Gravesham Local Plan Core Strategy

Further Hearing Sessions
April 2014

Gravesham Borough Council

Response to Issues:

ISSUE 2: Land at Coldharbour Road Key Site – Policy CS21

ISSUE 2 Questions (i) – (ii)

LIBRARY REFERENCE: MS2014/2/i and ii/GBC

Date: 24 March 2014
Issue 2 Questions (i – ii) – Gravesham Borough Council

Issue 2: New Policy CS21 – Land at Coldharbour Road, Gravesend

(i) Are the policy and the proposals for growth and change in this area appropriate and justified, including in relation to the NPPF, and in terms of environmental, economic and social impact; including regarding flood risks and transport impacts?

(ii) Are they clear and deliverable over the plan period, including in respect of the associated transport and other infrastructure requirements?

Relevant Background Documents

NAT – 01 National Planning Policy Framework (March 2012)
NAT – 01a Technical Guidance to the National Planning Policy Framework (March 2012)
SCS – 01 Proposed Submission Local Plan Core Strategy (December 2012)
SCS – 16a Gravesham Local Plan Core Strategy December 2013 (tracked changes version).
SCS-16b Gravesham Local Plan Core Strategy Appendices including Proposed Modifications Dec 2013
PO/03 Inspector’s Preliminary Findings on Matters relating to Housing Needs (11th July 2013)
PO/06 Inspector’s Preliminary Findings on the Soundness of the Local Plan Core Strategy (11th October 2013)
PE – 05 Housing Provision Position Statement (May 2013)
PE – 12 Tollgate Junction – Forecasting Report (May 2013)
PE-15 The Council’s Response to the Inspector’s Preliminary Findings on Matters relating to Housing Needs (9th August 2013)
PE - 20 Cabinet Report Update on the Local Plan Core Strategy (7th October 2013)
SCS – 16a Gravesham Local Plan Core Strategy Sustainability Appraisal Addendum Report (December 2013)
SLA – 01 Strategic Land Availability Assessment (October 2012)
OCT11 – 04 Landscape Character Based Analysis of Potential Development Sites (July 2011)
GRAV – 01 Gravesham Local Plan First Review and Proposals Map (November 1994)
EMP – 02 Gravesham Economy and Employment Space Study (2009)

Introduction

1. The Gravesham Local Plan Core Strategy (LPCS) was approved by the Council and submitted to the Secretary of State on the 22nd May 2013 for Public Examination. This was based on an objectively assessed housing need for 4,600 dwellings over the plan period (2011 – 28) which the Council was of the opinion could be delivered without the
2. This approach reflected the views expressed during previous public consultations on the emerging spatial strategy that development needs should be largely concentrated on previously developed land within the urban area, avoiding both Green Belt release and the Land West of Wrotham Road greenfield site. This has been previously explained at paragraph 3.16 of Housing Provision Position Statement document (PE–05, May 2013).

3. As part of the examination process, a pre-hearing meeting was held on the 24th July 2013 at which the Inspector requested that the Council provide an urgent update of its assessment of objectively assessed housing need. This work was undertaken and provided to the Inspector on the 9th August 2013 (see documents PO/03 and PE-15).

4. The examination of the LPCS was duly held over the period 10th – 18th September 2013, following which the Inspector made a number of preliminary findings on the ‘soundness’ of the plan on the 23rd September 2013 (see document PO/06).

5. The conclusion reached by the Inspector was that he had serious concerns regarding the plan’s ‘soundness’, particularly in relation to the level of proposed total new housing provision and its annual delivery rate. He suggested that it was unlikely he could reach a finding of ‘soundness’ under these circumstances and set out 3 alternative courses of action as a means of moving forward:

   - **Option 1:** That he proceed to write up his report, with the consequence that he would be unlikely to be able to find the plan ‘sound’;

   - **Option 2:** That he suspend the examination to allow the Council to undertake further work on its Strategic Housing Market Assessment (SHMA) and revise the LPCS accordingly within a 6 month period (including re-consultation) without fundamentally amending the spatial strategy; or

   - **Option 3:** That he recommend main modifications to the LPCS necessary to make it ‘sound’, based on:-
     * A significant increase in the total figure for new housing over the plan period;
     * An increase in the target annual housing delivery rate; and
     * The proposed allocation of Land West of Wrotham Road, primarily for residential development, to help provide a 5 year housing land supply.

6. Alternatively, it was suggested that the Council could withdraw the plan and resubmit it for fresh examination by a different Inspector at a later date, when all the additional work was completed.

7. After due consideration, the Council concluded that the best interests of the area would be served by having an adopted LPCS in place as soon as possible so Option 3 was chosen. In so doing, it was recognised that this option also provided a window of opportunity to undertake further work to address outstanding issues and to update policy in a timely fashion through the proposed Site Allocations and Development Management Policies DPD (see documents PE-19 and PE-20).

8. As a result, the proposed main modifications to the LPCS therefore include Land West of Wrotham Road, which lies within the defined urban area, under new Policy CS21 entitled...
‘Land at Coldharbour Road’. This distinguishes between two separate parcels of land within the Key Site:-

- Land North of Coldharbour Road (primarily residential and being that part of Land West of Wrotham Road, north of Coldharbour Road); and
- Land South of Coldharbour Road (as an employment allocation)

For the sake of consistency, the above terms are used throughout the remainder of this statement.

9. It should be noted that Land South of Coldharbour Road was already included in the Proposed Submission Core Strategy (SCS – 01, Dec 2012) at 4.2.5. This has benefited from grants of planning permission in the past (GR/07/0632 & GR/2010/0764 – now time expired) for employment development by Capital Enterprise Centres. A block plan from these applications is attached as Appendix 1 for information.

10. The spatial extent of the Key Site is shown in Figure 20 (page 144) of the Gravesham Local Plan Core Strategy December 2013 (tracked changes version) document reproduced below. [SCS–16a – incorporating proposed modifications]
Issue 2 (i): Are the policy and the proposals for growth and change in this area appropriate and justified, including in relation to the NPPF, and in terms of environmental, economic and social impact; including regarding flood risks and transport impacts?

11. Irrespective of the decision not to include Land at Coldharbour Road in its entirety as a Key Site in its original submission version LPCS, the Council is of the view that the proposals for growth and change in this area are appropriate and justified. This is because of the changed circumstances that now prevail with the upward revision of the housing target (from 4,600 to 6,170) through to 2028 and the need to maintain a 5 year housing land supply that is compatible with this scenario.

12. By way of context, it is useful if the planning history of the site is understood. The originally adopted Gravesham Local Plan First Review (GRAV -01, November 1994) included a Policy PM8 on Land West of Wrotham Road which stated:

**Proposal PM8**

*The Borough Council supports in principle the development of land West of Wrotham Road to provide the following:-*

(i) **High quality business development to the south of Coldharbour Road** (see Proposal PE2), between the Safeway Foodstore and Wrotham Road (A227)

(ii) **Residential development on the upper valley slope to the east of Marks Square and Lanes Avenue** (see Proposal PH2)

(iii) **A hospice**

(iv) **Retention and upgrading of the lower valley slopes to form a major landscaped open space.**

13. This allocation was found acceptable through due process, including the Public Inquiry of the Local Plan First Review undertaken in 1992. A plan of the Proposal PM8 site from the First Review Proposals Map (1994) is attached as Appendix 2 to this statement. The similarity with Fig 20 at paragraph 11 above will be noted.

14. A planning application (GR/91/340/W) was submitted for development of the land in advance of the Local Plan First Review and policy PM8 being adopted. This was subject to a number of amendments as parcels of land were developed (Hospice and Superstore). Eventually, the applicant (Sir J. Colyer-Fergusson Charitable Trust) submitted a fresh application for housing, employment and open space uses following the adoption of the Local Plan First Review (GR/98/259) which largely reflected the content of the original amended application.

15. Despite the proposals basically according with the development plan in force at the time, the Council determined to refuse the applications on the 26th June 1998 on the following ground:

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1 The employment allocation on Land South of Coldharbour Road formed part of the original submitted LPCS under Policies CS02 and CS07.

2 For supporting text and details of the extent of the PM8 policy area see Gravesham Local Plan First Review (1994) and associated Proposals Map see http://www.gravesham.gov.uk/services/environment-and-planning/planning/planning-policy/Saved-Local-Plan-First-Review-Policies/local-plan-1st-review

3 Safeway is now Morrison's Supermarket.
1. In view of the changed circumstances since the Gravesham Local Plan First Review was adopted (including the changes in policy at national level which now emphasise the development of recycled urban land in preference to green field sites) and the clear public concerns locally to the release of this land for development, the Council considers that it should take a different approach to this site and that the options available (including non-development options) should be fully considered in the preparation of the Gravesham Local Plan Second Review.

16. This decision was appealed, with the public inquiry taking place in December 1998 and the Secretary of State recovering the appeal for his own determination. The conclusion reached by the Inspector was that the housing and open space elements should be allowed but the B1 employment dismissed on sustainability grounds, in that it was likely to be a primarily car based development and attractive to office based professional companies that might be better located in the town centre.

17. However, because of the publication of PPG3: Housing (March 2000) and the consultation draft of PPG13: Transport (Oct 1999), the Secretary of State decided on the 5th June 2000 to consult parties on the implications of these in determining the appeals. Following a protracted process, the outcome was that the Secretary of State dismissed the appeals by letter dated 24th April 2002.

18. In so doing, he concluded that in spite of careful design and generous landscaping, the overall effect of the scale of the proposals on the character and appearance of the area would be a negative one. However, this was not considered in itself sufficient to justify dismissing the appeals. Similarly, it was accepted that the need to protect high quality agricultural land was considered at the Local Plan Inquiry and that the appeal site was nevertheless allocated for development.

19. Ultimately, the basis upon which the appeals were dismissed was that the Secretary of State had doubts about the Council’s urban capacity studies and this increased his concerns that the case had not been properly considered in accordance with the PPG3 ‘brownfield first’ presumption. It follows therefore that there was considered to be no ‘in principle’ reason why the site was not suitable for development rather it was whether the case had been made for the release of the site when brownfield sites remained available.

20. Contemporary with the above appeal, the Council was progressing the Gravesham Local Plan Second Review, which reached its deposit stage in May 2005. This changed the position in relation to the site to one covered by Policy LT9 (New Areas of Public Open Space) and NE3 (Areas of Local Landscape Importance). It should be noted that work on this document ceased following the introduction of the new system under the Planning and Compulsory Purchase Act 2004 and it did not progress to examination and adoption.

4 For decision notice and appeal decision see papers available on line at http://plan.gravesham.gov.uk/online-applications/simpleSearchResults.do;jsessionid=40600E721146D4CFB1A2866639E454D6?action=firstPage

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21. Because of the refusal at appeal and the fact the Council had been progressing a policy whereby an open space use was preferred; the decision was taken not to ‘save’ Proposal PM8 in September 2007.

22. The background to the current debate is therefore that the Land at Coldharbour Road site has previously been considered for development similar to that currently proposed and found to be acceptable ‘in principle’ through the Local Plan First Review. The reason for the Secretary of State not allowing the appeal in 2002 was not that residential development on Land North of Coldharbour Road was unacceptable per se, rather that its release was not justified at that time in the context of the PPG3 ‘brownfield first’ presumption. Whilst the Council had indicated a preference for the land to be allocated for open space under the Local Plan Second Review, the policy had not been tested at examination and the weight that may be accorded it is therefore very limited given it is not contained in a policy document that will now progress toward adoption (Annex 1 to the NPPF applies).

23. A number of things have changed since the Secretary of State’s decision in 2002 that are material:

- Planning permission was subsequently granted (GR/07/0632 & GR/2010/0764 – now time expired) for employment development on Land South of Coldharbour Road, along with a restaurant (built and operational) and hotel (not yet implemented) on land immediately adjacent to the east (GR/2011/0398).
- The introduction of the National Planning Policy Framework (NPPF, March 2012) means that the Council is obliged to seek to meet objectively assessed development needs, within the context of the presumption in favour of sustainable development, unless the adverse impacts of so doing would significantly and demonstrably outweigh the benefits;
- Whilst the NPPF encourages the effective use of land by reusing land that is ‘previously developed’, provided it is not of high environmental value, the PPG3 ‘brownfield first’ presumption no longer applies. This effectively removes the justification formerly used for dismissing the appeal in 2002;
- The removal of the PPG3 ‘brownfield first’ presumption changes the balance between prioritisation of previously developed land and flood risk that was implicit in earlier national planning guidance. It follows a higher priority is now afforded avoidance of flood risk through the NPPF and associated Technical Guidance. This has the potential to make Land at Coldharbour Road sequentially preferable compared to previously developed alternatives in areas more at risk of flooding despite its greenfield status; and
- The decision in 2005 to realign the A2 trunk road to the south between Gravesend East and Pepperhill has resulted in the creation of an enhanced Green Corridor to the south of the urban area. This accommodates

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6 For Direction Letter on ‘saved’ Local Plan First Review policies see http://www.gravesham.gov.uk/__data/assets/pdf_file/0004/69637/PlanningDirectionLetter.pdf
7 See NPPF (March 2012) at paragraphs 100 – 104 and NPPF Technical Guidance (March 2012) paragraphs 2 – 19.
significant new public open space in the form of a linear park and the Cyclopark complex as an alternative to allocating the whole of Land at Coldharbour Road for open space purposes as per the proposal included in the Local Plan Second Review. New policy CS21 adds to this by including a substantial area of public open space capable of performing a variety of green infrastructure functions and assists in the creation of a wider network of Green Grid links.

24. Because there was no objection ‘in principle’ to residential development of Land to the North of Coldharbour Road, it was included in the Gravesham Strategic Land Availability Assessment (October 2012) as a site suitable for development – even though within the Submission LPCS it was not included as a strategic allocation necessary to deliver the spatial strategy based on 4,600 dwellings. The potential to draw the site down should there have been a possible shortfall on delivery of other sites was therefore a theoretical possibility – particularly as it was the only unallocated major residential site suitable for development identified.

25. The Council would therefore argue that the proposals for growth and change in this area are appropriate and justified as they represent a logical extension to the submitted spatial strategy, prioritising urban sites in the First Tier settlement (Gravesend/Northfleet/ Ebbsfleet urban area) in accordance with the reasoned justification for Policy CS02 at 4.2.1 – 4.2.7a of the LPCS.

26. They accord with the principles of what comprises sustainable development within the NPPF and are supported both through the Sustainability Addendum Report (SCS–16c, December 2013) and the Habitats Regulation Assessment Addendum Report (SCS–16d, December 2013).

27. The selection of Land at Coldharbour Road as an additional Key Site is not considered within the above documents to be a significant departure from the preferred spatial strategy set out in the original submission version LPCS and because of distance from relevant nature conservation interests, it is not considered that significant adverse impacts will occur either alone or in combination with other development.

28. This view on nature conservation impacts in relation to European sites has been confirmed by Natural England in their response to consultation on the proposed modifications.\(^9\)

29. Overall, the proposed development at Land at Coldharbour Road will bring a number of benefits, including additional housing (market and affordable) and employment consistent with NPPF objectives.

30. Whilst there would be an adverse landscape impact and loss of openness due to development, its distribution across the site is such that this could be mitigated through design with the lower slopes of the dry valley remaining open. This is consistent with the view reached during the examination of the Local Plan First Review and by the Secretary of State on the appeals cited above. It also reflects the conclusion reached by the

\(^9\) Natural England made 3 representations to the proposed modifications consultation and these are available via [http://localplan.gravesham.gov.uk/consult.ti/lpcsmm/listRepresentations?docid=4193076&objectoruid=4908673](http://localplan.gravesham.gov.uk/consult.ti/lpcsmm/listRepresentations?docid=4193076&objectoruid=4908673)
Council’s landscape consultants in their assessment of potential development sites (see OCT11 – 04 at page 34).

31. New policy CS21 also requires the provision of a major new north-south linear park along the line of the dry valley to the eastern side of Land North of Coldharbour Road. Taken together with the A2 corridor linear park and Cyclopark to the south, this will make an important contribution toward green infrastructure provision at both a local and borough level – capable of also incorporating a Green Grid link from the A2 towards Gravesend Town Centre. It is unlikely in the absence of development that such a facility could be provided by the Council and the associated health and community benefits that would accrue would not be realised.

32. It is accepted that the development of Land at Coldharbour Road would result in the loss of best and most versatile agricultural land (Grade 2). This issue was addressed previously in relation to the original allocation of the land under former Policy PM8 and during the appeals cited above and it was not considered to outweigh the need to accommodate development.

33. It is contended that similar conditions prevail now in terms of accommodating objectively assessed development needs under the NPPF consistent with the Council’s preferred spatial strategy. Because the land is primarily in agricultural use, the nature conservation value of the site is also considered to be limited and the creation of new open space/green corridors should provide opportunities for enhancement of biodiversity.

34. The developable part of the site lies within Environment Agency Flood Zone 1 and the policy avoids those areas lying within the dry valley that may be susceptible to fluvial/pluvial flooding under extreme rainfall conditions. This approach is consistent with the sequential test policy requirements contained within the NPPF and the associated technical guidance. It is also noted that the proposed open space also provides opportunities to control surface water run-off and flood impacts via the use of Sustainable Urban Drainage (SUDS) and thereby to avoid adverse impacts on the wider water environment.

35. Whilst discussions are still on-going with both the Kent County Council (KCC) and Highways Agency (HA) regarding the transport impact of the proposals both on the A2/A227 junction and the local highway network, it is understood that this is unlikely to be an impediment to delivery of any scheme reflective of new Policy CS21 (see Appendix 5 for position statement on this aspect).

36. The Council’s response to points raised as a result of the consultation on the proposed inclusion of Land at Coldharbour Road as a Key Site under new Policy CS21 are contained in Appendix 4 to this statement.

Issue 2 (ii): Are the policies and proposals clear and deliverable over the plan period, including in respect of the associated transport and other infrastructure requirements?

37. The Council contends that the policies and proposals are clear in that they set out (subject to the caveats in paragraphs 42 - 47 below) the broad quantum of development to be accommodated and its distribution across the site – i.e. by distinguishing between land north and south of Coldharbour Road; providing further detail in the supporting text; and by illustrating the broad distribution of uses in Figure 20.
38. The Council also considers that the fact major developers (Bovis and Persimmon Homes) are actively pursuing options in relation to Land North of Coldharbour Road is evidence that there is strong market interest in delivering the housing component and that this is capable of being achieved over the plan period. Because the site is Greenfield and there are few constraints on delivery it is also assumed that this could be early in the plan period, contributing toward the initial 5 year housing land supply.

39. The employment component on Land South of Coldharbour Road has not yet come forward. It is understood that this is due to the current economic climate rather than the characteristics of the site itself. The Gravesham Economy and Employment Space Study considers this to be one of the borough’s best located employment sites and of strategic importance in terms of the opportunities it offers for the delivery of much needed start-up/incubator space (EMP – 02, 2009). The Council anticipates that prospects for delivery will improve as the economic recovery strengthens and that a scheme will be deliverable over the plan period.

40. Whilst the planning permission for the Capital Enterprise Centres scheme (GR/2010/0764) has now time expired, the Council will continue to work with interested parties to secure the implementation of an acceptable proposal.

41. An issue relating to deliverability is whether the target 550 residential units are reasonably capable of being accommodated on Land North of Coldharbour Road and the implications for the LPCS if this is not the case.

42. The Council contends that the starting point here should be paragraphs 47 and 58 of the NPPF. These state that the Council should significantly boost the supply of housing by setting out its approach to housing density. This should reflect local circumstances whilst optimising the potential of sites to accommodate development within the context of creating locally distinctive sustainable places.

43. The local interpretation of this requirement is set out in LPCS Policy CS15 and delivery on identified sites should be consistent with this thematic approach. This policy states that sites within the urban area will be expected to achieve a minimum density of 40 dwellings per hectare, consistent with achieving good design that does not compromise the distinctive character of the area in which it is situated.

44. A target figure of 550 dwellings based on an estimated developable site area of 13.9 hectares was included in new policy CS21.

45. However, on-going discussions with Bovis Homes have established that, because of topography and other constraints, the developable area of Land North of Coldharbour Road is actually less at around 12.38 hectares. At a minimum 40 dwellings per hectare this would yield around 500 new dwellings.

46. A further minor amendment is therefore proposed to new policy CS21 reflecting the above with a reduction in the dwellings total from 550 to a minimum of 500 dwellings. A footnote will also be inserted stating that the 500 figure is based on a notional 40 units per hectare with a developable site area of around 12.38 hectares.

47. Related policies and supporting text elsewhere within the LPCS will also be amended to reflect this change.

48. Setting out a requirement for around 500 dwellings to be delivered is considered realistic in this instance given densities achieved on other urban sites within the Gravesham and
Dartford area. A table providing a number of other examples is included as Appendix 3 below.

49. Whilst requiring a higher density would help to achieve the objective of concentrating development within the urban area and reduce pressure to release land from the Green Belt in more disperse and/or less sustainable locations, the Council recognises the sensitivity of this site and the need to strike an appropriate balance between efficient use of land, achieving high quality urban design, and protecting the local environment.\(^{10}\)

50. Clearly, what density is finally achieved on site will be a matter of detailed design linked to housing mix, layout and proportion of houses to apartments etc. It would be for the developer at the application stage to demonstrate that efficient use of land for housing is being achieved or whether there are material considerations that apply to warrant building out at a lower density.

51. It will also be noted that new Policy CS21 also includes reference to the possibility of the site accommodating a new primary school. As there is no firm proposal from the Education Authority (or other provider) for inclusion of such a facility and it is understood discussions are focusing on off-site provision, the land-take implications have not been shown on Figure 20 of the Modified Plan.

52. Such a reduction would not affect the overall ‘soundness’ of the LPCS because any numerical shortfall could be rectified through the identification of additional sites through the proposed Site Allocations and Development Management Policies DPD and the technical work proposed to underpin it.

53. Neither would it adversely affect the ability of Land North of Coldharbour Road to contribute toward delivery of housing within the first 5 year period of the plan as intended. This is because the residual capacity of the site would still be sufficient to match anticipated rates of delivery as shown in Table 1 below. It is also the intention that the proposed Site Allocations and Development Management Policies DPD will be in place during this period, further adding to potential housing land supply.

<table>
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<th>Year</th>
<th>15/16</th>
<th>16/17</th>
<th>17/18</th>
<th>18/19</th>
<th>19/20</th>
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<td>250</td>
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<td>400</td>
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<td>500</td>
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</table>

54. As per paragraph 35 above and the statement in Appendix 5, transport infrastructure is not considered to be an impediment to delivery on this site.

\(^{10}\) By way of comparison, it should be noted that the Gravesham Local Plan First Review (1994) under Proposal PH2 only included a notional figure of 280 dwellings to be delivered from this site based on 10 units per acre. The new figure of 500 units is based on a marginally bigger developable area (12.38 hectares compared to 11.0 hectares) and represents a 42% increase in density.

\(^{11}\) Rate of build out is that used by the Council to estimate housing trajectory – there is no constraint on developers building out at a faster rate should market conditions allow subject to infrastructure triggers on any permission being met.
55. Southern Water Services (SWS) initially commented on a lack of foul drainage capacity to support the development and that the nearest available point of connection with adequate capacity was Northfleet WTW - some 2.2KM distant. However, they have subsequently commented on the proposed modifications, stating that this lack of capacity is not considered to be a constraint on development.

56. The developer has now provided the Council with further information regarding detailed analysis subsequently undertaken by SWS that shows necessary services within the immediate area are capable of upgrade or reinforcement.\(^\text{12}\)

57. Other issues raised by SWS in relation to policy wording are similar to those raised on other site specific spatial policies and are dealt with below at Appendix 4.

**Comments of responses to consultation**

58. The schedule at Appendix 4 sets out the Council’s response to issues raised as a result of consultation on new Policy CS21. In addition to the above transport and water infrastructure issues, Bovis – Persimmon have also raised concerns regarding educational provision and healthcare and inconsistencies in approach between policy CS21 and the Infrastructure Delivery Schedule (Appendix 4 to SCS-16b Gravesham Local Plan Core Strategy Appendices including Proposed Modifications Dec 2013). In response, the Council has suggested further minor modifications as set out in Appendix 4 to this Matters Statement. More information on education provision for this site is given in paragraph 51. In respect to healthcare, there is no evidence that there is a specific healthcare requirement at Coldharbour Road rather it is covered by page lxi of the IDS which relates to a borough-wide need to ensure that there is sufficient primary care capacity for the forecast increased population. Subject to the further proposed minor modifications suggested below, it is considered that the policy is ‘sound’ and that Land at Coldharbour Road should be allocated as a Key Site within the LPCS.

**Further proposed minor modifications**

59. Further proposed minor modifications to the supporting text to new policy CS21 and Figure 20 are proposed as follows:-

- At 4.8.7 (paragraph number to be corrected from 4.6.7) bullet point 3, add the following text:-

  Public rights of way on and adjoining the site, including the ability to contribute toward the creation or enhancement of strategic green linkages between the Town Centre and A2 corridor (see Fig 20).

- At 4.8.8 line 1:- change figure from 550 to 500 dwellings.

- At 4.8.8, at end of second sentence add after:-

\(^{12}\) SWS state (13/14 February 2014) that water supply provision can be achieved through an upgrade of 40m of water main in Packham Road (upgrade from 4” CI main reinforced with 90mm HPPE main). Two options have also been provided by SWS to accommodate foul drainage discharge.
Shears Green residential area to the west and respects the character of the site and the surrounding area.

- At 4.8.9 bullet point 3, add the following text:-

  A secondary access could be provided at the northern end of the site to help strengthen the local centre but it may need to be restricted to public transport, pedestrians and emergency vehicles.

- Within Policy CS21 at 4.8.13, amend text to and add explanatory footnote:-

  4.8.13 This will provide a residential development of around 500 dwellings with significant open space and biodiversity improvements and the provision of community facilities, potentially including a new primary school on-site. Off road pedestrian and cycle links will be provided in the eastern part of the site and elsewhere as part of a suite of improved links, facilitating connectivity between the Town Centre and the A2 corridor through the site.¹

  ¹ 500 dwelling figure based on 40 dwellings per hectare as per policy CS15. This figure would be expected to increase or reduce pro-rata in relation to scale of developable area identified at the application stage.

- Figure 20 to be amended (see below) to include additional arrow indicating potential pedestrian/cycle link through open space to Coldharbour Road to provide linkage through to pathway west of Toby Carvery to A2 corridor and Cyclopark. In addition, a further additional arrow to be included indicating potential to provide new footpath/cycleway link from site to New House Lane and beyond toward Town Centre.
• Within LPCS Appendix 4 (Infrastructure Delivery Plan) at ‘5 Land at Coldharbour Road Key Site’:-

At row 4 (Education), second column: Delete ‘through school extensions’.

At row 5 (Health): Delete row in its entirety.

Add two new rows as follows:

<table>
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<th>Waste Water</th>
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<th>As required to service development</th>
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<th>Developer</th>
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<td>Developer</td>
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Appendices

- Appendix 1: Block Plan of Employment Scheme for Land South of Coldharbour Road (GR/07/0632 + GR/2010/0764 – time expired).
- Appendix 3: Table of densities achieved on other sites in Gravesharn and Dartford area compared to 40 dwellings per hectare at Land North of Coldharbour Road.
- Appendix 4: Council’s response to main issues raised through consultation on new Policy CS21
- Appendix 5: Tollgate Junction and Land South of Coldharbour Road position statement
Appendix 1: Block Plan of Employment Scheme for Land South of Coldharbour Road (GR/07/0632 + GR/2010/0764 – time expired).

PH2 = Housing; PE1 = Employment
PLT1 = Open Space
### Appendix 3: Table of densities achieved on other sites in Gravesham and Dartford area compared to 40 dwellings per hectare at Land North of Coldharbour Road.

<table>
<thead>
<tr>
<th>Site Description</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>Southfields – Phase 2 &amp; 3 (Bovis)</td>
<td>Application reference GR/2011/1101. 98 units on site area of 1.932ha or a density of @ 51 dwellings per hectare (DPH).</td>
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<tr>
<td>Land at Dalefield Way, Gravesend</td>
<td>Application reference GR/2011/0197 – 130 residential units to east side of Gravesend in sensitive location close to SSSI/Ramsar site on total site area of 4.57 hectares of which 3.29 hectares is residential. D &amp; A Statement sets out variation across site – Low density is 20 – 35 DPH on eastern side of site close to environmentally sensitive areas. High density areas are at entrance points and around open space – 45 – 55 DPH. Average density across site is 40 DPH.</td>
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<tr>
<td>Springhead Park, Ebbsfleet (Countryside)</td>
<td>Application reference GR/2011/0114 for phase 1A = 377 units at 61 DPH. Phase 2A under GR/2011/0606 is for 123 units at 34 DPH. Combined = 52 DPH. Estimated that 600 units could be provided in Phase 1 + 2 area of 12.4 hectares = density overall of 48 DPH.</td>
</tr>
<tr>
<td>Northfleet Embankment West</td>
<td>Application reference GR/2009/0238. 532 residential units in total ranging from riverside flats to more traditional urban form close to The Hive local centre. Lowest density for residential area is 61 DPH.</td>
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<tr>
<td>Dykes Pit, Dover Road, Northfleet (social housing provider)</td>
<td>Application reference GR/2010/0166. 82 units comprising 46 flats/34 houses/2 bungalows. 56% of development in apartments. Density is 73 DPH.</td>
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<tr>
<td>Former Fantaseas site, Bow Arrow Lane, Dartford (Ward Homes)</td>
<td>Application reference DA/13/00559. Details pursuant to outline reducing number of apartments and overall housing total from 175 to 156 (97 houses/52 apartments/7 flats over garages). 38% of units in apartments. Total site area is 4.5 hectares but includes 50m wide buffer strip to former landfill site. Notional density of 35 DPH but would be higher with reduction in net developable area due to buffer strip.</td>
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<tr>
<td>Northfleet West Sub Station, Dartford. (Redrow Homes)</td>
<td>Application reference DA/05/00308 – recent revision to scheme before DBC for determination. 950 residential units with minimum area density of 45 DPH. Overall 28% of development in apartments.</td>
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<tr>
<td>Castle Hill, Eastern Quarry, Dartford (Ward Homes)</td>
<td>Application reference DA/13/00422 (Castle Hill [East] Area Masterplan) states densities across site will be within ranges – Highest = 75 – 178 DPH/ Medium = 45 - 74 DPH/ Lowest = up to 44 DPH. Average density to be within Medium range – i.e. not less than 45 DPH.</td>
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<tr>
<td>The Chase, Longfield, Dartford (Ward Homes)</td>
<td>Application reference DA/2010/00398 – Redevelopment of Axton Chase school site in Green Belt location not to have greater impact on openness than existing buildings with footprint of 9,130 sqm. Report to Development Control Board 20th May 2010 states net density of development is 30 DPH.</td>
</tr>
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## Appendix 4: Council’s response to main issues raised through consultation on new Policy CS21

<table>
<thead>
<tr>
<th>Issues Raised</th>
<th>Response</th>
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<tr>
<td>Land should not be allocated for development for the following reasons:-</td>
<td>• The allocation of Land at Coldharbour Road is a modification suggested by the Inspector in his preliminary conclusions letter dated 23 September 2013. The allocation is to be brought forward as soon as possible to help provide a 5 year housing land supply in the borough. The NPPF requires Councils to meet objectively assessed need, unless adverse impacts would significantly and demonstrably outweigh the benefits + boost significantly the supply of housing. Site is within SLAA and accepted as a site suitable for development. Not included as a strategic allocation with original submission LPCS on basis of 4,600 dwelling target. Would be difficult to defend not drawing down site for immediate release with higher housing target under these circumstances. In April 2002, the Secretary of State did not consider this site unsuitable for development. The appeals were dismissed because the SoS determined that there was no clear justification for bringing forward the appeal greenfield site ahead of brownfield sites even with his recognition that the Council’s urban capacity study at that time was insufficiently rigorous.</td>
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<tr>
<td>• No need to allocate at this stage as Local Plans have been found sound without 5 year housing land supply, subject to review and production of a Site Allocations DPD</td>
<td>• The Strategic Land Availability Assessment is a robust and transparent analysis of the Borough’s land supply. It is based on realistic assumptions and informed by knowledge of existing applications/permissions and on-going landowner involvement about site capacities that can realistically be delivered taking into account viability. Windfall assumptions are based on an analysis of historic data and are also robust. This evidence leads to the conclusion that release of Land at Wrotham Road is now necessary under changed circumstances and that it would not be sufficient to rely on urban brownfield/small sites as suggested.</td>
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<td>• Development previously deemed inappropriate by Secretary of State</td>
<td>• Whilst para 111 of the National Planning Policy Framework (NPPF) continues to encourage the effective use of land by re-using land that has been previously developed, at the heart of the NPPF is the</td>
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<tr>
<td>• Should concentrate on developing brownfield sites/small sites in urban area rather than this greenfield site</td>
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premise in favour of sustainable development which, for plan-making, means that local planning authorities should positively seek opportunities to meet the objectively assessed development needs of their area unless adverse impacts of doing so would significantly and demonstrably outweigh the benefits or specific policies in this Framework indicate development should be restricted.

- This represents a softening of the ‘brownfield first’ presumption at a time when brownfield sites and other identified sites in urban area are insufficient to meet the overall housing requirement and this site is required to make 5 year supply more robust.
- Air quality and traffic generation not impediments to release of site + no substantive objections raised by education/health providers that would warrant restricting site release.
- Inclusion of substantial open space/green corridor would make a significant contribution toward public open space provision in area – especially when taken together with A2 corridor and Cyclopark as part of Green Grid. Case has not been made as to why entire area should be retained as open space and why this is an efficient use of land meeting range of sustainability objectives. Hope value would not disappear because pressure would remain to release land at a later stage given it lies within urban area – question of deliverability of alternative strategy therefore arises.
- Directing development south of A2 to Green Belt/rural area when Land at Coldharbour Road is available would mean promoting an alternative and more dispersed spatial strategy that is likely to be less sustainable and contrary to that set out in the LPCS where First Tier settlement (urban area) is prioritised. It would not therefore represent the most reasonable sustainable alternative available at the current time.

<table>
<thead>
<tr>
<th>If site is allocated for development:—</th>
<th>• The presumption in favour of sustainable development set out in paragraph 14 of the NPPF requires that the Council positively seek</th>
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<tr>
<td>• Should not be developed now but towards end of plan period +</td>
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</table>
allocation should be subject to review
- Existing trees and hedgerows should be retained and additional tree planting provided
- Scale and extent of open space required should be a key determining factor and not be restricted to area that may be subject to theoretical flood risk
- New second access for St George’s School should be provided; secure boundaries provided to school + recognise potential for new primary school on St George’s School land
- Consideration should be given to second means of access to facilitate public transport rather than just pedestrians/ emergency access
- That improvements be made to pedestrian/cycle routes within the area including incorporation of Wealdway/a link from St George’s School to Cyclopark/upgrading of NG18 to cycletrack/existing right of way at south of development may be removed to facilitate the above.

opportunities to meet the development needs of its area when drawing up its local plan. Because of this, the Council is not proposing a phasing policy for the release of sites. Instead, sites are included within a housing trajectory based on their planning status and whether there are any constraints which affect when a site will start to deliver. Even if there was a phasing policy, with the increase in dwelling requirement from the proposed Main Modifications, this site would still be needed for the housing land supply in the first 5 year period. It should also be noted that no landowner/developer representations suggest that delivery of this site would frustrate delivery of other, more difficult, brownfield sites in Gravesham.
- Ensuring tree/hedgerows and biodiversity improvements are taken into consideration is a matter of detail that would be considered at the application stage. Policy requires open space and biodiversity improvements.
- Scale and extent of open space is not restricted to theoretical flood risk area but goes beyond it up the valley sides – main constraint on development to west side of valley is line of private sewer and not flood risk. Extent of developable area is similar to that considered as acceptable under previous appeal, Local Plan First Review policy PM8, and landscape impact evidence base.
- Issue of secondary access for school is recognised in supporting text and would be considered through masterplan/application process, as would other issues raised including potential for new primary school.
- Supporting text at 4.6.7 covers PROW and how the new site will be served by public transport. 4.8.9 will be amended to include mention of public transport links, as well as pedestrian and emergency access as an additional minor modification.
- Improvements to pedestrian/cycle links included in supporting text and in policy for Land North of Coldharbour Road. Indicative route through open space also shown on Figure 20. This should be read in conjunction with Figure 18 on Strategic Green Infrastructure Network which shows a key movement corridor running north.
south from the A2 through to the town centre. To be consistent with Figure 18, it is proposed that a further minor amendment be made to Figure 20 to also show improved north–south links from A2 towards town centre. Paragraphs 4.6.7 and 4.8.13 will also be amended to include reference to strategic green links. Final design outcome and arrangements of links would be down to detailed design at application stage, taking into account whether or where primary school is provided.

| If site is allocated for development, it should accommodate:- | • The Council has accepted Bovis / Persimmon’s information on the area of the site that is developable – as explained above, the main constraint on development to west side of the valley is the line of a private sewer.  
• Whilst NPPF promotes the effective use of land, this also has to have regard to context so that we achieve an appropriate design solution. Policy CS15 on Housing Density in the modified plan is clear that appropriate density will be design-led and that all new housing will be developed at a density that is consistent with achieving good design and does not compromise the distinctive character of the area in which it is situated. Increasing the density or the developable area of Land North of Coldharbour Road beyond that proposed in the modified plan would result in the diminution of open space, harm to remaining landscape character through encroachment of the dry valley feature, and/or a built form that would sit uncomfortably with the adjoining Shears Green area.  
• Whilst Urban Gravesham and the developer are approaching the issue of density from different viewpoints, the Council considers that 500 units overall represents an effective use of the land. Based on a developable area of 12.38 hectares, this equates to 40 dwellings per hectare and would allow for a high quality design that responds to the sensitivity of this prominent valley-side location on the edge of the urban area whilst providing a range of dwelling types and sizes. |
| • More residential units – land should be used more efficiently to protect other greenfield sites, suggesting it should accommodate 630 dwellings at 45 dwellings per hectare (Gravesham Rural Residents Group)  
• More residential units – Yield of site should be increased to 630 units, potentially 700 (CPRE Protect Kent).  
• Less residential units - substantially less than 550, with starting point being identification of what open space is needed rather this forming residue after development (Urban Gravesham)  
• Less residential units – estimated site capacity of 425 units given constraints (Bovis/Persimmon) |
As noted above, this would not preclude the developer from making the case for a lesser or higher total at the application stage based on a well-argued Design and Access Statement.

| On Land South of Coldharbour Road: | • Land South of Coldharbour Road has been identified through the Gravesend Economy and Employment Space Study (2009) as potentially the best located employment site in the area. It has been specifically identified as a strategic site with the capability of delivering incubation/start up space. The representation received from the developer does not set out what the inclusion of a residential component would mean in terms of overall mix. As the site is small, the impact in terms of achieving economic objectives could be significant. The developer suggests that the failure to deliver is due to current market conditions for small business space and lack of finance through the banking system for such ventures. However, the economic recovery is likely to mean that such conditions improve over time so the scheme may become deliverable over the plan period. The proposals for this part of the site should be seen as complementing the residential to the north, delivering a mixed-use form of development overall. The Council therefore believes that the case has not been made for an amendment to policy at this stage and that Land South of Coldharbour Road should remain an employment allocation.
• It should be noted the approach in new policy CS21 in terms of employment uses on Land South of Coldharbour Road does not differ from that set out in the proposed submission version of the LPCS that was subject to consultation. At that stage (11th February 2013) the developer actually supported the approach, considering the relevant policies (CS02 and CS07) to be ‘sound’.  |
| Policy should be modified to allow a residential component as part of mix of uses to improve viability and deliverability of scheme. | • |
Other suggested changes:

- Should include additional text on heritage assets at 4.7.31 – text provided (KCC)

  “There are no designated heritage assets within the site allocation boundary or within close proximity. There are several recorded archaeological sites to the south, especially along the line of the A2. Remains associated with Late Neolithic and Early Bronze Age were located as well as later prehistoric remains and medieval remains. Associated remains may extend into the site of interest which is situated on the slope of a dry valley. A post medieval small holding is identifiable in the south east corner, known as Claphall, and some of the original buildings no longer survive above ground but may survive as below ground structural remains. The site contains surviving historic landscape features in the form of field boundaries and a chalk pit, identifiable on the 1st Ed OS map.

  There is moderate potential for archaeological remains associated with prehistoric, medieval and post medieval activity. Preliminary archaeological desk-based assessment would be appropriate and further field evaluation work may be advisory but based on current information further detailed archaeological works could be covered by conditions.”

- Policy should be modified to require that development provide a connection to the sewerage and water distribution systems as the nearest point of adequate capacity, as advised by Southern Water and allow future access for maintenance and upsizing purposes (Southern Water Services – SWS).

- **On KCC comments** – Paragraph 4.6.7 sets out that masterplanning for Land to the North of Coldharbour Road will be expected to take into account the fact that the site is an area of archaeological potential. The additional text suggested by KCC is considered to be too detailed for inclusion in the LPCS. Any developer will be directed to KCC for scoping and comments on approach to heritage and archaeological remains at the application stage.

- SWS comments repeat those made previously in respect of other strategic sites and dealt with previously at examination. Requisition procedure under Water Industries Act is normal process by which such infrastructure requirements are addressed. Possible to deal with at application stage + development management issue rather than LPCS one. Comments made by SWS indicate that lack of existing capacity is not a constraint on development at this site.

- As Council is now aware through discussions with the developer that upgrading of water supply and foul water will be required to support development, the Infrastructure Delivery Plan will be amended accordingly.
Insufficient evidence has been provided to justify education or health requirements and inconsistencies between policy and Infrastructure Delivery Schedule where table indicates that primary school places would be provided through school extensions rather than a new school. Requirement for health provision in form of new GP surgery should be removed from Infrastructure Delivery Schedule. Confirmation required as to whether new school would be required on Land at Coldharbour Road or whether extensions to existing schools would suffice. If new school is required 4.8.11 and 4.8.13 should state that this would be on Kent County Council part of the site. Also suggest that linked to issue of quantum of development site can accommodate, 4.8.8 should be amended to require that development on Land North of Coldharbour Road should respect the character of the site and the surrounding area. (Bovis – Persimmon)

Point raised in relation to issue of GP surgery is accepted as policy does not set out such a requirement and Infrastructure Delivery Schedule is inconsistent with it. Also, no firm proposal for such a facility. Infrastructure Delivery Schedule to be amended by deleting health requirement under 5 Land at Coldharbour Road Key Site.

Possibility of providing new primary school related to existing St George’s School site has been raised in discussions with Kent County Council and the school. These are reflected in the representation received from the school (Comment ID 250). However, there is as yet no firm proposal and it would be inappropriate at this stage to identify the Kent County Council land as could be construed as a site allocation without proper justification. Instead, a further proposed minor modification is proposed to the Infrastructure Deliver Plan, deleting ‘through school extensions’ from the item under 5 Land at Coldharbour Road Key Site.

On 4.8.8, the comment made by Bovis – Persimmon is accepted and the relevant amendment will be made to ensure that development respects the character of the site and surrounding area.
Appendix 5: Tollgate Junction and Land South of Coldharbour Road position statement

1. For the Public Examination hearings in September 2013 the Borough Council, Kent County Council and Highways Agency produced a statement of common ground (Document PE-17 – August 2013 – section 3) about, amongst other things, how potential congestion issues at the Tollgate junction could be dealt with, following on from the concerns raised by the Highways Agency in response to the Regulation 19 consultation in January 2013. This was based on additional technical modelling work (see documents PE-11 & PE-12) on the operation of the junction.

2. Following the Council’s decision to follow the route of the proposed major modifications to address the Inspectors soundness concerns, the land north of Coldharbour Road has been proposed to be added to the list of key sites (modification CM96 – paragraphs 4.8.1 – 4.8.14 including Policy CS21).

3. Bovis and Persimmon Homes have been progressing pre-application discussions on a planning application for their part of the wider site, which has included work on a draft Transport Assessment involving a further look at the highways issues in relation to the A2. Additional modelling work has been carried out to look at the implications of housing development and the wider Local Plan context. This work and discussions are on-going and have shown that in 2028 with Local Plan growth there are projected to be capacity issues, particularly on the west-bound off-slip in both peaks.

4. As outlined in PE-17 there are a number of traffic management type measures that can be implemented, such slip road widening, lane markings, and introduction of traffic signals. Thus whilst the detail of any scheme has yet to be worked out it is possible to put a scale on the works that may be needed to meet the requirements of the Local Plan as a whole.

5. In the meantime an application (GR/2013/1018) for the redevelopment of the former Tollgate Motel as a petrol filling station and drive through takeaway was permitted on 15th January 2014 by Regulatory Board, the decision notice being issued on 23 January 2014. This includes at condition 22 the requirement to implement the highway proposals shown in drawing CIV 13604 – 07 to be found in the Transport Assessment of that application. The minor works include various alterations to the site access and also widening of the southbound A227 Wrotham Road approach to the roundabout serving the on and off slips to the eastbound A2 from two to three lanes. This application is currently subject to an application by a nearby land owner for permission to seek a Judicial Review of the decision, mainly on Green Belt policy interpretation grounds.

6. A number of projects exist that may have significant implications for the A2, including Lower Thames Crossing, Paramount Park, and the possible implications of the technical work on the Site Allocations and Development Management DPD. Lower Thames Crossing Option B (Swanscombe Peninsula) has been rejected by the Secretary of State and further work is underway on A and C. Other than the
environmental assessment screening application there is no further information on the Paramount Park proposal. Initial steps have been taken by the Highways Agency on developing schemes for A2 Ebbsfleet and Bean junctions. None of this provides sufficient basis for any modification to the existing Local Plan Core Strategy, but may become relevant in the future (see paragraph 5.5.28 of LPCS).

7. On the Tollgate junction, paragraph 3.4 of PE-17 says “Further work will be needed to establish what improvements might be needed and how this would be phased, timed and funded. Options are currently being drawn up, and appendix 2 [of PE-17] shows a possible solution, which at the time of writing needs further examination and modelling; including matters in relating to infrastructure costs and funding streams. It is however anticipated that the issue can be addressed”. Additional work has been done and discussions are on-going but these have confirmed that the issue can be addressed at reasonable cost and will not prejudice development.

8. There are therefore a number of matters that require more detailed examination in the context of a planning application, they do not however raise issues that affect the soundness of the Local Plan Core Strategy, and all parties are working together to resolve them.