



## **ENVIRONMENT SELECT COMMITTEE**

**17 January 2012 at 7.00 pm**

*Conference Room - Council Office*

### **AGENDA**

#### **Membership:**

Chairman: Cllr. I Bosley

Vice-Chairman Cllr. J Grint

Cllr. L Abraham, Cllr. L Ayres, Cllr. K S Bayley, Cllr M Butler, Cllr. Ms I Chetram,  
Cllr. P Cooke, Cllr. J Edwards-Winser, Cllr. A Eyre, Cllr. J London, Cllr. K Maskell,  
Cllr. Mrs E Purves, Cllr. G Ryan, Cllr. Mrs J Sargeant, Cllr. J Scholey, Cllr. T Searles  
and Cllr. G Williamson

Apologies for absence

1. **Minutes of the meeting of the Committee held on 25 October 2011.** (Pages 1 - 6)
2. **Declarations of interest**
3. **Formal Response from the Cabinet following matters referred by the Committee and/or requests from the Performance and Governance Committee (please refer to the minutes as indicated):** (Pages 7 - 8)
  - (a) 2012/13 Budget and Review of Service Plans (Response from Cabinet - 8 December 2011)
4. **Actions from previous meeting**

None
5. **Future Business, the Work Plan 2011/12 (attached) and the Forward Plan.** (Pages 9 - 10)

*Members will develop a schedule of work over the year to reflect the terms of reference of the Committee focussing on the Council's priorities for policy development. This includes opportunities to invite other organisations who provide services in the District to provide information to the Committee and discuss issues of importance to the Community.*

6. **Bus Services** (Verbal Report)

Verbal reports from Kent County Council and local Bus Operators.

7. **Gatwick Airport Master Plan - SDC Consultation Response.** (Pages 11 - 24)  
*Richard Wilson*
8. **Local Development Framework - Timetable.** (Pages 25 - 62)  
*Alan Dyer*
9. **Exempt Items**

(At the time of preparing this agenda there were no exempt items.  
During any such items which may arise the meeting is likely NOT to  
be open to the public.)

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)**

**ENVIRONMENT SELECT COMMITTEE**

Minutes of the meeting of the Environment Select Committee  
held on 25 October 2011 commencing at 7.00 pm

Present: Cllr. I Bosley (Chairman)  
Cllr. J Grint (Vice-Chairman)

Cllr. L Abraham, Cllr. L Ayres, Cllr. K S Bayley, Cllr M Butler,  
Cllr. Ms I Chetram, Cllr. P Cooke, Cllr. C Dibsall, Cllr. J Edwards-  
Winser, Cllr. A Eyre, Cllr. J London, Cllr. Mrs E Purves and  
Cllr. G Williamson

Apologies for absence: Cllr. K Maskell, Cllr. G Ryan,  
Cllr. Mrs J Sargeant, Cllr. J Scholey and Cllr. T Searles

Cllr. Mrs B Ayres, Cllr Mrs J Davison, Cllr. Mrs A Hunter,  
Cllr. B Ramsey, Cllr. J Thornton and Cllr. R Walshe were also present

**20. MINUTES OF THE MEETING OF THE COMMITTEE HELD ON 6  
SEPTEMBER 2011**

Resolved: That the minutes of the meeting of the Environment Select Committee held on 6 September 2011 be approved and signed by the Chairman as a correct record.

**21. DECLARATIONS OF INTEREST**

Cllr. Cooke declared a personal interest in minute item 27. As the local Member he had been involved in forming the document.

Cllr. London declared a personal interest in minute item 25 as a permit holder and commuter.

Cllr. Williamson declared a personal interest in minute item 25 as a shop owner in Sevenoaks town centre. He abstained from voting on the matter of Christmas parking.

**22. FORMAL RESPONSE FROM THE CABINET FOLLOWING MATTERS  
REFERRED BY THE COMMITTEE AND/OR REQUESTS FROM THE  
PERFORMANCE AND GOVERNANCE COMMITTEE**

The comments of the Cabinet were circulated to the Committee and noted.

**23. ACTIONS FROM PREVIOUS MEETING**

There were no actions from the previous meeting.

**24. FUTURE BUSINESS, THE WORK PLAN 2011/12 (ATTACHED) AND THE FORWARD PLAN.**

The Committee discussed the Work Plan and the following comments were made:

- The Sevenoaks Residential Character Area assessment would be presented to the Committee in March 2012.
- A draft consultation response regarding the Gatwick Master Plan would be brought to the meeting in January 2012.
- The Review of Budget Proposals 2012/13 would not need to be brought to the Committee in January 2012 because the matters would be sufficiently covered by the Review of Service Plans.

**25. GREEN BELT EXTENSIONS POLICY**

The Planning Services Manager gave a presentation to the group about the Allocations and Development Management Development Plan Document (DPD).

The purpose of the DPD was to expand on the Core Strategy and define, at a local level, what would be considered a disproportionate extension or replacement of a dwelling in the Green Belt under national Planning Policy Guidance 2.

The consultation proposed moving from a floorspace calculation to one of volume. The Planning Services Manager felt this would more closely reflect the impact a change in a building's size would have on the openness of the Green Belt. The proposal was for a 30% limit to increases in volume, as opposed to the current 50% limit to increases in floorspace.

Most consultation responses had been about volume calculations. Planning Agents generally preferred there to be no prescriptive figures but asked instead that each application be considered on its own merits. Some responses requested that greater allowance be made for smaller properties to be extended because of the relatively smaller impact they would have.

In response to a question the Planning Services Manager suggested a 100m<sup>3</sup> 2-3 bedroom dwelling might be considered small for the purposes of the DPD but no detailed assessment had been made. A Member not on the Committee warned against sliding scale calculations because their complexity could create ambiguity. A Member was concerned that if smaller houses could extend proportionately more then this may reduce the level of affordable housing in the district.

**26. ANNUAL REVIEW OF PARKING CHARGES FOR 2012/13 AND CHRISTMAS PARKING 2011**

Car Park and On Street Charges 2012/13

The Parking and Amenity Manager informed the Committee that 84% of car park revenue came from Sevenoaks town centre and this rose to 95% once the Sevenoaks station car parks were included.

A motion was moved and duly seconded that the tariffs not be raised for the car parks in Sevenoaks town centre for the year 2012/13. The motion was discussed.

It was suggested that the tariffs not be raised because this would be contrary to the Council's plans to promote the local economy. Shoppers already faced a fall in wages in real terms and so would go instead to out-of-town shopping centres or other towns, in which it was generally cheaper to park.

The Head of Environmental and Operational Services reminded Members that the budget currently planned for a 2.5% increase in income. The Portfolio Holder for Planning and Improvement, not on the Committee, added that parking was one of the few areas of income over which the Council had control and if the money was not raised it could result in cuts to other services.

Members suggested that the burden could move instead onto commuters or long-stay car park users. A Member felt commuters were already feeling pressures from increased costs elsewhere. Another Member was concerned that raising the tariff for long-stay parking would result in increased costs for employees in the town.

The Portfolio Holder for The Cleaner and Greener Environment, not on the Committee, pointed out that Sevenoaks had the fewest empty shops in the country, for any comparably sized town.

The motion did not carry.

The Head of Environmental and Operational Services informed Members that income from car parks was currently on target for the year, however on-street parking was currently £22,000 short of target and forecast £40,000 short of target by year end. This was because of income shortfall in day-tickets and parking enforcement.

The budget had taken no account of additional income from the Knockholt station commuter parking scheme. The estimated £59,000 income from this was expected to pay for implementation in 2011/12 and make up the current shortfall in income from 2012/13. The parking scheme was also due to be reviewed in 2012.

Options 2 and 3 offered opportunities to raise additional income to assist the Council's overall budget position. There had been no previous experience of drop-off in use from a rise in prices.

The Chairman took indicative votes on the three options for increases to car park and on-street charges. Option 1 had the most support.

Tariff Structure in Swanley, Knockholt Station and the Sevenokas Rail Commuter Areas

## Agenda Item 1

Environment Select Committee - Tuesday, 25 October 2011

The Parking and Amenity Manager explained that the purpose of the restructure was to bring these areas into line with the rest of the district.

Both local Members for Halstead, Knockholt and Badgers Mount were concerned that this proposal meant significant rises in tariffs in the Knockholt area for 4 hour parking even though charges had only recently been introduced to the area.

A motion was moved and duly seconded that the restructuring go ahead, except for in Knockholt. The motion was discussed.

The Chairman of the Joint Transportation Board, who sat on the Committee, felt it was the wrong time for such the restructuring. The new Knockholt parking scheme should be allowed to settle first.

A Member believed that Knockholt should not be given special treatment. He believed the new tariff structure was also inappropriate for Swanley. Each of the Swanley parking areas were a long way from the town centre and a large car park had also recently closed. Short-term tariffs would be unsuitable.

The motion did not carry.

A motion was moved by the Chairman that the proposals, as recommended in the report be approved. The motion did not carry.

A motion was moved and duly seconded that the change be made in the Sevenoaks rail commuter areas but not in Swanley or at Knockholt station. This arrangement was to be reviewed in 6 months. The motion was carried.

### Christmas Parking 2011

The Parking and Amenity Manager told Members that Sevenoaks Town Council and the Sevenoaks Chamber of Commerce had both been of the view that Saturday the 10<sup>th</sup> and 17<sup>th</sup> of December were most appropriate dates for the free Christmas parking.

Officers confirmed funding for the loss of income from the proposal came from a supplementary estimate.

Resolved: That Cabinet be recommended to:

- (a) agree option 1 as the proposed increases to car park charges for 2012/13;
- (b) agree option 1 as the proposed increases to on-street parking charges for 2012/13;
- (c) agree the proposed changes to the on-street tariff structure in respect to the Sevenoaks rail commuter areas, but oppose changes in respect of Swanley and Knockholt station which should be reviewed after 6

months; and

- (d) agree free parking throughout the district for two Saturdays before Christmas 2011, with 10<sup>th</sup> and 17<sup>th</sup> December as preferred dates.

**27. CLEANING OF PRIVATE STREETS**

The Head of Environmental and Operational Services drew Members' attention to the £162,000 reduction in the budget for street cleaning in 2011/12. This had already resulted in a reduction of four operatives and a supervisor.

He explained that some private streets continued to be cleaned free of charge because these streets had been on the schedule when the service was first exposed to Compulsory Competitive Tendering prior to 1990. The proposal was to bring these streets in line with other private roads which the Council charged to clean.

In response to a question he explained how residents could pay for the services: a residents' association may agree to pay the Council; residents may form a special group for the purpose; or a single resident could pay and then ask their neighbours to reimburse the cost.

A local Member for Badgers Mount stated that, although many of its streets were affected by the change, residents seemed unconcerned.

Resolved: That it be recommended to Cabinet that:

- (a) the residents in the private roads listed in the appendix be advised that, with effect from 1 April 2012, the Council will no longer be able to clean these streets free of charge; and
- (b) the Council offer to clean these streets from 1 April 2012, only on a chargeable basis.

**28. CONSERVATION AREA APPRAISAL FOR CHIDDINGSTONE HOATH**

The local Member queried the exclusion of Oakenden Lane and most of Chapel Place from the Appraisal. The Officer clarified that the Conservation Area had previously been extended in 2006 and that there had only been one consultation response to the document proposing an expansion of the Conservation Area which related to a different area of land and that the boundaries could be reassessed after adoption. It was clarified that the boundary did include land in the Chapel Place area.

It was agreed that the reference on page 12 to cottages being "mundane" ought be removed and that the reference on page 19 to the Conservation Area being characterised by "leafy green lanes" should be reconsidered.

The local Member felt it important that such documents be considered fully by members of the Development Control Committee when considering

applications in the area.

Resolved: That it be recommended to Cabinet that the Chiddingstone Hoath draft Conservation Area Appraisal and Management Plan, as amended, be adopted as informal planning guidance.

**29. REVIEW OF SERVICE PLANS**

The Head of Finance and Human Resources introduced the report and explained that there were no growth items within the Committee's remit. The one area of risk was Building Control which faced a potential income shortfall in 2011/12 and 2012/13 because of current economic conditions.

The Head of Environmental and Operational Services was asked how the Building Control Team's charges compared against the private sector. They were aimed to be competitive but the Council was subject to new legislation which did not apply to the private sector. The new rules meant that invoice estimates had to be sent to customers beforehand on the basis of cost recovery only.

Resolved: That Members' comments be put to Cabinet for consideration.

THE MEETING WAS CONCLUDED AT 8.48 pm

Chairman



**FORMAL RESPONSE OR CONSULTATION REQUESTS FROM THE CABINET  
AND/OR SELECT COMMITTEES FOLLOWING MATTERS REFERRED BY THE  
COMMITTEE**

(a) 2012/13 Budget and Review of Service Plans (Cabinet – 8 December 2011)

The Cabinet considered the comments of the Select Committees which had met in October and November on the 2012/13 Budget and Review of Service Plans. The Cabinet had regard to both the general observations made by the Select Committees and the specific recommendation of the Social Affairs Select Committee relating to the running of the Sevenoaks CCTV Control Room. Most of the Committee's comments had related to additional service pressures, most notably around the CCTV service, the cost of diesel and the workload faced by the housing benefits service. These points had been covered in the draft budget report for 2012/13 considered at minute 53 below.

Resolved: That the Cabinet welcomes and notes the views and comments on the draft budget proposals and Service Plans made by the Select Committees



**Environment Select Committee Work Plan 2011/12**

<b>Topic</b>	<b>17 January 2012</b>	<b>20 March 2012</b>	<b>June 2012</b>	<b>September 2012</b>
<b>Planning Policy</b> (Alan Dyer)	Development Management DPD	Sevenoaks Residential Character Assessment		
<b>Development Control</b> (Jim Kehoe)				
<b>Building Control</b> (Richard Wilson)				
<b>Street Scene &amp; Air Quality</b> (Richard Wilson)	Draft Consultation Response regarding the Gatwick Master Plan	Excessive Street Furniture		
<b>Transport (including parking)</b> (Richard Wilson)	Bus Companies	Railways and Trains (Southern and South-Eastern operators)		

Topic	17 January 2012	20 March 2012	June 2012	September 2012
<b>Economic Development and Tourism</b> (Lesley Bowles)				
<b>Budget</b> (Tricia Marshall)				
<b>Other</b>				

**Possible items to be considered in the future** (for items not yet timetabled in):

- Conservation Area Appraisals and Management Plans (Ad hoc items)  
*Edenbridge CAMP (possibly March 2012)*
- Local Listing Update (possibly March 2012)

**ENVIRONMENT SELECT COMMITTEE – 17 JANUARY 2012****GATWICK AIRPORT MASTER PLAN – SDC CONSULTATION RESPONSE**

Report of the: Community and Planning Services Director

Status: Consultation response for Consideration and approval

Key Decision: No

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**Executive Summary:**

The operator of Gatwick Airport is currently consulting on a draft master plan, which looks forward to 2020. The plan proposes that passenger throughput at the airport will increase to 40 million passengers per annum by 2020. The draft response to the consultation notes that the airport plays a key role in the South East economy but raises concerns about access to the airport and the noise impacts of any increases in the number of flights. The draft response also suggests that the need for increased capacity for international travel in the South East should be assessed by Government and that any proposals for a second runway at Gatwick prior to this would be unwelcome.

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**Portfolio Holder** Cllr. Mrs Davison

**Head of Service** Head of Development Services – Mr Jim Kehoe

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**Recommendation to the Environment Select Committee:**

It is recommended that the response, subject to any amendments made as a result of the Environment Select Committee's consideration, is agreed by the Portfolio Holder and sent to the Gatwick Airport operator as the Council's comments on the draft master plan.

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**Reason for recommendation:**

The draft response seeks to ensure that the key implications for Sevenoaks District of growth of passenger numbers and flights at Gatwick are considered in the final master plan.

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**Introduction**

- 1 The operator of Gatwick Airport is currently consulting on a draft master plan. This is the first master plan to be produced since Gatwick was sold by BAA to the consortium led by Global Infrastructure Partners (GIP) in 2009. The primary purpose of the master plan is to look forward to 2020. It does not propose that a second runway is constructed in this time. The plan also considers the development of the airport in the period to 2030. The section on

development post 2020 briefly considers capacities and issues at the airport both if a new runway is constructed and if one is not constructed. It is expected that a final version of the plan will be published in early 2012.

### **Gatwick Airport Development to 2020**

- 2 Gatwick handled 31.6 million passengers in 2010/11, with 242,558 aircraft movements. This is lower than the peak of 35.6 million passengers in 2007. The operator believes that the airport can grow to a throughput of 40 million passengers per annum, with 286,000 aircraft movements, by 2020. This is based on making more efficient use of the existing infrastructure. There are no proposals to expand Gatwick's footprint or construct a second runway in this period. The operator is currently undertaking a £1 billion investment programme to improve the efficiency of the airport and to expand the north terminal.
- 3 It is suggested that small increases in peak time travel might be possible but it is likely that the most significant growth will occur in the current off-peak periods. However, the forecasts are not based on any assumption of an increase in night movements above the current restrictions, which are set by the DfT at 11,200 flights during the summer and 3,250 during the winter.
- 4 The key issues for Sevenoaks District are considered to be:
  - access to the airport;
  - noise; and
  - the economy and jobs.

### Access to Gatwick

- 5 The master plan notes that 6.3% of passengers using Gatwick have their origins or destinations in Kent (p27). With the exception of London, this is the joint highest percentage of local counties (the figure for Surrey is also 6.3%). Gatwick's operator is keen to encourage more use of public transport and one of its targets is that the percentage of passengers from Kent using public transport to access Gatwick will increase from 11.1% to 15% (7.1.6).
- 6 The airport operator states that they are working in partnership with stakeholders and operators for the re-instatement of rail services between Gatwick and Kent (7.2.3). In addition to this, the master plan suggests that a new coach service from Kent will be introduced in the next few years (7.4.5). However, there are no details provided on which areas this might serve.
- 7 The plan proposes the development of approximately 7,000 additional parking spaces by 2020. This will meet a forecast shortfall at the airport of 4,000 spaces and provide capacity to meet some of the shortfall that would occur if some of the local unauthorised off-airport car parking (estimated at 5,000 spaces) was to close (6.5.18).
- 8 Significant increases in the number of passengers using Gatwick could have an adverse impact on congestion on the M25 in particular. The operator

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carried out a Transport Assessment on the implications of the airport's throughput reaching 40 million passengers per annum when preparing its planning application in 2009. It suggests that the road network around Gatwick will be able to accommodate the traffic that the growth in passenger numbers is anticipated to create but that improvements would be required to key junctions, including M23 j9A (7.3.16).

- 9 The draft response notes that the majority of people in Kent travelling to Gatwick would currently use the M25 and the M20 or M26, which are designated Air Quality Management Areas as they pass through Sevenoaks District. Any growth in passenger numbers at Gatwick should be supported by improved public transport links between the airport and Kent to reduce the negative impact that growth will have on congestion on the motorway network and the risk of increasing numbers of people using unsuitable local roads.
  
- 10 SDC support the reinstatement of direct services between Tonbridge and Gatwick (via Edenbridge). The airport operator's support for this is welcomed. The reinstated service should be more frequent than that previously operated and should be more effectively promoted by the train operator and Gatwick Airport. The master plan notes that, under the terms of the Airport's legal agreement, £1 million annually should be spent on public transport initiatives. No information is presented on where this money is currently being spent or on which projects. A proportion of this money should be put towards supporting or promoting this reinstated train service.

Noise

- 11 The master plan sets out a number of the different noise related issues that are controlled by Government regulation and policy. This includes the location of Noise Preferential Routes for aircraft departures, departure noise limits and the night movements and noise quotas limits for Gatwick (9.5.9). Restrictions on the number of night flights, and the noise that they can emit, are to be reviewed by the DfT in 2012 and will be subject to public consultation. The operator believes that the impact of the proposed passenger growth will be within an acceptable range and that the statutory requirements would be met (S16).
  
- 12 Information in the master plan on noise is based on environmental assessment work undertaken in 2009 to support the Gatwick expansion planning application. This work considered the impact of an increase in throughput to the 40 million passengers per annum forecast by the master plan. The air noise contours in figures A.5 and A.10 of the master plan show a slight increase in the area of Sevenoaks District that will be affected by noise of between 54 and 57db from 2009 to 2020 (these are reproduced in appendices B and C to this report). The operator suggests that this will largely be a return to the situation that existed before the recession (9.5.19). However, these noise levels are an average over the period of many hours. This does not provide an indicator of the annoyance that may be caused by particularly noisy flights or the frequency of flights.

- 13 The master plan sets out a number of actions to mitigate the impact of noise, such as offering subsidies for insulation (9.5.7), but includes little in the way of measures to reduce noise levels other than relying on the phasing out of noisier planes by airlines to compensate for increased frequency.
- 14 SDC recently wrote to Edenbridge Town Council to express its support for a number of the points raised in the Town Council's response to the 'Sustainable Framework for UK Aviation: Scoping Document'. This supported the town council's view that minimum height restrictions for aircraft approaching Gatwick should be set to reduce noise and that it is not equitable for Gatwick to have many more night flights than other airports in the South East. These points are reiterated in SDC's draft response to the draft master plan. The issue of height restrictions for arrivals is, disappointingly, not considered by the master plan. In addition, the section on night flights simply identifies this as an issue for Government regulation, which will be consulted on again in 2012. The Council's draft response suggests that these points should be considered in a much more thorough assessment of how noise from flights to and from Gatwick can be reduced.

#### Economic Impacts

- 15 The operator predicts that an additional 1,700 jobs will be created at the airport by increasing the throughput to 40 million passengers per annum. This is in addition to the 23,000 currently employed.
- 16 The operator also predicts that once throughput reaches 40 million passengers per annum, the airport will contribute approximately £2.3 billion Gross Value Added to the economies of London and the South East. This represents approximately 0.5% of total GVA for London and the South East.
- 17 However, there is concern that the proposed plans, which involves significant increases in CO<sub>2</sub> emissions (as identified in figure 9.3), can not be considered as sustainable economic growth. Carbon emissions would be likely to increase significantly again if a second runway were to be built at Gatwick.

#### Development at Gatwick Airport Between 2020 and 2030

- 18 The master plan also considers the development of the airport in the period to 2030. It is suggested that the airport would be able to handle around 45 million passengers in 2030 without a second runway and perhaps more if there were to be a second runway built. The operator suggests that land for a second runway should continue to be safeguarded for the long-term but state that they do not currently have any plans to develop this.
- 19 It is likely that any second runway would be built approximately 1km to the south of the existing runway. The operator's noise forecasting suggests that a second runway would see a larger area to the south of Edenbridge experiencing noise levels of between 54 and 57db. The area experiencing this level of noise would extend further into Sevenoaks District (see figures A5, A10 and A14).



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- 20 Whilst the operator notes that there may be a need for further improvements to public transport access by 2030 if a second runway is to be developed, there are no details provided on specific schemes.
- 21 The Council's draft response suggests that a full assessment of all options to increase capacity for international travel in the South East should be undertaken by Government to ensure that the most socially and environmentally acceptable option is progressed. It states that the development of any proposals for a second runway at Gatwick prior to this would be unwelcome.

**Other Options Considered and/or Rejected**

- 22 The Council could consider not sending a response to the consultation. However, this would represent a missed opportunity for the Council to influence development at Gatwick.
- 23 The Council could object to Gatwick's proposals for growth. However, it is understood that the proposals are consistent with noise level regulations and with planning permissions for development of the Airport. Positively engaging with the operator and seeking to influence the development is considered to be a better way of ensuring that the Council's concerns are taken into account.

**Key Implications**

Financial

- 24 There are no financial implication for the Council.

Community Impact and Outcomes

- 25 The social, economic and environmental impacts of the Gatwick Airport proposals have been considered in drafting the proposed response.

Legal, Human Rights etc.

- 26 No legal or human rights issues.

**Conclusions**

- 27 The draft response is considered to balance social, environmental and economic issues regarding the development of Gatwick. It focuses on the key issues for Sevenoaks District, which are considered to be noise and surface access, and suggests issues that should be considered either in developing the final master plan or in its implementation. The draft response is proposed as an appropriate response to the consultation.

**Risk Assessment Statement**

- 28 No risks identified.

**Appendices**

Appendix A – Draft Response

Appendix B – Existing Airport Air Noise Contours  
(reproduced from A.5 of the draft master plan)

Appendix C – Gatwick in 2020 Air Noise Contours  
(reproduced from A.10 of the draft master plan)

Appendix D – Gatwick in 2030 (Two Runway) Air  
Noise Contours (reproduced from A.14 of the draft  
master plan)

**Background Papers:**

Draft Gatwick Master Plan (October 2011)  
(available here: [http://gatwickmaster plan.co.uk/](http://gatwickmasterplan.co.uk/))

**Contact Officer(s):**

Steve Craddock (7315)

Alan Dyer (7440)

**Kristen Paterson**  
**Community and Planning Services Director**

## **Appendix A – Draft Response to the Consultation**

Sevenoaks District Council is grateful for the opportunity to comment on the draft master plan for the development of Gatwick Airport. The Council's primary concerns are the impact that growth of passenger throughput to 40 million passengers per annum will have on noise levels and annoyance in the southern part of Sevenoaks District, near Cowden, Hever and Edenbridge, and the impact of more passengers travelling by car to the airport from Kent.

SDC's responses to the consultation questions are set out below.

1. Do you think our strategy and plans for Gatwick Airport, as described in Chapter 2, will benefit the local community, the south-east region and the UK as a whole? If not, in what areas should our strategy and plans change?

SDC acknowledges that Gatwick plays an important role in the south-east economy and that it is a significant local employer. The Council are keen that Gatwick's economic benefits are maximised, whilst sustainable access to the airport is improved and aircraft noise levels and disturbance are reduced. These issues are the main focus of the remainder of the Council's response.

2. Do you have any comments to make on the air transport forecasts presented in Chapter 4?

The Council have no comments to make on the air transport forecasts.

3. Do you believe the Development Principles outlined in Chapter 5 support our ambition for Gatwick Airport?

The Council have no comments to make on the development principles at Gatwick.

4. Do you have any comments on the infrastructure developments in Chapter 6 to support growth to 40 million passengers by 2020?

The Council have no comments to make on the development of infrastructure at Gatwick.

5. Do you believe that the surface access improvements outlined in Chapter 7 are adequate to support Gatwick's growth? Do you think any further improvements are needed?

The majority of people in Kent travelling to Gatwick would currently use the M25 and the M20 or M26. All of these roads pass through Sevenoaks District and are designated Air Quality Management Areas, as a result of pollution caused by traffic levels and congestion. It is vital that any growth in passenger numbers at Gatwick is supported by improved public transport links between the airport and Kent to reduce the negative impact that growth will have on congestion on the motorway network and the risk of increasing numbers of motorists using unsuitable local roads.

The airport operator states that they are working in partnership with stakeholders and operators for the re-instatement of rail services between Gatwick and Kent. The operator's support for this is welcomed. SDC supports the reinstatement of direct services between Tonbridge and Gatwick (via Edenbridge). The reinstated service should be more frequent than that previously operated and should be more effectively promoted by the train operator and Gatwick Airport. The master plan notes that, under the terms of the Airport's legal agreement, £1 million annually should be spent on public transport initiatives. A proportion of this money should be put towards supporting or promoting this reinstated train service. In addition to this opportunity, the master plan suggests that a new coach service from Kent will be introduced in the next few years (7.4.5). This is welcomed.

6. Are there any other factors that should be taken into consideration in our analysis of the economic benefits generated by the growth of Gatwick, presented in Chapter 8?

Gatwick Airport is a strong contributor to the UK economy and plays a core role in boosting economic growth in the South-East and creating private sector jobs. The report states that *'Our sector is unique in the UK transport industry in having developed a robust and proactive sustainability initiative that is bearing results'*. Gatwick should be congratulated for endeavouring to improve their environmental policies. However, the long term emissions effect of this development shows a large increase in CO<sub>2</sub> emissions. Figure 9.3 (p.75) shows a large increase in CO<sub>2</sub> emissions for the current airport and this excludes the possible expansion of a new runway in the future. Development of this type has to be sustainable in the long term and the total emissions in Figure 9.3 is not consistent with sustainable economic growth.

7. Do you consider our strategies to manage carbon emissions at Gatwick as outlined in Chapter 9, to be appropriate? Please give your reasons.

See response to question 6.

8. Do you consider our strategies to manage aircraft noise at Gatwick, as outlined in Chapter 9, to be appropriate? Please give your reasons.

The sections on noise in Chapter 9 of the master plan clearly seek to set out the regulatory and policy framework for noise levels and noise related issues in which Gatwick Airport operates. The master plan indicates that the operator's view is that if operations are in compliance with these regulatory and policy criteria then there is little that needs to be done about the actual noise levels. Instead, the chapter's proposals focus on noise mitigation, such as providing noise information to homebuyers and funding a noise insulation scheme. Whilst these measures will be welcome by those that can benefit, it is considered that the master plan represents a missed opportunity to provide strategies to actually reduce noise levels.

The noise levels presented in the document, including those in the contour maps in appendices A.5, A.10 and A.14, are assessed using a metric which averages the noise energy over a period of many hours. Whilst this can be used as an indicator of annoyance, many individuals will react not to an average level but to the number of

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flights and those individual flights that stand out as being more noisy, perhaps due being lower than normal, an older aircraft type being used, or weather effects on sound propagation. Thus any increase in flight numbers will be highly undesirable to those in the south-west of Sevenoaks District.

Para 9.5.9 states that 'the DfT determines the location of Noise Preferential Routes (NPR) for aircraft departures and sets departure noise limits and the night movements and noise quotas limits for Gatwick'. It is noted that the master plan does not refer to any Government regulation of arrival noise. SDC support the suggestion made in Edenbridge Town Council's recent response to the 'Sustainable Framework for UK Aviation: Scoping Document' that minimum height restrictions for aircraft approaching Gatwick should be set to reduce noise. It is disappointing that the master plan fails to deal with this issue, given that it appears to be one of the few noise related issues that are not regulated by Government.

It is suggested in the plan that the noise rise resulting from increased flights may be off-set by newer quieter aircraft being used in future years. Aircraft are expensive and in a time of global financial pressures airlines may be slower to buy new planes and the older types may remain in service longer than the plan expects, thus negating some of the noise gains being used to offset increased flights. It is also noted that the plan refers to the potential for carbon reduction measures on aircraft to increase the noise they emit.

Whilst it is recognised that the operator considers that the proposals will keep noise within regulated limits, SDC considers that the plan provides insufficient consideration of how actual noise levels and the nuisance caused by particularly noisy flights could be reduced. Proposals to reduce the impact of arrivals by establishing a minimum height at which aircraft should be approaching Gatwick should be developed.

SDC also support Edenbridge Town Council's view that it is not equitable to allow more night landings at Gatwick than other airports in the South East, as is currently the case. The Council will argue this point during the proposed DfT consultation on night flights in 2012, with a view to seeking a reduction in the number. It would object strongly to any proposal to increase the number of night flights, which could allow further increases in passenger throughput at the airport.

9. Do you consider our strategies to manage other environmental impacts at Gatwick, as outlined in Chapter 9, to be appropriate? Please give your reasons.

The Council have no comments to make on other environmental impacts at Gatwick airport.

10. Do you have any comments to make on our options for Gatwick beyond 2020 as described in Chapter 10?

It is noted that the operator does not currently propose the development of a second runway at Gatwick. Should such a proposal be put forward in the future, SDC would be concerned that the forecasts suggest that this would result in a wider area of Sevenoaks District being subjected to noise levels between 54 and 57 db. It is

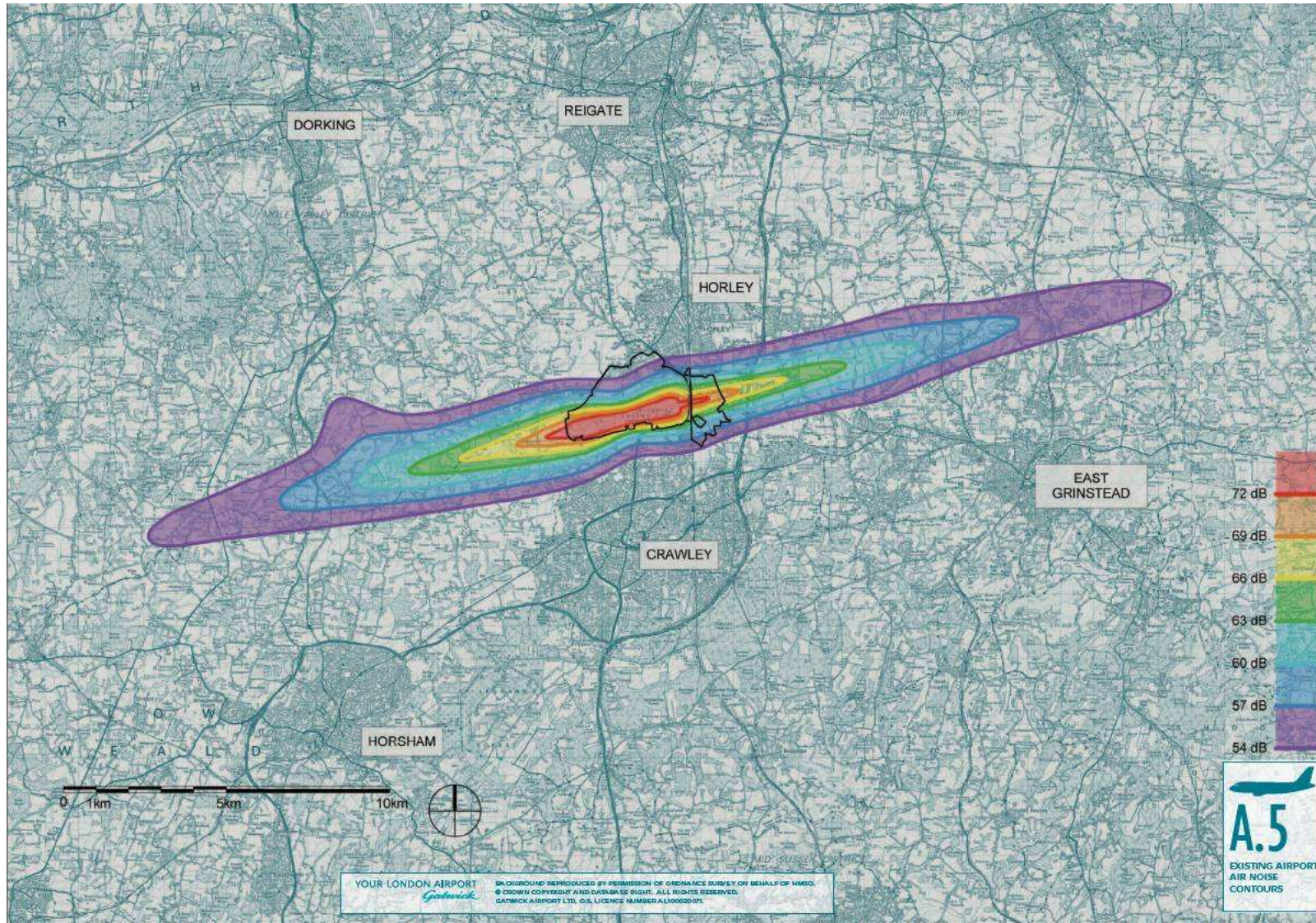
considered that a full assessment of all options to increase capacity for international travel in the South East should be undertaken to ensure that the most socially and environmentally acceptable option is progressed. This assessment needs to be undertaken by Government and should inform a National Planning Statement, following consultation. The development of any proposals for a second runway at Gatwick prior to this would be unwelcome.

11. Do you have any other comments to make on our master plan?

The Council have no further comments to make.

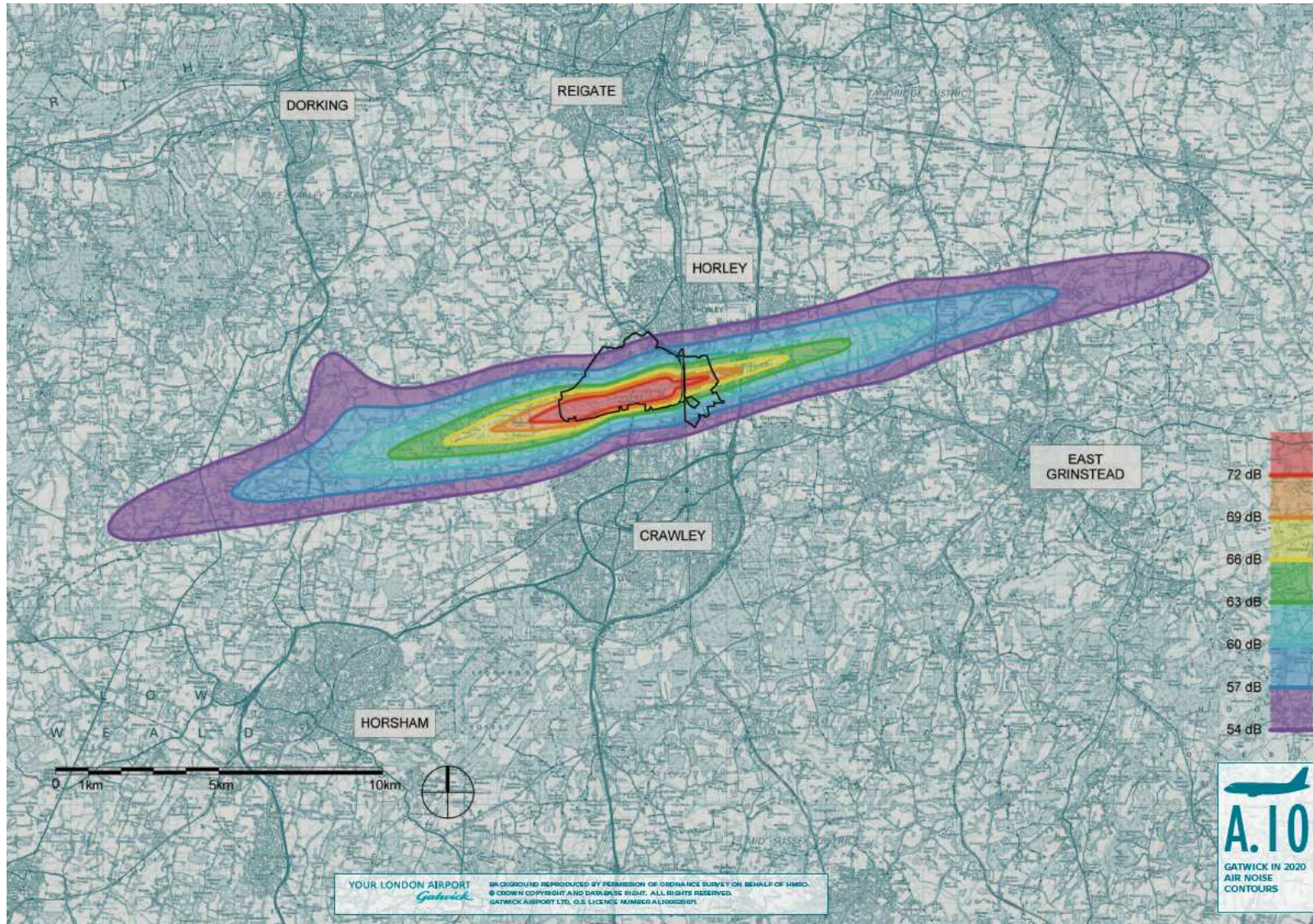


Appendix B – Existing Airport Air Noise Contours (reproduced from A.5 of the draft master plan)



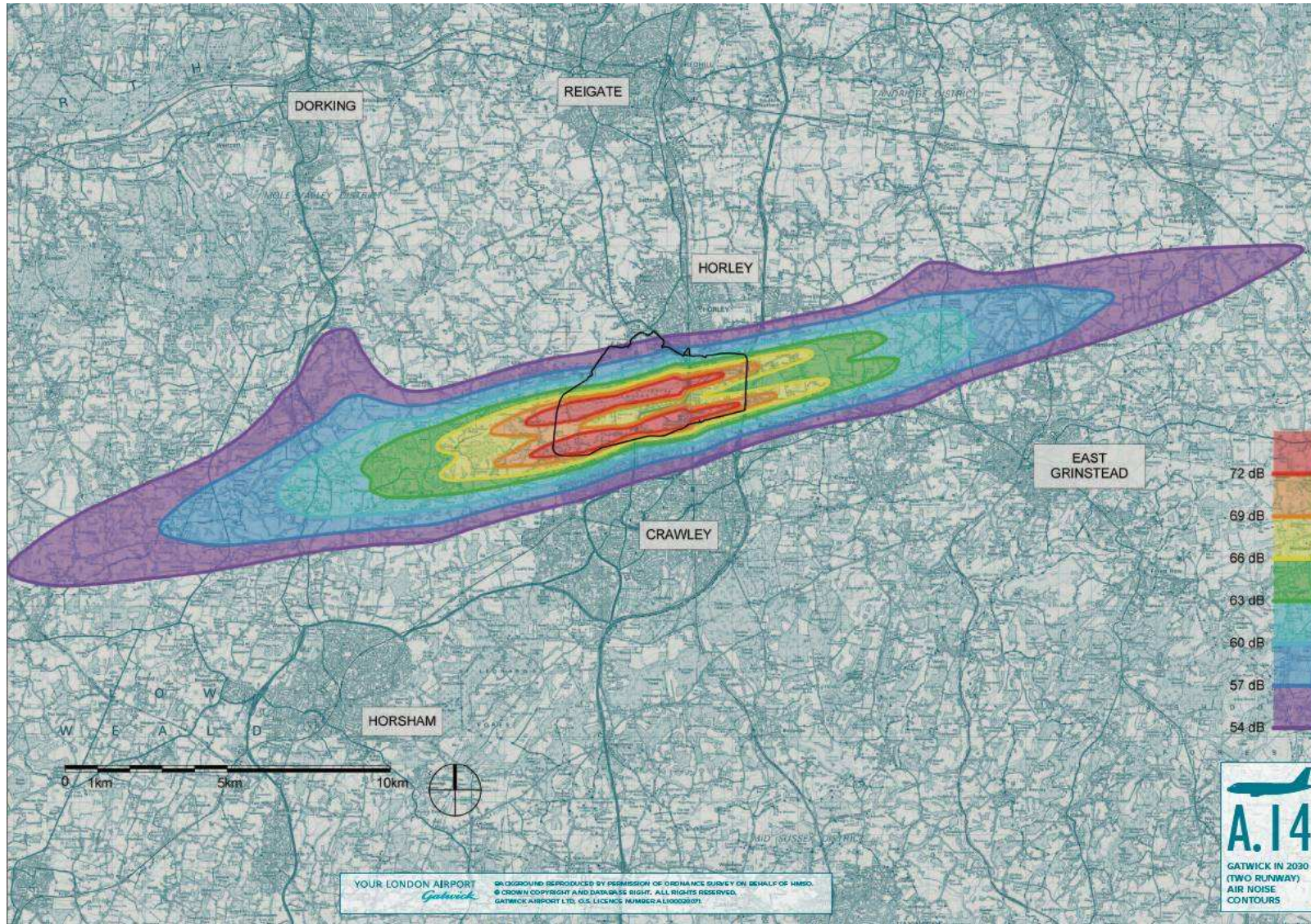


Appendix C – Gatwick in 2020 Air Noise Contours (reproduced from A.10 of the draft master plan)





Appendix D – Gatwick in 2030 (Two Runway) Air Noise Contours (reproduced from A.14 of the draft master plan)



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**ENVIRONMENT SELECT COMMITTEE - 17 JANUARY 2012**

**LOCAL DEVELOPMENT FRAMEWORK TIMETABLE**

Report of the: Director of Community and Planning Services

Status: For consideration

Also considered by: LDF Advisory Group

Key Decision: No

**Executive Summary:**

The report explains the need to amend the timetable for publishing the Allocations and Development Management DPD so that it takes full account of the NPPF and enables further consideration to be given to key development sites. This involves a five month delay so that the plan is agreed for publication in July rather than February of this year. The report also covers other changes to the LDF timetable, including the production of a Charging Schedule for the Community Infrastructure Levy and planning for gypsies and travellers. A revised Local Development Scheme, which is the statutory document setting out the timetable for preparing LDF documents is contained in Appendix A to this report.

**This report supports all the key aims of the Community Plan**

**Portfolio Holder** Cllr. Mrs Davison

**Head of Service** Head of Development Services – Mr Jim Kehoe

**Recommendation :**

That Cabinet be recommended to agree the revised Local Development Scheme as set out in Appendix A.

**Reason for recommendation:** To help ensure the Allocations and Development Management DPD is sound and to keep the Local Development Scheme up to date.

**Background**

- 1 Following the adoption of the Core Strategy plan preparation has focussed on the Allocations and Development Management DPD which will contain proposals for the development of key sites and detailed policies to control development. Separate consultation has taken place on draft proposals for site allocations and development management policies.

- 2 The current programme for the DPD is aimed at taking the draft document to Environment Select on 17 January then Cabinet and Full Council on 9 and 21 February, leading to formal “publication” in March 2012 and adoption in May 2013. The proposed revision would result in publication in late summer 2012 and adoption in October 2013.
- 3 Work is advanced in revising the earlier consultation documents on site allocations and development management policies and combining them into one. The results of the open spaces consultation are also being integrated. The DPD will need to be supported by an updated sustainability appraisal, an equalities impact assessment and a statement of publicity and consultation incorporating formal responses to consultation comments. All this work is being carried out within the team and it is envisaged that the draft documents will be complete in time to meet this timetable.
- 4 Once the publication stage is reached it is difficult to make significant changes to the plan without withdrawing and re-publishing which potentially involves substantial delay. It is therefore extremely important that the plan is a finished document so far as the Council is concerned. In short we need to be satisfied that the publication version is a “sound” plan.
- 5 There are significant external factors that will affect are ability to produce a sound document for approval in February. These fall under two headings:

#### Issues with the NPPF.

- 6 Consultation on the NPPF closed in October and the final version is promised by April 2012. The plan must be consistent with the NPPF and, while the draft gives a clear indication of the Government’s intended policy directions, there have been extensive and high profile calls for change and it is likely that there will be significant changes in the final version compared with the draft. In advance of the final version we can produce a draft publication version that is consistent with the draft NPPF but until we see the final version we cannot be sure that we have a plan that will be consistent with the finalised NPPF. In essence there is a risk attached to progressing to the publication stage in advance of seeing the final NPPF and it is serious because changes to the NPPF that are not reflected in the published plan could render the plan unsound.
- 7 Additionally there are aspects of the draft NPPF to which the Council has objected because of concerns about potential adverse implications for the District (e.g. the ability to maintain the stock of employment land). It would not be appropriate to recommend DPD policies to Members that might have a damaging effect on the District while a possibility remains that they may not be needed if the draft NPPF is amended in response to comments received.

#### Issues with Key Sites

- 8 There are unresolved issues with some key development sites identified in the Core Strategy for which the Allocations and Development Management DPD needs to give direction. The two most important sites are:



a) Swanley Town Centre

Regeneration of the town centre is a key proposal of the Core Strategy. Discussions have taken place with the owner which should lead to proposals coming forward early next year. These will need to be considered and be subject to wider engagement. At the beginning of the year the position will still be uncertain.

b) Land West of Blighs Meadow, Sevenoaks

This is identified as a key development site in the Core Strategy. The site allocations consultation is based on the Planning Brief proposal for mixed use development including 59 dwellings but a final decision has yet to be made on whether to take forward the Planning Brief proposals.

**Proposed Approach**

- 9 In view of the uncertainties over the NPPF and key sites outlined above it is proposed to delay the publication stage of the DPD until summer 2012. This will enable account to be taken of the final version of the NPPF and give time for firmer proposals to be developed for key sites.
- 10 In the meantime there is scope for bringing forward a draft document in advance of the final version for consideration by Members but on the understanding that some aspects may be unfinished or subject to change. The advantage of this approach is that it will enable Members to consider informally aspects of the final plan, particularly changes in response to representations.

**Community Infrastructure Levy**

- 11 The Government confirmed last year that it would introduce the Community Infrastructure Levy (CIL), which is a levy on new development to fund infrastructure provision. Local authorities are not required to introduce CIL but they will not be able to use legal agreements on planning applications after 2014 to secure pooled contributions to infrastructure improvements and will only be able to do this through CIL.
- 12 To introduce CIL in the District we have to produce a charging schedule, which must be submitted for independent examination in the same way as a DPD. Further information on CIL is contained in the briefing note at Appendix B.
- 13 We are starting work now on preparing a Charging Schedule with the aim of completing the technical work and consulting on and reviewing draft proposals this year, so that the Charging Schedule can be submitted for examination next year.

**Planning for Gypsies and Travellers**

- 14 The Government consulted last year on a revised planning policy statement on "Planning for Traveller Sites" which it intends to include in the NPPF. The draft document encourages councils to assess local needs and make future

provision based on need and historic demand. An updated local needs assessment for the District is currently under way.

- 15 It is proposed to bring forward a separate Gypsies and Travellers DPD to identify sites for future provision. A separate DPD will avoid further delay to the Allocations and Development Management DPD and enable the document to have a clear focus. Work will start later this year.

### **Local Development Scheme (LDS)**

- 16 The LDS is the statutory document that sets out the programme for preparing development plans. The Localism Act removes the requirement to submit LDS amendments to the Secretary of State but Councils are still required to produce and update the LDS and to make it publically available. Amendments to the LDS are required to reflect the changes listed above to the formal programme and a revised document is attached at Appendix A.

### **Options**

- 19 The report recommends amending the LDS timetable in response to external factors including changing Government policy. Alternatively the timetable could remain unchanged, but failing to change the timetable for the Allocations and Development Management DPD risks the plan being found unsound due to conflict with Government policy. Failing to include the CIL Charging Schedule would mean the Council misses the opportunity to benefit from the opportunity provided by CIL. Failing to include a Gypsy and Traveller DPD would lead to a policy vacuum resulting in more unauthorised development being allowed across the District. Maintaining the current programme is not therefore recommended.

### **Key Implications**

#### Financial

- 25 Budgetary provision has been made for the cost involved in preparing LDF documents through the LDF budget.

#### Community Impact and Outcomes, Equality and Sustainability Impacts

- 26 These will be addressed in the preparation of the documents concerned.

#### Legal, Human Rights etc.

- 27 Producing and updating the LDS is a statutory requirement.

### **Risk Assessment**

The LDS contains its own risk assessment at Section 6. The risks involved in not amending the LDS are outlined under “Options” above.

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**Background Papers:**

Allocations DPD (Options) February 2010

Development Management Draft Policies for  
Consultation May 2011

Planning for Traveller Sites (CLG Consultation)  
April 2011

**Contact Officer(s):**

Alan Dyer Ext 7440

**Kristen Paterson**

**Community and Planning Services Director**





**Sevenoaks District Council**

**Local Development Scheme**



**January 2012**



## Local Development Scheme January 2012

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# 1 INTRODUCTION

## Background

- 1.1 This Local Development Scheme (LDS) has been prepared in accordance with Section 15 of the Planning and Compulsory Purchase Act 2004 (as amended) and is the project plan for the production of the Local Development Framework for Sevenoaks District Council.
  
- 1.2 The Local Development Framework (LDF) replaces the current Development Plan including the Sevenoaks District Local Plan 2000.
  
- 1.3 The Council is completing the Local Development Framework in phases. This Local Development Scheme sets out the Council’s programme for the preparation of Development Plan Documents (DPDs) for the period up to 2014. Following amendments to the legislation introduced in 2008 to increase flexibility, the LDS no longer needs to include the programme for preparing Supplementary Planning Documents (SPD). However, information on the Council’s current proposals for preparing SPDs is included for information. Readers should check with the Council’s website for any updates to the SPD programme.
  
- 1.4 Progress in producing LDF documents will be assessed on an annual basis and reported in the Council’s Annual Monitoring Report (AMR) published in December. The AMR will consider whether any changes are needed to the LDS in the light of changing circumstances or whether additional actions are needed to maintain the current timetable.
  
- 1.5 Following Government approval copies of the document will be made available for inspection at the Council Offices. Alternatively it may be viewed online on the Council’s website at [www.sevenoaks.gov.uk](http://www.sevenoaks.gov.uk)

## About The District

- 1.6 Sevenoaks District Council has an area of 142 square miles and is located in West Kent bordering Greater London, Surrey and Sussex. The District covers three main towns, namely Sevenoaks, Swanley and Edenbridge, together with many other small towns and villages and extensive areas of countryside.

## Strategic Planning Context

- 1.7 The District is subject to a number of statutory national planning designations. 93% of the District lies within the Metropolitan Green Belt and over 60% is within either the High Weald or Kent Downs Areas of Outstanding Natural Beauty. There are 24 Scheduled Ancient Monuments, approximately 2116 Listed Buildings and 40 Conservation Areas within the District. In addition Sevenoaks has 17 designated Historic Parks and Gardens, the highest number in Kent. The District is currently covered by the South East Plan, though the Localism Bill proposes the abolition of regional plans.

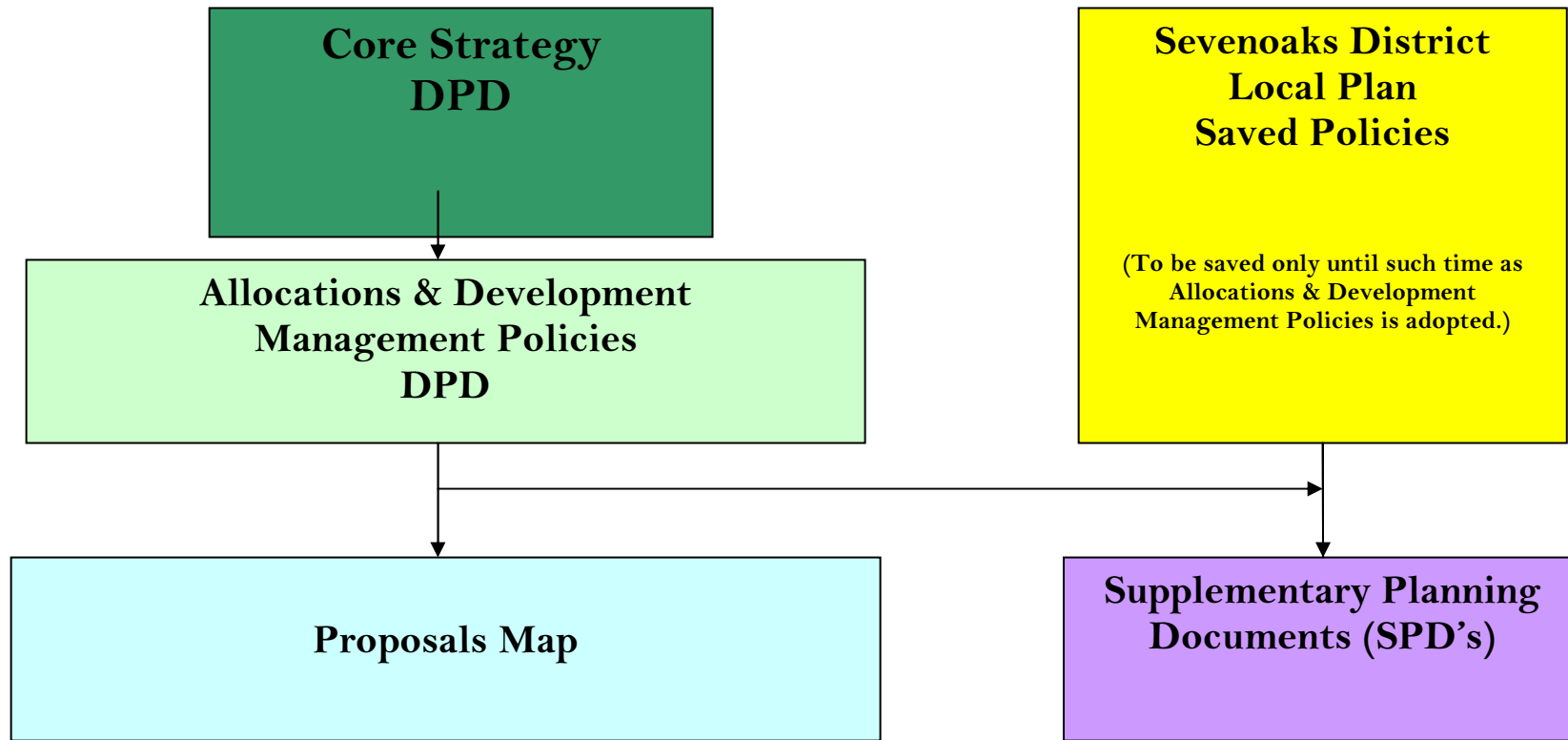
## Current Statutory Development Plan

- 1.8 Following the adoption of the Core Strategy for the District in February 2011 the current Development Plan for the District comprises:
- *The South East Plan 2009*
  - *The Sevenoaks District Core Strategy 2011*
  - *the remaining saved policies from the adopted Sevenoaks District Local Plan 2000*
  - *the saved policies from the Kent Minerals Subject Plan: Brickheath Written Statement adopted 1986*
  - *the saved policies from the Kent Minerals Local Plan: Construction Aggregates adopted 1993*
  - *the saved policies from the Kent Minerals Local Plan: Chalk and Clay adopted 1997*
  - *the saved policies from the Kent Minerals Local Plan: Oil and Gas adopted 1997*
  - *the saved policies from the Kent Waste Local Plan adopted 1998*

## Local Development Framework

- 
- 1.9 The Council formally adopted a Statement of Community Involvement (SCI) in 2006. Future consultations to be carried out on all Development Plan Documents will be subject to the requirements set out in the SCI.
- 1.10 The figure over the page outlines the relationship between planning policy documents which will be or have already been produced.
- 1.11 The Council adopted the Core Strategy DPD in April 2011. The Council has four adopted SPDs. Kent Design was adopted as SPD in 2007, whilst the Residential Extensions SPD was adopted in May 2009. The Affordable Housing SPD and Countryside Assessment SPD were adopted in October 2011. These documents, together with the SCI and LDS, form the LDF for the District. The timetable for the production of additional LDF documents can be found in Chapter 3 Overall Programme and detailed descriptions of the documents can be found in Chapter 4 LDD Profiles.

# THE SEVENOAKS LOCAL DEVELOPMENT FRAMEWORK KEY DIAGRAM



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## 2 TRANSITIONAL ARRANGEMENTS

### Saved Plans

- 2.1 The Kent and Medway Structure Plan 2006 expired on 6 July 2009. However a series of policies from the adopted Sevenoaks District Local Plan 2000 have been saved from 27 September 2007. The Core Strategy replaced some of these policies and those still remaining in force are listed in Appendix 1. They will be replaced by the Allocations and Development Management DPD.

### 3 TIMETABLE FOR PRODUCTION OF DPDS

3.1 The following is an indicative timetable for the production of the Local Development Framework. Whilst the Council is no longer required to include SPD's within the timetable, they are included for information purposes. Priority will be given to the preparation of DPDs. The District will support the preparation of Neighbourhood Plans but they are not included as their preparation is led by local parish and town councils. Planning Briefs for other key development sites identified in the Core Strategy may also be required. If needed these will be added to the schedule for completion during the LDS period.

	2012												2013												2014											
	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D
<b>Development Plan Documents</b>																																				
Allocations & Development Management Policies DPD																																				
CIL Charging Schedule																																				
Gypsy and Traveller DPD																																				
<b>Supplementary Planning Documents</b>																																				
Residential Character Areas SPD - Sevenoaks																																				
Residential Character Areas SPD - Swanley																																				
Residential Character Areas SPD - Edenbridge																																				
Green Belt SPD																																				
Horsiculture SPD																																				

<p>Development Plan Documents</p> <ul style="list-style-type: none"> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: blue; border: 1px solid black; margin-right: 5px;"></span> Preparation (Regulation 25)</li> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: orange; border: 1px solid black; margin-right: 5px;"></span> Informal Consultation (Regulation 25)</li> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: purple; border: 1px solid black; margin-right: 5px;"></span> Pre-Submission Publication (Regulation 27)</li> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: black; border: 1px solid black; margin-right: 5px;"></span> Cabinet/Committee Approval</li> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: yellow; border: 1px solid black; margin-right: 5px;"></span> Submission (Regulation 30) - Key Milestone</li> </ul>	<ul style="list-style-type: none"> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: green; border: 1px solid black; margin-right: 5px;"></span> Pre-Hearing Meeting</li> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: lightpurple; border: 1px solid black; margin-right: 5px;"></span> Hearing</li> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: grey; border: 1px solid black; margin-right: 5px;"></span> Inspector's Report</li> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: red; border: 1px solid black; margin-right: 5px;"></span> Adoption - Key Milestone</li> </ul>
<p>Supplementary Planning Documents</p> <ul style="list-style-type: none"> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: blue; border: 1px solid black; margin-right: 5px;"></span> Preparation</li> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: orange; border: 1px solid black; margin-right: 5px;"></span> Consultation</li> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: red; border: 1px solid black; margin-right: 5px;"></span> Adoption</li> </ul>	



## 4 LDD PROFILES

- 4.1 The following table profiles the Development Plan Documents to be prepared by the Council up to the end of 2014.
- 4.2 This edition of the LDS includes an amendment to bring the LDS up to date. The Core Strategy DPD, Countryside Assessment SPD and Affordable Housing SPD were all adopted in 2012 and have therefore been removed from the LDS. The Developer Contributions SPD will now be incorporated in the CIL Charging Schedule and has therefore also been removed. A Gypsy and Traveller DPD has been added to the scheme. Evidence gathering for this DPD commenced in 2012 and the timetable for its production mirrors that for the CIL Charging Schedule.

Local Development Document	Area	Chain of Conformity	Led By	Other Contributors	Resources Required	Reasoned Justification
<p><b>Core Strategy DPD (adopted Feb 2011)</b></p> <p>The Core Strategy sets out the vision for the District. It contains spatial policies that deal with the distribution of development in the District and general policies that help to deliver the vision.</p>	Whole District	National Policy ▼ Core Strategy	SDC Policy Team	<p>Head of Community Development</p> <p>Head of Housing</p> <p>Head of Development Services</p> <p>Parish/Town Councils</p>	<p>Officer and Member time</p> <p>LDF Advisory Group time</p> <p>Sevenoaks Community Partnership time</p> <p>Financial resources for evidence base, consultation, publication,</p>	The Core Strategy is the first stage in preparing the spatial expression of the Community, and other, Strategies. It is a statutory requirement. It provides a strategic framework for the preparation of other LDDs.

					postage and publicity	
<p><b>The Allocations and Development Management DPD</b></p> <p>The DPD will identify new land use site allocations including housing and other land use designations such as the Green Belt and AONB boundaries. It will also include detailed policies for the management of development that will be used in the determination of planning applications and to ensure that development will achieve the vision of the Core Strategy.</p>	<p>Whole District</p>	<p>National Policy ▼ Core Strategy ▼ Allocations and Development Management</p>	<p>SDC Policy Team</p>	<p>Head of Community Development  Head of Housing  Head of Development Services  Head of Financial Services  Parish/Town Councils</p>	<p>Officer and Member time  LDF Advisory Group time  Sevenoaks Community Partnership time  Financial resources for consultation, publication, postage and publicity</p>	<p>This deals with the allocation and designation of areas of land. In terms of new allocations it will identify housing sites to meet the Core Strategy provision. It will also show national designations such as Green Belt AONBs and local designations which aim to protect existing uses under development pressure such as green spaces, shopping frontages and business areas. It will also include detailed development management policies where needed that will replace the remaining Saved Local Plan policies and provide an up to date local policy framework for the detailed consideration of development proposals.</p>

<p><b>The Community Infrastructure Levy (CIL) Charging Schedule</b></p> <p>The charging schedule will set out the charges applicable to new developments to fund necessary infrastructure improvements for the District</p>	<p>Whole District</p>	<p>National Policy ▼ Core Strategy ▼ CIL Charging Schedule</p>	<p>SDC Policy Team</p>	<p>Head of Community Development  Head of Housing  Head of Development Services  Parish/Town Councils</p>	<p>Officer and Member time  LDF Advisory Group time  Sevenoaks Community Partnership time  Financial resources for consultation, publication, postage and publicity</p>	<p>The preparation of a charging schedule is a requirement for authorities introducing CIL. Funding from CIL is necessary to support necessary infrastructure improvements required to support new development in the District. The charging schedule will be supported by evidence of infrastructure needs and costs drawing on the Core Strategy Infrastructure Delivery Plan. As it is proposed to restrict the use of S106 agreements from 2014 the charging schedule needs to be in place by that date.</p>
<p><b>The Gypsies and Travellers DPD</b></p>	<p>Whole District</p>	<p>National Policy ▼ Core Strategy ▼ Gypsies and Travellers DPD</p>	<p>SDC Policy Team</p>	<p>Head of Community Development  Head of Housing  Head of Development Services  Parish/Town Councils</p>	<p>Officer and Member time  LDF Advisory Group time  Sevenoaks Community Partnership time  Financial resources for consultation, publication, postage and publicity</p>	<p>The Gypsies and Travellers DPD will make provision for sites for gypsies and travellers in response to local needs and historic demand taking account of national policy and relevant Core Strategy Policy, including Policy SP6. The DPD will be supported by a local needs assessment to be completed in 2012.1</p>



## 5 SUPPORTING STATEMENT

### Background Studies

- 5.1 The Council has commissioned a number of background studies that will be used as an evidence base for the preparation of the LDF. These are set out in the table below:

Study	Comments
<b>Appropriate Assessment report</b>	Completed June 2009
<b>Affordable Housing Viability Study</b>	Completed November 2009
<b>Strategic Housing Land Availability Assessment (SHLAA)</b>	Completed July 2008 Updated September 2009
<b>Hotel Study</b>	Completed August 2007
<b>Employment Land Review</b>	Completed January 2008
<b>Retail Study</b>	Completed May 2005. Updated October 2007 Updated June 2009
<b>Open Space Study</b>	Completed January 2009
<b>Settlement Hierarchy</b>	Completed October 2009
<b>Strategic Flood Risk Assessment</b>	Completed May 2008
<b>Transport Study</b>	Completed January 2007
<b>Sevenoaks District Strategy for Transport</b>	Completed July 2010
<b>West Kent Strategic Housing Market Assessment</b>	Completed December 2008
<b>Gypsies and Travellers Local Needs Assessment</b>	Due for completion in February 2012

### Sustainability Appraisal

- 5.2 Sustainability Appraisal (SA) of all DPDs will be required to assess how they will impact on the social, economic and environmental fabric of the District. SA involves five stages and the preparation of three key reports as follows:

- *Stage A: Setting the context and objectives, establishing the baseline and deciding on the Scope (Scoping Report)*
- *Stage B: Developing and refining options (Initial SA Report)*
- *Stage C: Appraising the effects of the plan (Final SA Report)*

- *Stage D: Consulting on the plan and SA Report*
- *Stage E: Monitoring implementation of the plan*

5.3 Sustainability Appraisal was carried out at all stages in the preparation of the Core Strategy and of stages completed so far in the Allocations and Development Management DPD.

### Reporting Structures

5.4 The Council has set up an LDF Advisory Group that comprises elected Members reflecting the political balance of the Council, representatives from both Town and Parish Councils and representatives from the Sevenoaks District Community Partnership. The Portfolio Holder chairs the Group and Officers attend meetings as required. The group's role is to advise and act as a sounding board during the preparation of the LDF. The group will also consider Officer reports before they are presented to the Cabinet.

5.5 Cabinet is responsible for making executive decisions affecting preparation of the LDF, scrutinised by the Environment Select Committee. Draft LDDs will go to Full Council for approval prior to Formal Submission.

### Resources

5.6 The Planning Policy Team is located within the Development Services Directorate at the Council. Members of the team have other duties in addition to the preparation of the Local Development Framework.

5.7 Following is a list of the Officers within the team when it is fully staffed, along with an estimate of the amount of time that each officer will give to the preparation of the Local Development Framework:

- *Team Manager 75%*
- *Principal Planning Officer 75%*
- *Senior Planning Officer 60%*
- *Senior Planning Officer (part time 4 days per week) 60%*

- 
- *Senior Planning Officer 60%*
  - *Planning Policy Officer 60%*
  - *LDF Monitoring Officer (part time 3 days per week) 80%*
  - *Planning Policy Technical Clerk 10%*

5.8 For the preparation of specific Local Development Documents, the Council will call on the expertise of other appropriate members of staff. These include members of the Development Control Team, Housing Policy team, and Community Development Team.

5.9 The Council will draw on expertise from Kent County Council and also has access to a range of expertise and skills within the Kent Downs and High Weald AONB Units.

5.10 A Service Plan with Performance Management targets based on LDS milestones and internal reporting is prepared annually and will be reviewed in line with the Annual Monitoring Report and any revisions to this LDS. This will be used to inform individual work plans for team members.

#### Financial Resources

5.11 A 5 year budget plan has been prepared in consultation with the Head of Financial Services which will form part of the Council's overall budget setting.

#### Protocol for Amending the LDS and LDF

5.12 The Annual Monitoring Report may highlight the need to review the Local Development Scheme and the Local Development Framework.

5.13 The Council has prepared a protocol which sets out the Council's procedures for amending the LDS and the LDF to cover:

- *the introduction/withdrawal of LDD;*

- 
- *the introduction/withdrawal of an Area Action Plan; and*
  - *amendment to any of the documents within the LDF including the proposals map.*



## 6 GENERAL RISK ASSESSMENT FORMS

Date: January 2012  
 Service: Local Development Framework  
 Assessed By: Alan Dyer  
 Location: Planning Policy  
 Review Date: January 2013

No	Hazard	Severity 1-5  1=low 5=high	Likelihood 1-5  1=low 5=high	Level of Risk	Control Action / Contingency Action	Result	Triggers for Action
1	External factors such as publication of the National Planning Policy Framework being delayed and guidance not being issued in a timely manner leading to uncertainty in the strategic planning background and potential delay if guidance is unclear	3	3	9	This is beyond the Council's direct control  Maintain close liaison with PINS, and the Department of Communities and Local Government (DCLG).  Agree revised LDS timetable with GOSE and PINS if necessary.	N	Lack of response
2	Government planning reforms may lead to changes in future requirements for LDFs	2	4	8	The Core Strategy already identifies a significant role for Parish Plans and Village Design Statements and for other initiatives developed at a local level, including Neighbourhood Plans. It is therefore well-placed to take on board the Localism agenda which reduces the severity score.  Monitor emerging proposals and be prepared to carry out a further early review of the LDS if necessary.  Give priority to DPDs if there are additional	A	Progress in implementing the Localism Act and related guidance

					<b>demands on available resources</b>		
3	Staff turnover, sickness or retirement	4	3	12	Incentives maintained to retain staff including market payments and career grade structures.  Give priority to DPDs over SPDs should there be an extended loss of staff resources.	A	Appraisal System and 1-1 sessions.
4	Production and Council approval of the various components of the LDF are late (for whatever reason) with subsequent knock-on effect on the overall timetable	3	2	6	Reporting procedures in place to review progress against timetables and intervene at an early stage to keep LDF work on track.	A	Failure to meet targets and milestones in the LDS
5	Extended Citrix failure. Failure of main computer server - inability to access software programs	5	1	5	Return to conventional network system  Set up limited paper files for essential records	T	Known problem – if it fails, everything stops
6	The budget for LDF work is inadequate financial resources to complete the LDF according to timetable.	4	3	12	A long term rolling budget programme has been set and agreed by Members.  The LDS has been reviewed to re-programme activity and achieve a substantial saving by reducing the number of separate DPDs  Undertake joint working with partners to cut costs  Maximise use of the website to reduce printing costs	T	Budget over spend
7	The Inspector for the Examination considers the DPD as unsound resulting in considerable extra work for planning officers and failure to meet planned timescales	5	1	5	The Council will seek to minimise this risk by ensuring that the DPDs are sound founded on a robust evidence base and high standard to stakeholder and community engagement  Use of Counsel to advise on procedural and soundness issues	T	Inspector's Report

					<p>Establish and maintain close liaison with key stakeholders and maintain close liaison with PINS, and the CLG</p> <p>Monitor outcome of comparable DPDs and identify relevant lessons</p> <p><b>Maintain staff training.</b></p>		
8	There is a legal challenge to the adoption of the DPD	4	1	4	The Council will seek to minimise this risk by ensuring that the DPDs are sound founded on a robust evidence base and high standard of stakeholder and community engagement	T	Notice of challenge

**Key;**

**N = Not adequately controlled (11-25)**

**A = Adequately controlled (6-10)**

**T = Trivial risk (1-5)**

## 7 GLOSSARY OF TERMS

Abbreviation	Document Name	Document Description
AMR	Annual Monitoring Report	Authorities are required to produce AMRs to assess the implementation of the LDS and the extent to which policies in the LDF are delivering the Council's spatial vision.
CIL	Community Infrastructure Levy	A levy on new development to fund infrastructure improvements. The levy is supported by a charging schedule which sets out the levy for different types of development supported by evidence of future needs and costs of provision.
DCLG	Department for Communities and Local Government	DCLG sets policy on local government, housing, urban regeneration, planning and fire and rescue. In England, it has responsibility for all race equality and community cohesion related issues, building regulations, fire safety and some housing issues.
DPD	Development Plan Document	The Documents that a local planning authority must prepare, and which have to be subject to rigorous procedures of community involvement, consultation and independent examination. The Core Strategy is the key plan within the LDF and should be prepared by every local planning authority. Other DPDs may be prepared where necessary to provide additional detail which would not be suitable for a Core Strategy and which needs to have development plan status.
LDF	Local Development Framework	The LDF is the collection of local development documents produced by the local planning authority which collectively deliver the spatial planning strategy for the District.
LDD	Local Development Document	LDDs comprise DPDs, and SPDs.
LDS	Local Development Scheme	The LDS sets out the programme for preparing Development Plan Documents.
PINS	Planning Inspectorate	Independent body which undertakes examination of the LDF.
PPS	Planning Policy Statement	Government statements of national planning policy.
SA	Sustainability Appraisal	Assessment of the social, economic, and environmental impacts of the policies and proposals contained within the LDF.
SCI	Statement of Community Involvement	Document explaining to stakeholders and the community, how and when they will be involved in the preparation of the LDF, and the steps that will be taken to facilitate this involvement.
SPD	Supplementary Planning Document	Documents which will provide further guidance regarding how development plan policies should be implemented.

## APPENDIX 1: REMAINING SAVED LOCAL PLAN POLICIES FOLLOWING ADOPTION OF THE CORE STRATEGY

Policy	Title
<b>Chapter 4 Environment</b>	
EN1	Development Control – General Principles
EN4A-C	Access for Persons with Disabilities
EN6	Area of Outstanding Natural Beauty
EN9	Green Spaces
EN17B	Sites of Nature Conservation Importance and Local Nature Reserves
EN23	Conservation Areas – Development
EN25A-B	Archaeological Remains and Assessments
EN26	Historic Parks and Gardens
EN27	Shopfronts
EN31	Outdoor Lighting
EN34	Rural Lanes
<b>Chapter 5 Natural Resources</b>	
NR10	Pollution from Development
<b>Chapter 6 Green Belt</b>	
GB1	Green Belt Boundaries
GB3A-B	Re-use of Buildings in the Green Belt
GB5	Major Developed Sites
<b>Chapter 7 Transport</b>	
T2	A25 Seal Road/Bat and Ball Junction
T8	Development Control Volume of Traffic Access
T9	Development Control Volume of Traffic Access
T10	Development Control Volume of Traffic Access
<b>Chapter 8 Vehicle Parking</b>	
VP1	Car Parking Standards
VP10	Car Park Edenbridge
VP11	Car Parks – Rural Areas
<b>Chapter 9 Housing</b>	
H1(B)	Allocation Hitchen Hatch Lane Sevenoaks
H1(D)	Allocation Bus Garage Swanley

H1(K)	Allocation Cray Road Crockenhill
H1(M)	Allocation North of Goldsel Road Swanley
H3	Phasing of Allocated Sites
H6A-B	Conversions and Extensions
H7A-B	Loss of Accommodation
H8	Care Homes
H13	Replacement Dwellings
H14A-B	Extension of Dwellings
H16	Mobile Homes and Residential Caravan Sites
H17	Mobile Homes and Residential Caravan Sites
H18	Mobile Homes and Residential Caravan Sites
H19	Mobile Homes and Residential Caravan Sites
H20	Gypsy Sites
H21	Sites for Travelling Showpeople
<b>Chapter 10 Employment</b>	
EP1(C)	Allocation Goldsel Road Swanley
EP1(D)	Allocation Button Street Swanley
EP1(E)	Allocation Broom Hill Swanley
EP1(F)	Allocation Edenbridge Town Station
EP1(G)	Allocation Edenbridge Station
EP1(H)	Allocation Tannery Site Edenbridge
EP1(I)	Allocation Warren Court Farm Halstead
EP1(J)	Allocation Cramptons Road Sevenoaks
EP1(K)	Allocation North Downs Business Park Dunton Green
EP1(L)	Allocation Chaucer Business Park Kemsing
EP8	Development in Business Areas
EP11A	Development in Rural Settlements
EP13	Replacement of Commercial Buildings
<b>Chapter 11 Shopping</b>	
S3A-B	Local Shops and Village Centres
S4	Farm Shops and Retail Units in the Countryside
S6	Hot Food and Takeaways
<b>Chapter 12 Urban Areas and Rural Towns Sevenoaks</b>	
ST1A	Town Centre Sevenoaks
ST2	Primary Frontages Sevenoaks
ST6	Blighs Meadow Sevenoaks
ST9	Farmers Public House Hitchin Hatch Lane Sevenoaks
ST10	Land at Morewoods Close Sevenoaks
ST11	Waterworks Site Cramptons Road Sevenoaks

<b>Chapter 12 Urban Areas and Rural Towns Swanley</b>	
SW1	Town Centre Swanley
SW6	Bevan Place Swanley
SW7	Goldsel Road Swanley
SW8	Broom Hill Swanley
<b>Chapter 12 Urban Areas and Rural Towns Edenbridge</b>	
EB1	Town Centre Edenbridge
EB2	Primary Frontages Edenbridge
EB3	Land adjoining the Town Centre Edenbridge
EB4	Tannery Site Edenbridge
<b>Chapter 12 Urban Areas and Rural Towns Westerham</b>	
WS1	Town Centre Westerham
WS2	Primary Frontages Westerham
<b>Chapter 13 Villages and Rural Settlements</b>	
HL1	Warren Court Farm Halstead
WK2	Brands Hatch
WK6	Noise Nuisance
<b>Chapter 14 Tourism, Sport and Recreation</b>	
TR5	Camping and Caravanning
SR9	Horses and Stabling
<b>Chapter 15 Public Services</b>	
PS6	Former Churchill School Westerham





## **An Introduction to the Community Infrastructure Levy (CIL)**

This note sets out nationally prescribed rules and regulation on CIL. The vast majority of the matters raised are not open to local interpretation.

### **What is CIL?**

CIL is a mechanism that allows Charging Authorities to collect a standard charge from developers to fund infrastructure required as a result of development in the District.

### **Who can charge CIL?**

Local Planning Authorities are the CIL Charging Authorities. This means that Sevenoaks District Council are the Charging Authority for the District.

### **What do Charging Authorities need to do in order to be able to charge CIL?**

Charging Authorities need to adopt a Charging Schedule before they can begin charging CIL. Charging Schedules need to be subject to public consultation and independent examination. In this respect, Charging Schedules are similar to Development Plan Documents of the Local Development Framework, such as the Core Strategy.

Charging Schedules set out the charge per sq m of development. This can be different for different forms of development or in different areas but only where viability considerations dictate.

### **What needs to be considered in preparing a CIL Charging Schedule?**

A sound CIL Charging Schedule must be based on evidence that infrastructure is required to support the development planned in the District. This must show a gap between funding available from other mainstream sources and what is needed to deliver the necessary infrastructure. A sound schedule must also be based on evidence that the delivery of the overall scale of development planned would not be non-viable as a result of the CIL Charge. The viability of individual sites does not need to be considered.

As long as the charge is less than or equal to the level required to fund the infrastructure required and less than or equal to the limit above which the overall scale of development is likely to be non-viable, it is up to the Charging Authority to determine what level the charge should be.

### **Can different CIL charges be applied to different forms of development or development in different areas of the District?**

CIL charges can vary according to the type of development or the location. However, this can only be as a result of viability evidence showing that the rate applied in other parts of the District or for other types of development

would not be viable. Policy decisions to promote development of a certain type or in a certain area by setting a lower charge are considered to constitute 'State Aid' and are not permitted.

### **How is the CIL charge that a developer should pay calculated?**

CIL is calculated by applying the relevant per sq m charge from the Charging Schedule to the floorspace of the permitted development minus the floorspace of any existing buildings on site. As a result, any change of use is not subject to CIL and the replacement of existing buildings on brownfield sites will reduce the CIL charge to be paid.

### **What forms of development are excluded from CIL?**

As well as those uses that the Charging Authority excludes from the Charging Schedule on the grounds of viability, there are some forms of development that do not need to pay CIL. These are:

- any development of less than 100 sq m unless this is the development of one or more dwellings;
- affordable housing;
- any buildings into which people do not usually go or those into which people go only intermittently for the purpose of inspecting or maintaining plant or machinery; and
- development by a charity to be used for charitable purposes.

The Charging Authority can also choose to extend the exemptions to include:

- development by a charity that forms an investment from which the profits will be used for charitable purposes;
- development which can show exceptional circumstances exist (note: the tests for proving exceptional circumstances and issues that the Council must consider, such as 'State Aid' legislation, mean that there will be very few cases where exceptional circumstances can be accepted to exist).

### **Is CIL negotiable?**

CIL is non-negotiable. It can only be waived in exceptional circumstances, if the Charging Authority chooses to allow this. The tests for proving exceptional circumstances and the issues that the Council must consider, such as 'State Aid' legislation, mean that there will be very few cases where exceptional circumstances can be accepted to exist.

### **Won't CIL make developments non-viable or put house prices up?**

In setting the CIL charge, Charging Authorities must show that the overall scale of development planned would not be undeliverable as a result of viability issues. However, individual developments may be made non-viable by CIL. As CIL can only be waived in genuinely exceptional circumstances, some developers are likely to have to take a loss on development or wait for market conditions to improve. In the long-run, CIL will provide certainty about

the level of charge that a developer must pay and he/she will be able to factor this in to the price that they pay for land. Recent consultation on s106 contributions issues suggests that developers would welcome this greater certainty.

### **Won't CIL put house prices up?**

Prices of new houses are usually set with regard to comparable existing properties rather than build costs. CIL will either reduce the profits of developers or, more likely in the longer term, the price that they pay for the land.

It is also highly likely to be the case that the CIL charge will be a small percentage of the total build costs and significantly lower than the affordable housing contribution.

### **What can CIL be spent on?**

CIL must be spent on infrastructure to support the development of the area. This can include infrastructure that falls outside of the Council's administrative boundaries.

CIL can be spent on the provision, improvement, replacement, operation or maintenance of infrastructure. It does not have to be used to fund capital investment.

Unlike planning obligations, there is no requirement that there is a functional link between the development paying and the infrastructure that it is funding.

There is no requirement that CIL funds are spent on the infrastructure identified in the evidence to support the preparation of the Charging Schedule.

Amongst other things, infrastructure includes:

- roads and transport facilities,
- flood defences,
- schools and educational facilities,
- medical facilities,
- sporting and recreational facilities, and
- open spaces.

Currently, affordable housing is specifically excluded. However, the Government is considering giving local authorities the ability to include this.

A proportion of CIL can also be spent on the administrative costs of operating the system.

### **What can CIL not be spent on?**

CIL can not be spent on anything that is not required to support the development of the area. It can not be used to fund Council services that are

not necessary to support new development, i.e. it can not be used to provide infrastructure to support existing development.

**What role do other organisations play in the CIL process?**

The Government is proposing to amend the regulations to ensure that a 'meaningful proportion' of CIL is paid to the town or parish council. It has not decided what this proportion should be.

CIL funds passed to town and parish councils would still need to be spent on infrastructure to support development.

Town and parish councils would have a statutory responsibility to report annually on how CIL funds collected are being spent, amongst other things.

SDC needs town and parish councils, particularly in areas where development is planned, and other infrastructure providers (including the NHS, KCC, Kent Police) to identify what infrastructure is required to support development in order to ensure that there is enough evidence of a funding gap to justify a CIL charge.

Monies paid to town and parish councils can be transferred to other organisations, at the discretion of the town or parish council, where they are delivering a key local infrastructure project (i.e. KCC to develop a school)

**Will the Council be required to give CIL receipts to other organisations?**

It is the Government's intention that a 'meaningful proportion' of CIL receipts should be passed to town and parish councils in which development occurs. Whilst it is likely that SDC will want to transfer some CIL receipts to other organisations where they are the relevant infrastructure providers, there is no requirement in legislation, regulation or policy that means that they must.

**Will town and parish councils where no development is proposed benefit from CIL?**

Town and parish councils will only automatically receive CIL money when qualifying development occurs in their area. SDC could choose to allocate CIL money to other town and parish councils where infrastructure in their area is necessary to support development in another town/parish or in the District generally.

**How does CIL fit in with the use of planning obligations / s106 agreements?**

Planning obligations will still be used to secure site specific s106 contributions, as long as this is not for infrastructure that could be funded

through CIL. Once CIL is adopted or from April 2014, whichever comes first, developer contributions will no longer be able to be pooled from more than 5 s106 agreements, if the infrastructure they are funding could be secured through CIL. At present, affordable housing would continue to be funded through s106 agreements. Therefore, the pooling restriction would not apply.

**What are the benefits of CIL?**

CIL will provide more certainty to developers about what they will have to pay for infrastructure, which will help them to decide upon an appropriate price to pay for development land.

CIL will also provide more certainty for local authorities and infrastructure providers on what funds they can expect to receive.

The system will be more transparent and evidence based than the current planning obligations system, with the public and developers being able to see how funds have been spent.

The CIL system will be speedier as there will be no time needed for negotiation.

The CIL system will be fairer as it will apply to all developments. In the past, smaller developments have rarely contributed towards new infrastructure.

**What are the potential negative impacts of CIL?**

Some developments may be made non-viable as a result of the need to pay CIL.

The process of preparing a Charging Schedule is time consuming and requires a detailed evidence base.

**Statutory Basis for the Community Infrastructure Levy**

The primary legislation for CIL was introduced by sections 205 to 225 of the [Planning Act 2008](#). This was amended by sections 114 and 115 of the [Localism Act 2011](#). The main changes related to the power of examiners considering CIL Charging Schedules and to the payment of a proportion on CIL to town and parish councils.

Regulations on the operation of CIL are set out in the [Community Infrastructure Levy Regulations 2010](#). These regulations have been amended by [CIL \(Amendment\) Regulations 2011](#) and it is anticipated that they will be amended again in April 2012 by a new set of regulations.

Statutory Guidance on CIL is set out in [Community Infrastructure Levy Guidance: Charge Setting and Charging Schedule Procedures](#).

**Sound Charging Schedules and the CIL Levies Set**

London Borough of Redbridge

**£70** per sq m for all types of development anywhere in the District.

Shropshire Council

**£40** per sq m for residential development in certain parts of the District and  
**£80** per sq m for residential development in other parts of the District.

Nil charge for all non-residential development.

Newark and Sherwood

**£0, £45, £55, £65 or £75** per sq m for residential development depending on where it is in the District.

**£100** per sq m for retail (A class) uses anywhere in the District.

**£0, £5 or £15** per sq m for industrial development depending on where it is in the District.

Nil charge for all other forms of development.

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