

**LOCAL PLANNING AND ENVIRONMENT ADVISORY COMMITTEE**  
**01 July 2014 at 7.00 pm**

Further to the recent despatch of agenda and papers for the above meeting, please find further information for the agenda item below.

10. **Update on the Allocations and Development Management Plan – Supplementary Information** (Pages 1 - 42)

To assist in the speedy and efficient despatch of business, Members wishing to obtain factual information on items included on the Agenda are asked to enquire of the appropriate Director or Contact Officer named on a report prior to the day of the meeting.

Should you require a copy of this agenda or any of the reports listed on it in another format please do not hesitate to contact the Democratic Services Team as set out below.

For any other queries concerning this agenda or the meeting please contact:

**The Democratic Services Team (01732 227241)**

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**UPDATE ON THE ALLOCATIONS AND DEVELOPMENT MANAGEMENT PLAN (ADMP)**

**SUPPLEMENTARY REPORT**

**Local Planning and Environment Advisory Committee – 1 July 2014**

Report of Chief Planning Officer

Status: For consideration

Also considered by: Cabinet - 17 July 2014

Key Decision: No

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**Executive Summary:**

Supplementary report:

- Legal advice received and further question from the ADMP Inspector
- Table of minor amendments

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**Portfolio Holder** Cllr. Piper

**Contact Officer(s)** Hannah Gooden (7178)

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Gallagher Homes and Lincourt Homes v Solihull BC

- 1 The Inspector asked us to consider the implications of a recent High Court decision (Gallagher Homes and Lincourt Homes v Solihull BC) that Solihull Council's recently adopted Local Plan (or parts of it) should be quashed on the basis that it was not sound. The High Court decided that this was the case 'because it is not based on a strategy which seeks to meet objectively assessed development requirements nor is it consistent with the NPPF' and because it had not proven that exceptional circumstances exist to reintroduce undeveloped land into the Green Belt.
- 2 We have received a legal opinion (Appendix A) to support the argument that the ADMP can be found sound, in the absence of an NPPF objectively assessed housing need. In summary, the advice sets out that as long as the Inspector understands and has regard to the NPPF, it is open for him to form the view that the Plan is sound, provided he has given reasons for doing so. The absence of an objectively assessed housing need assessment can be mitigated by a commitment by the Council to an early review of the Core Strategy. A recent high court judgement (Grand Union v Dacorum BC) on 12 June held that it was entirely lawful for a plan to be made sound, in circumstances where there was no objectively

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assessed need, by a commitment to an early review. The Planning Inspector who made this decision in Dacorum is the same Inspector who is examining the ADMP in Sevenoaks.

- 3 The advice highlights that the Planning Practice Guidance (published in March 2014) states that local plans 'may be found sound conditional upon a review in whole or in part within five years of adoption'.
- 4 The advice also sets out that the Gallagher judgement is under challenge to the Court of Appeal.
- 5 Subsequent to receiving our legal advice, the Inspector has set out a further question (Appendix B) – Question Nine – Review of the Core Strategy. This states that there should be a commitment from the Council to undertake a review of the Core Strategy, in the section on P.11 of the ADMP. This would be to demonstrate that the Council is keen to ensure it has up-to-date policies in place that are in accordance with the NPPF.
- 6 This would be a commitment to a review and it may be that the Council decides, having assessed the up-dated evidence, that only certain elements of the Core Strategy need reviewing - at this stage it does not commit the Council to any specific course of action in terms of policies and proposals and the outcome of the review cannot be pre-judged. The report on the Local Development Scheme (which is also being considered by this committee) sets out the first steps for undertaking a Core Strategy review, namely the consideration of housing targets.
- 7 It is anticipated that this proposed amendment to the Plan will be considered as an additional main modification, which will be subject to consultation with the other main modifications as set out in the original report.

### Minor Amendments to the Plan

- 8 In addition to the Main Modifications, there are a number of proposed Minor Modifications to the Plan. These are proposed by the Council and are being made either in response to issues raised by third parties in their submission statements, or as a result of the hearing proceedings, and are predominantly factual amendments. Minor Modifications do not affect the soundness of the Plan and can be made without the need to be formally agreed by the Planning Inspector, and are not subject to further public consultation. They are small 'tweaks' to the text that improve the Plan but do not alter its intent to any significant degree.
- 9 Details of the Minor Modifications proposed, including those already agreed at Submission stage, are set out in Appendix C.

**INSPECTOR'S QUESTION 8**

**GALLAGHER HOMES LTD AND LIONCOURT HOMES LTD V SOLIHULL METROPOLITAN BOROUGH COUNCIL**

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**OPINION**

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1. The inspector appointed to examine the Sevenoaks Allocations and Development Management Plan has sought a response from the Council to address two matters arising from the judgement of Hickenbottom J in Gallagher Homes Ltd and Lioncourt Homes Ltd v Solihull Metropolitan Borough Council [2014] EWHC 1283.

Issue 1

Adoption of a plan that is not supported by a figure for objectively assessed housing need (within the meaning of the NPPF).

Legal Context

2. The inspector's role at the examination is to examine the plan and determine whether the plan (i) complies with various procedural requirements (ii) whether the plan is sound (iii) whether the local planning authority has complied with any duty imposed to co-operate in relation to its preparation (section 20 (5) of Planning and Compulsory Purchase Act 2004 "the 2004 Act").
3. Those involved in plan-making and decision-taking in a planning context must interpret relevant policy documents properly (see: Tesco Stores Ltd v Dundee City Council [2012 UKSC 13 at [17]-23] per Lord Reed).
4. Paragraph 182 of the NPPF gives advice as to what is meant in section 20 of the 2004 Act by a local plan being "sound":

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“The Local Plan will be examined by an independent inspector whose role is to assess whether the plan has been prepared in accordance with the Duty to Cooperate, legal and procedural requirements, and whether it is sound. A local planning authority should submit a plan for examination which it considers is “sound” – namely that it is:

- Positively prepared – the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;
  - Justified – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;
  - Effective – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and
  - Consistent with national policy – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework.
5. The Court of Appeal has considered the proper approach to be applied in respect of the term “soundness” and the approach to government guidance in this context. In Barratt Developments Plc v City of Wakefield Metropolitan Borough Council [2010] EWCA Civ 897 , Carnwath LJ (as he then was) considered “soundness”, then found in a similar context in the pre-NPPF Planning Policy Statements. His guidance remains apposite (see Zurich Assurance Limited v Winchester City Council [2014] EWHC 758 (Admin) at [114] per Sales J). Carnwath LJ said:

“11. I would emphasise that this guidance, useful though it may be, is advisory only. Generally it appears to indicate the Department’s view of what is required to make a strategy ‘sound’, as required by the statute. Authorities and inspectors must have regard to it, but it is not prescriptive. Ultimately it is they, not the Department, who are the judges of ‘soundness’. Provided that they reach a conclusion which is not ‘irrational’ (meaning ‘perverse’), their decision cannot be questioned in the courts. The mere fact that they may not have followed the policy guidance in every respect does not make the conclusion unlawful.

....

33. ... As I have said, ‘soundness’ was a matter to be judged by the inspector and the Council, and raises no issue of law, unless their decision is shown to have been ‘irrational’, or they are shown to have ignored the relevant guidance or other considerations which were necessarily material in law.”

6. Therefore, whether a plan is “sound” for the purposes of Section 20(5) of the 2004 Act is a matter of planning judgment for the inspector, and is subject to challenge only on normal public law grounds. The court is not concerned with the merits, which are a matter entirely for the inspector. However, in accordance with those principles, an inspector would err in law if he fails to take relevant guidance into account, or fails to deal with a “material controversy” (see Barratt at [45]).

7. In so far as the term “objectively assessed needs” is concerned paragraph 47 of the NPPF is to be interpreted as follows:

“... The words in [the first bullet point of paragraph 47], ‘as far as consistent with the policies set out in the Framework’ remind one that the Framework is to be read as a whole, but their specific role in that sub-paragraph seems to me to be related to the approach to be adopted in producing the Local Plan. If one looks at what is said in that sub-paragraph, it is advising local planning authorities:

to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area, as far as is consistent with the policies set out in this Framework.’

That qualification contained in the last clause quoted is not qualifying housing needs. It is qualifying the extent to which the Local Plan should go to meet those needs. The needs assessment, objectively arrived at, is not affected in advance of the production of the Local Plan, which will then set the requirement figure.” (City and District Council of St Albans v Hunston Properties Limited and the Secretary of State for Communities and Local Government [2013 EWCA Civ 1610 at [25] – [26] per Sir David Keene).

8. Section 19 (2) of the 2004 Act provides:

In preparing a [development plan document or any other] local development document the local planning authority must have regard to–

(a) national policies and advice contained in guidance issued by the Secretary of State;

(h) any other local development document which has been adopted by the authority;

9. The duty is to have regard to Government Policy – provided it has regard to it, the decision maker is entitled to depart from it so long as it gives adequate reasons for doing so (Carpets of Worth v Wyre Forest (1991) 62 P & CR 334 and Laing Homes v Avon County Council (1993) 67 P & CR 34).

10. In the light of the Gallagher judgement, the issue for the inspector is, in short, whether the plan can be found sound in the absence of an NPPF objectively assessed housing need.

### Advice

11. Having regard to the above principles it is plain that as long as the inspector understands and has regard to the NPPF, it is entirely open to him to form the view that the plan is sound notwithstanding that there is not an objectively assessed housing need potentially subject to modifications.

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12. In the present situation the Council adopted its Core Strategy in February 2011 prior to the publication of the NPPF and the abolition of the South East Plan. The Council does not contend that it has established its objectively assessed housing need pursuant to the NPPF either in the Core Strategy or the ADMP. It has been clear from the outset that the housing targets in the Core Strategy will fall short of the housing need for the area.
13. The Council began work on the evidence base for the ADMP in 2007. Work on the Strategic Housing Land Availability Assessment SHLAA took place in 2008/9 and the first consultations took place in 2010 with further consultations in 2011. A substantial amount of work was undertaken before the NPPF and the changes to the local development framework.
14. The Council took the pragmatic decision to progress the ADMP to examination given the extensive work already done rather than commencing a Local Plan Review (including objectively assessed housing need) which could have meant considerable wasted time, effort and expense and essentially disregarding 5 years work.
15. The benefits of adopting the ADMP were also considered. These include updated development management policies which are consistent with the NPPF. Importantly, the ADMP includes site allocations for housing, employment, mixed use and open space. The ADMP allocates suitable sites to meet the Core Strategy housing target and includes a buffer to provide flexibility. The Council will also be allocating reserve land for approximately 275 units and proposals for redevelopment of other land with housing elements.
16. For each of the housing sites in the Plan, the Council has drafted detailed development guidance covering design, layout, landscaping, access, infrastructure and delivery which will result in sustainable, well planned development.
17. The Plan is focussed on implementation and bringing forward development. The Plan will shape sustainable development within the District and respond to local needs and character. The allocations will promote plan-led development and protect designated land such as the Green Belt at 93% and AONB at 61%.
18. The Council considers that if it had abandoned work on the ADMP when the NPPF was published and commenced a local plan review, this would have wasted 5 years work but also meant that the Council would have had to start again in a process which would inevitably take several years. In the absence of the ADMP there would have been a planning vacuum which would have resulted in planning applications coming forward on an ad hoc basis and for there to be planning by appeal to a large degree and not determined on a plan led basis.
19. Instead, the ADMP is the planned spatial expression of the policies and targets set out in the Core Strategy adopted in February 2011. The ADMP plays an important role in identifying how the strategic CS policies will be implemented including the scale and distribution of development.
20. The ADMP will therefore help boost sustainable housing supply through the certainty brought about by its allocation policies and detailed development guidance. The fact that the ADMP does not provide for objectively assessed needs pursuant to the NPPF and



therefore the whole need for the District can readily be addressed by a commitment by the Council to an early review of the Core Strategy.

21. Indeed, the Planning Practice Guidance published in March 2014 states that local plans “may be found sound conditional upon a review in whole or in part within 5 years of adoption”.
22. The Council has already given a commitment to an early review of the Core Strategy for the purpose of undertaking an objective assessment of its need.
23. The difficulty in the Gallagher case was that the judge considered that the inspector had not understood the meaning of objectively assessed need in the NPPF. The judge acknowledged that the inspector could have departed from the precise terms of the NPPF if he had given reasons for so doing. However, in the judge’s view, the inspector had misunderstood the meaning of the NPPF (see for example: paragraph 79 of Gallagher).
24. The approach I have advised may lawfully be taken above was recently considered in the case of Grand Union Investment v Dacorum BC [2014] EWHC 1894 (Admin). In a judgement handed down on 12 June 2014, Lindblom J, a judge experienced in planning matters held that it was entirely lawful for a plan to be made sound in circumstances where there was no objectively assessed need by a commitment to an early review.
25. He rejected the submission that such an approach was unlawful and held as follows:

67. The assessment of soundness was not an abstract exercise. It was essentially a practical one. If the core strategy as submitted was unsound, the inspector had to consider why and to what extent it was unsound, what the consequences of its unsoundness might be, and, in the light of that, whether its unsoundness could be satisfactorily remedied without the whole process having to be aborted and begun again, or at least suspended until further work had been done.

68. The inspector did that. The genesis of Main Modification 28 lay in his view that the work done in the preparation of the core strategy was not so defective, and the evidence on which it was based not so incomplete, that it had to be rejected as unsound in any event. If he had seen the potential unsoundness as irremediable, he would not have issued his preliminary findings suggesting, as one option for addressing that problem, the mechanism of an early partial review. By the time he came to write his report the Council’s commitment to that review and the agenda for it set out in the additional text in paragraphs 29.7 -29.10 of the core strategy were, in his view, enough to make the document sound at the point of its adoption. Though he could not be sure that the core strategy in its adopted form would provide to the fullest possible extent for the housing needs of the borough all the way through to the end of the plan period in 2031, he had enough confidence in it to be able to conclude that, as modified, it was sound.

69. Main Modification 28 was, in the inspector’s judgement, a sufficient solution – a solution proportionate to the problem. I do not think this was an irrational view. On the contrary it was entirely reasonable. The inspector described the Main

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Modification 28 as “pragmatic, rational and justified.” That, in my opinion, would be a fair description of his own conclusions. And the reasons he gave for those conclusions were not only adequate and clear, but make perfectly good sense. Another inspector might have come to a different view, I accept that. But that does not mean this inspector’s conclusion, formed on the evidence and representations which he had heard, was bad as a matter of law. And I do not think that it was.

70. The inspector neither neglected nor misunderstood any relevant aspect of government planning policy. He plainly had regard to the principles in national policy bearing on the matters he had to consider. He referred to the relevant parts of the NPPF-including paragraphs 47, 83 and 159 – both in his preliminary findings and in his report. He began his report by acknowledging the four criteria of soundness in paragraph 182. The assessment which led him to suggest the option of a main modification started with the his finding that the Council ought to have assessed the full housing needs of its area for the plan period as policy in the NPPF required. The course he suggested, which the Council followed by promoting Main Modification 28, was intended to ensure that the relevant objectives of national policy in the NPPF would be met.

26. In my view, the Council’s position in the present case has a further dimension which lends support to its approach. There is an existing Core Strategy. Section 19 of the 2004 Act requires regard to be had to other development plan documents. There is no reason why the inspector should not find the ADMP sound by reason of having regard to the need to implement the policies in the Core Strategy to deliver sustainable development through a plan led approach subject to an early review of the housing need numbers in order to comply with the aims of the NPPF.
27. The present situation is readily distinguishable from Gallagher and more akin to that in the Grand Union case.. As long as the inspector has regard to and understands the national policy in NPPF, it is entirely open to him to find the ADMP sound for the practical and pragmatic reasons set out above. The requirement for an early review is a proportionate response to the issues raised the NPPF.

### Issue 2

#### The proper test for revising Green Belt boundaries

28. Paragraph 83 of the NPPF provides that Green Belt boundaries should not be altered other than in exceptional circumstances. The judge in Gallagher took the view that this meant that, in principle, it was necessary for there to be some event which rendered the assumptions upon which the boundary was originally set to be falsified in some way. He based this on his interpretation of the judgement in COPAS v Royal Borough of Windsor and Maidenhead [2001] EWCA Civ 180.

29. COPAS was fact specific. The inspector had found the “necessity” for the revision to include land in the Green Belt essentially having regard to one planning appeal decision which made certain judgments about the openness of the land and certain listed buildings. This decision, the inspector considered led to “an incongruous anomaly”.
30. It was against that background that the Court of Appeal rejected the inspector’s approach and held that more was required than merely a planning judgement in that context. The words in COPAS at [40] and quoted in Gallagher at [130] should not be taken too literally (see: R (Hague) v Warwick District Council [2008] EWHC 3252 at [29] –[30] where a clear error in the original decision was sufficient).
31. COPAS did however emphasise again that the policy guidance in the then PPG 2 could be departed from as long as adequate reasons for so doing were provided. This is also explained in Laing Homes where Brooke J (as he was) held that it was lawful for a finding to be made that the boundary should change without having to decide if the circumstances for so doing were exceptional as long as regard is had to the policy and adequate reasons provided.
32. There are three sites in the plan which the Council seeks to make modifications to the Green Belt boundary. It is difficult to see why the alteration which arises in the context of the Billing Hill Shaw site in Hartley should not be made. It was previously recommended to be made by an earlier inspector on the basis of apparent cartographical errors dating from 1984 and 1994 which led to its exclusion from the Green Belt. The Council expressly included a statement in the Sevenoaks Plan 2000 at paragraph 13.24 that it accepted the recommendation and would make the change “at the earliest opportunity”. I am instructed that the present ADMP provides this opportunity. The judgement in Hague held that an error in the original decision could satisfy the test in COPAS.
33. The next site is Warren Court Farm, Halstead. This site also appears to have some anomalies relating to its inclusion in the Green Belt. If the inclusion of the site can be shown to be erroneous, it would also fall within the principles in Hague. The existing boundary of the Green Belt is sought to be altered to allow for the allocation of residential development having regard to the earlier allocation without the constraint of the Green Belt policy restrictions. In the light of the existing allocation of part of the site, the need for the allocation and the anomalies already existing in respect of its Green Belt boundary, it seems to me that this could be sufficient to constitute exceptional circumstances, particularly having regard to the need to clarify the uncertainty in connection with the site. If there is any doubt about this, there is no reason why the alteration should not be made in any event, as long as the exceptional test is had regard to (see: Laing Homes [54]). It would be open to the inspector to find that, even if there are not exceptional circumstances, it is appropriate to make the amendment for the above reasons. As noted above, policy may be departed from as long as adequate reasons for so doing are provided.
34. The third site is College Road and Crawfords, Hextable. There is no particular error identified in this case. However, it is considered that the character of the site has changed due to the

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level of the development on the site since it was first designated in 1958 and its location adjacent to the village envelope.

35. There is no detailed planning history available relating to the numerous buildings on the site nor what very special considerations were considered to exist to justify the development that has taken place. Some appears to be permitted development. Be that as it may, it seems to me that the significant change on site as a matter of fact since 1958 is capable of nullifying original assumptions made as to its inclusion in the Green Belt. Again, if exceptional circumstances are not considered to arise, it would be open to alter the boundary in any event, as long as adequate reasons were provided for not applying the policy test.
36. It is worth noting that the Gallagher judgement is under challenge to the Court of Appeal on both grounds albeit permission to appeal has not yet been granted.
37. In all the circumstances, for the reasons set out above, in my view, it would be sound in law for the Council to prepare and adopt the ADMP based on its approach to housing need and the proposed revisions to the Green Belt.
38. Those instructing me should not hesitate to contact me to discuss any matters arising from this advice.

**SAIRA KABIR SHEIKH QC  
FRANCIS TAYLOR BUILDING  
TEMPLE EC4Y 7BY**

**17 JUNE 2014**

## Inspector's Question 9

**Review of the Core Strategy**

Planning Practice Guidance confirms that the preferred approach is for each local planning authority to prepare a single local plan for its area and that to be effective plans need to be kept up-to-date. Most local plans are likely to require updating in whole or in part at least every five years.

The Sevenoaks Core Strategy (CS) was submitted to the Planning Inspectorate in June 2010 and was adopted in February 2011. The revised Preferred Options document was prepared in 2008. The evidence on which the CS is based pre-dates the NPPF and concerns were raised at the hearing sessions on the Allocations and Development Management Plan (ADMP) about the validity of some of the evidence, for example in terms of housing supply.

It was not my task to examine the Council's strategic approach as embodied in the CS but I do understand the concerns that have been raised and in this light I consider that there should be a commitment from the Council to undertake a review of CS and that such a commitment should be referred to in the ADMP in the section on page 11. In this way it can be demonstrated that the Council is keen to ensure that it has an up-to-date suite of policies and proposals to deliver sustainable growth in accordance with the NPPF.

I would welcome a response from the Council by Friday 4 July.

*David Hogger*

Inspector

23 June 2014

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**Sevenoaks District Council**

**Collated Schedule of Proposed Minor Amendments  
to the Allocations and Development Plan (ADMP)**

The following schedule contains minor amendments the Council proposes, taking account of representations made during the pre-submission period and during the examination and providing clarification through factual updates, drafting corrections and presentational changes.

In setting out the amendments, new text is shown in italics.

Chapter	Para no./ Policy no.	Amendment	Reason
Front Page		Delete date and insert current date Delete 'Draft for Submission' Delete 'Local Development Framework'	Factual update.
Document Footer		Delete date and insert current date	Factual update.
About the Allocations and Development Management Plan page		Delete the boxes entitled About the ADMP and How to view the consultation documents	Factual update
Allocation and Development Management Policy Listing	EN5	Re-number EN policies to reflect insert of EN5 (New Landscape Policy)	Factual update
	Against GB7 (pre-sub)	Delete 'Non Residential' and replace with 'a'. Delete the 's' in the word 'Buildings'.	Factual correction. Responds to ADMPS198
Foreword and Background Information		Delete 'will eventually replace' and insert the word 'replaces'	Factual update.
	(pre-sub)	Delete 'will also be' and replace with ' <i>has been</i> ' after 'A Community Infrastructure Levy (CIL) Charging Schedule'	



Chapter	Para no./ Policy no.	Amendment	Reason
	Preparation of the Allocations and Development Management Plan (ADMP) table	<p>In the last bullet point, delete 'on adoption it will replace' and insert 'replaces'</p> <p>Preparation of the ADMP – delete the paragraph starting In the process...</p> <p>Delete 'This consultation'.</p> <p>(Publication) delete Spring 2013 and replace with <i>March-May 2013</i></p> <p>(Submission) Delete 'Summer 2013' and replace with ' <i>November 2013</i>'.</p> <p>(EiP) Delete 'Autumn 2013' and replace with '<i>March 2014</i>'</p> <p>Delete 'Winter 2013' and replace with '<i>Summer 2014</i>'.</p> <p>Delete 'Early 2014' and replace with '<i>Summer 2014</i>'.</p> <p>Highlight in green – adoption of the ADMP</p>	
Foreword and Background	P.10	<p>Insert the following text at the end of the Chapter</p> <p><b><u>Monitoring the performance of the Plan</u></b></p> <p><u>For each section of the plan there is a list of performance indicators, which are the measures that will be used to monitor how the policies are working. The Allocations and Development Management Plan is to be read alongside the Core Strategy and as such there are performance indicators which measure the success of policies in both documents, this is indicated next to the relevant indicator. For some indicators there are also targets, which cover critical measures of success for the plan as a whole. The Authority Monitoring</u></p>	To provide greater clarity

Chapter	Para no./ Policy no.	Amendment	Reason
		<u>Report will report on progress against performance indicators and targets and recommend actions where necessary to keep the plan on track. Where key Performance Indicators are repeatedly not met, and there is no specific explanation or extenuating circumstances, this would trigger a review of the Plan or a targeted review of the specific policies. The Plan period runs until 2026, and therefore in any event, a review of the Plan will commence to allow a replacement plan to be in place by this date.</u>	
<b>Sustainable Communities &amp; Development Principles</b>	1.1 (pre-sub)	Delete 'and regional' after 'national'	Factual correction
<b>Environment</b>	2.3 (pre-sub)	Insert ' <i>and other AONB supporting guidance</i> ' after 'Countryside Assessment and AONB Management Plans'	Additional text ensures that the document remains live and refers to a wide range of up to date available guidance. Responds to ADMPS51 and ADMPS52
	2.4 (pre-sub)	Delete 'The Council will resist proposals that result in an unacceptable material loss of amenity in relation to crime, fear of crime, disorder or anti-social behaviour.'	Factual correction
	2.6 (new paragraph) (pre-sub)	Insert ' <i>2.6 In assessing opportunities for retaining and enhancing green infrastructure features, the District Council will consider both green infrastructure and the water environment and where possible will seek enhancement opportunities to restore, recreate and extend biodiversity</i>	To add clarity as to how policy EN1 will be interpreted in respect of Green

Chapter	Para no./ Policy no.	Amendment	Reason
		<i>potential. Further guidance can be found in the biodiversity technical appendix of the Kent Design Guide at and Planning for a healthy environment- good practice guidance for green infrastructure and biodiversity, Town &amp; Country Planning Association/ The Wildlife Trust, 2012 after paragraph 2.5</i>	Infrastructure and Biodiversity. Responds to ADMPS104, ADMPS106, ADMPS110 and ADMPS179.
	EN1g) (pre-sub)	Insert ' <i>where appropriate</i> ' between 'would be inclusive and' and 'make satisfactory provision'	To more accurately reflect disability standards which do not apply to all development. Responds to ADMPS38
	EN1 – Delivery Mechanisms (pre-sub)	Insert ' <i>Kent Design Guide,</i> ' between 'The' and 'Residential Extensions'.  Delete 'residential' after 'detailed design guidance for'.  Insert ' <i>The Kent Downs and High Weald AONB Management Plans will be used where relevant.</i> ' after ' <i>provide detailed design guidance for development</i> '.	To make the Delivery Mechanisms more comprehensive, and reflects current guidance. Responds to ADMPS162
	EN2 (pre-sub)	Insert ' <i>would provide adequate residential amenities for existing and future occupiers of the development and would</i> ' between 'Proposals will be permitted where they' and 'safeguard the amenities'  Delete 'occupants and' and replace with ' <i>existing and future</i> '	To more accurately reflect the NPPF and ensure protection of amenity to future occupants. Responds to ADMPS76 and ADMPS211.
	2.12	Delete 'Ancient' between 'Scheduled' and 'Monuments'.	Factual correction to

Chapter	Para no./ Policy no.	Amendment	Reason
	Heritage Assets (formally 2.11) (pre-sub)	Insert ' <i>Locally Listed Buildings</i> ' between 'Listed Buildings' and 'Conservation Areas'.  Delete 'Historic' and replace with ' <i>Registered and Non-registered</i> '	more accurately reflect the NPPF and ensure consistency within the ADMP. Responds to ADMPS164.
	2.14 (formally 2.13) (pre-sub)	Insert ' <i>To ensure this, regard should be given to the Council's Countryside Character SPD</i> ' after 'benefits that conservation of the historic environment can bring.'	To add clarity to how the policy will be interpreted in respect of landscape. Responds to ADMPS243
	2.15 (Text formally paragraph 2.28) (pre-sub)	Insert ' <i>Heritage Assets are an irreplaceable resource and they should be conserved and enhanced in a manner appropriate to their significance. Any harm or loss will require a clear and convincing justification. Substantial harm to or loss of heritage assets of the highest significance, such as scheduled monuments, grade I and II* listed buildings, grade I and II* registered parks and gardens, will be wholly exceptional. The Spatial Vision of the Core Strategy sets out that the high quality natural built and historic environment will be conserved and enhanced. Core Strategy Policy SP1 Design of New Development and Conservation states that the District's heritage assets and their settings will be protected and enhanced.</i> ' after paragraph 2.14 (formally paragraph 2.13).	Formally paragraph 2.28, the text has been moved to add clarity to the Heritage Assets section. Responds to ADMPS22 , admps51, admps52, admps53
	2.20 (Formally paragraph 2.18) (pre-sub)	Insert ' <i>Alternative uses for a listed building, compatible with its character and built form, will be encouraged where the original use of the building is no longer viable</i> ' after 'will be encouraged where possible.'	To more accurately reflect the NPPF. Responds to ADMPS21.

Chapter	Para no./ Policy no.	Amendment	Reason
	2.24 – Locally Listed Buildings (Formally wasn't part of the document). (pre-sub)	Insert ' <i>2.24 The Council aims to produce a List of Buildings of Local Architectural or Historic Interest during the plan period, to be adopted as a Supplementary Planning Document</i> ' after paragraph 2.23.	To align the document with the Core Strategy and to ensure that Locally Listed Buildings are mentioned as part of the District's Heritage Assets and are therefore covered by Policy EN4. Responds to ADMPS20 and ADMPS164.
	2.28 (Formally 2.25) (pre-sub)	In subheading delete 'Historic' and replace with ' <i>Registered and Non-Registered</i> '  Insert '17' between 'which includes' and 'sites within the District'.  Insert ' <i>Kent County Council have also compiled an independent list of Historic Parks and Gardens which includes 20 sites within the District</i> ' between 'sites within the District.' and 'Although no additional statutory controls'.  Insert ' <i>both Registered and Non-Registered</i> ' between 'the Local Planning Authority considers that' and 'Historic Parks and Gardens'	To clarify that the policy applies to, and protects, nationally and locally designated heritage assets.  Responds to ADMPS173.
	2.29 (Formally 2.26) (pre-sub)	Insert ' <i>As irreplaceable habitats, proposals that would result in the loss or deterioration of ancient woodland and ancient or veteran trees will not be granted planning permission unless the need for, and benefits of, the development in that location clearly outweigh the loss. Where these tests can be met, the District Council will expect applicants with proposals affecting</i>	To more accurately reflect the NPPF. Responds to ADMPS107 and ADMPS180.

Chapter	Para no./ Policy no.	Amendment	Reason
		<i>ancient woodland or sites containing ancient or veteran trees to provide mitigation and/or compensation measures that seek to address the loss or deterioration of ancient woodland' after 'to demonstrate any potential harm can be mitigated.'</i>	
	2.30 (Formally 2.27 (pre-sub)	Delete 'Historic Farmsteads' and replace with 'Downs AONB Farmstead Guidance, 2012'  Insert '2011' after 'Managing Land for Horses'.	Factual Correction. Responds to ADMPS51, ADMPS52 and ADMPS53.
	EN5b) (pre-sub)	Insert ' <i>time -limited and user activated lighting</i> ' between 'be minimised through' and 'the alignment of lamps'	To add further clarification to how the impact of lighting on the night sky can be minimised. Responds to ADMPS51, ADMPS52, ADMPS53.
2 - Environment	EN1 para after h)	substitute the word 'complements' with 'meets' to read:  <i>Where appropriate, new developments should include infrastructure that <del>eomplements</del> <u>meets</u> modern communication and technology needs.....</i>	To add clarity
2 - Environment	Policy EN2 - Amenity Protection	Supplement the text to read:  Proposals will be permitted where they would provide adequate residential amenities for existing and future occupiers of the development and would safeguard the amenities of existing and future occupants of nearby properties by ensuring that development does not result in, and is not located in areas <u>where occupiers of the development would be subject to</u> , excessive noise, vibration, odour, air pollution, activity or vehicle movements, overlooking or	To address concerns related to amenity impacts in relation to ADMPS76

Chapter	Para no./ Policy no.	Amendment	Reason
		visual intrusion and where the built form would not result in an unacceptable loss of privacy, or light enjoyed by the occupiers of nearby properties.	
	Para 2.9	Supplement paragraph to read: 2.9 The concept of amenity relates to the living conditions of those that will be affected by development proposals either as a future occupant or a neighbour. It is the aim of the Core Strategy and Community Plan to ensure that all development provides an acceptable standard of amenity for its occupants and does not result in significant harmful effects to surrounding uses. Harmful effects can include overlooking, loss of privacy <u>or light</u> , noise and pollution. <u>Advice on overlooking, privacy and loss of light can be found in section 5 (Amenity Considerations) of the Residential Extensions SPD. Paras 2.34 – 2.41 of this plan set out how noise levels will be measured and interpreted in association with policy EN6 (Noise Pollution). Paras 2.42 – 2.43 of this plan explain how air pollution will be interpreted and Paras 10.6 – 10.7 set out how transport impact will be measured and interpreted in association with policy T1 (Mitigating Travel Impact); In addition, Government have issued National Planning Practice Guidance which explains the measurement and impacts of noise air quality and light pollution in considerable detail.</u>	Clarification of existing wording by cross referencing other parts of the plan and national guidance.
	EN2 delivery mechanisms	Insert: <u>National Planning Policy Guidance, Kent Design Guide</u>	Clarification of existing wording by cross referencing other parts of the plan and national guidance.

Chapter	Para no./ Policy no.	Amendment	Reason
	2.30	<p>Remove text from paragraph 2.30 as follows:            2.30 The importance of the wider landscape character of the District is recognised by the extent of the High Weald and Kent Downs Areas of Outstanding Natural Beauty. The AONB designation gives these areas the highest protection in terms of their landscape and scenic beauty and highlights the importance of the conservation of the wildlife and the cultural heritage of these landscapes. The character of the AONB's will be conserved and enhanced primarily through Core Strategy Policy LO8 - Countryside and the Rural Economy. <del>Proposals in AONBs will be assessed against Policy LO8 and the detailed development management policies which support this overarching policy, such as Policy SC1 Sustainable Development and Policy GI1 Green Infrastructure and New Development. Any proposal within the AONB must take into account the guidance laid out in the appropriate AONB Management Plan and any relevant more specific AONB guidance for example Kent Downs AONB Farmstead Guidance, 2012 and Managing Land for Horses, 2011.</del></p>	text is now incorporated in new paragraph 2.32.
	EN5 and EN6	<p>Rename Policies:            Policy EN5 – Outdoor Lighting to become Policy EN6 – Outdoor Lighting            Policy EN6 – Noise Pollution to become Policy EN7 – Noise Pollution</p>	Due to new landscape policy



Chapter	Para no./ Policy no.	Amendment	Reason
		<p>Additional performance indicator and targets to be included in the box titled “Performance Indicators for the Environment”  Add <u>Progress in implementing countryside projects in the District, including AONB Management Plan projects affecting the District. (CS indicator)</u></p> <p>Following “Performance of new housing against the building for life criteria add <u>Target: All developments within the AONB to achieve full marks on criterion 5 (Character) and 6 (Working with the site and context)</u></p>	For new landscape policy
	Paragraph 2.34	New Paragraph 2.34: <u>In assessing the impact of lighting that affects the outdoor environment or neighbouring uses, the current level of lighting will be taken into account in accordance with advice in the National Planning Practice Guidance.</u>	Clarification of existing wording by cross referencing national guidance
	EN5 (a)	Alterations to text: a) <u>where associated with a wider development, the proposal would be well integrated within the a wider related development scheme;</u>	Clarification of existing wording
	EN6(a)	Alterations to text: a) development would not have an unacceptable impact when considered against the indoor and outdoor acoustic environment <u>including of surrounding occupiers or occupiers of any future units within the scheme existing and future occupiers of the development and the amenities of existing and future occupants of nearby properties::</u>	Clarification of existing wording by substituting wording from existing policy EN2.
Housing and Mixed Development	3.5 (pre-sub)	Delete ‘As at 1 <sup>st</sup> April 2012, the completions (2006-2012) and permissions amount to 2,330 units.’ Replace with ‘As at 1 <sup>st</sup> April 2013, the completions (2006-2013) and permissions amount to 2,463 units.’	Factual update

Chapter	Para no./ Policy no.	Amendment	Reason
	3.8 (pre-sub)	Delete '1 <sup>st</sup> April 2012' and replace with '1 <sup>st</sup> April 2013'.	Factual update
	3.8 (pre-sub)	Delete '3540' and replace with '3697'	Factual update
	3.8 (pre-sub)	Delete '240' and replace with '400'	Factual update
	3.8 table (pre-sub)	Delete 'as at 1 April 2012' and replace with '1 April 2013'	Factual update
	3.8 table (pre-sub)	Delete 'Permissions 01.04.2012' and replace with 'Permissions 01.04.2013'	Factual update
	3.8 table (pre-sub)	Delete '970' and replace with '962'	Factual update
	3.8 table (pre-sub)	Delete table line: 'Permissions granted on Proposed Allocations since 01.04.2012 - 44'	Factual update
	3.8 table (pre-sub)	Delete 'Small Sites 2017 - 2026'	Factual update
	3.8 table (pre-sub)	Delete '432' and replace with '500'	Factual update
	3.8 table (pre-sub)	Delete '3540' and replace with '3697'	Factual update
	3.8 Footnote (pre-sub)	Delete '[The NPPF sets out how Local Planning Authorities should demonstrate their housing supply. Windfall sites are permitted to be included within the first 5 years of the housing supply if there is "compelling evidence that such sites have consistently become available in the local area and will continue to provide a reliable source of supply. Any allowance should be realistic having regard to the Strategic Housing Land Availability Assessment, historic windfall delivery rates and expected future trends, and should not include residential gardens." Windfalls are defined in Sevenoaks as housing units which are expected to be delivered on sites below the allocation threshold (< 0.2ha). The allowance is calculated by averaging the number of units on previously developed land (not including garden land) provided each year for	Factual update

Chapter	Para no./ Policy no.	Amendment	Reason
		past 6 years. Allowance has not been included in the first five years, but is made for the final 10 years to reflect the unallocated planning permissions (currently 48 dwellings per year from 2017/18 to 2025/26)]' and replace with ' <i>[A windfall allowance has been added to the housing land supply based on past contributions to reflect a more accurate assessment of housing supply and the consequent demand on infrastructure.]</i> '	
	Para 3.19	<p>Minor amendment to include reference to Core Strategy Policy SP5 within the supporting text for Housing for Older People, including Those with special needs</p> <p>3.19 The Council strongly supports the provision of housing to meet the requirements of people in special need of help or supervision where they are fully integrated into existing communities and located in sustainable locations, <u>as set out in Core Strategy Policy SP5</u>. The development guidance accompanying each site at Appendix 3 <u>and Appendix 5</u> identifies sites that are particularly suitable for this form of housing due to their proximity to facilities or the gentle topography of the area.</p>	To add clarity and linkages to the adopted Core Strategy
3 - Housing	Para 3.25	<p>Substitute the words 'could lead to' for 'would result in' to read:</p> <p><i>Where proposals <del>could lead to</del> <u>would result in</u> the creation of a new self contained dwelling...</i></p>	To add clarity
3 - Housing	Policy H2	<p>Insert the following words at the end of the second paragraph of Policy H2 (Mixed Use Development Allocations)</p> <p><i>These sites will provide for a range <u>of</u> employment, retail and community</i></p>	To add clarity

Chapter	Para no./ Policy no.	Amendment	Reason
	Policy H2 and Appendix 5	<p><i>facilities in addition to housing types, density, mix and tenure considered appropriate. <u>For further details on the appropriate mix of uses on these sites, please see the development guidance at Appendix 5. Allocations will be subject to the site areas and design guidance as set out in Appendix 5.</u></i></p> <p>Add the following words under the names of the sites in Policy H2. Add the same words into the 'Proposed Allocation' box at the top right hand corner of the Development Guide pages, delete the existing text and add the following text for clarification:</p> <p><i>H2(a) BT Exchange, South Park, Sevenoaks. <u>Mixed use - residential and retail (town centre site)</u></i></p> <p><i>H2(b) United House, Goldsel Road, Swanley. <u>Mixed use - residential and B1(a) office</u></i></p> <p><i>H2(c) Swanley Centre, Nightingale Way, Swanley. <u>Mixed use - retail, community facilities, residential and employment (town centre site)</u></i></p> <p><i>H2(d) Station Approach, Edenbridge. <u>Mixed use - residential and employment</u></i></p> <p><i>H2(e) New Ash Green Village Centre. <u>Mixed use - retail, employment, community facilities and residential (village centre site)</u></i></p> <p><i>H2(f) Powder Mills (Former GSK Site), Leigh.</i></p>	

Chapter	Para no./ Policy no.	Amendment	Reason
		<i>Mixed use - residential and employment</i>	
4 - Economy	4.8 (pre-sub)	Insert ' <i>The first three sites are also located within the Kent Downs AONB</i> ' after 'previously set out in PPG2'	Factual correction. Responds to ADMPS48, ADMPS56, ADMPS57, ADMPS58, ADMPS221.
	4.11 (pre-sub)	Insert ' <i>and AONB</i> ' between 'with Green Belt' and 'policy will be supported.'	Factual correction. Responds to ADMPS48, ADMPS56, ADMPS57, ADMPS58 and ADMPS221.
	4.15 (pre-sub)	Delete '2016' and replace with '2017/18'	Factual update.
	EMP3 (pre-sub)	Insert ' <i>and listed buildings</i> ' between 'Scheduled Ancient Monument' and 'into the development with improved access and setting.'	Factual correction. Responds to ADMPS241.
	EMP3 (pre-sub)	Delete 'and' between 'protection' and 'enhancement'. Insert ' <i>and management</i> ' between 'enhancement' and 'of biodiversity'	To more accurately reflect the NPPF. Responds to ADMPS108, ADMPS138 and ADMPS241
4 - Economy	EMP1	Amend as per below  In accordance with Policy SP8 of the Core Strategy the following existing employment sites, as defined in Appendix 4, will be retained, intensified and regenerated for B1 – B8 uses. <del>Appropriate new B1 – B8 development within</del>	To address concerns raised by The Co-operative Group

Chapter	Para no./ Policy no.	Amendment	Reason
		<del>these areas, including the</del> The provision of sites for small and medium size businesses and “start-up” facilities, will <u>also</u> be supported <u>in these locations</u> .	
<b>4 - Economy</b>	EMP5 (4.33)	<i>Insert the following paragraph as 4.22</i>  <i>4.33 Policy EMP5 requires non-allocated lawful business premises and sites to have been unsuccessfully marketed for employment use for a period of at least 6 months before alternative uses are considered. The Council will expect marketing to have been undertaken proactively, for appropriate business uses of the site (including through both re-use and redevelopment) and at the appropriate rental or purchase price for the type of business land and/or buildings.</i>	To address concerns raised by Eynsford Parish Council
<b>Town and Local Centres</b>	5.5 – Town and Local Centre Definitions box (pre-sub)	Delete ‘Primary shopping area - defined area where retail development is concentrated (generally comprising the primary and those secondary frontages which are adjoining and closely related to the primary shopping frontage.’	Factual correction.
	TLC4 (pre-sub)	Insert ‘neighbourhood and’ between ‘upper floors of units within’ and ‘village centres will be encouraged’	Factual correction to clarify where the policy is to be applied.
<b>5 – Town and Local Centres</b>	Town and Local Centre Definitions on P.47	Should the Inspector consider that primary shopping areas should be defined then paragraphs 3.10, 3.25, 3.38 of the Town and Local Centres Topic Paper set out the Council’s suggested areas.	To address concerns raised by the Co-operative Group, if these are shared by the Inspector.
<b>Green</b>	6.5 (pre-sub)	Delete ‘banks’ and replace with ‘corridors’.  Delete ‘or artificial’ and ‘skateboard parks’	Factual correction. Responds to ADMPS194

Chapter	Para no./ Policy no.	Amendment	Reason
Infrastructure and Open Spaces	6.5 (pre-sub)	Delete bullet point 'River and canal corridors'	To avoid repetition. Responds to ADMPS194
	6.6 (pre-sub)	Delete 'Historic' and replace with 'Registered'	Factual correction. Responds to ADMPS194
	6.6 (pre-sub)	Insert bullet point ' <i>Kent Downs and High Weald Areas of Outstanding Natural Beauty (AONB)</i> '	Factual correct. Responds to ADMPS226.
	6.6 (pre-sub)	Insert ' <i>Historic</i> ' before 'Parks and Gardens'	Factual correction. Responds to ADMPS194
	6.6 – Map 1 Legend (pre-sub)	Delete 'Historic' and replace with 'Registered'	Factual correction. Responds to ADMPS194.
	6.12 (pre-sub)	Insert ' <i>and historic features</i> ' between 'trees and hedgerows' and 'can help development to be'	To ensure internal consistency within the plan. Responds to ADMPS194.
	6.20 (pre-sub)	Insert bullet point ' <i>enhancing the character of developments by preserving local heritage features</i> '	To ensure internal consistency within the plan. Responds to ADMPS194.
Green Belt	7.9 (pre-sub)	Insert bullet point ' <i>local needs housing on rural exception sites in accordance with Core Strategy Policy SP4.</i> '	To improve consistency with the Core Strategy. Responds to the objection of ADMPS30

Chapter	Para no./ Policy no.	Amendment	Reason
	GB1 (pre-sub)	Delete 'is in keeping with' and replace with ' <i>responds to</i> '	To improve consistency with Core Strategy Policy SP1 and the NPPF. Responds to ADMPS12.
<b>Leisure and Tourism</b>	8.14 (pre-sub)	Insert ' <i>Kent Downs AONB unit's Managing Land for Horses, 2011 will also be taken into account in determining applications within the Kent Downs AONB where relevant.</i> ' after 'in determining applications for horse related activities.'	To align with documents adopted by the Kent Downs AONB. Responds to ADMPS63.
<b>Community Facilities</b>	9.8 (pre-sub)	Insert ' <i>Community facilities provide for the health and wellbeing, social, educational, spiritual, recreational, leisure and cultural needs of the community.</i> ' at the start of the paragraph.	To clarify the definition of community facilities to be covered by the policy. Responds to ADMPS11
	9.8 (pre-sub)	Delete 'shops and local services' and replace with ' <i>community facilities</i> '.	To clarify the definition of community facilities to be covered by the policy. Responds to ADMPS11
<b>9 – Community Facilities</b>	Policy CF2 and  Para 9.8-9.10	Amend the text as set out below:  <del>'Loss of Neighbourhood Local Services and Facilities</del>  <i>9.8 Community facilities provide for the health and wellbeing, social, educational, spiritual, recreational, leisure and cultural needs of the community. The provision of <u>local</u> community facilities, such as post offices,</i>	To provide clarity of meaning and interpretation of the policy



Chapter	Para no./ Policy no.	Amendment	Reason
		<p><i>banks, public houses, schools, surgeries, churches, community facilities, and public transport, help to build sustainable communities by supporting the local economy and/or providing day-to-day facilities in locations where there is less need for people to travel by car.</i></p> <p><i>9.9 Core Strategy Policy L07 seeks to retain local services and facilities within rural settlements, where possible, to maintain the sustainability of these settlements. Policy CF2 of this document extends this approach to services and facilities serving local neighbourhoods within Sevenoaks, Swanley and Edenbridge to ensure that the communities within these towns continue to have reasonable access to services that meet their day-to-day needs. Policy CF2 does not apply within Sevenoaks, Swanley or Edenbridge town <del>and neighbourhood</del> centres, where separate policies apply. Alongside community facilities, the policy will apply to retail units that are considered to be meeting a local need outside the town and neighbourhood centres.</i></p> <p><i>9.10 Community Right to Buy, which was introduced in the Localism Act, will give communities new powers to help them buy local facilities threatened with closure, which might offer communities an alternative option to retain community facilities.</i></p> <p><u><i>Policy CF2 - Loss of Neighbourhood – Local Services and Facilities</i></u></p> <p><i>The loss of <del>neighbourhood</del> local services and facilities that are within Sevenoaks, Swanley and Edenbridge urban areas will be resisted where they are serving a local need. Exceptions will be made where equivalent replacement facilities equally accessible to the population served are provided, or where it is demonstrated, through evidence submitted to the</i></p>	

Chapter	Para no./ Policy no.	Amendment	Reason
		<p><i>Council, that the continued operation of the service or facility is no longer financially'.</i></p> <p>The Council does not consider it necessary to include a definition of 'local services and facilities' in the glossary, given the description in para 9.8 (as amended), but it would not object to such a change if the Inspector considered it necessary.</p>	
<b>Travel and Transport</b>	T1 (pre-sub)	Insert 'and <i>tranquillity</i> ' between 'such as noise' and 'pollution and impact on amenity and health.'	To more accurately reflect the NPPF. Responds to ADMPS233.
<b>Appendix 3 Housing</b>	Front Page (pre-sub)	Delete 'Feb' and replace with current date	Factual update.
	H1(a) (pre-sub)	Insert ' <i>and biodiversity opportunities enhanced.</i> ' after 'Landscape features at the edge of the site should be retained'	To improve consistency with ADMP Policy GI1 and Core Strategy Policy SP11. Responds to ADMPS117 and ADMPS118
	H1(a) (pre-sub)	Insert ' <i>Developers will be required to demonstrate that there is adequate waste water capacity both on and off the site to serve the development and that it would not lead to problems for existing or new users. In some circumstances it may be necessary for developers to fund studies to ascertain whether the proposed development will lead to overloading of existing waste</i>	To ensure adequate sewage infrastructure is in place to serve development. Responds to

Chapter	Para no./ Policy no.	Amendment	Reason
		<i>water infrastructure.</i> ’ after ‘Bradbourne car park and would involve decking a portion of the existing car park.’	ADMPS244 and ADMPS249.
	H1(b) (pre-sub)	Insert ‘ <i>and secure a resilient green infrastructure.</i> ’ after ‘will be required to serve the development’	To improve consistency with ADMP Policy GI1 and Core Strategy Policy SP11. Responds to ADMPS119
	H1(b) (pre-sub)	Insert ‘ <i>Developers will be required to demonstrate that there is adequate waste water capacity both on and off the site to serve the development and that it would not lead to problems for existing or new users. In some circumstances it may be necessary for developers to fund studies to ascertain whether the proposed development will lead to overloading of existing waste water infrastructure.</i> ’ after ‘Contributions to CIL will be required.’	To ensure adequate sewage infrastructure is in place to serve development. Responds to ADMPS244 and ADMPS251.
	Cramptons Road Water Works, Sevenoaks H1(b)	Insert the following text in the landscape section of the development guidance set out in Appendix 3  Retention of boundary planting and provision of open space <u>and biodiversity enhancements</u> will be required to serve the development and secure a resilient green infrastructure.	To address biodiversity issues due to close proximity of SSSIs.
	H1(c) (pre-sub)	Insert the following text in the landscape section of the development guidance set out in Appendix 3	To improve consistency with ADMP Policy GI1 and Core Strategy Policy SP11. Responds to
	Sevenoaks Gasholder	Insert ‘ <i>and provide resilient green infrastructure</i> ’ after ‘Otford Road should be well landscaped’	

Chapter	Para no./ Policy no.	Amendment	Reason
	Station, Cramptons Road	The western edge of the site fronting Otford Road should be well landscaped and provide resilient green infrastructure, <u>including biodiversity enhancements.</u>	ADMPS119  To address biodiversity issues due to close proximity of SSSIs.
	H1(d) (pre-sub)	<p>Insert ‘<i>and biodiversity</i>’ between ‘generally verdant character’ and ‘of the area.’</p> <p>Insert ‘<i>and should enhance opportunities for biodiversity.</i>’ after ‘loss or harm to any of these trees’</p> <p>Alter ‘Estimated Development Period’ from 6-10 years to 11-15 years on both sites, to read:  <del>6-10 years (2017-2012)</del>    <u>11-15 years (2022-2026)</u></p>	<p>To improve consistency with ADMP Policy GI1 and Core Strategy Policy SP11. Responds to ADMPS120</p> <p>To provide more accurate information regarding proposed phasing</p>
	H1(e) (pre-sub)	<p>Insert ‘<i>Developers will be required to demonstrate that there is adequate waste water capacity both on and off the site to serve the development and that it would not lead to problems for existing or new users. In some circumstances it may be necessary for developers to fund studies to ascertain whether the proposed development will lead to overloading of existing waste water infrastructure</i>’ after ‘Contributions to CIL will be required.’</p> <p>Alter ‘Estimated Development Period’ from 6-10 years to 11-15 years on both sites, to read:  <del>6-10 years (2017-2012)</del>    <u>11-15 years (2022-2026)</u></p>	<p>To ensure adequate sewage infrastructure is in place to serve development. Responds to ADMPS244 and ADMPS255.</p> <p>To provide more accurate information regarding proposed</p>

Chapter	Para no./ Policy no.	Amendment	Reason
			phasing
	H1(f) (pre-sub)	Insert ' <i>Developers will be required to demonstrate that there is adequate waste water capacity both on and off the site to serve the development and that it would not lead to problems for existing or new users. In some circumstances it may be necessary for developers to fund studies to ascertain whether the proposed development will lead to overloading of existing waste water infrastructure.</i> ' after 'This will not preclude development opportunities on this site.'	To ensure adequate sewage infrastructure is in place to serve development. Responds to ADMPS254.
	H1(g) (pre-sub)	Insert ' <i>appearance and biodiversity of the</i> ' between 'should enhance the' and 'site and the wider street scene.'	To improve consistency with ADMP Policy GI1 and Core Strategy Policy SP11. Responds to ADMPS122.
	H1(i) (pre-sub)	Insert ' <i>Developers will be required to demonstrate that there is adequate water capacity both on and off the site to serve the development and that it would not lead to problems for existing or new users. In some circumstances it may be necessary for developers to fund studies to ascertain whether the proposed development will lead to overloading of existing water infrastructure</i> ' after 'public open space should be provided on the site'.	To ensure adequate water supply sewage infrastructure is in place to serve development. Responds to ADMPS260.
	H1(l) (pre-sub)	Insert ' <i>Site biodiversity surveys will be sought to ensure any biodiversity concerns are adequately mitigated.</i> ' after 'The existing tree screening should be maintained and enhanced.'	To improve consistency with ADMP Policy GI1 and H1(m) and Core Strategy Policy SP11. Responds to

Chapter	Para no./ Policy no.	Amendment	Reason
			ADMPS126.
Appendix 4	Front Page (pre-sub)	Delete 'Feb' and replace with current date	Factual update.
Appendix 5 Mixed Use	Front Page (pre-sub)	Delete 'Feb' and replace with current date	Factual update.
	All development guidance tables for H2	Insert the word 'indicative' before 'Housing capacity'	To clarify the proposed capacities are approximate and improves consistency with the wording in Policy H2
	H2(b) (pre-sub)	Insert ' <i>Developers will be required to demonstrate that there is adequate water and waste water capacity both on and off the site to serve the development and that it would not lead to problems for existing or new users. In some circumstances it may be necessary for developers to fund studies to ascertain whether the proposed development will lead to overloading of existing water infrastructure.</i> ' after 'preclude development opportunities on this site.'	To ensure adequate water supply and sewage infrastructure is in place to serve development. Responds to ADMPS244 and ADMPS263.
	H2(c) (pre-sub)	Insert ' <i>There are Tree Preservation Orders on the site which should be protected and form an integral part of the scheme.</i> ' before 'The scheme should provide improvements to the town'	Factual update. Responds to ADMPS131
	H2(c) (pre-sub)	Insert ' <i>Developers will be required to demonstrate that there is adequate water and waste water capacity both on and off the site to serve the development and that it would not lead to problems for existing or new users. In some circumstances it may be necessary for developers to fund studies to ascertain whether the proposed development will lead to overloading of existing water infrastructure.</i> ' after 'Contributions will be required to CIL'	To ensure adequate water supply and sewage infrastructure is in place to serve development. Responds to

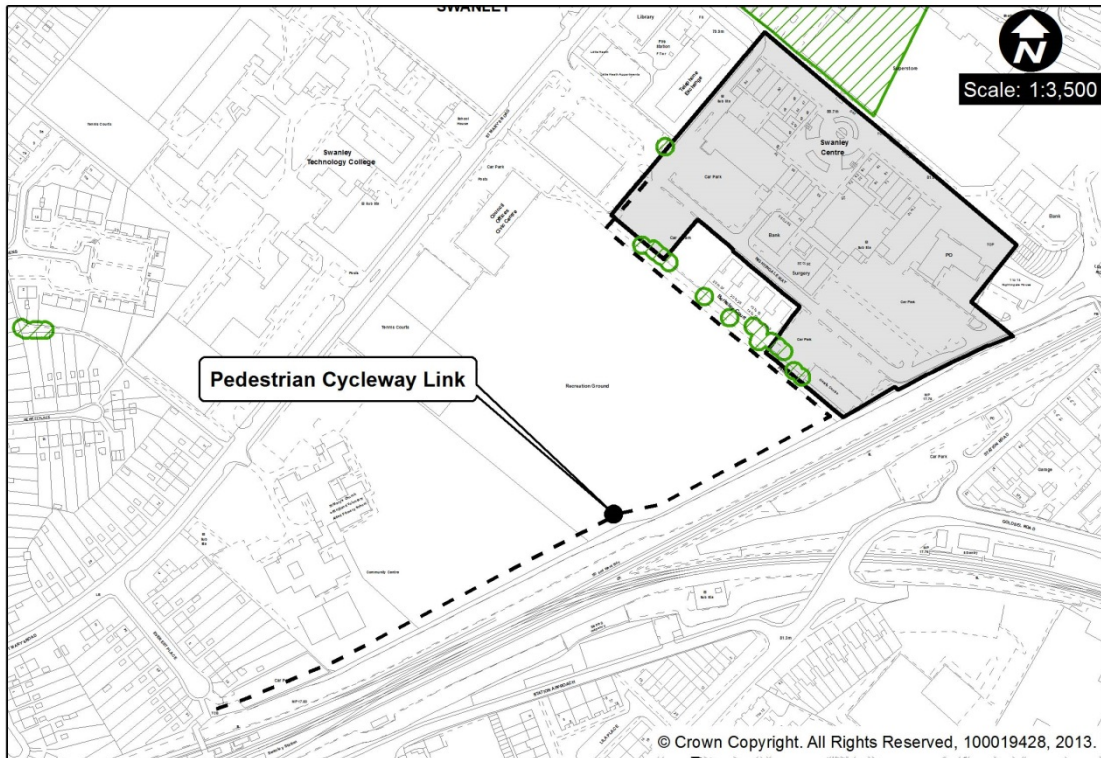
Chapter	Para no./ Policy no.	Amendment	Reason
			ADMPS244 and ADMPS262.
	H2(c) (pre-sub)	Insert ' <i>Principal</i> ' between 'Delivery' and site owner'  Insert ' <i>The site could come forward in incremental phases provided no one phase of development would prejudice the development of the area as a whole.</i> ' after 'promoting site for redevelopment'	To reflect the fact that the site is under more than one ownership and to allow flexibility over delivery, therefore more accurately reflecting the NPPF. Responds to ADMPS273.
	H2(c) (pre-sub)	Replace existing map, with map on page 28.	Factual update to demonstrate Tree Protection Orders (TPOs) on the site
	H2(d) (pre-sub)	Insert ' <i>and provide benefits to biodiversity</i> ' between 'to protect residential amenity' and 'adjacent to the railway'	To improve consistency with ADMP Policy GI1 and Core Strategy Policy SP11. Responds to ADMPS132.
	H2(e) (pre-sub)	Insert ' <i>Developers will be required to demonstrate that there is adequate waste water capacity both on and off the site to serve the development and that it would not lead to problems for existing or new users. In some circumstances it may be necessary for developers to fund studies to ascertain whether the proposed development will lead to overloading of existing water infrastructure.</i> ' after 'Contributions will be required to CIL'	To ensure adequate sewage infrastructure is in place to serve development. Responds to ADMPS244 and ADMPS259.

Chapter	Para no./ Policy no.	Amendment	Reason
	Powder Mills, Leigh – H2(f)	<p>Insert the following words in the Infrastructure section of the Development Guidance at Appendix 5, after the penultimate paragraph.</p> <p><u>Unless it is confirmed that the proposed foul flow will be no greater than the existing contributing flows from existing premises, the development must provide a connection to the sewerage system at the nearest point of adequate capacity, as advised by Southern Water. The development should also ensure future access to the existing sewerage infrastructure, if required, for maintenance and upgrading purposes</u>.</p> <p>Delete 'GSK' from the development guidance</p>	<p>To address concerns regarding sewerage network capacity and the existence of a sewer on the site, as set out in rep ADMPS 78</p> <p>Factual update</p>
Appendix 6	Front Page (pre-sub)	Delete 'Feb' and replace with current date	Factual update.
Appendix 7	Front Page (pre-sub)	Delete 'Feb' and replace with current date	Factual update.
Appendix 8	Front Page (pre-sub)	Delete 'Feb' and replace with current date	Factual update.
	Policy TLC4 – Brasted High Street and the Green (pre-sub)	Replace the existing map, with a map incorporating the additional area shown on the map on page 29.	Factual update.
Appendix 9	Front Page (pre-sub)	Delete 'Feb' and replace with current date	Factual update.

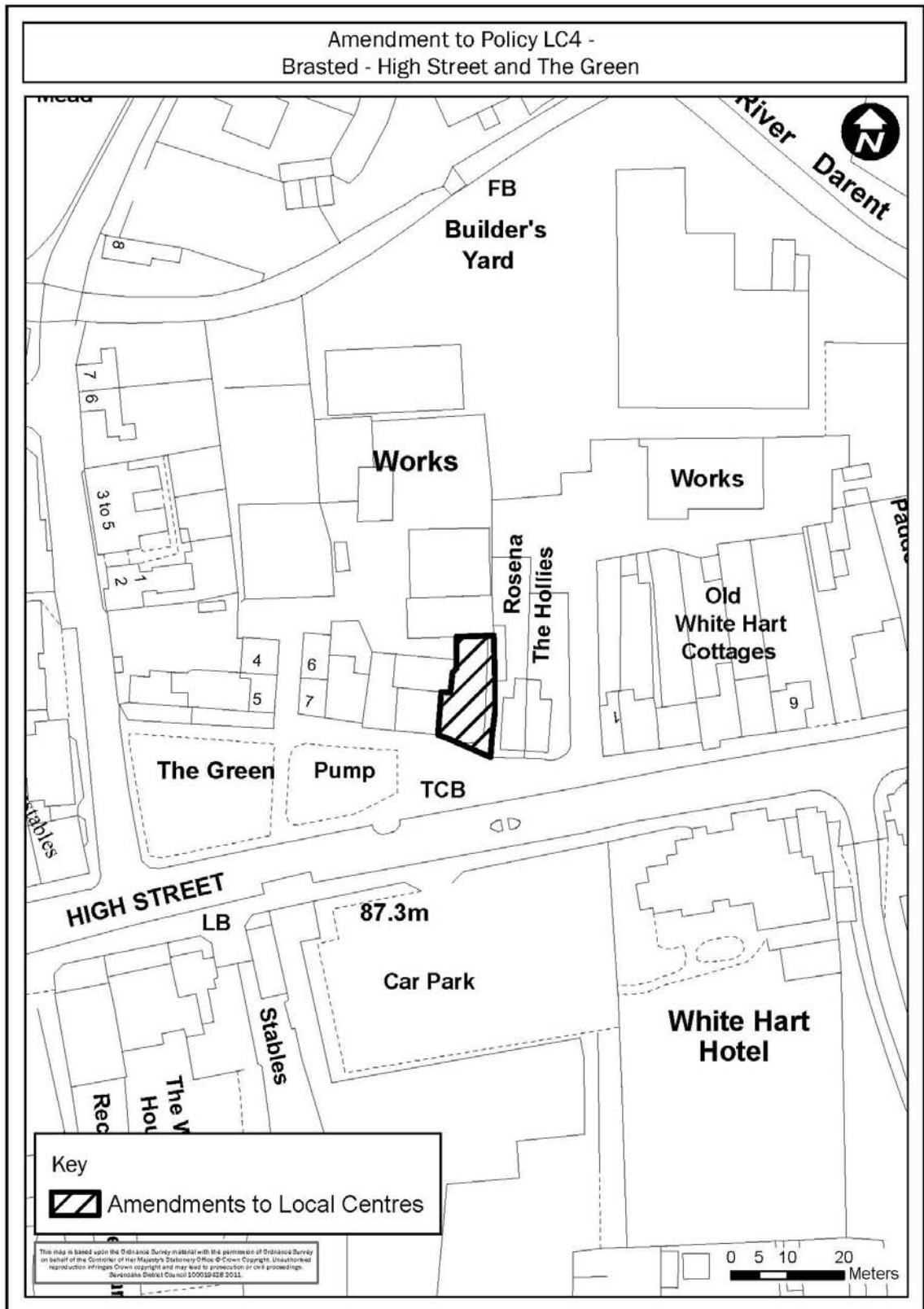


N.B. The modifications that have been made to the Allocations and Development Management Plan (ADMP) are considered to be minor and do not require any amendment to the Sustainability Appraisal Report and Sustainability Appraisal Technical Appendix

Swanley Town Centre Regeneration Area - Factual Update re TPOs



Brasted High Street and the Green – Village Centre Amendment



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