



Department for  
Communities and  
Local Government

# Ebbfleet Development Corporation

Analysis of consultation responses and next steps



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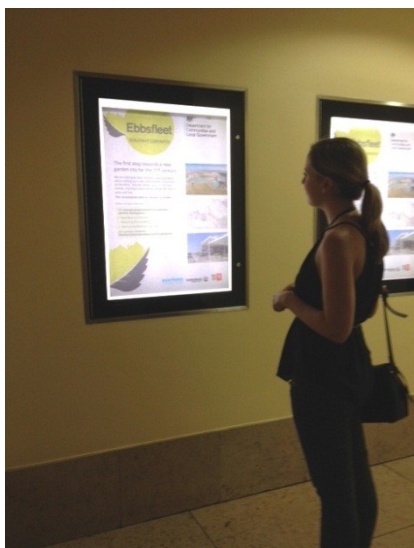
# Chapter 1

## Introduction

The Department for Communities and Local Government consulted on the proposal to create an Urban Development Corporation at Ebbsfleet, Kent to drive forward the delivery of a new Garden City. The consultation, which ran for 8 weeks, was supported throughout by an intensive public facing engagement campaign, which has included face to face meetings with residents and businesses, local Town and Parish Council members, and members of each of the three local authorities.

Meetings were held prior to the launch of the consultation with members from Dartford Borough Council, Gravesham Borough Council, and Kent County Council along with representatives from their respective Town and Parish Councils. A public drop-in session was also held for the residents of Springhead Quarter, an existing residential area which falls within the Development Corporation's boundary. The drop-in session aimed to encourage residents to participate in the forthcoming consultation, and provide an opportunity for representatives from the Department of Communities and Local Government to address any initial concerns that residents had with the proposal.

This form of interactive public engagement was continued throughout the consultation, and meetings and drop in sessions were held with local businesses and residents from the wider area. These events provided participants with the opportunity to express their views, both negative and positive, in an informal environment and engage with representatives from the Department to voice and discuss their concerns. As anticipated many of the issues raised mirror those submitted as part of the formal consultation.



In addition to the public meetings, the consultation was supported by a communications campaign which included: the distribution of over 9,000 leaflets to local homes and businesses informing them of the consultation and steering them to the on-line survey tool, and the delivery of almost 5,000 letters to residents and businesses inviting them to attend the public events.

Posters promoting the consultation were also displayed throughout the local major retail centre and within the local authority areas, and all of this was supported by media coverage in the local and national press.

The analysis of the formal responses to the consultation has demonstrated an overarching level of support, with the majority of respondents in favour of the proposal to create an Urban Development Corporation at Ebbsfleet.

## Overview of this report

Chapter 2 of this report summarises the responses to each of the consultation questions in turn, and provides, where relevant, the Government's response to the issues raised by the respondents.

Chapter 3 then sets out the Government's intention to proceed with the formation of the Development Corporation, and the steps to be taken to bring that to fruition so that the Development Corporation is up and running in the first half of 2015.

## Background

With its excellent transport links, proximity to London and with the Garden of England on its doorstep, development at Ebbsfleet has huge potential to create not only new homes but also a vibrant place where people will want to live and work.

The idea of major development at Ebbsfleet is not new and proposals for the area have been in the pipeline for a long time. The last Government's 2003 Sustainable Communities Plan identified Ebbsfleet and Eastern Quarry as the location for 10,000 new homes, 5.5 million square feet of commercial space and 2 million square feet of retail, leisure, community and supporting space. Despite this designation, slow progress was made in developing the sites.

That is why, in March 2014, as part of Budget, the Government announced ambitious plans to establish a new Development Corporation to drive forward plans for a new garden city at Ebbsfleet, capable of providing up to 15,000 new homes based predominantly on brownfield land or former quarries.

As a statutory body reporting to the Secretary of State for the Department of Communities and Local Government, a Development Corporation at Ebbsfleet would be able to respond to the unique challenges and opportunities of the area. It could provide the direction, focus and expertise necessary to coordinate investment and deliver new development which meets the needs of both residents and businesses.

The public consultation into the creation of the Ebbsfleet Development Corporation was an important step in the process, inviting views on a series of questions which focused specifically on: the proposal to create a Development Corporation; the area in which it would operate; the planning powers it would be granted; and the composition of the Board. The consultation did not seek views on the detail of any development that may come forward as part of the garden city as this will be left for the Development Corporation to take forward in partnership with the local authorities, communities and businesses.

The consultation which was published at [www.gov.uk/government/consultations/ebbsfleet-development](http://www.gov.uk/government/consultations/ebbsfleet-development) asked respondents to comment on the following questions:

- Q1. Do you agree with the proposal to create a Development Corporation at Ebbsfleet, Kent?

- Q2. Are you satisfied with the proposed boundary of the Ebbsfleet Development Corporation, as set out in Annex A of the consultation document?
- Q3. Do you think there are any areas which should be added into the area of the Ebbsfleet Development Corporation?
- Q4. Do you think there are any areas which should be taken out of the area of the Ebbsfleet Development Corporation?
- Q5. Do you agree with the proposals to give the Ebbsfleet Development Corporation the planning powers as set out in the consultation document? (This does not include plan making powers).
- Q6. Do you agree with the proposal for the Ebbsfleet Development Corporation to have 11 Board members?

In addition to seeking responses to specific questions, respondents were encouraged to provide further comment. These comments are summarised in this consultation report and will help to pave the way for the work of the Development Corporation, once it is established.

The consultation, which was published on the gov.uk website on the 11<sup>th</sup> August 2014 and ran for 8 weeks closing on 6<sup>th</sup> October 2014, was supported by an engagement campaign which aimed to promote the consultation as widely as possible, particularly in the local area.

Supporting engagement activities have included:

- Meetings with each of the local authorities (Kent County Council, Dartford Borough Council and Gravesham Borough Council) and representatives from their local Town and Parish Councils.
- Meetings with the residents of local communities, namely Springhead Quarter, Northfleet, Bean and local businesses, to whom we delivered over 4,000 letters.
- A meeting with the Swanscombe Town Councillors and representatives from the residents associations.
- A meeting with the Bean Residents Association and representatives of Bean Parish Council.
- The delivery of almost 9,000 leaflets promoting the consultation to households and businesses within the immediate local areas of Swanscombe and Northfleet.
- Contact with over 100 individuals and / or organisations by email.
- The distribution and display of posters in and around the local area.
- The promotion of the consultation on the websites of each of the local authorities.

- Advertisements in the local press and national media coverage following DCLG's press notice.

In addition to the active responses to the consultation, there have been over 4,000 unique page views to the consultation – this is the number of occasions on which individuals or organisations have viewed the consultation page website.<sup>1</sup>

The Government is grateful to all those who responded to the consultation and / or took part in the local events.

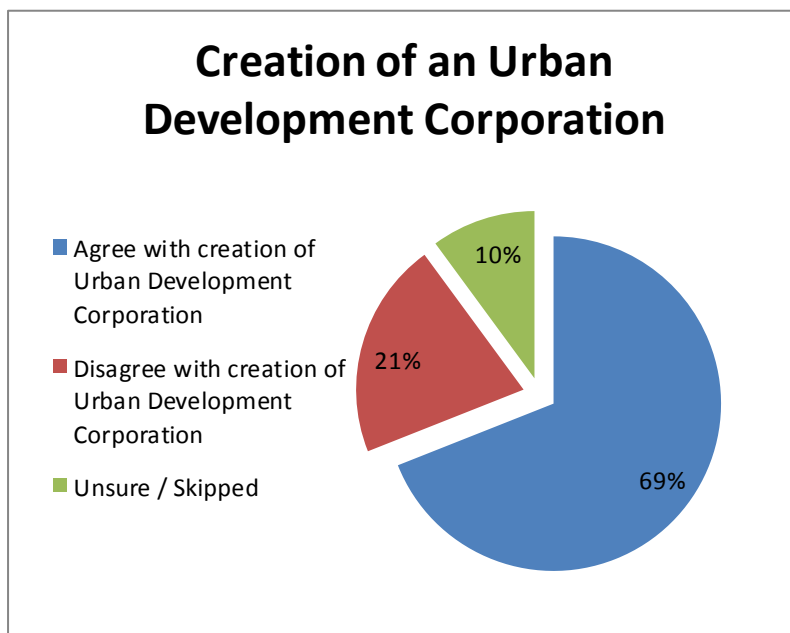
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<sup>1</sup> This is based on information provided by Google Analytical.

# Chapter 2

## Summary of responses by question

### Question 1: Do you agree with the proposal to create a Development Corporation at Ebbsfleet, Kent?



It is clear from the results of the consultation that the majority of people who responded are in overall support of the proposal to create a Development Corporation at Ebbsfleet.

Of the total 129 responses, 89 (69%) confirmed their support. 27 (21%) did not agree with the proposal and 11 (9%) were unsure. 2 (1%) respondents chose to skip the question.

Of those who indicated a clear preference, 77% expressed their support in favour of the proposal.

The consultation has highlighted the recognition that despite the best efforts of all parties involved, the long term planned development of the area has not been realised. Many respondents agreed that there is a need for a central, unified body which would be resourced and equipped to drive forward development effectively, and acknowledged the key role that a Development Corporation can play in ensuring that a strategic approach is taken to the delivery of a garden city.

Although overall respondents were supportive of the need to take a strategic approach to development in the area through the creation of a Development Corporation, there were some concerns. These focused on the impact of development on the existing infrastructure; the level of local involvement in the planned future development as it evolves, the accountability of the Corporation, and the quality and design of the future garden city.

These issues emerged from the additional comments provided in support of the question:

- Some respondents expressed their concern over the impact that any new development would have on the existing infrastructure, specifically the local hospital and medical facilities, roads, major junctions, schools and emergency services. These respondents felt that the current infrastructure was already overburdened and struggling to cope with the demands of the existing local communities. Respondents sought reassurance that the Development Corporation would work



with the relevant bodies to ensure that local services are adequately provisioned to cope with any increase in population. Respondents also highlighted the importance of understanding the local environmental issues, in particular flood risks.

- Some also questioned whether the £200 million of funding being made available by the Government would be enough to cope with the necessary infrastructure required to deal with a significant increase in population, although no evidence was put forward offering or substantiating a different number.
- Many respondents requested reassurance that the Development Corporation would work closely with the local communities and businesses to ensure that any future development is integrated into the culture and history of the existing communities and surrounding area. Respondents suggested that the Corporation should prioritise the development of a proactive consultation and engagement strategy to ensure that existing communities are fully involved. It was also clear that a number of respondents wanted reassurance that the existing communities who fall outside of the proposed boundary area would benefit from any future development and would not end up being marginalised or isolated from the new communities.
- Some respondents questioned the process for transferring powers back to the local authorities at the end of the Development Corporation's life, and wanted reassurance that the mechanisms for this have been considered at the outset. Kent County Council, although fully supportive, also pointed out the need to ensure that transitional arrangements are agreed, with a clear understanding of accountabilities, expectations and liabilities as part of the mobilisation of the Development Corporation.
- The consultation document referred to plans to develop a 'Memorandum of Understanding' between the Development Corporation and the local authorities (Chapter 5). It was suggested that the Memorandum should be developed to include protocols on how the Development Corporation will engage with authorities, and additionally the cumulative long term financial and management implications of planning decisions (e.g. increase in traffic volume).
- Although the consultation question focused on the specific proposal to create a Development Corporation, there was some concern over the ability of the Development Corporation to deliver on the expected number of homes without risking quality and standards of design. The Town and Country Planning Association expressed their view that Garden City principles must be embedded in the objectives and terms of reference of the Development Corporation, and made several suggestions regarding the role of the Development Corporation in demonstrating these principles and facilitating long term growth. Gravesham Borough Council, although fully supportive also felt that the principles underpinning the Corporation's approach to creating a garden city should be established from the outset.
- Some respondents commented on the need for a range of housing tenures across the garden city, including affordable housing. Conversely, some respondents warned against the inclusion of too much affordable housing and the need for it to be targeted at working families.

## The Government's response

The Government welcomes the clear support exhibited for the proposal, and notes the important issues that have been raised regarding the potential impact that any new development will have on existing infrastructure.

As already stated the idea of major development at Ebbsfleet is not new and much of the infrastructure needed to serve these sites has already been identified. The Government expects the Development Corporation to work closely with the Highways Agency, local authorities and local service providers to ensure that any impact on for example: roads, medical facilities and schools, is fully understood and addressed as necessary.

- £200m of infrastructure funding is being made available to support the provision of infrastructure. The Development Corporation will need to work closely with all local partners to identify future sources of funding and unlock the critical infrastructure needed to support development, including taking forward the work already underway to identify improvements to the strategic road network.
- The Government will also undertake a review of transport provision for the Ebbsfleet area, including Crossrail, High Speed 1, Southern and Southeastern rail services.
- The Government is working with the County and Borough authorities, and representatives of the Dartford and Gravesham NHS Trust and the Clinical Commissioning Group, to understand how health service demands generated from new development within the garden city and the broader area will be tackled.
- The Government is working with Kent County Council to understand the scale of educational demands generated through an enlarged community, and how this will be addressed to provide good quality school places for the area.

The rationale behind the creation of the Development Corporation is to focus the skills and expertise necessary in order to deliver a garden city. However, the Government is clear that for the Development Corporation to be successful, it will have to work closely with the local authorities, local communities and businesses to develop a shared vision.

- The Government will require the Development Corporation to develop a clear and effective engagement strategy with all key partners including local communities and businesses. This strategy, which will be set out in the Development Corporation's Framework Agreement, will outline how local communities and businesses will be engaged in the work of the Corporation, development in the Corporation's area and the linkages to areas and communities outside the Corporation's boundaries.

The Government agrees with the points raised regarding the need to clarify and agree the transitional arrangements between the Corporation and the local authorities, and the further development of protocols, governing the longer term relationship between the Development Corporation and the local authorities.

- As set out in Chapter 5 of the Consultation, there will be a Memorandum of

Understanding between the Development Corporation and the local authorities governing the way in which planning matters are handled. The Government recognises that extensive liaison will be required with the local authorities on matters besides planning. At a strategic level, the representation of the local authorities on the Development Corporation's Board will ensure that the local authorities are directly involved in the running of the Corporation.

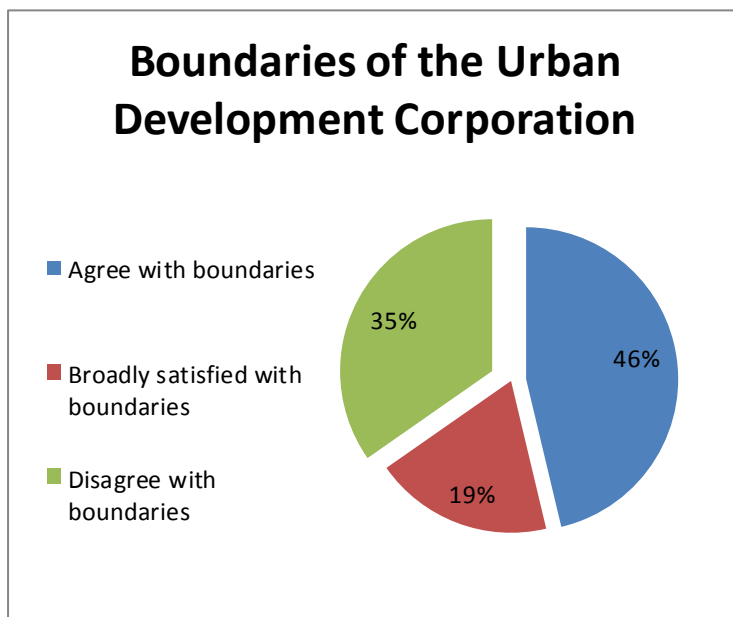
The Government notes the concerns regarding the ability of the Development Corporation to deliver the Garden City without compromising on standards of design and quality. However, it is not for the Government to impose definitions of design. As set out in the consultation, the future development of the Garden City will be the responsibility of the Development Corporation once established. The Development Corporation will be expected to work with the local authorities and local communities to develop a shared vision for the area, which takes into account local plans and the views of local people. However, it remains the objective of the Government that Ebbsfleet should be of a good quality so that people choose to live and work there.

- The Government expects that the Development Corporation will establish a clear vision statement for the garden city which sets out the principles of development and will lead to high level design principles which will be applied in delivering the garden city. It is anticipated that the design codes which will flow from this will provide quality control over the detail of the development.
- The Government is engaging with professional bodies, industry partners and statutory consultees such as Natural England and the Environment Agency, who have the experience and expertise in designing places and delivering large scale developments. This will help to respond to the specific delivery challenges and opportunities presented by the regeneration of the Ebbsfleet area.

The Government recognises the desire for a range of housing tenures across the garden city, including affordable housing and indeed the potential of other tenures such as the private rented sector.

- The Development Corporation will not have plan making powers, and will therefore work within the context of the affordable housing policies set out in the local authorities' existing development plans and, where relevant, the levels of affordable housing agreed within existing planning permissions.
- The local authorities will remain the local housing authorities for the Development Corporation's area and will therefore retain responsibility for allocations of social housing. The Development Corporation will work with the local authorities to ensure a suitable mix of size and type.

## Question 2: Are you satisfied with the proposed boundary of the Ebbsfleet Development Corporation?



Of the 121 responses to this question, 79 (65%) respondents were in overall support (i.e. being in agreement with or being broadly satisfied with the proposed boundaries).

Of those 79 responses, 56 agreed with the proposed boundaries and 23 were broadly satisfied but had comments or reservations.

42 (35%) disagreed with the proposed boundaries. However, even when in disagreement, some respondents still offered alternative suggestions.

In responding to the consultation, respondents made it clear overall that they agree with the proposed boundary of the Urban Development Corporation. The consultation did however offer respondents an opportunity to comment further, specifically on how the boundary could be changed through the inclusion and exclusion of specific sites.

- The most common concern expressed by respondents was that the boundary was fragmented and disjointed, coupled with a degree of uncertainty over why established residential areas have been excluded. It was felt by some that the proposed boundary could marginalise existing communities, some with high levels of deprivation, and that this may create a division between the old and the new. Some respondents therefore suggested that the boundary should be simplified into one contiguous whole which includes all the established communities adjoining the major development opportunities. A similar point was made regarding the employment areas, in that either a more comprehensive approach should be taken to include the employment areas fronting the Thames, or that employment areas currently included within the boundary should be excluded.
- It was also noted that the proposed boundary includes the area currently under consideration for a proposed resort being brought forward by London Resort Company Holdings. The resort, known as London Paramount, has been designated as a nationally significant infrastructure project. Respondents questioned the rationale for including an area which they understood to have been identified for a separate major development, and stated that the Government needs to be clearer about the future relationship between the Development Corporation and London Paramount.

### **Question 3: Do you think there are any areas which should be added into the area of the Ebbsfleet Development Corporation?**

The majority of respondents, including each of the local authorities, were content with the boundary as proposed and did not seek to suggest any changes. Of the 121 respondents, 38 (31%) felt that there were areas which should be added. Several respondents suggested that the boundaries should be extended to include the current proposed road junction improvements and associated land (A2 Bean and Ebbsfleet junctions and land south of the A2), together with land required for public services (schools, medical facilities etc.), green areas and access corridors. Other suggestions to expand the boundary included:

- Adding adjoining or nearby established residential areas or estates; such as Swanscombe, Greenhithe, the Hive, College Road and Northfleet High Street residential area;
- Adding adjoining or nearby established industrial and employment areas – including the whole or substantive parts of the existing Thameside industrial area from the Swanscombe Peninsula to Gravesham and Springhead Enterprise Park;
- Adding adjoining or nearby infrastructure, such as Northfleet Sewage Disposal works, Swanscombe Fire Station and land adjacent to Swanscombe and Northfleet railway stations.

### **Question 4: Do you think there are any areas which should be taken out of the area of the Ebbsfleet Development Corporation?**

38 respondents (31%) felt that there were specific areas which should be taken out of the proposed boundary of the Development Corporation. However, only a few offered specific recommendations or suggestions for areas to be excluded.

These include:

- Swanscombe Peninsula – this is based primarily on the inclusion of land currently under consideration for a proposed resort, known as the London Paramount project.
- Bean Triangle – as it contains a range of existing uses and properties including a number of homes. It is also Green Belt land, separated from the adjacent Eastern Quarry Strategic site by a major link road. There are also concerns regarding the areas of ancient woodland located within the site.
- All wharves and railheads – concern was expressed about the inclusion of a number of important wharves and railheads. A number of respondents suggested that they be excluded to ensure that their future use and potential for freight handling was safeguarded.
- A number of areas of nature conservation value – including Botany Marsh, Alkerden Pit and Ebbsfleet Marshes. Concern was raised that inclusion of such land in the Development Corporation would threaten the protection and enhancement of such

areas. Similar concerns were expressed in relation to the proposed inclusion of some areas of ancient woodland.

- College Lodge and College Road – primarily due to the presence of homes within the proposed boundary of the Development Corporation.

## **The Government's response**

The Government notes and welcomes the overall support for the proposed boundary of the Development Corporation as detailed in the consultation document. As explained in the consultation paper, past experience has shown that Development Corporations are most effective when they focus their attention on specific sites where they can make the most impact.

The area proposed for the Development Corporation is largely focused on a small number of strategic development sites which are predominantly brownfield and, with one exception, contain little or no existing residential development. This approach to the identification of the area and boundary was developed in close consultation with each of the three local authorities and took into account the existing natural boundaries (i.e. the A2, Chalk Spines etc.), key planning constraints, long established areas of existing development, and how each site could help to implement and deliver a garden city.

The Government agrees that it is important to ensure that any future development is carefully integrated with the surrounding areas, and that communities and businesses in those surrounding areas have an opportunity to input into that development. But this integration of any future development with the wider area can be achieved successfully without expanding the boundaries of the Development Corporation to include adjoining areas of existing established residential or business areas. Such expansion risks diverting the attention and focus of the Development Corporation from its main aims to regenerate the area and deliver a new garden city.

Although the detailed arrangements for wider engagement will be for the Development Corporation to determine, the consultation paper has already identified a number of important ways of ensuring wider engagement, including local representation on the Development Corporation's Board, the retention of plan making powers within the existing local authorities, and the development of an agreed Memorandum of Understanding on planning matters. In addition, as already stated, the Government will require the Development Corporation to develop a clear and effective engagement strategy, and this requirement will be set out in the Development Corporation's Framework Agreement.

In light of these considerations and the responses to the consultation, the Government has decided to continue to largely focus the Development Corporation area on the strategic sites, as identified in the consultation paper.

The Government has also carefully considered the more detailed suggestions to amend the boundary.

- Swanscombe Peninsula – The proposed London Paramount project would, if taken forward, embrace a considerable area of land in and adjoining the Swanscombe

Peninsula. Designated as a nationally significant infrastructure project the planning consent for the project would be through a separate Development Consent Order process with decisions made by the Secretary of State and not the Development Corporation. This proposal is currently in the formal pre-application stage. If the London Paramount project does proceed, the Development Corporation will need to work closely with London Paramount to ensure that the resort proposals are effectively integrated with the development of the Corporation's area. In the event that the London Paramount project does not proceed, alternative development opportunities would need to be considered.

- It is not proposed to expand the area of the Development Corporation's boundary to embrace adjoining infrastructure, such as Northfleet Sewage Disposal works. Similarly we would not want to try and anticipate the extent of any potential road improvements which may come forward on the strategic road network. The Highways Agency and Development Corporation will work closely together to ensure that the Garden City's development is supported by the right strategic road infrastructure.
- In the event that agreement on future works can not be secured through negotiation, the Development Corporation does have the power to compulsorily purchase land needed to achieve its purpose, outside of the Corporation's area. The extent of land included within the boundary at Swanscombe and Northfleet railway stations reflects the safeguarded land for Crossrail.
- For the reasons already outlined, the boundaries of the Development Corporation have for the most part excluded existing business areas. We have carefully considered whether to exclude the Manor Way Business Park and the Northfleet Industrial Estate. However, given the location of both within and adjoining the Swanscombe Peninsula strategic site, and their location near the centre of the Development Corporation's area, it is proposed that they should continue to be included within the proposed boundary. It is important to note that the inclusion of businesses within the Development Corporation's boundary does not affect their existing property rights.
- Bean Triangle. It was suggested by local residents that the proposed boundary of the Development Corporation should be revised to exclude the land between the A296 (Watling Street / Roman Road) and the A2 (T), known as the Bean Triangle. This area is designated as Green Belt and also contains areas of ancient woodland. Although separated from Eastern Quarry by a major link road, the Bean Triangle will form an important and prominent gateway to the Development Corporation's area. Including or excluding this area from the Corporation's boundary will not affect the status or protection of the Green Belt or the ancient woodland. The extent of the Green Belt is set out in the Dartford Borough Plan and there are no proposals by the Borough Council to change the Green Belt status of the land or to give the Corporation plan making powers. There are, however, a number of established commercial uses which impact adversely on the condition and appearance of the area. The inclusion of the area within the boundary of the Development Corporation would allow it to develop a comprehensive strategy for the land which could better help secure the long-term protection and stewardship of the Green Belt and ancient woodland, and improve

the environmental quality of this important gateway site for the benefit of the local residents.

- Wharves and railheads - The proposed area of the Development Corporation also includes two safeguarded wharves, Wharf 42 and Red Lion Wharf which are within the Northfleet Embankment West and East strategic sites. The Government notes the concerns however it is important that the Development Corporation considers carefully the development of the strategic sites in a comprehensive and cohesive way. It is therefore not proposed to amend the boundary to exclude these wharves. Inclusion of these wharves within the Development Corporation's boundary does not change their development plan status as safeguarded wharves. The planning protection afforded by their safeguarded status is therefore also unchanged by this proposal. This includes the status of Robyn's Wharf which is adjacent to the Development Corporation's boundary.
- Conserving and enhancing the natural environment - The Development Corporation area embraces a number of areas of natural environment of recognised value which includes areas of ancient woodland. It is important to note that the need to conserve and enhance this land and the need to have regard to relevant national and development plan policies is entirely unchanged. In addition the Development Corporation will, in accordance with section 40 of the Natural Environment and Rural Communities Act 2006, need to have regard to the purpose of conserving biodiversity in exercising its functions. Any proposals for development which include or adjoin land with conservation nature status will need to be developed having full regard to those considerations, as will the determination of any subsequent planning applications. The inclusion of the land will allow a more holistic and integrated approach and may better provide for protection and, where appropriate, enhancement.
- College Lodge and College Road - The proposed boundary of the Development Corporation followed a site boundary identified in the adopted Gravesham Local Plan Core Strategy which included existing residential properties on College Lodge and College Road. More detailed work on development options for this site has confirmed that it is not necessary to include this pocket of existing housing. **It is therefore proposed to amend the boundary of the Development Corporation to exclude this area.**
- Craylands Gorge to the west of Swanscombe - It is intended to provide a footpath through the gorge, providing a wildlife corridor and linking Eastern Quarry to Swanscombe as a green route through the area. Inclusion of this land will help ensure that these proposals are taken forward.

Having considered carefully the comments regarding the inclusion or exclusion of specific sites, the Government intends to retain the existing boundaries of the Development Corporation subject to the following specific change:

- **The residential properties currently included within the boundary on College Lodge and College Road will be excluded from within the Corporation's boundary.**



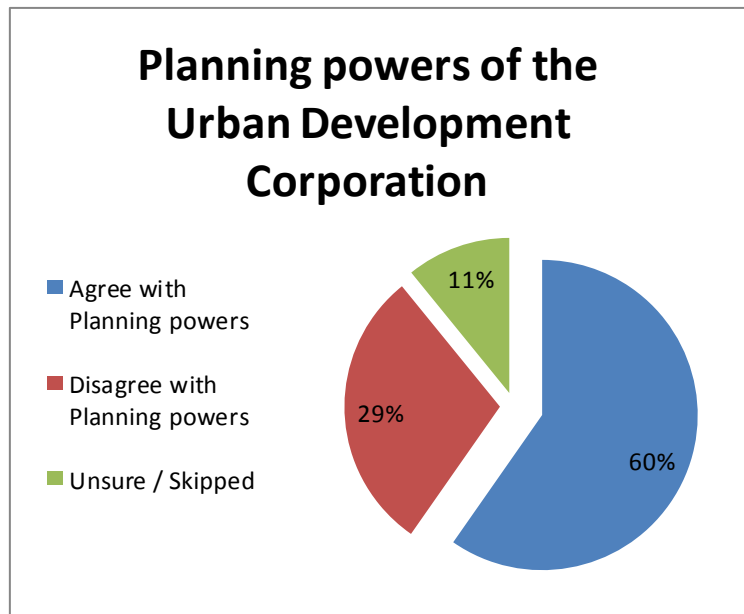
During the consultation it was noticed that the boundary on the interactive map did not accurately represent the proposed boundary of the Development Corporation in two locations. The map was therefore subject to some minor adjustment which realigned the proposed boundary to the existing site boundary of the Cemex site in the northeast of Swanscombe.

Similarly there was a minor adjustment to the boundary in the vicinity of Robyn's Wharf to ensure that the whole jetty and the wharf are excluded from the area of the Development Corporation.

This report therefore contains two maps at Annex B for information purposes:

- A map showing the boundary as shown on the Government's consultation webpage; and
- A map which shows the new boundary taking into account the change arising as a direct result of the consultation response.

**Question 5: Do you agree with the proposals to give the Ebbsfleet Development Corporation the planning powers as set out in the consultation?**



In total 77 (60%) respondents agreed with the proposal to give the Development Corporation comprehensive and consistent planning powers within its boundary area, with 38 (29%) disagreeing. 14 (11%) were either unsure or chose not to answer the question.

Of those who made a clear preference 67% agreed with the proposal.

The responses to the consultation have demonstrated the overall support for the proposal to provide the Development Corporation with the planning powers as detailed in the consultation document. A number of those supporting the proposal noted that it was essential for the Corporation to have planning powers which would ensure a cohesive approach to the development of the area. Respondents also noted that the provision of planning powers was necessary in order to successfully manage the provision of consistent planning across different local authority boundaries.

Although the majority of respondents made few detailed comments with regard to the proposed transfer of planning powers, those who did comment commonly raised points regarding: the accountability of the Development Corporation, the need for cooperation and consultation with neighbouring authorities and Parish and Town Councils, the need for decisions of the Corporation to be consistent with the adopted local plans, and the importance of ensuring that the Corporation had the planning resources necessary to undertake its role effectively.

- A number of respondents expressed their concern over the transfer of planning powers from elected bodies (the local authorities) to an unelected body (the Development Corporation). Reassurance was sought on how the Development Corporation will be accountable to the wider community. It was noted that the Corporation will not have plan making powers and suggested the development of an accountable process with the local authorities for the proactive planning for the area. Respondents also stressed the importance of local authorities having full regard for the Development Corporation's proposals when undertaking their plan making duties.
- Some respondents were concerned that the Development Corporation would take planning decisions which would not take account of local interests and views. They also suggested that it would only be acceptable for the Development Corporation to

have planning powers if there is a clear community voice with more elected members drawn from Dartford and Gravesham boroughs, or from the Town and Parish Councils. This again highlighted the concerns already expressed around the level of community and local involvement in the development process.

- Some local businesses expressed concern over the proposed 'rights to enter land' and 'compulsory purchase powers', specifically the impact that this has had in the past on the local businesses in the Swanscombe Peninsula area.
- A few comments revolved around the ability of the Development Corporation to retain its focus on the delivery of a major project if burdened with all of the planning powers within its boundary area. A small number of respondents sought reassurance that the Corporation would have sufficient resources and systems in place to guarantee continuity and an efficient service. It was highlighted that the proposed powers for the Corporation to deal with all scales of planning applications and their enforcement within its boundary will ensure a clear and co-ordinated approach.

## **The Government's response**

The overall support for the proposed planning powers of the Corporation is noted and welcomed. These proposals were developed in close consultation with the existing local authorities. Having carefully considered the responses to the consultation, the Government has concluded that it should take forward the proposal to transfer the determination of all planning applications<sup>2</sup> across the area of the Development Corporation. This approach will:

- Ensure that the Development Corporation can influence the development of sites within its area which already have planning permission; and
- Provide residents and businesses with a simpler system, avoiding confusion over who is responsible for dealing with planning applications.

The Government recognises the importance of ensuring that the Development Corporation is accountable to local people and the wider public. As already stated earlier in this document, the Corporation will be required to develop an effective engagement strategy with all key partners including local communities and businesses. In terms of the exercise of the Corporation's planning powers, it is also important to note :

- The decision making process on planning applications determined by the Corporation will be fundamentally the same as it would be if the local authorities were still determining planning applications.
- The Corporation will have to consult with local residents, businesses and statutory consultees on planning applications in substantially the same way that the existing

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<sup>2</sup> Local planning authorities are able to determine their own planning applications where the proposals are for development for their own use and on land in their ownership. We are proposing that these few applications should remain with the local authorities and would not become the responsibility of the Development Corporation to determine.

local authorities do.

- In addition, the Development Corporation will be expected to hold its planning committee meetings in public, following the same practice as the local authorities;
- Planning decisions must be taken in accordance with local development plans unless material considerations indicate otherwise. Up to date Local Plans are in place which have already been subject to comprehensive public consultation.
- In addition, a Memorandum of Understanding will be agreed between the Development Corporation and local planning authorities to ensure effective processes are put in place for the bodies to work together on a range of planning matters of common interest.

In relation to the rights of the Corporation to enter land and purchase land on a compulsory basis.

#### Rights to enter land

- In common with local authorities, Urban Development Corporations have the power to enter land. This power is necessary for the compulsory purchase system (see below) to function. It is subject to checks and balances, including serving 28 days' prior notice. The Department for Communities and Local Government has recently announced<sup>3</sup> that it will investigate introducing the requirement to obtain a warrant before this power can be exercised.

#### Compulsory Purchase

- The Development Corporation will have its own powers, similar to those available to local authorities, to purchase land on a compulsory basis for the purposes of its objective and functions. Compulsory purchase orders are not used lightly and may be required only rarely. However, they can be essential to ensure effective regeneration, where negotiations to purchase land fail. The Corporation will be proactive and positive when working with landowners within the boundary and will seek to bring about mutually acceptable proposals wherever possible.

The Government recognises the importance of ensuring the Development Corporation has sufficient planning resources to undertake its role effectively, including at the point of transition of powers.

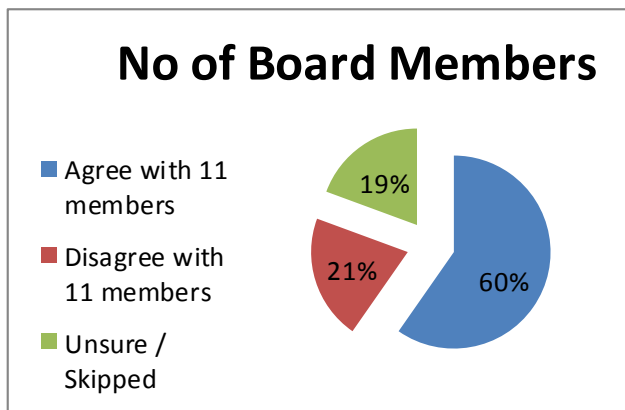
- The Government is working closely with each of the local authorities to ensure that the planning systems, staffing and facilities are in place to enable the smooth transition of planning responsibilities from the local authorities to the Corporation.
- The Government is still considering the precise arrangements for transition, for example, in relation to transferring any "live" planning applications when the Development Corporation is granted its planning powers. Further work is being

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<sup>3</sup> [<https://www.gov.uk/government/publications/powers-of-entry-review-dclg>]

undertaken with the local authorities, in the context of the development of a draft Memorandum of Understanding to ensure the optimum approach to transition of planning powers is identified.

## Question 6: Do you agree with the proposal for the Ebbsfleet Development Corporation to have 11 Board members?



Out of a total 129 responses to the consultation, 77 (60%) supported the proposed number of Board members, 27 (21%) did not agree, and 25 (19%) were either unsure or chose not to answer the question.

However, of those who indicated a clear preference, 74% voted in favour.

Only a small number of respondents provided additional comments on the number of Corporation Board members. These respondents sought clarification on the rationale behind the proposal for eleven members, while one respondent suggested that six members would be sufficient.

There were a number of additional comments and suggestions regarding the sectors and / or groups which should be represented on the Board. In order of approximate popularity, suggestions included:

- Local communities (including residents' associations).
- Local businesses
- Neighbouring authorities and bodies, i.e. London Borough of Bexley, Port of London, Thurrock Council
- Parish and Town Councils
- Health organisations
- Major landowners
- Faith organisations and Equality groups
- Conservation / environmental experts
- Education

Although fully supportive, Dartford Borough Council noted that the proposal to appoint eleven Board members allowed scope to provide for a non-political local community representative. The Kent Association of Local Councils also asked for consideration to be given to the inclusion of representatives from the Town and Parish Councils on the Corporation's Board so that all three tiers of local government in Kent would be represented.

It was also suggested that the Board could include at least two individuals to represent the local residents and businesses, but that overall majority of local interests including the local authorities should remain below 50% to ensure that the private / expert board members retain the overall voting power. Respondents also noted the need for the Corporation to ensure that no conflict of interest arises through the appointment of Board members.

## **The Government's response**

The rationale for proposing a Board of eleven members was to ensure that the full range of skills, experience and knowledge needed to deliver a successful garden city can be accommodated on the Board. In light of the responses, the Government remains of the view that this is the right maximum size (although as stated in the consultation, we expect the Corporation to begin operations with fewer than eleven members).

The Government notes the suggestions put forward for Board membership but in its view the people to sit on the Board should be comprised of individuals with the specific skills and experience necessary to oversee an organisation responsible for bringing forward a large scale development.

Expertise and experience in areas such as commercial development, design / master-planning, finance and the delivery of infrastructure are specialist competencies and will be vital to the successful delivery of the Ebbsfleet Garden City. It is also essential that the Board is, capable of holding the UDC's executive team to account and implementing and managing the key governance systems, such as Audit and Risk and ensuring that the Corporation complies with its statutory responsibilities relating to the use and management of public funds. The Government's preferred approach is therefore to appoint individuals with these skills on the basis of merit, following fair and open competition.

However, as already stated, the Government is clear that the success of any large scale development will also depend on the quality of the working relationships with key local partners and effective engagement with local communities and businesses. This is why we proposed that the three local authorities (Kent, Dartford and Gravesham) should be represented on the Board. In addition, when we recruit further Board members through open competition, one of the skills we will be seeking is the ability to understand the needs of the local area and the local context in which development will be taking place. In addition the Secretary of State has a statutory duty, when appointing Board members, to have regard to the desirability of securing the services of people who have special knowledge of the locality in which the urban development corporation will be situated.

However, the Board will not be the only route in which local communities and businesses can engage with the Development Corporation. The Development Corporation will be required to engage with a wide range of key partners including the local community, other local authorities, government agencies and bodies (i.e. health, education, social care), faith organisations and voluntary groups to ensure that a considered approach is taken to the future development of the area. In addition, the Government is clear that Board meetings will be open to the public (except where confidential issues are being discussed).

The Government believes that there should also be local representation on the Development Corporation's Planning Committee, which will have responsibility for making decisions on applications for planning permission and listed building consent. The composition of the Planning Committee will be for the Development Corporation to determine once it is established.



# Chapter 3

## Next steps

Having reviewed the consultation responses and considered the comments and suggestions put forward by all those who took part, including the informal views expressed as part of the wider engagement campaign, the Government is convinced that the creation of a dedicated delivery vehicle in the form of a Development Corporation for Ebbsfleet remains the most effective and appropriate method to deliver a new garden city.

It is therefore the Government's intention to continue with the proposal to establish a Development Corporation at Ebbsfleet, subject to Parliamentary approval, to be operational in the first half of 2015.

However, in light of the comments received as part of the consultation, the Government will be making the following change to the boundary of the Ebbsfleet Development Corporation.

- The removal of the existing residential properties on College Lodge and College Road from within the Corporation's boundary.

Subject to Parliamentary approval for establishment, the Government will also bring forward secondary legislation to transfer planning powers to the Development Corporation in line with the proposals set out in the consultation paper, subject to the outcome of the further work on the detailed transitional arrangements.

# Annex A

## Public Sector Equality Duty

### **Background**

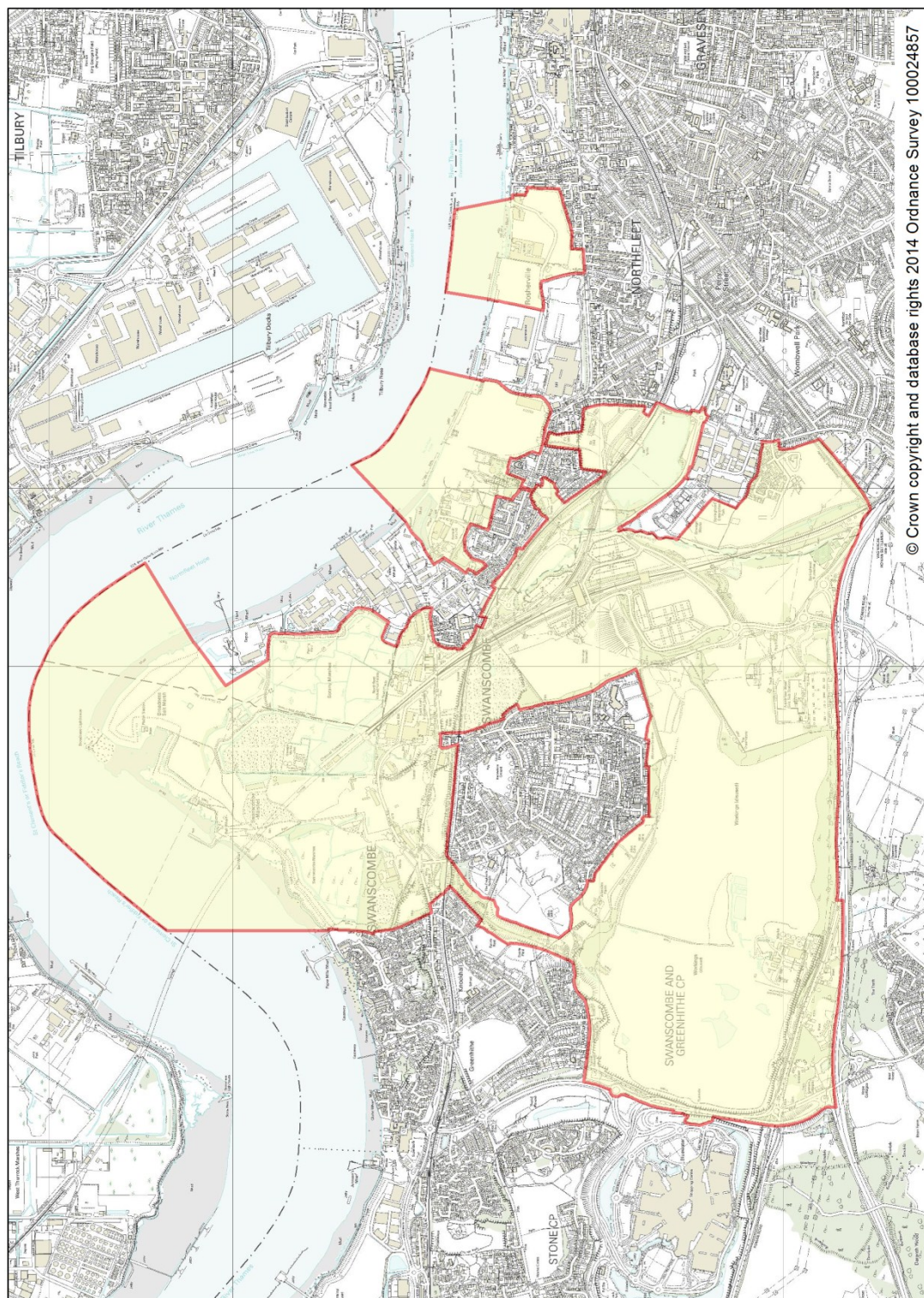
Our public consultation sought views on whether the proposal to create an Urban Development Corporation would have any impact on individuals based on the protected characteristics under the Equality Act provisions.

The consultation did not identify any equality issues directly related to the formation of an Urban Development Corporation, other than impacts and opportunities associated with the demands of an increased population. It will be for the Urban Development Corporation (which will be bound by the Equality Act) to consider these impacts and opportunities as part of its work. The comments expressed through the consultation will be recorded and used to form the basis of an Equality Statement which will be handed over to the Development Corporation to take forward once established.

# Annex B

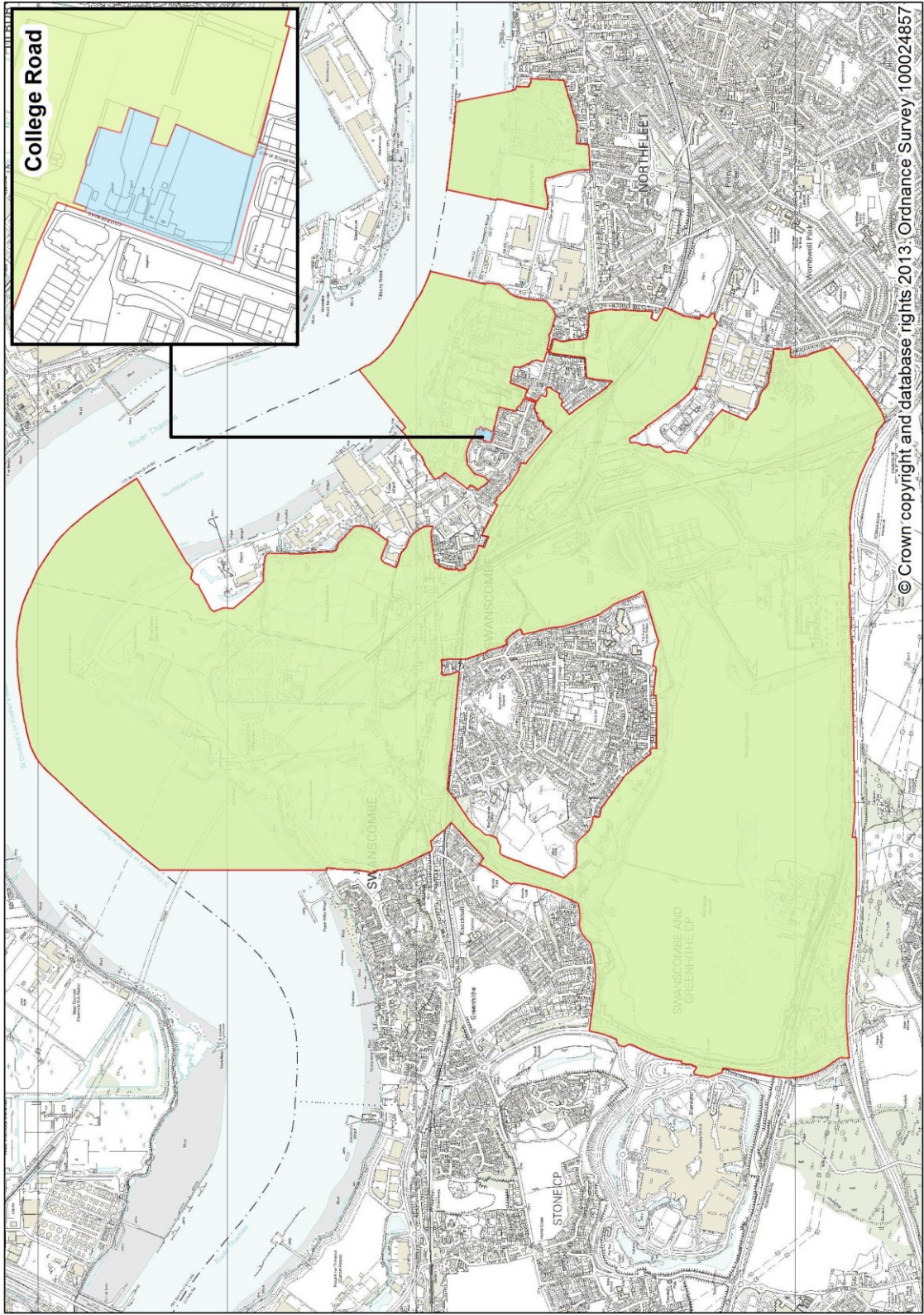
## Maps

Map depicting boundary of the Development Corporation during the consultation.





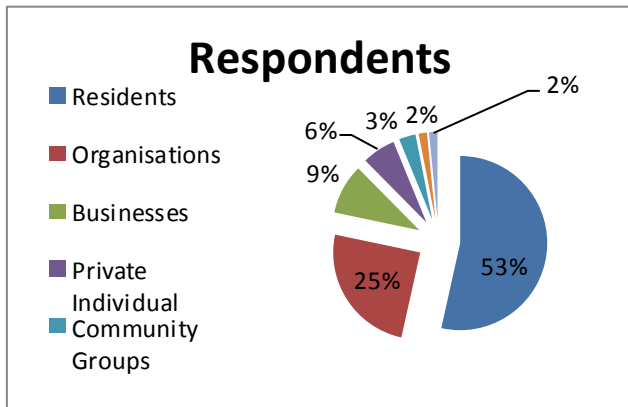
Map depicting new boundary with proposed change highlighted in blue.



# Annex C

## Demographic Overview

In total there have been 129 responses to the consultation, of which 69 (53%) came from residents, with 32 (25%) from organisations, 12 (9%) from businesses, 8 (6%) from private individuals, 4 (3%) from community groups and 2 (2%) from landowners / developers. 2 (2%) chose not to provide this information.



Of the 12 businesses, 4 classify themselves as large organisations with over 250 employees, 3 class themselves as small to medium sized enterprises with employees of between 10 to 249, and 1 as a micro organisation with between 1 to 9 employees. 4 businesses chose not to declare their size.

Not everyone who responded to the consultation chose to answer all of the personal questions. Of the 69 residents who answered the question regarding tenure of property, 58 (84%) are home owners, with 6 (9%) renting from the local authority or housing association, 4 (6%) renting from private landlords, and 1 (1%) lodging in someone else's property.

More people were willing to share details on the length of time they have either resided in their home or occupied their business property. Of the 104 responses, 72 (69%) have been in occupation for over 10 years, 14 (14%) between 5 and 10 years, 16 (15%) between 1 to 5 years, and 2 (2%) under a year.

In terms of age and gender, of the 129 responses received, 47 (36%) were between 45 to 64 years of age, 34 (26%) were between 25 to 44 years of age, 15 (12%) were over 65, 2 (2%) were between 18 to 24 years of age, and 1 (1%) under 18 years of age. 30 (23%) chose not to answer.

66 (51%) of the 129 respondents are male, 29 (23%) are female and 34 (26%) opted out or did not provide a response.