. The Plan (COR-1) includes an allowance by DBC for wider unmet housing needs. Confirmation of the housing supply by DBC towards unmet needs through Local Plan adoption would then enable Statements of Common Ground to be updated. The current agreed Statements can be refined to allocate the scale of contribution towards their individual housing requirement. Through such a framework it is expected the recipients of a housing contribution by DBC towards one or more other area would be confirmed, anticipated to be the London Borough of Bexley/ Gravesham Borough/ Sevenoaks District.
- 1.8 Monitoring of the progress on this and new Local Plans (confirming housing re-allocation details through updated Statements of Common Ground) is part of the implementation of the Plan outlined in Local Plan section 6. The submitted Dartford Local Plan (COR-1 paragraph 6.12) highlights this will be part of Annual Monitoring Report in respect of Duty to Cooperate outcomes, and DBC will also monitor it on an ongoing basis to inform its strategic planning actions. This data, housing information, and plans adopted by neighbouring authorities, will be significant; and are also factors that can trigger a review of the new Dartford Local Plan (Local Plan paragraph 6.18).
- 1.9 The sections below set out information on:
 - the uncertainty on the progress, timescales and direction of the Gravesham Local Plan;
 - the insufficient actions and information prepared by GBC to confirm a housing request;
 - the failure by GBC to produce sufficient evidence and consider development options to show that it is unable to accommodate its own housing needs within its existing urban area; and
 - how the discussions informed the preparation of the Dartford Local Plan.

Gravesham Local Plan Progress, Timescales and Direction

- 1.10 There has been ongoing uncertainty on the progress, timescales and direction for GBC to meet the commitment in the Gravesham Core Strategy to identify sufficient land supply to meet its housing needs. DBC has consistently sought to clarify the position. The Gravesham Local Plan Core Strategy was adopted in October 2014 and set out the intention to carry out a revised SLAA (Strategic Land Availability Assessment), a new Strategic Housing Market Assessment, a review of development opportunities in the existing urban area and rural settlements inset from the Green Belt and a Green Belt boundary review (see relevant excerpts in Appendix 3B).
- 1.11 The last published Gravesham Local Development Scheme (LDS) available on GBC's website as at 15/02/2022 dates from October 2019 and is out of date in respect of the timetable for the Gravesham Local Plan¹.
- 1.12 Regarding emerging evidence, officers of DBC attended workshops in 2015 and 2016 on the Gravesham SHENA (Strategic Housing and Economic Needs Assessment) (see letter from the leader of GBC dated 03/08/2018 in Appendix A). To confirm, the June 2015 housing needs letter relied on by GBC was sent prior to the interim and key findings from this work being known.
- 1.13 The outputs from studies (including a draft SLAA, the SHENA, a broad locations assessment and a green belt study) were not made public or available to DBC until Gravesham's stage 1 Regulation 18 consultation on Site Allocations Issues and Options which took place nearly three years later in April 2018 (see Appendix 3B for a summary of this consultation). This followed direct DBC requests to see what evidence GBC holds (for one example, see Appendix 3A DBC letter 1/11/2017).
- 1.14 The uncertainty of GBC's Local Plan way forward became apparent over the course of discussions with GBC. At meetings between GBC and DBC (Table 1 below), GBC had previously advised of the timescales for the first Gravesham Local Plan Regulation 18 consultation as follows:

Table 1: GBC Estimates of its first Local Plan consultation

<i>Meeting Date</i>	<i>GBC's Anticipated Stage 1 Local Plan Reg 18 Timescale</i>
20/10/2015	Spring 2016
26/01/2016	After Easter 2016
27/04/2016	Consultation delayed due to delay to the SHENA
06/09/2016	Late 2016 due to delay to the SHENA
25/09/2017	After Cabinet have considered in December 2017
26/02/2018	April 2018
28/03/2018	April 2018

The full notes of the meetings are contained in Appendix 3A.

- 1.15 The Gravesham stage 1 Local Plan consultation eventually took place in April 2018, two years later than first stated to DBC. The Part 1 Site Allocations Issues and Options document referred to a shortfall in housing needs over the period to 2028 and set out six options for growth, one of which related to urban intensification and the other five of which related to development in the Green Belt. Discussions were active and DBC raised constructive queries over a number of matters, including the potential future strategy and the dismissal of urban development options without adequate

¹ Available at <https://www.gravesham.gov.uk/home/planning-and-building/local-plan/local-development-scheme>

assessment. Further detail on the consultation and DBC's response are set out in Appendices 3A and 3B.

- 1.16 Despite further attempts by DBC to confirm what GBC's position was, the timescale uncertainty around the progress and direction of the Gravesham Local Plan site allocations continued. This is outlined below (Table 2):

Table 2: GBC Estimates of its second Local Plan consultation

<i>Meeting Date</i>	<i>GBC's Anticipated Stage 2 Local Plan Reg 18 Timescale</i>
18/05/2018	After election in 2019
16/04/2019	End 2019
12/06/2019	Late 2019 (followed by Reg 19 autumn 2020, submission early 2021)
20/09/2019	Jan 2020 (followed by Reg 19 summer 2020, submission early 2021)
27/01/2020	Delayed for 6-8 weeks for Cabinet
30/06/2020	Autumn 2020

The full notes of the meetings are contained in Appendix 3A of this document and Appendix 6 of the Duty to Cooperate Compliance Statement (COR-14).

- 1.17 The Gravesham stage 2 consultation on the Core Strategy Partial Review and Site Allocations eventually took place in October 2020, again after significant uncertainty and delay. This document now referred to dwelling requirements for the period 2020-2036. It repeated the six growth options put forward at the previous consultation, stating that none of them gained particular support, but ruled out the free-standing settlement option. The document did not provide any further clarity, for instance on the spatial approach being taken forward; it included four further options on the distribution of development.
- 1.18 DBC was active and raised a number of matters arising from this second (and most recent) consultation. This included comment that the slow progress leads to ongoing uncertainty and a lack of clarity in relation to the location of future development and the longstanding regeneration strategy for the area. DBC was constructive in suggesting that the strategy lacks sufficient focus on bringing forward new development in the Gravesend/ Northfleet urban area and fails to maximise development opportunities in and around Gravesend town centre. Further information on the Gravesham plan consultation and DBC's response are contained in Appendices 3A and 3B.
- 1.19 Further illustration of DBC's continuing ongoing efforts are within the submitted Compliance Statement documents (COR-11 to COR-14). For instance on DBC efforts to clarify the GBC Local Plan situation, at the meeting on 09/02/2021, GBC did not provide a date for carrying out the Regulation 19 consultation and indicated that further evidence was being produced. On 10/08/2021, GBC indicated that due to a delay with the transport modelling work, the Regulation 19 consultation would take place in early 2022.
- 1.20 It is clear from the above that major questions remain over many aspects of the GBC Local Plan review, the commitment for which was first set out in the 2014 adopted Gravesham Core Strategy. This reflects the continuing lack of credible information on housing capacity and needs which remain despite DBC queries and suggestions. Whilst the indication was that the Regulation 19 consultation will take place in early 2022, it is not clear to DBC if this will occur soon.
- 1.21 The ongoing delays and uncertainty in the progress of the Gravesham Local Plan review, its scope and its underpinning evidence is a principal issue of concern,

including to DBC, which has led to a sustained series of actions and efforts by DBC to confirm the position and actions GBC intend to take. Whilst in 2015 GBC made a preliminary request, there is no evidence or credible strategies to demonstrate that there is, 7 years later, unmet housing need within their Local Plan.

Further information/ Evidence to support a request

- 1.22 Following GBC's request for DBC to enter into preliminary discussions with GBC on GBC's housing needs in June 2015, DBC requested further information and GBC officers have previously committed to providing information, a significant part of which has never subsequently materialised. The following meetings (Table 3), correspondence and responses to Local Plan consultations are especially relevant in this respect, further information on which is contained in Appendix 3A and in Appendix 6 of the Duty to Cooperate Compliance Statement (COR-14):

Table 3: Evidenced GBC commitments to further information

<i>Date and Format</i>	<i>DBC Information Request/ GBC Specific Commitments</i>
05/08/2015 DBC Response to GBC Housing Request	<ul style="list-style-type: none"> • DBC suggest the development of a framework for issues to be discussed and a timetable • DBC need an understanding of the individual studies being undertaken and timetables for taking the studies and the plan forward • DBC consider there is a need for a mechanism involving both officers and members to consider the issues
13/11/2015 GBC-DBC Meeting	<ul style="list-style-type: none"> • GBC to confirm what information will be available when in the run up to Member approval of consultation in 2016 • GBC agreed to try and find examples of the practical issues that arise if one authority agrees to take another authority's housing need
27/04/2016 GBC-SDC-DBC Meeting	<ul style="list-style-type: none"> • GBC to pull together a briefing paper on mechanics used by local planning authorities in respect to unmet requirements from neighbouring authorities
01/11/2017 DBC Letter to GBC	<ul style="list-style-type: none"> • DBC request sight of key evidence informing the Gravesham Local Plan, particularly the SHENA (N.B. This was subsequently made available for the Gravesham Stage 1 Reg 18 consultation in April 2018)
11/07/2018 DBC Response on Gravesham Local Plan Stage 1 Regulation 18 Consultation	<ul style="list-style-type: none"> • DBC have previously raised the cross boundary practicalities but no briefing paper on mechanics used by other planning authorities or framework to consider the issues has been provided. • DBC set out the matters to be addressed include: <ul style="list-style-type: none"> • Clear functional rationale for exporting GBC's housing need to DBC • Implications for delivery of infrastructure and Council services in Dartford² • Implications for Development Management operations and housing land supply/ housing delivery tests
03/08/2018 GBC Letter from Leader to DBC Leader	<ul style="list-style-type: none"> • GBC officers will continue to work on the evidence base to make as much use as possible of suitable brownfield sites and under-utilised land and optimises the density of development

² In this respect, it should be noted that the Planning Practice Guidance states that "Authorities which agree to take additional housing from other areas may in turn require investment in infrastructure provision to support this..." (Paragraph: 016 Reference ID: 61-016-20190315)

<i>Date and Format</i>	<i>DBC Information Request/ GBC Specific Commitments</i>
	<ul style="list-style-type: none"> • If after further evidence gathering and due process it is not possible to accommodate required development in the urban area or inset villages a formal approach to meet unmet need would be made by GBC to its neighbours.
23/01/2019 DBC Letter to GBC	<ul style="list-style-type: none"> • DBC reiterated previous requests for information on 05/08/2015 and 11/07/2018, stating that nothing on these matters had been received • DBC referred to the needs for a functional justification, and how infrastructure needs and development management issues should be addressed.
16/04/2019 GBC-DBC Meeting	<ul style="list-style-type: none"> • DBC reiterated that it had previously sought the following information: <ul style="list-style-type: none"> • Clarity on the amount of housing being requested • When this is required to cover • The evidence based justification for this (rationale for focus on Dartford, robust explanation in relation to Gravesham's need and capacity) • Infrastructure and DM impacts/funding • Showing consideration of opportunities to meet need further out in Kent, e.g. Medway and beyond (given that Dartford is also a Green Belt authority and also as most people migrate eastwards) etc • GBC anticipate supplying further information in summer 2019
12/06/2019 GBC-DBC Meeting	<ul style="list-style-type: none"> • GBC states that in-house work considering options for increasing densities, capacities and an updated SHLAA is ongoing and will be made available for the next round of consultation • GBC request and DBC's response seeking more information remain • GBC will publish the evidence at the next Reg 18 consultation but may be able to provide outputs/ more information prior to this • GBC confirmed no additional infrastructure funding would be forthcoming
27/01/2020 GBC-DBC Meeting	<ul style="list-style-type: none"> • As the Gravesham plan progresses, further information will be provided to DBC. DBC referred to the need for information in relation to urban capacity, functional rationale of planning housing for people moving from GBC to DBC, infrastructure funding, risks and implications for DM, e.g. if tipping DBC towards no five year supply. • DBC encouraged GBC to address these matters in its response on the current DBC plan consultation • GBC are commissioning a Development Capacity Study

- 1.23 Whilst the Gravesham Local Plan consultations have been supported by the sometimes belated release of evidence, including the SHENA and the SLAA, this has not resulted in the necessary clarity and confirmation on potential unmet need and the commitments to provide information by GBC set out above. DBC recognises that there was a request for preliminary discussions from GBC in 2015, and the prospect of a formal request expressed in 2018 by GBC (contingent on further evidence and due process work) in respect of accommodating its housing need (see Appendix 3A page 82) and has acted accordingly in an ongoing and constructive basis.

Gravesham Approach towards its own housing needs

- 1.24 DBC does not consider that GBC has produced sufficient or robust evidence nor properly considered the available development options to show that it is unable to accommodate its own housing needs within its existing urban area, this is all in spite of constructive and positive DBC actions. These circumstances with GBC are vital in the context of paragraph 125a of the NPPF which requires plans to optimise the use of land in their area and meet as much of the identified need for housing as possible. In this respect, DBC considers that GBC needs to provide clear and up to date information on its Local Plan, particularly in relation to:

- Maximising development in its urban area
- Viability
- Sources of housing land supply

Each of these are considered in more detail below.

Maximising Development in the Urban Area

- 1.25 DBC has on several occasions been constructive in raising the issue that GBC has not given due consideration to all potential sites and maximising the development of sites within the Gravesham urban area to meet the government's national policy objectives, minimise the need to release Green Belt and minimise the need for neighbouring authorities such as Dartford to have to consider meeting unmet needs in Gravesham. DBC raised this on 11/07/2018 in respect of the SLAA that was produced to support the stage 1 Gravesham Local Plan Reg 18 consultation. In the meeting held on 27/01/2020, GBC indicated that they were about to commission a Development Capacity Study but this evidence has not subsequently materialised. In the absence of this evidence, on 31/12/2020 DBC responded on the stage 2 Gravesham Local Plan Reg 18 consultation that it is not clear that Gravesham has thoroughly considered all available options for maximising the redevelopment of sites and density of development in the urban area.
- 1.26 At the meeting held on 09/02/2021, GBC indicated that they have not carried out the urban capacity work previously anticipated as this was overtaken by the Crossrail to Ebbsfleet work. A business case for this project was submitted to government later that year. It remains unclear to DBC whether GBC will be publishing any evidence or positive policies which shows how they are seeking to maximise the development of sites in the Gravesham urban area.

Viability

- 1.27 GBC has repeatedly raised viability as a reason for being able to accommodate more development within the Gravesham urban area. The letter from the leader of GBC on 03/08/2018 referred to "viability issues and specific site constraints remain significant barriers on some sites and also to hinder higher densities" and "neither is the evidence showing that there have been significant changes in viability that would make higher density development in and around the town centre or on other brownfield sites attractive to the market – although this will be kept under review." This was also referred to in GBC's response on the Dartford Local Plan Strategic Issues on 20/07/2018 "...viability work strongly suggests that this would only result in limited additional housing numbers coming forward", and at the meetings on 16/04/2019 and 12/06/2019 "Site viability is a constraint on delivery" and "Not enough capacity in urban areas and issues of viability". In its letter dated 23/01/2019, DBC stated the following:
- "Gravesham has repeatedly raised viability as an issue. As per the guidance, this would suggest that policy constraints, including planning requirements and obligations, such as affordable housing, would need to be revisited. Up to date

intelligence is necessary to inform a view on viability and potential over the plan period.”

GBC has not provided evidence to suggest that it has carried out this work and the published viability evidence on which GBC is currently relying dates from January 2016. On this basis, DBC considers that it has been active and constructive in communication on the issue and GBC has not clearly established that there are valid viability reasons why it cannot meet housing needs by planning for higher density development in its urban area.

Sources of Housing Land Supply

- 1.28 Linked to the “Maximising Development in the Urban Area” heading above, DBC also considers that GBC has not sufficiently considered all sources of land supply within the urban area to meet its housing needs as required in national policy, both as part of its Local Plan development options and as part of its Strategic Land Availability Assessment.
- 1.29 DBC’s responses on the Gravesham Local Plan Stage 1 and 2 consultations, on 11/07/2018 and 31/12/2020 respectively, made reference to the need for GBC to consider the redevelopment of employment land and car parks before releasing large scale tracts of land in the Green Belt (and, by definition, seeking DBC to meet some of its needs). This shows a constructive, realistic and positive suggestion by DBC consistent with national policy. The response from GBC dated 03/08/2018 refers to Gravesham having the smallest economy in Kent and GBC’s Core Strategy policy approach towards protecting employment land. However, in its response on the stage 2 consultation, DBC maintains that it is not clear how the Core Strategy employment policy approach is performing.
- 1.30 It is highlighted that the last published Gravesham Authority Monitoring Report available on GBC’s website (as at 15/02/2022) is for the year 2016-2017³, meaning for employment development in particular, a major lack of any up to date consistent monitoring data. Furthermore, DBC responded constructively that GBC was proposing the release of some small scale employment sites for residential use so GBC should give serious consideration to the redevelopment of large scale employment areas within the urban area to meet its needs for residential development.

Conclusion

- 1.31 Overall on the GBC approach, as it has not appropriately addressed or quantified the available options to increase housing provision despite DBC’s constructive suggestions, DBC remains of the view that GBC has not confirmed or calculated a shortfall in meeting its housing needs. This is reflected in the Housing Market Area and Housing Needs section of the GBC-DBC Statement of Common Ground (page 8 of SCG-2).
- 1.32 This situation and actions by DBC striving to overcome the lack of certainty and information are highly relevant to taking forward GBC’s 2015 preliminary request in relation to discussing housing need; as is GBC’s letter dated 03/08/2018 stating that further evidence gathering and due process would occur before a formal approach to GBC’s neighbouring authorities would be made on meeting unmet needs. DBC has addressed these and continued to engage constructively, particularly to discuss and actively seek confirmation of what the position is (see Table 3 above for example).

³ See <https://www.gravesham.gov.uk/home/planning-and-building/local-plan/monitoring-and-housing-land-supply>

- 1.33 There is still an evident lack of clarity over important and strategic aspects of GBC housing needs and supply. On the basis of all currently available information following continued DBC requests for clarification, there are fundamental concerns about whether GBC's preliminary request from 2015 has been explained or justified and if it remains warranted and up to date in presuming unmet needs; particularly given national policy and the requirement in paragraph 125a of the NPPF.

How the discussions informed the preparation of the Dartford Local Plan

- 1.34 As set out in the sections above (paragraphs 1.10 to 1.33), to date there has been uncertainty on the progress, timescales and direction of the Gravesham Local Plan, insufficient information provided by GBC to support a request, despite attempts by DBC to clarify, and a failure by GBC to produce sufficient evidence and consider all available development options to show that it is unable to accommodate its own housing needs within its existing urban area (including after constructive suggestions by DBC). GBC's stated assumption that there would likely be some scale of potential housing shortfall in future has been actively addressed in engagement by DBC, but is set against that GBC expressed this 7 years ago and there has been scant evidence since, despite DBC requests to clarify what the position is.
- 1.35 As documented in this response paper (for example paragraph 1.8 above and paragraphs 4.2 to 4.6 below), the Appendices (including 3B) and submitted evidence including COR-11 to COR-14, DBC has remained engaged and has done so constructively, actively and on an ongoing basis throughout its Plan production. Table 3 above usefully outlines the nature of some of the constructive actions DBC has undertaken seeking clarification to inform its Plan. As examples: aiming to advance a collaborative framework and a range of approaches for productive and timely information exchange, to address practical queries and uncertainties, to make positive suggestions for additional productive work, to feedback on commitments so as to build understanding and agreement, and to gather specific/ up to date necessary data from GBC.
- 1.36 Within the signed Statement of Common Ground with GBC, there are important areas of agreement on some principal strategic housing and related matters, including the key cross-boundary issue of Ebbsfleet Garden City (see page 11 of SCG-2). This is a central and high profile part of the Local Plan, subject to extensive discussion for a number of years where there is agreement (see for example paragraph 3.44 of the Compliance Statement COR-11). Moreover, the DBC-Ebbsfleet Development Corporation (EDC) Statement of Common Ground confirms that the EDC consider that there has been appropriate and full opportunity for input by the EDC, GBC and Kent County Council to Dartford's Local Plan (see page 6 of SCG-6).
- 1.37 Informed by all Duty to Cooperate discussions, DBC also recognised there are other authorities who may end up not meeting their own needs in full. This important factor was explained to GBC e.g. see Appendix 3A meeting 12/6/19.
- 1.38 Therefore, in preparing the Dartford Local Plan, and also in negotiating Statements of Common Ground, positive regard was had to addressing the potential prospect of unmet wider housing needs. DBC has given serious consideration to the issue of potential unmet housing needs from elsewhere (see paragraph 2.2 below), and this has influenced the housing requirement in policy S4:3 of the Submission Local Plan (page 46 of COR-1). As well as a substantial number of duty to cooperate meetings with neighbouring authorities between 2015 and 2020 (COR-12 documents a weight of engagement in years up to 2020), DBC also carried out a range of other duty to cooperate activities during this time, including workshops on the evolving Dartford Local Plan and on the Dartford and Ebbsfleet Residential Needs Assessment. Further information on these is set out in paragraphs 3.7-3.8 and 4.4-4.9 of the Duty to

Cooperate Compliance Statement and accompanying Appendix 3 (COR-11 and COR-13). These activities informed the evidence and subsequently determined the content of the Local Plan.

- 1.39 The DBC spatial strategy, direction of the Local Plan, and positive approach to supporting plan-led growth in north Kent was also informed by ongoing engagement during several formative years of Local Plan preparation, confirming and addressing strategic issues. In this respect, a key part of submitted evidence is the Dartford Statement of Activities (COR-12) on the Duty to Cooperate showing the demonstrably constructive and collaborative approach of DBC from the outset, and a high volume of resulting informative engagement. This includes:
- Table 2 (COR-12 page 12) showing, for example, 147 identified discussions [to 2020] on the theme of accommodating development needs in the wider area, including direct dialogue with councils such as GBC on matters including housing need,
 - Paragraph 4.8 (COR-12 page 15) which states that “Overall, 153 duty to cooperate activities were undertaken regarding housing and development growth and Gypsy and Traveller and Travelling Showpeople accommodation.” Figure 3 (page 14) illustrates these, and dialogue on other strategic matters, were maintained on an ongoing basis for years from 2016.
 - Appendix B (COR-12 page 24) is ‘The Duty to Cooperate: A protocol for action and communications’. This is an early and clearly constructive and positive effort by DBC to offer a framework to articulate and facilitate effective strategic engagement, laying out thoughts (in outline) on how practical issues such as emerging evidence can be collaboratively shared and best inform Local Plans and foster agreements. It addresses national guidance as then available, for example from the Planning Advisory Service (PAS). Consequently 5 key principles were put forward in support of effective communication and action. Objectives of the protocol for action/ communication were also noted on the final page (COR-12 page 30), namely securing clarity, cohesion, structure, flexibility, outcome focussed, collaboration, trust and compliance in duty to cooperation engagement. This approach has guided DBC’s own Local Plan evidence gathering, and ongoing strategic planning engagement and activities. COR-12 paragraph 3.3 notes “...The protocol was drafted to promote communication and action on relative strategic matters in the absence of cross authority strategic planning bodies, and before government guidance emerged.. [in 2018].”
- 1.40 Following duty to cooperate engagement, paragraph 2.57 of the submitted Local Plan (pages 43-44 of COR-1) refers to the housing requirement level and associated spatial strategy being “...consistent with potentially supporting delivery of some unmet residential needs in the wider area.” Paragraph 6.12 of the submitted Local Plan acknowledges the need to carry out ongoing monitoring of the outcomes of Statements of Common Ground in respect of the redistribution of development. DBC also recognises the need to update the Statements of Common Ground with neighbouring authorities in this respect as their Plans progress, as this assists in implementing the unmet need allowance in the Dartford Local Plan (COR-1).
- 1.41 It is possible that in future, as the Gravesham Local Plan progresses, GBC will be able to provide the evidence and information required to demonstrate unmet housing need. This would confirm and quantify GBC’s housing shortfall, and DBC has requested that associated issues (for example infrastructure provision) are discussed consistent with national guidance. The amount of housing which DBC is able to provide to meet GBC’s housing needs would need to be consistent with the Dartford Local Plan contribution to unmet needs (and assuming this has not already been accounted for in agreements in updated Statements of Common Ground with other authorities as they progress their

Local Plans). DBC anticipates that an agreement in this respect would be included in an updated Statement of Common Ground with GBC when its Local Plan begins to be finalised.

- 1.42 The Local Plan allows for a contribution towards unmet needs, which is addressed in agreed Statement of Common Ground (e.g. SCG-1 and 3). The Plan has been informed by extensive ongoing and constructive engagement, and key strategic evidence produced on a joint basis (or otherwise developed in constructive consultation).

Question 4

4. Paragraph 2.57 of the submitted Local Plan states in the fourth bullet that the proposed housing requirement (which is higher than the Local Housing Need (LHN) figure taken from the standard method) *'is consistent with potentially supporting delivery of some unmet needs in the wider area'*. However, this does not confirm positively that it is intended to meet any potential unmet need, or where and how such needs will be met. What is the reason for proposing a housing requirement which is higher than LHN and is it intended to help meet GBC's needs? If so, what amount does it contribute? If it does not meet all the unmet needs, why doesn't it?

- 2.1 The 790 dwellings per annum housing requirement in policy S4 (criterion 3) of the Submission Local Plan (page 46 of COR-1) is 40 dwellings above the current standard method need (LHN) annual total calculation of 750 dwellings a year as set out in the Residential Needs Assessment Update August 2021 (see paragraphs 5.1-5.12 on pages 21-24 of HOU-8). Paragraph 2.57 of the Plan outlines reasons for the housing requirement being higher than LHN; it "is consistent with potentially supporting delivery of some unmet residential needs in the wider area." This amounts to 800 dwellings in total, derived from 40 dwellings per annum over the 20 year plan period, and this level of contribution features in the London Borough of Bexley Statement of Common Ground (see paragraph 2.7 below).
- 2.2 The rationale for including a figure higher than LHN is documented in the Residential Requirement Report (pages 13-18 of HOU-6). This is informed by duty to cooperate activity and data prior to, and when, the pre-submission Local Plan was published. In particular, HOU-6 paragraphs 3.8-3.17 contain detail relating to national policy, and Duty to Cooperate and Statement of Common Ground obligations.
- 2.3 Table 1 of the Residential Requirement Report (HOU-6) is highly significant as it gives specific consideration to PPG guidance⁴ on 'When might it be appropriate to plan for a higher housing need figure than the standard method indicates?' This was a principal determinant of a housing requirement above the LHN, highlighting duty to cooperate related issues and informing the subsequent finalisation of the Local Plan and Statements of Common Ground.
- 2.4 The Local Plan does not claim to meet all unmet needs in the wider area as this is unidentified (and the rate of progress of the other Local Plans means this amount does not appear very close to being confirmed).
- 2.5 Currently there is not agreement on using a set amount of DBC housing to contribute to GBC's needs, including for reasons set out in answer to Question 3 above, and consistent with positive agreements DBC has with other neighbouring authorities that may have unmet needs. Nevertheless, paragraph 1.41 above makes clear that DBC, which has attempted to clarify the GBC position and has negotiated a signed Statement of Common Ground with GBC, does not rule out meeting some of GBC's housing needs in the future, if GBC progresses its Plan and/ or produces necessary evidence and information.
- 2.6 Regarding other Local Plans that are in preparation (and could possibly be finalised without fully meet all housing needs) the SOCG with the London Borough of Bexley (LBB) includes several important agreements (SCG-1 page 7), including:

⁴ Paragraph: 010 Reference ID: 2a-010-20190220 Revision date: 16 12 2020

- “It is agreed there are clear links between the LBB and DBC housing markets.”⁵
- “It is noted that the new London Plan is not able to demonstrate that London’s housing needs can be met within the Greater London area.”
- “The Dartford Local Plan includes the ability to make a contribution towards unmet housing needs in the wider area. The Local Plan housing requirement is above the current standard method level, with some limited potential over time to support housing delivery required from elsewhere. The indicative scale of the aggregate allowance by Dartford (when meeting its requirement over its full plan period) is projected to be up to approximately 800 dwellings.”
- “Given the close migratory links between the boroughs as set out in the evidence base and recognising current status of plan-making, both parties consider that it would be appropriate for any available future housing delivery contribution from Dartford to be drawn down in the first instance if required by Bexley as the logical priority authority of those adjoining Dartford.”
- “The parties agree that there is a housing land supply allowance in the plan period to March 2037 in the Publication Dartford Local Plan to contribute towards future needs outside Dartford. This allowance is not relied upon in the Bexley Draft Local Plan to meet its London Plan housing target. However, if there is a need then both parties consider that there could be scope to call upon Dartford’s allowance.”
- “The parties agree to continue to work positively together to seek to address the future housing needs as far as possible, taking into account key constraints, and the need for sustainable development. This will be via regular meetings, joint action and updates as necessary to the Statement of Common Ground.”

- 2.7 Therefore there is agreement that DBC can clearly help provide for housing needs from the LBB if required and the evidence from the Residential Needs Assessment (HOU-7 and HOU-8) demonstrates that LBB would be a logical priority. There is also agreement with SDC that there may be a case for DBC to assist with some of its unmet needs in the future.
- 2.8 The SOCG with Sevenoaks District Council (SDC) includes points of agreement on housing and the Dartford Local Plan. Significantly (page 6 of SCG-3) states: “Given that there are some functional cross-boundary housing links between parts of SDC and DBC, there is a case to be made for DBC to assist with some unmet needs from SDC (if required and if not met at source housing market area) in the future should they have the capacity to do so, and where consistent with DBC’s sustainable development, and national policy.”
- 2.9 Overall, the position is that whilst DBC agrees to contribute to unmet needs (and despite DBC’s active ongoing and constructive efforts) the residual uncertainty and lack of any recent adopted plans amongst its neighbours means it has not been possible to conclude formal agreement to fully detail commitments to provide for the full housing needs of any specific neighbouring authority. This applies to Sevenoaks and Bexley, as well as Gravesham. Nevertheless the specific contexts, including housing market relationships and available information, vary between them, and duty to cooperate discussions have been informed by these distinctions but DBC has actively sought to address the relevant issues. The current Statements of Common Ground are discussed further in answer to Question 7.

⁵ See, under PPG sub-title “Statement of common ground: scope”, Paragraph: 018 Reference ID: 61-018-20190315

Question 5

5. The Duty to Co-operate Compliance statement Appendix 6: Meeting Minutes [COR-14] includes notes of meetings held on 10/08/21 and 31/08/21. Both suggest that the Council consider that longstanding objections from GBC should be pursued through Local Plan and examination process. The meeting notes of 01/10/21 also appear to indicate a similar suggestion that GBC 'have the channel to expand on their own perspective in full during the current Regulation 19 representations period'. Is this approach consistent with the advice contained in the national Planning Practice Guidance, which states that "Inspectors will expect to see that strategic policy making authorities have addressed key strategic matters through joint working, and not deferred them to subsequent plan updates or are not relying on the Inspector to direct them".

Introduction

3.1 The notes of the meetings between DBC and GBC include the following:

10/08/2021 (page 55 of COR-14)
<p>SOCG*:</p> <ul style="list-style-type: none"> • DBC considered that some longstanding matters/ objections would be more appropriate to pursue for GBC to pursue through their responses on the Dartford Local Plan and the examination process
31/08/2021 (page 57 of COR-14)
<ul style="list-style-type: none"> • Both noted it may be more appropriate for GBC to pursue some objections/ matters through responses to the Local Plan and the examination process, rather than have all listed as disagreements via the SOCG*
01/10/2021 (page 58 of COR-14)
<ul style="list-style-type: none"> • DBC felt that a positive approach would be reflected by focusing on potential areas of agreement. DBC noted areas of disagreement are proposed but are aware that when they are included over many possible aspects of non-agreement this may not lead to an effective and focussed Statement of Common Ground. DBC highlighted that GBC have the channel to expand on their own perspective in full in the current Regulation 19 representations period.

* SOCG = Statement of Common Ground

3.2 These references reflect the following matters:

- That GBC's responses to the first Publication Local Plan February 2021 covered a number of detailed issues which were not strategic cross boundary matters appropriate for addressing in the Statement of Common Ground and GBC were likely to make similarly detailed comments on the second Publication Local Plan; and therefore effectively repeating consultation comments in full in a Statement of Common Ground was unlikely to facilitate timely documentation of agreement on strategic matters.
- DBC's earlier efforts to progress a Statement of Common Ground with GBC (see para 3.11 to 3.15 below).

Strategic Matters – National Planning Policy and Guidance

- 3.3 It is useful to outline what national planning policy and guidance requires in terms of cooperation and Statements of Common Ground (SOCGs) with other bodies. The guidance⁶ states that
“Strategic policy-making authorities are required to cooperate with each other, and other bodies, when preparing, or supporting the preparation of policies which address strategic matters...”
- 3.4 The guidance further outlines what a statement of common ground is expected to contain. This includes:
“b. the key strategic matters being addressed by the statement, for example meeting the housing need for the area, air quality etc...
g. a record of where agreements have (or have not) been reached on key strategic matters, including the process for reaching agreement on these; and
h. any additional strategic matters to be addressed by the statement which have not already been addressed...”
- 3.5 It seems clear that cooperation and SOCGs should be focussed on strategic matters. In terms of identifying “What are the strategic matters on which cooperation is required,” the guidance refers to paragraphs 20-23 of the NPPF though it states that “this is not an exhaustive list and authorities will need to adapt this to meet their specific needs.”
- 3.6 Paragraph 20 of the NPPF is the most relevant in terms of setting out the issues which strategic policies should cover (page 9 of NAT-1). In this respect, it states that:
“Strategic policies should set out an overall strategy for the pattern, scale and design quality of places, and make sufficient provision⁷ for:
a) housing (including affordable housing), employment, retail, leisure and other commercial development;
b) infrastructure for transport, telecommunications, security, waste management, water supply, wastewater, flood risk and coastal change management, and the provision of minerals and energy (including heat);
c) community facilities (such as health, education and cultural infrastructure); and
d) conservation and enhancement of the natural, built and historic environment, including landscapes and green infrastructure, and planning measures to address climate change mitigation and adaptation.”
- 3.7 Paragraph 21 of the NPPF (page 9 of NAT-1) states that
“Plans should make explicit which policies are strategic policies⁸. These should be limited to those necessary to address the strategic priorities of the area (and any relevant cross-boundary issues), to provide a clear starting point for any non-strategic policies that are needed. Strategic policies should not extend to detailed matters that are more appropriately dealt with through neighbourhood plans or other non-strategic policies.”

Strategic Matters – Dartford Local Plan Approach

- 3.8 In the case of the Submission Dartford Local Plan, it is clear that Sections 2, 3 and 4 of the Plan comprise the strategic policies (see paragraph 1.8 of COR-1). Section 2 sets out the overall Borough Strategy and incorporates policies S1-S4 on the Borough

⁶ <https://www.gov.uk/guidance/plan-making#maintaining-effective-cooperation>

⁷ In line with the presumption in favour of sustainable development.

⁸ Where a single local plan is prepared the non-strategic policies should be clearly distinguished from the strategic policies.

Spatial Strategy, Infrastructure Planning Strategy, Climate Change Strategy and Borough Development Levels respectively (pages 18-49 of COR-1). Section 3 sets out the strategy, policies and allocations for Central Dartford (pages 50-80 of COR-1). Section 4 includes the strategy, policies and allocations for Ebbsfleet and Swanscombe (pages 81-105 of COR-1). There were no objections from any respondents at either the first Publication or second Publication stages that the strategic matters were incorrectly identified.

GBC's Response on the First Publication Local Plan

- 3.9 GBC's responses on the first Publication Local Plan (included with their responses on the second Publication Local Plan) covered a wide range of issues, some of which DBC did not consider to be to strategic matters and some of which related to strategic policies but which were very detailed. In terms of non-strategic matters, these included references to the designation of local centres. In relation to detailed comments on strategic policies, these included references to masterplanning and public transit routes for Swanscombe Peninsula.
- 3.10 DBC considered that in order to make progress on completing SOCGs, it would be necessary for the SOCG to focus on the key strategic issues. In light of GBC's detailed comments on the first Publication Local Plan, DBC considered it was worth highlighting that the option was available to express detailed views on non-strategic local points through consultation responses on the second Publication Local Plan. Therefore, the relevant comments at the three meetings referred to in paragraph 3.1 above were intended to relate to the more detailed matters which GBC had previously raised in their responses on the first Publication Local Plan and which DBC considered would be likely to arise again in their responses on the second Publication Local Plan. This does not reflect any lack of active and ongoing cooperation by DBC, or that the DBC's approach in engagement was not constructive, there is ample evidence to the contrary, for example as set out in answer to question 3. Moreover, the successful agreement by DBC and GBC of a signed SOCG is positive, with the many areas of strategic agreement (including on the pivotal cross-boundary Ebbsfleet Garden City) suggesting cooperation was effective, reflecting a constructive, active and ongoing approach by DBC.

Progression towards a Statement of Common Ground with GBC since 2018

- 3.11 New national guidance (PPG) on Statements of Common Ground led to active assessment in 2018, together between DBC, GBC, and Sevenoaks, of preparing such a SOCG (see meeting 28/3/2018 in Appendix 3A). This was at the early stages of DBC plan-making. Statements of Common Ground were agreed in 2019 featuring Sevenoaks, but were ultimately prepared on a bilateral basis, reflecting the submission of the Sevenoaks Local Plan that year (a document with both DBC and GBC was not produced then).
- 3.12 After further constructive discussions with GBC, DBC sent a first draft SOCG to GBC on 20/12/2019. At that time, the SOCG was intended to be a tripartite document agreed by DBC, GBC and the Ebbsfleet Development Corporation (EDC). The draft SOCG was focused on factual matters with a view to agreeing a concise and simple baseline at that stage, as a preliminary to expanding its scope. GBC did not agree the content, and suggested that there should be a separate SOCG between DBC and the EDC which was subsequently achieved (see SCG-6).
- 3.13 In response, GBC sent a rewritten draft SOCG to DBC on 24/01/2020. The GBC version DBC found to be significantly more detailed and over four times the length with additional content seemingly not aiming to secure mutual agreement. DBC felt that this would not be effective, was not in keeping with guidance and did not focus

sufficiently on the key strategic issues. On this basis, DBC and GBC did not manage to conclude a SOCG prior to the Dartford Local Plan Preferred Options (CON-4). (DBC had secured and published signed Statements of Common Ground with Sevenoaks and London Borough of Bexley for the Preferred Options consultation, which have now been subsequently replaced) .

- 3.14 In order for a meaningful agreement to be negotiated with GBC and to achieve an agreed SOCG, DBC subsequently highlighted the value of discussing and focusing on the key strategic issues, in accordance with national planning policy and guidance. There is no evidence GBC objected to this principle.
- 3.15 This constructive approach was an ongoing effort influenced by the previous experience with the earlier draft SOCG and sometimes a lack of progress with getting GBC's responses and input following work on the SOCG carried out by DBC. This is demonstrated in the minutes of the meetings held on 10/08/2021, 31/08/2021 and 01/10/2021 (see pages 55-60 of COR-14). DBC was aiming to progress the SOCG as seamlessly as possible by providing suggested text in advance of meetings and taking on board comments made at meetings. On 29/07/2021, in advance of the meeting arranged for 10/08/2021, DBC had also provided GBC with its response to GBC's representations on the First Publication Local Plan (see Appendix 5A). This was also intended to ensure that GBC understood DBC's position and could allow the SOCG to focus on the key strategic issues in order to get to a point where it could be signed.

Conclusion

- 3.16 The references in the notes of meetings held between DBC and GBC in August and October 2021 to GBC pursuing some objections/ matters through the Local Plan and examination process were in relation to more detailed, non-strategic issues. As set out (for example in paragraphs 3.11 to 3.15 above), DBC has made a significant active and ongoing effort in constructively progressing a SOCG which both parties have been able sign up to and which complies with national policy and guidance.
- 3.17 This has been delivered in the context of GBC's 2015 preliminary housing request to DBC and ongoing efforts since then to obtain further explanation and justification for this from GBC, much of which has not been forthcoming (see response to question 3 for more information). DBC are clear that it has engaged constructively, actively and on an ongoing basis in relation to all relevant strategic matters.
- 3.18 The parties have achieved a final signed SOCG ultimately by focussing on the strategic issues. This includes clear points of agreement and disagreement for all the key strategic issues relevant to DBC and GBC (SCG-2). DBC considers that it has met legislation and the national planning guidance in this respect.

Question 6

6. The notes of what appears to be the final DtC meeting between DBC and GBC held on 18/11/21 prior to submission did not appear to discuss the potentially unresolved issue of unmet housing needs. Is there any further evidence that documents any additional discussions held between the two authorities in respect of unmet housing need from GBC prior to submission?

- 4.1 At the meeting held on 18/11/2021, arranged with a focus on securing the Statement of Common Ground agreement, there was potential to discuss again the issue of unmet housing needs however as there was no indication by any party of any change in availability of the relevant evidence and information necessary to confirm or support GBC's request, this did not occur. There remained no appropriate evidence confirming unmet need. This meeting on the SOCG agreement followed consistent appeals over a period of years by DBC/ opportunities for GBC to provide confirmation. As set out in Table 3 and paragraphs 1.21 to 1.24 above in particular, this has largely not been forthcoming. There has typically been an absence of reliable information on the progress and content of the emerging Gravesham Local Plan (see paragraphs 1.10 to 1.21 above). This means following DBC efforts to clarify, and the negotiations on an agreement, the likely main focus of the meeting on 18/11/2021 was to finalise the wording of the GBC-DBC SOCG (SCG-2), given the importance of agreeing a SOCG, after a number of years since first discussions. This was signed by DBC on 18/11/2021 and by GBC on 29/11/2021.
- 4.2 There is significant evidence of communication though discussions, correspondence and responses to Local Plan consultations between DBC and GBC in relation to possible unmet housing need from when GBC made the preliminary request on 08/06/2015 until the Dartford Local Plan was submitted on 13/12/2021. The following are some of the most relevant in terms of written confirmation of clarification sought:
- 08/06/2015 GBC officer letter with preliminary housing request to DBC
 - 05/08/2015 DBC officer letter gives initial response to GBC
 - 01/11/2017 DBC officer letter to GBC
 - 11/07/2018 DBC response on the Gravesham Local Plan initial Reg 18 consultation (including a letter from DBC leader)
 - 20/07/2018 GBC officer response on the Dartford Local Plan Reg 18 strategic issues consultation
 - 03/08/2018 GBC leader letter in relation to DBC's response on the Gravesham Local Plan initial Reg 18 consultation
 - 23/01/2019 DBC officer letter in relation to GBC's response on the Dartford Local Plan Reg 18 strategic issues consultation
 - 31/12/2020 DBC response on the Gravesham Local Plan second Reg 18 consultation
- 4.3 In addition to the written requests and responses referred to above (paragraph 4.2), the issue of GBC's preliminary request to DBC in relation to unmet housing needs was specifically discussed at GBC-DBC Duty to Cooperate meetings, including those held on 13/11/2015, 16/04/2019 and 12/06/2019. Regarding meetings after 2015, it should also be noted:
- A number of meetings were held with DBC and GBC in the years after 2015 which also involved Sevenoaks District Council/ Medway Council (held in that format at GBC's behest). Housing supply, meeting needs, available evidence and Local Plan next steps were regular topics of discussion as documented in Appendix 3A.
 - Latterly, other meetings were primarily specifically to discuss the content of the GBC-DBC Statement of Common Ground (see COR-14 pages 44 to 61).

- DBC has not documented here 2015 and 2016 (and previous) Duty to Cooperate engagement and correspondence between DBC and GBC concerning the Dartford Development Policies Plan (adopted 2017).

Duty to cooperate meetings involved discussions on the evidence and information of relevance to GBC's request, including on when housing data may be released by GBC. This is set out in more detail in response to the Inspector's Initial Question 3 and is not repeated here.

- 4.4 The letters, Local Plan responses and full notes of meetings in the period from 2015-2021 are contained in Appendix 5A of the response to the Inspector's Initial Question 5 and Appendix 6 of the previously submitted Duty to Cooperate Compliance Statement (COR-14). Appendix 6A below sets out excerpts from these meetings, correspondence and Local Plan responses where the 2015 request was specifically discussed. This includes:
- The original GBC letter dated 08/06/2015 requesting, in the final paragraph, "preliminary discussions... with the objective of securing agreement to accept some of Gravesham's housing provision". It is clear from the penultimate paragraph that this was based on information that is now inapplicable or out of date, for example, on housing market areas
 - A letter dated 03/08/2018 from the Leader of GBC stating "If after following due process and continuing to gather the necessary evidence that conclusion [that it would not be possible to accommodate all the required development in the urban area or inset villages] remains unaltered, we will be formally approaching neighbouring authorities to meet any potential unmet need - including Dartford, which appears to have a very large land supply."
- 4.5 Communication and engagement were extensive. However DBC confirms that it has not received a formal approach, following proper evidence gathering by GBC, asking it to contribute towards meeting an identified shortfall in housing land supply. Nevertheless further information has been sought purposefully, on an ongoing basis, and this approach has been maintained as DBC officers have, throughout, not ruled out contributing to unmet needs from GBC or others (if information was available for DBC to do so), indeed a housing contribution has been put forward towards wider needs in the submitted Local Plan.
- 4.6 In the circumstances, DBC consider there is ample evidence to demonstrate there has been an active and ongoing process of co-operation. The duty to co-operate is not a duty to agree. Despite a lack of clarity from GBC, on the part of DBC the duty to co-operate was pursued in a way that was active and on-going.

Question 7

7: Has the extent of GBC's unmet needs been quantified? If so, is there any agreement on what that figure might be? And has DBC explained why it cannot help (assuming that is its position)? In light of the above, please can the Council clarify whether GBC's outstanding request has been formally resolved, and if so, where this is has been documented? The Act requires that there is constructive, active and ongoing co-operation on strategic matters (in this case unmet housing needs). Is there any further evidence which the Council can point to which demonstrates that the duty to cooperate set out in S33A of the Act has been met?

GBC Housing Needs

- 5.1 No, the extent of GBC unmet housing needs is not calculated. It is still the case that no draft Gravesham Local Plan has been produced. There is no current data on GBC's total housing capacity and proposed housing requirement. Published monitoring information is out of date.
- 5.2 After the 2015 GBC letter requesting preliminary discussions, and repeated requests by DBC for clarification and data, it was in April 2018 that the Gravesham Local Plan Stage 1 Regulation 18 consultation on the Site Allocations Issues and Options made reference to a 1,340 dwelling shortfall in the period 2011-2028 but then asserted a 2,000 dwelling shortfall figure given the uncertainties and the need to maintain a 5 year land supply (see Appendix 3B in answer to question 3).
- 5.3 This statement from the April 2018 consultation document has to be seen as an initial assertion, covering from 2011, and with uncertainty recognised. This is also supported by the fact that soon after this, GBC in the letter dated 03/08/2018 to DBC, concluded: "If after following due process and continuing to gather the necessary evidence" GBC "will be formally approaching neighbouring authorities to meet any potential unmet need." This indicates that GBC recognised confirmatory actions and additional evidence would be necessary to confirm unmet need. With this and a formal approach not materialising, the presence of GBC's unmet housing needs remains unsubstantiated.
- 5.4 GBC's most recent public consultation was the Local Plan Stage 2 Regulation 18 on the core strategy partial review and site allocations carried out in October 2020. This did not provide full or updated data and did not refer to any specific figure and simply stated that there continued to be a shortfall against the cumulative need for housing (see Appendix 3B in answer to question 3). DBC is still not aware of available new data in the period subsequent to this supporting the presence of unmet needs.
- 5.5 Unfortunately despite DBC's active queries and ongoing constructive engagement, none of the discussions with, letters or Local Plan responses from GBC provided data to show unmet needs in GBC (see Appendix 3A in answer to question 3). In the GBC-DBC SOCG, GBC partly depend on a lack of requirement for it to set out the absolute level of unmet need before DBC is obliged to consider whether or not it can assist (page 8 of SCG-2).
- 5.6 Whilst there has been uncertainty on the progress, timescales and direction of the Gravesham Local Plan and insufficient information provided by GBC to show unmet needs (as set out for example at paragraphs 1.10 to 1.33), there has been ongoing dialogue by DBC to actively attempt to address this.
- 5.7 Page 8 of the GBC-DBC SOCG makes clear that GBC consider that the request from GBC to DBC to consider meeting unmet need remains 'live' (see page 8 of SCG-2).

However, whilst DBC have considered and further discussed with GBC their comments made in expectation that the GBC plan will feature a shortfall in meeting housing needs, evidence shows the presence of unmet needs has not been supported, with no full or formal request to meet a specific level of need or through the preparation of appropriate data to illustrate a shortfall.

- 5.8 Paragraph 1.41 in response to question 3 notes that GBC have not (but could) progress their Local Plan towards a draft version, and this eventually could show unmet needs. Recognising this ongoing possibility, DBC has not excluded helping GBC with unmet housing needs in future, should they be demonstrated. (This would have a knock-on impact on the positive arrangements on housing in DBC's current SOCGs with Bexley and Sevenoaks; points of agreement outlined in paragraphs 5.12 to 5.17 below).
- 5.9 The signed Statement of Common Ground, in line with guidance, is regarded as the current agreed formal position with GBC. It was signed following active and constructive engagement which took place with GBC on this (COR-14) and ongoing discussion specifically on SOCGs with GBC that started in 2018 (paragraphs 3.11 to 3.15 above).
- 5.10 DBC considers that there has been constructive, active and ongoing co-operation in relation to unmet housing needs with all applicable partners, including ongoing engagement with GBC with the aim of actively securing agreement, positive actions resulting in a set of constructive and relevant Statements of Common Ground on strategic matters.
- 5.11 In particular, adding to the activity supporting the SOCG agreements, information set out in response to Question 3 (notably Table 3 and Appendix 3B), and in the Duty to Compliance statement (COR-11 to COR-14), bring out the some of the principal proactive and continuous cooperation actions of DBC, undertaken on a constructive basis ongoing over the years up to submission of the Local Plan.

London Borough of Bexley and Sevenoaks District Housing Needs

- 5.12 The signed Statements of Common Ground (SCG-1 to SCG-7) reflect robust and up to date available evidence on Local Plan progress and strategic matters, including data indicating that DBC's strongest housing market links are with the London Borough of Bexley. This focus is consistent with paragraphs 017 and 018 of the PPG on 'Maintaining Effective Cooperation'⁹. This is consistent with paragraph 1.30 of the Dartford and Ebbsfleet Residential Needs Assessment (page 19 of HOU-7) which concludes: '*...In fact, the authority with which Dartford appears most aligned appears to be Bexley, not only for the number of people moving between the areas, but the similarity of the housing markets....*' This is re-affirmed with the latest data included in paragraph 3.6 of the Residential Needs Assessment Update (page 13 of HOU-8).
- 5.13 Paragraph 2.7 above sets out some pivotal points of agreement in the signed LBB-DBC Statement of Common Ground on Dartford's housing market area and housing needs are set out on page 7 of the document (SCG-1). In summary, DBC would highlight London Borough of Bexley and DBC points of agreement that the London Plan contains a shortfall in meeting London's needs, there are close migratory links between the Boroughs, and that to meet its London Plan [10 year] housing target London Borough of Bexley has not relied on the Dartford allowance in the Bexley Draft

⁹ Which geographical area does a statement of common ground need to cover? Paragraph: 017
Reference ID: 61-017-20190315, and How can housing market areas be defined? Paragraph: 018
Reference ID: 61-018-20190315

Local Plan but if there is a need both parties agree the Dartford allowance could be called upon.

- 5.14 The points of agreement with LBB are regarding as reflecting the current strategic planning situation and documentary evidence of DBC having the strongest functional housing relationship with Bexley (paragraphs 3.1 and 3.6 on pages 11 and 13 of HOU-8).
- 5.15 In relation to Sevenoaks District, it should be noted that paragraph 3.13 of the Duty to Cooperate Compliance Statement (page 21 of COR-11) refers to a request in April 2019 by Sevenoaks District Council (SDC) for DBC to meet some of its housing needs and DBC's response to this request. The SDC request and DBC's response are included in Appendix 7A of this document. This was part of work on a Sevenoaks Local Plan that has not been adopted, and will not be in future.
- 5.16 At the SDC–DBC meeting on 02/09/2021, SDC confirmed that it is now commencing work on an updated emerging Local Plan and is updating the evidence accordingly (page 69 of COR-14). At the meeting on 21/10/2021, SDC advised that it is aiming to commence a Regulation 18 consultation in April/May 2022 (page 71 of COR-14). It is understood that the previous SDC housing needs request is no longer live (this derived from an aborted Local Plan). The SDC-DBC Statement of Common Ground does not refer to this previous request, instead noting that outcomes of evidence preparation cannot be predetermined (page 5 of SCG-3).
- 5.17 Therefore, SDC is carrying out early preparatory work on a new Local Plan. In this context, the current SDC SOCG (SCG-3) in summary recognises that the issue of unmet housing needs is in the context of SOCGs with local planning authorities and in particular DBC's identified strong migration and commuting relationship with the London Borough of Bexley (page 5 of SCG-3). To summarise the agreed outcome, whilst there is uncertainty as SDC is at a relatively early stage of evidence gathering in its current plan-making, it is noted that page 6 of the SOCG includes agreement on a case to be made for DBC to assist SDC on future unmet housing needs and the matters which will be taken into account in this respect.

Dartford's Local Plan and housing needs

- 5.18 DBC has undertaken constructive, active and ongoing co-operation to inform Local Plan preparation, despite major uncertainties on strategic matters. This has been an integral part of a positive approach behind the whole commitment to an up to date Local Plan to deliver plan-led development.
- 5.19 The approach of DBC to managing uncertainties but not stalling Local Plan production flows from a review of risks, strategic planning issues and the Duty to Cooperate, (including options such as joint Local Plans) as outlined in section 3 of the Local Development Scheme (pages 3-4 of COR-16). Paragraph 4.4 of the LDS recognises that risks include a 'no new Plan situation' and therefore it concludes that DBC should continue Local Plan production working in cooperation with public agencies and councils (page 4 of COR-16).
- 5.20 The alternative option of delayed plan making by DBC (in the hope of greater clarity in the situation of others emerging) was regarded as inappropriate. It is inconsistent with government aims for new Local Plans to be in place, would not assist in fulfilling DBC's sustainable development potential, and does not help other Local Plans.
- 5.21 DBC's active engagement, constructive actions and working with partners has resulted in a series of positive Statements of Common Ground with local councils, the Ebbsfleet Development Corporation, and Natural England to support delivery of sustainable

development needs; and the provision of an allowance for DBC to contribute to unmet housing needs. Paragraphs 1.6 and 1.7 (under Questions 2 and 3) confirm the expected way forward, enabled by the Local Plan and DBC's Statements of Common Ground, in how this will cooperatively support Local Plans in adjoining areas.

Appendix 3A: GBC-DBC Meetings, Letters and Local Plan Information and Responses October 2014 – December 2020

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30/10/2014 Gravesham Local Plan Core Strategy adopted

The Gravesham Local Plan Core Strategy September 2014 is available at:
<https://drive.google.com/file/d/1bJTgQLmhbzjqZFibI-5WFb2tbvixXpLk/view>

08/06/2015 GBC Housing Request

Teresa Ryszkowska
Head of Regeneration
Dartford Borough Council

Dear Teresa,

Duty-to-cooperate: Request to enter into preliminary discussions to ensure Gravesham BC's housing provision is met within the housing market area

The Duty to Co-operate is now firmly established as an integral part of Local Plan preparation and Dartford and Gravesham, together with other neighbouring authorities, already fulfil this duty. As Gravesham Borough Council embarks upon the preparation of its Site Allocations and Development Management Policies DPD, it is seeking to ensure that the duty to co-operate is maintained with regard to the issues of a) the provision of land for development, including housing and b) safeguarding of the Green Belt.

There are two paragraphs of the NPPF which have a bearing on co-operation between Gravesham and Dartford. The first is paragraph 178, which states that public bodies have a duty to co-operate on planning issues that cross administrative boundaries, particularly those which relate to strategic priorities. The Government expects joint working on areas of common interest to be diligently undertaken for the mutual benefit of neighbouring authorities.

The second is paragraph 179, which states that joint working should enable local planning authorities to work together to meet development requirements which cannot be wholly met within their own areas, for instance because of a lack of physical capacity or because to do so would cause significant harm to the principles and policies of the NPPF. Both of these paragraphs have a bearing on the need for Gravesham to provide sufficient land to meet its housing requirements and the role of the Green Belt in that process.

You will recall that on the 10 January, 2014, Dartford BC objected to the proposed main modifications to the Gravesham Local Plan Core Strategy. It objected to the identification of the Green Belt as a broad location for future growth and the need for a strategic Green Belt boundary review to allow further development in the Green Belt.

The objection also made reference to Dartford's earlier response to the Core Strategy consultation in October, 2011. This expressed concern about the impact of Green Belt development in Gravesham on the wider integrity of the Green Belt and the potential undermining of the Green Belt in Dartford, through increased development pressure, the generation of traffic on Dartford's rural roads, and pressure on community facilities in Dartford such as schools and health facilities on sites which are, themselves, on Green Belt land.

We therefore consider that the Green Belt, as a broad location for future growth, is still a cross boundary strategic issue under the terms of paragraph 178 and it remains an issue because the proposed modification was accepted by the Inspector and has been incorporated into the Gravesham Core Strategy.

Paragraph 4.2.14 of the Core Strategy acknowledges that there is insufficient land to meet the level of housing need over the plan period, namely 6,170 dwellings. It is further stated that a revised Strategic Land Availability Assessment (SLAA) will be carried out, including a review of development opportunities in the urban area, a Green Belt boundary review to investigate whether all parcels of land are meeting the purposes of being included in the Green Belt and

in paragraph 4.2.16, the undertaking of a new Strategic Housing Market Assessment. These are all now underway.

It should be noted that the DCLG has now published the 2012-based household projections, which show the number of households projected to increase in Gravesham to 8,000 by 2028, higher than the objectively assessed housing need for 6,170 for the same period, set out in the Core Strategy. Whilst this projection does not directly constitute housing need, local planning authorities are advised in National Planning Practice Guidance, to use them as a starting point for the estimation of overall housing need. It is therefore being taken into account in the new Strategic Housing and Economic Needs Assessment (SHENA) and could result in the need to provide for a greater number of dwellings during the plan period and for the identification of additional land.

Previous work on the South East Plan and the subsequent preparation of the North Kent Strategic Housing Market Assessment, in 2009, showed that Gravesham and Dartford fell within the same housing market area. Current work with consultants GVA on the new SHENA has, so far, given no indication that the housing market area has changed. Paragraph 47 of the NPPF states that local planning authorities are required to use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area.

In Dartford's latest Five Year Housing Land Supply report for 1 April, 2014 to 31 March, 2019, published in April, 2015, it is stated that Dartford's Core Strategy identifies capacity for up to approximately 17,300 homes in Dartford in the period 2006-2026. It acknowledges that this is significantly in excess of local needs. It draws upon the Dartford Housing Scenarios (2011) evidence base paper, which concluded that the overall Core Strategy objectives could best be achieved by provision of housing at the level that met local forecast needs of 11,700 but no more than the Core Strategy maximum level of 17,600.. This represents a surplus of capacity over needs of up to 5,600 dwellings.

Dartford's Five Year Housing Land Supply report advised that Government 2008 based household projections were used, together with other evidence, to assess the level of housing need in Dartford's Core Strategy. In the absence of updated projections, the Council considered that local housing needs remained the same. The 2012 based household projections now show an increase for Dartford, of c12,000 households between 2011 and 2031. This 20 year increase is only slightly higher than the current housing need figure of 11,700 dwellings for the 20 years between 2006 and 2026. Consequently, it appears unlikely that there will be significant erosion of the surplus land supply for the foreseeable future.

In conclusion, in light of your outstanding objection to the identification of the Green Belt in Gravesham as a broad area for future growth, an acknowledged surplus of housing land supply over local needs, and no evidence to suggest that Dartford no longer shares the same housing market area as Gravesham, we are asking whether an agreement by your Council to accept some of Gravesham's housing need, under the terms of the duty to co-operate, would appear to be mutually beneficial, enabling Gravesham to reduce pressure for the release of land for housing development in the Green Belt thus reducing development pressures on the Green Belt in Dartford, enabling Dartford BC to address a cross boundary issue which would otherwise remain.

In the light of the foregoing, Dartford BC are requested to enter into preliminary discussions, under the duty to co-operate and as part of the preparation of the Gravesham Site Allocations

and Development Management Policies DPD, with the objective of securing agreement to accept some of Gravesham 's housing provision during the plan period of the DPD.

Yours sincerely,

Kevin Burbidge

Director (Housing & Regeneration)

Via email copied to: Cllrs Cubitt and Burgoyne (GBC); Wendy Lane (GBC); Nicky Linihan (EDC)

05/08/2015 DBC Response to GBC Housing Request

Kevin Burbidge
Gravesham Borough Council

Dear Kevin

RE: Duty to co-operate

Thank you for your letter of 8 June and apologies for the delay in responding.

Dartford Council fully supports the intent to enter into duty-to-co-operate discussions with Gravesham and other neighbouring Councils. Indeed, we have a history of co-operative working on strategic issues with earlier joint working on the Kent Thameside initiative and more recently on the Ebbsfleet Garden City initiative. Both Members and Officers are willing to take this co-operation further as Local Plans progress through a more structured approach. A structured approach appears to be required to demonstrate effective engagement (see for example Inspector's letter of 2 December 2013 with regard to the Mid Sussex District Plan).

This in mind, with regard to your emerging plan, it would be helpful to develop a framework both for the issues to be discussed, as well as a timetable for considering these. A broader context within which we could consider the propositions being put to us would include a scoping exercise of the overall cross-boundary issues, an understanding of the individual studies being undertaken and timetables for taking the studies and the Plan forward. An early officer meeting could helpfully start to map out this context. A similar approach would apply to the emerging Dartford Development Policies Plan, albeit there are more limited strategic cross-boundary implications applying in this case.

There is also the need for a mechanism which would include both Officers and Members. Dartford Officers and Members have informally considered the local circumstances and the Borough's location on the edge of the Kent Thames Gateway and with London on the western boundary. Whilst Dartford lies within the Kent Thames Gateway area and shares regeneration objectives and opportunities with Gravesham, it is clear that there are very strong functional connections between Dartford and London, in particular Bexley, to the west. Equally, there are significant links with Sevenoaks to the south and Thurrock to the north. All these neighbours are in wider partnership arrangements which 'face away' from Dartford. With Dartford lying on the edge of a number of overlapping areas of joint working, it is the Council's view that a flexible but clear and manageable approach is required to provide effective co-operation across all boundaries. In order to address Dartford's particular circumstances, it is considered that the most appropriate structure would be for bi-lateral engagement with each of the adjoining councils/organisations, as appropriate, depending on the range of strategic cross-boundary issues. Dartford will, therefore, be proposing a framework for ongoing officer and member engagement which can operate on a bi-lateral basis to address strategic issues.

With regard to your specific request to accommodate Gravesham's unmet need, it is premature to respond to this in the absence of the structures and mechanisms referred to above and in the absence of an understanding of the studies which underpin your housing requirements and allocations. It has, to date, been disappointing that neither your consultants GVA Grimley or your officers have sufficiently clarified engagement with us or had any direct dialogue to date on the housing and employment needs study (SHENA), despite Dartford stressing the need for effective engagement as the study progresses.

There is also a need for greater understanding of Dartford's housing land supply position, which is not as straightforward as suggested in your letter, before you reach conclusions about the ability or otherwise for Dartford Borough to meet some of Gravesham's housing need requirement. This can be more fully explored through discussions and in the context of a fuller understanding of your evidence base.

I hope this sets out a productive way to move forward on the duty to co-operate discussions. We will shortly set out more detailed proposals for Officer/Member engagement which we propose to take forward with you and other relevant organisations. In the meantime, we are more than willing, as always, to have discussions with Gravesham Council on any strategic cross-boundary issues.

Please feel free to contact me with any queries or comments on the matters I have raised.

Yours sincerely

Teresa Ryszkowska
Head of Regeneration

Cc Cllr Jeremy Kite
Cllr Derek Hunisett
Mark Aplin
Nicky Linihan (EDC)

20/10/2015 GBC-SDC-DBC Notes of Meeting

North Kent Duty to Cooperate Meeting – Sevenoaks District Council, Gravesham Borough Council and Dartford Borough Council		
Council Offices, Sevenoaks 20 October 2015		
Sevenoaks District Council: Antony Lancaster, Emma Boshell Gravesham Borough Council: Wendy Lane Dartford Borough Council: Mark Aplin, Patrick Akindude		
1 Local Plan updates	<p>GBC – Currently working towards Site Allocations and Development Management Policies Plan – Reg 18 public consultation expected Spring 2016 (builds in time for completion of the SHENA).</p> <p>DBC – Development Policies Plan due to undergo Reg 19 consultation in January 2016.</p> <p>SDC – SHMA completed and call for sites open. Core evidence likely to be completed by end of 2016. Consultants brief for Swanley and Hextable masterplan prepared and hoping to appoint ASAP. Issues and options consultation expected mid 2017.</p>	<ul style="list-style-type: none"> Continue to monitor progress of respective Local Plans
2 Duty to Cooperate – future member involvement	<p>DBC has prepared a Duty to Cooperate Protocol which sets out key principles of cooperation. GBC and SDC asked to comment. Will also be considered by DBC members.</p> <p>GBC prepared a MOU with Medway Council in 2014.</p> <p>The GLA remains confident that London can meet its own housing need.</p> <p>Agreed that ongoing dialogue should be recorded, and that any duty to cooperate issue should be summarised (discussion and resolution) and signed off by each council's Portfolio Holder.</p>	<ul style="list-style-type: none"> DBC to report back on progress/status of Protocol Continue discussions with relevant parties at essential key stages
3 Housing Need and Supply	<p>GBC – SHENA considers housing and economic needs and builds in viability and sensitivity testing in order to give a view on CIL. Stakeholder workshop being held later this week. Currently considering SLAA sites and a Landscape Capacity and Change Study has been commissioned to supplement the Green Belt work.</p> <p>DBC – 5 year land supply to be considered by Cabinet this week (assessed against the Core Strategy capacity requirement). LDS to be updated.</p> <p>SDC – SHMA completed (OAN 620dpa, AH need 422dpa) and to be considered by Cabinet on 5th November. Call for sites open for all types of development.</p>	<ul style="list-style-type: none"> Continue to monitor emerging housing supply across the North Kent area and identify opportunities for cross-boundary sites
4 Economic Development / Employment Land	<p>GBC – SHENA showing that employment hasn't bounced back after the recession, identifies opportunities for intensification/changing focus.</p> <p>DBC – Looking to protect definitions of some areas to provide a clear framework to prevent the inappropriate release of employment sites.</p> <p>SDC – Economic Needs Study to be commissioned shortly to include a focus on the rural economy.</p>	<ul style="list-style-type: none"> Continue to monitor emerging employment land supply across the North Kent area and identify

North Kent Duty to Cooperate Meeting – Sevenoaks District Council, Gravesham Borough Council and Dartford Borough Council		
	Agreed that it is important to consider displaced employment from London owing to housing regeneration.	opportunities for cross-boundary sites
5	<p>Green Belt</p> <p>GBC – Undertaking Green Belt Review however early indications show that it mostly all meets NPPF aims and only minor changes are being suggested. The Landscape Capacity and Change Study will provide a further layer of detail.</p> <p>SDC – Suggested that the two evidence bases are kept separate so that the constraints can be layered.</p> <p>DBC – The draft Plan contains a Green Belt policy and no changes are proposed.</p>	
6	<p>Gypsies & Travellers – response to new government definition</p> <p>Meeting arranged with Salford University on 23 October to discuss options. New definition impacts ‘flows’.</p> <p>Agreed potential for joint working once new guidance is published providing we are all at a similar stage.</p>	
7	<p>Infrastructure</p> <p>Thames Crossing - Options consultation expected January 2016 for 10 weeks. Includes 1 route at Dartford Crossing impacting DBC and 4 routes East of Gravesend impacting GBC. Preferred option currently unknown.</p> <p>London Paramount – 6 month delay, submission now expected Summer 2016 as more technical evidence is being undertaken.</p> <p>Ebbsfleet Garden City – AECOM commissioned to undertake initial masterplan.</p> <p>Agreed that the Kent Growth and Infrastructure Framework is a useful concept for Kent as a whole, but not meaningful for individual districts.</p>	<ul style="list-style-type: none"> Continue discussions with relevant parties at essential key stages
8	<p>AOB</p> <p>Agreed to meet quarterly – DBC to host next meeting.</p>	<ul style="list-style-type: none"> DBC to arrange next meeting

13/11/2015 GBC-DBC Draft Notes of Meeting

Dartford & Gravesham Borough Councils (DBC & GBC) Duty to Cooperate Meeting 13th November 2015

Draft Notes

Attendance:

- Dartford: Tania Smith, Patrick Akindude & Mark Aplin
- Gravesham: Wendy Lane & Tony Chadwick

1. Ebbsfleet Masterplan

AECOM have been appointed to produce a cross boundary Masterplan, with the expectation the two Boroughs will adopt it as SPD. It was noted this would have a number of practical and statutory requirements including a clear timetable for all appropriate consultation and review, and links to existing policy. Agreed milestones and appropriate input is essential. It may be envisaged the process could be 'handed' over to the Boroughs in order for them to review comments, confirm final content and adopt. However oversight by the Boroughs from early stages is strongly preferable.

Officers discussed joint working. In terms of inputting from the outset, options for a possible written note could include an outline by the Boroughs of how they can help, an understanding of requirements for consultation, content etc.

Political/ corporate agreement should support any note, possibly Leader sign off (For example). ACTION: DBC to consider firstly.

2. Crossrail

Recent meeting at TfL reviewed. Timescale and scope of current work not yet clear – Boroughs to continue to participate and discuss further.

3. CHP

Kent Minerals & Waste Plan should be assessed once adoption version available. EDC are the body best placed to review CHP potential.

4. DBC Development Policies Plan – GBC comments

Following DBC's presentation and the questions/ answers discussion in the morning to GBC and other councils, GBC had no further queries or comments.

5. GBC Local Plan [Additional to the update provided in the morning wider meeting]

DBC enquired if further any follow up contact/ discussion could be expected to be put forward following the GBC letter in the summer asking DBC to help meet its housing need; is there any update or clearer process? DBC couldn't consider without significant further information. E.g. DBC had anticipated follow up communication / sought details of evidence such as the North Kent SHENA inputs and outputs, and land supply.

GBC confirmed the request still stood, further information would be available in 2016. It was agreed further clarity and information needed. GBC Officers would endeavour for SHENA information to be shared in advance of formal political approval.

ACTION: GBC to confirm what information will be available when in the run up to Member approval of consultation in 2016.

GBC stated the Green Belt work had been completed and, in broad terms, identified only minor realignment of boundaries. All areas met the purposes of Green Belt identified by GBC.

DBC reiterated keenness to understand the overall approach – the anticipated sequence of evidence programming and production, how strategic options are identified, development of alternatives, and next steps.

GBC had identified a 1km zone around settlements, which also addresses land that may arise if it is decided to locate the Lower Thames Crossing east of Gravesend.

ACTION: All to further discuss and provide documentation to understand Local Plan evidence base overall and individual studies.

DBC has had/ is getting other requests to take housing need from elsewhere, including adjacent and non-adjacent London Boroughs. DBC trying to gain an understanding of the circumstances of each situation, to learn from other parts of the country and seek consistency.

DBC asked GBC to provide information explaining how to deal with the practical issues that arise if one LPA takes another's housing need. For instance, this could usefully set out (with examples where it has been achieved elsewhere) issues such as how to deal with perverse 5year housing supply outcomes on appeal, how the recipient authority would receive necessary/ compensatory infrastructure, how political concerns are dealt with, how to deal in a fair and clear way with 'competing' requests, different timescales and so forth.

ACTION: GBC said they would try and find examples, and are in contact with Brentwood.

6. Way Forward

DBC thanked GBC for commenting on the Protocol for 'Action and Communication' outlined in the morning meeting, and promised to review and amend accordingly. DBC noted further direct verbal communication would be of benefit e.g. monthly discussions.

GBC recognised the volume of meetings attended by officers of both DBC and GBC, and suggested piggy-back meetings.

Cooperation to continue on strategic projects/infrastructure and Plan making.
It was agreed Memoranda of Understanding/ other written agreements warrant consideration.

ACTION: DBC to host a further meeting in the series of GBC, DBC & Sevenoaks District Council is due in January.

26/01/2016 GBC-SDC-DBC Notes of Meeting

North Kent West Duty to Cooperate Meeting
26 January 2016
2:30pm Civic Centre, Home Gardens, Dartford

Attendees:

- Dartford: Mark Aplin (MA), Michael Clarkson (MC)
- Gravesham: Wendy Lane (WL)
- Sevenoaks: Emma Boshell (EB), Anthony Lancaster (AL)

1. Local Plan Updates

MA outlined Dartford's Development Policies Plan was now at Reg. 19 Publication stage. The consultation will last until 4th March. Submission is expected in summer 2016.

WL stated that Gravesham Officers would be presenting the key messages and scope of the emerging Local Plan to Cabinet Committee. This is the first point that key issues will be made public. A first stage Issues & Options consultation is expected after Easter. SHENA figures are emerging that will likely result in settlement expansion including possible Green Belt release.

AL detailed that Sevenoaks would be concentrating on the evidence gathering process throughout 2016 in anticipation of preparing a new Local Plan. The Issues & Options stage consultation on this new Local Plan would likely take place in 2017. A new LDS would be prepared to reflect timescales.

EB identified that Sevenoaks Members had acknowledged the figures in the SHMA and that an in-house SHLAA was being prepared. There is likely to be the requirement for a Green Belt Review in future. A Masterplan was also being prepared by Tibbalds consultants for Swanley & Hextable, which will form part of the Local Plan evidence base. An initial issues consultation will shortly be taking place, but this would not include development options. A draft of the Masterplan would be completed by summer 2016. There was a general discussion around the recent national planning policy consultation undertaken by DCLG.

2. Duty to Cooperate

WL highlighted GBC's comments on Dartford's DtC Protocol in July, which discussed future Member involvement. DBC stated comments were addressed in a note sent out to attendees after the event hosted at Dartford in the autumn; this can now be found in the last page of the new Cooperation Statement.

DBC highlighted the request they had received from Croydon and their response with reference to the Protocol.

AL highlighted engagement with the LEP as an ongoing issue.

3. Housing Need Supply

EB stated Sevenoaks need from the new SHMA is very high when considered against the CS target. The draft SHLAA would be complete by June. SDC had received a FOi request from a developer for a list of sites considered by the SHLAA - this was refused on the basis of Equalities legislation after discussion with SDC's legal team. WL stated there may

also be grounds under Environment Regulations to refuse such requests in future as the forthcoming publication of the sites through the SHLAA would satisfy the request.

WL raised the issue of OAN figures from a SHMA/SHENA as part of the ongoing requirement to demonstrate a 5-year supply of sites. EB stated that SDC had produced a statement to cover this issue. Stated that PINS had not shown consistency in appeal decisions on this issue, but would likely relate to the time period since CS was adopted - the longer the period, the more likely an Inspector would resort to OAN figures.

MA raised the issue of density assumptions in SHLAAs. Stated that DBC's CS outlines general principles to guide development densities by type of site, but ongoing Crossrail work was looking at this issue further.

EB stated that SDC's density assumptions were based on the Characterisation of the Area Study. WL added that using existing sites with pictorial representation was a useful tool to address this issue with Members, as per Medway's SHLAA.

4. Economic Development / Employment Land

MA summarised DBC's position via the new DP Plan Policy (DP20) on identifying existing employment sites and that sufficient flexibility was built into policy to allow for redevelopment for employment and provision of ancillary services.

AL stated that SDC had commissioned consultants (Turleys) to undertake an employment needs study, which would tie in with the SHLAA's call for sites exercise for employment land. This would also take into account the previous economic needs study undertaken in partnership with Tunbridge Wells.

WL indicated that GBC were also undertaking an economic needs assessment as part of the SHENA.

5. Retail Town Centres

MA stated that DBC would be producing a Dartford Town Centre SPD later this year. DBC's retail evidence exists in various forms; including for the DP Plan (although no new quantitative needs assessment was necessary).

On Bluewater, MA outlined that initial contact had been made with Thurrock to discuss strategic retail issues but that this needed to be followed up. The GLA was also undertaking work on large-scale retail provision in London and beyond. Further discussion was needed re the strategic retail group and its terms of reference before it would meet.

AL detailed that SDC would be commissioning a new retail needs study working with the Economic Development Team, which would interrelate with the economic needs study already undertaken.

WL stated that retail needs were covered in the SHENA, which would provide an update to previous studies. GBC's Core Strategy already defined centres and frontages.

6. Green Belt

There was a general discussion around the High Court Judgement against DBC, which had found that residential gardens not in built-up areas were considered brownfield land.

7. Gypsies & Travellers

There was a general discussion around the timescales for updating the evidence base on this issue and the need to await further clarification from government or future Local Plan examinations/ appeal decisions. WL referenced the recent Swale examination where this issue was addressed.

8. *Infrastructure*

There was a general discussion around various infrastructure issues, including:

- The recent announcement on the Lower Thames Crossing & consultation
- Network Rail meetings
- Airports Commission & timing of a possible government decision
- Continued London Plan preparation in light of mayoral election timescales
- Kent Schools Commissioning & KCC work
- CCG and consideration of sites for combined healthcare uses

9. *A.O.B*

The next meeting will be held at Gravesham BC offices in April 2016.

27/04/2016 GBC-SDC-DBC Notes of Meeting

North Kent Duty to Cooperate Meeting – Sevenoaks District Council, Gravesham Borough Council and Dartford Borough Council		
Civic Centre, Gravesham 27 April 2016		
Sevenoaks District Council: Antony Lancaster, Emma Boshell Gravesham Borough Council: Wendy Lane, Tony Chadwick Dartford Borough Council: Mark Aplin, Michael Clarkson		
1	<p>Local Plan updates</p> <p>GBC – Strategic Housing and Economic Needs Assessment (SHENA) still underway with retail in particular being delayed.</p> <p>SDC – In 2016, will be focusing on evidence base.</p> <ul style="list-style-type: none"> • SHMA produced. • SHLAA and ELAA site “Call for Sites “ -200+ sites submitted. Will be taken to Members but without any recommendations about the suitability of any of the sites (factual summary of the site). • Economic Needs Study being undertaken with Tunbridge Wells • Retail Study underway with GVA. • Leisure Study being produced by Strategic Leisure and 4Global <p>Timetable for Local Plan Review (to cover period to 2035):</p> <ul style="list-style-type: none"> • Spring / Summer 2017 - Issues and Options • Spring 2018 - Draft Local Plan consultation • Autumn 2018 - Submission <p>Swanley and Hextable Masterplan – draft document for consultation anticipated in the Summer</p> <p>DBC – aiming to submit Development Management Policies document for end of May/beginning of June. 50+ representations were received to the pre-submission consultation. Hoping for adoption by end of year.</p> <p>Discussion on unmet need from other authorities and approaches followed by Coventry and Birmingham. More information needed e.g. on political process, monitoring, infrastructure issues and funding. SDC noted “receiving” authorities have gained the applicable New Homes Bonus monies.</p>	<ul style="list-style-type: none"> • GBC to pull together a briefing paper on mechanics used by LPAs in respect to unmet requirements from neighbouring authorities
2	<p>Housing need and supply</p> <p>GBC – AMR shows that have five year land supply</p> <p>SDC – has five year supply on current CS requirement</p> <p>DBC – 2015/16 Residential delivery is really good in Dartford - Members interested in building Council houses.</p> <p>Discussion on interesting recent appeal decisions.</p>	<ul style="list-style-type: none"> • GBC to send HBF Chairman’s update on build out rates
3	<p>Viability</p> <p>GBC – viability report coming with SHENA etc.</p> <p>SDC - ?</p>	

North Kent Duty to Cooperate Meeting – Sevenoaks District Council, Gravesham Borough Council and Dartford Borough Council		
	DBC – CIL charging schedule information base most recent material	
4	Economic development / employment land Discussion on impact of Permitted Development Rights to allow office to residential conversions. DBC advised that it has had limited office to residential conversions. DBC have had mixed representations on policy to protect identified areas. Future changes to allow light industrial to residential was also discussed	
5	Green Belt GBC – Green Belt Assessment now pinned to GBC boundary SDC – Green Belt SPD adopted DBC - No current work on this, likely to be addressed through future Local Plan review	
6	Gypsies & Travellers GBC – In the absence of a revised TAA using the new CLG traveller definition, GBC will be using the existing TAA but with the recognition that the requirement is likely to be an overestimation SDC – Gypsy and Traveller Plan is no longer being taken forward as a separate item and rather this element will now be included within the Local Plan Review. DBC – Currently updating Implementation Strategy considering potential options in order to maintain 5 year supply. Need calculated from 2013 GTAA, which will be revisited in future Local Plan review. SDC thought that DBC + GBC might be interested in knowing that a group of Surrey Authorities are commissioning a new Traveller Accommodation Assessment	<ul style="list-style-type: none"> • If SDC is provided with more information about the intended Surrey study, DBC + GBC would like this forwarded to them
7	Infrastructure GBC – Local Estates Forum developing Local Estates Strategy for health. Development Ebbsfleet Development Corporation Implementation Framework also includes considering infrastructure requirements. Includes social infrastructure but not currently clear how this relates to KCC's IIFM SDC – Updating infrastructure delivery schedule. Anticipating that a CIL meeting will be arranged once £250,000 in receipts DBC – Report on feasibility of Crossrail extension to Gravesend. Good progress is being made on new school provision. Big focus on Dartford Town Centre with SPD to be produced.	
8	AOB	
9	Next meeting	<ul style="list-style-type: none"> • SDC to suggest dates

06/09/2016 GBC-SDC-DBC Notes of Meeting

North Kent Duty to Cooperate Meeting –Sevenoaks District Council, Gravesham Borough Council and Dartford Borough Council

Council Offices, Sevenoaks
6th September 2016

Sevenoaks District Council: Antony Lancaster, Emma Boshell
Gravesham Borough Council: Sian Morley
Dartford Borough Council: Michael Clarkson

<p>1</p>	<p>Local Plan updates</p> <p><u>GBC</u> - Completion of Strategic Housing and Economic Needs Assessment (SHENA) delayed therefore Reg 18 consultation on the emerging Local Plan now likely to be late 2016. LDS will be updated when dates have been finalised. SHENA duty to cooperate workshop held last month.</p> <p><u>DBC</u> - Matters, issues and questions due to be received this week on the Development Policies Plan. Hearings start 18th October. Holding back on any new evidence gathering until after the examination.</p> <p><u>SDC</u> - Continuing to gather new suite of evidence working up to an Issues & Options consultation late Spring 2017. SHMA completed, SHLAA/ELAA in progress (new sites submitted), Open Spaces Study underway, and SFRA underway. Economic Needs Study (ENS) and Retail Study being considered by the Planning Advisory Committee this month. Swanley and Hextable 'Master Vision' consultation underway and bid submitted for the locally-led garden village initiative.</p> <p>Noted that Maidstone's Local Plan examination hearings are due to start 4th October. Some interesting issues and questions to be addressed at the duty to cooperate session regarding unmet need from other Kent authorities.</p>	<ul style="list-style-type: none"> • SDC attending Maidstone's hearings - will report back on discussion
<p>2</p>	<p>Housing need and supply</p> <p>Discussion around when member level engagement should take place as part of the duty to cooperate. Agreed that it should involve portfolio holders and leaders, who should commence discussions somewhere between Reg 18 and Reg 19 consultations. May be difficult to undertake as a North Kent group as we're at different stages of plan making. Members will be keen to receive something in return.</p>	
<p>3</p>	<p>Economic development/ employment land</p> <p><u>GBC</u> - Employment aspect of the SHENA has been finalised - lots of small sites so focus is on improving the offer. Gravesham has a small economy - one of the smallest in Kent, currently focused on a number of small employment sites which generally cater for low value, less knowledge</p>	<ul style="list-style-type: none"> • All authorities to monitor impact of extension of PD rights to light industrial

	<p>based activities. Going forward, there are opportunities to grow the economy given opportunities within the EDC area and possibilities associated with London Paramount, but a lack of supply of well-located quality employment space could limit the ability to capitalise on these growth opportunities.</p> <p><u>DBC</u> - ENS will be updated next year as part of new suite of evidence. There is land available through existing allocations. Office to residential PD rights has had limited impact in Dartford.</p> <p><u>SDC</u> - Employment need doesn't present the same pressures as housing, and the need generally marries up with available sites. In the process of converting PD rights exemptions to Article 4 Directions before the exemptions expire in 2019.</p> <p>Discussion about Paramount and Ebbsfleet DC. Masterplan due to be published soon but Paramount gone very quiet. Agreed that it's difficult to include any potential employment implications of Paramount until the proposals are further down the line.</p>	
4	<p>Green Belt</p> <p><u>GBC</u> – Green Belt Assessment will be published at Reg 18 consultation.</p> <p><u>DBC</u> – Not under pressure from developers currently. A Green Belt Assessment will form part of the new suite of evidence next year.</p> <p><u>SDC</u> – Green Belt Assessment underway and duty to cooperate workshop held. Comments received and are with the consultants. GBC and DBC suggested there needs to be a clearer distinction between the Green Belt and landscape work.</p>	<ul style="list-style-type: none"> • SDC to investigate GBC and DBC comments on Green Belt Assessment
5	<p>Gypsies & Travellers</p> <p><u>GBC</u> - Using the existing GTAA but with the recognition that the requirement is likely to be an overestimation because of the new DCLG definition.</p> <p><u>DBC</u> - Implementation Strategy makes provision for GTAA need and considers potential options in order to maintain 5 year supply.</p> <p><u>SDC</u> - Likely that a new needs assessment will be incorporated into a SHMA update.</p> <p>No update on the Surrey GTAA.</p>	<ul style="list-style-type: none"> • SDC to circulate information on the Surrey GTAA, when available
6	Infrastructure	

	<p><u>GBC</u> - Viability is a key issue (except in the rural areas). Currently discussing whether CIL would be of benefit.</p> <p><u>DBC</u> - CIL in place and money has begun to come in due to movement on larger sites. Instalments policy working. No immediate plans to review until work has started on the new Local Plan.</p> <p><u>SDC</u> - CIL spending board set up but finer details still to be agreed. Will require more detailed discussions with the infrastructure providers as the Local Plan progresses.</p> <p>Discussion on the merits of viability training for members.</p>	
7	<p>AOB</p> <p>DBC queried whether the Kent wide method was still being used to underpin SHLAA's or whether authorities were using the PPG guidance as the basis for this work. SDC advised that they are relying on the guidance heavily prescribed in the PPG. It was also noted that the Kent wide protocol was produced in 2007 and is therefore significantly out of date.</p>	
8	Next meeting	<ul style="list-style-type: none"> • DBC to suggest dates - January 2017

25/09/2017 DBC Email to GBC

Hello Tony

I hope your Plan preparation is continuing progress. The impromptu discussion last Thursday helped catch up on some things, so as I said, I've noted a few points from it below.

- GBC informed that whilst DM policies are going to Cabinet next month, Site options will be delayed until December. Following approval it was expected Reg 18 Issues and options consultation would take place.
- DBC stated their next Local Plan was remains currently due for initial consultation in the first half of next year.
- GBC are to put forward a range of site options, including in the Green Belt and settlements near the DBC boundary. This is SHLAA based.
- GBC emphasised they have not yet undertaken a full Green Belt review, consistency on this topic would ideally be sought in the area; but a variety of land sources are to be consulted on.
- GBC are preparing a Viability report through consultants.
- DBC highlighted that their Duty to Cooperate Protocol (adopted by Cabinet following consultation with GBC and others) emphasised the benefits for all parties of early sharing of evidence. GBC said they favoured packaging up studies for release after political approval. DBC noted they have not had sight of GBC's final SHMA, developable SHLAA sites or viability work. This made understanding GBC's needs and opportunities hard, and will increase the amount of information that has to be absorbed and reviewed to inform a consultation response.
- Both parties sought a means for greater information sharing between councils and with/between Members (without risking leakage of draft very sensitive data prematurely to the general public). DBC noted this is sought by the Protocol and needs to be organised.
- The content of the Right Homes in the Right Place CLG consultation on Statements of Common Ground (SoCGs) was noted. There was general discussion of the existing situation, the need to enhance and how to move to SoCGs.
- Timings need to be considered. DBC noted that Luton Inspector was clear in his view of the benefits of housing need 'exporting' authorities going early.
- It was considered individual Position Statements (covering the complexity of functional connections/ local HMA definitional issues and recognised linkages such as between Medway and GBC, and Bexley and DBC; and the further information that may be exchanged on meeting housing needs) could be of initial benefit. Each authority could put 'cards on the table' in the spirit of the new SoCG proposals.
- This and other issues for example Green Belt methodologies should be discussed. GBC undertook to arrange a meeting with Sevenoaks and DBC. DBC are meeting Sevenoaks next week on SDC's Plan and their current shortfall. It was agreed there was potential for other Position statements (covering functional connections) on other topic areas such as employment, that may have a different geographical extent than housing markets.
- Discussions will also need to consider London/ Crossrail extension and the potential impact of requests to meet more need within Kent/ adjoining its boundary.

Please can you let me know any revisions you think necessary within (say) 6 weeks. Thank you

Mark.

01/11/2017 DBC Letter to GBC

Dear Tony,

Re: Gravesham Borough Council Evidence

I write to request sight of your key evidence informing your Local Plan. We understand from you that a public consultation will be held in the next few weeks on this. However we are concerned that we may be forced to respond in the absence of sufficient time and dialogue to account for the evidence and proposals you put forward. We have found your report to GBC's Cabinet dated 9th October 2017 but are still unclear what is happening and when.

In particular, we repeat our requests to have sight of the full Gravesham set of publications arising from the Gravesham & Medway SHENA. We understand these were completed many months ago, but they have not been released. Information from it has been cited but we have been unable to verify the derivation as reports remain hidden.

We requested at the outset to see draft reports, as these make assumptions and judgements about Dartford's development needs, but this has not happened. We attended, along with several others, briefings by SHENA consultants; mostly focusing on initial research on general housing need matters - and some employment land - issues. These presentations were very generalised and did not clearly set out all the assumptions or inputs under-pinning modelling. We had requested involvement and the ability to comment on your SHENA as it was in preparation (letter from Teresa Ryszkowska to Kevin Burbidge 31/12/2014). This has not happened, despite the re-assurance that there would be '...opportunity to provide technical inputs...as appropriate'. Queries and requests by Dartford on the outputs produced following the presentations were not fully dealt with by the consultants.

Gravesham wrote to Dartford Council in June 2015 (Letter from Kevin Burbidge to Teresa Ryszkowska 8.6.15) asking us to enter into discussions with a view to Dartford accepting some of Gravesham's housing need. We responded (letter from Teresa Ryszkowska to Kevin Burbidge 5.8.15) saying that we were willing to enter into discussions through a formalised framework and a timetable for considering the issues. Since the issues are now emerging from Gravesham's preparatory Local Plan work, there is an onus on Gravesham to provide the necessary information which will inform any discussions, so that the key cross-boundary issues can be identified and a timetable for discussion agreed. To date, we have been provided with no information to have a meaningful discussion and which would enable us to jointly map out the cross-boundary issues. We also offered to set up a high level meeting between the Leaders of Gravesham and Dartford Council's (telephone conversation between Teresa Ryszkowska and Kevin Burbidge) but this was considered not to be appropriate at the time.

Your website states: "Once finalised, the studies will be published to support the Stage 1 Issues and Options consultation which will take place early in 2017." We believe this is now due out at the end 2017 (?) and that this may float housing / Green Belt release potential options near Dartford's boundary. This is an open public statement. Under the Duty to Cooperate with LPAs and other applicable bodies, we consider there is a further requirement to meet in terms of early and direct sharing information as it is prepared; and considering its implications for cross-boundary issues together with your neighbouring authorities. Given the amount of time that has elapsed since the start of your work on the Local Plan/ evidence, it is regrettable that so little has been shared with us, so as to allow for a meaningful discussion.

There are particular misgivings as how to and why the retail element of SHENA work has still not been made available. Medway, who you jointly commissioned the study with, published their version of the study in November 2016, but their website content cautions: "Please note that this study is published to inform Medway's Local Plan (2012-2035) evidence base for its

Development Options consultation. Gravesham Borough Council will publish the retail study to inform future stages of its Local Plan later in 2017.” Given that the SHENA was commenced in 2014 and Medway published the housing Baseline Report on their website in 2015, it is of concern that the results of the studies and any implications for cross-boundary matters have not been shared.

We would request this happens now, or alternatively to receive confirmation that this study is incomplete or obsolete. Similarly, we also seek confirmation of the housing-related outputs from the work.

Dartford has set out what we consider are some of the key aspects of effective communication and cooperation actions (our Protocol agreed by Dartford Council December 2015, following input by Gravesham) and this includes early and open sharing of key evidence/ assumptions, and senior buy-in to a constructive and transparent as possible process by Officers and Members. We consider such an approach is in line with current government guidance and is consistent with the government’s emerging proposals on Statements of Common Ground, which future plans, including the one you are currently preparing, will be subject to. This is the approach we have adopted in our Plan preparation. Looking ahead, we will offer meetings and copies of emerging evidence to Gravesham – and consider further Duty to Cooperate actions - in advance of taking forward our new Local Plan in 2018.

I am currently very concerned about the absence of clarity and limited dialogue over Gravesham’s current evidence and emerging proposals, and how this position and the approach over recent years bodes for future collaboration. We are hopeful this can be swiftly rectified so that we can move forward in a spirit of effective mutual communication in order to prepare the ground for resolution of any issues which may arise.

Yours sincerely

Mark Aplin
Planning Policy Manager

26/02/2018 GBC-SDC-DBC Notes of Meeting

Duty to Co-operate Meeting 26/02/2018

Attendees: Emma Henshall – Sevenoaks District Council
Helen French – Sevenoaks District Council
Tony Chadwick - Gravesham Borough Council
Shazad Ghani – Gravesham Borough Council
Mark Aplin – Dartford Borough Council

Agenda

1. Apologies and note taking

- GBC to take notes of meeting

2. Revised NPPF and OAN

- SDC and GBC have provided data to MHCLG as part of the latter's work on local housing need, GBC's SHMA OAN and MHCLG's requirement are similar
- SDC part of PAS Pilot on Statement of Common Ground for West Kent. PAS acting as a facilitator with feedback to be provided to MHCLG. Mid-march deadline.
- DBC's DTC work set out in Development Policies Plan.
- DBC have not seen GBC's SHMA – advised that they were involved in stakeholder meetings in keeping with other stakeholders.
- SDC have been part of quarterly meetings with West Kent authorities. Statement of Common Ground picks up on key issues, risks (e.g. Ashdown Forest) and where each authority is in their plan making stage.
- SDC have found other opportunities such as KPOG, Leaders and Chief Executives meetings, etc. facilitate work on Statement of Common Ground.
- DBC and GBC need to engage members and senior officers in similar manner, DBC and SDC to discuss.
- SDC require formal statements of common ground, to include areas of agreement and disagreement and to be signed jointly by Members and Senior Officers
- DBC and other authorities to consider Planning for the right homes in the right places and development distribution.
- SDC OAN unlikely to be met however this is proactively being addressed.
- SDC – Ashdown Forest SoCG would be a good example to follow. Create a long list of issues which is then screened and only pertinent issues focused upon. SoCG approach should be evidence led and justified, with clear reasoning for decisions included. One SoCG can reference another, rather than cut and paste. But focus on facts not one's own interpretations.

- SDC – Trying to engage LEP, GBC's experience is that they don't engage effectively.

3. Local Plan Position

a. Dartford (inc. Town Centre) – DBC Comments

- Dartford Town Centre SPD consultation starts on Wednesday ends on *Thursday 29th March 2018* – based on regeneration however stakeholders are expected to focus on infrastructure concerns. The SPD itself brings together Core Strategy sites, creation of Town Square and is about improving movements etc.
- Talking to Members re Local Plan, regulation 18 consultation will focus on strategic issues and will likely go to Cabinet in late Spring. Number of uncertainties i.e. revised NPPF, OAN, elections, etc.
- Rewritten LDS, broad timetable of plan is for adoption in 2020/21.
- Will undertake a SHLAA call for sites and consult on the methodology, *SDC advised that they found it useful to incorporate SA/SEA criteria into SLAA methodology and to justify assumptions used.*
- Budget constraints, not engaging consultants at present other than SA.
- Intending to use MHCLGs methodology and figures for housing need for Regulation 18 consultation and take into account revised NPPF

b. Gravesham

- Undertaking G&T study with Medway, ORS have been commissioned. This will feed into stage 2 Regulation 18 consultation and not the consultation being undertaken in April 2018.
- Regulation 18 consultation forms part of Cabinet Agenda for today, consultation commencing in late April for 8 week period.
- Approx shortfall to 2028 is 2,000 dwellings. In autumn 2019, Core Strategy becomes five years old which may present issues.
- Working on a new LDS – stage 2 reg 18 will take place in Summer 2019
- Digesting Client Earth and Air Quality rulings against Gov. and others.

c. Sevenoaks

- Issues and options consultation in Summer 2018, second Reg 18 full draft
- Reg 19 in Autumn/Winter 2018
- Submission early 2019
- Focusing on sustainability and how to treat AONB and Green Belt – detailed site analysis through SLAA etc linking to social and community benefits.

4. London Plan

- Mayor intent on not undertaking Green Belt review, creating issues with outer Borough's in terms of intensification needed to meet figures. SDC engage Bromley and Bexley Council's.
5. Major projects update (brief)
- a. A2 Junctions (Bean & Ebbsfleet)
- Highways England undertaking consultation which ends in early April
- b. London Resort
- Nothing to report – London Resort are still focused on bringing project forward
- c. Lower Thames Crossing
- Highways England working on modelling and collating evidence needed, issues related to effective engagement.
- d. Tilbury 2 & Tilbury Energy Centre
- Two DCO's in Thurrock which are being progressed – highways/rail infrastructure / heritage issues
- e. Any others
- Howbury Park – At appeal – DBC engaging consultants to assist
6. Key issues that need taking forward
- Hold another meeting in a month's time
 - Discuss main issues and who needs to attend these meetings
 - Come with a list of strategic issues, use West Kent template if possible

28/03/2018 GBC-SDC-DBC Notes of meeting

North Kent duty to cooperate meeting notes 28th March 2018

SDC – Emma Henshall, Helen French

DBC – Mark Aplin

GBC – Tony Chadwick, Geoff Baker

1. Local Plan updates

GBC – Reg 18 consultation starts 25th April for 8 weeks on DM policies and site allocations. Surveys are being sent to all households in the borough.

DBC – received a positive response to recent consultation on Dartford Town Centre SPD.
General programme as last time.

SDC – draft Local Plan going to committee in June before Reg 18 consultation in July.

2. Scoping potential areas of discussion / statement(s) of common ground

It was noted:

- This officer discussion is informed by ongoing learning with PAS in west Kent using a template to help identify areas of common interest.
- New national guidance is just out, setting expectations by government for new style comprehensive agreements they term 'Statements of Common Ground'. This phrase had a previous, more general meaning, that may be shifting towards a specific level of agreement. However at this stage, the important point locally is to take discussions forward to find out what can result.
- The authorities are each likely to explore Duty to Cooperate agreements with other authorities, reflecting ongoing actions and in context of complex functional and administrative geography in west/north Kent and beyond. For example, Dartford and Bexley have functional links and are at the centre major cross boundary infrastructure i.e. Crossrail extension strategic working, with Gravesham also involved.
-

Defining the area:

- SDC, DBC and GBC administrative boundaries to begin with. The discussion recognised that issues (below) could be explored that are cross boundary from the perspective of (only) two authorities.
- The group Discussed the possibility of having separate SoCGs and agreed to evaluate if this was necessary as we progress through the issues.

Commonalities within SDC, DBC and GBC (this long list will likely reduce as we progress as we identify the 'cross-boundary strategic issues' to be focused on):

- Housing:
 - Housing market area and OAN / LHN
 - London's growth ambitions and any potential unmet need
 - Gypsies & Travellers
 - Affordable housing delivery
 - Ebbsfleet garden city
- Economy:

- Employment land needs
- Impact of London (in-commuting and out-commuting)
- Loss of office floorspace
- Changing industrial trends
- Changing retail and leisure trends
- London resort
- Future of the rural economy
- Infrastructure:
 - Roads – M25, A2/M2, M20, lower Thames crossing
 - Rail – North Kent line, Victoria line with Ebbsfleet link, etc
 - Health
 - Schools
 - Broadband
 - Water supply / waste water
 - Airports
- Environment:
 - Green Belt
 - Kent Downs AONB
 - Flooding (river catchment and tidal)
 - Thames Estuary & Marshes SPA / RAMSAR
 - North Downs Woodlands SAC
 - Waste & minerals
 - Air quality
 - North West Kent Countryside Partnership
 - Darent Valley Landscape Partnership Scheme

Relevant parties:

- To be identified at the next meeting.

Risks:

- To be identified at the next meeting, but some issues discussed include:
 - New uncertain procedure e.g. west Kent 'model' is a pilot. This makes it more important - but hard - for clarity on next steps; and (for, those not yet party e.g. Members) understanding the purpose and possible outcomes.
 - Need for an efficient process. Excessive 'bureaucracy' could divert Officer and Member time from taking forward initial Local Plan preparation that would help clarify discussions.
 - Member involvement and focus. Each council has different leadership structures and approaches.
 - Different stages in plan-making process
 - London Plan housing growth / Examination in Public.

3. Next meeting

18th May 10am at DBC offices.

25/04/2018 Gravesham Local Plan Stage 1 Regulation 18 Consultation

DBC does not hold a copy of the consultation email on file.

Consultation documents are available at:

<https://localplan.gravesham.gov.uk/sareg18/consultationHome>

18/05/2018 GBC-SDC-DBC Notes of Meeting

Duty to Co-operate Meeting 18 May 2018

Attendees: Mark Aplin, Dartford Borough Council
Andrea Wright, Dartford Borough Council
Tony Chadwick, Gravesham Borough Council
Geoff Baker, Gravesham Borough Council
Emma Henshall, Sevenoaks District Council
Helen French, Sevenoaks District Council

1. Notes of last meeting

- Agreed

2. Progress updates

a. Gravesham

- Currently carrying out a Regulation 18 consultation on Site Allocations (setting out broad options) and Development Management Policies.
- Sent out c40,000 questionnaires to households (c1,500 returned so far) and carried out a series of exhibitions which were well attended in the rural area but not in the urban area. In the rural area, people seemed willing to consider small scale release/exception sites around rural settlements to give opportunities for downsizing.
- SLAA and SA/SEA not yet published on the website. These are expected to be published week beginning 21 May 2018. Likely that the period for consultation response will be extended by 2 weeks – currently the deadline is 20 June 2018.
- SLAA only currently involves a desk top assessment of sites submitted under the call for sites – c7,000 dwellings from these. Will now consider other possible areas/sites which may be deliverable and developable, including plotlands at Culverstone Valley Area.
- SA/SEA considers broad brush options, not full assessment. No transport work has been done yet – awaiting the work being done on the Lower Thames Crossing.
- Results of consultation expected in a report in Autumn 2018. Mindful of elections in May 2019.

b. Dartford

- Currently carrying out a consultation on SHLAA Call for Sites and methodology
- First Regulation 18 consultation on Strategic Issues for the new Local Plan/review of the Core Strategy is due to take place from early June to mid July for 6 weeks. Already in the public domain: to Cabinet on 24 May 2018. A broad series of questions based on reviewing existing strategy which is working well.

No Green Belt release likely to be needed. Hope it will prompt discussion from infrastructure providers, parish councils, neighbouring authorities etc. Includes section on Duty to Cooperate, infrastructure and intent to continue with a Local Plan based on Borough boundaries, and section on Ebbsfleet etc: comments welcome.

- The following documents will be made available:
 - Strategic Issues consultation document
 - Core Strategy review
 - LDS to 2021
 - Five year housing land supply
- No commitment currently to a further Regulation 18 consultation but possible/ further consultation on allocations prior to Regulation 19.

c. Sevenoaks

- Second Regulation 18 consultation on Draft Local Plan (covering sites and policies) is due to take place from 16 July 2018 – 10 September 2018. Due to go to Planning Advisory Committee on 19 June 2018 and Cabinet on 12 July 2018.
- Seeks to protect Green Belt as much as possible. Putting forward a sequential approach as follows:
 - 1st – make the most of under-used land in urban areas, higher densities around transport hubs, higher densities in the urban areas (minimum 50dph, some 100+ dph)
 - 2nd – use brownfield sites in the Green Belt where these are in sustainable locations, taking a wider view on brownfield definition than in the NPPF
 - 3rd – potential release of greenfield/Green Belt land where it meets very exceptional circumstances, development must have social/community benefits to meet a need in that area.
- Includes all exceptional circumstances sites but the document will make clear that not all are likely to go forward. There are several large sites under consideration, e.g. Edenbridge Hospital, Sevenoaks Quarry, Farningham, Hartley.
- Want to carry out Regulation 19 consultation end 2018/early 2019 and submit before/during purdah.

d. London Resort

- The proposal has been put back by one year.
- Dartford will need to consider strategic policy for the Swanscombe Peninsula: included within the EDC area (section in forthcoming consultation).
- Natural England have done some work on flue ash in relation to their proposals for the Coastal Path.
- Post meeting note: the London Resort website no longer appears to be available.

e. Ebbsfleet Development Corporation

- Nothing major to report

f. Lower Thames Crossing

- Highways England are doing work on air quality and transport modelling for the Lower Thames Crossing

3. Statements of Common Ground

- All agreed that the cumulative impacts of development on the transport network is a big issue/should be the focus and that there need to be improvements to the M25/existing Dartford Crossing.
- Possible SOCG needed on the M25 corridor: an issue of interest to all parties, and knock on impacts on other major trunk routes (e.g. A2 and M20).
- Highways England (HE) are doing work on the Lower Thames Crossing transport model and air quality and we will need to see this.
- Issue of the standardised approach from HE, i.e. issues in terms of engagement with local planning authorities on Local Plans. It was felt that a more joint approach from SDC/GBC/DBC (and possibly KCC) would carry more weight. It was noted that everyone leaving Kent needs to cross SDC/GBC/DBC's area.
- **Action point: It was agreed that all would consider how to engage with HE, key issues to discuss, how to take forward, inclusion of KCC. It was agreed that SDC and GBC would use their consultations to start the conversation with HE, i.e. speak to Nigel Walkden.**
- There was reference to a Thames Gateway report due next week and the pressure for local planning authorities to get together on joint spatial housing numbers. There are issues of deliverability, cumulative impacts on the transport network, labour supply, not clouding ambitions as a result of the recession, impacts of green belt releases on neighbouring authorities etc. TMBC had published a Housing Delivery Study by GL Hearn – see https://www.tmbc.gov.uk/data/assets/pdf_file/0014/502214/Housing_Delivery_Study_Final.pdf

4. Next actions

a. Gravesham Local Plan

- Spatial options – will consider the key issues and links to promoted sites.
- Sites – need to consider individual sites and may need consultants to assess potential unpromoted ones.
- Services/transport – need to consider cumulative impacts of different options on these.
- Next consultation – will be after the election in 2019.

b. Dartford Local Plan

- Infrastructure providers, parish councils, EDC, neighbouring authorities – will try and engage with them on the Strategic Issues consultation.

- Densities – have been working on a paper on densities, e.g. high densities have achieved on the Northern Gateway site but the densities at Ebbsfleet area low.
- Dartford Town Centre SPD – finalise.

c. Sevenoaks Local Plan

- Exceptional circumstances cases – doing some studies of these including two sites at Hartley.
- Duty to Co-operate workshop – likely to hold this in July when the Local Plan goes to consultation.
- Whole plan viability – just commissioned this work and aiming for it to be completed before the consultation begins.
- Affordable Housing – Evidence suggests that most affordable housing contributions come from sites of less than 10 units. Local Housing Needs Survey assesses affordable housing needs at ward level, suggests 75% intermediate housing and 25% social rented (opposite to SHMA). Flexible policy adheres to SHMA but there is evidence to support a different mix. Will have an SPD to explain the small sites policy.
- CIL – possible revision to CIL charging schedule.

d. Other

- None.

5. AOB

- None.

6. Date and location of next meeting

- Next meeting to be held at GBC's offices. Suggested week beginning 31 July 2018. It may be appropriate to invite others (see item 3 above).

11/07/2018 DBC Response on Gravesham Local Plan Stage 1 Regulation 18 Consultation

Dartford Borough Council's response to Gravesham's Local Plan (Part 1 Site Allocations, Issues & Options) public consultation.

Thank you for consulting Dartford Borough Council on this consultation.

1. Background

- 1.1 Dartford and Gravesham's adopted Core Strategies both have their origins in regional (or County) strategy promoting growth in north Kent, specifically north of the A2. This protected the Green Belt whilst planning positively for the urban areas of Dartford and Gravesend ('Kent Thames-side').
- 1.2 This is recognised in the Gravesham Core Strategy from 2014:
 - 1.3.3 The South East Plan was the Regional Spatial Strategy for the area. This has now been partially revoked. The policies relating to Gravesham Borough no longer apply but are referred to in order to provide the strategic context. The South East Plan identified the part of the Borough to the north of the A2 as being within the Kent Thames Gateway sub-region, an area with a focus for growth and regeneration. It identified Ebbsfleet as the location for a regional hub with a major business district in a mixed settlement with the opportunity to create a regional transport hub around the international rail station. The South East Plan strategic for Gravesham was based on making intensive use of previously developed land within the urban areas of Gravesend and Northfleet. This was set in a context of protecting the Green Belt and other environmental assets. This reflected the long standing strategy for the area reflected in previous Structure Plans and national documentation on the Thames Gateway. The North Kent authorities within the Kent Thames Gateway sub-region (Gravesham, Dartford, Medway and Swale) retain the shared view that the same spatial strategy for the area should continue to be pursued.
 - 1.3.4 The vision for the development of the Kent Thameside area (the parts of Gravesham and Dartford Boroughs to the north of the A2) has been jointly evolved since the mid 1990s on the basis of significant quantities of previously developed land and the opportunity provided by the International and Domestic Station on the High Speed 1 (HS1) railway line at Ebbsfleet.
- 1.3 The revocation of regional and county development plans occurred, before the Gravesham Core Strategy was adopted; but strategy is now required to be informed by cross- boundary working in the form of the Duty to Cooperate.
- 1.4 It is clear in the existing Gravesham Core Strategy and Dartford's Core Strategy (2011) that there has been consistency in objectives and spatial strategy for at least 20 years, in order promote growth and sustainable urban regeneration through a public transport orientated approach in Kent Thameside (Dartford and Gravesham). This approach has been shared across the borough boundaries and continues to be the foundation of joint working in the wider North Kent area through, for example, the Thames Gateway Kent Partnership.
- 1.5 Prior to this consultation, Gravesham Council has not informed Dartford Council or given any clear indication that this commonly shared long term strategy is potentially to be abandoned by a shift in approach. It is in this context that the consultation paper has been considered.

2. Duty to Cooperate

- 2.1 There has been and continues to be successful cooperation between Dartford and Gravesham on key infrastructure matters such as over the C2E project (extension of Crossrail to Ebbsfleet) and over the major cross-boundary development opportunity at Ebbsfleet, now branded as Ebbsfleet Garden City. It is hoped that this positive cooperation will continue and the guiding principles inherent in these projects are used to guide wider strategic agreement between the two authorities. At Ebbsfleet, Dartford and Gravesham share a common objective of seeking to ensure that a vibrant, mixed development, with sufficient intensity of economic activity and a strong sense of place, is delivered. The wider importance of this could be acknowledged in Gravesham's future Local Plan documents to a greater extent than the current consultation does.
- 2.2. However, Dartford Council has severe concerns that the Duty to Co-operate has not so far been undertaken in a positive and transparent way in relation to Gravesham's Local Plan. It calls into question the current seriousness of intent of Gravesham Council with regard to cross-boundary working. It is a legal requirement for Local Plans to be prepared in cooperation: with communication and ongoing information sharing with neighbouring planning authorities. This should be about more than waiting for a public consultation stage; but rather, early and joint scoping of strategic matters that have cross-boundary implications and consideration of these as they are progressed through preparation of the plan. There should be as much clarity as possible and no surprises for neighbouring authorities. From the government's perspective, housing provision and protecting the Green Belt must be at the forefront of this activity.
- 2.3 In this case, since the start of plan preparation in 2014, there has been uncertainty over timescales and, more generally, a lack of effective communication over outcomes of evidence preparation and strategic directions. For example, it was stated in January 2016 by Gravesham that this current consultation was "expected" some two years earlier than transpired. Whilst it is apparent that evidence base work and consideration of options has been taking place over the last 3-4 years, little of the outcomes or application of this has been shared with Dartford Council.
- 2.4 This public consultation is the first opportunity provided to Dartford Council to consider the options for the overall strategic direction being progressed. The contents of the consultation document raises serious concerns over Gravesham's commitment to the longstanding spatial strategy of sustainable development in Kent Thameside, focused on brownfield land and public transport orientated development. This is a strategy backed by successive governments and regional bodies over an extensive period and most recently being supported by the establishment of the Ebbsfleet Development Corporation to help drive forward housing delivery on the most challenging sites. It is a strategy in which government has invested significant sums of public money over the years, including major contributions to delivering of the High Speed International and domestic station at Ebbsfleet, implementation of the Fastrack dedicated bus service, extension of HS1 to Gravesend and the most recent improvements to connectivity and public realm at Gravesend Station (the Rathmore Rd project). A strategy of such longevity, public commitment and long-standing cross-boundary working should not be dismissed lightly and certainly not without detailed discussion with partners. Yet the public consultation document pays scant regard to it. Broad statements such as that in paragraph 8.4 on considering "possible change in the fundamental strategy of the Local Plan..." are not a substitute for the detailed discussions that Dartford Council would have expected to be involved in prior to public consultation, through appropriate Duty to Cooperate actions.
- 2.5 The second major concern has been with regard to Gravesham Council's approach to seeking to have its housing need accepted by Dartford Council. In 2015, Gravesham Council wrote requesting Dartford Council to accept its housing need. This was in

advance of assessment of housing need and capacity having been carried out and without any context as to strategic direction of the plan or why Gravesham Council considered it necessary to make this request. In subsequent discussions Dartford Officers have raised the cross boundary practicalities of meeting housing need. In April 2016, Gravesham officers stated they would “pull together a briefing paper on mechanics used by other LPAs in respect to unmet requirements from neighbouring authorities.” To-date, this has not occurred and there is still no clear framework to consider the issues raised in the letter of 2015.

- 2.6 The consultation paper (paragraph 1.27) acknowledges that before significant Duty to Cooperate progress is made, Dartford would “need to see the options for Gravesham to try and meet its own need and fully understand the implications of such a move for them”. This sentiment is fully supported but we consider the consultation and evidence released has not helped demonstrate Gravesham sustainably trying to meet its own need. In these circumstances, Dartford Council can only conclude that there is no serious intent or commitment on Gravesham Council’s part to plan positively to meet its own housing need, in advance of approaching its neighbours for assistance. If there is to be a cooperative discussion on this matter prior to the Submission of Gravesham’s Local Plan, there will need to be a full sharing of evidence and assumptions and a willingness on the part of Gravesham Council to consider sustainable options for the delivery of housing which appear not to have been fully explored through this consultation.
- 2.7 It should be noted that Dartford Council is communicating with more than one authority that are exploring if they can meet their housing requirement, and if not, what the alternative options are. Any decision by Dartford Council, therefore, needs to be justified and defensible and to have solid grounds for preferring one authority over another. To progress a discussion on housing need, the matters to be addressed include, but are not limited to:
- Clarity of logic for ‘exporting’ Gravesham’s housing need to Dartford. This must be sound and agreed. It is noted that the draft NPPF does not refer directly or indirectly to the concept of a housing market ‘area’ defined by a housing market assessment; the starting point is a series of individual local needs figures to be addressed by the Duty to Cooperate. Dartford Council would need to be assured that there is a functional justification for accepting Gravesham’s housing need (in this context ‘housing need’ is not to be interpreted as need for affordable housing but rather an unmet need for market housing which is affordable to those concerned). That is, that there is a rationale and likelihood of Gravesham residents in housing need taking up available market housing in Dartford. Such a functional rationale may be based on, for example, the direction of established migration movements. Additionally, this could be informed as applicable by the outcomes of the forthcoming draft London Plan examination.
 - Acceptance of cross-boundary unmet housing need will have implications for delivery of infrastructure and Council services in Dartford. There is already a capacity shortfall for key physical and social infrastructure and additional housing will result in further requirement for new infrastructure. Additional population results in increased service costs, for example in waste collection. How will Gravesham Council contribute to the funding and cover the delivery risks? It should be noted that CIL and New Homes Bonus arising from new development are insufficient to cover the costs of all the provision required.
 - In the context of accepting unmet cross-boundary housing need, there is a lack of national guidance and potential risks for the recipient authority in its Development Management operations. If development in a planned recipient location is unavoidably delayed, there may be perverse outcomes for the receiving authority from the national Five Year Housing Land Supply / Housing Delivery tests. How would Gravesham Council ensure that unplanned development in Dartford, as a

result of the accepted cross-boundary housing need, does not occur? Could this be done through agreement, formal policies or mechanisms and how could they be monitored and enforced?

- 2.8 In conclusion, whilst there has been a long history of shared strategy and objectives between the two boroughs, it is of major concern that there now appears to be an intent to depart from the previously agreed and long-standing strategy. The lack of meaningful discussion with Dartford Council on these matters of significant cross boundary importance is considered to be inconsistent with the Duty to Cooperate. With regard to Gravesham Council seeking assistance from Dartford to have its housing need met, again the manner in which it has been approached does not accord with the principles of positive engagement through the Duty to Cooperate. Instead, it gives the impression of a premature and possibly opportunistic attempt to avoid the responsibility of meeting its housing need within its own boundaries. The Duty to Cooperate is a legal requirement which has to be fulfilled for a plan to be found sound. The 'duty' cannot be applied retrospectively but has to be engaged in fully and positively throughout plan preparation. It is the view of Dartford Council that, to-date, the actions of Gravesham Council have fallen far short of what is to be expected in this respect. Before the preparation of the plan progresses any further, Gravesham Council must give serious consideration to ensuring that the shortcomings to date are addressed and reversed.

3. Spatial Strategy Concerns

- 3.1 It appears from the early part of the consultation document (para 1.32) that the approach to ensuring growth occurs in the urban Kent Thames-side area, consistent with Green Belt/Greenfield protection, is maintained. However it unfortunately appears, from Chapter 2 onwards, that proposals are based on significant greenfield release in the Green Belt, with an unnecessarily dismissive attitude of the potential for development in urban Gravesham. For example, the 'summary' in paragraph 7.1 states that identifying new land in the urban area is "difficult" or "very challenging", and therefore "it is necessary to look at a wider area".
- 3.2 The dismissal of urban development options without adequate assessment is contrary to government guidance and the evidential basis for this is unclear. Residential developer interest is undoubtedly spreading out from London and there is strong evidence of this in Dartford. Gravesend is an attractive Thames riverfront town. It is a sustainable location with good accessibility to Central London. Journey times to Central London via HS1 are much faster than trains from Dartford. Strong demand in Dartford has led to substantial viability increases over the last 3 years. Similar viability improvements must also be possible in Gravesend.
- 3.3 However, whilst Green Belt/Greenfield development is presented as the more favoured option, as it is in this consultation, a signal is being sent to developers that Gravesham Council may consider development of such sites to be acceptable, thus undermining regeneration of the urban area and the development of more challenging urban sites.
- 3.4 Specifically, it is considered that optimising the potential of the Gravesend/ Northfleet area is obscured in the consultation by being presented alongside a large number of countryside and Green Belt release options, which are similar to each other in nature. The priority must be to fully explore the potential to intensify Gravesend and Northfleet, taking into account transport connections, which should be clearly reflected in how evidence is prepared, and how options are considered and presented.
- 3.5 Draft NPPF (para 136) makes clear the government's intention that the proper approach in Local Plans is for full examination of all other options should be undertaken before consideration of the release of Green Belt land under exceptional

circumstances. This requires considering the capacity of brownfield land, the potential for higher density development, and considering Duty to Cooperate options. There is no evidence that this exercise has been undertaken although the consultation paper, at paragraph 7.28 acknowledges the draft NPPF, and illuminates that option 1 was “added” in response.

- 3.6 A commitment is needed to an approach that will deliver urban regeneration and reuse of brownfield sites to protect the Green Belt countryside. All appropriate sources of housing supply should be explored as a priority. It is unclear from the consultation the extent to which Green Belt/greenfield land can be protected by optimising brownfield land in Gravesham including that outside of the urban area. The consultation document does not highlight that, for example, in the Inspector's Report to the existing Core Strategy (paragraph 74), he called for Gravesham “to examine whether the inclusion of the Culverstone Valley strictly meets the national and local purposes thereof any longer, and consider whether it should instead be included within an inset boundary for the settlement of Culverstone as a whole, rather than remain in the Green Belt.” In the absence of such evidence, it is difficult to make informed responses to the consultation.
- 3.7 The principle of protecting greenfield land in the Kent Thameside Green Belt should be reinforced and prioritised. Green Belt land on the rural periphery of Gravesham should not be undermined in its purpose and openness. This would result in impacts on Southfleet, Longfield and New Barn areas. Robust Local Plan policy for protection of the Green Belt is needed, alongside positive development provisions for urban Gravesend.
- 3.8 The focus on a plan period to 2028 is insufficient. National policy sets a requirement to plan for more than 10 years ahead, and the plan is only at first consultation stage. A longer term focus would help foster a strategy rooted in the future opportunities and result in a more visionary and ambitious plan.

4. Comments on consultation options

- 4.1 As a general point, it should be noted that all options are likely to depend on the A2 as the main road transport route for the new residents. Existing problems and lack of capacity on the A2 and wider SRN network and local network including Dartford Crossing are well understood. Increased demand on this network will exacerbate problems existing users, including for Gravesham and Dartford residents and businesses. Option 1 is likely to have the least adverse consequences in this respect. Dispersed development in Green Belt/villages, which is the basis of all other options, will increase the existing congestion and may compromise the effectiveness of planned mitigations. This major cross-cutting issue appears to be lost in the list of pros/ cons put forward for each consultation option. The issue is likely to be significant in the formal Sustainability Assessment process and its importance should not be dismissed.
- 4.2 Specific points on each of the options are as follows:
- 4.3 Option 1:
- This is called ‘Settlement Intensification’ with the accompanying illustration placing a question mark over every settlement in the hierarchy. It is considered the primary focus should be on the urban area, not all settlements.
 - Subject to this caveat, it has clear merit for regeneration of north Kent and Green Belt protection and must be fully explored. Indeed it is surprising a ‘Gravesend predominant focus’ is a late addition to the considerations – this position needs to be rectified and placed at the forefront of further plan preparation. This option has the full support of existing and emerging national guidance.

- It is noted Gravesham's brownfield land register has confirmed the suitability, availability and achievability of c 3,000 new homes. Chapter 7 of the consultation usefully hints at future brownfield options (car parks, employment land and redevelopment of the extensive housing land owned by the council), but redevelopment of retail areas for mixed use with residential above is not identified. This is a potentially large source of capacity. There has not been no exploration of how constraints to potential land sources may be addressed which might inform decisions on which land to prioritise.
- The draft NPPF includes a whole new chapter on making efficient use of land through brownfield land as well as appropriate sustainable densities. The draft NPPF (paragraph 123a) seeks "a significant uplift in density" in locations well served by public transport, "unless... there are strong reasons why this is inappropriate." It is to be hoped this approach has been ambitiously pursued.
- The significant benefit of Option 1 in supporting the regeneration of Gravesend town centre has not been identified. Dartford's experience shows that housing development in and around the centre can drive higher footfall and encourage retail and leisure investment in the town centre. It helps create a virtuous circle whereby further redevelopment, providing more homes is stimulated. Gravesend, like Dartford, has an opportunity to regenerate its town centre in this way. Option 1 focused on Gravesend is the clear frontrunner in terms of sustainable transport options. Gravesend has good rail connections and journey times to St Pancras via HS1, plus Fastrack. It will benefit from any improvement delivered through the C2E Crossrail scheme – which could be wholly transformative to development interest and potential.
- The assessment of Option 1 is unbalanced and overly pessimistic. Why is 'more' pressure placed on existing infrastructure such as roads, compared to the same amount of development from a more dispersed pattern? Why does the consultation confidently assert impacts on climate change/ air quality from loss of open/ amenity space for this option? Why is there no focus on the opportunities for new and enhanced infrastructure and economic transformation that can occur through this option?
- Dartford Council supports this option as the most sustainable option, with major benefits to town centre regeneration and opportunity to maximise use of sustainable transport options. Moreover, it enables the protection of Green Belt/Greenfield land. The merits of this option have not been explored and are considered downplayed, whilst the 'problems' and obstacles have been overplayed. Rather than avoiding the challenges, Gravesham Council is encouraged to develop an ambitious and pro-active strategy and a long term and positive vision for the area on the basis of Option 1.

4.4 Option 2:

- There are eight or nine points presented in support of this option of Urban Expansion. Dartford supports many of these.
- The strong planning merits of this option do not come out of consultation strongly.
- The benefits of the Lower Thames Crossing should be fully exploited as a central part of Gravesham's next Local Plan.
- The Lower Thames Crossing offers local and national transport, connectivity and resilience benefits. It offers clear economic development opportunities for Gravesham; the extent of residential potential realised would depend on how efficiently the available land east of Gravesend is used.
- It provides a clear future defined boundary around which a robust Green Belt boundary could be aligned if necessary (this also applies for the land near Strood) – a defensible and physically fixed boundary may matter more in serving its purpose than 'width' of the Green Belt calculated from a map.

- In particular Option 2 could be seen as an option allied with Option 1 insofar as necessary to meet Gravesham's own housing need, and minimising Green Belt release.
- Consultation document paragraph 7.32 says it is unknown if any single option could provide sufficient land. The public consultation is greatly undermined by the lack of information as to the likelihood of a combination of urban-focussed option(s) meeting need over the long-term.

4.5 Options 3 to 5:

- These options all involve Green Belt release requiring exceptional circumstances to have been demonstrated. Strong objection is raised in the context of national policy and the Duty to Cooperate.
- There is particular objection to all the options on sustainability grounds in the absence of evidence that capacity from options 1 and 2 has been fully explored or presented.
- Having three options expanding or merging villages in the Green Belt is considered to distract public consultation away from pursuing the most sustainable options (1 and 2), which have not been acknowledged as such. The differential impacts between focusing on different settlement tiers and between merging settlements is not supported by evidence from SA.
- All these options will have particularly adverse traffic and infrastructure impacts on Gravesham and Dartford which cannot be readily mitigated.

4.6 Option 6:

- This floats the idea of a freestanding new settlement. Objection is again raised on Green Belt national policy (urban regeneration/ Duty to Cooperate) grounds.
- This option as a realistic way forward is currently undermined by paragraph 2.9 of the consultation document, indicating it is less relevant than settlement expansion/merger. The statement "there is little land in the Borough for a new village" is made without any indication of how this hypothetical concept could become more real in terms of location or deliverability.
- Again it is considered this option does not encourage positive public engagement in planning for the future of Gravesham by setting out realistic options for Local Plan decisions.
- This option also fails to support the delivery of the new settlement already planned for Kent Thameside at Ebbsfleet.

5. Supporting documents/ Proposed next steps

- 5.1 Concerns are reiterated in a Duty to Cooperate context of the lack of openness in preparation of evidence/ options. The prevailing approach of not sharing completed studies due to political/ perception deadlines is not conducive to the ongoing cooperation expected under the Duty to Cooperate.
- 5.2 The situation has come to pass, as foreseen in Dartford's November 2017 letter, that we have had limited chance to fully digest and reflect on the studies that have only now been released. In particular it has not been possible to undertake review of detailed technical evidence such as the inputs and modelling of the Retailing & Leisure or Strategic Housing Market Assessments. No specific briefing for Dartford has been set up post finalisation of the studies; and all the other evidence base concerns raised in the letter remain.
- 5.3 The SA and SHLAA were not available to see for four weeks after the launch of the consultation. These are essential documents in contributing to the discussion about where and how Gravesham Borough can face up to its development needs. Moreover, there is some concern over the current content of these documents and issues that

may arise if the approach is not changed. More robust supporting information will be required to confirm a sustainable preferred option and to move forward with the support of stakeholders and the public.

- 5.4 Sustainability Appraisal (SA) provides a clear assessment method of options; and given some reasonably well distinguished versions of alternatives are presented in the consultation document, a well-structured SA document could be expected. SA assessment enables systematic consideration as to which of the options tested will meet key sustainability objectives, such as reduction in car trips.
- 5.5 Instead, each of the options is presented with lists and generic discussion of benefits and disbenefits. This does not appear to be systematic or balanced and is unlikely to be robust as a decision-making tool. Moreover, presentation of the options in a manner which appears to be biased against the urban options without evidential basis for this, undermines the consultation and puts the soundness of the Plan at risk.
- 5.6 There is also concern of the SA framework basis on the past Core Strategy. This needs to be updated, and some of the direct changes proposed so far are not sufficient to adequately reflect current requirements. The old framework was for a plan with its strategic origins taken directly from regional plans. The SA now needs to not just delete regional plan references, but acknowledge that in its absence Gravesham still has its own housing need to meet. So in Table 3 under the 'Environmental' heading, "Protecting the green belt..." should still end with reference to meeting housing targets. Similarly local needs could be referenced in the Housing decision aiding question in Table 4.
- 5.7 There are concerns over the analysis of options in the SA-

Option 1 Settlement Intensification:

- Part 6 Housing (page 25) – This is assessed as only likely to deliver limited additional numbers over and above Core Strategy allocations and not meet identified shortfall. How can this conclusion be reached when there does not appear to be any evidence on the capacity of the urban area and rural settlements inset from the Green Belt to accommodate further development?
- Part 9 Economy and Employment (page 26) – This indicates that Gravesham's Core Strategy seeks to maintain a generous supply of employment space/land to encourage take-up. Is there any indication that this policy is working? Could there be more efficient use of the land? Would some of it be more appropriate for residential development instead?

Options 3-6:

- These will need to properly consider the potential impacts on adjoining areas in Dartford, particularly in terms of phasing of supporting infrastructure and landscape (including Green Belt).

- 5.8 There are direct concerns over the scope of the SLAA and its approach. It is vital potential sources of housing supply, short and long term, are robustly and proactively explored to inform early Plan preparation. Dartford Borough Council is concerned that the Gravesham SLAA has not given full consideration to all potential sites and maximising the development of sites within its urban area to meet the government's national policy objectives, minimise the need to release Green Belt and minimise the need for neighbouring authorities such as Dartford to have to consider meeting unmet needs in Gravesham.

- 5.9 The assessed sites set out in Appendix 3 appear to consist only of those which already have planning permission, allocated key sites and those which have come forward from the "Call for Sites" process. There are some issues with this approach:
- Assessment of the housing potential from mixed use redevelopment or release of employment policy constraints has not occurred, despite a prima facie need. Exploration of pros/cons for brownfield housing land availability and economic renewal has already been precluded. It is strongly suggested that options for the future use of some employment land must be properly explored before Green Belt release options.
 - It does not seem to include a wider assessment of brownfield residential opportunities which may arise from redeveloping public car parks.
 - It does not appear to consider broader opportunities within the urban area to accommodate development, e.g. urban capacity, increasing densities in existing areas etc.
 - Although a central feature of the consultation, the SLAA does not include broad locations in the Green Belt (as referred to in paragraphs 16-18 of the methodology).
- 5.10 Appendix 3 sets out the anticipated future supply from sites with planning permission, allocated key sites and SLAA sites. Whilst we note the section on calculating capacity in paragraphs 52-55 of the Methodology, it is unclear how the figures set out in appendix 3 for the allocated key sites and SLAA sites have been arrived at for each site. This is important as the SLAA should show that it is maximising the amount of development which can be achieved from these sites.
- 5.11 In terms of the allocated key sites, it is important that any deviation from the figures and approach in the adopted Gravesham Core Strategy 2014 is properly explained and justified. For example, Core Strategy policy CS04 indicates 650 dwellings for the Canal Basin Regeneration Area but only 425 are indicated, policy CS05 indicates 330 dwellings for Heritage Quarter but only 187 are indicated, policy CS21 indicates 500 dwellings for Coldharbour Road but only 100 are indicated.
- 5.12 The issue of future Gravesham employment strategy faces major challenges that are not addressed at all through this consultation. The SHENA baseline report through a SWOT assessment expresses clear difficulties and options. Change is occurring in the structure of the national economy and positive alternatives exist in the evidence. However the consultation focuses on an assumption that the approach of 'protecting' existing B-class employment land should be maintained even though it does not appear that this planning approach has delivered the desired economic development. What about new locations? The consultation document does not articulate the potential economic benefits of increased residential development in the locality to the economy as a whole for example, upgrading the qualifications and incomes of the population, introducing new people with entrepreneurial instincts, or increased local consumer expenditure and so on.
- 5.13 It is noted that the Retail & Leisure study highlights the importance to Gravesend of delivering the Heritage Quarter proposals. It is disappointing that the consultation does not update progress in this project, further actions or outline the benefits of proposals such as Option 1 in supporting its delivery.
- 5.14 It does not appear Gravesham has grappled with its well-established economic development problems and sufficiently considered opportunities to re-dress these for the Local Plan. There is potential for existing studies commissioned by Gravesham such as the SHENA to be used in a more robust assessment of spatial options, provided they are sufficiently up to date.

- 5.15 A shared approach has been taken previously too much of the planning to deliver the infrastructure necessary in Kent Thameside. All applicable funding sources need to be used to deliver growth alongside new transport, community and other facilities. As stated, Dartford's infrastructure faces increased pressure. In planning for growth in Gravesham, Dartford would encourage Gravesham to progress in implementing CIL, but would suggest this should be based on up to date viability evidence conceived in the context of positive forward looking plans for Gravesham.
- 5.16 Infrastructure capacity and impacts arising from options: it is noted that the consultation document says that input from infrastructure providers will be sought before preferred options are selected. Spatial distribution may change the way in which infrastructure meets future demand eg. a new health facility to be shared by existing and new communities. These matters should be continued to be reviewed through the Duty to Cooperate function.
- 5.17 As stated, Dartford considers the consultation would have been more productive if further evidence had been available and clearly presented in relation to the potential of Option 2 and particularly Option 1. We would fully expect this to be compliant with national policy and not be limited by Core Strategy density (or houses versus flats) policies that will prompt a fundamentally unsustainable rural dispersal of development. This should be part of next steps.
- 5.18 Chapter 8 'next steps' in the consultation could usefully have been outlined earlier in the document to inform consultees and to better explain the way the different options may be explored further to assist in the development of preferred strategic options. As stated above, long-term urban capacity must be prioritised for detailed investigation. This should take precedence over whole Plan viability, which must be done in a proportionate way consistent with long-term objectives and potential. It is notable that the government have still avoided in the draft NPPF emphasising this aspect in the balance of evidence gathering.
- 5.19 It is particularly disappointing that the role of SA in making informed strategic options assessment is not addressed here. One could conclude from Chapter 8 that the decision about which Option will be pursued has already been taken.

6. Concluding comments

- 6.1 There has been a lack of clarity over when and how Gravesham is going to face up its obligations to plan ahead for local growth and infrastructure. This still remains. It is hoped that the past approach to communication and action shifts towards a clear and open discussion under the Duty to Cooperate, and that existing fundamental concerns are fully addressed.
- 6.2 The lack of positive vision for Gravesham's future in the consultation does not suggest an appetite to maintain a plan-led system of development in the Borough. The opportunities ahead are not fully explored. Dartford is concerned that this may lead to a re-active approach to development management resulting in adverse impacts on roads and infrastructure, and erosion of the Green Belt between the Boroughs.
- 6.3 Real progress on Gravesham's Local Plan is essential. The local strategy for the Borough is in much need of update to deliver the economic development, homes and infrastructure in the right places; and to avoid unnecessary harm to Dartford's residents. The impacts of unplanned development, harm not just Gravesham residents but also those in Dartford. Options 1 and 2 best limit harm to the integrity of the Gravesham and Dartford Green Belt. They provide the potential to realise the opportunities for the regeneration of Gravesend with an ambitious forward looking

vision and commitment. Dartford Council is particularly disappointed that these two options are not presented in a balanced way through the public consultation. They are presented as negatively as the other four options, which are more focussed on development in the countryside/ near villages. The planning and sustainability arguments do not appear to be balanced. This matter must be properly examined through SA.

- 6.4 This consultation shows significant further work is therefore required to achieve this thorough identification of ambitious but realistic future options consistent with national policy. This can be informed by the joint working we have in place on key future opportunities, including at Ebbsfleet, projects such as the proposed extension of the Crossrail line, and through future cooperation. But it is apparent the Local Plan for Gravesham needs a positive and open approach, with a clear focus on recognising and using Gravesham's own, particularly urban, opportunities for future development.
- 6.5 Dartford Council will be happy to discuss its opinions on the consultation, in addition to contributing to purposeful, continuous and active Duty to Cooperate discussions.

July 2018

To: David Turner
Leader, Gravesham Borough Council

Dear David

Please find attached Dartford Council's response to Gravesham's Local Plan (Part 1 Site Allocations, Issues & Options) public consultation.

Dartford and Gravesham have worked together in partnership for many years to advance the interests of our respective towns and the greater North Kent. As a result, both Dartford and Gravesham's adopted Core Strategies reflect a shared and agreed strategy for growth in north Kent, specifically north of the A2. This protects the Green Belt whilst planning positively for the urban areas of Dartford and Gravesend. These plans also informed the Strategic Transport Infrastructure Programme, delivering infrastructure investment such as Gravesham's new transport hub to support growth in urban, rather than rural, locations.

The potential to improve people's lives through economic regeneration and by bringing brownfield land in to better use has long been recognised in this area. Towns in north Kent need a clear plan for the future to achieve the urban regeneration our residents deserve and to ensure they remain vibrant centres that support business. Dartford's ambitious Core Strategy Local Plan is supporting a growth in confidence and investment in Dartford Town Centre, and stimulated the actions to deliver the jobs, homes and facilities local people need.

A positive Local Plan for the future must include a strong overall message from Gravesham that the area is open to business and urban regeneration. Equally, it must signal that the Green Belt is of paramount importance.

Like all councils, Dartford is required to follow Government policy on housing and has hosted 1,162 new homes in 2016/17. We have chosen this controlled, sometimes challenging delivery of housing over a planned period to provide significant protection to the Green Belt and greenfield locations and ensure development occurs in locations most acceptable to our population. Further, it allows new development to be absorbed into existing urban settlements and essential social infrastructure to be delivered. Our approach has allowed Dartford to set out those locations where development is desirable and those where it is not.

Gravesham's total of 165 homes in the same period will inevitably only defer the need to face up to local growth, not eliminate it. Gravesham will ultimately take its share of development and we urge it do so in a planned, measured and considered way.

Under-delivery generates serious risks of unplanned development locations occurring and can leave Councils facing large scale and unpalatable development options which must be delivered at a pace not in the best interest of the community.

Unplanned development not only bypasses elected local Councils, it can have major impacts on our essential infrastructure and result in loss of greenfield (or even Green Belt) land cherished by all our residents. These risks grow all the time whilst a Local Plan remains ineffective to guide planning decisions or is regarded as out of date.

Whilst our commitment to strong partnership endures, I regret that Dartford Borough Council is unable to endorse the potential harm to the Green Belt (or the wider impacts on north Kent) that seems to lie within Gravesham Borough Council's current consultation on growth options. To continue the longstanding strategy in north Kent, robust Local Plan policy for the Green Belt should be maintained, accompanied by a renewed focus to deliver meaningful and positive plans for Gravesend's growth.

Dartford Borough Council is concerned that, instead of reinforcing protection of green fields in the Green Belt, the first consultation on the Gravesham Local Plan features several

unnecessary and premature Green Belt release options. Dartford considers Green Belt land in north Kent must not be undermined by inappropriate development on Gravesham's rural periphery with potential harmful impacts on both sides of the boundary.

The opportunities ahead do not seem to have been fully explored in Gravesham's Local Plan work. In north Kent as elsewhere, the economy is growing and changing. New ways of thinking to update how agreed objectives can be achieved should be discussed. Local Plans should address changes positively to promote brownfield use and deliver urban regeneration.

Option 1 (in particular) should be presented in a less negative light, explaining the overall potential for regeneration of Gravesend. It does not recognise the significant benefits to the town centre of focusing residential growth in and around it; or the sustainable transport benefits and potential to reduce dependency on cars. Gravesham needs to be more forward looking and open as to how good local development viability and growth may be encouraged, and (with planned transport improvements for example) how this can create opportunities for sustainable locations and new types of housing to come forward to meet residential and economic needs in Gravesend.

This matters to Gravesham, and to north Kent as a whole. The government have confirmed the proper approach in Local Plans is for full examination of other options to occur before claiming exceptional circumstances exist for release of Green Belt land. This requires considering the capacity of brownfield land, the potential for higher density development, and considering appropriate Duty to cooperate actions.

It is a legal requirement for Local Plans to be prepared in cooperation: with communication and ongoing information-sharing with other planning authorities. However there is concern that the potential for any meaningful cross boundary discussion is undermined by a continued lack of clarity and communication on Gravesham's overall position as to whether the existing north Kent approach is to be maintained and on the commitment to necessary growth within its urban area.

All six consultation options –save option 1 – would result in Green Belt release. Half of the options (numbers 3, 4 and 5) are variations on the theme of expanding villages; and may result in undermining the Green Belt between Dartford and Gravesend that helps maintain the distinct character, environment, and quality of life of residents in the two Boroughs.

Option 6, a new freestanding settlement, is only a concept and cannot happen without developer backing – and ignores the new settlement in creation on Dartford/ Gravesham border at Ebbsfleet. Moreover it would also be based on large scale Green Belt greenfield land release.

All options are likely to depend on the A2 as the main transport route for the new residents, with adverse consequences for Dartford's residents due the existing problems on the A2 in Dartford and Dartford Crossing. The only possible partial exception is Option 1, if Gravesend's High Speed 1 connection and Fastrack links were supported through development in central Gravesend.

Dispersal of development to Green Belt villages offers no chance of alleviating the endemic congestion faced by residents in Gravesham and Dartford.

The vision for Gravesham's future in the consultation does not suggest an appetite to control development in the Borough but raises the prospect of development occurring by default or more frequently on appeal. This approach may give encouragement to developers but is perhaps not in the long-term interest of local people.

Real progress on Gravesham's Local Plan is essential. The local strategy for the Borough is in much need of update to deliver the economic development, homes and infrastructure in the

right places; and to avoid unnecessary harm to North Kent's infrastructure, residents and countryside.

My Council takes the view that significant reconsideration is required to get a new Gravesham Plan on track, to focus on realistic future options consistent with national policy. This can be informed by the joint working we have in place on key opportunities ahead, including at Ebbsfleet, projects such as the proposed extension of the Crossrail line; and through future cooperation.

Maximising the future potential of Gravesend is the best way of protecting the Green Belt separating Dartford and Gravesend. To this end, we would wish to support Gravesham in formulating an open Local Plan approach to promote the best use of brownfield land. It is in this way clear focus and leadership is required to recognise and use Gravesham's own opportunities for future.

Yours Ever

Jeremy

Councillor Jeremy Kite
Leader of the Council

20/07/2018 GBC Response on Dartford Local Plan Strategic Issues Regulation 18 Consultation

Dear Mark,

Dartford Local Plan: Strategic Issues Consultation 2018

Thank you for consulting this authority on the above document and associated background papers. The comments made here take into account the publication by Government of draft revisions to the National Planning Policy Framework (March 2018)¹⁰ and the Thames Estuary 2050 Vision (June 2018)¹¹.

Whilst it is unclear what final form the NPPF will take and how Government intends to progress the recommendations in the Vision, it is likely that these will have significant implications for the way in which our areas are planned out in the future.

Please note that your response to our recent Regulation 18 (Stage 1) consultation was received by the deadline on the 11 July 2018 and that you will be sent a detailed response in due course.

Implications of the Thames Estuary 2050 Vision

It is noted that the Vision recommends a statutory strategic plan for Kent be prepared similar to that currently being progressed for South Essex, albeit the geography of such a plan would need to be decided – i.e. would it be for the whole of Kent and Medway or just the North Kent districts plus Medway?. The Secretary of State made specific mention of this proposal at the launch event on 25 June 2018.

Whilst that for South Essex is being brought forward under a voluntary agreement by the Association of South Essex Local Authorities (ASELA)¹², it appears that the Secretary of State has powers inserted into primary legislation by section 9 of the Neighbourhood Planning Act 2017 to require one or more local planning authorities to prepare a joint plan setting out the area, the matters to be covered and the timetable for preparation. The powers would also appear to include the ability to direct how the costs of preparation are apportioned amongst the relevant parties in a fair and proportionate way.

What this would mean in terms of organisational structure, decision making and how responsibilities would be assigned would need to be understood. The fact that different areas across North Kent are at different stages in the plan making process and currently have plans with different end dates are also added complications that would need to be addressed.

Given the Vision refers to an end date of 2050, and this is what is currently being worked on in South Essex, it is considered that the same could apply here, albeit an interim date 15 years from adoption of any joint plan may also be included along with the requirement for regular review.

It follows that an implication of the Vision may be that both the proposed Dartford local plan review and Gravesham's current partial review (as they relate to strategic issues) may become

¹⁰ See <https://www.gov.uk/government/consultations/draft-revised-national-planning-policy-framework>

¹¹ See <https://www.gov.uk/government/publications/thames-estuary-2050-growth-commission-report>

¹² The ASELA comprises Basildon, Brentwood, Castle Point, Essex County, Rochford, Southend-on-Sea, and Thurrock Councils brought together under a Memorandum of Understanding (MOU) signed on the 10 January 2018 see http://www.southend.gov.uk/downloads/file/5339/the_association_of_south_essex_local_authorities_a_sela_memorandum_of_understanding

unnecessary as they would be subsumed into the work undertaken to support a new joint plan covering the wider (as yet undefined) area.

However, the comments that follow are based on the status quo – i.e. that both Dartford and Gravesham will continue to prepare separate local plans, as this is the basis upon which your strategic issues consultation document has been published.

General comments on Strategic Issues consultation document

It is not intended here to provide detailed answers to all of the questions set out in your consultation document rather it is to provide more general comments on key strategic cross boundary issues which Gravesham would expect to be addressed both through the emerging evidence base and any Statements of Common Ground under the duty to co-operate. For this reason, it has been decided to respond by letter rather than using the standard form.

As an initial point, it is rather unclear from the consultation document what period the new local plan will cover. The consultation draft NPPF states that for strategic issues it should address a minimum period of 15 years from the date of adoption. Our assumption is that a new Dartford local plan would not be adopted before 2021 and that its end date would therefore be around 2036. It would be helpful, therefore, if the plan period could be clearly set out in future, particularly as it could be longer.

The consultation document is accompanied by a number of other documents that provide background for the reader. These include the following:

- Draft Core Strategy Review: Policy Monitoring Document (June 2018)
- Economic and Employment Paper (June 2018)
- Housing Density Paper (June 2018)
- Draft 5 Year Housing Land Supply Paper (May 2018)
- Sustainability Appraisal Scoping Report (June 2018)
- Infrastructure Delivery Plan update (Dec 2017)
- Brownfield Land Register 2017/18 (June 2018)

Unfortunately, whilst these provide background information and progress to date against delivery of Core Strategy policies, they set out very little on what the locally assessed need is for different types of development over the plan period and that may raise cross-boundary issues.

For example, the housing figure used within the consultation document is taken direct from the MHCLG website using the proposed new standard methodology – i.e. a minimum 778 dwellings per annum for the period 2016 – 26, rolled forward with no buffer. However, there is no accompanying Strategic Housing Market Assessment (SHMA) setting out how this might be broken down by house type, accessibility/adaptability criteria or tenure etc.

Given the new standard methodology is effectively trend based, delivery above locally assessed need rates may also have implications in terms of the trajectory of need over the plan period that may need to be considered – i.e. have past decisions put Dartford on a 'up-escalator' and how should this be dealt with? On this point, further information is needed on how Dartford's current Core Strategy requirement of "up to 17,300", against a more modest demographic need at the time of plan-making, relates to the draft Planning Practice Guidance at pages 25 – 26 which explains how the standard methodology derived figure should be used

over a plan period and where a higher figure might be justified on the basis of uplift due to a growth strategy that is already in place¹³.

It is also noted that no draft Strategic Land Availability Assessment (SLAA) has been published to show how identified sites might meet local needs as a minimum, together with any unmet needs from adjoining authorities. It is noted that your website does now contain a list of the Strategic Housing Land Availability Assessment (SHLAA) maps albeit there is no date associated with this list of "current" sites.

Whilst it is appreciated Dartford is at an early stage in the plan preparation process, it is difficult on the basis of the evidence provided to make a judgement on the statement made in the consultation document (at paragraphs 65 and 80 – 88) that development needs can be met without a need to release further Green Belt land or significant new greenfield land.

Gravesham's view is that the consultation should have been accompanied by a draft revised SLAA and not simply a statement of 5 year housing land supply, irrespective of whether or not a call for sites has been issued. This would also be important should the draft NPPF requirement to show 20% of supply on sites of 0.5 hectares or less to allow diversification of delivery come into play.

On employment, the evidence provided in support of the consultation document concentrates on what has been delivered to date, how the local economy has performed and only provides limited information on additional capacity.

Whilst many of the employment sites in Dartford benefit from extant grants of planning permission, the spatial strategy implicit in the existing Core Strategy is not based on the NPPF process but derives from the now revoked South East Plan which had its examination in 2006-2007. As such, the evidence base supporting the new local plan will presumably have to show whether or not this remains an appropriate strategy through an assessment of local employment needs, having regard to the scale of housing to be delivered.

If employment land supply significantly exceeds identified local need then it will be necessary to show where that labour supply will be drawn from and that this is consistent with the spatial strategies for those areas – particularly if the intention of those areas is to meet their own employment needs and not to ask Dartford to meet any unmet need.

Given commuting into and out of Dartford to work and that any additional vehicular movements generated by employment development above local needs may also have transport and air quality implications, this may also be an issue that would have to be addressed on the basis of evidence and through the SA/SEA process.

Retail is clearly another cross-boundary issue that will need to be addressed through the new local plan, particularly given there is an overdue commitment to undertake an early review of Dartford's retail policies in both the adopted Core Strategy (policy CS12) and the Development Policies Plan (policy DP14). From Gravesham's viewpoint, the key issue relates to the status of Bluewater and what the future planning strategy for this should be.

Given Dartford is currently relying on a retail evidence base that is clearly out-of-date and has been superseded by events, it is assumed that a new retail study will be commissioned that is fit for purpose and looks at the wider catchment from which Bluewater draws its trade as a major regional shopping centre as well as the changing trends affecting the retail sector.

¹³ See

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/687239/Draft_planning_practice_guidance.pdf

It is also assumed that Dartford will seek to engage positively and on an on-going basis with all local planning authorities within the main Bluewater catchment under the duty to co-operate. It is suggested that it may be beneficial to give early consideration to the scope and extent of the retail study given this will also assist in identifying those relevant parties that may need to be signatories to a Statement of Common Ground.

On this, the catchment plan contained in the retail impact assessment submitted in support of planning application reference DA/16/1207 should at least provide a starting point for determining who needs to be engaged in this process.¹⁴

In terms of other strategic cross-boundary issues, key ones from a Gravesham viewpoint are likely to be transport; water supply; waste water management; and those relating to community infrastructure such as that required for health and educational provision.

Whilst some of these are not directly within Dartford's remit, many of the facilities used by local residents are shared between Dartford and Gravesham on a cross-boundary basis. Given planned levels of growth within the area, it is important that infrastructure needs are met in a timely manner and that those serving the needs of visiting members of the public remain accessible by a variety of transport modes.

The long term provision of health care facilities against a backdrop of continued growth is a recurring issue in this area whenever consultations are undertaken. Unfortunately, this is difficult to plan for as funding regimes and service delivery models change. It is almost inevitable though that Darent Valley Hospital will remain a key focus with a long-term need to expand to meet the health needs of Dartford, Gravesham and wider.

This raises the question as to whether a policy is required that would allow expansion subject to a range of criteria, that can form the basis of 'very special circumstances' sufficient to clearly outweigh Green Belt policy. The alternative would of course be to consider whether there are 'exceptional circumstances' sufficient to warrant the removal of the Green Belt designation, albeit a criteria based policy against which proposals could be evaluated would still probably be needed.

As always, transport both on the strategic and local networks will be a key issue.

Whilst Dartford and Gravesham disagree on how and where additional river crossing capacity on the strategic road network should be provided, it is obvious that something needs to be done.

Unfortunately, the case put by Highways England in support of a new Lower Thames Crossing (LTC) to the east of Gravesend has been unconvincing to date and it is unclear whether this will actually resolve the problem at the existing crossing long term. Neither is it clear what further interventions will be required further down the line.

The Thames Estuary 2050 Vision document is already calling for another crossing further to the east of Gravesend by 2050 and, in the absence of the promised outputs from the LTC transport model, this remains uncharted territory. The potential need for upgrades to the Dartford Crossing, even with alternatives in place, should not be ignored and it is of course noted that Highways England's A282 Dartford and Thurrock Study is already looking at some of these matters.

Interventions in terms of rail will also be an important cross boundary issue; particularly should Crossrail or other services come to Ebbsfleet. Locally, the promotion and delivery of

¹⁴ See https://publicaccess.dartford.gov.uk/online-applications/files/ACC4DFD62170EDD3DE7F6A80B94C5D62/pdf/16_01207_OUT-QUOD_REVISD_RIA-104070400.pdf

alternatives to private car use in the form of Fastrack/public transport, walking and cycling will continue to remain important and key to the delivery of sustainable communities.

One area where the Thames Estuary 2050 Vision is particularly poor (strangely) is on the River Thames itself. The primary focus here appears to be mainly on improving governance given the current fragmentation of roles of the different agencies – MMO, PLA, and EA etc.

Whilst Thames Estuary 2100 (TE2100) is cited within the document and a suggestion made that a new tidal flood barrier could be combined with a new multi-modal river crossing, there is no consideration of the practicalities of such a solution or a definitive view of where it might go.

Given the TE2100 Plan has a variety of options for dealing with sea level rise and tidal flooding, with the possible locations including Long Reach or Gravesend/Tilbury, how this actually comes forward and where will have implications for both Gravesham and Dartford. As the choice will probably need to be made within the next local plan period, this could also be a cross-boundary issue that may need to be discussed with the various parties as the location may need to be safeguarded long-term and therefore shown on the relevant policies map.

An added river related issue which might usefully be addressed as a strategic cross-boundary issue is alternatives to road based river crossings to link Dartford and Gravesham with Thurrock on the northern shore. At the moment, there is only one alternative crossing – the Gravesend to Tilbury ferry.

However, as development progresses to either side of the river, there may be opportunities to introduce further services to better integrate the communities to the north and south. This may have implications for land-side planning in Dartford and Gravesham which itself may have to be reflected in an evidenced based policy.

What also clearly unites Dartford and Gravesham is our Green Belt authority role: a fact that is barely recognised in the Thames Estuary 2050 Vision. The technical appendix to the Vision suggests housing need in Dartford would be in the order of 25,400 units and in Gravesham 16,100 units over the period 2018 - 50.

Associated with this would be any additional need for employment floorspace and supporting infrastructure – including river crossing and other transport capacity.

Whilst it may be possible to intensify development within the existing urban area, this will almost inevitably lead to further pressure on the countryside meaning that the future of the Green Belt surrounding the south-east quadrant of London is likely to become a strategic cross-boundary issue that will need to be resolved.

Associated with this issue, is what sort of place we want this part of North Kent to be in the future and the legacy that is passed on to future generations – an important part of ensuring that the development promoted is sustainable.

On this, it is important that there is a co-ordinated approach to green and blue infrastructure between our two authorities that reflects the importance of the countryside, landscape, waterways, and associated biodiversity along with the need for the rural area to be both productive and accessible.

In terms of key development sites where there are strategic cross-boundary issues, the obvious ones are Central Ebbsfleet and Swanscombe Peninsula. Currently, it remains unclear precisely what will be delivered here or when and how the two sites will interrelate.

To a large extent, this will depend on interventions by others where Dartford and Gravesham will seek to have an input. One concern though is that Garden City principles should extend

beyond the boundaries of the Ebbsfleet Development Corporation area to ensure existing adjoining communities benefit from the public investment being made.

Gravesham would therefore welcome working with Dartford and the Ebbsfleet Development Corporation on updating the planning framework for this critical cross-boundary area as the situation becomes clearer over the coming months.

Meeting unmet housing need from Gravesham

Finally, Gravesham has been consulting since April 2018 on how an additional objectively assessed need for housing can be accommodated, following a commitment to review this during the examination of its current adopted Core Strategy. The outcome of this work suggests that there is a need for around an additional 2,000 dwellings over and above the 6,170 identified in the Core Strategy through to 2028.

As this broadly corresponds with the Government's own estimate of local housing need, using the proposed standard methodology, it is considered that this figure is robust – albeit the Government published figure should only be considered a starting point, to be confirmed and elaborated upon in terms of mix and tenure etc. via a locally commissioned SHMA.

Having considered the evidence contained in the Gravesham SHMA and SLAA, the conclusion reached by this authority is that it is unlikely that there is sufficient capacity within the urban area or rural settlements inset from the Green Belt to accommodate the identified additional housing need.

Whilst Gravesham is currently reviewing its SLAA and has put out a call for additional sites, this is unlikely to change.

As Dartford will be aware, the need to accommodate development is capable of representing 'exceptional circumstances' sufficient to justify the release of Green Belt land, subject to the assessment principles set out in the *Calverton* case¹⁵.

The draft NPPF at paragraph 136 sets out the process a strategic plan making authority should go through when seeking to justify a change to Green Belt boundaries. These are that all other reasonable options for meeting identified need for development should have been examined, taking into account whether the strategy:

- a) Makes as much use as possible of suitable brownfield sites and underutilised land;
- b) Optimises the density of development, including whether policies promote a significant uplift in minimum density standards in town and city centres, and other locations well served by public transport; and
- c) Has been informed by discussions with neighbouring authorities about whether they could accommodate some of the identified need for development, as demonstrated through a statement of common ground.

Given the above process is to be undertaken before seeking to justify a change to Green Belt boundaries, it is assumed that the reference under a) to brownfield sites and underutilised land refers to such land that is not in the Green Belt, unless it can be treated as an 'exception' under national policy.

Whilst it is intended to undertake further work in this area to ensure points a) and b) above are fully covered within the evidence base, work contained in the Gravesham SHMA, SLAA and viability work strongly suggests that this would only result in limited additional housing numbers coming forward.

¹⁵ For the Calverton Parish Council (2015) case see <http://www.bailii.org/cgi-bin/format.cgi?doc=/ew/cases/EWHC/Admin/2015/1078.html&query=calverton>

The ability to release land currently allocated for employment is also limited by physical constraints and the sites not being suitable for housing; the need to maintain a supply of employment land and premises suitable to meet both local and wider strategic employment objectives; a need to maintain a supply of land and premises to which businesses can be decanted as other sites are subject to regeneration; and the need to maintain flexibility due to uncertainty around what materialises in Central Ebbsfleet/Swanscombe Peninsula.

Under these circumstances, it is necessary to forewarn your authority that Gravesham is likely to need to call upon adjoining authorities (including Dartford) to meet a proportion of its unmet housing need through to 2028 and potentially beyond. This will therefore need to be taken into account by Dartford, as a cross-boundary strategic issue. This should be no surprise to Dartford as this likelihood was first raised in June 2015.

Should the outcome of the Thames Estuary 2050 Vision proposals eventually mean that a strategic plan is prepared for a wider area, it is assumed that such issues will be resolved over that wider area in accordance with national policy on the Green Belt applying at the time. The request for Dartford to consider absorbing a degree of unmet need in Gravesham may therefore only be a short-term remedy in advance of a more strategic sub-regional approach being applied.

Yours Sincerely,

Wendy Lane
Assistant Director (Planning)

03/08/2018 GBC Letter from Leader to DBC Leader

Councillor Jeremy Kite
Leader of Dartford Borough Council

Dear Jeremy,

Thank you for sending your Council's response to our recent local plan consultation. We appreciate the time taken to respond. My officers will consider it, and all the other representations received, in detail to inform the next stage of the plan. In the interim, I thought it prudent to provide comments on your letter given that I fundamentally disagree with many of the points that you make.

As you will be aware, Gravesham adopted its Local Plan Core Strategy following independent examination in November 2014. This was informed by a comprehensive and robust evidence base whereby the Inspector was able to find it 'sound' subject to a number of caveats. These included that my Council would accept Main Modifications that would:

- Increase its initial housing target figure from 4,600 to 6,170 to 2028;
- Release a greenfield site at Coldharbour Road, to accommodate around 500 dwellings for early delivery, whilst further options were considered;
- Update its Strategic Housing Market Assessment (SHMA) and Strategic Land Availability Assessment (SLM) to determine how many additional dwellings were needed by the end of the plan period and where they might be accommodated;
- In the likely knowledge that it would not be possible for all the development needed to be accommodated within the existing urban area or inset rural settlements, to undertake a review of Green Belt boundaries; and
- Undertake a review of the policy approach toward the Culverstone Valley area (also within the Green Belt) given the contribution it could make toward the delivery of custom/self-build housing.

Whilst I would agree with you that in an ideal world we would not be seeking to accommodate any significant development within the Green Belt, my Council as yours has to follow national planning policy in terms of seeking to accommodate its development needs. The national planning policy has of course just been revised, which I shall return to later.

However, I should point out that the conclusion reached by the Inspector in examining our Core Strategy was quite explicit in that he couldn't identify any realistic alternatives within the urban area to releasing the greenfield site at Coldharbour Road, and that there would be a need to undertake a Green Belt review. Officers from Dartford BC participated at our examination and so your Council's concerns were given due consideration in his decision.

For example, he said:

63. This site (Coldharbour Road) has previously been considered suitable in principle for housing and related development, including being allocated in an earlier plan. In view of the present increased need, over and above that identified in the submitted plan, the Council has therefore now properly and appropriately selected it, in comparison to other alternatives and following an appropriate SA (Sustainability Appraisal) process, as the most sustainable option to deliver additional new housing early in the plan period. I entirely agree that it is clearly the best option currently available to increase new housing provision in the area, in the acknowledged absence of any alternative, strategic level, sites that could reasonably and realistically be delivered in the shorter term that are not in the Green Belt.

And on the proposed Green Belt review itself:

69. The reasonable expectation is that by reassessing land on the boundaries of the larger, more sustainable, settlements in relation to their respective contributions to the national and local purposes of Green Belt designation on a consistent basis, it should be possible to identify sufficient sites to meet the limited remaining need for new housing in the later part of the plan period, without undermining, materially harming or compromising those objectives. In the light of all the available evidence and my preliminary findings following the September 2013 hearings, I fully endorse this approach and agree that these modifications are necessary to help meet identified housing needs, including those local needs arising in the settlements outside Gravesend and thus for the plan to be sound.

Whilst I would accept that the Inspector was not in a position to assess the implications of attempting to achieve a new housing total of around 8,000 in Gravesham to 2028 the same basic principles apply - if there was insufficient capacity in the urban area and inset villages to accommodate the 6,000 figure then they are unlikely to be able to accommodate the 8,000 figure.

You will appreciate that Gravesham is unlike Dartford in that Green Belt has been afforded considerable protection over time, with no real strategic release to accommodate new development. In contrast, there has been significant Green Belt release in Dartford since the late 1970s to accommodate new M25 related development; the out-of-centre regional shopping centre at Bluewater; Crossways and within the Ebbsfleet Garden City area, most particularly Eastern Quarry.

In addition, a range of other institutional sites have been redeveloped while remaining in the Green Belt- including the Bexley and Darenth Park Hospital sites, and Longfield School.

That aside, the stance adopted in your letter is both unhelpful and misleading because it misrepresents what actually happened in the past. Whilst it has been planned, the approach in your local plan is based on regional policy as set out in the former South East Plan and its predecessors in allowing significant strategic release of Green Belt north of the A2 in Dartford to accommodate large scale residential and commercial development.

This Council has and will continue to explore development options within the urban area, assisted in particular by productive joint working with the Ebbsfleet Development Corporation. Viability issues and specific site constraints remain significant barriers on some sites and also to hinder higher densities. I can assure you that Gravesham is open for business as witnessed by the progress being made on the Heritage Quarter.

A key unknown for us is what happens in Central Ebbsfleet and the wider regeneration that may drive.

I have asked my officers to look at your latest 5 Year Deliverable Housing Land Supply (May 2018) document to see how dependent Dartford is on these previous Green Belt releases to meet its development needs. They have provided the attached information which appears to show that that you would be struggling without these previous releases and would probably be in much the same position as Gravesham.

Turning to the requirements of the new National Planning Policy Framework (July, 2018), we are both required to try to meet our identified development needs in a sustainable way and to co- operate with our neighbours on strategic cross-boundary issues. Both of our strategies will need to be effective in this respect; be positively prepared; justified on the basis of proportionate evidence; and be consistent with national policy.

To date, Gravesham has sought to engage constructively with Dartford through the duty to co-operate, albeit it is not a duty to agree and there remains the outstanding issue of how Bluewater should be dealt with in policy terms to be resolved. The Inspector in examining your

recent Development Policies Plan (2017) document made it clear that this should be treated as a strategic cross-boundary issue and that there should be an early review of retail policy in that context.

As such, the requirement for an early review originally contained in your policy CS12 (2011) to deal in particular with Bluewater in a non-South East Plan world was rolled forward under new policy DP14. Unfortunately, whilst Dartford established a Strategic Retail Group under the duty to co-operate in the run-up to the examination of its Development Policies Plan, this now appears to have ceased to function. This group was set up in response to the concerns raised by this Council, and a number of other local planning authorities, about the robustness of Dartford's decision making in respect to Bluewater when its evidence base and policy was out-of-date. Given we have waited 7 years for this 'early review', it would be helpful if your officers could provide clarity on how they intend to take this forward; which authorities within the wider Bluewater catchment they intend to engage with; and when they intend to commission a new retail/commercial leisure study and its scope.

I turn now to the following statements in your letter:

"It is a legal requirement for Local Plans to be prepared in cooperation: with communication and ongoing information-sharing with other planning authorities. However, there is concern that the potential for any meaningful cross boundary discussion is undermined by a continued lack of clarity and communication on Gravesham's overall position as to whether the existing north Kent approach is to be maintained and on the commitment to necessary growth within its urban area."

Given the content of your letter, I take it by 'the existing north Kent approach' you do not intend to imply further significant Green Belt release, as has occurred in the past in Dartford!

That aside, I would refute any allegation that there has been a failure under the duty to co-operate by Gravesham in this regard. As you will be aware, there have been regular and ongoing meetings and other communications between officers of the two authorities in a number of contexts where progress on local plan issues have been discussed - these include regular one to one meetings between our planning policy teams; Gravesham, Dartford and Sevenoaks joint meetings; the Kent Planning Policy Forum; and via the Ebbsfleet Development Corporation amongst others.

Further, in terms of securing a shared evidence base, Dartford was invited to join with both Gravesham and Medway in commissioning an integrated assessment of development needs for the whole area - including a new Strategic Housing and Economic Needs Assessment (SHENA). Unfortunately, your authority declined to jointly commission this work with us on the basis of the different timescales we were working to and that it may have been a distraction to the preparation of your Development Policies Plan.

Your officers did however attend the four key workshops at which progress on the work was set out and final outputs presented. These included:

- A project baseline workshop - 11 March 2015
- An interim findings workshop - 17 July 2015
- A strategic requirements/policy viability assessment workshop - 22 Oct 2015
- A key findings workshop - 11 August 2016

Details of all of these workshops, including who attended and the presentations are available on- line on our website at:

[https://localplan.gravesham.gov.uk/gf2.ti/f/912450/36309061.1/PDF/-/SHENA 6 Integrated Needs Assessment Technical Paper.pdf](https://localplan.gravesham.gov.uk/gf2.ti/f/912450/36309061.1/PDF/-/SHENA%206%20Integrated%20Needs%20Assessment%20Technical%20Paper.pdf)

There can be no doubt therefore that your officers had ample opportunity to participate and provide inputs to the process in the same way as other adjoining authorities and other key stakeholders. Dartford has not been treated any differently to anybody else in this respect and has been provided with far more substantive evidence as a result of our consultation than we have received in return. You should also be aware that we have had no similar complaints from anybody else on the basis of duty to co-operate issues.

I would also refute the assertion in your letter that somehow Gravesham is not properly considering non Green Belt urban options and would prefer an unplanned approach whereby the Green Belt is at risk of planning by appeal. This is simply untrue.

As you will be aware, the recent consultation we have undertaken has not been an easy process and has involved considerable cost. Would this authority have even bothered with this if it wasn't committed to find a way forward in which local people could be genuinely involved?

The whole purpose of our recent consultation has been to set out the evidence assembled to date so that there can be a proper consideration of all reasonable options. By following due process, as we are, is the only way of defending this area against planning by appeal - burying our heads in the sand is not an option. It is notable that Sevenoaks, who are further advanced than us, are consulting on a range of possible sites in what is now Green Belt. Numerous local plans are being adopted throughout the country which had include decisions to remove some land from the Green Belt as evidenced by the Government's annual Green Belt bulletin.

Where we consider that there are significant constraints or an option is unlikely to be capable of delivering the required additional development to 2028, we have said so. That is not unreasonable at this stage and my officers will continue to assess the realism and sustainability of alternatives based on the evidence before we go out to the next round of consultation in 2019.

At the moment, whilst there is latitude to deliver some additional housing on existing identified sites, this is not likely to achieve the full amount needed. Neither is the evidence showing that there have been significant changes in viability that would make higher density development in and around the town centre or on other brownfield sites attractive to the market - although this will be kept under review.

In terms of delivery, whilst performance to date in Gravesham has been disappointing, this largely reflects the situation set out above - it has not been a matter of choice. It also undermines any assertion that some sites in Gravesham may be more viable than we think - developers would have been on site already if they were.

I should also add that there is likely to be little opportunity to release further employment land in Gravesham to enable significant additional residential development within the plan period - although my officers will keep this under review as we progress the local plan.

At present, Gravesham has the smallest local economy in Kent and it remains a matter of concern that many local people do not have the opportunity to live and work locally with related commuting and congestion pressures. The Inspector in examining our Core Strategy agreed that our policies in respect of employment and the strategic allocations shown were sound given this context.

This included the fact that we wished to maintain diversity in the local economy and that there was (and continues to be) no certainty over what will come forward at central Ebbsfleet or on Swanscombe Peninsula. It is also worth pointing out that what major employment sites we do have are either occupied, allocated for employment uses; or basically unsuitable for residential development.

Turning specifically to the new National Planning Policy Framework (July 2018) and the Green Belt issue, which is at the heart of your letter, I accept that there are substantive changes that will have to be taken into account in demonstrating whether 'exceptional circumstances' exist justifying release.

However, the additional wording that such release should be 'fully evidenced and justified' makes no real difference when considering this. By definition, it always had to be fully evidenced and justified to constitute 'exceptional circumstances' and to pass the test of soundness anyway.

To demonstrate 'exceptional circumstances', the National Planning Policy Framework (at paragraph 137) requires that the strategic plan making authority demonstrate it has fully examined all other reasonable options, taking into account whether the strategy:

- Makes as much use as possible of suitable brownfield sites and under-utilised land;
- Optimises the density of development in line with policies set out in chapter 11 of the Framework (making effective use of land), including whether policies promote a significant uplift in minimum density standards in town and city centres and other locations well served by public transport; and
- Has been informed by discussions with neighbouring authorities about whether they could accommodate some of the identified need for development, as demonstrated through a statement of common ground.

My officers will continue to work on the evidence base required to address the first two bullet points but current evidence still suggests that it would not be possible to accommodate all the required development in the urban area or inset villages - as per the conclusion reached by the Planning Inspector in examining our Core Strategy set out above.

If after following due process and continuing to gather the necessary evidence that conclusion remains unaltered, we will be formally approaching neighbouring authorities to meet any potential unmet need - including Dartford, which appears to have a very large land supply.

Green Belt protection is clearly at the heart of your letter, so we hope that you would agree that it would be somewhat perverse for Gravesham to have to release further sites from the Green Belt to meet development needs, if there are sites in Dartford that are available due to previously releases to accommodate wider needs. If this is the case, we look forward to your formal agreement to meet much of the need arising in Gravesham which otherwise is a pressure on the Green Belt

Whilst my officers will continue to engage with your Council under the duty to co-operate, so that we can attempt to sign up to a statement of common ground on the first two bullet points, this will need to be a two-way process whereby Dartford is completely transparent about its housing land supply position. It would be useful if my Council could have your assurance on this.

Beyond the current issue of how Gravesham intends to meet its development needs through to 2028, I have no doubt that the recommendations of the Thames Estuary 2050 Growth Commission are high on your agenda. This would especially be the case because over the period 2018 - 2050 it is suggesting that there will be a need for an additional 25,400 dwelling in Dartford and 16,100 in Gravesham - a combined total of 41,500 or the equivalent of around 6.5 Eastern Quarries.

Perhaps this helps to put our current difficulties into context, given we are looking at an on-going process and how we meet future needs in a realistic and sustainable way.

I should be very grateful to receive from you an acknowledgement that you appreciate the greater constraints facing Gravesham and a commitment to Dartford working more closely with us to achieve the best outcomes for the residents of both our Boroughs.

Yours sincerely,

Cllr David Turner
Leader of the Council

Note on contribution of land previously released from the Green Belt in Dartford to their 5 year deliverable housing land supply.

The figures below are based on Dartford's published Five Year Deliverable Housing Land Supply document (May 2018, draft); the Green Belt boundaries as shown on the then North West Kent Town Map (1978); the Government's annual housing requirement calculated in accordance with the new standard methodology; and having regard to the new National Planning Policy Framework (July 2018).

	5 Year Housing Requirement based on Government's standard methodology	Plus shortfall from previous period when 'up to' target applies – based on Liverpool method as per DBC 2018 statement.	5 Year deliverable housing land supply as set out in DBC 2018 statement	Less sites listed that have been taken out of the Green Belt since the 1980s		
	778 per annum X 5 = 3,890	+1,361	6,712	No	Site	Dwgs
				2	The Bridge	93
				11	Hedge Place Road	56
				41	Thames Europort	100
				45	Eastern Quarry	1,600
				48	St James Lane Pit	350
				87	Stone Lodge	200
				88	St Clements Valley	32
				91	Ebbsfleet Green	600
				295	North of Cotton Lane	16
				517	Land adjacent to Old Rectory, St Mary's Road	68
				525	Land North of St Mary's Road, Stone	152
				Sub-total		3,267
Totals	3,890	= 5,251	6,712	6,712 – 3,267 = 3,445		

On the basis of the above, it would seem that, had there not been significant Green Belt release in the past in Dartford, you would not be able to show a 5 year deliverable housing land supply even against the lower housing target set under the Government's standard methodology. Indeed, taking into account the need to make up any shortfall under the previous target, the overall figure would be missed by about 1,800. In other words, Dartford would be in a similar position to Gravesham.

23/01/2019 DBC Letter to GBC

Dear Wendy

Local Plan consultations: Reply to Gravesham Borough Council

Thank you for your letter dated 20.7.18 following our consultation on Dartford Local Plan 'Strategic Issues'.

To help take matters forward and for clarity, in the enclosed table we have reproduced your comments in full, section by section, and offer a reply to each one in turn. For further details of Dartford's position on some of the key cross boundary potential matters, for example housing, please refer to our representations dated 11.7.18 on your Local Plan consultation and previous discussions.

Your comments on our Strategic Issues consultation highlight some areas of joint working. These are addressed in the table, but many of these are in train and are being accelerated. You were also included in the letter by Teresa Ryszkowska (28.11.18) to Ian Piper, regarding an organised approach to Council input to Ebbsfleet Development Corporation studies. I hope this provides a fruitful further area on which we can work together, please contact Teresa to discuss this further.

In the renewed spirit of collaboration we will be in touch to offer an extra meeting to go through the specific points on Dartford's Local Plan approach, and other applicable issues. We will maintain our ongoing cooperation as the Plan progresses and schedule in additional specific events to this end; and would expect significant similar action by Gravesham in this regard in order to begin to provide much needed clarity about how Gravesham will maximise its efforts to meet its own need.

We look forward to further cooperation, and clarification of the points detailed in our July 2018 representation on your Local Plan consultation.

Yours sincerely

Mark Aplin
Planning Policy Manager

Local Plan consultations: Reply to Gravesham Borough Council

Gravesham Borough Council response to 2018 Dartford's 'Strategic Issues' Local Plan consultation	Dartford Borough Council officer reply
Your response to our recent Regulation 18 (Stage 1) consultation was received by the deadline on the 11 July 2018. You will be sent a detailed response in due course	The detailed response promised on our comments is still awaited.
<p><u>Implications of the Thames Estuary 2050 Vision</u></p> <p>It is noted that the Vision recommends a statutory strategic plan for Kent be prepared similar to that currently being progressed for South Essex, albeit the geography of such a plan would need to be decided.</p> <p>Organisational structure, decision making and assignment of responsibilities would need to be understood. The implications of differing plan preparation timetables would need to be addressed.</p> <p>The Vision refers to an end date of 2050, which may be applied to any Joint Plan. The implications of the Vision may be that both Dartford's and Gravesham's local plan reviews would need to be subsumed into work on a new joint plan.</p> <p>However, the comments that follow are based on the status quo – i.e. that both Dartford and Gravesham will continue to prepare separate local plans.</p>	<p>At present the government has not identified specific joint plan requirements. If a specific proposals is formed and taken forward, this is likely to be a strategic level plan and not remove the need for a district based Local Plan. We intend to proceed with the preparation of our Local Plan, whilst being mindful that there may be changes in the future. We do not consider that plan-making should be brought to a halt on the basis of proposals which are not confirmed and for which the nature and timing, should they be brought forward, is currently unknown.</p> <p>Dartford's LDS (chapter 4) considers existing extensive cooperation and Local Plan production issues and alternatives. It concludes that to achieved timely updates to strategic planning, a Plan focussed on the Borough is in sustainable development's best interests, particularly given success in Dartford in achieving plan-led high levels of housing, in suitable locations.</p> <p>Notwithstanding this, the Council is keeping under constant review the potential for joint plan-making with neighbouring authorities.</p>
It is unclear from the consultation document what period the new local plan will cover.	The LDS 2018 sets out the timetable for plan preparation. This suggests a likely adoption date of 2021 (or late 2020) that we are working towards. With the NPPF (paragraph 22), we would therefore expect strategic policies to look forward to 2035 or 2036, and with land for homes addressed in accordance with paragraph 67.
The consultation document provides background information on progress against Core Strategy objectives but does not provide information of locally assessed need for different types of development.	<p>The review of performance of the current Local Plan is a necessary first step in considering the strategy going into the future and determination of how much of it remains relevant.</p> <p>Dartford is intending to carry out a second Regulation 18 consultation on its options and way forward for a new Local Plan in summer 2019, consistent with the LDS 2018. Further evidence base studies will be provided at this stage.</p>

Gravesham Borough Council response to 2018 Dartford's 'Strategic Issues' Local Plan consultation	Dartford Borough Council officer reply
<p>Given the new standard methodology is effectively trend based, delivery above locally assessed need rates may have implications in terms of the trajectory of need over the plan period that may need to be considered – i.e. have past decisions put Dartford on a 'up-escalator' and how should this be dealt with?</p>	<p>Government guidance advises that in preparing the local plan, housing need over the whole pl period should be based on the most recent projections. Should there be a change, either up or down (as suggested by the 2016-based projections) in the future, this can be addressed through the five yearly plan review, as advised by the Planning Practice Guidance (Housing need assessment, updated 13 September 2018).</p>
<p>Further information is needed on how Dartford's current Core Strategy requirement of "up to 17,300", against a more modest demographic need at the time of plan-making, relates to the draft Planning Practice Guidance at pages 25 – 26 which explains how the standard methodology derived figure should be used over a plan period and where a higher figure might be justified on the basis of uplift due to a growth strategy that is already in place.</p>	<p>See also resp below, re the 'up-escalator'. Draft Planning Practice Guidance has now been superceded by final Guidance (Housing need assessment, updated 13 September 2018). This states 'Where additional growth above historic trends is likely to or is planned to occur over the plan period, an appropriate uplift may be considered.'</p> <p>As you correctly identify, the housing requirement in the Core Strategy is 'up to 17,300'. The plan operates on a range, with the lower end of the range relating to the housing need requirement assessed at the time of plan preparation. This was assessed as 585 homes p.a., as compared to an 'up to 17,300' figure of 865 pa.</p> <p>Between the start of the Plan period and 2018, an extra 37 homes p.a over and above the Core Strategy's local housing need figure have been achieved. The Practice Guidance states that authorities should consider whether, where previous delivery has exceeded the minimum needs identified, the level of delivery is indicative of greater housing need. The delivery level beyond the minimum is considered not to be significant and not to warrant consideration of a higher figure beyond that derived from the standard methodology, which is calculated as 817p.a. on latest figures as proposed by government.</p> <p>The upper figure was based on identified sites earmarked for regeneration. The Core Strategy recognised that the pace of development, which is dictated by market conditions, would determine when development of these sites would be achieved. You will be aware that these identified sites have taken longer to build out than was originally envisaged.</p>

Gravesham Borough Council response to 2018 Dartford's 'Strategic Issues' Local Plan consultation	Dartford Borough Council officer reply
	<p>As noted above, further evidence base documents, including a SHLAA, will be made available at the second Regulation 18 consultation. This will provide sufficient opportunity to comment on the adequacy of supply; the requirement for 10% of the supply (now confirmed by final NPPF) to be met from small sites; and whether there is a need for Green belt release.</p> <p>With regard to meeting need from adjoining authorities, this has to be agreed between the authorities. As yet, Dartford has not reached such agreement with any other authority. See further comments below.</p>
<p>No draft Strategic Land Availability Assessment (SLAA) has been published to show how identified sites might meet local needs as a minimum, together with any unmet needs from adjoining authorities.</p> <p>The SLAA will also be important should the draft NPPF requirement to show 20% of supply on sites of 0.5 hectares or less to allow diversification of delivery come into play.</p> <p>It is difficult on the basis of the evidence provided to make a judgement on the statement made in the consultation document (at paragraphs 65 and 80 – 88) that development needs can be met without a need to release further Green Belt land or significant new greenfield land.</p>	<p>As noted above, further evidence base documents, including a SHLAA, will be made available at the second Regulation 18 consultation. This will provide sufficient opportunity to comment on the adequacy of supply; the requirement for 10% of the supply (now confirmed by final NPPF) to be met from small sites; and whether there is a need for Green belt release.</p> <p>With regard to meeting need from adjoining authorities, this has to be agreed between the authorities. As yet, Dartford has not reached such agreement with any other authority. See further comments below.</p>
<p>On employment, the evidence base supporting the new local plan will presumably have to show whether or not the spatial strategy set out in the Core Strategy remains an appropriate strategy through an assessment of local employment needs, having regard to the scale of housing to be delivered.</p>	<p>The review of the Core Strategy is a starting point, and augmented by a paper devoted to this topic. It is helpful in demonstrating past trends in demand for employment space and, therefore, provides evidence of the market appetite for employment land in Dartford.</p> <p>Dartford has developed a programme of further studies. Other local authorities including Gravesham will be advised further as it progresses in 2019 as part of our ongoing Duty to Cooperate discussions.</p> <p>Please note an up to date assessment of allocated employment land, as advised by Planning Practice Guidance (Plan-making) has been undertaken, and was considered</p>

Gravesham Borough Council response to 2018 Dartford's 'Strategic Issues' Local Plan consultation	Dartford Borough Council officer reply
	by the Planning Inspector, supporting the 2017 Development Policies Local Plan. As stated, any further requirement for new studies is under consideration.
<p>Retail is a cross-boundary issue that will need to be addressed through the new local plan. The key issues relates to the status of Bluewater and what the future planning strategy for this should be.</p> <p>It is assumed that a new retail study will be commissioned that is fit for purpose and looks at the wider catchment from which Bluewater draws its trade as a major regional shopping centre as well as the changing trends affecting the retail sector.</p> <p>It is also assumed that Dartford will seek to engage positively and on an on-going basis with all local planning authorities within the main Bluewater catchment under the duty to co-operate. It is suggested that it may be beneficial to give early consideration to the scope and extent of the retail study.</p> <p>On this, the catchment plan contained in the retail impact assessment submitted in support of planning application reference DA/16/1207 should at least provide a starting point for determining who needs to be engaged in this process.</p>	<p>Dartford will be commissioning a new retail study and Gravesham, alongside other relevant authorities will be kept updated through Duty to Co-operate conversations, as the study progresses.</p>
<p>Other key strategic cross-boundary issues are likely to be transport; water supply; waste water management; and those relating to community infrastructure such as that required for health and educational provision.</p> <p>Many of the facilities used by local residents are shared between Dartford and Gravesham on a cross-boundary basis. Given planned levels of growth within the area, it is important that infrastructure needs are met in a timely manner and that those serving the needs of visiting members of the public remain accessible by a variety of transport modes.</p>	<p>On the cross cutting matter of the statutory Sustainability Appraisal (SA), Land Use Consultants were appointed to complete a SA scoping report for the Borough; and the plan will continue to be supported by an independent SA.</p> <p>Significant work is underway in relation to gathering evidence from/ consulting with stakeholders on matters such as water supply, waste water management, and with education and health service providers including the NHS (Dartford & Gravesham Trust and the CCG) and KCC.</p> <p>The Ebbsfleet Development Corporation are undertaking a range of studies on matters such as utilities/ infrastructure, and social, environmental and economic matters, a number of which may have cross boundary implications.</p>

Gravesham Borough Council response to 2018 Dartford's 'Strategic Issues' Local Plan consultation	Dartford Borough Council officer reply
	Your comments regarding the accessibility of facilities is noted and will be taken into consideration in preparing the Plan.
<p>Transport both on the strategic and local networks will be a key issue.</p> <p>The Thames Estuary 2050 Vision document is already calling for an additional Thames Crossing, over and above the currently proposed one, further to the east of Gravesend by. The potential need for upgrades to the Dartford Crossing, even with alternatives in place, should not be ignored. It is noted that Highways England's A282 Dartford and Thurrock Study is already looking at some of these matters.</p> <p>Interventions in terms of rail will also be an important cross boundary issue: particularly should Crossrail or other services come to Ebbsfleet.</p> <p>Locally, the promotion and delivery of alternatives to private car use in the form of Fastrack/public transport, walking and cycling will continue to remain important and key to the delivery of sustainable communities.</p>	<p>Extensive work is being undertaken by Dartford, and collaboration is occurring across councils and authorities (notably with the involvement of Gravesham) on a number of transport matters, including future rail and highway provision. These issues are too widespread to go through here but these matters are subject to an extensive series of collective meetings on various aspects of, Lower Thames Crossing, junction improvements, Fastrack, C2E, future rail planning and others.</p> <p>Your comments on alternatives to private car use are noted and we share your views on the importance of this. This will be taken into consideration in formulating the Plan.</p>
<p>Thames Estuary 2100 (TE2100) has a variety of options for dealing with sea level rise and tidal flooding, with the possible locations including Long Rach or Gravesend/Tilbury. How and where this comes forward will have implications for both Gravesham and Dartford. The choice will probably need to be made within the next local plan period, so this could be a cross-boundary issue that may need to be discussed with the various parties. The location may need to be safeguarded long-term and therefore shown on the relevant policies map.</p>	<p>Your ideas for joint working on this can be discussed. We will be in touch to see when a meeting would be appropriate on this and other matters.</p>
<p>Another strategic cross-boundary issue is alternatives to road based river crossings to link Dartford and Gravesham with Thurrock on the northern shore. At the moment, there is only one alternative crossing – the Gravesend to Tilbury ferry.</p> <p>However, as development progresses to either side of the river, there may be opportunities to introduce further services to better integrate the communities to the north and south. This may have implications for</p>	<p>Your comments are noted and can be taken forward through Duty to Co-operate discussions.</p>

Gravesham Borough Council response to 2018 Dartford's 'Strategic Issues' Local Plan consultation	Dartford Borough Council officer reply
land-side planning in Dartford and Gravesham which itself may have to be reflected in an evidenced based policy.	
<p>What clearly unites Dartford and Gravesham is our Green Belt authority role. Associated with additional housing would be any additional need for employment floorspace and supporting infrastructure – including river crossing and other transport capacity.</p> <p>Whilst it may be possible to intensify development within the existing urban area, this will almost inevitably lead to further pressure on the countryside meaning that the future of the Green Belt surrounding the south-east quadrant of London is likely to become a strategic cross-boundary issue that will need to be resolved.</p>	<p>Dartford Council is strongly of the view that opportunities from sustainable urban locations should be maximised, including development at higher densities and redevelopment of undeliverable employment sites, before the development of Green belt land is considered. In our view the principal uncertainties on this topic in north Kent relate to the future of the Green Belt in Gravesham (see our detailed representation to you).</p>
<p>It is important that there is a co-ordinated approach to green and blue infrastructure between our two authorities that reflects the importance of the countryside, landscape, waterways, and associated biodiversity along with the need for the rural area to be both productive and accessible.</p>	<p>Your comments are noted and can be taken forward through Duty to Co-operate discussions.</p>
<p>Key development sites where there are strategic cross-boundary issues are Central Ebbsfleet and Swanscombe Peninsula.</p> <p>To a large extent, these will depend on interventions by others where Dartford and Gravesham will seek to have an input. One concern is that Garden City principles should extend beyond the boundaries of the Ebbsfleet Development Corporation area to ensure existing adjoining communities benefit from the public investment being made.</p> <p>Gravesham would therefore welcome working with Dartford and the Ebbsfleet Development Corporation on updating the planning framework for this critical cross-boundary area.</p>	<p>We are aware that work on these sites is being progressed by the Ebbsfleet Development Corporation (EDC). We look forward to working jointly with the EDC, and with yourselves, to form an updated planning framework for these areas.</p> <p>We share your aspiration that adjoining communities should benefit from the public investment being made in the EDC area.</p>
<p><u>Meeting unmet housing need from Gravesham</u></p> <p>Gravesham's objectively assessed need suggests that there is a need for around an additional 2,000 dwellings over and above the 6,170 identified in the Core Strategy through to 2028.</p>	<p>The issue of meeting Gravesham's unmet need has been previously raised with Dartford. The Council first responded on 5 August 2015 stating further information is required and a clear framework necessary. This remains the case. The points made in response to Gravesham's 2018 consultation also provided an outline of key areas that could be addressed. To date, nothing on</p>

Gravesham Borough Council response to 2018 Dartford's 'Strategic Issues' Local Plan consultation	Dartford Borough Council officer reply
<p>It is unlikely that there is sufficient capacity within the urban area or rural settlements inset from the Green Belt to accommodate the identified additional housing need.</p> <p>The need to accommodate development is capable of representing 'exceptional circumstances' sufficient to justify the release of Green Belt land, subject to the assessment principles set out in the Calverton case.</p> <p>The draft NPPF at paragraph 136 sets out the process a strategic plan making authority should go through when seeking to justify a change to Green Belt boundaries. These are that all other reasonable options for meeting identified need for development should have been examined, taking into account whether the strategy:</p> <ul style="list-style-type: none"> a) Makes as much use as possible of suitable brownfield sites and underutilised land; b) Optimises the density of development, including whether policies promote a significant uplift in minimum density standards in town and city centres, and other locations well served by public transport; and c) Has been informed by discussions with neighbouring authorities about whether they could accommodate some of the identified need for development, as demonstrated through a statement of common ground. <p>Given the above process is to be undertaken before seeking to justify a change to Green Belt boundaries, it is assumed that the reference under a) brownfield sites and underutilised land refers to such land that is not in the Green Belt, unless it can be treated as an 'exception' under national policy.</p> <p>Whilst it is intended to undertake further work in this area to ensure points a) and b) above are fully covered within the evidence base, work contained in the Gravesham SHMA, SLAA and viability work strongly suggests that this would only result in limited additional housing numbers coming forward.</p> <p>The ability to release land currently allocated for employment is also limited by physical</p>	<p>these matters has been received by Dartford.</p> <p>Dartford remains to be convinced that Gravesham has insufficient capacity within urban area or rural settlements inset from the Green Belt to accommodate all its housing need. As part of this, it would need to be openly demonstrated that Gravesham has reassessed all existing underused and employment sites and strategy options, housing densities, and policy constraints. We would highlight national Planning Policy Guidance on land availability assessment (Sept 2018):</p> <p><i>"What happens if the trajectory indicates that there are insufficient sites/broad locations to meet the objectively assessed need? It may be concluded that insufficient sites/broad locations have been identified against objectively assessed needs. Plan makers will need to revisit the assessment, for example changing the assumptions on the development potential on particular sites (including physical and policy constraints) including sites for possible new settlements." (our emphasis)</i></p> <p>Gravesham has repeatedly raised viability as an issue. As per the guidance, this would suggest that policy constraints, including planning requirements and obligations, such as affordable housing, would need to be revisited. Up to date intelligence is necessary to inform a view on viability and potential over the plan period.</p> <p>The identification of an employment land supply is to be informed by market signals under national guidance. Where there has been a lack of market interest over an extended period of time, the appropriateness of retaining the land for employment purposes needs to be reviewed. This should include whether mixed use redevelopment can occur on (part of) sites, potentially as part of ensuring the portfolio of business premises includes facilities flexible to the needs of the modern economy. For example, the extent of opportunities over time within north east Gravesend and any central locations should be fully explored as a priority.</p>

Gravesham Borough Council response to 2018 Dartford's 'Strategic Issues' Local Plan consultation	Dartford Borough Council officer reply
<p>constraints and the sites not being suitable for housing; the need to maintain a supply of employment land and premises suitable to meet both local and wider strategic employment objectives; a need to maintain a supply of land and premises to which businesses can be decanted as other sites are subject to regeneration; and the need to maintain flexibility due to uncertainty around what materialises in Central Ebbsfleet/Swanscombe Peninsula.</p>	<p>Currently, there is insufficient evidence available to demonstrate that this process, and the potential residential yield from a more flexible policy approach, has been thoroughly undertaken.</p> <p>Notwithstanding that Gravesham has not yet adequately demonstrated that it is unable to meet its own needs, Dartford has previously set out its view as to the process it will undertake in considering unmet need from other authorities under the Duty to Cooperate. This is subject to thorough land availability assessment and review having been completed.</p> <p>We set out in our representation to you (paragraph 2.7) information we would take into account in considering taking on an element of unmet need from another authority.</p> <p>There needs to be a functional justification based on clear logic i.e. around established migration flows. And importantly, the many infrastructure needs and development management issues that would arise should be properly and sufficiently addressed. Information on how this has been tackled elsewhere, previously requested in 2016 by Dartford, has not been supplied.</p> <p>Critically, acceptance of need from another authority will require that Dartford has capacity over and above meeting its own housing needs, as per the standard methodology. As you are aware, this has not yet been established and quantified. You should also note that authorities are not obliged to accept needs from other areas where it can be demonstrated it would have an adverse impact when assessed against policies in the National Planning Policy Framework (PPG Plan-making, Sept 2018). This is yet to be assessed.</p>

16/04/2019 GBC-DBC Notes of Meeting

Duty to Co-operate Meeting 16 April 2019

Attendees: *Tony Chadwick, Gravesham Borough Council*
Mark Aplin, Dartford Borough Council
Andrea Wright, Dartford Borough Council

1. Dartford Local Plan Background

Further Reg 18 consultation expected on/ after September 2019. This will take the form of preferred options with some parts of the plan drafted up. It is likely to continue the existing strategy of regeneration in the north of the Borough (including Dartford Town Centre and Ebbsfleet Garden City) and protection of the Green Belt in the south of the Borough. EDC evidence will help underpin progression of Dartford Local Plan.

Dartford responded to Gravesham's points re the first Dartford Reg 18 in letter dated 23 January. These points are considered addressed other than matters below. Key issues for GBC on Dartford's Local Plan:

- retail and employment strategy given that we are no longer planning in the context of the South East Plan/ past national policy
- Ebbsfleet Central actual development
- Swanscombe Peninsula actual development

2. Dartford Local Plan Evidence

SHLAA

Work is ongoing in-house with the SHLAA due to be published on or before the next Local Plan consultation. DBC carried out a call for sites in May 2018 and considered other potential sites; the latter have generally met with a positive response from the landowners. Accessibility and suitability have been assessed, capacity is being considered.

Housing Needs

DBC had informal discussions with some potential consultants. The tender process has begun with the aim to appoint in early May and outputs expected over summer. Study will focus on the types of housing needed, including affordable housing, within the standard methodology OAN figure. The commission will involve duty to cooperate stakeholders.

Gypsies and Travellers

ORS have been commissioned to carry out a GTAA. Work is being carried out now.

Transport

Discussed in detail at the meeting earlier in the day.

Retail/employment

Retail and commercial leisure study to be commissioned. The commission will involve duty to cooperate stakeholders.

SA

Scoping report carried out by LUC. Will be commissioning consultants to carry out an SA of the options ready for the next Local Plan consultation.

3. Gravesham Local Plan Background

Expecting to carry out a further Reg 18 consultation at the end of 2019. Current political uncertainty given the local elections. Expect to consider scenarios with and without the Lower Thames Crossing.

GBC is updating the figures for the amount of housing which it thinks is needed over the plan period and which cannot be accommodated within the urban area. This was previously assessed as being 2,000 dwellings. This is based on a plan period to 2028 but GBC will need to consider whether to extend this to 2036.

The housing delivery test results require a 20% buffer for housing requirements. An action plan is being drafted and this will be published by August 2019. This will contain proposals to increase supply within Gravesham. Site viability is a constraint on delivery.

The Core Strategy will be 5 years old on 1 October 2019 which may lead to possible Green Belt housing appeals as the housing requirement will have risen.

4. Gravesham Local Plan Evidence

Green Belt

Green Belt work will be contracted out to consultants.

Densities

Work is ongoing in-house considering options for increasing densities. This is in the light of some planning applications which have recently been received.

Current Sites

Many are within EDC's area – Springhead is progressing, Northfleet Embankment West site has been sold, Northfleet Embankment East housing is expected to start on site in June 2019.

Grove Road – EDC are assisting in bringing this forward due to links with Northfleet Embankment West site.

Coldharbour Road residential development has now started on site.

5. Request for Dartford to take some of Gravesham's housing need

In relation to GBC's request for DBC to take some of its need, it is recognised DBC have requested more information and this will be made available by GBC. For example,

- clarity on the amount being requested,
- when this is required to cover,
- the evidence based justification for this (rationale for focus on Dartford, robust explanation in relation to Gravesham's need and capacity),
- infrastructure and DM impacts/funding,
- showing consideration of opportunities to meet need further out in Kent e.g. Medway and beyond (given that Dartford is also a Green Belt authority and also as most people migrate eastwards) etc.

Gravesham anticipate supplying further information in summer 2019.

6. Other Duty to Cooperate Matters

TE2100

Local Plans need to lay down a marker for future TE2100 related projects which are not planned for implementation until the longer term. Gravesham have concerns over local impacts.

EDC Studies

These will possibly form part of the Local Plan evidence base but there are issues of their status and the fact that they are not always made available on EDC's website.

7. AOB

Following a recent discussion with Thurrock, a fresh Thames Estuary strategic planning "good practice" grouping is proposed to discuss major commercial projects where these could be of cross boundary interest etc. (not a housing focus). Dartford to arrange and invite Gravesham and others.

8. Date and location of next meeting

Gravesham to host. 12 or 19 June 2019 were put forward as possible dates for our next meeting. AW will invite SDC to attend.

12/06/2019 GBC-DBC Notes of Meeting

Duty to Co-operate Meeting 12 June 2019

Attendees: *Tony Chadwick, Gravesham Borough Council*
Geoff Baker, Gravesham Borough Council
Shazad Ghani, Gravesham Borough Council
Mark Aplin, Dartford Borough Council
Andrea Wright, Dartford Borough Council
Luke Dickson, Dartford Borough Council

1. Dartford Local Plan Background

Timetable

Reg. 18.2 late this year.

Reg. 19: early 2020

Submission: Summer 2020

Adoption: 2021

Potential for some slippage has increased due to staff changes.

Next Steps

Reg. 18 Stage 2 consultation expected later this year. No specific dates yet. Process will involve various duty to cooperate activities.

2. Dartford Local Plan Evidence

SHLAA

Work is ongoing in-house, hoping to complete and release draft outputs this summer.

Housing Needs

Consultants appointed and are reviewing info. Inputs will be discussed with housing associations/ developers at a meeting next week. A subsequent meeting with duty to cooperate partners to take place in early August.

Study is based on national policy and the standard method, addressing housing type/ mix and affordability it does not focus on workforce housing requirements.

Gypsies and Travellers

Work is being carried out. ORS Consultants have completed most of the surveys and provisional numbers are being fed through. Early results indicate a potentially substantial new need.

Transport

Contract with PBA being finalised. DBC should be able to pass modelling from Highways England to PBA consultants soon. Important that LPAs apply common assumptions. However, until PBA have reviewed the info and closely looked at validation, DBC will not have a clear picture. Ebbsfleet Planning Liaison meeting – a potential forum for the

discussion of these matters. GBC note that model deficient on development from Medway, Bexley etc.

Employment

DBC will be reviewing employment land requirements and permissions. Work for DP plan adopted in 2017 still applicable.

3. Gravesham Local Plan Background

GBC seen a change in administration (now Labour) – members getting up to speed.

Timetable

Reg. 18.2 late this year.

Reg. 19: Autumn 2020

Submission: early 2021

An updated LDS will be produced shortly once dates with members have been firmed up. Plan to cover period up to 2028, but evidence base to go beyond.

4. Gravesham Local Plan Evidence

Green Belt

Green Belt work will be contracted out to consultants soon.

Densities and Capacities

In-house work considering options for increasing densities, capacities and an updated SHLAA is ongoing. This evidence will be made available for the next round of consultation.

Gypsies and Travellers

Joint G&T study with Medway – there appears to be an increased need arising through new household formation.

Other Studies:

GBC will commission transport study, but not additional employment or retail work. GBC have a significant requirement for new employment space.

It was noted that the uncertainty over Ebbsfleet Central and the London Resort plans for the Swanscombe peninsula was a factor in the plans of both DBC & GBC.

GBC - further SEA and HRA work also necessary.

5. Request for Dartford to take some of Gravesham's housing need

The GBC request for this, and DBC's response seeking more information, still remain. GBC will publish the evidence at the next R18 consultation but may be able to provide outputs/more information prior to the next round of consultation.

No additional infrastructure funding would be forthcoming from GBC. It has limited resources to fund infrastructure in own area.

Additional funding provided from government for joint plans with higher housing.

GBC – few sites within the urban areas. Not enough capacity in urban areas and issues of viability. Local Plan will set out limits to growth.

DBC – stated that it was very likely that GBC would not be the only local authority asking DBC to accommodate their housing need; therefore the discussions at the last meeting/ past correspondence is still live, with clarity sought from GBC on the various points outlined. DBC also noted that migration flows were eastwards from DBC to GBC, rather than vice versa. DBC are also involved in discussions with authorities outside Kent i.e. Bexley.

GBC have also requested that Medway take some of their housing.

6. Other Duty to Cooperate Matters

Evidence Base Sharing

DBC requested that other authorities be entrusted with Local Plan evidence when it's available, rather than it being held until after public consultation has launched. Withholding evidence prevents an understanding being formed before proposals come out for consultation, delaying the process and not fostering cooperation.

Interim Statement of Common Ground

It was agreed that an interim joint statements of common ground to accompany the next rounds of consultation would be worth considering. With the aim of achieving full statements, consideration would be necessary of political input/ sign off.

Minerals & Waste Local Plans

GBC – liaison with KCC over SOCG.

DBC – not currently prioritising SOCG, as expect KCC to revisit.

Lower Thames Crossing

GBC not sure how DFT will address the issues at the A2 junction.

DCO due to be submitted by the end of year, but this is now likely to be 2020.

Various issues in Gravesham: environmental concerns – route to pass through AONB, PLA have stated that the tunnel should be deeper etc.

7. Date and location of next meeting

Late August /September were put forward as possible dates for the next meeting. Due to be held at Gravesend.

20/09/2019 GBC-DBC Notes of Meeting

Dartford and Gravesham Duty to Co-operate Meeting

20th September 2019 11am – CS4 Gravesham Civic Centre

Dartford Borough Council

Andrea Wright (AW)

Mark Aplin (MA)

Gravesham Borough Council

Geoff Baker (GB)

Sian Morley (SM)

Shazad Ghani (SG)

Agenda

1	Dartford Local Plan Background	
	<ul style="list-style-type: none"> • Undertaking Regulation 18 Stage 2 consultation before the end of 2019 – early November (Cabinet 31st October 2019). • Need to update Local Development Scheme before (Publication) Regulation 19. • Regulation 19 consultation will follow middle of next year (2020) • Submission before the end of 2020 • Development strategy focuses on brownfield land, public transport, Dartford Town Centre and Ebbsfleet Central where the focus is on a mixed use major centre Swanscombe Peninsula will be based on a criteria based area policy rather than an allocation. These are in line with EDC's Implementation Framework. • Duty to cooperate discussions: regular meetings with neighbouring authorities will be complemented by a collective event to take place as part of Regulation 18 Stage 2 consultation 	MA/ AW
2	Dartford Local Plan Supporting Evidence	
	<ul style="list-style-type: none"> • LUC undertaking SA/SEA to inform Regulation 18 Stage 2 consultation • Residential need assessment, draft Strategic Housing Land Availability Assessment, Transport (PBA contextual note, the model outputs will not be available for the consultation, delay with HE) and Gypsy and Traveller Accommodation Assessment evidence will inform the consultation. • Gypsy and Traveller Accommodation Assessment identifying increased need – will be asking neighbouring authorities through the duty to cooperate if they can accommodate some of this need. • Retail and Leisure Study – Cannot publically confirm finish of full procurement process but expected that Lambert Smith Hampton will be undertaking work and duty to cooperate event may take place before the end of the Local Plan consultation period • Will look at commissioning viability and additional work post Regulation 18 Stage 2 	MA/ AW
3	Gravesham Local Plan Background	
	<ul style="list-style-type: none"> • Undertaking Regulation 18 Stage 2 in January 2020 	SG

	<ul style="list-style-type: none"> • Regulation 19 consultation summer 2020 • Submission early 2021 • Revised Statement of Community Involvement, Local Development Scheme and Regulation 18 Stage 2 Development Management Policies will be going to October 2019 Cabinet for approval. 	
4	Gravesham Local Plan Evidence	
	<ul style="list-style-type: none"> • Land Use Consultants are undertaking SA/SEA and Green Belt work to inform the Regulation 18 Stage 2 consultation • PBA are undertaking transport work for the Regulation 18 Stage 2 consultation, however due to the changing nature of the LTC and LTC junction this will not include any detailed modelling at this stage. • Strategic Land Availability Assessment being updated internally and ORS have undertaken GBCs and Medway's Gypsy and Traveller Needs Assessments. GBC's assessment has identified an increased need above that identified in the previous study. • Strategic Housing and Economic Needs Assessment approach being used to inform housing typologies at this stage with further work to be commissioned after Regulation 18 Stage 2 alongside any additional work that maybe needed. 	SG
5	Statement of Common Ground	
	<ul style="list-style-type: none"> • SG advised that we need to move our discussions to a structured Statement of Common Ground and agree cross boundary issues. Agreed. Appropriate officer and member consideration required. Potential to involve Ebbsfleet Development Corporation and to focus on Ebbsfleet issues first. SG to speak to Mark Pullin. • Produce a template Statement of Common Ground initially • DBC / GBC not agreed Statements of Common Ground with KCC on Waste and Minerals Partial Review 	All
6	Any other business	
	<ul style="list-style-type: none"> • Bexley – Dartford in close contact outside Kent, including strong links via Crossrail extension project – Tony Chadwick represents Gravesham on Crossrail • Medway – GBC and DBC are aware that Medway's Local Plan is being delayed whilst they await a response from MHCLG on their HIF bid 	MA / SG
7	Date and location of next meeting	
	<ul style="list-style-type: none"> • Make progress on Statement of Common Ground and then arrange meeting to progress discussions post Christmas. 	SG/ MA

20/02/2020 GBC Response on Dartford Local Plan Preferred Options Regulation 18 Consultation

Dear Mark,

Consultation on Dartford's New Local Plan: Preferred Options document

Thank you for consulting Gravesham BC (GBC) on your Local Plan: Preferred Options document and supporting evidence base. Our comments focus on cross-boundary strategic issues where what you are proposing has the potential to impact on our area. These comments should also be seen in the context of our joint commitment to ensure the effectiveness of cross-boundary strategic planning across the wider North Kent area under the statutory duty to cooperate.

As it is not considered necessary to directly answer those questions where GBC does not have a particular interest, the response below is set out under more generalised headings.

Context of the adopted DBC Local Plan Core Strategy and its relationship with the emerging Local Plan.

The existing DBC Core Strategy was adopted following examination in 2011 and covers the period through to 2026. It is clear from the Inspector's Report on the LDF Dartford Core Strategy that DBC continued to follow the now defunct South East Plan (SEP) in terms of its housing target (up to 17,300 units 2006 – 2026) allied to an associated high level of jobs growth (between 25,799 – 27,103 net jobs) over the plan period¹⁶.

Following the SEP and a range of other high level planning documents that identified Kent Thames Gateway as a growth area, clear opportunities were identified for significant regeneration based on the decision to locate an international/domestic station at Ebbsfleet on HS1 linked to the release of 341 hectares of despoiled (but not brownfield) land from the Green Belt at Eastern Quarry, Northfleet West sub-station and in St Clements Valley.

This effectively continued a tradition of significant Green Belt release at Dartford to support economic development at Crossways, North Dartford, Bluewater and elsewhere – much of which was A282/M25 related and inevitably placed additional pressure on the Strategic Road Network.

The strategy which was rolled forward from the SEP in the DBC Core Strategy was based on development well above local needs for housing and employment thus contributing to meeting needs from elsewhere. It is also worth noting that, in terms of town centre uses within the SEP, Bluewater had the status of an out-of-centre specialist retail shopping centre and was not treated as a 'town centre'.

Whilst each Local Planning Authority is now charged primarily with seeking to accommodate its own development needs (unless otherwise agreed under a Statement of Common Ground within neighbouring authorities or where it is otherwise unable to do so under NPPF paragraph 14) the emerging Dartford Local Plan appears to include a number of changes from the adopted spatial strategy that require evidenced justification.

For example, the quantum of employment space at Ebbsfleet is significantly reduced and the ability to deliver housing becomes more focused on meeting Dartford's indigenous needs over a longer plan period. It is noticeable also that the consultation document and supporting evidence do not appear to fully set out Dartford's unconstrained land supply nor considers unmet housing need from adjoining authorities which as you will be aware, this Council has flagged to you.

¹⁶ See https://www.dartford.gov.uk/data/assets/pdf_file/0003/62904/FinalInspectorsreport1.8.11.pdf

The issue of the status of Bluewater as a 'centre' under adopted policy CS12 also remains, which the Inspector in examining the DBC Development Policies Plan in 2017 declined to address. He instead deferred to existing policy CS12 (which is capable of different interpretations) and determined that this was a strategic matter that should be addressed through this Local Plan review.

It is arguable that the above factors indicate a significant change in strategic approach that needs to be justified by a credible and robust evidence base, with any potential significant impacts on affected areas properly understood and considered.

Having set the context within which these comments are made, this representation will now continue by considering those areas of primary concern to GBC and where it is considered duty to co-operate cross boundary issues are most pertinent.

Vision and Strategic Objectives

Whilst GBC has no substantive objection to the Vision and Strategic Objectives set out in the consultation document, it is unclear how these have been informed by the Sustainability Appraisal (SA) or an assessment under the Equalities Act 2010.

For example, Table 4.1 of the SA notes that neither the Vision nor any of the Strategic Objectives address SA9 on Water Quality or SA7 on Mineral Resources. Also, Table 3.1 of the SA states that one of the key sustainability issues for Dartford is that:

There is a need to reduce the inequalities gap between those living in the most deprived areas of Dartford and those living in the least deprived areas of Dartford. The Borough contains deprivation 'hot spots' that are geographically close to some of the least deprived parts of the country (SA Framework objective SA4).

And on the likely evolution without a new plan:

Without the Local Plan it is possible that the gap between the most and least deprived areas in the Borough will remain or grow. The Local Plan presents the opportunity to address this through the planning of new and improved communities and infrastructure, particularly within the areas that are amongst the 20% most deprived in the country.

However, the reduction in inequalities across the Borough is not specifically included in the Vision and the reference to SA4 appraisal questions only relate to health and well-being and healthy lifestyles, with little reference to other underlying causes of inequality that might be addressed through targeted measures such as environmental improvements and/or ensuring that greater emphasis is placed on the retention of facilities where the ability to address inequalities is a material consideration.

This is important from a GBC perspective because those areas in Dartford that suffer from relative deprivation follow a similar pattern to Gravesham and may rely on shared infrastructure. They are also in close proximity to many of the key regeneration sites making up the Ebbsfleet Garden City, which will tend to have a completely different socio-economic profile.

Ensuring therefore that that addressing environmental, social and economic inequalities through planning policies and decisions is therefore important if we are to create cohesive and integrated communities where old and new can comfortably co-exist.

Balance of housing and economic growth within the existing DBC Core Strategy

The existing DBC Core Strategy has a housing target taken from the South East Plan of up to 17,300 dwellings over the period 2006 – 26, this housing growth being linked to the regeneration opportunities that provided for significant employment growth over the same period.

Looking at the Local Plan Preferred Options document, it appears that there is a significant change in terms of balancing housing and employment growth over the new plan period.

In terms of housing delivery, the studies indicate a housing need having regard to affordability uplift of 797 units per year. Delivery is assumed to take place at a rate of between 797 – 865 units a year, trailing off towards the end of the plan period.

However, paragraph B8 of the consultation document says that delivery of homes in excess of the Government's Local Housing Need Figure will only be built to assist delivery of plan objectives, particularly at the two Priority Regeneration Centres or where proposals elsewhere provide particular (unspecified) benefits.

This does not appear to be consistent with the Government objective of significantly increasing the supply of housing, with the standard method only setting out a minimum target figure and no maximum cap. No evidence has been provided to demonstrate that there are environmental constraints that would limit development beyond the 797 units per year, what the implications would otherwise be or whether they are capable of mitigation.

Similarly, the draft SHLAA states at paragraph 4.11 that this stream of work is not finalised and that quantification of further housing potential is required for completeness. This is important because whilst DBC may be able to identify sufficient sites to meet its own needs over a 15 year period with an appropriate buffer, consideration has not been given as yet to meeting unmet needs from adjoining authorities e.g. the London Borough of Bexley, Sevenoaks or Gravesham.

DBC is well aware of the situation in Gravesham where delivery of housing is below the Local Plan Core Strategy adopted targets and below the Objectively Assessed Housing Need figure. This authority will be providing further evidence in this respect in due course, having already formally asked your authority as to whether it can assist.

In terms of affordable housing provision, existing policy under CS19 requires that 30% of housing on developments of 15 units or more in the urban area deliver 30% of units as affordable housing with between 50 – 80% of this on private developments to be in the form of intermediate housing with the remainder as social rented.

Emerging policy proposes to change this to 35% affordable, with 20% social/affordable rent and 15% affordable home ownership (majority shared ownership). Changes are also proposed to affordable housing policy south of the A2, including increasing the threshold to 10 units in line with national policy.

Given that a large proportion of housing land supply consists of previously permitted sites, is this uplift in affordable housing and change in pattern of tenure achievable? If not, how would DBC address this issue? Similarly, will increasing the threshold south of the A2 deliver the required level of affordable housing in that area? If not, how will this be addressed or could a case be made for a lower threshold or further allocations?

GBC would also draw attention to the apparent contradiction between what is said at paragraph 4.1.3 of the consultation document on ensuring that residential densities below an appropriate level be avoided and the decision not to adopt minimum densities in favour of a more flexible 'design led' approach at Question 22.

Is this consistent with NPPF paragraph 123 on optimising the use of land and applying minimum densities in areas well served by public transport and elsewhere, as appropriate?

Whilst it is proposed that housing should continue to be delivered at a rate of around 797 units a year to meet local need (a figure which may change prior to submission) paragraph F1 of the consultation document says that there will be no target for B use class floorspace.

Unfortunately, no evidence is provided on the local need for such floorspace based on population/workforce growth and it is difficult to see whether DBC is simply providing for local needs in accordance with national policy or is taking advantage of opportunities available and providing in excess of local needs.

If it is the latter, the question arises of where that additional workforce is coming from if DBC is not delivering additional housing to accommodate it and the implications for neighbouring authorities in terms of their own strategies, if this is not the case. Further evidence is therefore required, including an assessment of implications for neighbouring authorities so that these can be taken into consideration under the duty to cooperate. This may also require additional assessment of transport impacts given potential cross-boundary travel to work movements. This has implications for a number of interrelated areas such road and public transport congestion and demand as well as air quality implications. It is noted that this information is currently unavailable.

Future of the Ebbsfleet Central Area

Linked to the above, the existing DBC Core Strategy policies in relation to Ebbsfleet were highly aspirational, based on sub-regional planning guidance and the notion that it would be possible to develop out a new business district similar to Canary Wharf albeit at a smaller scale. This was to be supported by significant housing delivery, which justified in part the release of Eastern Quarry and other sites from the Green Belt in Dartford.

Whilst GBC would agree that any development within the Ebbsfleet Central area needs to be both realistic and deliverable and the intervention by the EDC in trying to find a way forward is to be welcomed, it does mark a shift away from the adopted strategy and any implications need to be properly understood. Policies in the DBC and GBC parts of the development area will clearly need to be co-ordinated.

Whilst GBC would support a mixed-use approach to development at Ebbsfleet Central that maintains a significant employment component, this still needs to be underpinned by a credible and robust evidence base in terms of impacts and the ability of the transport network to sustain it.

In this context, it is evident that Eastern Quarry is likely to become predominately residential with supporting retail and services. A reduction in the overall level of employment from that originally tested in transport modelling may result in different outcomes given it is not necessarily total flows but their direction that may be determinative. Fewer jobs may mean less local working and greater outflows and inflows during peaks and/or a greater reliance on public transport to support commuting.

Further, we also need to understand what form any centre will take within the Ebbsfleet Central development, its function and role relative to the wider network of centres within the area, and its potential impact on Gravesend and Dartford town centres in particular.

For example, how has the 12,500 sqm of shopping floorspace set out in the consultation document for Ebbsfleet been arrived at and how is this justified in evidence? Given the retail study is not yet complete, how is this figure justified in terms of local population within the centre catchment, the reduced number of jobs likely to be created, and commuter spend? How has impact on centres such as the market centre in Eastern Quarry and Gravesend town centre been taken into account?

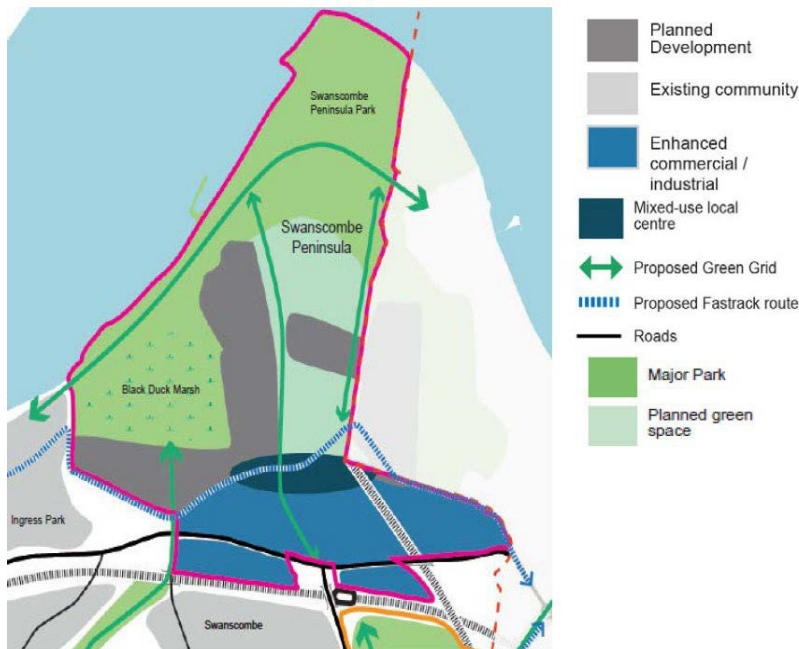
It will also be necessary to understand what the potential impact of London Resort would be should this come forward as a cross-boundary strategic issue.

Future of the Swanscombe Peninsula area

The consultation document indicates a preferred option that encourages sensitively integrated, lower density mixed-uses and ecological improvements. Paragraph E10 sets out the aims of policy here will be to:

- Retain local jobs and enhance local employment opportunities
- Deliver improved transport links, including FastTrack;
- Ensure any development sites are only located on brownfield land or, if necessary elsewhere, on the least sensitive locations; and direct development away from, and helping to facilitate, the proposed estuarine ecological park (expected to be from Black Duck Marsh north-eastwards to the tip of the peninsula and adjoining land).

A plan is provided at page 66 of the consultation document and provides an indicative layout of the proposed form of development. This is reproduced below:



Once again, because a large part of Swanscombe Peninsula lies within the GBC area, it is important that there is a cross-boundary strategic approach to this area. Gravesham's current approach is set out in policy CS03 on the Northfleet Embankment and Swanscombe Peninsula East Opportunity Area. This envisages development potential in the longer terms, which might include commercial/industrial uses together with greenspace to protect the biodiversity of the area. Residential development is not ruled out as part of a mixed-use development of the area but this would be subject to overcoming constraints and providing a sustainable form of development that integrates well with the adjoining urban areas.

An important message though is that development here should be subject to a comprehensive masterplan approach. This should logically extend over the whole of the peninsula as a cross-boundary strategic exercise. It would be helpful if the DBC policy document also reflected this form of approach, potentially facilitated by the Ebbsfleet Development Corporation charged with the delivery of the Garden City.

Unfortunately, the proposed approach to Swanscombe Peninsula in the DBC consultation document is unclear and it is not possible to determine what is actually intended in terms of development. Paragraph E11 states that:

Potential suitable development could be for environmental upgrades to the employment area (and/or to provide less environmentally harmful new industrial premises), outdoor/leisure uses and possible low key visitor accommodation; plus local scale neighbourhood uses facilitated by limited residential development.

However, in terms of delivery of larger scale residential development at the Swanscombe Peninsula site (139), the DBC draft SHLAA appears to be quite unequivocal in saying that it is unsuitable:

A number of constraints remain within this site: not apparent at present how precisely they would be overcome without special intervention. Currently unclear how overall it would be suitable for residential as this is dependent on overcoming contaminated land and previous landfilling specific issues. Also transport assessment is necessary to consider the impacts on junctions and the local road network. Minerals assessment would be required to consider whether there is potential for extraction. Flood risk may mean no residential at ground floor level. Need to take into account land safeguarded for HS1 which runs underneath part. Consider impacts on the operation of existing minerals/waste sites as well as air quality, heritage and ecological issues. Public rights of way run through site.

The key question that GBC would like answered in relation to Swanscombe Peninsula as a strategic cross-boundary issue is what uses, forms and quantum of development are actually being proposed for this area and how are their potential impacts being taken into consideration in the preparation of the emerging plan.

Even if it is not possible to provide a definitive answer, the SA/SEA and technical appraisal will need to make reasonable assumptions for the purposes of testing with any criteria based policy taking these into account and the implications should they be exceeded. This would include any retail or commercial leisure component and its impact on other centres, as part of the justification for the preferred policy approach. As part of the package is also likely to include employment floorspace, any implications would also need to be taken into account in any wider economic appraisal as set out above.

Also, given the constraints and likely abnormal costs associated with the site, what assessment of potential viability and deliverability of the preferred option is being undertaken? GBC would also expect transport and air quality impacts of the proposed strategy to be fully taken into account.

Given this is being promoted as an alternative to London Resort, it is assumed that DBC will provide a more comprehensive assessment of the relative benefits of the two at the Regulation 19 stage.

Prioritising use of brownfield land

Whilst GBC agrees that it is preferable to use previously developed land for new homes and jobs, some brownfield land has environmental value that could preclude its use or mean that more sustainable options are available.

There are clearly areas of brownfield land that are either uneconomic to develop at the current time or can only be delivered in the longer term, necessitating release of other sites to meet immediate development needs. A concentration on previously developed land also ignores where need might arise.

It is noted from the SHLAA for example that the Preferred Option is to concentrate on previously developed land to the north of the A2 in the Ebbsfleet Garden City area and at Dartford Town Centre, with a strategic employment allocation at the former Littlebrook Power Station site.

However, no analysis has been provided of development needs that might arise to the south of the A2 in the rural communities located in the Green Belt. Such development may be required to maintain or improve the sustainability of those communities; to allow people to down-size without moving to the urban area, releasing larger housing stock whilst keeping communities together; or to meet the needs of an ageing population where it currently lives.

From a GBC perspective, it is important that DBC achieves the right balance in that a failure to do so could put additional pressure on rural communities in Gravesham, where Dartford residents may seek to migrate.

Attention is also drawn to GBC comments at the last consultation where it was suggested that consideration might be given to the release of the Darent Valley Hospital site from Green Belt to facilitate future development without the need to demonstrate ‘very special circumstances’. The hospital is strategic infrastructure serving Dartford, Gravesham and Swanley.

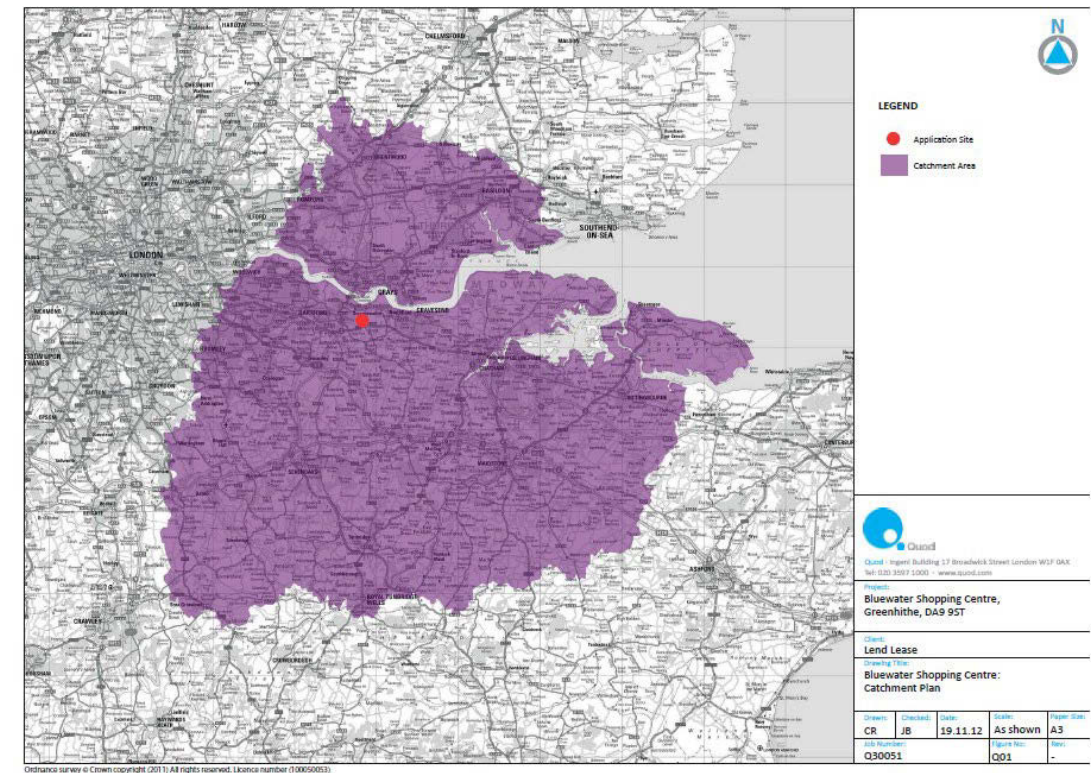
Ensuring Dartford is a thriving town centre.

Whilst the general thrust of the preferred option to diversify the offer of the town centre and to increase the residential component has a good fit with national policy, it is unclear how this relates to the need to accommodate main town centre uses over the first 10 years of the plan and what the role of Dartford town centre will be relative to other centres in the local hierarchy.

This is something in itself that may raise cross-boundary strategic issues depending on the outcome of retail and commercial leisure assessment. Such work will clearly also need to have regard to the role of Bluewater as a specialist regional shopping centre and its future evolution, along with the creation of new centres at both Ebbsfleet Central and in Eastern Quarry.

Previous work in this area is now well out of date and needs to be refreshed, having proper regard to the wider catchment of Bluewater and the aspirations of neighbouring authorities should they seek to claw back spend to support their own town centres.

The implication of this is that DBC may need to cast its duty to cooperate net wider than it has done previously to capture the full extent of cross boundary strategic issues. The work undertaken by Quod on behalf of Bluewater under application reference DA/16/01207/OUT may be useful in providing a guide to the spatial extent of the catchment of this regional centre and who needs to be engaged.¹⁷



¹⁷ See <https://publicaccess.dartford.gov.uk/online-applications/applicationDetails.do?previousCaseType=Application&keyVal=OB0Y1XBQ09D00&previousCaseNumber=19%2F01479%2FCDNA&activeTab=summary&previousKeyVal=PZXHB7BQJPQ00>

In terms of residential capacity and the ability of Dartford town centre to accommodate other uses, the SHLAA contains a number of sites capable of accommodating 1,143 dwellings. However, there are 22 other sites where capacity is to be confirmed (TBC). The *Crossrail to Ebbsfleet C2E: A Corridor for Growth* document states that 5,000 additional dwellings above those already consented could also be accommodated.

Whilst accommodating this level of development may be contingent upon the delivery of the Crossrail extension to Dartford, both this and the environmental consequences of alternatives would need to be evidenced. As this would need to form part of the further capacity work undertaken to complete the Dartford SHLAA, the ability to deliver such additional development and its phasing is an important issue given it relates to Dartford's ability to meet unmet need from elsewhere. As you are aware, Government guidance on housing and economic land availability assessment includes that "The assessment needs to identify all sites and broad locations (regardless of the amount of development needed) in order to provide a complete audit of available land". We must highlight that our July 2018 response included the following statements:

- It is also noted that no draft Strategic Land Availability Assessment (SLAA) has been published to show how identified sites might meet local needs as a minimum, together with any unmet needs from adjoining authorities.
- Whilst it is appreciated Dartford is at an early stage in the plan preparation process, it is difficult on the basis of the evidence provided to make a judgement on the statement made in the consultation document (at paragraphs 65 and 80 – 88) that development needs can be met without a need to release further Green Belt land or significant new greenfield land.
- Gravesham's view is that the consultation should have been accompanied by a draft revised SLAA and not simply a statement of 5 year housing land supply, irrespective of whether or not a call for sites has been issued.

Therefore, once again, this is highlighted as a strategic cross boundary issue to be addressed.

Retention and delivery of improvements to green space

Whilst GBC would support the general thrust of the preferred option, it is important to recognise that delivery of a network of blue/green infrastructure is a strategic cross boundary issue at the interface of the two boroughs within the EDC area.

Not only does the provision of an integrated network assist in delivering multiple objectives in relation to climate change, mitigation of air quality impacts, biodiversity net gain, health and well-being and recreation, it also has the potential to allow people to move around in a more sustainable way without recourse to the private motor car.

In this context, agreeing on a shared approach to the riverside and the Ebbsfleet stream corridor (where development should be designed from the ground up with water in mind) will be important. GBC therefore looks forward to working with both DBC and the EDC under the duty to cooperate to achieve a range of mutually beneficial objectives in this area.

Within this context, agreeing a cross boundary approach to the delivery of the Thames Estuary 2100 plan and effectively mitigating the impact of flood risk within the cross boundary flood cell at Swanscombe Peninsula/Ebbsfleet/Northfleet Riverside will be important.

Transport and other utility issues

Achieving a sustainable pattern and form of development that firstly reduces the need to travel but otherwise prioritises sustainable forms of transport to the private car will be important if the worst effects of climate change are to be mitigated. Whilst GBC will need to look at sites within

the Green Belt should neighbouring authorities not be able to meet our unmet need, those locations selected will seek to meet sustainable transport objectives as far as is practicable given their rural location.

Transport is clearly a major cross-boundary strategic issue given the interconnectivity of the two Council areas. The Strategic Road Network (SRN) serving the area and public transport services (both road and rail) are largely shared. Whilst there are differences between the two Local Authorities in terms of preference for creating additional cross-river capacity on the SRN, there is a general consensus that it is an issue that needs to be addressed having regard to environmental sensitivities.

However, in advance of any formal decision being made on Lower Thames Crossing through the DCO process and its delivery being assured, it would be prudent if both authorities assessed transport and environmental impacts of their respective spatial strategies on the basis of 'with' and 'without' scenarios.

GBC intends to progress its transport work in two stages. For the forthcoming Regulation 18 (Stage 2) transport work, it will be relying on outputs from the Lower Thames Area Model Version 1 (LTAM V1) that accompanied the Lower Thames Crossing statutory consultation in 2018. Whilst this has a number of deficiencies, it is considered adequate to provide a high level overview of where issues are likely to arise. A more refined SATURN based model assessment will be undertaken to accompany the Regulation 19 submission version, as and when the new Kent County Council model is available later this year.

Whilst it is appreciated that the DBC transport modelling is a work in progress, what has been provided at this consultation stage is of limited use in understanding actual impacts of development over the wider network.

Deficiencies in inputs to the LTAM V1 remain a concern, particularly as employment floorspace in Ebbsfleet is now likely to be overstated, whereas development in the adjoining London of Borough of Bexley through to the mid-2030s is likely to be understated. This is because in the case of the former, the LTAM Uncertainty Log (based on WebTAG Unit M4) relies on the 'up to' planning permissions for Ebbsfleet/Eastern Quarry, whereas for the latter there is little or no new development included post-2026.¹⁸

Similarly, the development quantum for Sevenoaks, Thurrock and Gravesham post 2026 are understated relative to requirements established by the imposition of the MHCLG standard methodology for determining minimum local housing need – aside from any other associated development required to meet other needs. It should also be noted that to the east of Gravesham, development modelled through the LTAM V1 Uncertainty Log is equally deficient for Medway – i.e. 2,409 dwellings through to 2031 & 41, when it is seeking to accommodate around 28,611 up to 2036/7 alongside employment and other uses.

Finally, in terms of transport, it is important that both DBC and GBC do not forget the importance of the River Thames as a strategic sustainable transport artery that could be better used in terms of both commercial and passenger activity. For example, the only alternative to the Dartford Crossing for non-motorised users is the existing Gravesend – Tilbury ferry. This would remain the case even if the Lower Thames Crossing was to be granted a DCO in due course.

Given the synergies that could be developed by better cross-river ferry or other non-road based transport options between Dartford/Gravesham and Thurrock within the context of Thames Estuary 2050 growth, this is an area that might usefully be explored. Providing opportunities to cross the river without recourse to the current or future fixed crossing by car, would not only be more sustainable (particularly by electric powered vessel) but also take pressure off the

¹⁸ See LTAM V1 Uncertainty Log in the 2018 Lower Thames Crossing consultation material at https://highwaysengland.citizenspace.com/ltc/consultation/supporting_documents/LTC%20%20Preliminary%20Traffic%20Report%20%20Appendices.pdf

Dartford Crossing and help achieve environmental and other benefits. Given Lower Thames Crossing is only likely to provide a window of opportunity to provide additional capacity at Dartford in the future, this might be an attractive alternative.

On other utilities, it will be important that development is adequately served as it comes forward and that impacts remain within acceptable environmental limits whilst seeking to achieve improvements overall. The main interface between DBC and GBC remains the Ebbsfleet Valley and Swanscombe Peninsula where the EDC plays a key role. This is an area where we need to understand the implications of our respective spatial strategies and the programme for delivery. This will have to form part of our on-going discussions.

Concluding remarks

Clearly, the above comments raise some complex issues in relation to the way both DBC and GBC move forward, in cooperation with the EDC as a key delivery partner. GBC therefore looks forward to working in a constructive and ongoing basis with DBC under the duty to cooperate to achieve mutually acceptable sustainable development objectives in the interests of our respective communities and other stakeholders.

Yours Sincerely,

Shazad Ghani

Planning Manager (Policy)

23/10/2020 Gravesham Local Plan Stage 2 Regulation 18 Consultation

Message from Gravesham Borough Council Planning Consultations

Dear Sir or Madam

Gravesham Local Plan Regulation 18 (Stage 2) Consultation

Local Plan Core Strategy Partial Review and Site Allocations Document and Development Management Policies Document

We are undertaking a Partial Review of the Gravesham Local Plan Core Strategy and proposing detailed Development Management Policies. To ensure that the issues that affect people who live, work, visit and may want to invest in the Borough, we carried out a Regulation 18 (Stage 1) consultation between April and June 2018, which sought your views on two documents:

- Site Allocations Issues and Options Document which set out broad options for meeting the Borough's additional development needs up to 2028, and
- Draft Development Management Policies Document set out detailed policies to be used when considering planning applications

Taking account of the comments received, we have gathered additional information to inform the amount of development needed in the Borough to meet our development needs up to 2036 and where this development could take place. The draft policies in the Development Management Policies Document have also been updated and account has been taken of the changes in national policy since the 2018 consultation.

Before progressing further, we would like your views on how and where to positively plan for the Borough's futures. We are therefore undertaking a Regulation 18 Stage 2 consultation, which will run for seven weeks from **09.00 Friday 23rd October 2020 to 17.00 Thursday 10th December 2020**.

We would welcome your comments on the following documents, which are available, along with response forms, on the Council's consultation webpage at: <https://localplan.gravesham.gov.uk>.

- **Part 1 - Local Plan Core Strategy Partial Review and Site Allocations Document**
- **Part 2 - Development Management Policies Document**
- **Support Documents**

In accordance with the Town and Country Planning (Local Planning) (England) (Coronavirus) (Amendment) Regulations 2020 physical copies of the documents **will not** be available for inspection either the Civic Centre or in local libraries.

If you wish to view the documents electronically and do not have access to a computer or the internet, you can book a library computer terminal at www.kent.gov.uk/libs

Due to the current situation, we are encouraging people not to come to the Civic Centre, in the interest of trying to prevent the spread of Coronavirus (COVID-19). For the same reason, it would not be prudent to hold in-person consultation events around the Borough, although these may resume should the situation improve as the Local Plan moves forward.

How to comment

We are encouraging comments to be submitted online using the response forms on the Council's consultation webpage. If this is not possible, please download the relevant response forms and either:

- email planning.consultation@gravesham.gov.uk or
- post to Planning Policy, Gravesham Borough Council, Civic Centre, Windmill Street, Gravesend, DA12 1AU.

Please ensure that your forms reach us by **5pm on 10th December 2020**. Comments received after this date will not be accepted.

Please note that your comments, including your name, will be made public and provided to the Planning Inspectorate in due course. Comments received without sufficient information, will not be taken into account.

If you experience any difficulties accessing the Consultation webpage, please contact Customer Services on 01474 56 44 22.

Yours faithfully

Shazad Ghani

Planning Manager (Policy)

31/12/2020 DBC Response on Gravesham Local Plan Stage 2 Regulation 18 Consultation

N.B. The Appendix referred to below is the submission that was made to the previous Regulation 18 consultation on 11/07/2018. This is included in pages 59-69 above and is not repeated here.

Dartford Borough Council's response to Gravesham's Local Plan – 31 December 2020

Dartford Council does not wish to make any comments on the Part 2 Draft Development Management Policies Document. However, Dartford Council has concerns and objections to the Part 1 Local Plan Core Strategy Partial Review and Site Allocations Document which are outlined below.

1. Duty to Cooperate

- 1.1 The Local Plan consultation document makes some references to duty to co-operate. It is disappointing that no discussions took place in the weeks leading up to or during this latest consultation. Dartford Council still has serious concerns that duty to co-operate is not being undertaken in a positive and transparent way in relation to Gravesham's Local Plan, particularly when there still have been no updates in relation to this Council's serious reservations regarding Gravesham's historic request (several years ago, prior to evidence gathering) for Dartford to take Gravesham's housing need. Dartford Council made detailed comments on this (paragraphs 2.1-2.8) when responding to the Regulation 18 Stage 1 Consultation Part 1 Site Allocations Issues and Options on 11 July 2018, many of which remain relevant and need to be addressed (see Appendix).

2. Strategy

- 2.1 Dartford Council is concerned about the slow progress of the Gravesham Core Strategy Review in addressing the shortfall of housing land to meet needs in Gravesham Borough. Development delivery levels in Gravesend town centre and elsewhere have remained low throughout periods of national economic growth; no momentum has occurred in delivering regeneration. There is now a major backlog in meeting development needs. This leads to ongoing uncertainty and a lack of clarity in relation to: the location of future development; the longstanding regeneration strategy for the area; and implications for future transport and infrastructure. The Gravesham Core Strategy was adopted in September 2014 and it was known at that time that there would be a need for a review of the evidence and potential policy approach.
- 2.2 Dartford Council previously made detailed comments relating to the proposed strategic approach of potentially releasing large Green Belt sites on future regeneration (paragraphs 3.1-3.8) when responding to the Regulation 18 Stage 1 Consultation Part 1 Site Allocations Issues and Options on 11 July 2018, many of which remain relevant (see Appendix).
- 2.3 The Council objects to the proposed strategy on the basis that it lacks sufficient focus on bringing forward new development in the Gravesend/ Northfleet urban area, and fails to maximise development opportunities in and around Gravesend town centre, with consequent implications for regeneration, Green Belt, transport and infrastructure (discussed further in the sections below). Paragraph 1.8.13 sets out options for a proposed redistribution approach but these all seem to be focussed on large scale development of land within the Green Belt and it does not include more urban focussed options, such as increasing the density of development in the urban area (an urban

capacity approach) or large scale release of urban employment areas for residential development.

- 2.4 In relation to urban capacity, Dartford officers understood that Gravesham officers were going to commission a Development Capacity Study. This evidence has not been made available and so it is not clear that Gravesham has thoroughly considered all available options for maximising the redevelopment of sites and density of development in the urban area.
- 2.5 Gravesham has a number of large scale employment areas within its urban area, many of which are not necessarily of high quality or attractive for new business location. Dartford Council considers that Gravesham should give serious consideration to the redevelopment of these areas to meet its needs for residential development over the plan period in preference to releasing large scale tracts of land in the Green Belt. Whilst it is appreciated that Gravesham has a small economy and the Council has aspirations to improve this, it is not clear how well the adopted Core Strategy policy CS07 has performed in terms of achieving new qualitative employment floorspace or jobs growth. Furthermore, it is noted that some release of existing employment sites is now proposed, e.g. land at Canal Road/Norfolk Road (GBS-UA) so it is assumed that Gravesham Council accepts the principle of the loss of employment land for residential use.
- 2.6 If, having thoroughly examined the options to maximise the development in the urban area set out in paragraphs 2.4 and 2.5 above, there is still a need for the release of Green Belt land to meet Gravesham's housing needs over the plan period, Dartford Council considers that Gravesham Council should give greater consideration to the east of Gravesend development option. Paragraph 1.8.13 states that this is unlikely to be available during the plan period due to the construction and mitigation for the Lower Thames Crossing but will be safeguarded for development beyond 2030. However, the proposed plan period is to 2036 so it is possible that this land could be developable in the latter part of the plan period and would significantly reduce the need for the more dispersed Green Belt development set out in Figure 14.

3. Housing Need

- 3.1 Dartford Council supports Gravesham meeting its own objectively assessed needs for housing. Delivering development in Gravesham (whether in or on the edge of the urban area) reduces questions over housing being delivered elsewhere, i.e. within Dartford Borough. Question 5 relates to whether the standard method objectively assessed needs method should be used but it is unclear what evidence there is for potentially moving away from this and how any alternative figure would be justified.

4. Regeneration

- 4.1 As referred to extensively in Dartford Council's response dated 11 July 2018 on the Stage 1 Site Allocations Gravesham Local Plan consultation, Gravesham's proposed approach could significantly undermine the longstanding regeneration strategy for the wider North Kent area. The urban areas to the north of the A2 in both Gravesham and Dartford Boroughs were part of the wider Thames Gateway Regeneration Area set out in former RPG9a and taken through the South East Plan. These were taken forward more locally through regional policies for Kent Thameside. The significant public investment in HS1 services and railway stations at Ebbsfleet and Gravesend was to be a key part of this. Additional funding has been released more recently for the town centre bus hub. For this reason, it is incumbent for Gravesham Council to fully explore the capacity of its urban area, particularly around Gravesend Town Centre, in order to maximise the outputs from this investment and to take advantage of the high quality public transport options in the town centre.

5. Green Belt

- 5.1 The proposed strategy to release several large tracts of Green Belt is likely to adversely affect its openness and purposes, when Dartford Borough is seeking to maintain it. Large scale development around Istead Rise and Meopham would cause significant encroachment into the countryside, sprawl, loss of rural character and be of a scale which overwhelms the existing villages. Indeed, the Gravesham Stage 2 Green Belt study indicates that the release of these areas for development would mostly cause high or moderate high harm to the Green Belt. The proposed sites to the west of Istead Rise shown in Figure 14 and Appendix 1 (GB97 and GBS-L) would lead to a significant reduction in separation between the settlements of Istead Rise (in Gravesham) and New Barn (in Dartford). Outward sprawl of the villages must be strongly restricted in order that there is not further pressure for speculative development in the Green Belt in these areas.
- 5.2 Dartford Council strongly objects to the potential release for housing of the Green Belt site GB105 immediately east of New Barn, shown in Figure 14 and Appendix 1 (Question 32). Figure 5.1a of the Gravesham Stage 2 Green Belt study identifies that the release of this land would have a high level of harm to the purposes of the Green Belt. Furthermore, Figure 14 of the Local Plan document shows that it is not adjacent to any of the settlements identified in the Gravesham settlement hierarchy (referred to in Figure 13). Instead, it is immediately adjacent to a settlement in Dartford Borough which does not have any shops or schools so it would not be a sustainable location for development and is likely to result in increased pressure on infrastructure in Dartford Borough.

6. Transport and Infrastructure

- 6.1 Questions 1, 37 and 38 of the Local Plan consultation document relate to infrastructure. It is of concern that the evidence has not been progressed sufficiently to understand the implications of the proposed approach on transport and infrastructure, given that there are strong inter-relationships between Gravesham and Dartford in these respects. A Transport Baseline Report and an Infrastructure Background Paper have been produced. Dartford Council objects to Gravesham's proposed move away from focussing development in locations well served by public transport/facilities and the potential impacts of this on car trip generation and the highways network. The approach of more dispersed, rural development is likely to lead to increased traffic on the A2 and rural roads through the east and south of Dartford Borough and does not discourage use of the private car. Dartford Council also needs to understand what infrastructure is required (schools, health facilities etc) as a result of new development and changes to the development strategy where such need may need to be served in Dartford Borough. It is important that Gravesham actively engages with infrastructure providers to ensure that infrastructure is delivered to meet the needs arising from new development in a timely way. An updated Infrastructure Delivery Plan is needed to set this out what infrastructure is required and how this will be funded and implemented.

7. Gypsies and Traveller

- 7.1 It is noted that Table 4 shows a significant need for gypsy and traveller pitches. No approach is set out on how and where these needs could be met, though the consultation document includes question 17a in this regard. Dartford Council would like a better understanding of how Gravesham plans to meet these needs.

8. Conclusion

- 8.1 Dartford Council objects to the proposed strategy as there is insufficient focus on bringing forward new development in the Gravesend/ Northfleet urban area. Regeneration of the town centre has not progressed and is urgently required, to lead a clear and flexible urban development strategy. This has significant negative implications for the longstanding regeneration strategy for the area, the Green Belt, transport and infrastructure. Dartford Council considers that further options for developing within the urban area should be thoroughly considered and, if necessary, the focus of any necessary Green Belt release should be in the area to the east of Gravesend.
- 8.2 Gravesham's aim to meet its own objectively assessed needs for housing in its area is supported.
- 8.3 Dartford Council has concerns over the potential release of large sites to the west of Istead Rise and the consequential harm to the purposes of the Green Belt.
- 8.4 Dartford Council strongly objects to the potential release for housing of the Green Belt site GB105 immediately to the east of New Barn.
- 8.5 Dartford Council has significant concerns over the impacts of the proposed approach on transport and infrastructure and considers that further evidence is required in this regard. There is likely to be an unacceptably heavy reliance on vehicle trips at the proposed development locations, with major implications for the A2 through Dartford and local routes.
- 8.6 It is unclear if Gravesham's past request for Dartford to take housing need remains applicable, necessary or credible, or the scale or time period over which this applies.
- 8.7 Dartford Council is concerned that Gravesham's Local Plan is not progressing in a positive and transparent way or focussing sufficiently on the opportunity to meet economic growth and housing demand in a way that protects the interests of existing local communities. Historic low development delivery levels in Gravesend town centre and other areas may be combining with a growing backlog of development demand to create unfortunate outcomes that are not in the interests of Gravesham's communities. Whilst the greatest of these outcomes may bear down upon Gravesham residents, the situation also has implications for supportive neighbouring authorities who may accept some of the impacts, particularly in relation to the release of Green Belt land.

Appendix 3B: GBC-DBC October 2014 – December 2020¹⁹ Summary of Actions

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¹⁹ Information from meetings held in 2020 is already included in the Duty to Cooperate Compliance Statement and separate Appendix 6 (COR-11 and COR-14) and is not repeated here

30/10/2014 Gravesham Local Plan Core Strategy adopted²⁰

- Paragraph 4.2.9 states “The Core Strategy identified how the Borough will meet its own objectively assessed needs during the plan period 2011 – 2028 for at least 6,170 new dwellings which will be delivered at three different development rates over the plan period...”
- Paragraph 4.2.14 states that “...there are sufficient sites to meet the Borough’s housing requirements in the first five years of the plan period post adoption (2014-2019). However, the Core Strategy acknowledges that there is insufficient land supply identified in the current SLAA to meet the level of housing need over the whole plan period. To address this, the Council will carry out a revised SLAA to identify additional land to meet the Borough’s housing needs and maintain a five year rolling supply of deliverable sites over the plan period. This will be informed by a review of development opportunities in the existing urban area and rural settlements inset from the Green Belt and by a Green Belt boundary review...”
- Paragraph 4.2.16 states that “...the Council will undertake a new Strategic Housing Market Assessment...”
- Policy CS02 set out the Scale and Distribution of Development from 2011/2012 – 2027/2028. This includes the following text: “A strategic Green Belt boundary review will be undertaken to identify additional land to meet the housing needs up to 2028 and to safeguard areas of land to meet development needs beyond the plan period, while maintaining the national and local planning purposes of the Green Belt.

08/06/2015 GBC sends DBC request to discuss housing provision

- DBC objected to the proposed modifications to the Core Strategy which identified the Green Belt as a broad location for future growth and the need for a strategic Green Belt boundary review to allow further development in the Green Belt.
- Consider that the Green Belt, as a broad location for future growth, is a cross boundary strategic issue
- Refer to paragraphs 4.2.14 and 4.2.16 of the Core Strategy (see above)
- Stated that previous work showed that Gravesham and Dartford fell within the same housing market area
- Consider that Dartford has a surplus housing capacity and that there is unlikely to be a significant erosion of the surplus housing land supply for the foreseeable future
- In light of these factors, Gravesham asked whether an agreement by Dartford to accept some of Gravesham’s housing need would appear to be mutually beneficial and requested DBC to enter into preliminary discussions as part of the preparation of the Gravesham Site Allocations and Development Management Policies DPD

05/08/2015 DBC responds to GBC’s request

- Support the intent to enter into duty to cooperate discussions with GBC and are willing to take this further through a more structured approach
- With regard to Gravesham’s emerging plan, it would be helpful to develop a framework for the issues to be discussed and a timetable, including scoping of the cross-boundary issues, and an understanding of the studies being undertaken. This could start to be mapped out through an early officer meeting
- Dartford shares regeneration opportunities with Gravesham but also has very strong functional connections with London, in particular Bexley
- Need for a mechanism to include both officers and members and considered that this would be most appropriate through bi-lateral engagement with each of the adjoining councils

²⁰ The Gravesham Local Plan Core Strategy September 2014 is available at:
<https://drive.google.com/file/d/1bJTgQLmhbjqZFibI-5WFb2tbvixXpLk/view>

- Premature to respond to the request to accommodate Gravesham's unmet need in the absence of structures and mechanisms and in the absence of an understanding of the studies which underpin Gravesham's housing requirements and allocations
- Need for greater understanding of Dartford's housing land supply position which is not as straightforward as suggested in Gravesham's letter which can be explored through discussions and understanding Gravesham's evidence base
- Dartford will shortly set out more detailed proposals for officer/member engagement which it is proposed to take forward²¹

20/10/2015 GBC-SDC-DBC Officer Meeting

- GBC anticipated Regulation 18 consultation on Site Allocations and Development Management Policies Plan in Spring 2016
- DBC had asked GBC to comment on its Duty to Cooperate Protocol which sets out key principles of cooperation
- Agreed to record ongoing dialogue and summarise duty to cooperate discussions and resolutions for sign off by each Council's Portfolio Holder
- GBC's carrying out work on SHENA (including potential for changing focus of employment land), SLAA sites, landscape capacity and green belt review

Actions:

- Continue to monitor emerging housing and employment land supply and identify opportunities for cross boundary sites

13/11/2015 GBC-DBC Officer Meeting

- DBC asked GBC if there was any update or clearer process as DBC could not consider DBC's housing request without significant further information, e.g. outputs from the North Kent Strategic Housing and Economic Needs Assessment, land supply
- GBC confirmed the request still stood and that further information would be available in 2016
- DBC asked about the practical issues that arise if one local planning authority takes another's housing need

Actions:

- GBC to confirm what information will be available in the run up to Member approval of consultation in 2016
- Both to provide documentation to understand Local Plan evidence base/ studies
- GBC to seek examples of how practical issues of taking another LPA's housing need has been dealt with elsewhere
- DBC to host a meeting with GBC and Sevenoaks District Council in January

26/01/2016 GBC-SDC-DBC Officer Meeting

- GBC first stage Issues & Options consultation expected after Easter 2016 – likely settlement expansion including possible Green Belt release
- DBC's had addressed comments made on the Duty to Cooperate Protocol
- Discussed density assumptions in SHLAAs
- GBC undertaking an economic needs assessment as part of the SHENA

²¹ In this respect, DBC published "The Duty to Cooperate: A Protocol for Action and Communications" when the Dartford Development Policies Plan was published under Reg 19 in January 2016 (see paragraph 3.3 and Appendix B on pages 10-11, 24-30 of COR-12 for further information)

27/04/2016 GBC-SDC-DBC Officer Meeting

- GBC state that the Strategic Housing and Economic Needs Assessment is still underway
- Discussion on unmet need from other authorities, approaches followed elsewhere and more information needed on political process, monitoring, infrastructure and funding

Actions

- GBC to pull together a briefing paper on mechanics used by LPAs in respect to unmet requirements from neighbouring authorities

06/09/2016 GBC-SDC-DBC Officer Meeting

- Completion of GBC SHENA delayed so Regulation 18 consultation now likely to be late 2016
- In terms of housing need and supply, it was agreed that discussions should involve portfolio holders and leaders and discussion should commence between Reg 18 and Reg 19 consultations. May be difficult to undertake as SDC, GBC and DBC are at different stages of plan making
- GBC's Green Belt Assessment will be published at Reg 18 consultations stage

25/09/2017 DBC Email to GBC

- Noted contents of an impromptu discussion the previous week
- DBC noted the delay to GBC members' consideration of site options
- GBC will put forward a range of site options, including in the Green Belt and settlements near the DBC boundary and these will be SHLAA based
- GBC have not yet undertaken a full Green Belt review
- GBC are preparing a viability report
- DBC's Duty to Cooperate Protocol advocates the early sharing of evidence and have not seen GBC's SHMA, SHLAA or viability work. This made it hard to understand GBC's needs and opportunities. It also increased the amount of information that has to be absorbed and reviewed at consultation stage.
- DBC and GBC sought a means for greater information sharing; DBC had set this out in the Protocol
- Discussion on how to move to SoCGs, timings and the benefit of initial Position Statements (covering functional connections and information sharing in relation to housing and employment)

01/11/2017 DBC Letter to GBC

- DBC request sight of key evidence to inform GBC's Local Plan in light of potential forthcoming public consultation, in particular the SHENA as it makes assumptions and judgements about Dartford's development needs
- DBC is unclear on what is happening and when
- Further to GBC's June 2015 request in relation to housing need and given issues now emerging from GBC's preparatory Local Plan work, there is an onus on GBC to provide the necessary information to inform discussions so that the issues can be identified and a timetable for discussion agreed. No information has been provided to date to enable this to take place. DBC offered to set up a high level meeting between the Council leaders but this was considered not to be appropriate at the time.
- DBC's Protocol sets out the key aspects of effective communication and cooperation actions, including early and open sharing of key evidence/ assumptions and senior buy-in to the process
- Express concern about the absence of clarity and limited dialogue over GBC's current evidence and emerging proposals and how this bodes for future collaboration

26/02/2018 GBC-SDC-DBC Officer Meeting

- DBC have not seen GBC's SHMA – advised that they were involved in stakeholder meetings in keeping with other stakeholders
- DBC and GBC need to engage members and senior officers to facilitate work on Statement of Common Ground
- GBC Regulation 18 consultation will take place from late April 2018, approx. housing shortfall to 2028 is 2,000 dwellings
- GBC is working on a new LDS – stage 2 Reg 18 consultation will take place in summer 2019

28/03/2018 GBC-SDC-DBC Officer Meeting

- GBC Reg 18 consultation starts on 25 April 2018
- Scopes a long list of cross-boundary strategic issues for potential inclusion in Statements of Common Ground but recognised that this list will likely reduce. Includes housing market area and OAN/ LHN and London's growth ambitions and any potential unmet need

25/04/2018 Gravesham Local Plan Stage 1 Regulation 18 consultation²²

- Stage 1 consultation: Part 1 Site Allocations Issues and Options and Part 2 Development Management Policies Document (all references below relate to the part 1 document)
- In relation to duty to cooperate, paragraphs 1.26 and 1.27 state that "...The Council has regular discussions with adjoining (and wider) Local Planning Authorities on matters of mutual interest. Of particular relevance in this context is whether any of our neighbouring planning authorities are able to take some of our housing demand (and the employment, retail etc that goes with it). On this basis, Dartford Borough Council and Medway Council have already been sent preliminary letters about that possibility, which will be discussed further as part of this consultation process. They first need to see the options for Gravesham to try and meet its own need and fully understand the implications of such a move for them."
- Paragraph 2.14 refers to an objectively assessed need of 7,905 dwellings, resulting in a current shortfall of 1,340 dwellings over the Core Strategy period from 2011-2028 but states that a 2,000 dwelling shortfall has been used given uncertainties and the need to maintain a 5 year land supply.
- Section 7 sets out how GBC is seeking sites to meet its development needs. In summary, this section sets out:
 - Updated development needs for the Borough
 - Priority is to maximise the provision of development land within the existing urban area and within the confines of villages inset from the Green Belt but if it is confirmed that this is insufficient to meet needs, taking deliverability into account, it will be necessary to look at rural land currently in the Green Belt which is subject to a host of environmental constraints.
 - In terms of the urban area and inset villages, opportunity areas and key sites have already been identified in the Core Strategy (see Figure 7.1)
 - Further potential sources of land are currently other employment sites, open spaces, car parks and the potential redevelopment of existing housing areas.
 - There have been a number of studies to look at the possible scope for development of land that is currently in the Green Belt which do not amount to a full Green Belt Review. Detailed boundaries have not been addressed and will be explored further in the next phase of the work

²² Consultation documents are available at:
<https://localplan.gravesham.gov.uk/sareg18/consultationHome>

- Figure 7.2 shows the area of Green Belt in Gravesham and figure 7.3 shows the primary area of search for potential development in the Green Belt
- It puts forward six options for growth (most of which are annotated in figure 7.4), with further information on each of them:
 1. Urban intensification
 2. Urban expansion
 3. Expansion of 2nd tier settlements
 4. Expansion of 2nd, 3rd and 4th tier settlements
 5. Creation of a single new settlement through the merger of existing settlements
 6. Creation of a freestanding new settlement
- Section 8 sets out the next steps. Paragraph 8.1 states “The Borough Council will consider responses to the consultation and chart a way forward. This will involve additional technical work as well as discussions with relevant neighbouring Local Planning authorities and service providers under the duty to co-operate...” Paragraph 8.2 sets out the technical work which will include completing a full Green Belt Review and appraisal of the capacity and economics of developing sites (urban and rural).
- Amongst other evidence base documents, the consultation was supported by the publication of a SHENA (Strategic Housing and Economic Needs Assessment), a draft SLAA (Strategic Land Availability Assessment), a Green Belt Study and a Broad Locations Assessment.

18/05/2018 GBC-SDC-DBC Officer Meeting

- GBC currently carrying out Regulation consultation on Site Allocations (setting out broad options) and Development Management Policies
- GBC SLAA to be published on 21 May 2018. Only involves a desk top assessment of sites submitted under the call for sites. Will now consider other possible areas/ sites which may be deliverable and developable
- GBC SA/SEA considers broad brush options, not full assessment
- GBC No transport work has been done yet
- GBC's next Local Plan consultation will be after the election in 2019

11/07/2018 DBC Response on Gravesham Local Plan Stage 1 Regulation 18 Consultation

- DBC completed the response form objecting to the document and referred to an attached document (containing its comments) and a covering letter. The following is a summary of the points of DBC's objections to the document
- DBC had concerns that duty to co-operate had not so far been undertaken in a positive and transparent way in relation to Gravesham's Local Plan, particularly in relation to the uncertainty of timescales and a lack of effective communication over outcomes of evidence preparation and strategic directions since the start of plan preparation in 2014. This consultation is the first opportunity for DBC to consider the options for the overall strategic direction being progressed.
- DBC raises serious concerns over GBC's commitment to the longstanding spatial strategy of sustainable development in Kent Thameside, focused on brownfield land and public transport orientated development
- DBC also raises concerns about GBC's approach to seeking to have its housing need accepted by DBC, including the request in advance of GBC having carried out its assessment of housing need and capacity, the lack of a briefing paper promised by GBC's officers in April 2016 and no clear framework for discussion of the issues.
- DBC supports the sentiment in paragraph 1.27 (see above) but considers that the consultation and evidence released has not helped demonstrate GBC sustainably and seriously trying to meet its own need in advance of approaching its neighbours for assistance. There will need to be full sharing of evidence and assumptions, and consideration of sustainable options, if there is to be cooperative discussion on this matter.

- To progress a discussion on housing need, there is a need to address: the functional justification for 'exporting' GBC's housing need to DBC; the implications of this on the delivery of infrastructure; and how to manage the potential risks on the recipient authority in terms of meeting five year housing land supply/ housing delivery tests
- The dismissal of urban development options without adequate assessment is contrary to government guidance and the evidential basis for this is unclear. Green Belt/greenfield development is presented as the more favoured option which undermines the regeneration of the urban area and the development of more challenging urban sites. More detailed specific points are made on each of the options.
- DBC has had limited chance to fully digest and reflect on the studies that have only now been released (as foreseen in DBC's November 2017 letter). There has been no specific briefing for Dartford post finalisation of the retail and housing studies.
- Concern over the content of the Sustainability Appraisal and SLAA. More robust supporting information will be required to confirm a sustainable preferred option and the SA should be used in assessing strategic options. The SLAA has not given full consideration to all potential sites and maximising the development of sites in the urban area to minimise the need for Green Belt release and to minimise the need for neighbouring authorities to have to consider meeting unmet needs in GBC. It should also consider the release of employment land for housing, redevelopment of public car parks, broader opportunities in terms of urban capacity and increasing densities, and broad locations in the Green Belt.

20/07/2018 GBC Response on Dartford Local Plan Strategic Issues Regulation 18 Consultation

- GBC has been consulting since April 2018 on how an additional objectively assessed need for housing can be accommodated and the outcome suggests that there is a need for an additional 2,000 dwellings over the amount identified in the Gravesham Core Strategy to 2028.
- Given evidence in the Gravesham SHMA and SLAA, GBC concludes that it is unlikely that there is sufficient capacity within the urban area or rural settlements to accommodate this.
- GBC intends to undertake further work on making as much use as possible of suitable brownfield sites and underutilised land and optimising the density of development though viability work strongly suggested that this would only result in limited additional housing numbers coming forward.
- The ability to release employment land is limited by physical constraints, sites not being suitable and the need to maintain a supply of suitable employment land.
- GBC forewarn that GBC is likely to need to call upon adjoining authorities (including Dartford) to meet a proportion of its unmet housing need to 2028 and potentially beyond.

03/08/2018 Letter from leader of GBC to leader of DBC

- Letter was in response to DBC's comments on the Gravesham Local Plan
- In examining the Gravesham Core Strategy, the Inspector was explicit that he could not identify any realistic alternatives within the urban area to releasing the greenfield site at Coldharbour Road, and that there would be a need to undertake a Green Belt review
- Gravesham is unlike Dartford in that Green Belt has been afforded considerable protection over time, with no real strategic release to accommodate new development. In contrast, there has been significant Green Belt release in Dartford since the late 1970s to accommodate development, at Bluewater, Crossways and Eastern Quarry, as well as the redevelopment of a number of institutional sites in the Green Belt
- GBC will continue to explore development options in the urban area but viability issues and site constraints remain barriers
- GBC has sought to engage constructively with DBC through the duty to co-operate through regular and on-going meetings and other communications between officers through a number groups

- DBC was invited to join with GBC and Medway in commissioning an integrated assessment of development needs for the whole area but DBC declined on the basis of the different timescales the authorities were working to
- DBC officers attended four key workshops in relation to the Gravesham Strategic Housing and Economic Needs Assessment in 2015 and 2016 so had ample opportunity to participate and provide inputs
- GBC refutes the suggestion that it is not properly considering non Green Belt urban options
- There is likely to be little opportunity to release further employment land in GBC to enable significant additional residential development within the plan period but this will be kept under review
- Work will continue on the evidence base required to address the need in the NPPF to ensure that the strategy makes as much use as possible of suitable brownfield sites and under-utilised land and optimises the density of development. Officers will continue to engage with DBC under the duty to co-operate on these matters and there will be a need for transparency about the housing land supply position.
- It would be somewhat perverse for Gravesham to have to release further sites from the Green Belt to meet development needs if there are sites in Dartford that are available due to previous releases to accommodate wider needs

23/01/2019 DBC Letter to GBC

- DBC replies to each comment raised by GBC in relation to the Dartford Strategic Issues consultation
- DBC awaits GBC's detailed response its comments on the Gravesham Stage 1 consultation
- Further evidence base documents, including a SHLAA, will be made available at the second Regulation 18 consultation which will provide sufficient opportunity to comment on the adequacy of supply; the NPPF requirement for 10% of the supply to be met from small sites; and whether there is a need for Green Belt release. With regard to meeting need from adjoining authorities, this has to be agreed between the authorities. As yet, Dartford has not reached such agreement with any other authority.
- DBC has developed a programme of further studies. Other local authorities, including GBC, will be advised further as it progresses in 2019 as part of DBC's ongoing Duty to Cooperate discussions
- DBC is strongly of the view that opportunities from sustainable urban locations should be maximised, including development at higher densities and redevelopment of undeliverable employment sites, before the development of Green belt land is considered. In DBC's view, the principal uncertainties on this topic in north Kent relate to the future of the Green Belt in GBC.
- The issues of meeting GBC's unmet need has been previously raised with DBC. The Council first responded on 5 August 2015 stating further information is required and a clear framework necessary. This remains the case. The points made in response to GBC's 2018 consultation also provided an outline of key areas that could be addressed. To date, nothing on these matters has been received by DBC.
- DBC remains to be convinced that GBC has insufficient capacity within the urban area or rural settlements inset from the Green Belt to accommodate all its housing need. As part of this, it would need to be openly demonstrated that GBC has reassessed all existing underused and employment sites and strategy options, housing densities, and policy constraints. In this respect, reference was made to national Planning Policy Guidance.
- GBC has repeatedly raised viability as an issue which would suggest that policy constraints and obligations would need to be revisited. Up to date intelligence is necessary to inform a view on viability and potential over the plan period.
- The identification of an employment land supply is to be informed by market signals under national guidance. Where there has been a lack of market interest over an extended period of time, the appropriateness of retaining the land for employment purposes needs

to be reviewed. This should include consideration of whether mixed use redevelopment can occur.

- Currently, there is insufficient evidence available to demonstrate that this process, and the potential residential yield from a more flexible policy approach, has been thoroughly undertaken.
- In order to consider unmet need from other authorities, DBC's response on the Gravesham Local Plan indicated that there will need to be: a functional justification based on clear logic; and consideration of infrastructure needs and development management issues. DBC requested information on how this has been tackled elsewhere in 2016 but this has not been supplied. There will need to be thorough land availability assessment, and, in the case of DBC, this will need to show that Dartford has capacity over and above meeting its own housing needs in accordance with policies in the NPPF. This has not yet been established and quantified.

16/04/2019 GBC-DBC Officer Meeting

- GBC further Reg 18 consultation expected end 2019
 - GBC updating the figures for the amount of housing which it thinks is needed over the plan period and which cannot be accommodated within the urban area, considering extending the plan period to 2036
 - GBC evidence: Green Belt work being contracted out and in-house work on increasing densities
 - In relation to GBC's request for DBC to take some of its need, it is recognised DBC have requested more information and this will be made available by GBC. For example,
 - clarity on the amount being requested;
 - when this is required to cover;
 - the evidence based justification for this (rationale for focus on Dartford, robust explanation in relation to Gravesham's need and capacity)
 - infrastructure and DM impacts/funding
 - showing consideration of opportunities to meet need further out in Kent, e.g. Medway and beyond (given that Dartford is also a Green Belt authority and also as most people migrate eastwards)
- GBC anticipate supplying further information in summer 2019

12/06/2019 GBC-DBC Officer Meeting

- GBC anticipate Reg 18 stage 2 consultation late 2019, Reg 19 in Autumn 2020, submission early 2021, with Plan to cover period to 2028 but evidence base to go beyond this date
- GBC evidence: Green Belt work to be contracted out to consultants soon and in house work considering options for increasing densities, capacities and an updated SHLAA is ongoing (to be made available at the next consultation)
- GBC to commission a transport study but not additional employment or retail work
- GBC's request for DBC to take some of its housing need and DBC's response seeking more information still remain. GBC will publish the evidence at the next Reg 18 consultation but may be able to provide outputs/more information prior to that. No additional infrastructure funding would be forthcoming from GBC. GBC have few sites within the urban areas, not enough capacity and issues of viability. GBC Local Plan will set out limits to growth.
- DBC states that it was likely that GBC would not be the only local authority asking DBC to accommodate their housing need; therefore the discussions at the last meeting/ past correspondence is still live, with clarity sought from GBC on the various points outlined. DBC also noted that migration flows are eastwards from DBC to GBC, rather than vice versa. DBC are also involved in discussions with Bexley.
- GBC have also requested that Medway take some of their housing.

20/09/2019 GBC-DBC Officer Meeting

- GBC undertaking Reg 18 stage 2 consultation in January 2020, Reg 19 will be in summer 2020, submission early 2021
- GBC evidence: Green belt work is being undertaken; SLAA is being updated; SHENA further work to be commissioned after Regulation 18 stage 2 consultation.
- SOCG: It was agreed that there is a need to move discussions to a structured SOCG and agree cross boundary issues. Appropriate officer and member consideration is required. Initially produce a template SOCG.

23/10/2020 Gravesham Local Plan Stage 2 Regulation 18 consultation²³

- Stage 2 consultation: Part 1 Local Plan core strategy partial review and site allocations and Part 2 Draft Development Management Policies Document (all references below relate to the Part 1 document)
- Figure 1 shows potential greenfield and Green Belt development sites
- Figure 2 shows growth options (previously included in earlier consultation)
- Appendix 1 sets out Draft Development Allocations – this includes sites in both the urban area and large tracts of green belt land surrounding the larger rural settlements
- The document states that the approach to future development is not set in stone, that the identified options may not be the only ones but are logical options taken forward from the 2018 consultation (paragraph 1.2.17)
- Table on page 14 indicated that the Plan would be published around July 2021 and submitted around October 2021
- Paragraph 1.6.8 stated that GBC is planning for the delivery of around 10,480 dwellings between 2020-2036, at an annual rate of 655 dwellings per annum.
- In relation to duty to cooperate, paragraph 1.6.9 states that GBC, DBC and Medway are in the same housing market area and are actively engaged in determining what capacity there is, if any, for any identified shortfall to be shared amongst the authorities.
- Section 1.8 repeats the 6 growth options which were considered in the 2018 stage 1 consultation, stating that none of these gained particular support. It rules out the free-standing settlement option. It outlines a settlement hierarchy and sets out that the urban area will be the main focus for development with large villages suitable for expansion and accommodating some growth.
- Paragraph 1.8.13 states that there is no agreed approach to how development should be distributed in the Borough beyond that agreed in the Core Strategy and it sets out the following options for this.
 - A) Proportionate distribution based on the scale of existing areas
 - B) Local Plan Core Strategy Partial Review and Site Allocations document allocations
 - C) Improving settlement sustainability
 - D) A mixture of the above
- Paragraph 1.9.10 states that there continues to be a shortfall against the cumulative need for housing, which will only get worse given the increased need for housing established through the Government's current Standard Method formula.
- Amongst other evidence base documents, the consultation was supported by the publication of a Sustainability Appraisal, Stage 2 Green Belt Study, a draft Strategic Housing Land Availability Assessment Update and a Green Belt Background Paper.

20/02/2020 GBC Response on Dartford Local Plan Preferred Options Regulation 18 Consultation

²³ Consultation documents are available at:

<https://localplan.gravesham.gov.uk/REG18S2/consultationHome>

- DBC is aware of the situation in GBC where delivery of housing is below the Local Plan Core Strategy adopted targets and below the objectively assessed housing need figure. GBC will be providing further evidence in this respect in due course, having already formally asked DBC as to whether it can assist.

31/12/2020 DBC Response to Gravesham Local Plan Stage 2 Regulation 18 Consultation

- DBC is concerned that duty to cooperate is not being undertaken in a positive and transparent way in relation to Gravesham's Local Plan, particularly in relation to GBC's historic request for DBC to take GBC's housing need
- The slow progress of the Core Strategy Review leads to ongoing uncertainty and a lack of clarity in relation to the location of future development and the longstanding regeneration strategy for the area
- Referred to DBC's previous response on the Stage 1 consultation and objects to the proposed strategy
- The strategy lacks sufficient focus on bringing forward new development in the Gravesend/Northfleet urban area and fails to maximise development opportunities in and around Gravesend town centre. The options all seem to be focussed on large scale development of land within the Green Belt and it does not include more urban focussed options such as increasing the density of development in the urban area or large scale release of urban employment areas for residential development.
- DBC understood that GBC was going to commission a Development Capacity Study but this is not available so it is unclear if GBC have thoroughly considered all available options for maximising the redevelopment of sites and density of development in the urban area
- GBC should consider the redevelopment of large scale employment areas within its urban area for residential development in preference to the release of large scale tracts of Green Belt land.
- Having thorough considered the options to maximise development in the urban area, if there is still a need to release Green Belt land, greater consideration should be given to the east of Gravesend development option to reduce the need for more dispersed Green Belt development.
- GBC's proposed approach could significantly undermine the longstanding regeneration strategy for the wider North Kent area, focussed on the urban areas to the north of the A2 and where there has been significant public investment in public transport. For this reason, the capacity of the urban area should be fully explored.
- The proposed strategy to release several large tracts of Green Belt is likely to adversely affect its openness and purposes, as well as of being of a scale which overwhelms existing villages.
- It is unclear if GBC's past request for DBC to take housing need remains applicable, necessary or credible, or the scale or time period over which this applies.

Appendix 5A: GBC Representation on First Publication Dartford Local Plan and DBC's Response sent to GBC on 29/07/2021

Policy/ Document	GBC Rep Summary	DBC Response
S4	GBC has asked whether DBC could accommodate any of its needs, has not received a formal response declining this request and is seeking a formal response. The Consultation Statement refers to Dartford having no strategic scale capacity to take on the needs of any neighbouring authorities which does not comply with paras 11(b) and 137(c) of the NPPF. The NPPF does not refer to capacity or the need to understand the scale of any unmet need in the neighbouring authority before agreeing to accommodate. This raises the issue of whether DBC has applied the correct policy test. Has DBC fully assessed its unrestricted housing land supply and implications of growth requirements rather than just seeking to meet its own objectively assessed needs based on the standard method? The references in the supporting text to 2031-32 do not meet NPPF para 22 requirements of 15 years post adoption. Is it intended that table 1 in the plan is replaced by table 4.4 in the SHLAA?	<p>GBC carried out a Regulation 18 consultation on its Local Plan Core Strategy Partial Review and Site Allocations from October-December 2020. This included options to meet its housing requirements in full, albeit that the options included the potential for large scale release of land in the Green Belt. DBC need clarity on how GBC intends to take its plan forward in light of the previous consultation and its latest Local Development Scheme, what discussions and agreements GBC has been reached with other neighbouring authorities in terms of meeting its needs, and the level of unmet need arising in order to assess whether or not it is able to accommodate any of GBC's needs. DBC made a representation on the Regulation 18 consultation and it would be helpful to understand how GBC are addressing the various points made in DBC's response and the timescale for the Regulation 19 Publication stage.</p> <p>DBC has carried out a new SHLAA. Sites have been assessed in accordance with the SHLAA methodology, i.e. the unrestricted housing land supply.</p> <p>DBC's current need using the standard methodology is for 750 dwellings per annum and the Local Plan seeks to make provision for 790 dwellings per annum so it is seeking to make provision over and above its objectively assessed needs.</p>
S4	The GBC and DBC labour markets are connected. There is a need to be clear how employment and housing delivery over the plan period relate to each other and consider the impacts on transport. The strategy for employment is not clear, there	Dartford has several economic connections, including with authorities outside Kent. Agree that the DBC and GBC labour markets also have a connection; but current national policy requirements have been followed on housing land supply, and

Policy/ Document	GBC Rep Summary	DBC Response
	are no population projections relating to economically active people, and the balance between local need for employment space and planned supply is not set out. Question why the policy only looks forward 5 years rather than 15 years from the adoption date. The policy should refer to intention rather than desirability of providing employment and break down the 150,000sqm figure more clearly into uses.	in relation to employment supply. Dartford's Local Plan seeks to provide housing which exceeds its objectively assessed housing needs informed by known sustainable development capacity. There is no evidence to suggest that a different approach should be used. The strategy for employment is set out in policies including S1, S4 (amended) and M19, supported by the Economic Land Report 2021 and the Employment Needs Review 2020. The application of new use classes is appropriate.
E4	Agree with the general thrust of the policy and its identification as a strategic site allocation. Need to clarify full capacity of the site given that the policy only goes up to 2036-37. Need to consider the implications of the SSSI on the amount of development and the SA/SEA and HRA. The 100,000sqm class E floorspace should be broken down further to provide certainty on the minimum level of employment floorspace and type. 'Limited proportion retail' should be more clearly defined. Role of district centre should be defined and a proportionate figure for its scale/composition provided. Retail and commercial leisure development should be subject to impact testing if the overall level of development is reduced or the figure exceeded.	Support for the general thrust of the policy welcomed. The plan addresses the capacity of the site to accommodate development in the Local Plan period to 2037. The second Publication Local Plan includes revised site boundaries and an amended policy which avoids the SSSI and which will be subject to SA and HRA. The policy makes clear that the 100,000sqm Class E floorspace will be predominantly offices/ flexible workspace, and a maximum 20% retail.
E5	Should be a strategic allocation. The policy should include figures for the scale of development over the plan period.	Agree. The policy will be an amended to show Alkerden and Ashmere as an allocation for the scale of development which is expected to come forward. Policy E1 will also be amended accordingly.
E6	Policy should include a commitment to a comprehensive masterplan approach which takes account of the SSSI and involves joint working with GBC and EDC. If it is identified as a strategic site, it should be shown on the Policies Map and outline the scale of development. Need to clarify if the policy covers the whole Peninsula, including the park shown in Diagram 10 and query how the park would be delivered and	Amendments to policies E1 and E2 will set out the overall approach to Ebbsfleet Garden City, including reference to Swanscombe Peninsula SSSI. The area covered by Policy E6 will be clarified and amended to exclude the area covered by the SSSI. This policy is intended to set out the part of the area which is a suitable as a

Policy/ Document	GBC Rep Summary	DBC Response
	maintained. The transit route shown in Diagram 12 is a cross boundary issue.	broad location for development, including the relevant constraints, rather than the peninsula as a whole. Land is not currently available. Any development for the wider Swanscombe Peninsula area would also be considered against other Local Plan policies, including Policies M2 and M15.
M13	May wish to consider exception sites for affordable housing for local community needs and whether Darent Valley and the adjoining housing estate should still be washed over by the Green Belt.	The NPPF requires such exception sites to be available for affordable housing in perpetuity but this is only possible in designated rural areas and there are no such designated areas in Dartford Borough.
M22	Issue of the status of Bluewater regional shopping centre, whether or not it should be treated as a town centre and what DBC has done to address this issue since the Development Policies Plan examination. It should not be considered as a town centre but as an out of centre regional facility and the sequential test for retail should apply. The policy is not consistent in the application of national policy and does not take into account the need to prioritise a number of other regional centres that have been designated as town centres through due process. It is not clear that its role will remain distinct from and not compete with traditional local town centres including within Dartford and Gravesham and the wording should be changed to reference these. The policy should constrain the breadth of uses allowed and explain what is meant by 'regional implications'.	Table 7, the supporting text to policy M22 and policy M22 itself make clear that Bluewater is a regional shopping centre. The policy makes clear that the impacts of proposals on neighbouring town centres will be taken into account. DBC considers that the policy appropriately applies robust local evidence (Dartford & Ebbsfleet Retail and Leisure Study) and national policies in relation to the role of the Bluewater and the application of the sequential test.
M23	Question the basis for designating former neighbourhood centres as local centres given the NPPF definition.	The neighbourhood centres have been reclassified as local centres in direct response to the recommendation in paragraph 12.111 of the Dartford & Ebbsfleet Retail and Leisure Study.
SOCG	A Statement of Common Ground needs to be agreed and no substantive progress has been made on this. GBC will need to consider Green Belt release to meet its development needs, has carried out Reg 18 consultation and cannot determine the	Agree the need for a Statement of Common Ground and a list of potential areas of agreement and disagreement are set out below. DBC seeks clarity on work now being carried out by GBC following its Regulation 18 Local Plan consultation in late

Policy/ Document	GBC Rep Summary	DBC Response
	scale of unmet housing need until Reg 19 which is likely to be substantial without Green Belt release. GBC has consistently made clear to neighbouring authorities that this needs to be taken into consideration in preparing their plans.	2020, how GBC is proposing to address comments made by DBC and the timescale for working towards the Regulation 19 Draft Local Plan in light of the adopted Gravesham Local Development Scheme.
Transport Study	Transport and air quality are a strategic cross-boundary issue. The evidence on the highways impacts of developments set out in the plan, the interventions required and the resulting impacts on air quality has not been made available. The gaps need to be addressed and taking into account in the SA/SEA process.	Significant further discussions with Highways England officers are occurring and, subject to this, it is expected that the remaining outputs from the transport study will be published alongside the second Regulation 19 Draft Dartford Local Plan. No air quality evidence is being commissioned but paragraph 5.20 of the Plan states that the Dartford AQMAs are currently subject to review and the Action Plans are being updated. It is anticipated that the changes to Bean junction and demolition of the dwellings to the north could remove the need for the AQMA in this location.
SA and HRA	The SA/SEA and HRA may need to be revisited in light of the designation of the Swanscombe Peninsula SSSI.	The plan is being updated to take account of the SSSI. This will be accompanied by an updated SA and HRA.

Appendix 6A: Excerpts from/Copies of Meetings, Correspondence and Local Plan Responses

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08/06/2015 GBC Housing Request in Full

Teresa Ryszkowska
Head of Regeneration
Dartford Borough Council

Dear Teresa,

Duty-to-cooperate: Request to enter into preliminary discussions to ensure Gravesham BC's housing provision is met within the housing market area

The Duty to Co-operate is now firmly established as an integral part of Local Plan preparation and Dartford and Gravesham, together with other neighbouring authorities, already fulfil this duty. As Gravesham Borough Council embarks upon the preparation of its Site Allocations and Development Management Policies DPD, it is seeking to ensure that the duty to co-operate is maintained with regard to the issues of a) the provision of land for development, including housing and b) safeguarding of the Green Belt.

There are two paragraphs of the NPPF which have a bearing on co-operation between Gravesham and Dartford. The first is paragraph 178, which states that public bodies have a duty to co-operate on planning issues that cross administrative boundaries, particularly those which relate to strategic priorities. The Government expects joint working on areas of common interest to be diligently undertaken for the mutual benefit of neighbouring authorities.

The second is paragraph 179, which states that joint working should enable local planning authorities to work together to meet development requirements which cannot be wholly met within their own areas, for instance because of a lack of physical capacity or because to do so would cause significant harm to the principles and policies of the NPPF. Both of these paragraphs have a bearing on the need for Gravesham to provide sufficient land to meet its housing requirements and the role of the Green Belt in that process.

You will recall that on the 10 January, 2014, Dartford BC objected to the proposed main modifications to the Gravesham Local Plan Core Strategy. It objected to the identification of the Green Belt as a broad location for future growth and the need for a strategic Green Belt boundary review to allow further development in the Green Belt.

The objection also made reference to Dartford's earlier response to the Core Strategy consultation in October, 2011. This expressed concern about the impact of Green Belt development in Gravesham on the wider integrity of the Green Belt and the potential undermining of the Green Belt in Dartford, through increased development pressure, the generation of traffic on Dartford's rural roads, and pressure on community facilities in Dartford such as schools and health facilities on sites which are, themselves, on Green Belt land.

We therefore consider that the Green Belt, as a broad location for future growth, is still a cross boundary strategic issue under the terms of paragraph 178 and it remains an issue because the proposed modification was accepted by the Inspector and has been incorporated into the Gravesham Core Strategy.

Paragraph 4.2.14 of the Core Strategy acknowledges that there is insufficient land to meet the level of housing need over the plan period, namely 6,170 dwellings. It is further stated that a revised Strategic Land Availability Assessment (SLAA) will be carried out, including a review of development opportunities in the urban area, a Green Belt boundary review to investigate whether all parcels of land are meeting the purposes of being included in the Green Belt and

in paragraph 4.2.16, the undertaking of a new Strategic Housing Market Assessment. These are all now underway.

It should be noted that the DCLG has now published the 2012-based household projections, which show the number of households projected to increase in Gravesham to 8,000 by 2028, higher than the objectively assessed housing need for 6,170 for the same period, set out in the Core Strategy. Whilst this projection does not directly constitute housing need, local planning authorities are advised in National Planning Practice Guidance, to use them as a starting point for the estimation of overall housing need. It is therefore being taken into account in the new Strategic Housing and Economic Needs Assessment (SHENA) and could result in the need to provide for a greater number of dwellings during the plan period and for the identification of additional land.

Previous work on the South East Plan and the subsequent preparation of the North Kent Strategic Housing Market Assessment, in 2009, showed that Gravesham and Dartford fell within the same housing market area. Current work with consultants GVA on the new SHENA has, so far, given no indication that the housing market area has changed. Paragraph 47 of the NPPF states that local planning authorities are required to use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area.

In Dartford's latest Five Year Housing Land Supply report for 1 April, 2014 to 31 March, 2019, published in April, 2015, it is stated that Dartford's Core Strategy identifies capacity for up to approximately 17,300 homes in Dartford in the period 2006-2026. It acknowledges that this is significantly in excess of local needs. It draws upon the Dartford Housing Scenarios (2011) evidence base paper, which concluded that the overall Core Strategy objectives could best be achieved by provision of housing at the level that met local forecast needs of 11,700 but no more than the Core Strategy maximum level of 17,600.. This represents a surplus of capacity over needs of up to 5,600 dwellings.

Dartford's Five Year Housing Land Supply report advised that Government 2008 based household projections were used, together with other evidence, to assess the level of housing need in Dartford's Core Strategy. In the absence of updated projections, the Council considered that local housing needs remained the same. The 2012 based household projections now show an increase for Dartford, of c12,000 households between 2011 and 2031. This 20 year increase is only slightly higher than the current housing need figure of 11,700 dwellings for the 20 years between 2006 and 2026. Consequently, it appears unlikely that there will be significant erosion of the surplus land supply for the foreseeable future.

In conclusion, in light of your outstanding objection to the identification of the Green Belt in Gravesham as a broad area for future growth, an acknowledged surplus of housing land supply over local needs, and no evidence to suggest that Dartford no longer shares the same housing market area as Gravesham, we are asking whether an agreement by your Council to accept some of Gravesham's housing need, under the terms of the duty to co-operate, would appear to be mutually beneficial, enabling Gravesham to reduce pressure for the release of land for housing development in the Green Belt thus reducing development pressures on the Green Belt in Dartford, enabling Dartford BC to address a cross boundary issue which would otherwise remain.

In the light of the foregoing, Dartford BC are requested to enter into preliminary discussions, under the duty to co-operate and as part of the preparation of the Gravesham Site Allocations

and Development Management Policies DPD, with the objective of securing agreement to accept some of Gravesham 's housing provision during the plan period of the DPD.

Yours sincerely,

Kevin Burbidge

Director (Housing & Regeneration)

Via email copied to: Cllrs Cubitt and Burgoyne (GBC); Wendy Lane (GBC); Nicky Linihan (EDC)

05/08/2015 DBC Response to GBC Housing Request in Full

Kevin Burbidge
Gravesham Borough Council

Dear Kevin

RE: Duty to co-operate

Thank you for your letter of 8 June and apologies for the delay in responding.

Dartford Council fully supports the intent to enter into duty-to-co-operate discussions with Gravesham and other neighbouring Councils. Indeed, we have a history of co-operative working on strategic issues with earlier joint working on the Kent Thameside initiative and more recently on the Ebbsfleet Garden City initiative. Both Members and Officers are willing to take this co-operation further as Local Plans progress through a more structured approach. A structured approach appears to be required to demonstrate effective engagement (see for example Inspector's letter of 2 December 2013 with regard to the Mid Sussex District Plan).

This in mind, with regard to your emerging plan, it would be helpful to develop a framework both for the issues to be discussed, as well as a timetable for considering these. A broader context within which we could consider the propositions being put to us would include a scoping exercise of the overall cross-boundary issues, an understanding of the individual studies being undertaken and timetables for taking the studies and the Plan forward. An early officer meeting could helpfully start to map out this context. A similar approach would apply to the emerging Dartford Development Policies Plan, albeit there are more limited strategic cross-boundary implications applying in this case.

There is also the need for a mechanism which would include both Officers and Members. Dartford Officers and Members have informally considered the local circumstances and the Borough's location on the edge of the Kent Thames Gateway and with London on the western boundary. Whilst Dartford lies within the Kent Thames Gateway area and shares regeneration objectives and opportunities with Gravesham, it is clear that there are very strong functional connections between Dartford and London, in particular Bexley, to the west. Equally, there are significant links with Sevenoaks to the south and Thurrock to the north. All these neighbours are in wider partnership arrangements which 'face away' from Dartford. With Dartford lying on the edge of a number of overlapping areas of joint working, it is the Council's view that a flexible but clear and manageable approach is required to provide effective co-operation across all boundaries. In order to address Dartford's particular circumstances, it is considered that the most appropriate structure would be for bi-lateral engagement with each of the adjoining councils/organisations, as appropriate, depending on the range of strategic cross-boundary issues. Dartford will, therefore, be proposing a framework for ongoing officer and member engagement which can operate on a bi-lateral basis to address strategic issues.

With regard to your specific request to accommodate Gravesham's unmet need, it is premature to respond to this in the absence of the structures and mechanisms referred to above and in the absence of an understanding of the studies which underpin your housing requirements and allocations. It has, to date, been disappointing that neither your consultants GVA Grimley or your officers have sufficiently clarified engagement with us or had any direct dialogue to date on the housing and employment needs study (SHENA), despite Dartford stressing the need for effective engagement as the study progresses.

There is also a need for greater understanding of Dartford's housing land supply position, which is not as straightforward as suggested in your letter, before you reach conclusions about the ability or otherwise for Dartford Borough to meet some of Gravesham's housing need requirement. This can be more fully explored through discussions and in the context of a fuller understanding of your evidence base.

I hope this sets out a productive way to move forward on the duty to co-operate discussions. We will shortly set out more detailed proposals for Officer/Member engagement which we propose to take forward with you and other relevant organisations. In the meantime, we are more than willing, as always, to have discussions with Gravesham Council on any strategic cross-boundary issues.

Please feel free to contact me with any queries or comments on the matters I have raised.

Yours sincerely

Teresa Ryszkowska
Head of Regeneration

Cc Cllr Jeremy Kite
Cllr Derek Hunisett
Mark Aplin
Nicky Linihan (EDC)

13/11/2015 GBC-DBC Draft Notes of Meeting Excerpt Only

5. GBC Local Plan [Additional to the update provided in the morning wider meeting]

DBC enquired if further any follow up contact/ discussion could be expected to be put forward following the GBC letter in the summer asking DBC to help meet its housing need; is there any update or clearer process? DBC couldn't consider without significant further information. E.g. DBC had anticipated follow up communication / sought details of evidence such as the North Kent SHENA inputs and outputs, and land supply.

GBC confirmed the request still stood, further information would be available in 2016. It was agreed further clarity and information needed. GBC Officers would endeavour for SHENA information to be shared in advance of formal political approval.

ACTION: GBC to confirm what information will be available when in the run up to Member approval of consultation in 2016.

GBC stated the Green Belt work had been completed and, in broad terms, identified only minor realignment of boundaries. All areas met the purposes of Green Belt identified by GBC.

DBC reiterated keenness to understand the overall approach – the anticipated sequence of evidence programming and production, how strategic options are identified, development of alternatives, and next steps.

GBC had identified a 1km zone around settlements, which also addresses land that may arise if it is decided to locate the Lower Thames Crossing east of Gravesend.

ACTION: All to further discuss and provide documentation to understand Local Plan evidence base overall and individual studies.

DBC has had/ is getting other requests to take housing need from elsewhere, including adjacent and non-adjacent London Boroughs. DBC trying to gain an understanding of the circumstances of each situation, to learn from other parts of the country and seek consistency.

DBC asked GBC to provide information explaining how to deal with the practical issues that arise if one LPA takes another's housing need. For instance, this could usefully set out (with examples where it has been achieved elsewhere) issues such as how to deal with perverse 5year housing supply outcomes on appeal, how the recipient authority would receive necessary/ compensatory infrastructure, how political concerns are dealt with, how to deal in a fair and clear way with 'competing' requests, different timescales and so forth.

ACTION: GBC said they would try and find examples, and are in contact with Brentwood.

01/11/2017 DBC Letter to GBC Excerpt Only

Gravesham wrote to Dartford Council in June 2015 (Letter from Kevin Burbidge to Teresa Ryszkowska 8.6.15) asking us to enter into discussions with a view to Dartford accepting some of Gravesham's housing need. We responded (letter from Teresa Ryszkowska to Kevin Burbidge 5.8.15) saying that we were willing to enter into discussions through a formalised framework and a timetable for considering the issues. Since the issues are now emerging from Gravesham's preparatory Local Plan work, there is an onus on Gravesham to provide the necessary information which will inform any discussions, so that the key cross-boundary issues can be identified and a timetable for discussion agreed. To date, we have been provided with no information to have a meaningful discussion and which would enable us to jointly map out the cross-boundary issues. We also offered to set up a high level meeting between the Leaders of Gravesham and Dartford Council's (telephone conversation between Teresa Ryszkowska and Kevin Burbidge) but this was considered not to be appropriate at the time.

11/07/2018 DBC Response on Gravesham Local Plan Regulation 18 Consultation Excerpt Only

- 2.5 The second major concern has been with regard to Gravesham Council's approach to seeking to have its housing need accepted by Dartford Council. In 2015, Gravesham Council wrote requesting Dartford Council to accept its housing need. This was in advance of assessment of housing need and capacity having been carried out and without any context as to strategic direction of the plan or why Gravesham Council considered it necessary to make this request. In subsequent discussions Dartford Officers have raised the cross boundary practicalities of meeting housing need. In April 2016, Gravesham officers stated they would "pull together a briefing paper on mechanics used by other LPAs in respect to unmet requirements from neighbouring authorities." To-date, this has not occurred and there is still no clear framework to consider the issues raised in the letter of 2015.
- 2.6 The consultation paper (paragraph 1.27) acknowledges that before significant Duty to Cooperate progress is made, Dartford would "need to see the options for Gravesham to try and meet its own need and fully understand the implications of such a move for them". This sentiment is fully supported but we consider the consultation and evidence released has not helped demonstrate Gravesham sustainably trying to meet its own need. In these circumstances, Dartford Council can only conclude that there is no serious intent or commitment on Gravesham Council's part to plan positively to meet its own housing need, in advance of approaching its neighbours for assistance. If there is to be a cooperative discussion on this matter prior to the Submission of Gravesham's Local Plan, there will need to be a full sharing of evidence and assumptions and a willingness on the part of Gravesham Council to consider sustainable options for the delivery of housing which appear not to have been fully explored through this consultation.
- 2.7 It should be noted that Dartford Council is communicating with more than one authority that are exploring if they can meet their housing requirement, and if not, what the alternative options are. Any decision by Dartford Council, therefore, needs to be justified and defensible and to have solid grounds for preferring one authority over another. To progress a discussion on housing need, the matters to be addressed include, but are not limited to:
- Clarity of logic for 'exporting' Gravesham's housing need to Dartford. This must be sound and agreed. It is noted that the draft NPPF does not refer directly or indirectly to the concept of a housing market 'area' defined by a housing market assessment; the starting point is a series of individual local needs figures to be addressed by the Duty to Cooperate. Dartford Council would need to be assured that there is a functional justification for accepting Gravesham's housing need (in this context 'housing need' is not to be interpreted as need for affordable housing but rather an unmet need for market housing which is affordable to those concerned). That is, that there is a rationale and likelihood of Gravesham residents in housing need taking up available market housing in Dartford. Such a functional rationale may be based on, for example, the direction of established migration movements. Additionally, this could be informed as applicable by the outcomes of the forthcoming draft London Plan examination.
 - Acceptance of cross-boundary unmet housing need will have implications for delivery of infrastructure and Council services in Dartford. There is already a capacity shortfall for key physical and social infrastructure and additional housing will result in further requirement for new infrastructure. Additional population results in increased service costs, for example in waste collection. How will Gravesham Council contribute to the funding and cover the delivery risks? It should be noted that CIL and New Homes Bonus arising from new development are insufficient to cover the costs of all the provision required.

- In the context of accepting unmet cross-boundary housing need, there is a lack of national guidance and potential risks for the recipient authority in its Development Management operations. If development in a planned recipient location is unavoidably delayed, there may be perverse outcomes for the receiving authority from the national Five Year Housing Land Supply / Housing Delivery tests. How would Gravesham Council ensure that unplanned development in Dartford, as a result of the accepted cross-boundary housing need, does not occur? Could this be done through agreement, formal policies or mechanisms and how could they be monitored and enforced?

20/07/2018 GBC Response on Dartford Local Plan Strategic Issues Regulation 18 Consultation Excerpt Only

Meeting unmet housing need from Gravesham

Finally, Gravesham has been consulting since April 2018 on how an additional objectively assessed need for housing can be accommodated, following a commitment to review this during the examination of its current adopted Core Strategy. The outcome of this work suggests that there is a need for around an additional 2,000 dwellings over and above the 6,170 identified in the Core Strategy through to 2028.

As this broadly corresponds with the Government's own estimate of local housing need, using the proposed standard methodology, it is considered that this figure is robust – albeit the Government published figure should only be considered a starting point, to be confirmed and elaborated upon in terms of mix and tenure etc. via a locally commissioned SHMA.

Having considered the evidence contained in the Gravesham SHMA and SLAA, the conclusion reached by this authority is that it is unlikely that there is sufficient capacity within the urban area or rural settlements inset from the Green Belt to accommodate the identified additional housing need.

Whilst Gravesham is currently reviewing its SLAA and has put out a call for additional sites, this is unlikely to change.

As Dartford will be aware, the need to accommodate development is capable of representing 'exceptional circumstances' sufficient to justify the release of Green Belt land, subject to the assessment principles set out in the *Calverton* case²⁴.

The draft NPPF at paragraph 136 sets out the process a strategic plan making authority should go through when seeking to justify a change to Green Belt boundaries. These are that all other reasonable options for meeting identified need for development should have been examined, taking into account whether the strategy:

- a) Makes as much use as possible of suitable brownfield sites and underutilised land;
- b) Optimises the density of development, including whether policies promote a significant uplift in minimum density standards in town and city centres, and other locations well served by public transport; and
- c) Has been informed by discussions with neighbouring authorities about whether they could accommodate some of the identified need for development, as demonstrated through a statement of common ground.

Given the above process is to be undertaken before seeking to justify a change to Green Belt boundaries, it is assumed that the reference under a) to brownfield sites and underutilised land refers to such land that is not in the Green Belt, unless it can be treated as an 'exception' under national policy.

Whilst it is intended to undertake further work in this area to ensure points a) and b) above are fully covered within the evidence base, work contained in the Gravesham SHMA, SLAA and viability work strongly suggests that this would only result in limited additional housing numbers coming forward.

The ability to release land currently allocated for employment is also limited by physical constraints and the sites not being suitable for housing; the need to maintain a supply of employment land and premises suitable to meet both local and wider strategic employment

²⁴ For the Calverton Parish Council (2015) case see <http://www.bailii.org/cgi-bin/format.cgi?doc=/ew/cases/EWHC/Admin/2015/1078.html&query=calverton>

objectives; a need to maintain a supply of land and premises to which businesses can be decanted as other sites are subject to regeneration; and the need to maintain flexibility due to uncertainty around what materialises in Central Ebbsfleet/Swanscombe Peninsula.

Under these circumstances, it is necessary to forewarn your authority that Gravesham is likely to need to call upon adjoining authorities (including Dartford) to meet a proportion of its unmet housing need through to 2028 and potentially beyond. This will therefore need to be taken into account by Dartford, as a cross-boundary strategic issue. This should be no surprise to Dartford as this likelihood was first raised in June 2015.

Should the outcome of the Thames Estuary 2050 Vision proposals eventually mean that a strategic plan is prepared for a wider area, it is assumed that such issues will be resolved over that wider area in accordance with national policy on the Green Belt applying at the time. The request for Dartford to consider absorbing a degree of unmet need in Gravesham may therefore only be a short-term remedy in advance of a more strategic sub-regional approach being applied.

03/08/2018 Letter from Leader of GBC to Leader of DBC Excerpt Only

To demonstrate 'exceptional circumstances', the National Planning Policy Framework (at paragraph 137) requires that the strategic plan making authority demonstrate it has fully examined all other reasonable options, taking into account whether the strategy:

- Makes as much use as possible of suitable brownfield sites and under-utilised land;
- Optimises the density of development in line with policies set out in chapter 11 of the Framework (making effective use of land), including whether policies promote a significant uplift in minimum density standards in town and city centres and other locations well served by public transport; and
- Has been informed by discussions with neighbouring authorities about whether they could accommodate some of the identified need for development, as demonstrated through a statement of common ground.

My officers will continue to work on the evidence base required to address the first two bullet points but current evidence still suggests that it would not be possible to accommodate all the required development in the urban area or inset villages - as per the conclusion reached by the Planning Inspector in examining our Core Strategy set out above.

If after following due process and continuing to gather the necessary evidence that conclusion remains unaltered, we will be formally approaching neighbouring authorities to meet any potential unmet need - including Dartford, which appears to have a very large land supply.

23/01/2019 DBC Letter to GBC Excerpt Only

Gravesham Borough Council response to 2018 Dartford's 'Strategic Issues' Local Plan consultation	Dartford Borough Council officer reply
<p><u>Meeting unmet housing need from Gravesham</u></p> <p>Gravesham's objectively assessed need suggests that there is a need for around an additional 2,000 dwellings over and above the 6,170 identified in the Core Strategy through to 2028.</p> <p>It is unlikely that there is sufficient capacity within the urban area or rural settlements inset from the Green Belt to accommodate the identified additional housing need.</p> <p>The need to accommodate development is capable of representing 'exceptional circumstances' sufficient to justify the release of Green Belt land, subject to the assessment principles set out in the Calverton case.</p> <p>The draft NPPF at paragraph 136 sets out the process a strategic plan making authority should go through when seeking to justify a change to Green Belt boundaries. These are that all other reasonable options for meeting identified need for development should have been examined, taking into account whether the strategy:</p> <ul style="list-style-type: none"> a) Makes as much use as possible of suitable brownfield sites and underutilised land; b) Optimises the density of development, including whether policies promote a significant uplift in minimum density standards in town and city centres, and other locations well served by public transport; and c) Has been informed by discussions with neighbouring authorities about whether they could accommodate some of the identified need for development, as demonstrated through a statement of common ground. <p>Given the above process is to be undertaken before seeking to justify a change to Green Belt boundaries, it is assumed that the reference under a) brownfield sites and underutilised land refers to such land that is</p>	<p>The issue of meeting Gravesham's unmet need has been previously raised with Dartford. The Council first responded on 5 August 2015 stating further information is required and a clear framework necessary. This remains the case. The points made in response to Gravesham's 2018 consultation also provided an outline of key areas that could be addressed. To date, nothing on these matters has been received by Dartford.</p> <p>Dartford remains to be convinced that Gravesham has insufficient capacity within urban area or rural settlements inset from the Green Belt to accommodate all its housing need. As part of this, it would need to be openly demonstrated that Gravesham has reassessed all existing underused and employment sites and strategy options, housing densities, and policy constraints. We would highlight national Planning Policy Guidance on land availability assessment (Sept 2018):</p> <p><i>"What happens if the trajectory indicates that there are insufficient sites/broad locations to meet the objectively assessed need? It may be concluded that insufficient sites/broad locations have been identified against objectively assessed needs. Plan makers will need to revisit the assessment, for example changing the assumptions on the development potential on particular sites (including physical and policy constraints) including sites for possible new settlements." (our emphasis)</i></p> <p>Gravesham has repeatedly raised viability as an issue. As per the guidance, this would suggest that policy constraints, including planning requirements and obligations, such as affordable housing, would need to be revisited. Up to date intelligence is necessary to inform a view on viability and potential over the plan period.</p> <p>The identification of an employment land supply is to be informed by market signals under national guidance. Where there has been a lack of market interest over an</p>

Gravesham Borough Council response to 2018 Dartford's 'Strategic Issues' Local Plan consultation	Dartford Borough Council officer reply
<p>not in the Green Belt, unless it can be treated as an 'exception' under national policy.</p> <p>Whilst it is intended to undertake further work in this area to ensure points a) and b) above are fully covered within the evidence base, work contained in the Gravesham SHMA, SLAA and viability work strongly suggests that this would only result in limited additional housing numbers coming forward.</p> <p>The ability to release land currently allocated for employment is also limited by physical constraints and the sites not being suitable for housing; the need to maintain a supply of employment land and premises suitable to meet both local and wider strategic employment objectives; a need to maintain a supply of land and premises to which businesses can be decanted as other sites are subject to regeneration; and the need to maintain flexibility due to uncertainty around what materialises in Central Ebbsfleet/Swanscombe Peninsula.</p>	<p>extended period of time, the appropriateness of retaining the land for employment purposes needs to be reviewed. This should include whether mixed use redevelopment can occur on (part of) sites, potentially as part of ensuring the portfolio of business premises includes facilities flexible to the needs of the modern economy. For example, the extent of opportunities over time within north east Gravesend and any central locations should be fully explored as a priority.</p> <p>Currently, there is insufficient evidence available to demonstrate that this process, and the potential residential yield from a more flexible policy approach, has been thoroughly undertaken.</p> <p>Notwithstanding that Gravesham has not yet adequately demonstrated that it is unable to meet its own needs, Dartford has previously set out its view as to the process it will undertake in considering unmet need from other authorities under the Duty to Cooperate. This is subject to thorough land availability assessment and review having been completed.</p> <p>We set out in our representation to you (paragraph 2.7) information we would take into account in considering taking on an element of unmet need from another authority.</p> <p>There needs to be a functional justification based on clear logic i.e. around established migration flows. And importantly, the many infrastructure needs and development management issues that would arise should be properly and sufficiently addressed. Information on how this has been tackled elsewhere, previously requested in 2016 by Dartford, has not been supplied.</p> <p>Critically, acceptance of need from another authority will require that Dartford has capacity over and above meeting its own housing needs, as per the standard methodology. As you are aware, this has not yet been established and quantified. You should also note that authorities are not obliged to accept needs from other areas where it can be demonstrated it would have an adverse impact when assessed against</p>

Gravesham Borough Council response to 2018 Dartford's 'Strategic Issues' Local Plan consultation	Dartford Borough Council officer reply
	policies in the National Planning Policy Framework (PPG Plan-making, Sept 2018). This is yet to be assessed.

16/04/2019 GBC-DBC Notes of Meeting Excerpt Only

5. Request for Dartford to take some of Gravesham's housing need

In relation to GBC's request for DBC to take some of its need, it is recognised DBC have requested more information and this will be made available by GBC. For example,

- clarity on the amount being requested,
- when this is required to cover,
- the evidence based justification for this (rationale for focus on Dartford, robust explanation in relation to Gravesham's need and capacity),
- infrastructure and DM impacts/funding,
- showing consideration of opportunities to meet need further out in Kent e.g. Medway and beyond (given that Dartford is also a Green Belt authority and also as most people migrate eastwards) etc.

Gravesham anticipate supplying further information in summer 2019.

12/06/2019 GBC-DBC Notes of Meeting Excerpt Only

5. Request for Dartford to take some of Gravesham's housing need

The GBC request for this, and DBC's response seeking more information, still remain. GBC will publish the evidence at the next R18 consultation but may be able to provide outputs/more information prior to the next round of consultation.

No additional infrastructure funding would be forthcoming from GBC. It has limited resources to fund infrastructure in own area.

Additional funding provided from government for joint plans with higher housing.

GBC – few sites within the urban areas. Not enough capacity in urban areas and issues of viability. Local Plan will set out limits to growth.

DBC – stated that it was very likely that GBC would not be the only local authority asking DBC to accommodate their housing need; therefore the discussions at the last meeting/ past correspondence is still live, with clarity sought from GBC on the various points outlined. DBC also noted that migration flows were eastwards from DBC to GBC, rather than vice versa. DBC are also involved in discussions with authorities outside Kent i.e. Bexley.

GBC have also requested that Medway take some of their housing.

31/12/2020 DBC Response on Gravesham Local Plan Stage 2 Regulation 18 Consultation Excerpts Only

- 1.1 The Local Plan consultation document makes some references to duty to co-operate. It is disappointing that no discussions took place in the weeks leading up to or during this latest consultation. Dartford Council still has serious concerns that duty to co-operate is not being undertaken in a positive and transparent way in relation to Gravesham's Local Plan, particularly when there still have been no updates in relation to this Council's serious reservations regarding Gravesham's historic request (several years ago, prior to evidence gathering) for Dartford to take Gravesham's housing need. Dartford Council made detailed comments on this (paragraphs 2.1-2.8) when responding to the Regulation 18 Stage 1 Consultation Part 1 Site Allocations Issues and Options on 11 July 2018, many of which remain relevant and need to be addressed (see Appendix).
- 8.6 It is unclear if Gravesham's past request for Dartford to take housing need remains applicable, necessary or credible, or the scale or time period over which this applies.

Appendix 7A: SDC's Housing Needs Request and DBC's Response April 2019

11/04/2019 SDC's Housing Request to DBC Excerpt Only

Green Belt and Housing Need

The proposed submission version of the plan identifies a housing need of 13,960 units and sufficient sites to accommodate 10,568 new homes. The Council's approach to meeting this need has firstly been to identify as much capacity as possible within existing top tier settlements and then to look at previously developed land outside of these areas. Finally, on the basis of the outstanding housing need, we have sought to identify suitable greenfield sites within the Green Belt.

All proposed Green Belt releases have been subject to the following exceptional circumstances tests:

- The extent to which land meets the purposes of inclusion in the Green Belt;
- Whether the release of land will result in the delivery of infrastructure to meet an existing evidenced based need; and
- The overall sustainability of the proposals, as assessed by the Sustainability Appraisal.

Base date for the Plan

After careful consideration, the Council has decided to change the base date of the Local Plan from 2015 to 2019. This change reduces the overall housing need to 11,312 units and subject to a number of variables, leads to an unmet need of approximately 1,800 dwellings (or 16% of the requirement).

The Council is proposing to change the base date for a number of reasons. Firstly, the Plan is unlikely to be adopted until 2020 and the majority of identified sites are unlikely to come forward before this time. Secondly, the Council is using the government's standardised methodology to identify its housing need. This methodology includes the application of an affordability adjustment, which already takes into account any past under-delivery. There is therefore no further requirement to specifically address under-delivery separately. The base date will be discussed with the Planning Inspectorate during the course of the examination hearing sessions. However, the Council does not consider the proposed approach to be a main modification that would require further consultation prior to submission.

Duty to Co-operate

The Council is of the view that all authorities bordering Sevenoaks, and Kent County Council, have engaged actively and on an on-going basis to meet the provisions of the Duty to Co-operate. In particular, Statements of Common Ground (SoCGs) are in the process of being agreed to formally clarify if it is possible to meet unmet housing needs from adjoining areas. Notwithstanding the provisions of the SoCG and for the sake of completeness, I write to formally ask if Dartford Borough Council is in a position to meet any of Sevenoaks' unmet housing need as outlined above. In the event that this is not possible, I would also be grateful for your views on the preparation of a joint sub-regional strategy to address future housing requirements.

You will recall from my email dated 12 March 2019 that the Council is seeking to organise a joint workshop session to discuss matters of cross boundary strategic importance. Whilst Sevenoaks has proposed this event to support the production of its Local Plan, I hope it is something that will benefit all participants.

I can confirm that the event will be facilitated by the Planning Advisory Service (PAS) and chaired by Keith Holland of Intelligent Plans. Possible dates for the event are Tuesday 23, Wednesday 24 or Thursday 25 April 2019. I would be grateful if you could please confirm which of these dates is most suitable.

I look forward to hearing from you regarding the specific points raised in this email and would be grateful for your response by Monday 15 April 2019.

24/04/2019 DBC's Response to SDC's Housing Request Excerpt Only

Request to take housing development

Your email earlier this month was the first direct request by Sevenoaks asking if Dartford Borough Council is in a position to meet any of Sevenoaks' unmet housing need, a fact confirmed by reviewing notes of meetings and documentation such as recent responses to each other's Local Plan consultation.

It is unfortunate that this has not been clarified previously. We would note this approach does not assist in considering the political groundwork necessary for a more structured discussion. To help optimise the positive working relationship and avoid 'rabbits out of the hat' for members or officers, Dartford outlined a Duty to Cooperate, non-statutory, 'Protocol for Communication and Action'. This followed input from adjoining authorities. For further information see Appendix H of the full council report on publication of our last Local Plan. It may now be desirable to revisit principles of communication between the authorities, and we would be happy to discuss any fresh comments Sevenoaks may have on the 'protocol'.

However it is noted your target for Local Plan submission is imminent so I can confirm the response of Dartford is that we are not in a position to take any of the unmet housing need of Sevenoaks.

Dartford believes that the logic for Dartford taking housing need from Sevenoaks has not and cannot be demonstrated. In terms of our current Local Plan state of play, we are generally unable to respond positively to any request from any authority until Dartford housing need and supply position is clearer.

You will understand that there are other authorities/ areas that may also raise similar requests to yours. I should point out Gravesham as one example. Paragraph 2.7 of our agreed response to their Local Plan consultation last year states:

It should be noted that Dartford Council is communicating with more than one authority that are exploring if they can meet their housing requirement, and if not, what the alternative options are. Any decision by Dartford Council, therefore, needs to be justified and defensible and to have solid grounds for preferring one authority over another. To progress a discussion on housing need, the matters to be addressed include, but are not limited to:

- Clarity of logic for 'exporting' Gravesham's housing need to Dartford. This must be sound and agreed. It is noted that the draft NPPF does not refer directly or indirectly to the concept of a housing market 'area' defined by a housing market assessment; the starting point is a series of individual local needs figures to be addressed by the Duty to Cooperate. Dartford Council would need to be assured that there is a functional justification for accepting Gravesham's housing need (in this context 'housing need' is not to be interpreted as need for affordable housing but rather an unmet need for market housing which is affordable to those concerned). That is, that there is a rationale and likelihood of Gravesham residents in housing need taking up available market housing in Dartford. Such a functional rationale may be based on, for example,*

the direction of established migration movements. Additionally, this could be informed as applicable by the outcomes of the forthcoming draft London Plan examination.

- Acceptance of cross-boundary unmet housing need will have implications for delivery of infrastructure and Council services in Dartford. There is already a capacity shortfall for key physical and social infrastructure and additional housing will result in further requirement for new infrastructure. Additional population results in increased service costs, for example in waste collection. How will Gravesham Council contribute to the funding and cover the delivery risks? It should be noted that CIL and New Homes Bonus arising from new development are insufficient to cover the costs of all the provision required.*
- In the context of accepting unmet cross-boundary housing need, there is a lack of national guidance and potential risks for the recipient authority in its Development Management operations. If development in a planned recipient location is unavoidably delayed, there may be perverse outcomes for the receiving authority from the national Five Year Housing Land Supply / Housing Delivery tests. How would Gravesham Council ensure that unplanned development in Dartford, as a result of the accepted cross-boundary housing need, does not occur? Could this be done through agreement, formal policies or mechanisms and how could they be monitored and enforced?*

We also raise that the government policy of Green Belt protection would imply merit in exploring the potential of exporting needs, if necessary, to areas without Green Belt. (Despite having previously undertaken significant Green Belt release in order to [address](#) national and regional strategy for Thames Gateway regeneration, the Borough remains a majority Green Belt).