

**COUNCIL – 22 FEBRUARY 2011**

**ADOPTION OF THE LDF CORE STRATEGY**

Report of the: Director of Community and Planning Services

Also considered by: LDF Advisory Group  
Cabinet – 10 February 2011

Status: For decision

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**Executive Summary:** Under the new LDF system the Core Strategy is the key document setting out the planning framework for future development of the District. The Core Strategy Draft for Submission was agreed by the Council in January 2010. It has been prepared in accordance with statutory procedures and has been subject to extensive consultation. It has been submitted for examination and the Inspector's report has been received. The report finds the plan sound with detailed amendments. The next stage is for the plan to be formally adopted.

A summary of the Inspector's Findings is attached as Appendix A. Copies of the Draft for Submission, the Inspector's Report and a track changes version of the Core Strategy showing the Inspector's changes are available in the Members Room.

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**This report supports all the Key Aims of the Community Plan**

**Portfolio Holder** Cllr. Mrs Davison

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

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**Recommendation:** It be RESOLVED that Council be recommended that:

- (a) the Core Strategy Draft for Submission be amended to incorporate the recommended changes set out in the appendices to the Inspector's Report;
- (b) the Core Strategy, as amended, be adopted as a Development Plan Document
- (c) the adopted Core Strategy be published and that make copies be made available at a price to be agreed by the Portfolio Holder

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**Background**

- 1 Under planning legislation District Councils are required to prepare Local Development Frameworks (LDFs) to replace Local Plans. The Core Strategy is the key LDF document. It should set out the Council's general strategy towards future development in the area, including what development is going

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to take place, where and when it will take place and how the Council will make it happen. As such it has a crucial role in setting the context for future development of the District.

- 2 The Core Strategy provides the basis for other Development Plan Documents and Supplementary Planning Documents which must be consistent with it, but Government guidance emphasises that the Core Strategy is the place where the key decisions about how the District is to develop in the future should be made. The Core Strategy will also provide a District-wide planning framework for future neighbourhood plans under the Localism Bill .
- 3 The Core Strategy must conform with national policy. At a local level it should be consistent with the Community Plan and take account of other plans and programmes.
- 4 The Core Strategy, in common with all Development Plan Documents, must be submitted for independent examination to determine whether the plan is “sound”. It can only be adopted if the Inspector finds it to be sound. The Inspector has the power to recommend changes which are binding on the Council

**The Sevenoaks Core Strategy**

- 5 The preparation of the Core Strategy has involved extensive consultation on Issues and Options and on Preferred Options and the preparation of a substantial “evidence base” covering key issues relevant to the plan.
- 6 These led to the preparation of the Draft for Submission, which was the Council’s final draft plan. It was agreed by the Council for publication and submission in January 2010
- 7 The Core Strategy Draft for Submission provides for future development by making best use of land in existing urban areas, focussing the majority of new development on the larger towns with the greatest range of facilities, while continuing to protect the countryside. It makes provision for the level of housing development proposed for the District in the South East Plan (3,300 dwellings to 2026 or 165 dwellings per annum). It also contains a range of strategic policies, covering design, sustainable development, housing (including affordable housing, housing size and type, density and gypsies and travellers), employment, infrastructure, open space and biodiversity. Each policy is accompanied by an implementation section that shows how it will be implemented, including performance indicators and targets.
- 8 Publication of the Draft for Submission was followed by a six week deposit period during which representations could be made. Representations were received from a total of 98 individuals and organisations.
- 9 The Core Strategy was submitted for examination on 3 June.

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**Examination of the Core Strategy and the Inspector's Report**

- 10 The examination included a number of public hearing sessions held at the Council Offices between 5 and 22 October and the Inspector's Report was received on 18 January. The report has been published on the Council's web site and all participants in the examination have been notified of its receipt. A copy has been placed in the Members Room.
- 11 A summary of the Inspector's Findings, which has previously been circulated to Members, is attached (see Appendix A).
- 12 The Inspector found the Core Strategy sound. The recommended changes are generally minor and do not alter the thrust of the overall strategy. Most were either put forward by the Council or discussed during the Hearing Sessions. A tracked changes version of the Core Strategy including the Inspector's changes has been placed in the Members Room
- 13 The Council is now able to adopt the Core Strategy.

**The Core Strategy and Planning Applications**

- 14 Once adopted the Core Strategy will form part of the Development Plan for the purposes of considering planning applications. Decisions should be made in accordance with the Development Plan unless material considerations indicate otherwise.

**Options (and Reasons for the Recommendation)**

- 15 The options are to adopt or not to adopt the Core Strategy. As the Inspector's recommendations are binding the Council cannot make changes to the document at this stage.
- 16 Adoption is recommended as the changes made by the Inspector to the Draft for Submission are limited and do not alter the overall approach of the plan, which has previously been agreed by the Council. Rejecting adoption would mean that a revised plan would have to be reduced with substantial additional expenditure and delay that could not be justified in planning or financial terms..

**Key Implications**

Financial

- 17 Budgetary provision has been made for the cost involved in preparing the Core Strategy.

Legal, Human Rights etc.

- 18 The preparation of an LDF Core Strategy is a requirement under planning legislation. The adopted Core Strategy will form part of the "Development Plan" and has special status in the determination of planning applications. There are requirements regarding notification of interested parties and the

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production of a statutory notice at the adoption stage and these procedures will be followed.

Community Impact and Outcomes

- 19 The preparation of the Core Strategy has had close regard to the Community Strategy vision of safe and caring communities, a green and healthy environment and a dynamic and sustainable economy. The Core Strategy as a whole is consistent with the Community Strategy and contributes either in a leading or supporting role to the implementation of many of the Community Strategy priorities. Overall implementation of the Core Strategy should lead to a wide range of positive outcomes for the community.

Equality

- 20 An Equality Impact Assessment of the Core Strategy has been carried out in accordance with Council policy. It is available on CMIS and a copy has been placed in the Members Room. The Inspector's recommended changes do not affect the assessment.

Sustainability Checklist

- 21 A Sustainability Appraisal of the Core Strategy has been carried out in accordance with Government guidance. It is available on CMIS and a copy has been placed in the Members Room. The full appraisal is a lengthy document but it is accompanied by a shorter Non Technical Summary. The findings of the appraisal were taken into account in finalising the Draft for Submission. The Inspector's recommended changes do not require amendment to the Sustainability Appraisal.

**RISK ASSESSMENT STATEMENT**

- 22 The main risk in the preparation of the Core Strategy is that it is found unsound. That risk has now been overcome. It is possible to lodge a High Court Challenge to the adoption of a Core Strategy but the grounds are limited to legal and procedural matters. The Inspector has found that the legal requirements have been met and has raised no procedural issues in her report.

**Sources of Information:**

Report on the Examination into the Sevenoaks District Core Strategy Development Plan (including Appendices A to D)

Sevenoaks District Council LDF Core Strategy Draft for Submission

Sevenoaks District Council LDF Core Strategy Tracked Changes version, including the Inspector's Changes

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Sustainability Appraisal of the Core Strategy

Equalities Appraisal of the Core Strategy

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