

16 May 2017 at 7.00 pm

Conference Room, Argyle Road, Sevenoaks
Despatched: 08.05.17



Planning Advisory Committee

**Membership as at 8 May 2017
subject to any changes on 9 May 2017:**

Cllrs. C. Barnes, Dr. Canet, Clark, Gaywood, Halford, Mrs. Hunter, Horwood, McGregor, Mrs. Morris, Parson, Piper and Thornton

Agenda

There are no fire drills planned. If the fire alarm is activated, which is a continuous siren with a flashing red light, please leave the building immediately, following the fire exit signs.

	Pages	Contact
Apologies for Absence		
1. Appointment of Chairman		
2. Appointment of Vice Chairman		
3. Minutes To agree the Minutes of the meeting of the Committee held on 19 April 2017, as a correct record.	(Pages 1 - 6)	
4. Declarations of Interest Any interest not already registered.		
5. Actions from Previous Meetings	(Pages 7 - 8)	
6. Update from Portfolio Holder		
7. Referrals from Cabinet or the Audit Committee (if any)		
8. Governance of the Community Infrastructure Levy (CIL)	(Pages 9 - 36)	Claire Pamberi Tel: 01732227178
9. Local Plan Update	(Pages 37 - 46)	Antony Lancaster Tel: 01732227326
10. Work Plan	(Pages 47 - 48)	

EXEMPT INFORMATION

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.

If you wish to obtain further factual information on any of the agenda items listed above, please contact the named officer prior to the day of the meeting.

Should you need this agenda or any of the reports in a different format, or have any other queries concerning this agenda or the meeting please contact Democratic Services on 01732 227000 or democratic.services@sevenoaks.gov.uk.

PLANNING ADVISORY COMMITTEE

Minutes of the meeting held on 19 April 2017 commencing at 7.00 pm

Present: Cllr. Mrs. Hunter (Chairman)

Cllr. Thornton (Vice Chairman)

Cllrs. C. Barnes, Dr. Canet, Clark, Halford, Horwood, McGregor,
Mrs. Morris, Parson, Piper and Thornton

An apology for absence was received from Cllr. Gaywood

Cllrs. Purves and Searles were also present.

40. Minutes

Resolved: That the Minutes of the meetings of the Committee held on 17 January and 25 January 2017 be approved and signed by the Chairman as a correct record.

41. Declarations of Interest

There were no additional declarations of interest.

42. Actions from Previous Meetings

There were none.

43. Update from Portfolio Holder

The Portfolio Holder for Environment reported that:

- Cabinet had accepted the resolutions from the Planning Advisory Committee with regards to the Swanley Master Vision and as a result the Master Vision was moving forward to the Issues and Options report stage without a garden village;
- With reference to the local plan, RA16 - Knole Estates, the Council's policy was not to build on green belt land with two exceptions: brownfield sites within the green belt; and where there were exceptional circumstances. He [tabled](#) a list that officers were starting to prepare of such brownfield sites as a list did not exist. He requested the support of the Committee to request that Officer reconsult with Town and Parish Councils as some had not replied. Support was shown.

44. Referrals from Cabinet or the Audit Committee

There were none.

45. Sevenoaks Local List

The Conservation Officer presented the report which actioned policy EN4 of the Allocations and Development Management Plan (ADMP) by creating a Sevenoaks District Local List Supplementary Planning Document (SPD). The compilation of the proposals to initiate the Sevenoaks District Council's Local List SPD had been a good example of partnership working between the local community and the District Council to action SDC policy.

The Chairman welcomed Sir Michael Harrison who addressed the Committee. At the meeting just over a year ago the Committee had expressed its thanks to those that had worked on the first tranche which was agreed for consultation, he advised that this thanks had been fed back and appreciated. He pointed out that the Sevenoaks society (SOC) had requested three particular areas to be covered under Article 4 Directions and whilst they would prefer all were included they were happy that the first two were. The third had been for the protection of façade details and materials. He further requested that the wording at paragraph 23 of the report be amended with the substitution of the word 'will' for 'may' and that it be made clearer whether the Article 4 Directions would be blanket or on a case by case application.

The Chief Planning Officer advised that with regards to blanket or case by case, this would be for the Committee to advise their preference and it would be done as their intent subject to legal advice, but would require a recommendation to Cabinet. He advised that if the preference were for a blanket approach, then (subject to legal advice) it would most likely be a blanket with regards to the general principle but applied on a case by case basis.

He further advised that with the exercise of an Article 4 Direction, caution needed to be exercised that you were not being more prohibitive than you would be within a conservation area, and therefore it was not appropriate to include the third request mentioned. If a member of the public wished to exercise their permitted development rights the Council would not be aware unless it was brought to their attention. Also a number of things wouldn't be classed as development.

Members voiced their appreciation and thanked all those involved in the production of the Local List.

Members specifically discussed 95 Dartford Road. The Chairman herself had in fact been one of the surveying team and knew the property well. It was also noted that this particular property had been reconsidered by the Panel in response to the objections received and reconfirmed for inclusion. The Chief Planning Officer reported, for information only, that a planning application had been submitted to demolish the site and build six 2 bed flats, however no discussion was held on the merits of the planning application.

It was also noted that this was still a draft and it was suggested that approval of the final version of the supplementary planning document should perhaps be delegated to the Portfolio Holder in consultation with the Chairman and Vice Chairman of the Planning Advisory Committee.

Public Sector Equality Duty

Members noted that consideration had been given to impacts under the Public Sector Equality Duty.

The Chairman moved and it was

Resolved: That the following be supported

- a) the adoption of the draft SPD (including the first round of locally listed assets proposed), and recommended to Cabinet that authority be delegated to the Portfolio Holder for Planning to approve the final draft in consultation with the Chairman and Vice Chairman of the Planning Advisory Committee;
- b) the second tranche of identified assets going out to public consultation;
- c) the consideration of the focused use of Article 4 Directions to remove limited permitted development rights which would result in planning permission being required for
 - i) Demolition of Locally Listed Buildings outside a conservation area;
 - ii) Alteration (including removal) of locally listed boundaries and railings, inside and outside a conservation area; and
- d) the communication of the proposed Article 4 Direction if necessary.

46. Open Space, Sport and Leisure Study

The Senior Planning Officer presented the report which presented the Open Space, Sport and Leisure Study which was an evidence base document in support of the emerging Local Plan. The purpose of the study was to assess the existing open space, sport and leisure provision within the district and to identify future issues and needs up to 2035. The study also included a playing pitch strategy.

Action 1: Senior Planning Officer to check whether the Howard Venue in Hextable had been included in the study.

A Member expressed disappointment that so few parish councils had responded, and asked if they could be reconsulted. The Senior Planning Officer advised that

there would be further consultation as part of the issues and options consultation, but it was possible to place a specific question on Open Spaces within there.

Members also discussed the provision of facilities by private schools etc., the Senior Planning Officer advised that where there were no formal community agreements in place and they would be looking to formalise any existing arrangements and looking at additional opportunities.

Public Sector Equality Duty

Members noted that consideration had been given to impacts under the Public Sector Equality Duty.

Resolved: That

- a) the initial findings of the Open Space, Sport and Leisure Study be supported as part of the robust evidence base from which the Local Plan strategy would be developed; and
- b) Officers continue to work with the Town & Parish Councils and local ward councillors.

47. Gypsy & Traveller Accommodation Assessment

The Senior Planning Policy Officer presented the the Gypsy and Traveller Accommodation Assessment (GTAA) which had been prepared as part of the evidence base to support the emerging Local Plan. The GTAA had identified a need for 51 new pitches to provide suitable accommodation for the Gypsy and Traveller community up to 2035 and the District had a potential supply of 76 pitches on existing sites.

It was noted therefore that this was good news as the need for 51 Gypsy and Traveller pitches could be met on existing sites and it was unlikely that new sites would be needed.

There was some discussion on the lack of and need for transit camps, but noted that current figures did not support the need for one within the District.

Public Sector Equality Duty

Members noted that consideration had been given to impacts under the Public Sector Equality Duty.

Resolved: That it be recommended to Cabinet that the Gypsy and Traveller Accommodation Assessment (GTAA) attached at Appendix A to the report, be endorsed as a robust evidence base from which the Local Plan strategy would be developed.

48. Strategic Housing and Economic Land Availability Assessment (SHELAA)

The Senior Planning Officer presented the report which set out the findings of the Strategic Housing and Economic Land Availability Assessment (SHELAA), which is a technical assessment of the amount of land that is available and suitable to meet the District's housing and employment needs. The SHELAA will help to inform the development strategy for the new Sevenoaks District Local Plan 2015-35.

Public Sector Equality Duty

Members noted that consideration had been given to impacts under the Public Sector Equality Duty.

Resolved: That the Strategic Housing and Economic Land Availability Assessment (SHELAA) attached at Appendix A to the report, be endorsed as a robust evidence base from which the Local Plan strategy would be developed.

49. Work Plan

The work plan was noted.

THE MEETING WAS CONCLUDED AT 9.00 PM

CHAIRMAN

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ACTIONS FROM THE MEETING HELD ON 19 APRIL 2017

Action	Description	Status and last updated 5.5.17	Contact Officer
ACTION 1	Senior Planning Officer to check whether the Howard Venue in Hextable had been included in the study.	This is being undertaken and there should be an update at the meeting.	Helen French Ext. 7357

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GOVERNANCE OF THE COMMUNITY INFRASTRUCTURE LEVY (CIL)

Planning Advisory Committee - 16 May 2017

Report of Chief Planning Officer

Status For Decision

Also considered by Cabinet - 15 June 2017

Key Decision No

Executive Summary:

Sevenoaks District Council adopted their Community Infrastructure Levy (CIL) Charging Schedule 18 February 2014 and any qualifying development permitted since 4 August 2014 has been liable to pay CIL.

In March 2014 the Local Planning and Environment Advisory Committee (LPEAC) resolved that a member/officer workshop should be set up to begin to consider CIL Governance issues and in particular the format of the CIL Spending Board which governs how this CIL money would be spent. The recommendations from these workshops were agreed by Cabinet in February 2015.

This report summarises the proposals agreed by the LPEAC and Cabinet in regard to CIL Governance. It also suggests potential changes to the agreed proposals and provides reasons for these changes, in order for members to discuss an appropriate way forward. If the recommendations are agreed, officers will then start the formal process of changing the CIL Governance. It is intended that these recommendations will assist the CIL Spending Board in making decisions and will also make the process more consistent.

This report supports the Key Aim of ensuring that Sevenoaks District remains a great place to live, work and visit.

Portfolio Holder Cllr. Robert Piper

Contact Officer(s) Claire Pamberi, Ext.7221

Simon Taylor Ext. 7134

Recommendation to Planning Advisory Committee:

That the recommendations to Cabinet, be supported.

Recommendations to Cabinet: That the recommendations as detailed within paragraphs 11 to 16 be approved.

Reason for recommendation: To ensure that the Council is able to make decisions on how CIL funding is prioritised in an open, transparent appropriate and fair manner and to ensure consistency.

Introduction and Background

- 1 Sevenoaks District Council adopted their CIL Charging Schedule 18 February 2014 and has been charging on any qualifying development permitted since 4 August 2014.
- 2 In March 2014, the Local Planning and Environment Committee (LPAEC) resolved that a member/officer workshop should be set up to begin to consider CIL Governance issues. It was agreed at that time that the workshop would debate the CIL Governance issues and make a recommendation to Cabinet. The outcome of these workshops is laid out in the following CIL Governance report on 27 January 2015:
<http://cds.sevenoaks.gov.uk/documents/s21290/11%20LPEAC%20report%20-%20CIL%20Governance%20-%2027%20Jan%202015.pdf>
- 3 Following this, the Cabinet resolved that the Council should publish a Regulation 123 list, which sets out broadly the infrastructure needs of the District and therefore makes what the CIL monies could be spent on clearer. This was adopted November 2015.
- 4 Cabinet also resolved that all Town and Parish Councils should receive the equivalent of 25% of the 125 sq m residential CIL rate when chargeable development takes place in their area. This amount will be paid whether the CIL charge for the area is £75 per sq m or £125 per sq m. (The current CIL Regulations state that they should only be entitled to 15% of the chargeable development which increases to 25% when a neighbourhood plan is in place). It was also agreed that the Board would have 7 members which included a fixed Chairman and Vice Chairman, and 5 additional members picked from a pool of 13.
- 5 After the CIL charging schedule was implemented, initially very few CIL receipts were paid. The meeting of the CIL Spending Board was therefore delayed from when it was originally thought (2015/16) as it was considered by the Chair and Vice Chairman that there needed to be a sufficient CIL income for the Spending Board to be able to make a meaningful contribution to Infrastructure projects in the area. The Chairman of the Spending Board at that time requested that at least £250 000 should be available for spending by the Board, before it met. This target has now been met and therefore the process of arranging the first Spending Board is now in progress.

- 6 Just to clarify the amount of CIL money available for spending, in addition to payments paid to the Parish and Town Councils (as described above), the CIL Regulations also allow for 5% of the receipts to be spent on administration by SDC. This money has already been paid out since we have been receiving an receipts from CIL. The remainder of the CIL income is therefore proposed to be allocated through the CIL Spending Board to be spent on Infrastructure.
- 7 The original CIL Governance report, (link provided in paragraph 2) indicated that there was a strong view that a new Spending Board be established to decide on how the spending will be allocated on CIL Infrastructure. It would ensure that sufficient time is made available to debate different schemes that are submitted for funding, that there would be uniformity in decision making and it would also ensure that Members are kept up to date with changes in legislation. It is considered that the CIL Spending Board is still the most appropriate method to decide on CIL spending by this Council.
- 8 This report suggests some changes to the recommendations agreed under the original CIL Governance Report in January 2015. The aim of this paper is to initiate a discussion by PAC and Cabinet, and if the recommendations are agreed then officers can carry out further work as necessary in order to amend the current CIL Governance procedures.
- 9 In addition to the above, officers have also met with the Chairman and Planning Portfolio Holder, to discuss CIL Governance arrangements and it is evident that Members want the CIL monies to be spent in the most appropriate way, to ensure that it will support the most needed Infrastructure in the District. They were also clear that they wanted the money to be spent on projects that were 'ready to go', in that they had all their work plans and permissions in place. Members also wanted schemes that already had considerable funding in place to be supported as CIL is clearly meant as a top up and can not be used to fund the whole project. They did not want to be allocating large sums of money to individual projects. Members wanted to encourage bodies to work in partnership. With all these initial priorities identified it was clear that amendments should be made to the CIL Governance Arrangements to ensure that the most appropriate bids for CIL spending were identified.
- 10 This report therefore looks at the recommendations made by Members through the workshops (as laid out in Appendix B) and those previously agreed by PAC and Cabinet (see link in paragraph 2) and suggests some changes:

11 Recommendation A

Whilst it was agreed in the original report that the Spending Board should be run as a pool system where members should not be able to vote on proposals in their ward;

Recommendation: *It is the view of officers and Members that a Pool system would not provide a consistent approach to the consideration of the bids and would be difficult to manage. It is therefore proposed that the CIL*

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Spending Board is changed to have a similar format to that of the Development Control Committee. This means that the Chairman and Vice Chairman remain in place and that the same members make decisions on all submissions, subject to any disclosable interests, leaving a fixed membership of 7 and no pool. If agreed it is requested that officers be given permission to work on the necessary amendments and submit the requisite reports in order to affect the agreed changes.

13 Recommendation B

It was agreed that applications should be made by way of the completion of a standard pro-forma.

Recommendation: *The original pro-forma should be amended as recommended by the Portfolio Holder for Planning and current Chairman of the CIL Spending Board. Please see attached under Appendix A the original and proposed form. Members will note that a few changes have been suggested, but the alterations seek to ensure that any bids submitted clearly have permissions in place, that the projects are properly managed, that there are other sources of funding for every scheme put forward and also that the party submitting the Bid has any opportunity to submit any additional information that they wish the Board to consider.*

Successful applicants for CIL funding will be expected to maintain communication with SDC on the progress of the scheme. This requirement has been strengthened in the new pro-forma which requests that the applicant provide details of the level of communication and also forms one of the criteria against which the bids are assessed by (see recommendation C). It is recommended that these pro-formas be used immediately upon approval of this recommendation.

14 Recommendation C

It has been agreed that applications for funding would go through a simple validation process by a lead officer appointed by the CIL Spending Board (it is proposed that this be the Strategic Planning Manager - Antony Lancaster).

Recommendation: *It is proposed that this initial validation still takes place. However through a discussion with the Planning Portfolio Holder and Chairman of CIL Spending Board, it is considered that the bids go through a validation process. Like the Development Control Committee, the aim is to assist the Spending Board in considering the applications, as the report will make recommendations on all the bids submitted. The recommendations will be based on the initial priorities laid out for consideration by Appendix C, which were identified through meetings with the Planning Portfolio Holder and Chairman of the Board. These are proposed to be refined and agreed at the initial meeting of the Spending Board.*

It has been recommended by Members that the consideration of the proposed bids is assessed using a similar method to the Sevenoaks Big Community Fund which lists a number of criteria that the bids should be

assessed by and also indicates the number of points allocated to each criteria. Some of the bids will be penalised by a minus score if they are not working in partnership or if they do not have other funding in place as these are considered to be fundamental to a successful bid.

15 Recommendation D

It is recommended by the Chairman that the report circulated and drafted by officers, with the assistance of the Chairman and Vice Chairman, should consist of the following:

- *Summary of current CIL Legislation or any recent changes.*
- *Amount of funding available to be spent by the Spending Board.*
- *Summary of where the CIL receipts have come from.*
- *Summary of needs highlighted in the Infrastructure Strategy (Regulation 123 List)*
- *Summary of the priorities for the Spending of CIL receipts.*
- *Summary of the top 5 bids and reasons for this.*
- *Summary of all bids submitted.*
- *Recommendation of officers.*
- *Appendices will consist of the completed Assessment Criteria and pro-formas completed.*

16 Recommendation E

It is anticipated that the first CIL Spending Board should meet in September this year. See attached under Appendix D the provisional timescales for the CIL Spending Board. Of particular note are the timescales which allow 4 weeks for organisations to submit their bids. They also allow time for officers to validate the bids, write a report and liaise with Members.

Training for CIL Spending Board members

20 It is acknowledged that not all Board Members will have been involved in CIL and that the CIL process consists of quite complex legislation. It is therefore considered that training be provide for all Board members, prior to the first meeting. Due to the technicality of the Legislation is considered that members cannot sit on the Board unless they have attended the CIL training.

21 Training will cover a basic introduction to CIL, how the SDC collects CIL, the most up to date CIL legislation, the Council's Structure, what CIL can be spent on, the validation process, the criteria that will be used to assess bids, and the decisions that the Board can make.

Other Information:

22 In addition the CIL Spending Board matters, it is important to inform members that officers are currently updating the Council's Infrastructure Plan (Regulation 123 List) to form part of the evidence base to the new Local

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Plan. This will be reported on further in the process of the Local Plan, but will enable us to have a plan of infrastructure and a strategic projects overview which will identify projects and enable us to support identified infrastructure development.

Other Options Considered and/or Rejected

- 23 Members could decide not to agree to the proposed changes to the governance arrangements. However the recommendations laid out under a - d seek to make the process more consistent and manageable and also ensure that the funding released by the CIL Spending Board is appropriately spent.
- 24 In addition, any identified weaknesses in the system can be addressed through the proposed review process.

Key Implications

Financial

There are no specific financial implications of this recommendation. However the establishment of a new committee will place additional work pressures on existing staff.

Legal Implications and Risk Assessment Statement.

Governance arrangements must be consistent with the CIL regulations and must be applied consistently. If they are not then the Council runs the risk of challenges from developers over the use of CIL to the Ombudsmen being upheld.

Equality Assessment

The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no perceived impact on end users.

Conclusion

It is recommended that a new CIL Spending Board is established in accordance with the recommendations in this report.

Appendices

Appendix A - Existing and Proposed Pro Forma

Appendix B - Original Decision Making Process

Appendix C - Assessment of bids for consideration by the CIL Spending Board.

Appendix D - Provisional CIL Spending Board timescales

Background Papers

Community Infrastructure Regulations 2010 (as amended)

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Richard Morris

Chief Planning Officer

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Sevenoaks District Council

Community Infrastructure Levy Spending Board

Bid for Funding Pro-forma

Scheme name:	
Description of Scheme:	
Is this scheme promoted by your organisation in partnership with another organisation(s)?	Yes / No Organisation Name(s): Responsible individual(s): Signature(s) on behalf of other supporting organisation(s) :
<u>Need for the Scheme</u>	
List of developments that result in the need for this scheme:	
How is the scheme related to these developments (additional information, such as usage forecasts and existing and alternative capacity assessments, can be attached as an appendix):	
Public benefit of the scheme proposed for residents in Sevenoaks District:	

Economic	
Social	
Environmental	
Is the need for the scheme identified in any adopted strategy/plan? If so, which?	
Funding	
Total project cost:	£
Funding required from CIL:	£
Identify other funding sources for this project, what contribution they are making and why these can not be used to fund the scheme in its entirety:	1)
	2)
	3)

	4)
Is the bid for staged payments / will staged payments be accepted?	Yes / No Details of anticipated funding requirements and timetable:
Has a bid(s) for CIL funding been made to relevant town and parish councils?	Bid made: Yes / No Details of bid: Has a decision been made by the town/parish council?: Yes / No Details of decision:
Would the scheme be fully funded if the CIL contribution is agreed:	Yes / No
Has this scheme benefited from CIL funding previously:	Yes / No
<u>Deliverability</u>	
Does your organisation have the legal right to carry out the proposed scheme?	Yes / No If not, you must attach documentation showing that the statutory provider of this service supports this scheme.
Anticipated start date for delivery of the scheme:	
Anticipated completion date for the delivery of the scheme:	
Does land need to be purchased to facilitate the scheme:	Yes / No Details:
Has consultation been carried out on the scheme or is any planned?	Carried out / Planned / No consultation is planned Details:

Is planning permission required for the scheme?	Yes / No If yes, has it been applied for?	
Details of any other consent required (if appropriate):	Consent required:	Date applied for / granted:
Is a relevant SDC ward member(s) supportive of the scheme?	Yes / No Signature of at least one SDC ward member:	
Is the relevant town/parish council(s) supportive of the scheme?	Yes / No Signature of town/parish council chairman:	
<u>Maintenance</u>		
Which organisation will be responsible for ongoing maintenance:		
Are funding arrangements in place for maintenance:	Yes / No Details:	
<u>Declaration</u>		
I am authorised to submit this bid for funding on behalf of the organisation that I represent. At the time of writing, the information contained in this submission (including appendices) is correct and true to the best of my knowledge. If CIL funding is committed and circumstances change prior to the completion of the scheme, the organisation that I represent will notify Sevenoaks District Council, who will reserve the right to reconsider the allocation of funding. If CIL funding is committed to the above project then the organisation that I represent commits to providing Sevenoaks District Council with sufficient information to enable it to undertake its reporting requirements under the CIL Regulations 2010 (as amended), or any subsequent relevant regulations.		
Signature		
Name		
Position		
Organisation		

Name, role and contact details of the person that will be attending SDC's CIL Spending Board to support this bid:	
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Sevenoaks District Council

Community Infrastructure Levy Spending Board

Bid for Funding Pro-forma

Infrastructure Only

<p>Scheme name:</p>	
<p>Description of Scheme:</p>	
<p>Is this scheme promoted by your organisation in partnership with another organisation (s)?</p>	<p>Yes/No</p> <p>Who is involved in the Partnership. Organisation Name (s):</p> <p>Responsible individuals (s):</p> <p>Signature (s) on behalf of other supporting organisations (s):</p> <p>Please provide details of the Agreements you have in place with your partners. Including the % of money guaranteed for the scheme from each organisation.</p>
<p>Is planning permission required for the scheme?</p>	<p>Yes / No</p> <p>If yes, has it been applied for?</p> <p>If no - please explain why?</p>

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Details of any other consent required (if appropriate (e.g. conservation, Listed Buildings, other Govt Bodies):	Consent required: Date applied for / granted:
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Need for the Scheme

List of projects or development that result in the need for this scheme:	
How is the scheme related to these developments (additional information, such as usage forecasts and existing and alternative capacity assessments, can be attached as an appendix):	

Please provide an explanation of the ‘public benefit’ of the scheme proposed for residents in Sevenoaks District:

Economic	
Social	

<p>Environmental</p>	
<p>Is the need for the scheme identified in any adopted strategy/plan? E.g. Neighbourhood Plan, Work programme of a Statutory Body, Infrastructure Plan (Reg 1,2,3 list). If so, which?</p>	
<p><u>Funding</u></p>	
<p>Total project cost:</p>	<p>£</p>
<p>Funding required from CIL:</p>	<p>£</p>
<p>Identify other funding sources for this project, what contribution they are making and why these can not be used to fund the scheme in its entirety</p>	<p>1)</p>
	<p>2)</p>
	<p>3)</p>

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	4)
	5)
	6)
<p>Is this bid for staged payments?</p> <p>Will staged payments be accepted?</p>	<p>Yes/No</p> <p>Yes/No</p> <p>Details of anticipated funding requirements and timetable:</p>
<p>Has a bid(s) for CIL funding been made to relevant town and parish councils?</p>	<p>Bid made: Yes / No</p> <p>Details of bid:</p> <p>Decision made: Yes / No</p> <p>Details of decision:</p>
<p>Would the scheme be fully funded if the CIL contribution is agreed:</p>	<p>Yes / No</p>
<p>Has this scheme benefited from CIL</p>	<p>Yes / No</p>

funding previously:	If Yes; Please provide further justification as to why further CIL funding is required for this project.
<u>Deliverability</u>	
Does your organisation have the legal right to carry out the proposed scheme?	Yes / No If not, you must attach documentation showing that the statutory provider of this service supports this scheme.
Anticipated start date for delivery of the scheme:	
Anticipated finish date for the delivery of the scheme:	
Anticipated date when CIL funding will need to be made available:	
Does land need to be purchased to facilitate the scheme:	Yes / No Details:
Please provide a consultation plan to let SDC know when they can expect progress reports on the project.	
Please provide details of the management and timescales of the project.	
Has consultation been carried out on the scheme or is any planned?	Carried out / Planned / No Consultation planned Details: (Note: Results can be attached separately if necessary.)

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<p>Is a relevant SDC ward member(s) supportive of the scheme?</p>	<p>Yes / No</p> <p>Signature of at least one SDC ward member:</p> <p>Note - An e-mail from them to cil@sevenoaks.gov.uk would also be sufficient.</p>
<p>Is the relevant town/parish council supportive of the scheme?</p>	<p>Yes / No</p> <p>Signature of at town/parish council chairman, clerk or chief executive:</p> <p>Note - An e-mail from them to cil@sevenoaks.gov.uk would also be sufficient.</p>
<p><u>Maintenance</u></p>	
<p>Which organisation will be responsible for ongoing maintenance:</p>	
<p>Are funding arrangements in place for maintenance:</p>	<p>Yes / No</p> <p>Details:</p>
<p>Any further comments:</p>	

<u>Declaration</u>	
<p>I am authorised to submit this bid for funding on behalf of the organisation that I represent. At the time of writing, the information contained in this submission (including appendices) is correct and true to the best of my knowledge. If CIL funding is committed and circumstances change prior to the completion of the scheme, the organisation that I represent will notify Sevenoaks District Council. The Council will reserve the right to reconsider the allocation of funding. If CIL funding is committed to the above project then the organisation that I represent commits to providing Sevenoaks District Council with sufficient information to enable it to undertake its reporting requirements under the CIL Regulations 2010 (as amended), or any subsequent relevant regulations.</p>	
Signature	
Name	
Position	
Organisation	
Name, role and contact details of the person that will be attending SDC's CIL Spending Board to support this bid:	

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Sevenoaks District Council

Community Infrastructure Levy Spending Board

Decision Making Process

Lead Officer's initial validation of bids

The lead officer will undertake an initial validation of bids. The following will not be put to the spending board for consideration:

- Those schemes for which a pro-forma has not been completed.
- Those schemes where the bidding organisation does not have the legal right to carry out the proposed scheme or the support from the statutory provider of that service.
- Those schemes that could clearly not be defined as infrastructure to support development.

The lead officer's validation of bids will be agreed by the chairman of the CIL Spending Board in advance of papers being published for the spending board meeting.

A written response will be provided to the bidder to explain this decision. This may suggest that a revised submission is considered at a future meeting.

CIL Spending Board's consideration

The CIL spending board's key considerations will be whether there is a public benefit of the proposed scheme for residents in Sevenoaks District and whether the scheme constitutes value for money. In determining this, the spending board will consider the following issues in making its recommendation.

- Whether sufficient evidence has been provided to demonstrate a strong social, environmental or economic justification for the scheme.
- Whether sufficient evidence has been provided to demonstrate a strong link between new development and the scheme.
- Whether the scheme forms part of a planned strategy to address the need for infrastructure.
- Whether the CIL contribution will be matched by funding from other sources.
- Whether the use of other funding sources has been maximised.
- Whether there is sufficient certainty that the scheme will be delivered.

- Whether the scheme is supported by at least one of the relevant SDC ward members (note: this will be a prerequisite of a successful funding bid).
- Whether the scheme is supported by the relevant town/parish council.
- Whether evidence has been provided to demonstrate that there are sufficient maintenance arrangements in place.

The board may also take into account other factors that it considers relevant.

Limited CIL funding is available and it is unlikely that it will fund all of the infrastructure schemes that are considered necessary to support development. Where it is necessary to choose between schemes that could both be appropriate uses of CIL (i.e. they satisfy all of the considerations set out above), the board will give particular consideration to the public benefit of the schemes for residents in Sevenoaks District and the link between development and the scheme.

Types of recommendation

The board may make the following recommendations to Cabinet for it to ratify:

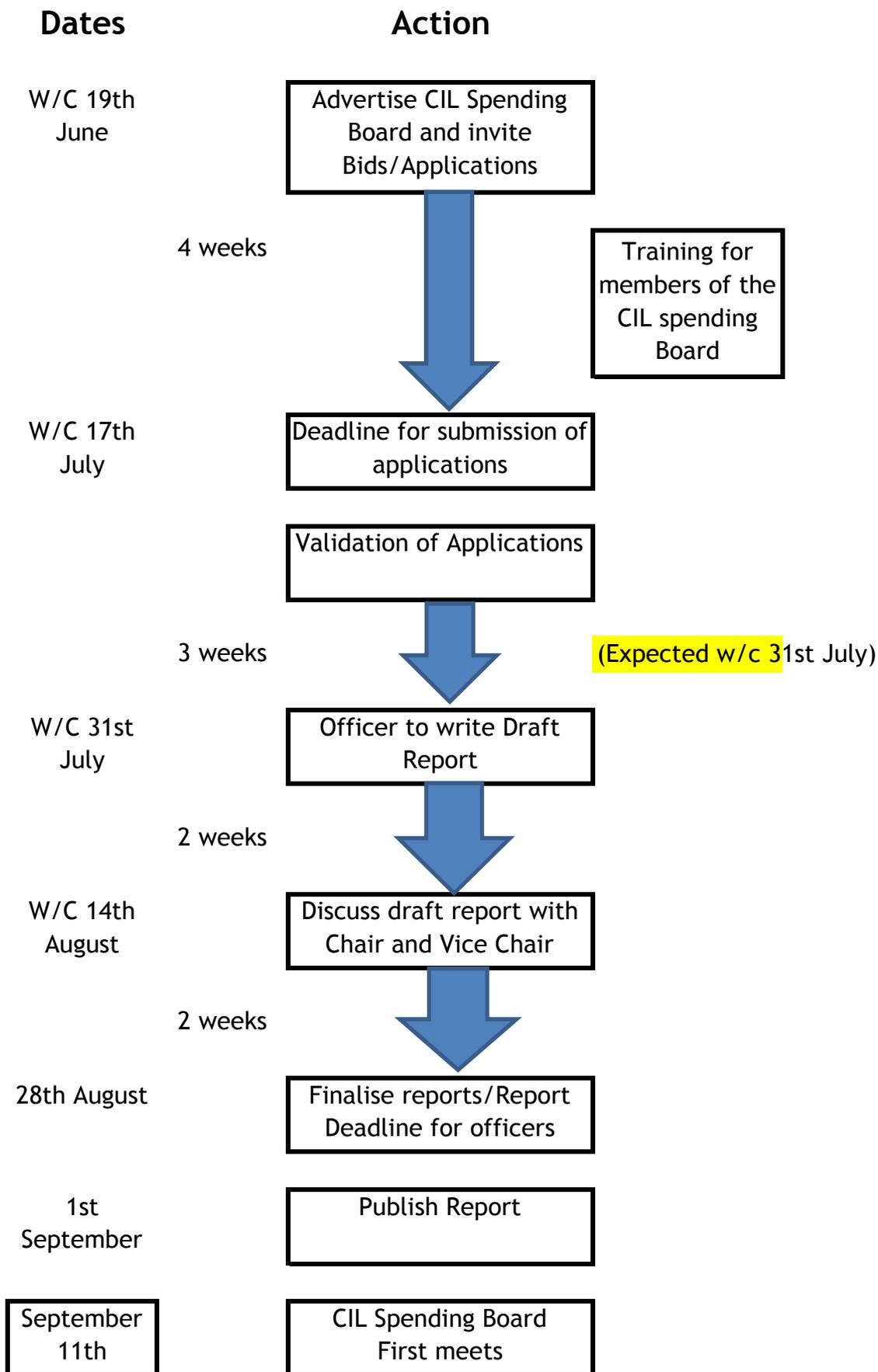
- Funding for the scheme is approved.
- Funding for the scheme is not approved on the basis that other proposed schemes have been given greater priority.
- Funding for the scheme is not approved on the basis that insufficient evidence has been provided to justify it.
- Funding for the scheme is not approved on the basis that the scheme is not considered to be an appropriate use of CIL.

These recommendations should give bidders an indication of whether they should consider bidding for this scheme again and what additional information, if anything, should be provided with any resubmission.

Criteria Number	Criteria Description	Detail
1	The need for the scheme	Here we would expect the applicant to explain the need for and the benefits of the scheme. We have asked for the applicant to respond specifically in regard to the Economic, Social and Environmental needs of the District and its residents. So will award points under each section: Economic - are there benefits to the economy? Social - what is the benefit to the local community or wider community. Environmental - Are there clear benefits to the environment by implementing this scheme.
2	Is the scheme proposed for Infrastructure?	Schemes should provide for key infrastructure projects likely to have a greater impact i.e medical, schools, highways, flooding will receive higher scores. Those identified in the Council's Infrastructure Plan (reg 1,2,3 List) and the Strategic Infrastructure List will receive a higher score.
3	Working in partnership	Has the applicant provided evidence that they are working in partnership with one or more organisation. We will look at the type of partners involved, how formal the Partnership is and the amount of involvement from all partners. Please note; we will take into account those infrastructure/statutory providers that do not need to work in partnership.
4	Is the Bid scheme part of an existing Strategy/Plan	We would expect the scheme to be put forward as part of an existing Strategy or Plan. This could include Neighbourhood or Parish plans. It could also include regional strategies, Work Programmes by statutory bodies or if it has been identified as a project.
5	Public Benefit	It is likely that bids are looking to provide the greatest public benefit will be looked upon more favourably than those that do not bring a greater benefit to the wider community. Definition: We are therefore looking for schemes that will provide something that is advantageous or good; that will relate to, or affecting a population or a community as a whole.
6	Match Funding	CIL is clearly meant as a 'Top up' and should not be used to fund entire projects. Please note: Schemes that will be relying totally on CIL will not be considered. Schemes that already have a large amount/majority of funding in place will receive a higher score.
7	Clear Project Management	Through their bid we would expect the applicant to show evidence that the project is well managed. Have they provided for example: - clear dates for start and finish of the project. -details of the management of the project and timescales -details of when they will provide updates to SDC -is other consent required/granted?
8	Planning Permission in place	Has planning permission been granted or sought for the development? This also includes considering if the works don't require PP and whether the proposal is permitted development and also to ensure that the applicant has checked this issue.
9	Does the Bid have local support?	In particular, does the Bid have the support of a local member and/or the Parish and Town Council?
10	Has the project already had CIL funding?	A lower score will be given for those projects which have already received CIL funding. Unless a strong justification can be provided as to why further funding is required.
11	Cost Benefit	Higher scores will be given to those projects which require the smallest % of the overall project cost or provide evidence of a clear public benefit or need. Projects where the CIL money would complete the scheme will also be scored highly.
Total points allocated		
Amount applied for		

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Potential Timescales for CIL Spending Board



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LOCAL PLAN UPDATE

Planning Advisory Committee - 16 May 2017

Report of Chief Planning Officer

Status: For Consideration

Key Decision: No

This report supports the Key Aim of Protecting the Green Belt

Portfolio Holder Cllr. Robert Piper

Contact Officer Hannah Gooden, Ext. 7178

Recommendation to Planning Advisory Committee:

To consider progress on the Local Plan in line with the Local Development Scheme (LDS) timetable

Reason for recommendation: In order to enable discussion and advise on progress with the work programme for the preparation of the new Local Plan, focusing on the forthcoming ‘issues and options’ consultation.

Introduction and Background

- 1 This report provides an overview of the most recent evidence-base work that has been undertaken and a progress update on the forthcoming issues and options consultation on the new Local Plan.
- 2 The ‘issues and options’ consultation is scheduled to take place this summer. This is also known as the ‘informal consultation’ stage of Local Plan production or ‘Regulation 18’ consultation (of the Town and Country Planning (Local Planning) (England) Regulations).
- 3 The Local Development Scheme (LDS) provides the timetable for the production of the new Local Plan 2015-2035 and was agreed by Cabinet. In summary, it outlines:
 - Issues and Options consultation - Summer 2017
 - Draft Local Plan consultation - Spring 2018
 - Pre-submission Publication - Summer 2018
 - Submission - Autumn 2018

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- Adoption - Summer 2019

Evidence Gathering

Key areas of recent progress are as follows:

- 4 **SHMA update.** The 2015 Strategic Housing Market Assessment (SHMA) has been updated by GL Hearn (jointly with TWBC) in response to the most recent population data published by the ONS. The headline finding is that the Objectively Assessed Need (OAN) for 2015-35 has dropped marginally to 587 dpa compared with the original OAN of 620 dpa, which equates to 11,740 homes over the 20 year period (compared to 12,400 homes). The Local Plan will need to reference the most up to date figure at the time of submission.
- 5 **Interrogation of Brownfield Land.** The team has focused attention on the potential contribution of brownfield land in the District, in accordance with national policy and discussions with PAC and Cabinet in January/February this year. In addition to the call for sites process, where landowners across the District were asked to submit land that might be suitable for development, officers have also contacted every town and parish Council and ward member to understand if there are other brownfield sites in their areas which may be suitable. This combined process has yielded sites which could accommodate approximately 1600 units on suitable brownfield land in the Green Belt (see SHELAA report Category 2 and 3 sites). As requested by Members in April PAC, reminders are being issued to Town and Parish Councils yet to respond and Ward Members advised.
- 6 In addition, to assist in the further identification and consideration of brownfield land, the Council is establishing a brownfield land register later in 2017.
- 7 **Climate Change update.** The Government has introduced the potential for optional technical standards for housing which can be used by Local Authorities to set additional technical requirements exceeding the minimum standards required by Building Regulations in respect of access and water, where there is a clear local need. The Local Plan will need to consider how to incorporate Climate Change mitigation measures and adaptation measures in accordance with National Policy. It is likely that many of these measures will be achieved through policies in the Local Plan such as the design of new development, biodiversity enhancement and water management. These will be included in the Issues and Options consultation where appropriate.
- 8 **Biodiversity update.** The District has a high number of sites which are important for biodiversity value across the District including nationally designations such as Sites of Special Scientific Interest and local designations including Local Wildlife Sites and Local Nature Reserves. Officers have been working with the Kent Wildlife Trust, Environment Agency, Natural England, Local Nature Partnership and other organisations to investigate how policies to ensure no loss of biodiversity as well as opportunities to enhance the biodiversity value of all areas within the District can be included in the Local Plan.

- 9 Heritage evidence is in preparation in partnership with Tunbridge Wells Borough Council. We have commissioned a review of the current evidence base for the historic environment of the District. The review will also identify any areas of additional research and will make recommendations for further inclusions into the Local Plan.
- 10 **Duty to Cooperate** - The Council is required to cooperate with bodies prescribed under the Localism Act on matters of strategic cross boundary importance. This replaces the consideration of such strategic matters at the former regional level of planning. In response officers have held regular quarterly or twice yearly Duty to Co-operate meetings with neighbouring planning authorities over the last two years and meetings have also been held with all other prescribed Duty to Cooperate bodies such as the Environment Agency, Highways Agency and Historic England. A summary of actions taken so far and issues arising will accompany the Issues and options consultation.
- 11 As work continues towards a draft Local Plan areas of cooperation will become clearer and more focussed discussions will need to be intensified and undertaken at a political level.
- 12 A priority is to understand how development needs are being planned for in West Kent. A draft West Kent protocol has been discussed with Tunbridge Wells Borough Council and Tonbridge and Malling Borough Council. The protocol once completed should help demonstrate co-operation on strategic plan-making across West Kent, including capacity to accommodate housing and employment needs in shared housing market areas and functioning economic market areas.
- 13 Another issue of particular concern relates to the internationally important Ashdown Forest (designated under the European Habitats Regulations) and the effect that new development being brought forward through nearby Local Plans may have on its potential degradation as a result of increased visitor numbers and emissions from traffic.
- 14 The High Court recently quashed parts of Lewes/South Downs joint Core Strategy. Wealden District Council argued that the plans would have a negative impact on the Ashdown Forest and that the strategy, and its projected impact on traffic flows, should have been considered in combination with its own core strategy. Officers are working closely with neighbouring authorities to understand the implications of this judgement and it may be necessary for the new Local Plan to include a policy on impact mitigation in relation to Ashdown Forest.

Housing White Paper

- 15 The Housing White Paper 'Fixing our broken housing market' was issued for public consultation by DCLG on 7 February 2017 (the consultation runs until 2 May).

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- 16 We will continue to prepare our new Local Plan in accordance with the timetable set out in our adopted Local Development Scheme (LDS). **The Housing White Paper sets out the intended national policy direction in relation to planning and housing, but it is only a consultation document. It therefore represents Government thinking on a direction of travel and does not yet set new policy.** Once provisions within the Paper are finalised, it will be necessary to ensure that our new Local Plan is reflective of these changes, and it is at this point that we will consider any subsequent impact on our programme.
- 17 Officers in consultation with the Planning and Housing portfolio holders have provided a response to the White Paper consultation. Key concerns emphasised in the response have included the need for Government to recognise and respond to the banking of both land and planning applications by developers and its role in slowing down development (rather than the planning process) and concern about the need to review Local Plans after five years and the consequent impacts this has both on continued policy uncertainty and on local authority resources.
- 18 The main elements of the White Paper are summarised below (please note this list is not exhaustive and the full consultation document can be viewed at: <https://www.gov.uk/government/publications/fixing-our-broken-housing-market>)
- Planning authorities to review local plans every five years
 - Government will consult on changes to the NPPF, so that authorities are expected to prepare a Statement of Common Ground, under the Duty to Cooperate
 - Government will, consult on options for introducing a standardised approach to assessing housing requirements (a new ‘SHMA’)
 - Government propose that by April 2018 a new methodology for calculating objectively assessed requirement would apply as the baseline for assessing five year housing land supply and housing delivery.
 - Government will introduce a new housing delivery test to ensure that local authorities are held accountable for their role in ensuring new homes are delivered in their area. This test will highlight whether the number of homes being built is target, provide a mechanism for establishing the reasons why, and where necessary trigger policy responses that will ensure that further land comes forward.
 - From Nov 2017 - if delivery of housing falls below 95% of the authority’s annual housing requirement, the local authority should publish an action plan, if delivery of housing falls below 85% of the housing requirement, authorities expected to plan for a 20% buffer on their five-year land supply

- Local planning authorities will need to have policies that support the development of small ‘windfall’ sites (those not allocated in plans, but which come forward on an ad hoc basis); and indicate that great weight should be given to using small undeveloped sites within settlements for homes. On top of the allowance made for windfall sites, at least 10% of the sites allocated for residential development in local plans should be sites of 0.5 ha or less
- Government proposes to amend the NPPF to make it clear that plans should:
 - make efficient use of land and avoid building homes at low densities where there is a shortage of land for meeting identified housing requirements;
 - address the particular scope for higher-density housing in urban locations that are well served by public transport (such as around many railway stations);
 - provide scope to replace or build over low-density uses (such as retail warehouses, lock-ups and car parks); or where buildings can be extended upwards by using the ‘airspace’ above them;
- Government intend to amend the NPPF to introduce a clear policy expectation that housing sites deliver a minimum of 10% affordable home ownership units. It will be for local areas to work with developers to agree an appropriate level of delivery of starter homes, alongside other affordable home ownership and rented tenures
- Government propose to amend and add to national policy to make clear that authorities should amend Green Belt boundaries only when they can demonstrate that they have examined fully all other reasonable options for meeting their identified development requirements, including:
 - making effective use of suitable brownfield sites and the opportunities offered by estate regeneration;
 - the potential offered by land which is currently underused, including surplus public sector land where appropriate;
 - optimising the proposed density of development; and
 - exploring whether other authorities can help to meet some of the identified development requirement.

Area Initiatives

- 19 Officers are aware of a number of different initiatives in relation to the top tier settlements within the District which may eventually have the potential

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to provide significant new infrastructure and thereby represent exceptional circumstances. These are:

- 20 **Sevenoaks Northern Masterplan** - led by Sevenoaks Town Council, this masterplan is being the subject of further public consultation in May/June 2017. It focuses on community infrastructure and facilities in addition to housing and employment and could provide over 1,000 new homes on and around the quarry site to the north of Sevenoaks within the Local Plan period. The masterplan will feed into the Neighbourhood Development Plan and be appropriately reflected in the emerging Local Plan.
- 21 **Swanley** - Following the February Cabinet decision to no longer investigate potential for a garden village to the east of Swanley the focus is now on maximising the supply within the existing settlement boundary, including a consideration of increased density on accessible town-centre sites and potential for regeneration of residential estates.
- 22 **Westerham** - 'Which Way Westerham' proposals are being progressed by the Squerryes estate, which include a bypass to the north-west of the settlement. The team are undertaking local community consultation and hope to have submitted 'options' to the District Council by the end of May.

Issues and Options consultation

- 23 The planning policy team are analysing and compiling the findings from the various evidence base documents to prepare the issues and options consultation. This will be the first opportunity for stakeholders and the public to comment on options for the new Local Plan 2015-2035.
- 24 The new Local Plan sets out a vision and a framework for the future development of the District, addressing needs and opportunities in relation to housing, the economy, community facilities and infrastructure - as well as a basis for safeguarding the environment, adapting to climate change and securing good design. The Local Plan is also a critical tool in guiding decisions about individual development proposals, as it is the starting-point for considering whether applications can be approved.
- 25 The issues and options consultation document takes the following structure:
 - A District Profile including cross boundary issues
 - B Vision for the District
 - C Aims / Objectives
 - D Strategic Spatial Options
 - E Policies by Topic
 - F Policies by Area

G Delivery Targets and Monitoring

- 26 The **Strategic Spatial Options** section sets out a series of options to ‘leave no stone unturned’ in trying to meet the housing needs of the District. There is a requirement to consider all reasonable alternatives on how to deliver this need. Consequently, the Council has identified different approaches to try and accommodate the housing that the District needs. The current baseline situation and maximising the supply in existing settlements provide the building blocks upon which it is being suggested the delivery strategy should be based. The settlement hierarchy, which assesses settlements based on their population, facilities and services has informed these options.
- 27 **To be absolutely clear the work agreed so far through PAC and Cabinet has resulted in a figure of about 8,000 homes towards the 12,400 OAN figure being identified (subject to progress with area initiatives). This is made up of a baseline (2,500), maximising supply (2,500) and combination approach 3 (3,000).**
- 28 **‘Leaving no stone unturned’ means that public views will need to be sought on other approaches. Approaches 4, 5 and 6 below present three more alternatives which have not been supported by PAC or Cabinet but which remain valid options to present for public comment through a consultation process. This will ensure no options are ‘closed off’ until the public have had their say. Consultation will also be sufficiently open to receiving other approaches considered to have merit and worthy of further consideration.**

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Approach	Description	Approximate No. of units
Baseline	considers the baseline commitments e.g. homes built 2015-17 and planning permissions issued	2,500
Maximising Supply	considers maximising the supply in existing built areas, including increasing densities on existing allocated sites	2,500
Approach 1 'Brownfield'	considers the contribution from 'Brownfield' land in the Green Belt	1,500
Approach 2 'Exceptional Circumstances'	considers the contribution of Green Belt land adjacent to higher-tier settlements, where 'Exceptional Circumstances' exist. (Current potential options identified under Area Initiatives above).	1,500
Approach 3 'Combination'	considers a summation of approach 1 (brownfield land) and approach 2 (exceptional circumstances cases) above	(3,000)
Approach 4	'Transport Hubs'	
Approach 5	'Rural Ambition'	
Approach 6	'New Settlement'	

- 29 Approaches 4, 5 and 6 are other options that could be explored to meet the identified need. Approach 4 'Transport Hubs' relates to the Housing White Paper (2017) consultation, which suggests that 'when carrying out our Green Belt review, local planning authorities should look first at using any Green Belt land which has been previously developed and/or which surrounds transport hubs'. Approach 5 'Rural Ambition' considers small-scale development on the edge of lower-tier settlements, predominantly to provide affordable housing for those with a local connection (e.g. rural housing exceptions sites) and to help support rural businesses and services. This approach is unlikely to provide a large number of homes, but what it could provide is a small number of homes in areas where supply might otherwise be limited. Approach 6 'New Settlement' considers focusing growth on one (or more) area, where infrastructure could be provided to support large-scale growth.

Next Steps and Consultation

- 30 The Issues and Options consultation document will be considered by PAC on 22 June and Cabinet on 13 July.
- 31 The proposal is to run the subsequent public consultation for 8 weeks in August-September 2017. The extended period is reflective of the fact that some of the consultation period falls within the school summer holidays.
- 32 It is intended that the consultation will include drop-in consultation events, secondary school sessions, press releases, adverts and social media postings, place-making workshops with local community representatives and an agents/developers forum, in addition to making the documents available in libraries/offices and online.
- 33 The intention is to try and address 'hard to reach' groups (such as young adults, families, commuters) in addition to those who usually respond to our consultations and to provide information in an accessible manner using Plain English, for example including Frequently Asked Questions (FAQs), infographics and bullet point non-technical summaries.

Other Options Considered and/or Rejected

Preparation of a Local Plan is required by Government. The Council provided a commitment in 2014 (as part of the ADMP public examination) to review the Local Plan within five years. Not preparing a local plan will leave the Council vulnerable to unwanted planning applications and appeal decisions. Recent Government announcements also indicate that the Government will intervene to prepare plans where they are not being prepared in a timely manner locally.

Key Implications

Financial

Production of the Local Plan will be funded from the Local Plan reserve.

Legal Implications and Risk Assessment Statement.

Preparation of a Local Plan is a statutory requirement. There are defined legal requirements that must be met in plan making which are considered when the plan is examined by a Government Planning Inspector. Risks associated with Local Plan making are set out in the Local Development Scheme.

Equality Assessment.

Members are reminded of the requirement, under the Public Sector Equality Duty (section 149 of the Equality Act 2010) to have due regard to (i) eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010, (ii) advance equality of opportunity between people from

Planning Advisory Committee Work Plan 2016/17 (as at 19/04/17)

16 May 2016	22 June 2017	21 September 2017	23 November 2017	16 January 2018
<p>Local Plan Update (incl. brownfield land, heritage, climate change)</p> <p>CIL Governance</p>	<p>Issues and Options Consultation Document</p>	<p>Budget: Review of Service Dashboards and Service Change Impact Assessments (SCIAs)</p> <p>Local Plan Update</p> <p>6 month update by new DC Manager on Viability/red performance indicators on appeals/enforcement</p> <p>Building Control Update</p>		

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