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# Report to Gravesham Borough Council

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**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Date: 22nd July 2014**

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PLANNING AND COMPULSORY PURCHASE ACT 2004 (AS AMENDED)

SECTION 20

**REPORT ON THE EXAMINATION INTO THE GRAVESHAM  
LOCAL PLAN CORE STRATEGY**

Document submitted for examination on 22 May 2013

Examination hearings held between 10 September 2013 and 10 April 2014

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## Abbreviations Used in this Report

AA	Appropriate Assessment
AHVS	Affordable Housing Viability Study
AONB	Area of Outstanding Natural Beauty
BC	Borough Council
CC	County Council
CS	Core Strategy
DCLG	Department of Communities and Local Government
EGC	Ebbsfleet Garden City
HRA	Habitats Regulations Assessment
HQ	Heritage Quarter
IDS	Infrastructure Delivery Schedule
KCC	Kent County Council
LDS	Local Development Scheme
LPCS	Local Plan Core Strategy
MM	Main Modification
NPPF	National Planning Policy Framework
ONS	Office of National Statistics
SA/SEA	Sustainability Appraisal/Strategic Environmental Assessment
SCI	Statement of Community Involvement
SCS	Sustainable Community Strategy
SHMA	Strategic Housing Market Assessment
SO	Strategic Objective
TAA	Traveller Accommodation Assessment

## **Non-Technical Summary**

This report concludes that the Gravesham Local Plan Core Strategy provides an appropriate basis for the planning of the Borough to 2028, providing a number of main modifications are made. The Council has specifically requested that I recommend any main modifications necessary to enable them to adopt the plan. All of the main modifications have been put forward by the Council and have been the subject of public consultation and also sustainability appraisal where necessary.

The main modifications can be summarised as follows:

- Increase the total number of new houses to be provided over the plan period from 4,600 to at least 6,170, to better reflect current local needs, together with an increase in the target annual delivery rate on a phased basis related to a new housing trajectory (Appendix 7 to the plan);
- Allocate land at Coldharbour Road (policy CS21), which is north of the A2 and outside the Green Belt, as a new housing (and employment) site for about 500 homes to help meet shorter term housing needs in Gravesend and the wider locality;
- Reflect the Council's decision to undertake a review of Green Belt boundaries across the borough, as part of the subsequent Site Allocations and Development Management Plan (Local Plan Part 2), and a new Strategic Housing Market Assessment.
- Clarify the Council's policy on the retention of riverside wharves and related facilities for river borne freight.
- Add some flexibility to the Council's reasonable expectations for the delivery of new homes and jobs in the Opportunity Areas and on Key Sites.

## Introduction

1. This report contains my assessment of the Gravesham Local Plan Core Strategy (LPCS) in terms of section 20(5) of the Planning & Compulsory Purchase Act 2004 (as amended). It considers whether the plan's preparation has complied with the duty to co-operate, in recognition that there is no scope to remedy any failure in this regard, and then whether the plan is sound and compliant with the legal requirements. The National Planning Policy Framework (para 182) makes clear that to be sound, a Local Plan should be positively prepared, justified, effective and consistent with national policy.
2. The starting point for the examination is the assumption that the local planning authority has submitted what it considers to be a sound plan. The basis for the examination is the submitted draft plan of May 2013.
3. This report deals with the main modifications that are needed to make the plan sound and legally compliant and they are identified in bold in the report (**MM**). In accordance with section 20(7C) of the 2004 Act, the Council requested that I should make any modifications needed to rectify matters that make the plan unsound and thus incapable of being adopted. These main modifications are set out in the Appendix to this report. They have been subject to public consultation and, where necessary, Sustainability Appraisal (SA) and I have taken all the consultation responses into account in writing this report.
4. The Council also prepared a set of additional minor modifications, largely addressing matters of clarification, updating and corrections of text, on which they also sought public comments alongside the main modifications. The Council will take all such responses into account before finalising the minor modifications, but these are not directly relevant to my examination of the plan for soundness and thus most are not referred to further in this report.

## Assessment of Duty to Co-operate

5. Section 20(5)(c) of the 2004 Act requires that I consider whether the Council complied with any duty imposed on them by section 33A of the 2004 Act in relation to the Plan's preparation. It is a requirement that the Council engages constructively, actively and on an ongoing basis with the County Council, neighbouring local authorities and a range of other organisations, including the Highways Agency, the Environment Agency and Natural England. All relevant bodies listed in Regulation 4 have been engaged, albeit some more than others depending on the extent of their involvement in the Plan's proposals.
6. In the Duty to Co-Operate Compliance Statement (May 2013) (SCS 07) and elsewhere (SCS 03/SCS 15), the Council has satisfactorily documented where and when co-operation has taken place, with whom and on what basis, as well as confirming that such positive engagement has and will continue. This includes regular contacts with Kent CC and Dartford BC, amongst others, the outcomes of which demonstrate constructive engagement by the Council on an ongoing basis, including in relation to the proposed main modifications and on future development prospects at Ebbsfleet Garden City, Swanscombe Peninsula (Paramount Park) and for a potential new Lower Thames Crossing.

7. For the time being at least, none of Gravesham's neighbours has sought help in meeting their local housing needs and Gravesham has not asked any other authority to help them; nor does it intend to. Furthermore, no significant cross boundary strategic issues relating to co-operation with neighbouring Councils or Reg. 4 bodies remain unresolved. Any future request that may come from London or its boroughs for help in regard to the capital's needs would be a matter for a new or reviewed plan to consider at the appropriate stage(s). Therefore, bearing in mind the absence of any clear indication to the contrary, I am satisfied that the duty to co-operate has been met.

## **Assessment of Soundness**

### **Preamble**

8. The principal area of debate surrounding this plan relates to the provision of new housing over the plan period to 2028. Clearly, the plan is expected to comply with the National Planning Policy Framework (NPPF) (March 2012), including by defining the full, objectively assessed, needs for both market and affordable new housing at the outset (para 47 NPPF), before deciding whether or not it can be delivered in practice, taking into account relevant national and important local constraints, such as flood risk and Green Belt.
9. Many respondents expressed serious doubts about the Council's overall approach to new housing in the submitted plan, not least regarding the initial assessment of need. I have shared some of those concerns during the examination process, as reflected in my preliminary findings following the hearings in September 2013. The Council has responded positively by revisiting their figures, particularly in respect of using more up to date levels of net in-migration into the borough, in producing the proposed main modifications in December 2013.
10. Consequently, these now include a material increase (of about one third) in the level of new housing provision from 4,600 to at least 6,170 homes by 2028 and the allocation of an additional, strategic level, site at Coldharbour Road, Gravesend (policy CS 21), which is north of the A2 and outside the Green Belt, for about 500 new units (plus public open space etc). This allocation should help meet shorter term needs in the borough and in Gravesend in particular, partly in the light of delays in the delivery of some of the other strategic sites allocated in the plan within the existing urban area, mainly as a result of the recent recession in the national and local economy affecting viability.
11. The Council has also chosen to make a firm commitment to a Green Belt boundaries review in order to help deliver the necessary number of new homes during the later years of the plan period to help meet identified local needs. The Council also expects to make other allocations in the Part 2 plan below the strategic site size level in the existing urban area and there will also be a likely continuing contribution from "windfalls" (para 48 NPPF). Consequently, the remaining number of new houses likely to be required is such that a wholesale release of Green Belt, or even individual, strategic level, sites therein is not likely to be necessary across the whole borough or specifically south of the A2 up to 2028.

12. Rather, a specific reassessment of the extent of Green Belt designation in continuing to fulfil the national (para 80 NPPF) and local purposes thereof, including in respect of the boundaries of the larger, more sustainable, settlements (and not small hamlets with very limited facilities), should be sufficient to meet the remaining identified needs, without undermining or materially compromising those purposes in any way.
13. My conclusions and the need to take a pragmatic approach at present are reinforced by the considerable uncertainty surrounding an unprecedented number of unique and nationally important development projects currently relating to the borough. The emerging proposals for Ebbsfleet Garden City on the border with Dartford indicate a major project to build the first such scheme in this country for a century. Taken together with the potential for what could be the largest theme park in Europe on the nearby Swanscombe Peninsula (Paramount Park), also on the border with Dartford, it is clear that the borough will need to produce a new or reviewed plan to take account of these schemes if either or both is confirmed.
14. Moreover, decisions on a new Lower Thames Crossing and/or a possible new Thames Estuary airport, in whichever location selected by government, would be equally relevant to the longer term future of the area, but cannot realistically be fully assessed as yet until more detailed proposals are drawn up. Decisions on all four of these major national projects will inevitably trigger a review of the plan and of local need for new housing by the Council if one or more are to proceed.
15. I have also had to bear in mind that it is now 20 years since a statutory local plan was adopted for the borough and that the consequences of concluding that the plan is not sound or requires the preparation of substantial new evidence first would mean a significant further delay (up to 2 years in my estimation) before any new plan could be adopted. I have no doubt that this would lead to what is commonly referred to as "planning by appeal" in Gravesham during that period at least, with all the resultant uncertainty for everyone concerned, including local residents. It would also result in the unnecessary diversion of scarce resources for both public and private sector participants and likely overall delay to delivery of new development contrary to the spirit and objectives of the NPPF, notably para 12 thereof, as well as the government's overall economic policy.
16. Therefore, I have concluded that it would be clearly in the wider public interest for the modified plan to be adopted as soon as possible, particularly as it will facilitate delivery of significant new housing in the area, including on the identified strategic sites, such as Coldharbour Road (CS 21), materially earlier than would otherwise be the case. This would accord with the expectation in the NPPF to achieve a significant boost in new housing delivery and go a long way to ensuring that the Council is able to provide a rolling 5 year housing land supply.
17. All these specific local circumstances confirm the need for an adopted plan to be in place as soon as possible to facilitate ongoing development in the short term. Nevertheless, as acknowledged by the Council throughout the April 2014 hearing sessions, a new or reviewed plan will be required once final decisions have been taken on the major projects directly affecting the

borough. In the light of all of the above and taking into account my conclusions on the compliance with the duty to co-operate and legal requirements, I have concluded that, as modified, this plan is sound and should be adopted, albeit on an interim basis pending an early review of new housing needs (see **MM 15**) (or a new plan), as referred to in Planning Practice Guidance (March 2014) (PPG).

### **Main Issues**

18. Taking account of all the representations, written evidence and the discussions that took place at the examination hearings, I identified ten main issues upon which the soundness of the Plan depends.

### **Issue 1 – Strategy/Vision/Objectives/Sustainability (Policy CS 01)**

19. The plan sustainably focuses new development in the main urban area of Gravesend and Northfleet, north of the A2, where around 80% of the local population already live, transport connections, including via HS1 to London and on the river, are best and most major services and facilities are located. The vast majority of local employment opportunities, including in the town and local centres, are also sited here.
20. This reflects Gravesend's character as a historic riverside town and the traditional heavy industries that were mainly based along the River Thames but are now closing, moving away or contracting, leaving substantial areas of brownfield land needing regeneration and redevelopment. These include large former chalk quarries set at a lower level than the land to the south, that may be partly contaminated and/or at risk of tidal flooding.
21. The strategy also envisages only limited new development in the more rural parts of the borough, much of which is designated as part of the Metropolitan Green Belt, overlapping with the Kent Downs Area of Outstanding Natural Beauty (AONB) further south and east. Green Belt land also separates Gravesend from Medway to the east, including the Thames Estuary and Marshes that are additionally subject to important national and international nature conservation designations.
22. In this local context, the plan's spatial vision and strategic focus on the regeneration of the riverside sites, defined as "opportunity areas", through mixed use redevelopment, and on the wider urban area more generally, is entirely sound and sustainable in principle. Both are also entirely consistent with national guidance in the NPPF, provide a policy background that has good prospects of achieving the anticipated levels of growth and do not rely on the delivery of new developments in any neighbouring areas for success. There is no clear evidence that, realistically, any of the alternatives put forward by representors would be more likely to do so over the plan period.
23. As submitted, the strategy is supported by 17 sensible strategic objectives (SO) (para 3.2 of the LPCS), each of which has an appropriate part to play in delivering the plan's vision to 2028. As now modified for consistency with other parts of the plan (**MMs 1-10**), the vision and objectives are also consistent with the relevant national guidance in the NPPF and PPG. However, a further one relating to the retention of the capacity of commercial wharves and related sites along the riverside is necessary for soundness, to help ensure

the river's continuing role as a working waterway (**MM 11**).

24. Overall, the Council's evidence base relating to the strategy, vision and objectives of the plan is clear and robust. It is also sufficiently comprehensive and detailed, including through demonstrating that reasonable alternatives to the proposed strategy have been assessed at the relevant stages of the Sustainability Appraisal/Strategic Environmental Assessment (SA/SEA) (December 2012) (SCS 13) process. This includes in relation to the SA Addendum (December 2013) (SCS 16c).
25. This has been on an iterative basis, with appropriate inputs to the various versions of the emerging plan that have reasonably and realistically reflected the outcomes of that work and together help to show how and why the preferred strategy was selected. Any scenario that relied on a dispersed pattern of major developments in the Green Belt instead would simply not have been reasonable or realistic at any stage of the plan preparation process in relation to national policies/guidance, as confirmed in the NPPF.
26. Similar conclusions apply in respect of the work carried out on the Council's behalf in relation to the Habitats Regulations Assessment/Appropriate Assessment (HRA/AA) (SCS 12) and Addendum (SCS 16d), given that necessary amendments were made to subsequent draft stages of the plan. Accordingly, and taking into account the advice from relevant consultees, notably Natural England, I find the plan to be sound in these respects and that policy CS 01 itself requires no further modification.
27. All the available evidence, and particularly the Consultation Statement (May 2013) (SCS 03) and Addendum (February 2014) (SCS 17), confirm that the Council has carried out extensive and appropriate public consultation at each relevant stage of the plan process, including in respect of the proposed main modifications, in accordance with its Statement of Community Involvement (SCI) (March 2007) (SCS 10).

## **Issue 2 – Economy (Policies CS 07, CS 08, CS 09)**

28. On employment, the submitted plan seeks to provide 4,600 new jobs over the plan period. It also seeks to largely retain existing employment land and buildings, including commercial wharves along the river, in such uses to help provide a choice of size and type of premises for new businesses across the borough and reduce out-commuting. This is justified by evidence in the Employment Study (EMP 02/EMP 03) (May 2009/August 2011) and has been the subject of SA on an iterative basis at the various stages of the plan process.
29. The focus will properly continue to be on the existing Gravesend/Northfleet urban area, as the most sustainable location, albeit with some limited growth elsewhere, with much of the anticipated provision already having planning permission. This properly reflects the overall spatial strategy, including the likely level and locations of new housing, as well as the local needs of the rural areas for limited new employment opportunities.
30. It also takes into account the wider business and economic needs of the locality and the lack of any direct strategic implications for neighbouring authorities, as reinforced by the relative absence of comments from

representors on the employment aspects of the plan. Consequently, I conclude that the plan will make a positive contribution to the delivery of the economic strategy for the borough and is essentially sound in this respect.

31. However, in the light of the increased level of new housing and the need to properly monitor progress on delivery, it is necessary for soundness that these intentions are translated into a specific figure for new employment floorspace provision over the plan period (**MM 27**). Further modifications to policy CS 07 and its supporting text are also required to clarify the approach to the safeguarding of commercial wharves and ensure that the wording is effective and consistent with other parts of the plan (**MMs 26/28**).
32. Regarding retail, many of the issues arising from the representations have been, effectively, overtaken by events since the first hearings in September 2013. At Bluewater, permission for a significant (about 20%) expansion of the retail floorspace has been granted by Dartford BC, despite objections to its potential impact on Gravesend town centre, amongst other places, and is likely to be implemented. Notwithstanding, in Gravesend town centre, detailed proposals for the development of the "Heritage Quarter", which is the sequentially preferable location for new retail provision, have recently been permitted by the Council. They also seem likely to proceed, particularly in the more favourable economic circumstances that prevail now, compared to when the scheme was first considered.
33. Nevertheless, it remains necessary to consider the soundness of the relevant policies as a basis for judging any alternative or additional schemes that may come forward during the plan period. Pending confirmation of the particular proposals and parameters for Ebbsfleet Garden City, which may trigger the need for a review, policy CS 08 of the plan is consistent with paras 23-27 of the NPPF in recognising Gravesend town centre as at the top of the hierarchy of retail centres in the borough, with the two local centres presently planned for Ebbsfleet intended to cater principally for the needs of the resident and daytime populations only.
34. Other existing local centres are appropriately assigned to their respective levels in the hierarchy and consequently, this part of policy CS 08 is also sound. However, the Council's evidence base (including RET 01/ RET 02) indicates that the policy wording and Figure 17 need to be amended for clarity in respect of the level of new retail floorspace to be provided outside the existing Primary Shopping Area at the Heritage Quarter key sites in Gravesend town centre (**MM 29**).
35. I understand and in principle endorse the aspirations of those seeking to improve cultural and leisure facilities in Gravesend, thereby enhancing its character as a historic riverside town, alongside its tourism potential. Both might well make a positive contribution to the local economy but, particularly in the current climate, such proposals have to rely largely on suitable, cost effective, opportunities arising, as well as overall viability. Consequently, in the wider social and economic interests of the whole borough, they would need to be progressed alongside, rather than in competition with, retail development that enhances the town's role as a secondary shopping centre and its overall economic base. More specifically, the fact that the plan does not include particular proposals for improved cultural and leisure facilities in

the town does not make it unsound. Accordingly, policy CS 09 does not require any main modifications.

### **Issue 3 – Housing (Policy CS 02)**

36. The submitted plan included provision for about 4,600 new homes in the borough to 2028. This was largely based on population and household projections taking into account relevant national data prepared for Gravesham by Kent County Council (KCC) in July 2011 (OCT 11 06) that included a nil net migration assumption. The 2009 North Kent Strategic Housing Market Assessment (SHMA) (HOU 02) which the Council's initial estimate of needs has taken into account is now somewhat dated. Although updated in 2012 for Gravesham (HOU 01), this was done on a limited and constrained basis that limits its evidential value and a new SHMA is required as soon as possible.
37. Nevertheless, in establishing this scale of housing provision the Council considered a reasonable range of alternatives, including levels, locations and spatial distributions, which were subject to full public consultation and SA. Although there was a broad consensus in respect of most of the variables utilised in this work that affect the area's new housing needs, such as birth/death rates, second homes and vacancies, there was an important exception in respect of migration.
38. Accordingly, following my preliminary findings that the submitted figure did not represent a full, objectively assessed, need for new housing, principally due to the nil net migration assumption, which later ONS figures had shown to be materially out of date, a revised level of local need was estimated by the Council. This re-ran the migration projection of July 2011 to take account of the more recent ONS data, indicating that patterns had changed locally with the Long Term Average Migration Trend for the borough at + 205 persons per year, compared to earlier estimates of – 80 persons. The revised migration figures are generally consistent with those submitted by experienced consultants acting on behalf of representors, with all the other variables referred to above remaining essentially the same. They lead to a net new housing requirement of around 6,170 homes to 2028; an average of about 363 per year.
39. In my judgement, the Council has now reasonably identified the current objective need for new housing in the borough over the plan period, albeit partly based on a now somewhat dated SHMA that has not been fully reassessed in accord with best practice. Given that para 13 of the NPPF confirms that it is guidance not statute and that para 10 also requires relevant local circumstances to be taken into account, I am satisfied that this is in accord with the NPPF's expectations in principle. This is so pending the availability of the complete results from the 2011 Census, which will lead to the preparation of a new SHMA as soon as possible and which should ideally be carried out jointly with adjoining authorities.
40. As modified, the new housing total in the plan would meet the revised population and household projections for the borough over the plan period, with proper account now taken of migration as well as demographic change, as set out in para 159 of the NPPF. It would also help provide a suitable mix of size and type of housing to meet local needs as presently identified and in

the light of current market demands. For example, the 2012 SHMA Update (HOU 01) showed a particular local need for 2/3 bed market housing, in addition to affordable housing of 1, 2 and 3 beds, accommodation for one person households and for the increasing numbers of elderly people

41. Alternative projections derived from the national 2008-based and 2011-based DCLG household projections indicate that a higher annual rate of new housing delivery might better meet local needs in principle and that a rate of at least 400 dwellings per year might be required. However, forecasting of new housing needs is not an exact science. It has been particularly difficult of late, with complications arising from the recent economic recession, particularly in respect of new household formation, and short term variations in international migration into this country that are difficult even to accurately record, let alone project forward with great confidence for a number of years.
42. As a result, I have concluded that the Council's revised figures, based on the KCC projections but with a more accurate allowance for net migration, whilst not entirely consistent with national guidance as to best practice in this regard, are sufficient for the purpose in this specific instance, having regard to the unique local circumstances referred to above. They take into account the level of local need for affordable housing set out in the 2012 SHMA Update (HOU 01). In particular, the advantages of awaiting the preparation of a new joint SHMA by this Council and its neighbours, in order to obtain more fully assessed and up to date figures for local new housing needs are significantly outweighed in this specific instance by the importance and urgency of having an adopted plan, even if it is an imperfect one, in place as soon as possible for all the other reasons referred to elsewhere in this report.
43. Subsequently, the proposed main modifications were also subject to public consultation and SA, and I have taken all the responses fully into account in reaching my conclusions on this important issue. The main modifications also include an amended housing trajectory (Appendix 7), which should help to ensure that the plan is effective and up to date. Nevertheless, it can only ever be a broad best estimate of likely new housing delivery, including on the strategic sites, and will have to be regularly reviewed through the Council's monitoring process.
44. Ideally, all of the increase in new housing supply arising from the main modifications, and indeed, as much as possible generally, would be "frontloaded"; that is delivered as quickly as possible. Or, more correctly, as quickly as possible providing that all other necessary infrastructure, services and facilities, including affordable housing, can also be provided alongside, to facilitate sustainable development in accord with the NPPF.
45. However, it is effectively common ground that this is simply not practical in Gravesham at the moment. This is for a number of reasons, varying from the state of the local housing market, the need for some existing employment uses to first relocate/reorganise and the absence of any other realistic alternative, strategic level, potential sites that are outside the Green Belt, to the capacity of the local house building industry to "up its game" from a relatively low start point.

46. Therefore, it is not unreasonable in this specific local context to accept, as in the case of Dartford adjoining, that new housing delivery in this borough will have to be "backloaded" instead. This is to be achieved through a varying new housing trajectory incorporating material increases in delivery over three distinct parts of the overall plan period that takes account of the under-provision of new housing since the 2011 base date. It is necessary for soundness, including to assist monitoring, that this new housing trajectory is included as an Appendix to the plan (**MM 40**).
47. Notwithstanding, all the available evidence indicates that, allowing for the "backloading" that has had to be included to reflect local circumstances, both the timing and total of new housing would be largely viable and essentially deliverable over the full plan period. In particular, the Council's evidence in the Infrastructure Delivery Schedule (IDS) (Appendix 4) is essentially robust, up to date and credible in these respects, with no "showstoppers" apparent in relation to strategic sites at least. Whilst this conclusion is based on the current position, continuing strengthening of the national and local economy could only reinforce this judgement. I therefore conclude that the plan, as modified, would be effective in this regard, partly by moving away from the former, almost total, reliance on urban brownfield sites. Importantly, there are also no phasing restrictions in the plan that might hinder an enhanced rate of delivery should it prove viable on any strategic site.
48. Nevertheless, a small element of total new housing supply would still need to come from the Green Belt to meet the overall requirements in the plan period, albeit in the latter part thereof. This should only reasonably and realistically be identified as part of a formal Green Belt review process that includes full public consultation and a comparative assessment of realistic opportunities, rather than through any "one off" releases in advance thereof. This should be conducted through a formal statutory process, as distinct from any ad hoc site by site decisions that would not necessarily identify the most suitable and sustainable locations for any new housing that may be required in the Green Belt.
49. Overall and taking all the available evidence, statements and submissions into account, I conclude that, as modified, the plan makes an objective assessment of housing need in the borough to 2028, based on reasonable population and household projections, having regard to all relevant local factors, including current market conditions in the area. The modified overall new housing provision total and the revised trajectory represent a reasonable and realistic, deliverable and justified, basis for meeting those local housing needs over the plan period. This includes in terms of making provision for the needs of the existing local population, as well as a realistic degree of continuing net in-migration to the borough, albeit requiring an early review (and a new SHMA) once important national infrastructure decisions are taken.
50. This conclusion is reinforced by the inevitably negative consequences, including in respect of "planning by appeal", especially in the Green Belt, of the alternative. It would be consistent with the objectives of the NPPF in terms of providing a significant boost to new housing delivery and in terms of helping the Council to provide a rolling 5 year supply of sites. In particular, this would be assisted by the allocation of the strategic level sites (including Coldharbour Road) that are critical to overall delivery in direct accord with the

first point in para 47 of the NPPF. Through its policies, the plan would also confirm the general suitability of other sites, encouraging their early development, whilst protecting the Green Belt in the short term pending a consistent and comprehensive review of its boundaries.

51. Given the current unique local context as described above and notably that there has been no new adopted plan locally for 20 years, it is appropriate to find the plan sound, albeit acknowledging that an early review of policy CS 02 (or a new plan) is essential in the light of the major development proposals affecting the borough and its neighbours that remain to be confirmed.
52. I have therefore concluded that, subject to appropriate main modifications that are essential for soundness, incorporating provision of at least 6,170 new homes (**MMs 14-16**), the inclusion of a new housing trajectory (**MMs 14-16, 40**), as well as the allocation of an additional strategic level new housing site (policy CS 21) (**MM 25**), the plan suitably and sufficiently addresses the objectively assessed need for new housing to 2028, albeit on an interim basis pending an early review of policy CS 02 (or a new plan) for all the reasons set out above and as now confirmed in the plan (**MM 15**).

#### **Issue 4 – Housing Policies (CS14, CS15, CS16, CS17)**

53. In seeking a range of dwelling sizes and types in new housing schemes, policy CS 14 is reflecting the relevant evidence on local needs, including the 2012 SHMA Update (HOU 01), as well as national guidance in para 50 of the NPPF. It is not prescriptive in detailed terms, allowing for appropriate flexibility in its application to particular schemes to take into account site specific circumstances. However, the part of the policy referring to Lifetime Homes is unclear, as submitted, and therefore needs to be omitted (**MM 35**).
54. Policy CS 15 on density generally seeks minimums of 30 dwellings per hectare (dph) in the rural area and 40 dph in the urban area, albeit more will be sought close to transport hubs. Given the continuing need to make efficient use of land, including to limit the loss of greenfield sites, in the borough, the expectations set out are reasonable and realistic in principle, tempered as they are by the overriding requirement to achieve good design in every scheme that reflects the character of the location. Accordingly, this policy is sound and consistent with paras 30, 47 and 59 of the NPPF in particular.
55. All the available evidence, including the 2012 SHMA Update (HOU 01), points to a high level of local need for affordable housing at present. However, targets in the plan have to be not only practical but also economically viable if delivery is to be maximised over time. The evidence in the Council's Affordable Housing Viability Study (AHVS) (HOU 03) is considered satisfactory and sufficient to justify that the levels and thresholds set out in the policy are appropriate as overall borough targets. It also confirms the generally differing residual land values between urban and rural sites, with the latter able to support a higher percentage provision, as well as a smaller site size threshold given the large ratio of new homes built on sites of less than 5 units there.
56. However, it is also clear that some of the allocated opportunity sites are less well placed than others to deliver affordable housing in viability terms, given factors such as their essential infrastructure requirements, ground conditions

and potential legal agreement contributions. Therefore, policy CS 16 requires the addition of a sentence at the end of para 5.12.3 to make it clear that a site specific viability assessment will be considered where there is doubt that the targets can be met in any particular scheme in order to be sound (**MM 36**).

57. The Council's evidence base includes an up to date Traveller Accommodation Assessment (TAA) (April 2013) (PE 13) that identifies a need for 16 new pitches in the borough over the plan period, four of which have already been provided, as noted in para 5.13.6 of the plan. Policy CS 17 provides the basis for meeting these needs with specific site allocations and a more detailed, criteria based, policy to be included in the Part 2 plan. Albeit less than ideal, subject to the above, this represents an acceptable way forward in meeting gypsy and traveller needs in the borough up to 2028.

*Land at Coldharbour Road (Policy CS 21)*

58. This site lies essentially within the existing urban area of Gravesend, north of the A2 and outside the Green Belt. Although a greenfield site, of which about 14 ha is considered developable for housing, and mainly good quality agricultural land, it is effectively already divorced from the nearby countryside by roads and other development. Consequently, its realistic farming potential is limited, especially given the proximity to the existing built up area and the likely difficulties of operation in connection with any other landholding.
59. It relates more closely, in both a visual and a physical sense, to the housing to the west, the school to the north and the commercial/business development to the south. It is also well related to the local services and facilities already available nearby, with good prospects for providing suitable walking, cycling and public transport links, including for diverting existing bus services through the site to better serve existing as well as new residents in the locality. The site is also of sufficient size and scale that an overall development scheme should be able to provide additional facilities also serving the wider area, as confirmed by an up to date viability assessment.
60. The land is not subject to any environmental, nature conservation or landscape designations that would preclude or materially constrain development. Moreover, a significant area of new public open space, largely comprising a dry valley on the eastern part of the site, would be provided as part of the development at no cost to the public purse. This would not only materially enhance provision locally and for the town as a whole as a public benefit, but also facilitate appropriate drainage. The new policy proposed by the Council (CS21) properly envisages that the dry valley running east alongside the A227 Wrotham Road into Gravesend would be retained as public open space. This would provide the opportunity for a sustainable urban drainage system as a key part of the scheme, taking account of local flood risks as acknowledged by the relevant authorities.
61. It is effectively common ground between the various interested authorities that, subject to some necessary improvement measures at the A2 Tollgate and A 227/Coldharbour junctions, to which the scheme would need to make reasonable contributions, the level of development planned would not give rise to material harm to highway safety or to significant additional congestion in peak hours on the nearby road network. Subject to respecting the character,

amenities and proximity of the existing housing to the west in its detailed form, layout and design, the scheme should be capable of providing a reasonable mix of size and type of new housing, including a level of affordable housing consistent with policy CS 16 of the plan.

62. As I saw on my visits, there seems to be sufficient land available within the existing school site to the north to find space for a new primary school and/or expansion of the existing secondary school, if required, given the extensive playing fields adjoining the present buildings. Therefore, it is reasonable that the land (presently owned by KCC) in the northern part of the site should be included in the total allocated for new housing. This would materially increase the number of dwellings delivered and in relatively short order to help meet local needs. It would also improve the practical options for providing better links between the site and the existing development nearby, including in respect of a possible second vehicular access for the school and/or a secondary and/or emergency only additional access for the site.
63. This site 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 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.
64. Accordingly, the loss of good quality agricultural land and of current views of open land from roads on entering Gravesend from the south would be significantly outweighed by the many positive aspects arising from new development in this sustainable location of the edge of and well related to the existing urban area of the town. In the absence of any material infrastructure constraints and in the knowledge that experienced developers stand ready willing and able to deliver the scheme as soon as possible, this site should be allocated for new housing.
65. Initial layout and design concepts have indicated that the total capacity of the overall site for new housing is more likely to be in the region of 500, rather than 550 units as envisaged earlier by the Council. The new policy wording should reflect that clarification, as in these circumstances it is simply not practical or realistic to seek to insist on any higher figure being provided. It is now essentially common ground between the main parties involved that the delivery of about 370 new homes over the next 5 years or so could realistically commence soon on that larger part of the total area already controlled by two major housebuilders, with the smaller area to the north starting later to provide the remainder.
66. This would give a significant boost to the shorter term supply of new housing in Gravesend and is considered essential for achieving the overall requirements of the modified plan. Accordingly, the allocation of this land to the north of Coldharbour Road for new housing, plus public open space to the east, is considered necessary for the soundness of the plan, in addition to land

south of the road for employment, business and related purposes (**MM 25**).

67. It is not essential for soundness that full technical details of water supply, foul sewer capacity/treatment or surface water drainage are covered by the policy wording, as each can be suitably addressed and resolved at the planning application stage, particularly as preliminary work has confirmed that clear and readily affordable solutions to ensure satisfactory provision are available in this instance and other legislation applies in any event.

#### *Green Belt Review*

68. The Council's proposed main modifications relating to the Green Belt confirm their commitment to undertaking a review of its boundaries, as distinct from reconsidering the need for its existence. These necessarily include a reference to the land in the Green Belt as a potential "broad location" for some new housing later in the plan period (**MM 13**).
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 (**MMs 12/17**).
70. What is not necessary for the soundness of this plan is to make any pre-judgements about where, or even on what scale, such boundary changes may or may not be required in advance of the Council's Green Belt review, including full public participation, SA and the comparative consideration of alternative options within the process. Accordingly, site specific issues regarding particular areas of land or settlements (including Longfield Hill) are mainly matters to be considered through that process and not in this report.
71. The exception relates to the Culverstone Valley area where an individual policy of the previous plan (C14) adopted in 1994 differs from national Green Belt policy and treats it as a "special case", as it may be unique in its scale and character, at least on this side of the River Thames, as an extensive area of former rural leisure plot lands in the woods. The Council intends that the policy is saved under this plan but reviewed through the Part 2 plan process. However, it would be more logical if instead national Green Belt policies in the NPPF should apply in the Culverstone Valley area, augmented by the other relevant policies of the LPCS, in the normal way. This would make the current policies applicable to Culverstone Valley the same as those for the remainder of the Green Belt in the borough.
72. Whilst I have been impressed by the breadth and depth of evidence of the complex history of development in the Culverstone Valley and by the strength of the supporting arguments, I can see no real justification in planning terms for the retention of the former policy in the new plan as it would be an obvious

anomaly. This conclusion is strengthened because policy C14 has been the source of friction between local communities and the Council and unnecessary complexities in the operation of Green Belt policy in the locality. It has, at best, outlived its usefulness as a development management tool, given that many of the former rural leisure plots have now been redeveloped with permanent dwellings, and it should not therefore be saved (**MM 39**).

73. Still less can I accept the need for that policy to be reintroduced in an amended, less stringent and/or temporary version that would simply introduce further complications, with greater potential for detailed disputes over each element in most if not all relevant applications. To that extent, I conclude that the plan is sound, as submitted, in respect of not including a new individual policy for replacement dwellings in the Culverstone Valley, whether significantly amended or not from the former version.
74. However, in my judgement, it also needs to be acknowledged that things have moved on materially in terms of the scale, form and nature of housing in this locality, including since the 1994 plan was adopted. Accordingly, I consider that the time has come, as part of the Green Belt review referred to above, for the Council 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.
75. Such a boundary change in this particular locality would provide a good opportunity for numerous single "self build" plots to come forward. This would assist the local economy and help meet a particular need for such sites that is endorsed in the NPPF (para 159) and PPG, as well as helping to provide some funds for the improvement of local services and facilities in the area.

#### **Issue 5 – Environment (Policies CS12, CS13, CS18, CS19 and CS20)**

76. As proposed to be modified, including through the rewording of para 5.7.26 regarding the Kent Downs Area of Outstanding Natural Beauty (AONB), policy CS 12 would provide a sound basis for informed and responsible decisions on the management and planning of local landscapes (**MM 33**). Similarly, as proposed, the new para 5.7.9a of supporting text confirming the Council's ongoing commitment to protecting the nationally and internationally important nature conservation sites in the area ensures that the recommendations of the Habitats Regulations Assessment (HRA) (Dec 2012) (SCS 12) would be fully taken into account in the plan (**MM 32**).
77. Although the overall amount of green space in the borough is considered sufficient for the needs of the existing population, the Council's evidence on open space, sport and recreation provision (OSSR 1/OSSR 2) supporting policy CS 13 is now somewhat dated (2010). Therefore, a modification to the policy wording in para 5.8.7 (**MM 34**) is required to reflect a firm commitment to update it as soon as possible. This is necessary to inform the Part 2 Local Plan and thereby enable existing acknowledged deficiencies in both geographical and qualitative terms in relation to current facilities to be positively addressed.
78. In general, policy CS 18 reflects the Council's commitment, following the Climate Local Kent report (CLIM 06) (March 2013), to address climate change

through various initiatives, and is supported by the evidence therein. However, numerous modifications are now put forward by the Council to update both the policy wording and supporting text. This includes in relation to the forthcoming changes to Part L of the Building Regulations to provide national standards for the transition to zero carbon development, as well as in respect of water quality arising from the Water Quality Directive and the Thames River Basin Management Plan. Taking all of these amendments into account, the reworded policy and text now satisfactorily address the relevant concerns previously raised by representors, including the Environment Agency, and both are consistent with paras 98–103 of the NPPF.

79. Based largely on a series of studies (HER 01-HER 04) between June 2008 and December 2009 assessing the character and appearance of the locality, policy CS 19 is supported by a robust and credible evidence base in seeking to provide clarity for developers and inform decision making in respect of design. Subject to some clarifications of wording, notably in para 5.15.14 in respect of amenity/environmental impacts, that are required so that the policy is effective (**MM 37**), it should prove more suitable and useful than those it would replace in the 1994 Local Plan First Review. This includes in respect of potential pollution impacts on the water environment.
80. Taking a lead from the evidence in Gravesham Heritage and Character (HER 04) (Dec 2009), and reflecting the key heritage assets of the borough, policy CS 20 properly accords high priority to the historic environment locally, in line with para 17 of the NPPF. Nevertheless, a change to the wording of para 5.16.11 is necessary to ensure that appropriate reference is made to the setting of a heritage asset, where that is significant (**MM 38**).

### **Issue 6 – Northfleet/Swanscombe (Policy CS 03)**

81. The opportunity area in policy CS 03 has long been formally recognised by both Gravesham and Dartford Councils as having potential for strategic scale development/redevelopment, following the closures of the local cement works. Whilst the Swanscombe Peninsula has assets of nature conservation value that need to be retained and protected, as acknowledged by all the main parties involved, elsewhere across the area there are various planning permissions for redevelopment. These recognise the potential to provide significant new employment floorspace and housing, with associated services and facilities, including rail links.
82. As modified, the policy wording and text generally reflect the relevant existing commitments and provide appropriate guidance to assist delivery on the key sites in particular. This is reinforced by the overall endorsement of the policy and allocations by the Environment Agency in relation to flood risk issues. The addition of para 5.7.9a to the supporting text for policy CS 12 (**MM 32**) also resolves, in principle, previous concerns in respect of biodiversity for Natural England and local wildlife interests, as noted in a statement of common ground (12 September 2013).
83. Clearly, any development in close proximity to retained river related uses needs to be carefully designed and laid out, so as to minimise any potential for disturbance and conflicts of use. However, such considerations fall under the remit of other plan policies, which must be read together, notably policy CS 19

on design. Consequently, they do not need to be repeated in relation to each opportunity area.

84. In contrast, it is necessary for the clarity and effectiveness of the plan that a specific reference is made to the future uses of Imperial Wharf in para 4.4.27 (**MM 19**). Similar conclusions apply in respect of Red Lion Wharf in para 4.4.36 of the policy. Here, it is essential for the requirement that it be retained, subject only to appropriate alternative provision being made elsewhere, to be made clear through additional wording, as the Council now proposes, to accord with para 143 of the NPPF (**MMs 18/20**). This is so even though it is the retention of the necessary capacity locally that is the critical factor, rather than the actual infrastructure itself. The detailed question of which other wharves outside the key sites are (or are not) shown on the Policies Map is not a matter for this report, but one for the Council to address in relation to particular locations.
85. Doubts have been raised about the viable delivery of the new housing and other elements of the mixed use developments envisaged in the plan for the key sites in particular, and the opportunity areas as a whole. There are clearly complexities involved in the redevelopment of former major industrial sites such as these. Nevertheless, substantial works are now underway in a number of respects and on a significant scale in parts of this area. In such circumstances, taking into account the progress made so far and the improvement in the national and local economic outlook since the plan was first prepared, it is appropriate to conclude that there are reasonable prospects of delivery along the lines envisaged over the plan period, albeit there can be no guarantees as some difficulties remain to be resolved.
86. However, as in all other opportunity areas, it is necessary to reword those parts of the policy that apply specific figures to the numbers of new jobs and homes expected on each key site to reflect the most up to date evidence and provide some flexibility to assist implementation over time, as well as consistency with other parts of the plan, as the Council proposes in its additional minor modifications. The detailed future treatment and management of the heritage assets in the area in general and on the key sites in particular is largely a matter for consideration during the assessment of specific planning applications. No further details are necessary in this policy or any others. This includes in respect of the former Rosherville Gardens.

#### **Issue 7 – Gravesend Riverside/North East Gravesend (Policy CS 04)**

87. The land allocations and proposals in policy CS 04, including in relation to the key sites identified, largely reflect existing permissions and commitments. They also rightly acknowledge the constraints arising from the presence of strategically important existing facilities and operations along the riverside and nearby. These include sites such as the Metropolitan Police training centre and the Canal Road gasholders that are expected to remain in place over the plan period.
88. In such circumstances, it is important for the clarity and effectiveness of the plan that such uses are referred to consistently in the policy and supporting text. To that end, both paras 4.5.39 of the policy and 4.5.14 of the text (**MM 22**) need to be reworded to also refer to both Denton Wharf and Denton

Slipways as strategically important facilities, to be clear as to the Council's intentions and consistent with para 4.5.2 of the plan. The reference in the last sentence of the para to Clubbs Wharf (marine dredged aggregates) should remain unchanged as, whilst important, it is not, strictly speaking, a facility of strategic importance or scale.

89. It is also necessary to reword the policy to avoid spurious precision regarding the exact number of new jobs and homes likely to be delivered on particular key sites, and to provide a degree of flexibility to assist implementation. Para 4.5.34, as submitted, is also too specific and inflexible regarding the mix of uses expected in the Canal Basin (key site 2.1) and should be deleted. However, a sentence referring to the scale and nature of the proposed local centre also needs to be added to the policy for clarity and for consistency with policies CS 05 and CS 08 of the plan regarding new retail provision (**MM 21**).
90. Further wording changes in respect of the detailed design of new schemes adjacent to strategic facilities are not required in this policy as relationships between uses in terms of highways, noise, air quality and lighting would be satisfactorily addressed through other policies in the plan. In particular, policy CS 19 refers specifically to the consideration of these factors in respect of all development applications.
91. Notwithstanding the area's proximity to both the river, with its flood risks, and sites of national and international nature conservation importance, both the Environment Agency and Natural England confirm that the policy, including the particular proposals for individual key sites, is suitable to help bring forward new developments in sustainable forms in the locality without material harm to those interests.

### **Issue 8 – Gravesend Town Centre (Policy CS 05)**

92. Policy CS 05, regarding Gravesend town centre, is entirely consistent with policy CS 08, which sets out the hierarchy of centres, in identifying it as the principal focus for retail and related activity in the borough. Accordingly, it is the most sustainable location for further development that is town centre related. Consequently, the plan properly seeks to promote this multi-functional role through various means, including the identification of an opportunity site (the Heritage Quarter - HQ), albeit in two parts east and west, for mixed use redevelopment.
93. In addition to over 10,000 sq m of new, mainly comparison, retail floorspace, the proposals would also deliver around 330 new homes, offices and a hotel. This is an edge of town centre location, well connected to the Primary Shopping Area (PSA). It would form a logical extension to a large indoor shopping mall (St. George's) and thereby complement the existing town centre offer, including by providing opportunities for new uses, such as offices and restaurants, to be established nearby.
94. The Council's evidence, mainly in a series of reports (RET 01- RET 05) between Dec 2009 and Dec 2012, provides a clear and credible justification for both the principle of a scheme and of the choice of the two parts of the Heritage Quarter as the most favoured location for the expansion of the PSA in Gravesend town centre. Potential alternatives to the south, such as the Lord

Street and Parrock Street car parks, are less well related, not only to the PSA but also to the river and its areas of historic character and interest.

95. This makes them less suitable to deliver a successful retail led redevelopment scheme that the town centre clearly needs at present to enhance its multi-functional role and contribution to the local economy of the town and the wider borough. In short, the HQ is the most sustainable location and has the best prospects of delivering a mixed use scheme that bolsters economic activity in the town centre generally.
96. Whilst both parts of the HQ are somewhat sensitive in design terms and any scheme would clearly need to respect the heritage assets in the locality, there is no reason in principle why a high quality design could not respect those constraints whilst providing the overall scale of development envisaged in the plan. Moreover, the on-site infrastructure required to support it, including in respect of water supply and sewer capacity for a scheme of this relatively limited scale and nature in a central urban location, is not likely to need new strategic scale provision or major reinforcement.
97. Although clearly affected by the growth of retail floorspace at nearby Bluewater in Dartford borough, the Council's evidence indicates that Gravesend town centre is capable of expansion as a shopping centre on an economically viable basis over the plan period. New investment is clearly needed to provide more modern and larger retail units to meet the present expectations of national retailers and a developer is actively progressing a scheme that has recently been granted planning permission by the Council.
98. In such circumstances it is reasonable to conclude that the form and nature of the scheme envisaged in policy CS 05 is capable of being delivered in the near future and that the plan is sound in respect of its policies and proposals for Gravesend town centre, as well as consistent with paras 23-27 of the NPPF. Notwithstanding the above, para 4.6.42 of the policy needs to be modified for clarity and reworded to be less prescriptive in its expectations of the exact mix of development, to give some flexibility in terms of delivery (**MM 23**).

### **Issue 9 – Ebbsfleet (Policy CS 06)**

99. Amongst other things, policy CS 06 envisages the provision of a major new business district next to the International Station at Ebbsfleet. It would include high density office development and be public transport oriented, given that the presence of the station alone already acts as a form of transport hub. As now reworded by the Council, both policy and text suitably reflect the revised planning permission (August 2013) for residential led development at the Springhead and employment led development at the Northfleet Quarters that comprise the Gravesham elements of the total allocations.
100. Criticisms have been made that the policy contains unnecessary detail and lacks flexibility, in contrast to the approach adopted for the adjoining Dartford part of the scheme. Nevertheless, it is appropriate to largely retain the policy wording for these key sites, as the forms of development proposed are part of an inter-related commitment for the larger, cross border, scheme. Whilst it may be overtaken by the Ebbsfleet Garden City (EGC) project, there is, as yet, no guarantee that this will be delivered as presently envisaged, so the policy

should remain to guide development if it does not, in accord with para 154 of the NPPF.

101. Similarly, in the current context, the limitations on new retail floorspace at Ebbsfleet are reasonable and justified by the primacy of Gravesend town centre in the retail hierarchy of the borough. Consequently, as things stand, such provision at Ebbsfleet should be in the form of local centres to serve the needs generated by the local residents and the working population only, rather than for any wider catchment.
102. The Council has put forward a considerable number of further minor modifications to both policy CS 06 and the supporting text, which although they do not go directly to the soundness of the plan, nevertheless address various detailed concerns in relation to implementation on both the Springhead and Northfleet Quarters. Taking these into account, there is no necessity for any further modifications to facilitate delivery or to assist development management, save in two respects.
103. Due to subsequent events and the improvement in the national economy, para 4.7.5 as submitted no longer describes the current situation accurately, including in the light of the emerging proposals for EGC. It should therefore be deleted from the plan so that it does not act as any form of constraint on development coming forward as quickly as possible (**MM 24**). Also, for clarity, those parts of the policy setting out the Council's reasonable expectations regarding the delivery of new homes and jobs in this area should be amended to reflect the most up to date estimates of delivery and to provide some limited flexibility, as the Council proposes in its additional minor modifications.
104. Details of any buffer zone to the Northfleet Wastewater Treatment Works would be best resolved at the planning application stage, given that there is no clear specification currently available for a minimum width, rather than needing to be specifically defined in this policy. Nevertheless, the reference to it should be retained in the policy to provide general guidance. Similar conclusions apply in respect of the Blue Lake and the Ebbsfleet stream given their nature conservation interests, as well as the need for improved pedestrian and cycle links to help integrate the area, including between Northfleet and the International stations.

**Issue 10 – Infrastructure/Transport /Delivery/Monitoring (Policies CS10 and CS11, Appendices 3, 4 and 5)**

105. Gravesham has had the benefit of significant investment in infrastructure recently, not least in relation to public transport, thus enhancing its realistic capacity for growth over the plan period. The Infrastructure Delivery Schedule in Appendix 4 of the plan, albeit requiring regular review and updating as matters progress, suitably identifies the additional services and facilities necessary alongside new development, together with much of the "who, what, when and where" of funding and delivery over time.
106. With the addition of an essential reference to viability, concerning the potential loss of any existing infrastructure, so that it is effective (**MM 30**), policy CS 10 provides a suitable foundation for this provision to be made on an economic basis and in the forms proposed. The plan's strategy does not rely solely on

the provision of any one or more elements of new infrastructure in order to deliver the new housing, employment and other development envisaged. To that extent at least, the plan has a reasonable degree of flexibility regarding delivery in the event that one or more of the key sites does not come forward as expected, for whatever reason.

107. Regarding transport, in general, policy CS 11 is consistent with both the NPPF and the Local Transport Plan (REG 09) (April 2011), as well as suitable and appropriate to help deliver the necessary transport improvements alongside new development. However, in relation to freight and specifically the safeguarding of river wharves to enhance opportunities for alternatives to road transport, the policy wording needs to be modified to refer to para 5.1.36 of policy CS 07 on the economy (**MM 31**). This is to ensure clarity and consistency regarding the consideration of any proposals that might result in the loss of commercial wharves and provide appropriate criteria for their detailed assessment.
108. Concerns about possible development viability and the delivery of new employment and housing at Ebbsfleet, including in respect of an enhanced transport hub, have effectively been overtaken by events relating to the emerging proposals for a new "Garden City" there. Similarly, the transport and other infrastructure implications of a possible major scheme coming forward on the Swanscombe peninsula, on the borough's border with Dartford, cannot be addressed in this plan as insufficient information is as yet available. Otherwise, the plan essentially provides a suitable background to facilitate the delivery of new housing and other necessary development up to 2028.
109. Moreover, bearing in mind the recent improvements in the national and local economy, there are reasonable prospects of the necessary private and public sector funding being available to enable delivery on the key sites and elsewhere, including in respect of the strategic road network and water infrastructure. In terms of new housing delivery, the Council is also playing an active, albeit limited, role by bringing forward some small underused parcels of land that it owns to help meet local needs for specialist and older persons housing schemes. Details of implementation, including timing, of the Rathmore Road link scheme in Gravesend town centre to facilitate provision of an "integrated transport interchange" are not so fundamental to the essential soundness of this plan that they may not be dealt with later in the Part 2 plan.
110. The Council intends to make a number of minor modifications to the text of Appendix 5 for clarity, particularly relating to policies CS 02 (new housing delivery) and CS 17 (traveller sites). With these changes the monitoring proposed by the Council would be sufficiently comprehensive and informative to achieve its objectives and provide the necessary breadth and depth of data to enable decisions on amendment and/or review to be taken as necessary.

## Assessment of Legal Compliance

111. My examination of the compliance of the Plan with the legal requirements is summarised in the table below. I conclude that the Plan meets them all.

LEGAL REQUIREMENTS	
Local Development Scheme (LDS)	The Local Plan Core Strategy (LPCS) is identified in the approved LDS of December 2012, which sets out an expected adoption date of December 2013. There has been a material delay to adoption arising from the need for main modifications but otherwise the content and timing are compliant with the LDS.
Statement of Community Involvement (SCI) and relevant regulations	The SCI was adopted in March 2007 and consultation has been compliant with the requirements therein, including on the post-submission proposed main modifications (MM).
Sustainability Appraisal (SA)	SA has been carried out, including on the post-submission proposed main modifications, and is adequate.
Appropriate Assessment (AA)	The AA/Habitats Regulations Assessment (December 2012) and Addendum (December 2013), including on the post submission proposed main modifications, has been carried out and is adequate.
National Policy	The LPCS complies with national policy, except where indicated and modifications are recommended.
Sustainable Community Strategy (SCS)	Satisfactory regard has been paid to the SCS.
2004 Act (as amended) and 2012 Regulations.	The LPCS complies with the Act and the Regulations.

## Overall Conclusion and Recommendation

**112. The Plan has a number of deficiencies in relation to soundness for the reasons set out above, which mean that I recommend non-adoption of it as submitted, in accordance with Section 20(7A) of the Act. These deficiencies have been explored in the main issues set out above.**

**113. The Council has requested that I recommend main modifications to make the Plan sound and capable of adoption. I conclude that with the recommended main modifications set out in the Appendix the Gravesham Local Plan Core Strategy satisfies the requirements of Section 20(5) of the 2004 Act and meets the criteria for soundness in the National Planning Policy Framework.**

*Nigel Payne*

Inspector

This report is accompanied by the Appendix containing the Main Modifications