



DISTRICT COUNCIL

Despatched: 30.01.13

CABINET

07 February 2013 at 7.00 pm










Conference Room, Argyle Road, Sevenoaks

AGENDA


Membership:

Chairman: Cllr. Fleming
Cllrs. Mrs. Bosley, Mrs. Clark, Mrs. Davison, Hogarth, Mrs. Hunter and Ramsay

| | <u>Pages</u> | <u>Contact</u> |
|--|---------------------|-----------------------|
| Apologies for Absence | | |
| 1. Minutes Minutes of the meeting of the Cabinet held on 10 th January 2013. | (Pages 1 - 8) | |
| 2. Declarations of interest Any interests not already registered | | |
| 3. Questions from Members (maximum 15 minutes) | | |
| 4. Matters referred from Council None | | |
| 5. Matters referred from the Performance and Governance Committee and/or Select Committees (Paragraph 5.20 of Part 4 (Executive) of the Constitution) | (Pages 9 - 12) | |
| (a) Treasury Management Strategy 2013/14 <i>(Minute 114 Performance & Governance Committee 8 January 2013)</i> | | |
| (b) Sevenoaks District Tenancy Strategy and Sevenoaks District Housing Register Allocations Policy <i>(Minute 35 Services Select Committee - 14 January 2013)</i> | | |
| (c) Community Infrastructure Levy Charging Schedule <i>(Minute 23 Environment Select Committee 15 January 2013)</i> | | |

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|-----|---|-------------------|---|
| 6. | Annual Review of Parking Charges for 2013/14 - Results of Public Consultation | (Pages 13 - 38) | Gary Connor Tel: 01732 227310 |
| |  | | |
| 7. | Sevenoaks District Tenancy Strategy and Sevenoaks District Housing Register Allocations Policy | (Pages 39 - 92) | Jane Ellis Tel: 01732 227296 |
| |  | | |
| 8. | Community Right to Bid | (Pages 93 - 102) | Lee Banks Tel: 01732 227161 |
| |  | | |
| 9. | Allocations and Development Management Plan | (Pages 103 - 352) | Alan Dyer Tel: 01732 227196 |
| |  | | |
| 10. | Community Infrastructure Levy Charging Schedule | (Pages 353 - 370) | Alan Dyer Tel: 01732 227196 |
| |  | | |
| 11. | Treasury Management Strategy 2013/2014 | (Pages 371 - 402) | Roy Parsons Tel: 01732 227204 |
| |  | | |
| 12. | Capital Programme and Asset Maintenance 2013-16 | (Pages 403 - 416) | Adrian Rowbotham Tel: 01732 227153 |
| 13. | Revenue Budget and Council Tax 2013/14 | (Pages 417 - 462) | Adrian Rowbotham Tel: 01732 227153 |
| |  | | |
| 14. | Discretionary Rate Relief | (Pages 463 - 482) | Adrian Rowbotham Tel: 01732 227153 |
| |  | | |
| 15. | Council Tax Discounts Resolution | (Pages 483 - 488) | Adrian Rowbotham Tel: 01732 227153 |
| |  | | |

 Indicates a Key Decision

 indicates a matter to be referred to Council

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)

CABINET

Minutes of the meeting held on 10 January 2013 commencing at 7.00 pm

Present: Cllr. Fleming (Chairman)

Cllrs. Mrs. Bracken, Mrs. Clark, Mrs. Davison, Hogarth, Mrs. Hunter and Ramsay

Apologies for absence were received from Cllr. Mrs. Bosley

Cllrs. Brookbank, Davison, Fittock, Gaywood and Searles were also present.

62. Minutes

Resolved: That the minutes of the Cabinet meeting held on 6th December 2012 be approved and signed as a correct record.

63. Declarations of interest

There were no further declarations of interest, other than those recorded on the Council's Register of Member Interest.

64. Questions from Members (maximum 15 minutes)

There were no questions.

65. Matters referred from Council

No matters were referred from Council.

66. Matters referred from the Performance and Governance Committee and/or Select Committees(Paragraph 5.20 of Part 4 (Executive) of the Constitution)

There were no references from the Performance and Governance Committee or from Select Committees.

67. Draft Budget 2013/14

The Portfolio Holder for Finance and Value for Money introduced a report setting out progress made in preparing the 2013/14 budget and updating Members on key financial information recently received. The report showed that no further savings other than those set out in the four year plan were required to balance the budget for 2013/14; albeit the budget recognised some risks, including income. The overall emphasis was building on the strong framework provided by the 10-year budget, whilst taking into account any new financial burdens and challenges in the economy that would have an impact on budget assumptions.

Members noted that equalities assessments had been completed for all of the Service Change Impact Assessments (SCIAs).

The Group Manager – Financial Services provided an update on the changes that had been made to the 10-year budget since the Cabinet meeting on 6th December 2012 which were outlined in Appendix A of the report. Four income items were showing adverse variations in the current year and whilst these variations were being contained by other savings there were serious concerns that if the income levels continued there would no longer be adequate compensating savings elsewhere.

The Portfolio Holder for Finance and Value for Money stressed that government indications surrounding council tax support funding being included in the District Council's overall grant settlement were speculative and that there was no guarantee of this.

The Chairman noted that the report outlined a number of “at risk” areas and reported that he had asked Officers to review the Big Community Fund. Currently money from the New Homes Bonus was used to support the Big Community Fund, however in future funds from the New Homes Bonus would be placed into the Budget Stabilisation Fund. The Chairman reminded Members that there was no guarantee that the New Homes Bonus would continue in future years and this appeared to be a prudent use of the funding to ensure that there was good budget stabilisation in the future. Members agreed that this appeared to be a sensible use of the New Homes Bonus and supported the proposals that had been put forward.

The Chairman also reported that a Minister within the Department for Community and Local Government (DCLG) had recently made a verbal statement regarding Council Tax Support and had announced that in 2013/14 there would be a further 8.5% decrease in funding. This would impact both Sevenoaks District Council and the Town and Parish Councils. Whilst there were no firm details of the proposals it was important that the Council had a healthy budget stabilisation fund in order to mitigate against the impact of any future proposals.

Members also noted that a significant amount of work would have to be undertaken on reviewing savings for the next year. The Portfolio Holder for Finance and Value for Money had been asked by the Chairman to start work on identifying potential savings with a small group of Members.

The Chairman thanked the Portfolio Holder for Finance and Value for Money, the Group Manager – Financial Services and the Chief Executive Designate for the work they had undertaken on developing proposals for Members consideration.

Resolved: That Officers be asked to make the necessary amendments to the budget around use of the New Homes Bonus and provide a further update on 7th February 2013.

68. Calculation of Council Tax Base and other tax setting issues

The Portfolio Holder for Finance and Value for Money introduced a report setting out details of the calculation of the District's tax base for council tax setting purposes. The figures were used to determine tax rates for each of the Council tax bands once the

Council’s budget requirement was known. The report also outlined the timetable for setting the 2013/14 council tax.

Members noted that the collection rate had been reduced to 99.3% and this rate reflected the difficulties anticipated by Officers in collecting council tax from people in receipt of Council Tax Support.

The Chairman highlighted that the costs of collection would also increase over the coming year and the Council could find itself in a position where it was spending more on collecting less. The Chairman also highlighted that the impact of changes in Council Tax Support would not be evenly spread across the District, as a result of this Town and Parish Councils would need to start to consider ways of protecting their residents in future years.

Resolved: that:

- (a) The report of the Deputy Chief Executive & Director of Corporate Resources for the calculation of the Council’s tax base for the year 2013/14 be approved;
- (b) pursuant to the report of the Deputy Chief Executive & Director of Corporate Resources and in accordance with the Local Authorities (Calculation of Council Tax Base) Regulations 1992 (as amended) the amount calculated by the Sevenoaks District Council as its council tax base for the whole area for the year 2013/14 shall be 47,052.88;
- (c) pursuant to the report of the Deputy Chief Executive & Director of Corporate Resources and in accordance with the Local Authorities (Calculation of Council Tax Base) Regulations 1992 (as amended) the amount calculated by the Sevenoaks District Council as the council tax base for 2013/14 for the calculation of local precepts shall be:

| <u>Parish</u> | <u>Tax Base</u> |
|------------------------------|-----------------|
| Ash-cum-Ridley | 2,342.51 |
| Brasted | 729.63 |
| Chevening | 1,427.85 |
| Chiddingstone | 570.29 |
| Cowden | 398.28 |
| Crockenhill | 623.31 |
| Dunton Green | 806.71 |
| Edenbridge | 3,320.50 |
| Eynsford | 893.09 |
| Farningham | 594.73 |
| Fawkham | 269.51 |
| Halstead | 713.52 |
| Hartley | 2,436.35 |
| Hever | 584.92 |
| Hextable | 1,608.47 |
| Horton Kirby & South Darenth | 1,239.75 |
| Kemsing | 1,773.07 |

| | |
|-----------------|----------|
| Knockholt | 601.93 |
| Leigh | 778.76 |
| Otford | 1,647.13 |
| Penshurst | 798.88 |
| Riverhead | 1,200.57 |
| Seal | 1,146.50 |
| Sevenoaks Town | 8,890.62 |
| Sevenoaks Weald | 601.48 |
| Shoreham | 958.50 |
| Sundridge | 887.81 |
| Swanley | 5,103.66 |
| Westerham | 1,892.17 |
| West Kingsdown | 2,212.39 |

- (d) any expenses incurred by the Council in performing in part of its area a function performed elsewhere in its area by a parish or community council or the chairman of a parish meeting shall not be treated as special expenses for the purposes of section 35 of the Local Government Finance Act 1992.

69. Senior Management Restructure

Members considered a report setting out a proposal for a restructure of the Council's senior management that would meet the commitment within the four year savings plan to deliver a reduction in senior management costs of £302,000.

The report outlined the criteria used to help shape the proposal, the proposed senior management structure, a summary of the consultation carried out with staff and the process that would be followed in appointing to new posts.

The Chief Executive Designate stressed that it was never easy to save money, particularly in an already lean authority such as Sevenoaks District Council. £60,000 savings had already been made following the departure of the Head of Finance and Human Resources and the Head of Development Services. The Director of Community and Planning Services had also offered to take voluntary redundancy and this would contribute toward the £302,000 savings that were required.

The proposed structure at Appendix A of the report had been developed to meet the anticipated future challenges and reflected a move towards a Chief Officer structure. The proposed Chief Officer roles were:

- Chief Officer Communities and Business
- Chief Officer Environmental and Operational Services
- Chief Officer Housing
- Chief Officer Corporate Support
- Chief Officer Legal and Governance (Monitoring Officer)
- Chief Officer Planning
- Chief Officer Finance

The posts of Chief Officer Finance and Chief Officer Planning would be subject to competitive assimilation including external competition.

The Chief Executive Designate reported that consultation had been undertaken with both Unison and affected staff and there had been no indication that the proposed structure was not supported. The Chief Executive Designate stated that the departure of the Deputy Chief Executive and Director of Community and Planning Services would leave a significant gap at a senior level particularly due to her contributions in transforming the Council.

The Chairman highlighted that significant changes to the senior management structure had already been made and were reflected in the report. One of the great successes of Sevenoaks District Council was its ability to develop its staff and prepare them for more senior roles. The Chairman stressed that this report was the first stage in the reorganisation process and further reviews of structures across the Council would be taking place. Sevenoaks District Council had found itself in the very fortunate position that the current Chief Executive had given early indication of his intention to retire which had meant that the Council had incurred no additional costs. The decision taken by the Deputy Chief Executive and Director of Community and Planning Services had also allowed the organisation to move forward.

In response to a question from a visiting Member, the Chairman reported that a review of Member-level governance structures would also be taking place in order to ensure that these structures complemented the Officer structures.

A Member suggested that one area of concern was the effect that the proposed changes and the resulting period of instability could have on the Planning Department however, she was working with the Chief Executive Designate to minimise this. The Member stressed the need to ensure that the current high standards were maintained. The Chief Executive reported that senior officers would be working hard over the next six months to prepare for the proposed changes and ensuring that the transition was as seamless as possible.

Resolved: That:

- (a) The report be endorsed;
- (b) It be noted that the costs associated with the restructure of senior management will be limited to, and met from, the earmarked Reorganisation Reserves as approved by Council in February 2012; and
- (c) It be noted that the cost of any service restructures resulting from the new senior management structure will be limited to, and met from, existing service budgets.

70. Whiteoak Leisure Centre Asset Maintenance Consideration of Options

The Head of Community Development introduced a report summarising four options for Swanley Whiteoak Leisure Centre and outlining the impact of each option. The Centre was built in the 1960s and it was now expected that major costs for repairs to the existing centre would be necessary over the next ten years. The existing asset

maintenance budget would not be sufficient to address these needs. The report noted that the Centre was an important local facility and that it was necessary to consider options for its future.

Members noted the summary of the full Equalities Impact Assessment that had been undertaken.

Following detailed discussions Members agreed that, in light of the current economic climate, it was unlikely that Option One (do nothing) would be economically feasible in the future.

Options two (invest in the existing building) and three (replace the existing building on the same or a different site) were considered to be the most viable options and should be investigated further. Members agreed that it was important to consider how these options could be pursued without the Council incurring further debt.

The Portfolio Holder for Finance and Value for Money highlighted that the current building was not fit-for-purpose. In order to compare like-for-like costs for options two and three, costs associated with option two would also have to include the cost of making the existing building fit-for-purpose.

A visiting Member who was also a ward member concurred that options two and three appeared to be the most viable options and highlighted that the community need for a leisure centre had been proven. The Member stressed the need for local councillors to be consulted on any further proposed options. The Chairman agreed that it was essential that all local stakeholders were included in any consultation process.

Another visiting Member who was also a local ward member stressed the need for the new facilities to be flexible in meeting future needs and consumer demands. If the building were flexible it was possible that the commercial possibilities for the Centre could be extended.

Another visiting Member highlighted the importance of considering the financial implications of any decisions that were taken that would incur additional expenditure. The Member acknowledged that whilst the Council was currently incurring expenditure on on-going asset maintenance issues on a building that was not fit-for-purpose, it was also important to safeguard the local authority from additional future expenditure and suggested that option four (close the leisure centre) should not be dismissed if options two and three were found not to be financially viable.

It was agreed that Officers should be asked to investigate and explore all possibilities surrounding options two and three, consult with all stakeholders and report back to Members. It was envisaged that this process would take between three and six months. The Chairman requested that Officers narrow down the list of potential sites for a new leisure centre from the twelve that were currently listed as the investigation undertaken by Officers should give a clear understanding of the most viable sites.

Resolved: That Officers be asked to investigate and explore all possibilities surrounding Options Two (invest in the existing building) and Three (replace the existing building on the same or a different site), consulting with all stakeholders and report back to Members as soon as practicable.

71. Consideration of Exempt Information

Members noted the information contained within Appendix C of Minute 70 without discussion and there was therefore no need for Members to go into closed session.

72. Whiteoak Leisure Centre Asset Maintenance Consideration of Options - Appendix C

Members noted the information contained in Appendix C under Minute 70.

THE MEETING WAS CONCLUDED AT 8.18 PM

CHAIRMAN

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MATTERS REFERRED BY PERFORMANCE AND GOVERNANCE COMMITTEE AND/OR SELECT COMMITTEES

- a) Treasury Management Strategy 2013/14 (Minute 114 Performance & Governance Committee 8 January 2013)

The Local Government Act 2003 (the Act) and supporting regulations required the Council to 'have regard to' the Prudential Code and to set Prudential Indicators for the next three years to ensure that the Council's capital investment plans were affordable, prudent and sustainable. The Act required the Council to set out its treasury strategy for borrowing and to prepare an Annual Investment Strategy (as required by investment guidance issued subsequent to the Act). The report set out the Council's policies for managing its investments and for giving priority to the security and liquidity of those investments.

Members' attention was drawn to paragraphs 57-59 of the report, which dealt with changes to the investment criteria in the light of recent credit rating downgrades. Paragraph 58 set out officer's proposals for the 2013/14 investment policy. Members agreed with the proposals in general, but expressed great concern with regards to increasing the limits of investments to 40% of the total fund to any single institution or institutions within a group of companies. Some Members felt that it should remain at 25% or possibly increase to 30%. A Member was nervous of Building Societies.

In response to a question on longer term investments, the Principal Accountant reported that advice received recommended against investments for longer than three months, except in the cases of semi-nationalised banks and public authorities where up to one year was recommended. This was in line with what neighbouring authorities were doing.

It was agreed that these concerns should be referred to the Finance Advisory Group.

Public Sector Equality Duty

Members noted that there were no adverse equality impacts arising from the report.

Resolved: That the concerns expressed above be drawn to the attention of the Finance Advisory Group.

- b) Sevenoaks District Tenancy Strategy and Sevenoaks District Housing Register Allocations Policy (Minute 35 Services Select Committee - 14 January 2013)

The Head of Housing and Communications presented the report which covered the District Council's proposed Tenants strategy and the approach to the current welfare reform whilst ensuring that the District's limited affordable housing supply would go to those deemed in most need (with more emphasis now through the Allocation policy on local connection and employment) and that future rent revenues were fair but maximised opportunities for Registered Social providers to generate funding for the provision of new social sector housing. The Head of Housing and Communications reported that that Allocation Policy was developed in conjunction with the local community and local providers through consultation. Its main purpose is to identify fairly who should have

Agenda Item 5

priority on the Register for rehousing and this is to be undertaken by using 4 bands instead of points, in line with rest of Kent. Members were also provided with an update on the on-going work with West Kent Housing Association surrounding the Housing Register. West Kent HA had agreed to manage the Register for a further 2 years from 1st April 2013. Officers and West Kent HA would be undertaking a review of people currently on the register and hoped to reduce it by half to around 1000. There were many registered who would not be re housed in the near future and they would be given other options to consider.

The proposed Tenancy Strategy would also be trialled on a 10% sample of the Housing Register. An update on this trial would be provided to the June 2013 Committee.

The Head of Housing and Communications reported that the Portfolio Holder for Housing and Balanced Communities had also reviewed the Housing Register Allocations Policy and had suggested that paragraph 1.1 be amended to read:

“Anyone living in the United Kingdom who is at least 18 years old, and who is applying for a social housing property to use as their only or principal residence and who has a local connection to the Sevenoaks District, may apply to the SDHR.”

The Committee endorsed the amended wording.

Public Sector Equality Duty

Members noted the equality impacts arising from the report on the Sevenoaks District Housing Register Allocations Policy and Tenancy Strategy. Members noted that there was no adverse impact with regards to the Tenancy Strategy. With regard to the Sevenoaks District Housing Register Allocations Policy, Members noted that there would be sections of the Community who would be considered to have a greater need than others and therefore would be allocated more priority to assist them to achieve rehousing more quickly.

The Vice-Chairman welcomed the inclusion of the greater emphasis on local connection to Sevenoaks in the new banding systems.

Members considered the Housing Register Allocations Policy and the Priority Banding System and a Member highlighted that there appeared to be very little support for young working people on low wages. Members stressed that they felt that the policy should be clearer in rewarding people in work and should accommodate employment, for example where possible, workers should be found accommodation which enabled them to keep working. The Head of Housing and Communications responded that Officers recognised the issues and continuously sought solutions. The Council offered a Deposit Bond Scheme and encouraged tenants to consider housing which was outside the District. Younger people were also encouraged to consider shared ownership opportunities and the Council was also looking to establish a Single Persons Scheme and Officers were investigating a suitable site for this. Intermediate rental properties were also available.

In response to a question, the Housing Manager, reported that people with no access to the internet would be able to obtain information though the Council’s magazine, In Shape; information would also appear in local newspapers; West Kent Housing

Agenda Item 5

Association would also be writing to people on the Housing Register and, if required, customers could be sent personalised sheets of suitable properties that were available.

Members also considered the need for suitable temporary accommodation across the District. A Member stressed the importance of consideration being given to where affordable housing was located. The Vice-Chairman suggested that the Group Manager – Planning be invited to attend the June 2013 Committee meeting to provide an update on Section 106 money and comment on social and affordable housing across the District.

Action 3: That the Group Manager – Planning be invited to attend the June 2013 Committee meeting to provide an update on Section 106 money and comment on social and affordable housing across the District.

Resolved: That the adoption of the Sevenoaks District Tenancy Strategy and Sevenoaks District Housing Register Allocations Policy be supported subject to the comments above, and both documents be RECOMMENDED to Cabinet for approval as District Council policy.

c) Community Infrastructure Levy Charging Schedule (Minute 23 Environment Select Committee 15 January 2013)

The Principal Planning Officer presented the report which explained that the Community Infrastructure Levy (CIL) was a new mechanism for securing contributions from developers towards the provision of infrastructure that was required to support development. In order to begin charging CIL, the Council needed to prepare a Charging Schedule, which would set out what developers would need to pay in £ per sq m of new buildings and any variations by area or type of development. Following consultation between June and August 2012, responses to the consultation had been reviewed and additional work on the evidence base had been undertaken.

A Draft Charging Schedule had been prepared and it was recommended that the proposed residential charges remain at £75/m² and £125/m², based on the same charge areas previously consulted on. Proposed charges for supermarkets and retail warehouses continue to be at £125/m² but on the basis of additional viability evidence it was proposed that other retail uses were not charged CIL. If agreed, the Draft Charging Schedule would be published for interested parties to comment on and would then be submitted for independent examination. If found sound, it was likely that the Council would be in a position to adopt the Charging Schedule in late 2013 / early 2014.

Public Sector Equality Duty

Members noted that there were no adverse equality impacts arising from this report.

Resolved: That the following recommendations to Council be endorsed subject to a request that the Environment Select Committee have the opportunity to review the implementation plan before it is adopted:

Agenda Item 5

- a) That the Community Infrastructure Levy Draft Charging Schedule be agreed for publication and submission for independent examination; and
- b) That the Portfolio Holder is authorised to agree minor presentational changes and detailed amendments to the Charging Schedule to assist the clarity of the document.

The Principal Planning Officer was thanked for all his hard work.

ANNUAL REVIEW OF PARKING CHARGES FOR 2013/14 – RESULTS OF PUBLIC CONSULTATION

Cabinet – 7 February 2013

Report of the: Community and Planning Services Director

Status: For Decision

Executive Summary:

This report informs Members of the outcome of the public consultation for the proposed increases to car park and on-street parking charges for 2013/14.

Portfolio Holder Cllr. Hunter

Head of Service Head of Environmental and Operational Services, Mr. Richard Wilson

Recommendation: It be RESOLVED that:

(a) Members confirm whether any of the proposed car park or on-street parking charges approved by Cabinet on 8 November 2012 should be amended in light of consultation responses, with a view to implementing the proposals on or as soon after 1 April 2013; and

(b) Council be requested to confirm that the cost of the free Christmas parking for 2012, estimated at £15,000, be funded from Supplementary Estimates.

Introduction

- 1 On 8 November 2012, Members of Cabinet considered and approved proposals for increasing certain parking charges to contribute to the Council's overall budget target for 2013/14.
- 2 This report concerns objections and comments received in respect to the proposed car park and on-street charges following public consultation to amend the Council's Car Parks Order and on-street Traffic Regulation Order.
- 3 For Cabinet Members' information, a summary of the proposals as approved on 8 November, subject to consultation, is attached as Appendix A.

Car Park Proposals

- 4 The consultation period ended on 16 December 2012. In addition to the Notice in the local newspaper and displayed in the car parks, letters were sent to all season ticket holders advising them of the proposals.

Agenda Item 6

- 5 Three comments were received in response to the consultation. These include a response from the Sevenoaks Town council and from Kent Police. The comments received are attached in full, i.e. in verbatim, in Appendix B for Members' perusal and consideration. They relate to the following areas:-

| Car Parks Subject: | Number of Comments: |
|---|---------------------|
| Pay & display charges – Sevenoaks town centre car parks | 1 |
| Season ticket charges – Sevenoaks station car parks | 1 |
| General comment | 1 |

- 6 **In respect to the pay and display charges in Sevenoaks town centre** (see comment 1), comments were received from the Sevenoaks Town Council expressing concern at the proposals and requesting the disclosure of revenue and usage information to enable the effect of previous price rises to be analysed. Please refer to further comments regarding this under the heading “Parking Trend and Income” below.
- 7 **In respect to the Sevenoaks station season tickets** (see comment 2), comments were received from a Sennocke car park season ticket holder, assumed to relate only to the proposed increase in season ticket costs, expressing objection to the proposed increase and suggesting that there ought to be a price freeze in recognition of financial conditions.
- 8 For information, the proposal is to increase the cost of annual season tickets in the Bradbourne and Sennocke car parks by £10. In respect to the Sennocke car park, this would be an increase of 0.9%.
- 9 **In respect to the general comment** (See comment 3), this is a standard response from Kent Police and does not make specific reference to the proposed charges.

Parking Trend and Income

- 10 Information relating to car park usage and income for the Sevenoaks town centre car parks is included in this report in response to the request by the Sevenoaks Town Council.
- 11 A check on parking usage in the Council run car parks is undertaken during one week of every month to provide usage records on a sample basis. The survey is undertaken twice each day to coincide with the morning and afternoon peaks. The number of parking spaces available in each car park is recorded. Where possible, the car parks are surveyed on all working days of the week, but for some months perhaps only one or two days are achieved, due to the availability of staff resources. The car parks are not surveyed on Saturdays.
- 12 The parking surveys can really only provide a sample of parking use for each month and should not be taken as giving an accurate indication. Nevertheless, they do serve as a useful guide as to parking trends in the car parks.

- 13 Appendix C shows a record of parking spaces available between April 2009 and December 2012. Two data sets have been included to reflect the two different pricing structures within the town centre car parks, one for the Blighs car park and another which includes the Buckhurst 1, Buckhurst 2, South Park and Suffolk Way car parks which collectively form the “other town centre car parks”. Only data for the morning period is shown as this tends to be the busiest time of the day for parking use.
- 14 As can be seen, since the latter part of 2011/12 more spaces have been increasingly available, certainly in the “other” town centre car parks but less so for Blighs. However, the number of spaces tends to correspond with the level recorded for 2009/10. Members may recall that the Waitrose store was closed for redevelopment between July 2010 and September 2011. This would have had an impact upon car park use in the town centre as Waitrose customers would have transferred to the public car parks while the temporary Waitrose store operated from the former Woolworths site in the High Street. This would have led to a reduction in spaces available during 2010/11 and 2011/12, and this is thought to be the main reason why fewer parking spaces were available. One the effects of the Waitrose redevelopment and relocation of parking has been to mask the true parking trend in the town centre over recent years, which is unfortunate.
- 15 In Appendix D, a breakdown of ticket sales is provided for each town centre car park in terms of the percentage of ticket sales for each tariff for the last four years. This enables trends in ticket sales between the different tariffs to be identified. To enable comparison with the financial current year, all data relates to the first nine months of each year shown. Total ticket sales figures are also given.
- 16 Unfortunately, the information for the Blighs car park for this financial year is incomplete as a result of a fault in the ticket machine manufacturer’s data recording system. The percentage split for 2012/13 is based on information only available from the end of November. As a result, this might not give a truly representative picture for the whole year. In respect to the Buckhurst 2 car park, data is not available for 2009/10.
- 17 In many cases, there is relatively little variation between the current year and the previous year or two years, beyond usual fluctuations. However, it is noticeable that in Blighs the proportion of 1 hour and evening tickets has dropped whilst the proportion of 30 minute , 2 hour and 3 hour tickets has increased. Unfortunately, without knowing the number of ticket sales for the different tariffs it is not possible to gauge what effect this might have had upon income.
- 18 Whilst the ticket sales for Blighs for the current year are unknown, a comparison can still be made for the other town centre car parks. On the third page of Appendix D the top chart shows ticket sales for the other town centre car parks, collectively, for the last four years, broken down by tariff. This shows a significant drop in the number of 1 hour and 2 hour tickets bought and a small drop in the number of 4 hour and evening tickets bought. Since the cost of the 1 hour tariff had not changed in April 2012, the drop in sales cannot be related to the increase in parking charges. There would, of course, have been some reduction in ticket sales following the opening of the new Waitrose store as this would have resulted in a “freeing-up” of spaces in the town centre car parks. Unfortunately, it is not

Agenda Item 6

possible to quantify the degree to which this would have impacted upon parking availability in the town centre car parks.

- 19 The bottom chart on the last page of Appendix D shows the total ticket sales for each car park, where figures are available. As can be seen, sales for 2012/13 have dropped in all car parks. Again, some reduction would have been due to the opening of the new Waitrose store.
- 20 Appendix E shows the gross monthly income levels (i.e. inclusive of VAT) for each car park for the last two years and the total for the town centre as a whole.
- 21 Taking the usage and ticket sales information into account, I am of the opinion that parking use has reduced during 2012/13 probably due to a number of factors. Firstly, the weather experienced at the beginning of the year was very poor; secondly, the Olympic and Paralympic Games are thought to have had an effect; and thirdly, and I believe the most likely reason, that there has been a general down-turn in footfall which has been experienced nationally.
- 22 The higher levels of parking use during 2010/11 and 2011/12 are most likely due to the Waitrose redevelopment. Officers do not consider that the increases introduced in April 2012 would solely have led to such a drop in car park usage, particularly as they were generally limited to 10p on various tariffs and in view that similar increases in preceding years had not noticeably adversely affected parking income levels.
- 23 A report entitled 'Re-Think! Parking on the High Street' has just been produced by the Association of Town Centre Management, the British Parking Association, Parking Data & Research International and Springboard Research Ltd. This reviews off-street parking tariffs at some ninety locations across the UK and uses data on footfall, spend and centre quality to group these locations and assess the relationship to the quality of spaces and the cost of parking for the first two hours. In view of the relevance of this report, it has been placed on the website Members' information.
- 24 These are the key findings:
 - Parking operators are providing parking provision which equates to the footfall levels achieved by their location.
 - There is no clear relationship between car parking charges and the amenities on offer in a location with some mid-range and smaller centres charging more than what is the national average.
 - The mid-range and smaller groupings of centres that charge more than the national average in accordance with their offer, suffered a higher than average decline in footfall for 2011.
- 25 It is stated that the findings do not conclusively demonstrate that parking tariffs are influencing decline in locations across the UK.
- 26 Of particular interest is the annual percentage change in footfall for the period January to September 2012 (as shown in figure 4 on page 15 of the report) which

tends to match the reduced levels in car park income experienced in Sevenoaks town centre.

- 27 It may be worth noting that costs to maintain and operate the Council’s car parks increase year on year. Business rates have increased by over £20,000 for the last two years running; last year maintenance costs rose by over £86,000 of which £72,000 was needed for repairs to car park surfacing; other essential maintenance works will need to be carried out later this or next financial year and a number of ticket machines and items of enforcement equipment are in need of replacement.
- 28 In estimating the additional income likely to accrue from the proposed increases for 2013/14, the drop in parking usage and income experienced during the first part of this financial year has been taken into account. Therefore, unless the down-turn worsens, which is not suggested by the trend information attached, the level of additional income predicted for next year should be achievable. However, whether the expected total budget for pay and display income will be achieved will be dependent upon the extent of the shortfall at this year end and whether the current parking trend will continue or recover and if so, the degree of any recovery.
- 29 As a reminder for Members, the table showing parking charges of neighbouring authorities is attached as Appendix G. It can be seen that our charges compare reasonably well with other Councils.

On-Street Proposals

- 30 The consultation period for the on-street proposals also ended on 16 December 2012. The Public Notice was published in the local newspaper and was widely displayed in all on-street locations.
- 31 Three comments were received in response to the consultation. These were from the Sevenoaks Town council (the same letter relating to both car parks and on-street proposals), the Westerham Town Council and the Kent Police. The comments received are attached in full, i.e. in verbatim, in Appendix B for Members’ perusal and consideration. They relate to the following areas:-

| On-Street Subject: | Number of Comments: |
|---------------------------|----------------------------|
| Pay & display charges | 2 |
| General comment | 1 |

- 32 **In respect to pay and display charges** (see comment 1), whilst the letter received from the Sevenoaks Town Council refers to both the on-street and car parks Orders, the comments contained therein appear to only relate to the car park proposals.
- 33 The Westerham Town Council object (see comment 4) on the grounds that an increase is not justified, the increase is large and that free parking is available in adjacent towns and villages namely Oxted and Brasted.

Agenda Item 6

- 34 **In respect to the general comment** (see comment 5), this is a standard response from Kent Police and does not make specific reference to the proposed charges.

Changes to the Road Traffic Order

- 35 For information, comments relating to an increase in on-street parking charges are not considered to be pertinent or valid objections under the terms of the legislation for the Order making process. Therefore, they would not be required to be reported to the Sevenoaks Joint Transportation Board for consideration.

Christmas Free Parking

- 36 At the meeting held on 8 November, Members approved the provision of free Christmas parking on two Saturdays before Christmas with the recommendation that this be funded from Supplementary Estimates. This was not taken forward for consideration by Council and, hence, a recommendation to request approval by Council is included with this report merely to regularise the situation.

Key Implications

Financial

- 37 The proposals considered and approved by Cabinet on 8 November 2012 contribute to the budget provisions for parking for 2013/14.

Community Impact and Outcomes

- 38 The introduction of parking charge increases is likely to have an impact to some degree upon people from the local community and upon visitors to the district who use the parking facilities, although it is impossible to quantify any likely resultant effect. Rather than pay higher parking charges, people may instead decide to park for shorter periods, lessen the frequency of their visits or choose to go elsewhere.

Legal, Human Rights etc

- 39 The processes to amend the off-street and on-street Orders are being carried in accordance with the legal requirements.
- 40 There are no human rights issues or implications.

Equality Impacts

- 41 There is a low risk that any of the options presented will have an adverse impact on people with 'protected characteristics' under the Equality Act. There are no apparent issues of direct relevance to parking charges as our car parks are open to use by anyone who chooses to do so. Free parking is generally available in roads just out from the town centres, although in some cases this might be limited to 2 hours. Free parking is offered for those with disabilities who hold a Blue Badge and this remains unaffected. Any issues will be monitored through complaints received. The Parking Enforcement Policy is subject to a separate Equality Impact Assessment and has not identified any substantial issues.

Conclusions

- 42 Members are requested to consider whether they wish to make any amendments to the charges approved on 8 November 2012 in light of the consultation comments received.

Risk Assessment Statement

- 43 By not adopting the charging proposals approved, or by failing to provide alternatives, the budget expectations for parking income for 2013/14 might not be realised.

Sources of Information: The Car Park (Amendment 2) Order 2010 file held by the Parking and Amenity Manager.

The Kent County Council (Various Roads in the District of Sevenoaks) (Prohibition and Restriction of Waiting and Loading & Unloading and On-Street Parking Places) (Amendment 26) Order 2009.

Contact Officer(s): Gary Connor Ext: 7310

Kristen Paterson
Deputy Chief Executive & Community and Planning
Services Director

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Summary of Car Park Proposals Approved by Cabinet on 8 November 2012

| CAR PARK TARIFF INCREASES | | | | Proposed Increases | | | |
|------------------------------|---|---------------|----------------|--------------------|----------|----------|-----------------|
| Item No. | Description | Charge Period | Current Charge | Option 1 | Option 2 | Option 3 | Proposed Charge |
| 1.0 | SEVENOAKS TOWN CENTRE - Blighs | | | | | | |
| 1.1 | Short stay | 30 minute | 50p | | | + 20p | 70p |
| 1.2 | " " | 1 hour | £1.10 | | | + 20p | £1.30 |
| 1.3 | " " | 2 hours | £2.30 | | | + 20p | £2.50 |
| 1.4 | " " | 3 hours | £3.80 | | | + 40p | £4.20 |
| | Buckhurst 1, Buckhurst 2, South Park, Suffolk Way & Pemboke Road | | | | | | |
| 1.5 | Short stay | 1 hour | 90p | + 10p | | | £1.00 |
| 1.6 | " " | 2 hours | £1.60 | | | | |
| 1.7 | " " | 3 hours | £2.20 | | | | |
| 1.8 | " " | 4 hours | £3.20 | | | | |
| | Buckhurst 2 & Pembroke Road | | | | | | |
| 1.9 | Long stay | all day | £4.20 | | | | |
| 1.10 | Season tickets | year | £819 | | | | |
| 2.0 | SEVENOAKS STATION | | | | | | |
| 2.1 | Long stay | all day | £6.20 | | | + 30p | £6.50 |
| | Season tickets: | | | | | | |
| 2.2 | Bradbourne | year | £1,050 | + £10 | | | £1,060 |
| 2.3 | Sennocke | year | £1,090 | + £10 | | | £1,100 |
| 3.0 | SEVENOAKS ST JOHNS HILL | | | | | | |
| 3.1 | Short stay | 30 minute | 20p | | | | |
| 3.2 | " " | 1 hour | 40p | | | | |
| 3.3 | " " | 2 hours | 60p | | | | |
| 3.4 | " " | 3-4 hours | £1.00 | | | | |
| 3.5 | Long stay | all day | £2.90 | | | | |
| 4.0 | SWANLEY | | | | | | |
| 4.1 | Short stay | 30 minute | 20p | | | | |
| 4.2 | " " | 1 hour | 40p | | | | |
| 4.3 | " " | 2 hours | 60p | | | | |
| 4.4 | " " | 3-4 hours | £1.00 | | | | |
| 4.5 | Long stay | all day | £3.70 | | | | |
| 5.0 | WESTERHAM | | | | | | |
| 5.1 | Short stay | 30 minute | 20p | | | | |
| 5.2 | " " | 1 hour | 40p | | | | |
| 5.3 | " " | 2 hours | 60p | | | | |
| 5.4 | " " | 3-4 hours | £1.00 | | | | |
| 5.5 | Long stay | all day | £2.90 | | | | |

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Summary of On-Street Proposals Approved by Cabinet on 8 November 2012

| ON-STREET PARKING TARIFF INCREASES | | | | Approved Increases | | | |
|---------------------------------------|--|---------------|----------------|--------------------|----------|----------|-----------------|
| Item No. | Description | Charge Period | Current Charge | Option 1 | Option 2 | Option 3 | Proposed Charge |
| 6.0 | SEVENOAKS TOWN CENTRE (High Street, London Road, South Park) | | | | | | |
| 6.1 | Short stay | 30 minutes | 10p | | | + 10p | 20p |
| 6.2 | " " | 1 hour | 60p | | | | |
| 6.3 | " " | 2 hours | £1.20 | | | | |
| 7.0 | SEVENOAKS TOWN COMMUTER AREAS (Plymouth Drive, Holly Bush Lane) | | | | | | |
| 7.1 | Short stay | 30 minutes | 10p | | | + 10p | 20p |
| 7.2 | " " | 1 hour | 60p | | | | |
| 7.3 | " " | 2 hours | £1.20 | | | | |
| 7.4 | long stay | all day | £2.40 | | | | |
| 8.0 | SEVENOAKS RAIL COMMUTER AREAS (St Botolphs, Morewood Close) | | | | | | |
| 8.1 | Short stay | 30 minutes | 10p | | | + 10p | 20p |
| 8.2 | " " | 1 hour | 60p | | | | |
| 8.3 | " " | 2 hours | £1.20 | | | | |
| 8.4 | " " | 4 hours | £2.20 | | | | |
| 8.5 | long stay | all day | £5.30 | | | | |
| 9.0 | SEVENOAKS COURT AREA (Morewood Close) | | | | | | |
| 9.1 | Short stay | 30 minutes | 10p | | | + 10p | 20p |
| 9.2 | " " | 1 hour | 60p | | | | |
| 9.3 | " " | 2 hours | £1.20 | | | | |
| 9.4 | " " | 4 hours | £2.20 | | | | |
| 10.0 | SWANLEY (Azalea Drive, Goldsel Road) | | | | | | |
| 10.1 | short stay | 30 minutes | 10p | | | + 10p | 20p |
| 10.2 | " " | 1 hour | 60p | | | | |
| 10.3 | " " | 2 hours | £1.20 | | | | |
| 10.4 | " " | 4 hours | £2.20 | | | | |
| 10.5 | long stay | all day | £3.30 | | | | |
| 11.0 | WESTERHAM (The Green, Market Square, Croydon Road) | | | | | | |
| 11.1 | short stay | 30 minutes | 10p | | | + 10p | 20p |
| 11.2 | " " | 1 hour | 50p | | | | |
| 11.3 | " " | 2 hours | £1.00 | | | | |
| 12.0 | KNOCKHOLT STATION | | | | | | |
| 12.1 | short stay | 4 hours | 60p | | | | |
| 12.2 | long stay | all day | £3.00 | | | | |

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CAR PARKS: PAY & DISPLAY CHARGES – SEVENOAKS TOWN CENTRE (1 COMMENT)

Comment 1 (Sevenoaks Town Council):



Sevenoaks
TOWN COUNCIL

RE: Car parking amendment 26 modification to 30 minute change in tariffs A1-7
Off street parking places Amendments 2 modifications to parking charges

14th December 2012

Dear Mr Connor

The above proposed amendments to car parking charges within Sevenoaks were considered at the Sevenoaks Town Council Planning Committee meeting on 10th December 2012.

Councilors wished to express deep concern at the constant modifications to car parking charges within Sevenoaks Town, and the resulting ambiguity and uncertainty this causes for local residents and visitors to the town alike; a period of stability (price freeze) was suggested as a possible solution to this perpetual ambiguity.

The Town Council would wish to request full disclosure of the following items of information to allow the effect of previous price rises to be fully analysed:

- The effect previous year's price increases have had on:
 - Usage of the individual car parks
 - Revenue generated from individual car parks
- Current trends in car parks within the Town Centre.

I look forward to hearing from you in the near future

Yours sincerely

Hugh D'Alton
Planning Committee Clerk
Sevenoaks Town Council

Town Council Offices
Bradbourne Vale Road
Sevenoaks, Kent TN13 3QG
Tel: 01732 459953 Fax: 01732 742577

Email: council@sevenoakstown.gov.uk
Website: www.sevenoakstown.gov.uk

Town Clerk



Agenda Item 6

CONSULTATION COMMENTS RECEIVED

Appendix B

CAR PARKS: SEVENOAKS STATION SEASON TICKETS (1 COMMENT)

Comment 2 (season ticket holder):

I would like to express my complete opposition to the proposed increase in parking charges for Sennocke Car Park. At a time when household budgets are shrinking, to impose such an increase is very ill-judged in my opinion, and a charge of £1,100 for parking is an extraordinarily large sum. There ought to be a freeze in this charge to recognise this fact, or the Council could jeopardise Sevenoaks' reputation as somewhere that commuters will want to live.

CAR PARKS: GENERAL (1 COMMENT)

Comment 3 (Kent Police): please see letter on following pages

ON-STREET: PAY AND DISPLAY CHARGES (2 COMMENTS)

Comment 4 (Sevenoaks Town Council): contained in letter listed as Comment 1

Comment 5 (Westerham Town Council):

Please find below comments from Westerham Town Council who objected to the decision to increase parking charges in Westerham:-

- an increase was not justified in the current economic climate at a time when towns were trying to increase their footfall
- this was a large increase of 100%
- free parking was available in the adjacent towns and villages namely Oxted and Brasted and it was felt people would avoid Westerham due to the parking fees.

ON-STREET: GENERAL (1 COMMENT)

Comment 6 (Kent Police): please see letter on following pages

CONSULTATION COMMENTS RECEIVED

Police letter – Car Parks

**Kent
Police****Protecting and serving the people of Kent****Traffic Management Unit, Tactical Operations, London Road, Aylesford, Kent ME20 7SL
Telephone: (01622) 798542 Fax: 01622 798549**

Mr Gary Conner
Parking and Amenity Manager
Sevenoaks District Council
PO Box 183
Argyle Road
Sevenoaks
Kent TN13 1GN

Your Ref:
Our Ref: 235/PP/13447/12

Date 7th December 2012

**The Sevenoaks District Council (Off Street Parking Places)
(Amendment 2) Order 2012**

Dear Mr Conner

Thank you for your letter dated 22nd November 2012 concerning the above subject.

Kent Police have no specific observations to make regarding this proposal, however in general terms we would expect the following:

- The application meets the necessary criteria.
- The introduction of prohibition of waiting complies in all respect with the Traffic Signs Regulations and General Directions 2002.
- If being used for 'corner protection' the prohibition of waiting restriction is for a 24-hour period and extends for a distance of at least 10 metres from any junction. Thus preventing vehicles mistakenly parking during the hours of darkness and contravening provisions of the Roads Vehicles Lighting Regulations 1994.
- The introduction of such measures will not leave the Police with the task of carrying out constant enforcement issues such as obstruction by transferring the problem to other areas.
- The safety of other road users is not compromised by the introduction of these measures.

Civil Parking Enforcement will require your Authority to ensure resources are available to enforce this proposal.

Yours sincerely

Paul Cave
Police Constable 7981
Traffic Management Unit.

Agenda Item 6

CONSULTATION COMMENTS RECEIVED

Police letter – On-Street

Appendix B



Kent Police

Protecting and serving the people of Kent

Traffic Management Unit, Tactical Operations, London Road, Aylesford, Kent ME20 7SL
Telephone: (01622) 798542 Fax: 01622 798549

Mr Andy Bracey
Senior Engineer, Traffic and Parking
Sevenoaks District Council
Argyle Road
Sevenoaks
Kent TN13 1HG

Your Ref: T/2009 Amend 26 Formal
Our Ref: 235/PP/13446/12

Date 30th November 2012

**The Kent County Council (Various Roads in the District of Sevenoaks)
Prohibition and Restriction of Waiting and Loading and Unloading
and On Street Parking Places (Amendment 26) Order 2009**

Dear Mr Boudville

Thank you for your e-mail dated 14th November 2012 concerning the above subject.

Kent Police have no specific observations to make regarding this proposal, however in general terms we would expect the following:

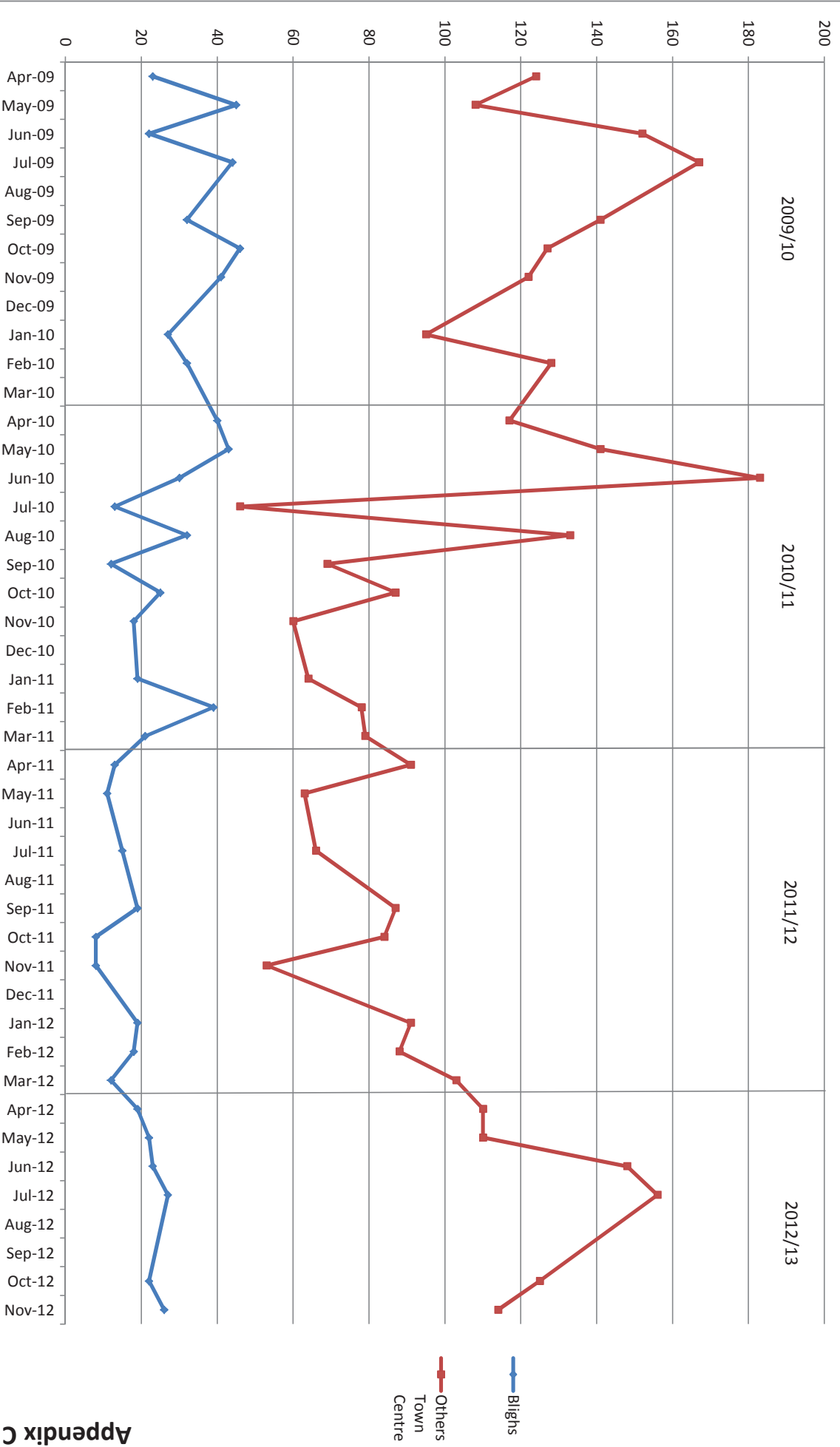
- The application meets the necessary criteria.
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- If being used for 'corner protection' the prohibition of waiting restriction is for a 24-hour period and extends for a distance of at least 10 metres from any junction. Thus preventing vehicles mistakenly parking during the hours of darkness and contravening provisions of the Roads Vehicles Lighting Regulations 1994.
- The introduction of such measures will not leave the Police with the task of carrying out constant enforcement issues such as obstruction by transferring the problem to other areas.
- The safety of other road users is not compromised by the introduction of these measures.

Civil Parking Enforcement will require your Authority to ensure resources are available to enforce this proposal.

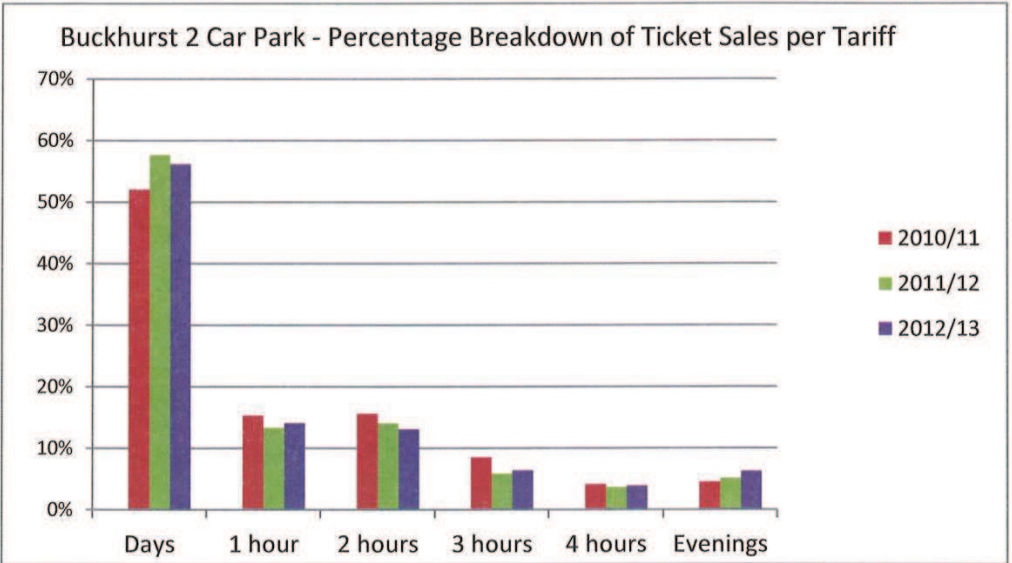
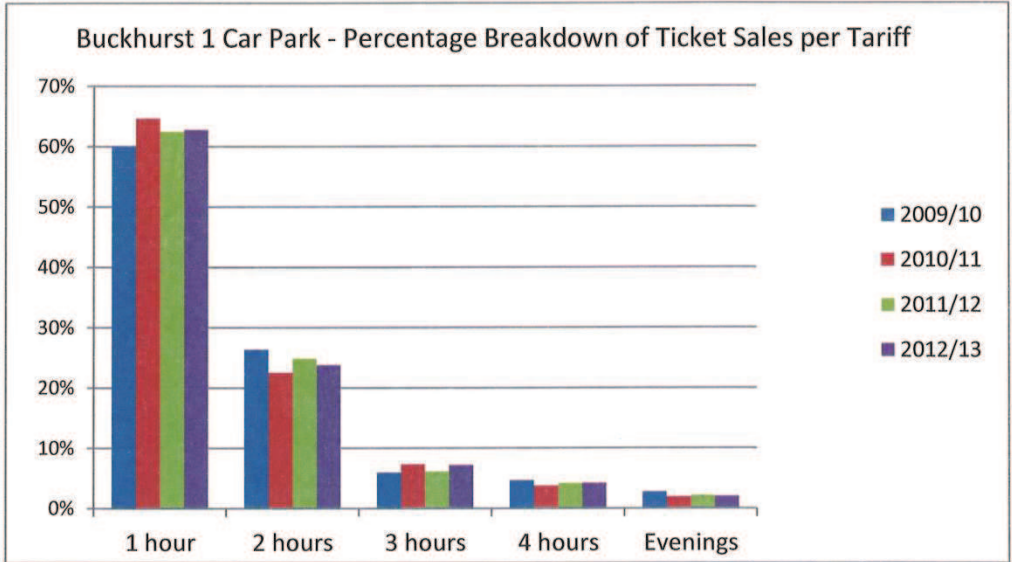
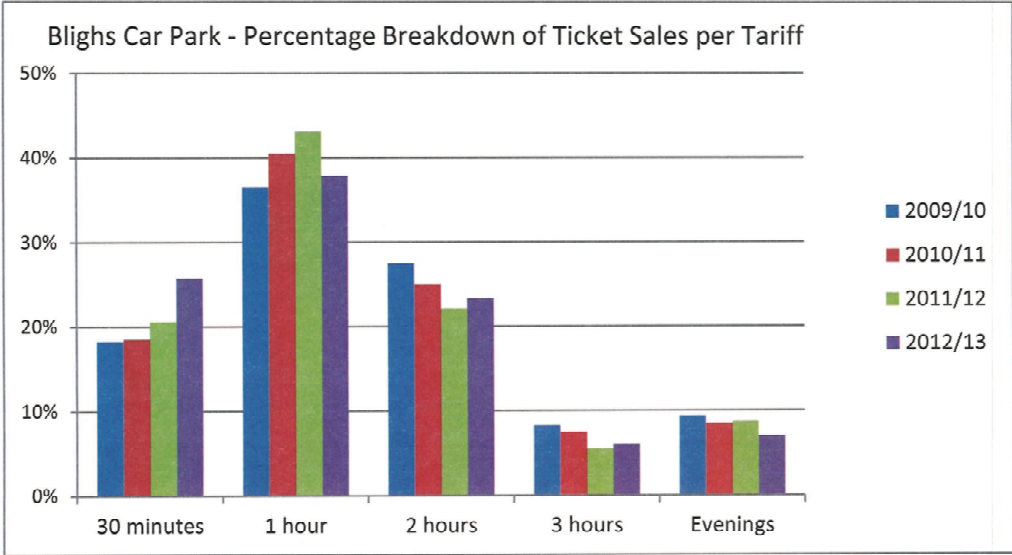
Yours sincerely

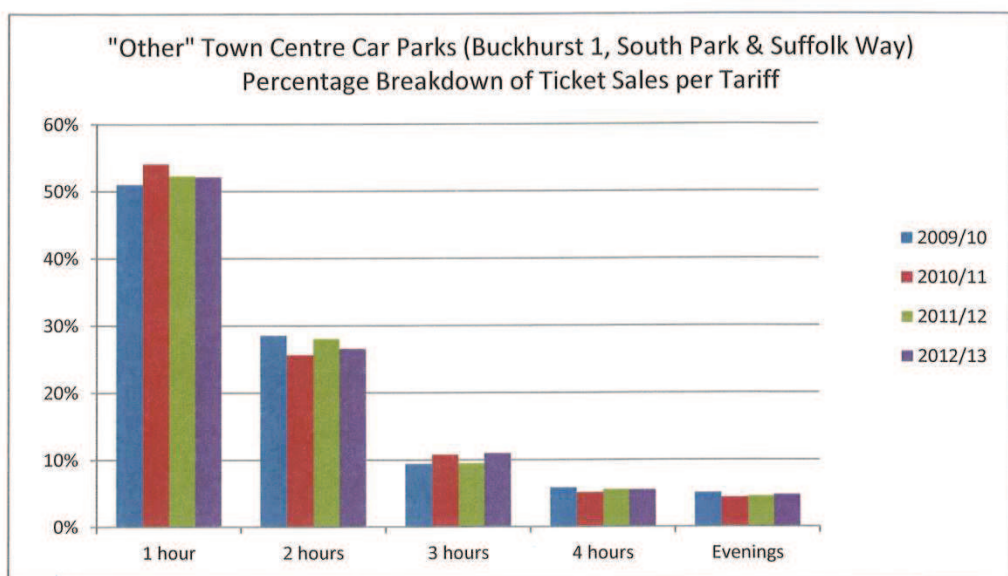
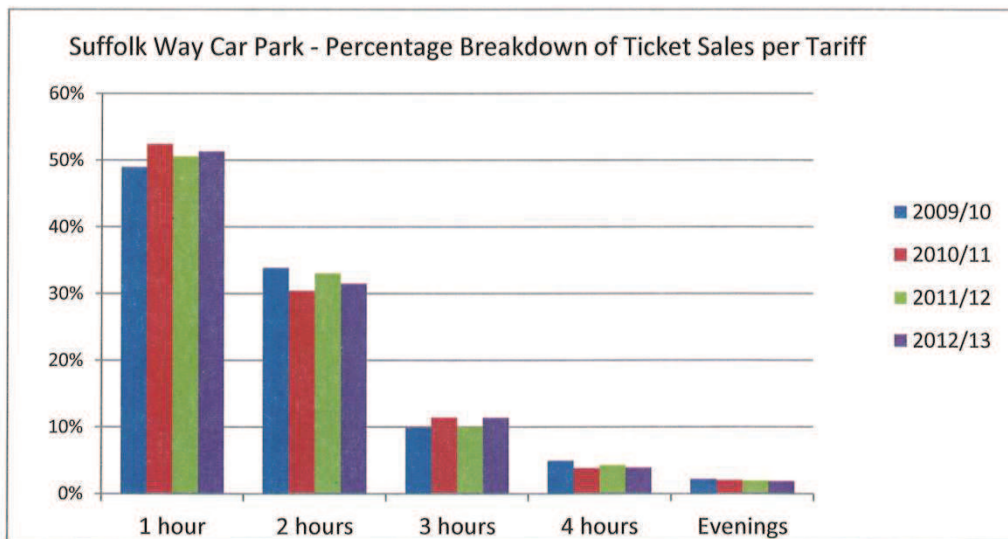
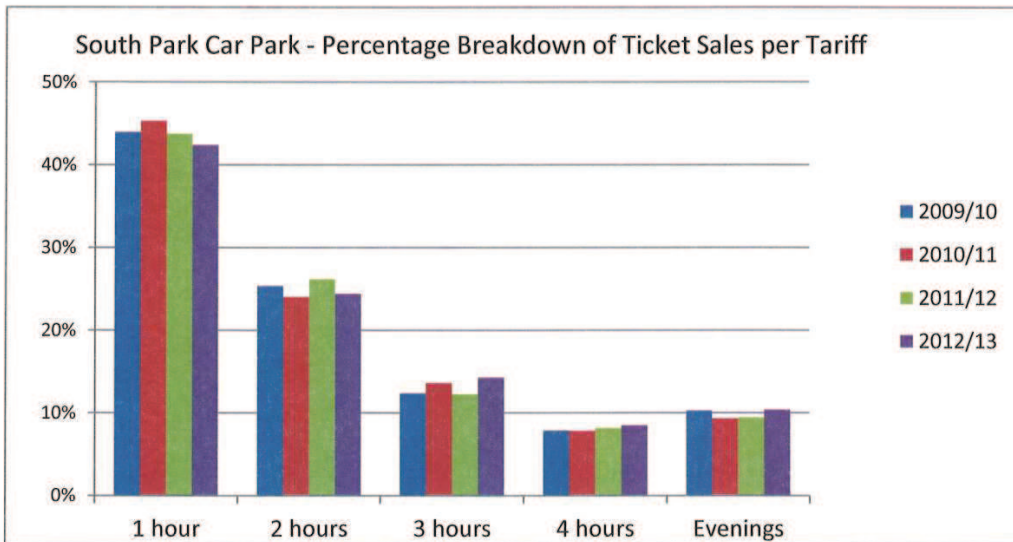
Paul Cave
Police Constable 7981
Traffic Management Unit.

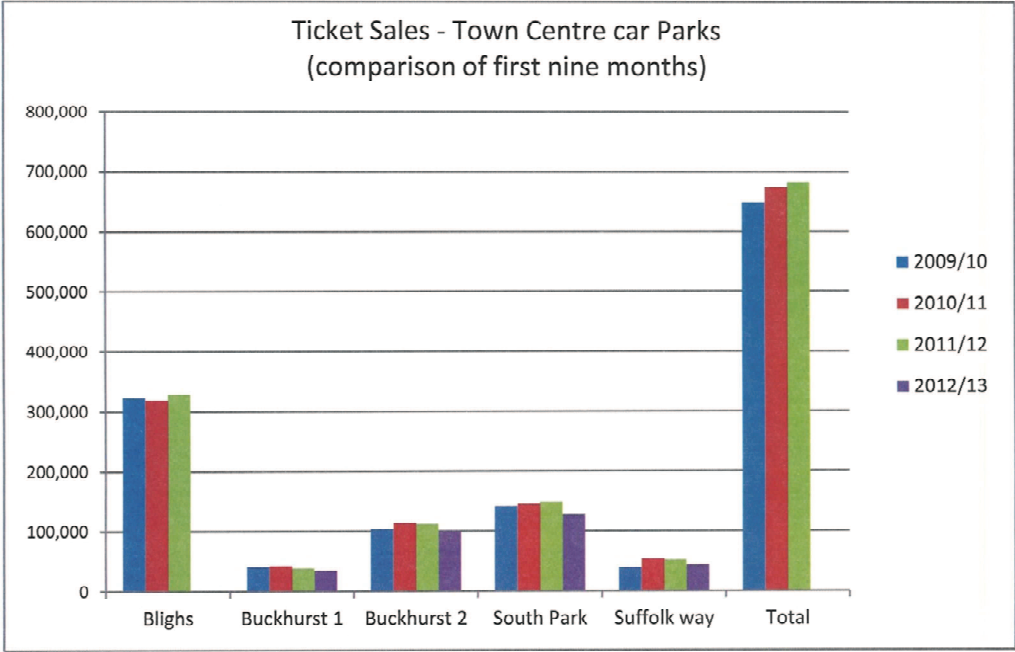
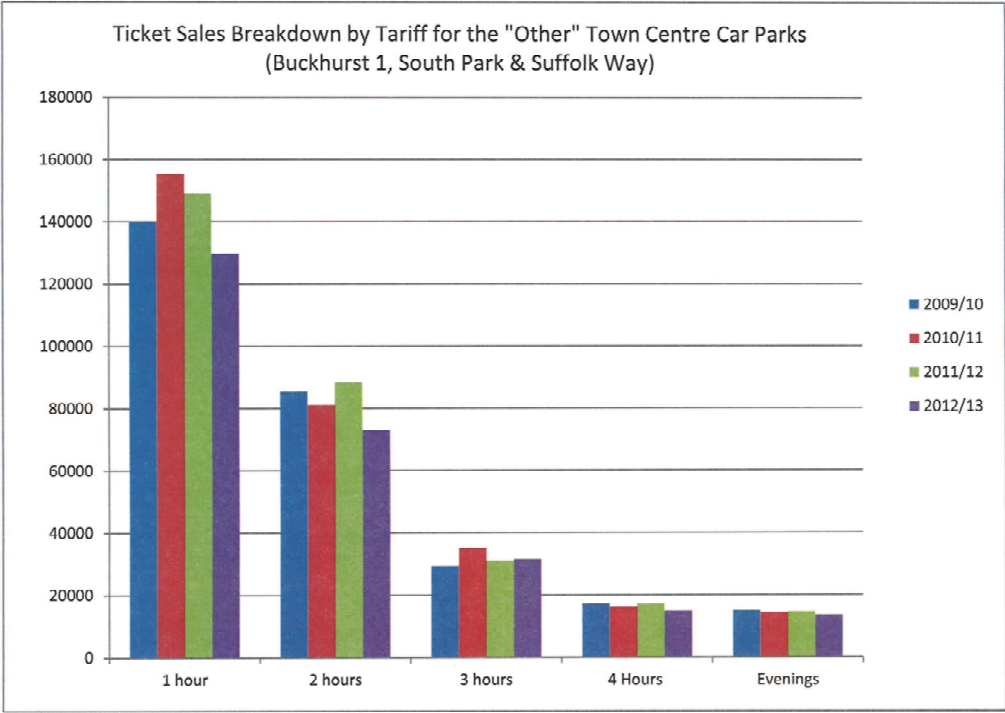
Parking Spaces Available in Sevenoaks Town Centre - April 2009 to December 2012
(average monthly survey figure - excluding Wednesdays - morning period only)



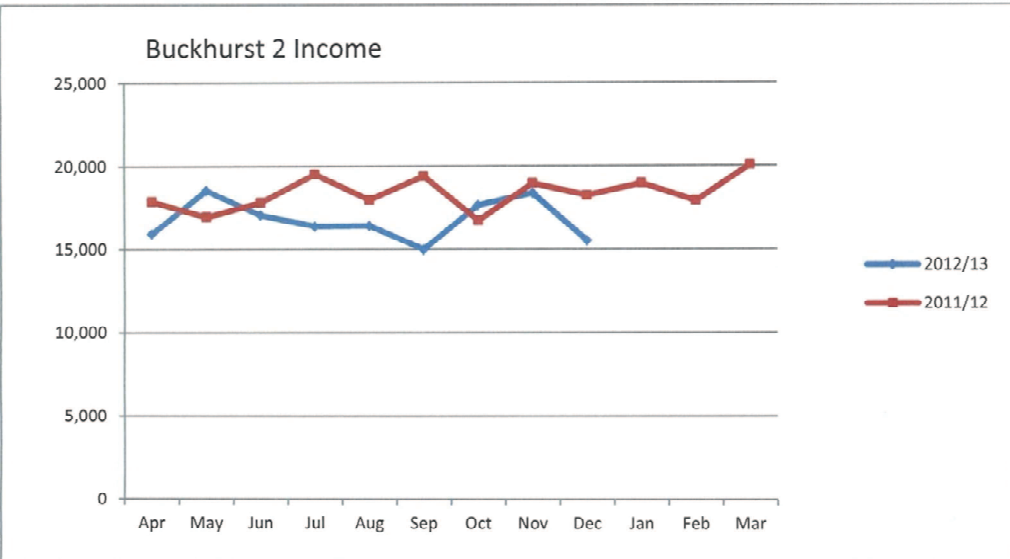
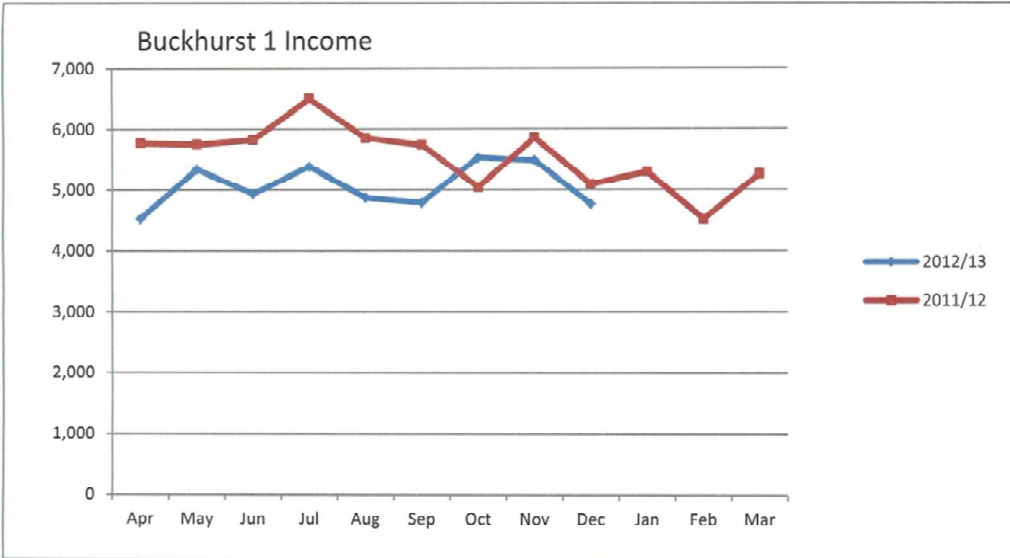
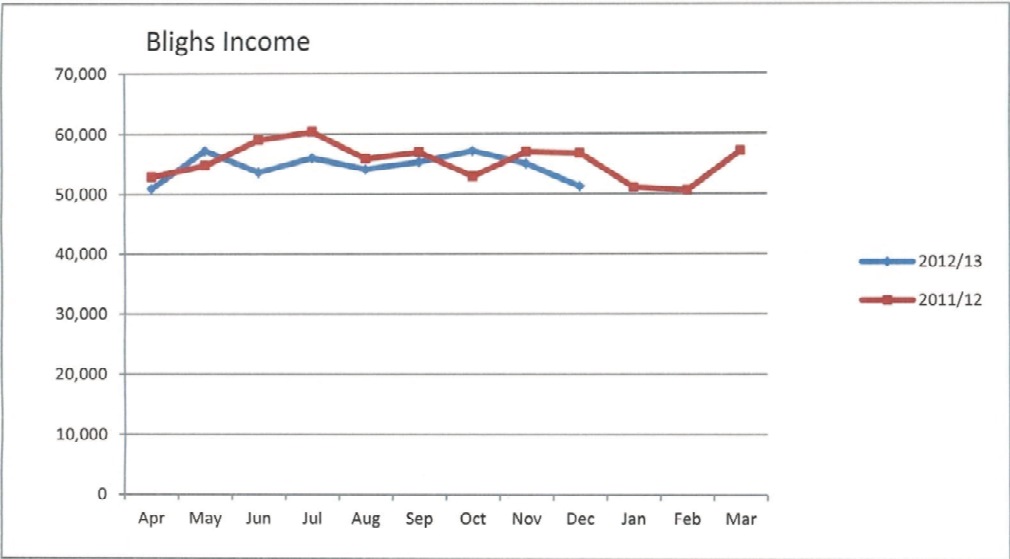
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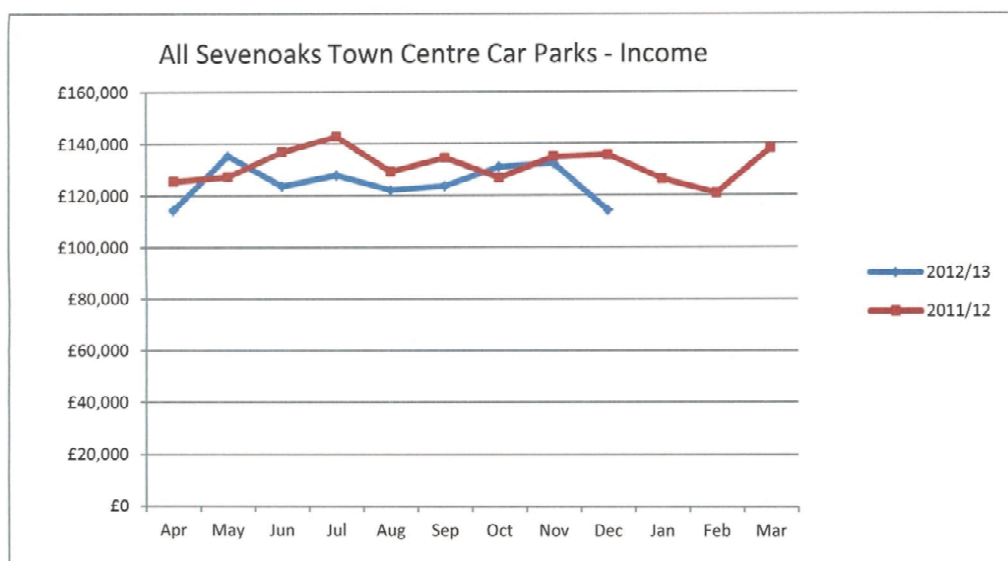
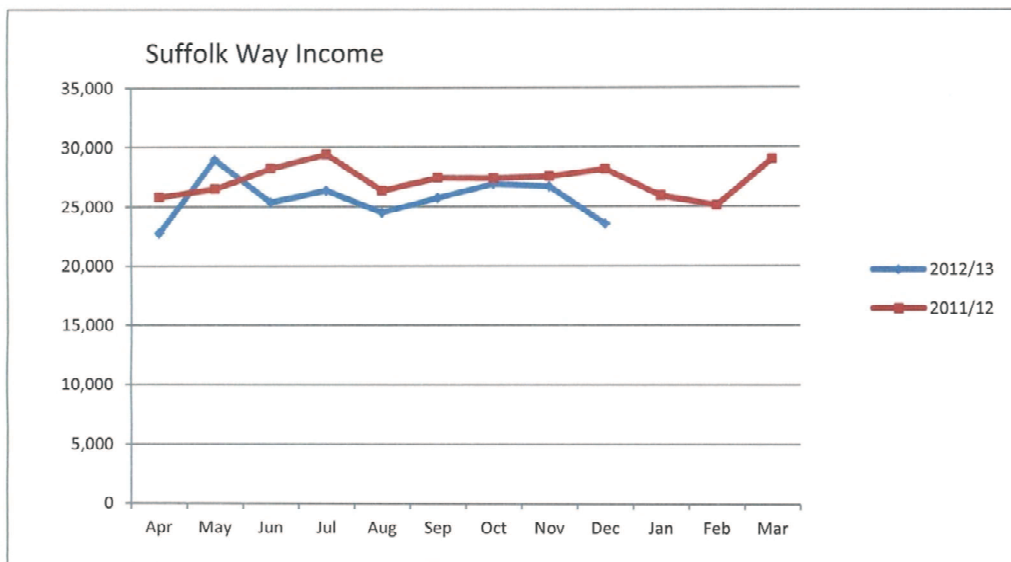
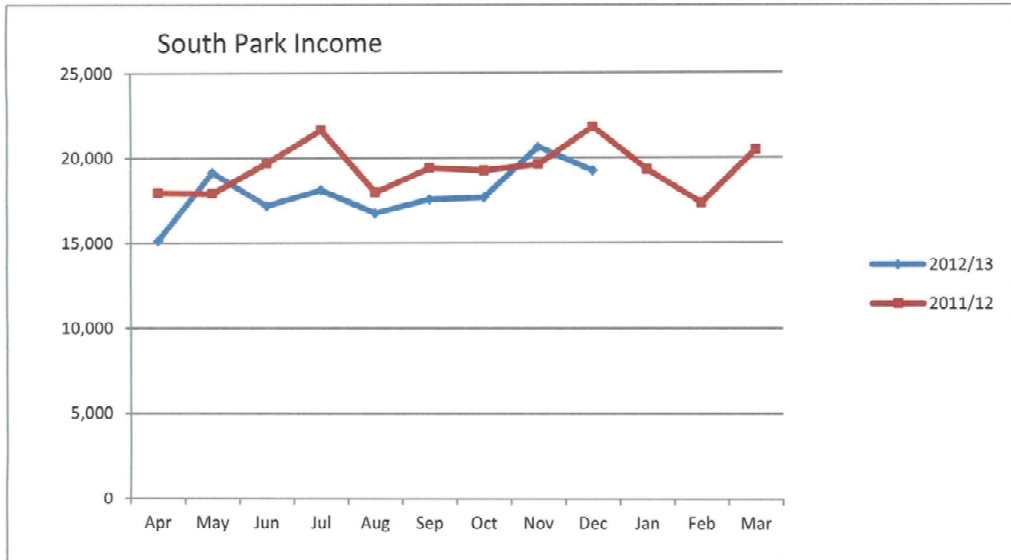






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CURRENT PARKING CHARGES FOR NEIGHBOURING AUTHORITIES – AS AT OCTOBER 2012

(Charges shown relate to town centre car parks)

| | Dartford ① | Gravesham | Maidstone ② | Orpington (L.B. of Bromley) | Oxted (Tandridge) | Sidcup (L.B. of Bexley) | Tonbridge & Malling ③ | Tunbridge Wells ④ | Sevenoaks |
|-----------------------|---------------------------|------------------------|-----------------------------|--------------------------------|---|----------------------------|--------------------------|---|------------------------------|
| Charges apply: | 8am – 6.30pm Mon - Sat | 8am - 6pm Mon - Sat | 8am - midnight Mon - Sun | 7.30am - 6.30pm Mon - Sat | 7am-5pm/7pm Mon - Frid | 8am - 6pm Mon - Sun | 8am - 6pm Mon - Sat | 8am - 6pm Mon - Sat and 10am - 5pm On Sundays | 8.30am - 6.30pm Mon - Sat |
| Short Stay | | | | | | | | | |
| | | | | | | | | | (Blighs in brackets) |
| 0 - 30 minutes | -- | -- | -- | -- | | -- | 50p | -- | -- (50p) |
| 0 - 1 hr | 50p | 80p | 50p - £1.80 | 30p | Up to 2 hours free parking except in one car park where the charge is £4.60 for parking before 10am. | 50p - 90p | £1.00 | £1.00 - £1.20 | 90p (£1.10) |
| 1 - 2 hrs | £1.00 | £1.50 | £1.30 - £1.80 | 30p | | £1.00 - £1.20 | £1.70 | £1.70 - £2.20 | £1.60 (£2.30) |
| 2 - 3 hrs | £2.00 | £1.50 | £1.50 - £1.80 | -- | | £1.30 - £1.60 | £2.30 | £2.40 - £3.20 | £2.20 (£3.80) |
| 3 - 4 hrs | £2.00 | £2.00 | £2.00 - £2.70 | -- | | £1.30 - £1.60 | £2.80 - £3.30 | £3.20 - £4.20 | £3.20 -- |
| Evenings | £1.00 | -- | £1.50 | -- | | -- | -- | -- | £1.00 |
| | | | | | | | | | |
| Long stay | | | | | | | | | |
| All day | £4.00 | £3.00- £6.50 | £4.60 - £5.50 | n/a | | £3.80 - £10.00 | £4.90 | £4.70 - £10.00 | £4.20 |

- ① Dartford: evening charge does not apply to all car parks
- ② Maidstone: main charges apply up to midnight, 7 days a week; £1.50 charge applies evenings and overnight.
- ③ Tonbridge & Malling: 50p charge not available in all car parks.
- ④ Tunbridge Wells: charges apply 7 days a week (but from 10 to 5 on Sundays).

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SEVENOAKS DISTRICT TENANCY STRATEGY AND SEVENOAKS DISTRICT HOUSING REGISTER ALLOCATIONS POLICY

Cabinet – 7 February 2013

Report of the Deputy Chief Executive and Director of Community and Planning Services

Status: For Decision

Also considered by: Full Council - 19 February 2013

Key Decision: Yes

Executive Summary: This report covers the District Council's proposed housing strategy response/approach to current welfare reform and to ensure that the District's limited affordable housing supply goes to those deemed in most need (with more emphasis on local connection and employment) and future rent revenues are maximised to generate funding for the provision of new social sector housing.

This report supports the Key Aim of:

- (a) Community Plan; and
- (b) Housing Strategy.

Portfolio Holder Cllr. Mrs Carol Clark

Head of Service Head of Housing and Communications – Mrs. Pat Smith

(a) Recommendation to Cabinet: Members support the adoption of the Sevenoaks District Tenancy Strategy and Sevenoaks District Housing Register Allocations Policy and recommend both documents to Full Council for approval as District Council policy.

(b) Recommendation to Full Council: Members approve and adopt the Sevenoaks District Tenancy Strategy and Sevenoaks District Housing Register Allocations Policy as District Council policy.

Reason for recommendation: To comply with related legislation, associated rules and good practice guidance (mostly associated with current welfare reform), and to ensure the most effective use of the District's limited social housing stock.

Introduction

- 1 The Localism Act 2011 introduces a number of provisions in relation to social (also known as 'affordable') housing. This includes the introduction of the fixed-

Agenda Item 7

term tenancy which can be used as an alternative to secure lifetime tenancies, which have been issued in the past. The Act also introduces new provisions in relation to the way in which local housing registers are managed and how priority can be awarded. Local authorities and other social housing providers consequently have the discretion to consider a wider range of factors when letting properties and when considering social tenancy types.

- 2 The purpose of a tenancy strategy is for the local authority to set out how it sees new tenancy types being used; its priorities in relation to who should be allocated social housing; for how long; and to set the framework within which social housing providers (in its area) need to have regard to when developing their own landlord tenancy strategies and allocations policies.
- 3 The Homes and Communities Agency (HCA) also requires that registered Housing Associations (HAs) publish clear and accessible policies which set out the lengths of tenancies; when they will be renewed; the approach to management, including interventions to sustain tenancies and prevent unnecessary evictions; and tackling tenancy fraud.
- 4 The Kent Housing Group has subsequently developed the Kent and Medway Tenancy Strategy Framework and this provides the base from which district/borough tenancy strategies/policies can now be developed, whilst still taking into account local housing strategy objectives.
- 5 New style allocations policies set out the detailed rules and are designed to make the allocation of social housing fairer, more transparent and easier for applicants to assess their prospects of being offered a housing association home. They are also now much more flexible, allowing local authorities the freedom to set local rules with less top-down control.

Existing and newly-arising housing need

- 6 In recent years, housing need has continued to significantly outpace the supply of new-build and re-lets, creating a considerable mismatch in need-v-supply. As a consequence, the Sevenoaks District Housing Register (SDHR) has continued to grow. With no sign of this abating in the foreseeable future (and, in fact, a likely worsening of circumstances as we move forward), this need is likely to grow yet further and at unmanageable rates.
- 7 With such limited scope for new provision and relatively few local social sector re-lets in the Sevenoaks District, introducing more restrictive qualifying criteria (as set out in both attached documents) would be a sensible housing strategy approach to take from this point forward.

Sevenoaks District Tenancy Strategy and Allocations Policy

- 8 In response to the above, an updated Sevenoaks District Housing Register Allocations Policy (SDHRAP, Appendix A) and a new Sevenoaks District Tenancy Strategy (SDTS, Appendix B) have both been produced and set out the District

Council's new housing strategy approach to the allocation of social housing in the District.

- 9 These policies will provide the framework and detailed rules for a fairer allocations system that does not over-subsidise households that aren't in need; does not create a disincentive for work; promotes economic activity; and is relatively simple to understand, administer and communicate (all key policy objectives of Government).
- 10 The tenancy strategy process will now see interlinked policies and plans in the following order: Kent and Medway Tenancy Framework (broad county-wide policy); SDTS (broad District-wide policy); SDHRAP (sets detailed District allocations rules); and individual HA landlord/tenancy policies (reflecting all of the above).
- 11 The SDHRAP will also place more emphasis on local connection to the Sevenoaks District and take into account certain economic and community contributions, such as employment and/or volunteering. Housing need and associated priority will also be determined through a new banding system (removing points scoring), corresponding with other policies and approaches across Kent. This is generally accepted as a much fairer, easier to follow, and workable system.

Summary

- 12 This new housing strategy approach will help to ensure that the District's limited affordable housing supply goes to those deemed in most need and can contribute to economic growth in the Sevenoaks District. It will also help to ensure that rent revenues are maximised to generate funding for future provision of new social sector housing. Both measures will be essential to tackle increasing housing need and significantly reduced social housing grant (and, consequently, opportunities to develop new affordable housing) in the future.

Key Implications

Financial

There are no immediate, significant financial implications for the Council which arise as a result of this report. However, reviewing and updating the allocations policy has afforded the opportunity to streamline and refine the management of the SDHR. There is a charge incurred in changing and updating operating software but all costs will be contained within existing budgets.

Community Impact and Outcomes

The impact on the local Community from the Welfare Reform and the Localism Act is that the local community will be greater involved in consultation and formulation of District Council policy. In terms of the SDHR, applicants have a right to bid for appropriate properties. The local community will be empowered to make its own decisions about housing and encouraged to go back into employment. The proposed reforms intend to shift the public's perception of social housing to it being a springboard into work and self-sufficiency.

Agenda Item 7

Legal, Human Rights etc.

The Housing Act 1996 (as amended by the Localism Act 2011) requires local authorities to have an allocations policy and procedure in place in order to allocate social housing

Part VI Section 167 of the Housing Act 1996 provides that every housing authority must have a scheme for determining priorities, and the procedures to be followed in allocating housing accommodation and under Part VII of the Housing Act 1996 (as amended by Homelessness Act 2002) to make provision for homeless households.

The SDHRAP must be framed so that “reasonable preference” is given to people who are homeless, people eligible for assistance under the Housing Act 1985, people who are occupying insanitary or overcrowded or otherwise unsatisfactory housing, people who need to move on medical or welfare grounds (including grounds relating to a disability), and people who need to move to a particular part of the authority’s area where failure to meet that need would cause hardship.

The 2009 Code of Guidance “Fair and Flexible: statutory guidance on social housing allocations for local authorities in England” gives local authorities flexibilities in determining who they prioritise within the reasonable preference groups. This guidance is superseded by the allocation of accommodation: guidance for local housing authorities in England which came into force on 18 June 2012. The District Council’s amended SDHRAP exercises the new freedoms and existing flexibility within the allocation legislation to encourage work, mobility and respond to local priorities.

Subject to that requirement relating to “reasonable preference groups”, an allocations scheme may also make provision about the allocation of particular accommodation to persons of a particular description, whether or not they are within the “reasonable preference” groups.(Section 167(2E)) The Act therefore permits allocation schemes to give preference to those in employment, and those with a strong connection to Sevenoaks District Council as is proposed, subject to the statutory obligations in relation to “reasonable preference” groups remaining part of the scheme. The proposals set out in this report are consistent with those statutory requirements.

To mitigate any risks, Housing Services works closely with the Legal Section.

Resource (non-financial)

Liaison with appropriate heads of service as when required.

Value For Money and Asset Management

All appropriate contracts are taken through the procurement process. For example, Kent Homechoice is a Kent-wide scheme which was tendered and the partnership approach has made the scheme cost effective for each Kent local authority. There is a contract in place with West Kent HA to ensure efficiencies and high performance and there are regular liaison meetings.

Equality Impacts

| Consideration of impacts under the Public Sector Equality Duty: | | |
|---|--------|--|
| Question | Answer | Explanation / Evidence |
| a. Does the decision being made or recommended through this paper have potential to disadvantage or discriminate against different groups in the community? | No | The intended impact is to make the allocation of social housing fairer , more transparent and easier for applicants to assess their prospects of being offered a home. |
| b. Does the decision being made or recommended through this paper have the potential to promote equality of opportunity? | Yes | <p>Those in sever housing need such as those with disabilities critically affected by their housing circumstances and victims of violence or harassment with an exceptional need to move will receive the highest priority under the new policy and are not expected to be adversely affected. In addition, those who need to move to the district to give care and support will be given the second highest priority and are not expected to be adversely affected. The Tenancy Strategy also takes the needs of people with disabilities , carers and older people into account.</p> <p>The new allocation scheme will result in those without a housing need being removed from the register and it will ensue people do not have an unreal expectation about being re housed. Alternative options will be provided for those no longer eligible to consider. It has not been possible to carry out a comprehensive analysis of the demographics, due to current software, of those affected to determine any indirect impacts on those with protected characteristics.</p> |
| c. What steps can be taken to mitigate, reduce, avoid or minimise the impacts identified above? | | Services Select Committee agreed that the Council and West Kent Housing Association undertake a 10% sample of the housing register to identify whether or not the weighting of the Allocation policy is right and to establish the impact of the allocation policy and the Tenancy strategy. |

Risk Assessment Statement

All the Housing Services Risk Assessments are in place , including one for the Housing Register and the revised Allocation Policy. All Housing Service Risk assessments are reviewed regularly and updated annually .

Agenda Item 7

Appendices

Appendix A – Sevenoaks District Allocations Policy

Appendix B – Sevenoaks District Tenancy Strategy

Background Papers:

[Community Plan \(2010-13\)](#)

[SDHR Allocation Scheme \(2008\)](#)

[Housing Strategy Action Plan \(2012\)](#)

[West Kent Joint Homelessness Strategy \(2011-16\)](#)

[Kent and Medway Tenancy Strategy Framework \(2012\)](#)

Equality Impact Assessment Templates for
Sevenoaks District Allocations Policy and Sevenoaks
District Tenancy Strategy

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SEVENOAKS DISTRICT HOUSING REGISTER ALLOCATIONS POLICY

1.0 Who can Join the Sevenoaks District Housing Register (SDHR)

1.1 Anyone living in the United Kingdom who is at least 18 years old and who is applying for a social housing property to use as their only or principal residence and who has a local connection to the Sevenoaks District may apply to the SDHR. More information on local connection is detailed at 1.8.

1.2 All applications to the register should be made by completing an on-line application available at <http://www.kenthomechoice.org.uk/register.aspx> .

Those without access to the internet can request a paper copy of the application form from The Housing Options Team, West Kent Housing Association, 101 London Road, Sevenoaks, Kent, TN13 1AX.

1.3 Owner occupiers cannot join the register unless they can demonstrate that their financial and personal circumstances prevent them from securing suitable accommodation to meet their housing need. (For example: they have insufficient resources to pursue low cost home ownership and/or a medical condition or disability, or other vulnerability). Owner occupiers aged 55 and over will only be considered for sheltered or retirement housing.

1.4 Applicants with sufficient financial resources who meet the financial criteria for low cost home ownership, (LCHO) also known as Homebuy, shared ownership and shared equity will be referred to the Zone Agent for LCHO, Moat Housing The financial limits for the register are detailed in Appendix C.

1.5 There are groups of people who cannot join the register due to their immigration status or their recorded previous conduct. More information on this is available in 2.0: Who is Excluded from Joining the Register.

1.6 Once an applicant has been accepted onto the SDHR, a decision will be made as to the size of property they are eligible to bid for under the Kent Homechoice, Choice Based Lettings Scheme using the criteria set out in Appendix A.

1.7 An applicant's eligibility to join the SDHR will be kept under regular review during the rehousing process. Should the SDHR become aware of information during the rehousing process that affects an applicant's eligibility to be included on the Housing Register, the application will be rendered ineligible. There is a right of review of this decision and this process is detailed in paragraph 20. When applicants apply to the SDHR, they agree to inform the SDHR should their circumstances change to enable their application to be reassessed.

1.8 Only those with a local connection to the District are eligible to apply for inclusion on the SDHR.

Agenda Item 7

To demonstrate a local connection either an applicant or their family must:

- Have been living in this area for either six months during the last year or for three years out of the last five years.
- Currently have permanent employment in the District or need to move here to take up an offer of permanent employment.
- Have close family currently living in the District and they have done so for the last 5 years.
- The definition of a close family member covers: parents, adult children or siblings. It may also include, step parents, grandparents, grandchildren, aunts or uncles depending on the close links the applicant has with them in the form of frequent contact, commitment and dependency. However, a local connection is not limited to the relationships listed here; it can include extended family such as cousins, based upon the character and nature of the relationship. Decisions on local connection will be made by Officers working for the Managing Agent for the SDHR.
- Have an evidenced, special reason for needing to live in the District, for example, needing to either give or receive care or support.
- Former members of the Armed Forces can establish a local connection with this District through living here during a posting or through previous residence in the District, for example: having lived here prior to a posting overseas.
- Serving members of the Armed Forces who need to move to this District because of a serious injury, medical condition or disability sustained as a result of their service will be considered to have a local connection.
- Bereaved spouses and civil partners of members of the Armed Forces who need to live in this District as they have to leave Service Family Accommodation following the death of their spouse or partner will be considered to have a local connection.
- Serving or former members of the Reserve Forces who need to live in this District because of a serious injury, medical condition or disability sustained as a result of their service will be considered to have a local connection.
- Applicants who make a community contribution which promotes the wellbeing of their neighbourhood, making it stable and healthy will also be considered to have a local connection. A community contribution is made by:
 - Participating in regular significant volunteering or community activities. To qualify you must undertake your volunteering or community activity for an average of approximately 20 hours per month and have been engaged in it for a minimum period of 1 year. A reference is required to confirm the circumstances of your volunteering/community activity and to determine the future longevity of your contribution.

- 1.10 Applicants to whom the Council has accepted a full homelessness duty under section 193 (2) because they do not have a local connection with any other area.
- 1.11 For the purposes of determining local connection the Council will not take the following into account:
- Residency in a non traditional dwelling – e.g. a mobile home, tent, caravan or motor caravan that is not placed on a residential site in this District will not be considered to have established a local connection;
 - Residency in a holiday let, including bed and breakfast accommodation booked for holiday purposes;
- 1.12 There may be circumstances where to apply the local connection provision set out within this policy is inappropriate. Accordingly, the Manager of the Housing Register can on behalf of the Council exercise discretion not to apply the local connection provisions in exceptional circumstances and each case will be assessed on its merits. Examples of this includes those owed a homelessness duty or who would be owed a homelessness duty if assessed as a result of being a victim of violence, harassment, intimidation or where threats of violence are likely to be carried out. Also includes domestic violence, witnesses to serious crime who are at risk or victims of crime, including hate crime.

2.0 Who is Excluded from Joining the Register

- 2.1 The SDHR can exclude an applicant (or a member of their household) who is considered unsuitable to be a tenant if they are guilty of unacceptable behaviour serious enough to make them unsuitable to be a tenant of the Authority at the time of their application. (In accordance with s160A (8) of the Housing Act 1996, as amended by the Homelessness Act 2002).

Unacceptable behaviour is defined as:

(a) behaviour of the person concerned which would (if he were a secure tenant of the Authority) entitle the Authority to a Possession Order under Section 84 of the Housing Act 1985 (c68) on any ground mentioned in Part 1 of Schedule 2 of that Act (other than Ground 8);

or

(b) behaviour of a member of his household that would (if he were a person residing with a secure tenant of the Authority) entitle the Authority to such a Possession Order.

This means that applicants or a member of their household with a history of:

- Former or current rent arrears or not keeping to a housing debt repayment plan;
- violence, threats of violence, arson or antisocial behaviour;

Agenda Item 7

- Allowing the condition of a property to deteriorate;
- Obtaining a tenancy by deception;
- Illegal or immoral behaviour;

will be excluded from the SDHR for the reasons described above.

Applicants who are excluded will be informed in writing and will be advised of their statutory right to request a review of this decision, as detailed in paragraph 20 of this policy.

Applicants excluded from the SDHR due to unacceptable behaviour, may reapply to the register in the future if they can demonstrate a change in conduct. Whether the change in conduct is sufficient to render the applicant eligible for inclusion is determined by the Housing Register Manager on behalf of the Council.

Individual Registered Providers who are part of the SDHR may have their own exclusions policy and review process as part of their allocation policies.

Persons Subject to Immigration Control

- 2.2 Persons subject to immigration control are not eligible to join the register as detailed below:

Under s160ZA (2) of the Housing Act 1996 (as amended), persons from abroad who are subject to immigration control within the meaning of the Asylum and Immigration Act 1996 are ineligible for allocation unless of a class prescribed by regulations made by the Secretary of State, referred to under s160ZA (4), of the same Act.

Where there is some uncertainty about an applicant's immigration status the SDHR will seek further advice from the Home Office Immigration and Nationality Directorate.

Persons Subject to the Habitual Residence Test

- 2.3 Persons deemed not to be habitually resident in the UK are not eligible to join the register as detailed below:

Under s160ZA the Secretary of State has also prescribed classes of persons who are not subject to immigration control but have to be habitually resident in the common Travel Area (UK Channel Islands, Isle of Man and the Republic of Ireland). The habitual residence test will be applied to all applicants who have not had continuous residence in the UK in the last two years.

The SDHR and SDC are responsible for carrying out the habitual residence test. The SDHR will register an applicant where a positive decision has been made by the Department for Work and Pension/Social Services or the Social Housing Team. Where negative decisions are made or no decision has been made the SDHR will carry out its own tests to decide on eligibility.

- 2.4 A8 nationals no longer require permission to work in this Country and the Workers Registration Scheme closed on April 2011. A2 Nationals (Bulgaria and Romania) will

continue to be required to register and obtain permission to work in the UK until 31 December 2013. A2 nationals are eligible to apply to join the register during the first year of their residence if they have registered their employment under the Worker Authorisation Scheme (A2 national) and are working for an authorised employer. An A2 national will not be eligible if they cease working for an employer under the terms of the authorisation.

Accession (Immigration and Worker Registration) Regulations 2004 (the Worker Registration Regulations) and the Accession (Immigration and Worker Authorisation) Regulations 2006 (the Worker Authorisation Regulations) Accession (Immigration and Worker Authorisation) (Amendment) Regulations 2011/2816.

- 2.5 Applicants are entitled to a review of a decision that they are ineligible for an allocation due to s160 A (3) or (5). Review procedures are detailed in paragraph 20 of this policy.
- 2.6 In addition to the reasons above in this section, applicants whose immigration status or established habitual residence would ordinarily enable them to apply to the Housing Register will be excluded from registering an application if they have no identified housing need and are adequately housed.

Agenda Item 7

3.0 How the SDHR Policy works

- 3.1 The demand for social housing (also known as affordable rent housing) in the Sevenoaks District exceeds supply and the SDHR Allocations Policy exists to prioritise the rehousing of those households who are in the greatest need in a fair and transparent way. Since the transfer of the Council's housing stock to West Kent Housing Association in 1989, there is now no Council housing in the District and Housing Associations (also known as Registered Providers and Registered Social Landlords) have become the major providers of social housing. Each year the total amount of vacant social housing stock available varies. Therefore, from 1st April each year, a quota will now be agreed with West Kent HA (the largest owner of social housing stock in the district) as to what percentage is offered to each band.
- 3.2 Each application is assessed taking into account the factors listed in the attached banding scheme. Each factor is linked to a priority band which determines an applicant's priority for rehousing from "Emergency and Very Severe Housing Need", "High Priority and Urgent Need to Move", "Applicants with Identified Housing Need" through to the lowest priority band "General Housing Need". Usually an application will be linked to several factors across different priority bands but the highest factor that applies to applicant's circumstances will determine which band they are placed in. For example, an applicant with an emergency medical condition will go into the band Emergency and Very Severe Housing Need, even if their other circumstances are linked to a lower band.
- 3.3 Medical priority will be assessed by Officers working for the Managing Agent for the Housing Register with the option of referring the case to an independent medical advisor if considered appropriate.
- 3.4 Sevenoaks District Council is part of the Kent Homechoice Partnership responsible for delivering Kent Homechoice, the Kent wide Choice Based Lettings Scheme. Unless the Council's Head of Housing & Communications and the partner Registered Providers and/or Housing Associations agree otherwise, all social housing properties will be allocated through this choice based lettings process. For further information on how properties are advertised through Kent Homechoice and how to bid for vacant homes see the Statement of Choice which supports this policy at paragraph 18.

Under the SDHR policy, vacant homes will be advertised for two Kent Homechoice bidding cycles. If after two bidding cycles either

a) no eligible bids have been received for the property

or

b) those who have been offered the property have refused it

to progress the letting of the property and minimise the time the property is vacant, other means of identifying a suitable applicant for the property will be considered, for example, advertising on alternative internet websites.

- 3.5 When deciding who will be offered a vacant home, eligible bids received from applicants in Band “Emergency and Very Severe Housing Need” (the highest band) will be considered first, in the order of the date they were accepted onto the SDHR. If no one suitable has bid from Band “Urgent and Very Severe Housing Need”, eligible bids from applicants in lower bands will be considered in succession. Within each band applicants will be prioritised in date order of acceptance. In order to meet local priorities, some properties will be advertised inviting bids from specific groups, for example, those who are under occupying property.
- 3.6 If an applicant is not offered a particular vacancy, a clear record of the reason will be made and the applicant is entitled to know why they have not been offered the property (although the confidential nature of other applicants’ circumstances may not be disclosed).
- 3.7 It is the applicant’s responsibility to advise the SDHR of any changes to their circumstances. Applicant details and eligibility for the SDHR are verified before an offer of housing is made. Should an applicant’s circumstances have changed following the submission of their SDHR application form, their application will be reassessed accordingly and any pending offer of accommodation may be withdrawn.
- 3.8 Some properties or developments have a specific local connection requirement in their planning or funding conditions, such as rural exceptions sites and those developed under section 106 agreements. In these cases there will be restrictions on who can bid for the home and this will be made clear in the advert for the vacant property. This type of qualifying criteria is usually agreed as part of planning or funding conditions. In these circumstances local connection criteria will usually mean connection to a village or parish rather than the district as a whole. Under section 167 (2) of the Housing Act 1996 (amended by the Homelessness Act 2002) applicants will be required to provide evidence to support their local connection as part of the application for housing in those properties, which will be verified by the SDHR. More information on this is detailed in Para 15.
- 3.9 Local Lettings Plans will be used for some properties or developments where, for example, Housing Associations need to allocate properties sensitively to ensure that community safety issues have been taken into account, or to promote the sustainability of the area, or to earmark suitable properties for those who are currently under-occupying their social housing home. In these cases there will be restrictions on who can bid for the home and this will be made clear in the advert for the vacant property. The introduction of a Local Lettings Plan is subject to the Registered Provider/Housing Association obtaining the agreement of the Council’s Head of Housing & Communication. More information on these policies is detailed in paragraphs 16 and 17.

4.0 Homelessness Prevention Policy

- 4.1 The Council places great emphasis on the prevention of homelessness, particularly for vulnerable people and families, by providing support and advice at an early stage to ensure applicants are aware of their housing options and are supported to make informed choices before they become roofless.

Agenda Item 7

4.2 Where the Council has carried out investigations and are satisfied that an applicant is:

- within 28 days of becoming homeless;
- has a priority need under the Housing Act 1996;
- are actively working with the Councils Private Sector Lettings Scheme;
- is not placed in temporary accommodation arranged by a Council;

they will be placed in Band “High Priority and Urgent Need to Move” for a period of 90 days. If a suitable property becomes vacant during this time but the applicant fails to bid for it, the award of this priority will be reviewed by a Housing Officer at the Council. If considered appropriate, the award of this priority will be extended for a further 90 days or removed and the applicant placed in the lowest band “General Housing Need”.

An applicant has the right to a review of this decision. The procedure for requesting a review is detailed at paragraph 20.

If at the end of 180 days (2 x 90 days), the applicant failed to bid for any suitable vacancy that arose during that time, the Band “High Priority and Urgent Need to Move” priority granted to the application will be withdrawn and the application will be placed for a 12 month period in Band “General Housing Need” (the lowest band).

An applicant has the right to a review of this decision. The procedure for requesting a review is detailed at paragraph 20.

5.0 Removal from the Register

5.1 Applicants will be asked to confirm annually that their information on the register is correct and that they want to remain on the register. If they do not respond within 28 days they will automatically be removed from the register.

6.2 An applicant can request a review of the decision to remove them from the register as detailed in paragraph 20 of this policy.

7.0 PRIORITY BAND SYSTEM

As previously outlined in this document, there are now 4 bands identifying priority, instead of points (in line with other Kent Allocation policies and Kent Homechoice). The following is an explanation of those bands.

Emergency and Very Severe Housing Need

1. Applicants with an emergency medical condition, welfare need or disability which is critically affected by their housing circumstances. This must be supported by Police, MAPPA Process, Social Services or medical professional. This category includes Service Personnel who need to move into suitable adapted accommodation because they have sustained serious injury, a medical condition or a disability during their service.

Emergency medical priority is verified by Officers working for the Managing Agent for the Housing Register but there is the option of referring the case to an independent medical advisor for advice if appropriate.

Emergency welfare priority is verified jointly by officers of the Managing Agent for the Housing Register and Sevenoaks District Council.

2. Applicants with an exceptional need to move. This includes those owed a homelessness duty or who would be owed a homelessness duty if assessed as a result of being a victim of violence, harassment, intimidation or where threats of violence are likely to be carried out. Also includes domestic violence, witnesses to crime or victims of crime, racial or homophobic harassment. (Applicants who qualify under this category are not required to have a local connection and their eligibility will be determined by the Manager of the Housing Register as set out in 1.12).
3. A tenant of one of the SDHR partner Registered Providers/Housing Associations who would release an adapted social housing property by moving.
4. A tenant of one of the SDHR Partner Registered Providers/Housing Associations where the social landlord requires the tenant to move due to major works or other urgent management reason. This includes those who are irregularly occupying a social housing property as a non-successor where a decision to rehouse the applicant has been made. The decision to rehouse such applicants is made jointly by the Homechoice Manager and the Social Housing Team Manager and is based upon whether the person is eligible to register an application on the SDHR along with the particular circumstance of each case.
6. Farm workers who need immediate housing under the Rent (Agriculture) Act as recommended by the Agricultural Dwelling Housing Advisory Committee.
7. Occupiers of properties under Emergency Prohibition or Demolition Orders.

Agenda Item 7

High Priority and Urgent Need to Move

1. Applicants recommended by Sevenoaks District Council as qualifying under the Council's Homelessness Prevention Policy (Time Limited Priority).
2. A Housing Officer from the Council's Private Sector Housing Team has identified a category 1 health and safety hazard in an applicant's home using the Housing Health and Safety Rating System and they are in a vulnerable group that is at risk from this hazard. For example, an older person living in a property with inadequate heating or a family with children living in a property with severe dampness.
3. A tenant of one of the local Registered Providers/Housing Associations who is currently under occupying a social housing home in the District.
4. Applicants who are statutorily overcrowded. Statutory Overcrowding occurs when there are too many people in a room or by having too many people for the size of the room:
 - a) Where two children of opposite sex, one of which is over 10 years old, sleep in the same room.
 - b) Where a child over 10 years of age sleeps in the same bedroom as parent(s) or other relatives.

In both (a) and (b) regard will be given to the size of the bedroom in accordance with the standards laid down in the statutory overcrowding provision of the Housing Act 1985.

5. Applicants for whom a Single Agency Assessment has been accepted and awarded High Priority.
6. Applicants who have been awarded high medical priority. Additional confirmation will be required by Health professionals.
7. Applicants who have been awarded high priority need to move due to hardship or welfare needs as determined jointly by Officers from WKHA and Sevenoaks District Council.
8. Applicants who need to move to a particular locality in the District to give and receive care or support or to take up a confirmed offer of permanent employment.
9. Applicants who need to move on from a specialist supported housing scheme into general needs housing who qualify for rehousing in the Sevenoaks District under the Kent wide Supporting People Reconnection Policy or who require move on from a property identified under the Intermediate Rented Scheme (after 6 months).
10. Homeless households owed a full homeless duty under sections 193 (2) 195 (2) Housing Act 1996 who have lived in temporary accommodation for six months.
ONE OFFER ONLY.

Agenda Item 7

11. A tenant of one of the SDHR partner Registered Providers/Housing Associations living in general needs housing who wants to move into older persons accommodation.
12. Service Personnel who have received a Certificate of Impending Homelessness and who have insufficient means to purchase a suitable property. This includes separated wives in MOD housing given 93 days notice.

Applications from Service Personnel will be suspended until three months before end of service. It will be necessary to provide details of financial resources at that time.

Agenda Item 7

Applicants with Identified Housing Need

1. Homeless households owed a full homeless duty under sections 193 (2) Housing Act 1996, as amended by the Homelessness Act 2002.
2. Applicants who are overcrowded as defined by the Bedroom Standard set out in the Housing Bill but who are not statutorily overcrowded as defined by the Housing Act 1985. (see Appendix A)
3. Applicants who have been awarded medium medical priority. Additional confirmation will be required by Health professionals.
4. Applicants who have been awarded medium priority to move due hardship or welfare needs as determined jointly by the Managing Agent for the Housing Register and Sevenoaks District Council Officers.
5. Applicants for whom a Single Agency Assessment has been accepted and awarded Medium Priority.
6. Applicants whose home lacks kitchen facilities (applies if you have no separate sink unit (not within bathroom), and/or do not have the facility to cook hot meals.
7. Applicants whose home lacks bathing facilities (applies if you have no shower or bath with hot and cold water).
8. Applicants whose home lacks a WC within the building.
9. A Category 1 Hazard exists in an applicant's home but the occupier is not in a vulnerable group.

General Housing Need

1. Applicants who need to share kitchen, bathroom, WC or living room with people who are not part of their household. This could, for example, be a young couple who wish to set up their own home but circumstances require them to continue living in their family home(s).
2. Applicants whose home has poor internal or external arrangements – i.e. walking through a bedroom to get to another room.
3. Applicants who have been awarded Low medical priority.
4. Applicants who have been awarded Low priority to move due hardship or welfare needs determined jointly by Officers from WKHA and Sevenoaks District Council.
5. Applicants who are owed a homelessness housing duty by another local authority under sections 190 (2), 193 (2) or 195 (2) Housing Act 1996, or who are occupying accommodation secured by another local authority under section 192 (2)
6. Any other applicant who is not excluded or disqualified from being registered on the Sevenoaks District Housing Register. This band will include (this is not an exhaustive list):
 - Applicants classed as becoming homeless intentionally under the Housing Act 1996;
 - Those who have deliberately worsened their housing situation. This includes those who fail to bid for suitable properties during the time limits granted under the Homelessness Prevention Policy.
7. Applicants serving a prison sentence. Following notification that the applicant is within 3 months of release, their application will move to Band “High Priority and Urgent Need to Move” under the Councils Homelessness Prevention Policy, where they will remain for 90 days.

Agenda Item 7

8.0 Awarding Additional Medical Priority

- 8.1 Applicants must provide documentary evidence of how their health issues are affected by or cannot be managed in their current home by completing a self assessment medical form available from the Housing Options Team at West Kent Housing Association. On receipt, officers at the SDHR will consider whether any supplementary information is needed from other relevant professionals (for example: Environmental Health or Housing Officers, Social Worker or Health Visitor) to further explain the impact the medical condition/disability has on the applicants current housing. While this information is being provided to the SDHR and pending the assessment, eligible applications will be registered and placed in a band according to their circumstances excluding medical priority.
- 8.2 Officers in the SDHR will make a decision based upon the information provided before making a decision to award additional priority to an application on medical grounds. Priority levels awarded to applications on medical grounds are Emergency Medical Priority, High Medical Priority, Medium Medical Priority, Low Medical Priority or No Additional Medical Priority Granted. Emergency Medical priority will only be awarded in exceptional circumstances where there is an immediate life threatening situation. There is the option of referring the case to an independent medical advisor if considered appropriate.
- 8.3 The SDHR will send a letter to the applicant advising them of any change in their priority and where no priority is awarded, advice will be given on resolving the housing difficulties they are experiencing.
- 8.4 Where medical priority has been awarded, an annual review will be made to ensure the priority awarded remains valid. On review, priority may be increased if the situation has worsened, remain the same if the situation is the same or withdrawn if the situation is resolved.
- 8.5 Where an applicant notifies a change of medical and/or housing circumstances to the SDHR the applicant's priority will be re-assessed by an officer from the Housing Register.
- 8.6 Additional medical priority may not be awarded where another reasonable course of action is available to the applicant to resolve their difficulties.
- 8.7 Each permanent member of the applicant's household can make a separate application for additional medical priority but the overall award given to the application will reflect the highest priority awarded across all family members. For example, if two household members have submitted medical information to be considered and one household member has been awarded low medical priority and the other medium medical priority, the application will be placed in Band C to reflect the award of medium medical priority.
- 8.8 An applicant has the right to a review of a decision made under this section. See paragraph 20 for details of the review procedure.

9.0 Awarding Additional Social and Welfare Priority

- 9.1 Social and Welfare priority is awarded where the applicant's home is unsatisfactory or unsuitable in a significant way and this is having a detrimental affect on the household or individual. Where an applicant is homeless, the affect of living in temporary accommodation on the applicant or household may be considered.
- 9.2 Priority can be awarded in a variety of situations including racial, sexual, or general harassment, threats of violence and/or intimidation or where an applicant is vulnerable with a need to move to receive support or those needing to move on urgently from supported housing.
- 9.3 Social and Welfare priority is awarded following the assessment of a prepared report on a pro forma available from the Housing Options Team at West Kent Housing Association. The report must be completed by a relevant professional (for example: Housing Officer, Social Worker, Education Welfare Officer) which details the reasons why the applicant needs to move urgently on social and welfare grounds. This report is considered by the Homechoice Manager and the Social Housing Team Manager. Priority levels awarded to applications on these grounds are Emergency Need to Move, High Need to Move, Medium Need to Move, Low Need to Move or No Additional Social and Welfare Priority Granted. Emergency Need to Move priority will only be awarded in exceptional circumstances where there is an immediate life threatening situation. The Homechoice manager will inform the professional making the request for Social and Welfare priority of the outcome of the evaluation of their report.
- 9.4 Additional priority may not be awarded where another reasonable course of action is available to the applicant to resolve their difficulties.
- 9.5 Each permanent member of the applicant's household can make a separate application for additional social and welfare priority but the overall award given to the application will reflect the highest priority awarded across all family members
- 9.6 Where social and welfare priority has been awarded, an annual review will be made to ensure the priority award remains valid. On review, priority may be increased if the situation worsens, may remain the same if the situation is unchanged, or may be withdrawn if the situation is resolved or changed.
- 9.7 Where the applicant notifies the SDHR of a change in their housing and/or social and welfare circumstances, priority will be re-assessed.
- 9.8 An applicant has the right to a review of a decision made under this section. See Paragraph 20 for details of the review procedure.

Agenda Item 7

10.0 Sheltered Housing

10.1 Applicants who request category 2 sheltered housing (housing with warden support 7 days per week) or extra care sheltered housing (housing for more frail elderly people, with 24hr warden support, plus access to restaurant or dining facilities along with other care services) will be assessed at the time of application by the sheltered Housing Team of the relevant housing association. Where it is identified that an applicant is bidding on accommodation that is not suitable for their needs, an assessment will be made to enable them to identify a suitable home.

Where appropriate sheltered applicants will be given support by the SDHR to enable them to bid for properties advertised via the Choice Based Lettings scheme. Where applicants are a current tenant of a Registered Provider this support will be provided by their existing Housing Officer.

11.0 Behaviour

11.1 In certain circumstances an applicant may be awarded less priority due to their behaviour, for example:

- Where there is evidence of breach of tenancy agreement the applicant will be placed in Band D (Lowest band) for 12 months. (This covers both Private and Social Housing tenancies)
- Where an applicant has deliberately worsened their housing circumstances by deliberately overcrowding their home, the applicant will be placed in Band D for 12 months.
- Where an applicant has refused to bid for a suitable property or is persistently bidding for properties under the Kent Homechoice CBL scheme and there is no real prospect of them taking up any of the properties, the applicant will be placed in Band D for one year.

11.2 The adjustment can be lifted before the expiry of 12 months if the SDHR is satisfied that the behaviour which necessitated the adjustment has been remedied.

11.3 A senior officer for the Managing Agent for the Housing Register will make decisions set out in sections 11.1 – 11.2.

11.3 Applicants have the right of review of any decision made under this section. Details of the review procedure are at paragraph 20.

12.0 Legal Framework

12.1 In accordance with The Local Authority Order 1996 (SI 1996 No 3205) the Sevenoaks District Council (SDC) has contracted out the management of the register to West Kent Housing Association. Further details are available through the Service Level Agreement.

- 12.2 This Allocations Policy has been written to ensure that the Council discharges its responsibilities under Part VI of the Housing Act 1996 (as amended by the Homelessness Act 2002) and the Code of Guidance. It also takes account of the Housing Corporation's Regulatory Code and Guidance. The Sevenoaks District Housing Register (SDHR) is committed to acting within Human Rights and Equal Opportunities legislation.
- 12.3 This policy determines how applicants are nominated from the SDHR to vacant homes owned by Registered Providers/Housing Associations, who will each have their own allocations policy. Each Registered Provider/Housing Association applies its own allocation policy to applicants nominated to them for vacant properties from the SDHR.
- 12.4 The policy relates to the letting of permanent or probationary tenancies and also the short term intermediate rented scheme. The main Registered Providers/Housing Associations who accept nominations from the SDHR are WKHA, Moat Homes Ltd, Places for People, Rockdale Housing Association and Orbit Housing Association. It should be noted that these organisations might also operate their own registers and transfer lists.
- 12.5 Applicants wishing to be considered for LCHO (low cost home ownership) will be referred to the Zone Agent, Moat Housing, who operates the register for low cost home ownership options in Kent.

Awarding Priorities

- 12.6 The scheme is designed to reflect the reasonable and additional preference categories outlined in the Housing Act 1996 part VI and the Code of Guidance. The scheme is in line with the Housing Corporation's Regulatory Code and gives preference to the groups outlined in the Code.
- 12.7 It is intended that the SDHR Allocation Policy will give reasonable preference to the following people as set out in s167 (2) of the 1996 Act (as amended by the Homelessness Act 2002) and this has been reflected in the banding system:
- People who meet the homeless definition under Part VII of the 1996 Act but who are not in priority need or have made themselves intentionally homeless, e.g. rough sleepers.
 - People who are owed a duty by any housing authority under Section 190 (2), 193 (2), 195 (2) or 192 (3) of the Housing Act 1996, or under Section 65 (2) or 68 (2) of the Housing Act 1985.
 - People occupying unsanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions.
 - People who need to move on medical or welfare grounds.
 - People who need to move to a particular locality in the district of the housing authority to either give or receive support or to take up employment.

Agenda Item 7

Additional Preference

12.8 Under section 167 (2) of the Housing Act 1996 (amended by the Homelessness Act 2002) certain groups of applicants are entitled to 'additional preference', these include:

- Those owed a homelessness duty as a result of violence or threats of violence where the threats are likely to be carried out.
- Those with urgent medical reasons for a move.
- Those with a welfare/social need to move.

13.0 Offers of Accommodation

13.1 Through the Kent Homechoice CBL scheme applicants can choose when to bid for a property. If they then choose not accept an offer of accommodation made to them they will not lose any priority for housing.

There are some exceptions to this rule:

- Those with exceptional medical/welfare priority who have not bid for 2 or more properties that could be deemed suitable for them will have an offer made.
- Refusal of that offer can result in exceptional medical/welfare priority being removed.
- Homeless duty being discharged against a homeless applicant.
- Households living in a property identified under the Intermediate Rented Scheme for 6 months who have been given priority to move on.
- Where an applicant is making malicious or hoax bids or persistently and irrationally making bids where it is deemed that they have no real intention of taking up a property. Cases will be judged on an individual basis and the result may be a loss of priority by the application being suspended for a maximum period of 12 months.

14.0 Making a Reasonable Offer

14.1 In deciding what is a reasonable offer, the SDHR will take into account the needs of the applicant and their household and their choices and preferences. Within the CBL scheme, for applicants with high priority, the definitions within Offers of Accommodation at paragraph 13 will apply.

- 14.2 A decision with regards to what is a reasonable offer will be balanced against the availability of property type and size preferred and the urgency of the applicant's need for housing. For example applicants with a high welfare or medical award or an applicant given high priority because they are homeless may not be given a preference for a house rather than a flat and under the CBL scheme would be expected to bid for suitable properties regardless of preference. Applicants in these circumstances have an urgent need for housing and may be required to bid for a property that may not be in their areas of choice and a Housing Officer can bid on an applicants behalf without their consent. This would enable an offer or bid of housing to be made within a reasonable length of time.
- 14.3 An applicant is entitled to a review of the reasonableness of an offer as detailed in paragraph 20.

15.0 Local Letting Plans

- 15.1 The SDHR may sometimes use local lettings plans to allocate a property.

A local lettings plan may be used to facilitate sustainable communities:

- Where there have been particular management problems identified in an area.
- When allocating for a new or refurbished development to ensure the creation of a balanced and sustainable community, for example consideration of child density levels. In these circumstances it is expected that nomination agreements will be made during the development phase.
- To fulfil planning requirements (also known as section 106 conditions).
- To assist with wider strategic objectives of the Council, e.g to remedy under occupation of existing social rented homes.

- 15.2 SDHR will monitor to ensure that overall reasonable preference for allocations is given to applicants in the reasonable preference categories and that local letting policies do not discriminate on equality grounds.

16.0 Sensitive Letting (property)

- 16.1 Under some special circumstances it is occasionally desirable to be particularly sensitive when nominating applicants to a property. The decision that a property should be let sensitively will be made prior to the selection of applicants for a nomination. Sensitive letting of a property will be carried out where a Housing Association gives written confirmation to the SDHR of that property's previous tenant's anti-social behaviour. This is usually where a tenant has been evicted or abandoned the property and who was the cause of anti-social behaviour such as noise nuisance, violence, harassment, or intimidation. The Home Choice Manager in conjunction with the Senior Manager of the Registered Provider/Housing Association will consider the evidence provided and decide whether the property should be let sensitively.

Agenda Item 7

- 16.2 Where a property is let sensitively the normal short-listing procedure will be followed. However, if the person with the highest number of priority has a known history that would make them unsuitable they will not be nominated and the next applicant will be considered.

17.0 Special Circumstances (applicant)

- 17.1 Under some special circumstances, it may occasionally be desirable to be particularly sensitive when a person needs housing. This will be decided at the time of application and/or when the SDHR or Registered Provider/Housing Association receives relevant information, usually having considered the advice of relevant professionals and in agreement with the applicant. This would generally be when the applicant would be at risk of harm if housed in a particular location, or may pose a risk to others.

Examples could be where there has been a breakdown in a violent relationship, or where someone is at serious risk of harm because they have acted as a witness in court, or where we have information from the Police or Probation Service that they may be a risk to the community.

- 17.2 Applicants are entitled to details of any criteria attached to their housing application, although provision will be made to ensure that confidentiality is not breached that would put others at risk. If a bid made under CBL results in an applicant being at risk, the SDHR will discuss the suitability of the offer with the applicant. This may result in the offer of accommodation not being made. If a bid under the CBL scheme is made that may place an applicant at risk, the suitability of the offer will be discussed and a decision may then be made not to make such an offer of accommodation.
- 17.3 Applicants can request a review of the decision to place any restrictions made on their re-housing as outlined in paragraph 20.

18.0 Providing Applicants with Choice

- 18.1 SDC is required under s 167 (1A) of the Housing Act 1996 (as amended by the Homelessness Act 2002) to provide a statement of its policy on offering applicants a choice of accommodation or the opportunity to express preferences about the housing accommodation to be allocated to them.

18.2 Statement of Choice

The SDHR offers applicants choice despite high demand for social housing. The SDHR makes an assessment of an applicant's circumstances against the priority banding criteria and places the application in the priority band that best reflects the urgency of their housing need.

Within the CBL scheme properties becoming available will be advertised on a fortnightly basis via the Kent Homechoice Scheme. The properties will be advertised primarily on the internet but a free personalised report can be provided on request from the Housing Options Team at West Kent Housing Association. It is also possible

Agenda Item 7

for an applicant to pay a subscription fee to Locata, who provide the Kent Homechoice software, for them to provide a personalised report on a regular basis.

Once an applicant has been accepted onto the Sevenoaks District Housing Register, their application is automatically uploaded onto Kent Homechoice and they will receive a welcome pack which contains their Personal Identity Number. This will enable them to make an “interest” bid by telephone, website, text or coupon for vacant properties that are suitable for their needs.

Properties will then be offered to applicants from the highest band, with the longest registration date on the Sevenoaks District Housing Register.

The CBL scheme aims to give transparency to the way empty properties are allocated. Adapted properties will be advertised giving the type of adaptations within the property and which applicants will be eligible to bid for this type of property. The Council supports that Registered Providers/Housing Associations make best use of their stock and therefore larger 3 bedroom homes will be advertised with a maximum number people who can occupy. This is to ensure these units are available for larger families due to the shortage of 4 bedroom homes in the district. Temporary accommodation provided for homeless people under Part VII of the Housing Act 1996 will not be included in the CBL scheme.

Applicants are invited to bid for properties and we aim to ensure that all relevant information is available to enable applicants to make informed choices regarding bidding. Subject to eligibility criteria, which includes the size of property an applicant can bid for, applicants are invited to:

- a. Choose/bid for properties in the area(s) they wish to be considered for (of the size of home they have been accepted onto the Housing Register for) within the district;
- b. Choose/bid for the type of property they prefer to live in.
- c. Choose/bid for which Registered Providers/Housing Associations they would like to apply to.

The SDHR will:

- a. Provide applicants with information which explains why they have been placed in a particular priority band and where requested, also information regarding the implications an applicants choices in terms of waiting time and the availability of properties. This is to assist and enable them in making informed choices.
- b. Allow applicants a maximum of 3 bids per fortnightly advertising cycle under Kent Homechoice, CBL where possible.
- c. Provide applicants with the results table of the successful bids for individual properties showing the level of priority required for a successful bid.

Agenda Item 7

The SDHR provides support and offers advice on a range of tenures that applicants can apply for:

- Affordable and social rented housing;
- Intermediate rented housing at sub market rents;
- Low cost home ownership housing options, e.g. Shared ownership, Homebuy and shared equity;
- Mutual exchange;
- Private Sector Letting Scheme (Rent in advance or deposit bond for potentially homeless applicants);

Applicants will be referred to the Council and voluntary agencies that can advise and assist on renting in the private sector.

Those applicants who may qualify for low cost home ownership will be directed to contact the Zone Agent, Moat Housing.

19.0 Access to Information/Sharing Information

- 19.1 Applicants have the right to request such general information as will enable them to assess how their application will be treated under the policy and whether they are likely to fall into reasonable preference categories.
- 19.2 Applicants can request information as to whether accommodation appropriate to their needs is likely to be made available and an indication as to how long this may take. Applicants have the right to see the information about their application that the SDHR hold on their files.
- 19.3 When an applicant signs their application form they are asked for their consent to share information with other agencies such as Registered Providers/Housing Associations, private landlords (to be contacted for a reference only), social services, health services, Parish Councils (for Rural Exceptions Sites only) and the District Council.
- 19.4 Partners of the SDHR have the right to see applicants' application files and arrangements can be made to visit Housing Options Team to see the files. Information is shared in order to:
- Determine an applicant's priority.
 - To assess any potential risks to the client and others.
 - To ensure suitable accommodation is provided for applicants.

If West Kent Housing Association houses an applicant, their application form and any supporting evidence will be kept on their house file. Details on their application will also be held on a database until the applicant is housed or removed from the register.

If an applicant is housed by another Registered Provider/Housing Association the application form will be kept by the SDHR with details of the allocation.

19.5 If an applicant is not eligible for the register, does not renew their application for housing or asks to be removed from the register their application form will be kept for two years before being destroyed.

20.0 Requesting a Review of a Decision

20.1 Decisions made by the SDHR

Stage 1

Applicants can request a review of a decision made by the SDHR. Front line members of staff who did not deal with the original decision will deal with this at **Stage 1** of the complaints procedure. A review can be requested orally or in writing.

The most common types of review concern the following:

- A decision that an applicant is ineligible on the grounds of unacceptable behaviour serious enough to make him or her an unsuitable tenant.
- A decision that an applicant should not be given reasonable preference.
- Whether all the relevant facts about an applicant's case have been taken into account.
- A decision on ineligibility because of immigration status under s 160A (3) or s 160A (5) of the Housing Act 1996 (as amended by the Homelessness Act 2002).
- A decision that an applicant is not entitled to unlimited bids

Stage 2

If an applicant remains dissatisfied a request for a further review of a decision must be made within 21 days of the applicant becoming aware of the previous decision. A request for a review can be made orally or in writing. All decision letters will advise the applicant about the right to request a review of the decision, including details of where they can get independent advice such as Shelter, Citizens Advice Bureaux or solicitors. If an applicant has problems requesting the review in writing they will be given the opportunity to make their request orally. The SDHR will carry out the review based on the facts provided. A more senior officer and an officer from the Council who was not involved in the original decision will carry this out. The review will be acknowledged within 3 working days and a response will be made within 10 working days, although where further enquiries are required such as, for example, from a GP, Social Worker, or Housing Officer, additional time may be required. The applicant will be notified of the final decision within 56 days of the original acknowledgement. Where an applicant is not satisfied with the review decision they can appeal to the High Court for a judicial review on a point of Law. The applicant has a maximum of 3 months to apply.

Agenda Item 7

If the applicant feels that the SDHR has not acted within its stated policies or within the legislation they have the right to direct their complaint to the Local Government Ombudsman.

20.2 Requesting a review of the reasonableness of an offer

See paras 13 and 14 for the definition of a reasonable offer.

a. Non-homeless applicant

If an applicant who has been awarded emergency medical or social and welfare priority feels that an offer was not 'reasonable' they can request a review. If the review decision is that the offer was not reasonable then the applicant's priority will revert to the level prior to the refusal of the offer.

If the review decision is that the offer was reasonable then an applicant's priority will be reduced (see paragraph 13).

If an applicant's right to unlimited bids for a property is removed, they can request a review as to the reasonableness of that decision, as above.

b. Homeless applicant

If the applicant has been accepted by SDC under the homelessness legislation the review process will be slightly different. When refusing an offer the reasons for refusal must be provided to the Homechoice Manager, who will copy the letter along with a recommendation as to whether the offer was reasonable to the Housing Officer assigned to the applicant at SDC. The Housing Officer will then make a decision on the reasonableness of the offer within 5 working days. The offer of the property will be held open whilst this decision is being made. If the decision is that the offer was not reasonable the applicant's priority will revert to the level they were prior to the refusal.

If the review decision is that the offer was reasonable, the applicant can take up the tenancy or continue to refuse the offer. If they continue to refuse the reasonable offer this will lead to their priority being adjusted in accordance with para 13. The property will be offered to the next suitable applicant. In addition it is likely that SDC will consider that it has discharged its duty to the applicant under the homelessness legislation.

Under the homelessness legislation there would be an opportunity for the applicant to apply to the council for a review of a decision to discharge duty.

21.0 Complaints

- 21.1 If an applicant is unhappy with the administration of this policy by WKHA on behalf of SDC then they should in the first instance follow West Kent Housing Association's complaint policy.

Areas of complaint that WKHA will investigate are:

- That the level of service provided failed to reach the standard set out in the Customer Service Standards of the Association.
- That a request for a service or information was not provided within the timescales set out in the customer Service Standard.
- That decisions made were incorrectly or failed to be effectively communicated.
- That the application was not dealt with fairly and in accordance with the Association's Equality and Diversity Statement and/or that an applicant has been subject to discrimination by staff of the Association.
- The attitude or behaviour of staff.

21.2 If an applicant is not satisfied with the above then they should make direct contact with SDC or the Housing Ombudsman.

Complaints about the Allocation policy should be made to the Head of Housing and Communications, Sevenoaks District Council and should follow the Council's complaint policy.

23.0 Offences related to information given or withheld by applicants

23.1 Under section 171 (false statements and withholding information) the SDHR will take action to prosecute an applicant and will consider possession proceedings under Ground 5 in Schedule 2 of the Housing Act 1985 (as amended by the Housing Act 1996, s 146) where an applicant has given false information and obtained a tenancy.

23.2 The circumstances that an offence could have been committed would include:

- a. Any false information given on an application form for social housing.
- b. Any false information given in response to subsequent review letters or other updating mechanisms; or
- c. Any false information given or submitted by applicants during the proceedings of a review.

24.0 Equal Opportunities

24.1 The SDHR member housing associations and SDC will ensure that policies and procedures in allocating properties do not discriminate directly or indirectly on grounds of age, disability, carers, gender, race, religion/beliefs, sexual orientation, marital or civil partnerships, pregnancy and maternity or gender reassignment.

24.2 To monitor the effectiveness of this allocations scheme, records are kept of the ethnic origin, religion, sexuality, gender, disability and age of all those applying for housing

Agenda Item 7

and those who are housed. The results are analysed and action is taken to ensure that we are providing an excellent service to all our customers.

APPENDIX A – Normal Room Requirements

Overcrowding

The number of bedrooms applicants and their household will be registered for will be determined using the Bedroom Standard set out in the Housing (Overcrowding) Bill (Bill 46). Although this Bill has not been passed by Government it is considered to provide best practice nationally with regards to awarding bedrooms and priority for overcrowding. Applicants overcrowded as defined by the Bedroom Standard will be placed in Band C.

People who share a room must be family members or in a relationship together. Where applicants have access rights to children, WKHA will determine the child’s principle place of residence and award overcrowding at one property only.

| Bedroom Standard: | | |
|--|--------------------|---|
| | Number of Bedrooms | |
| Household Members | 1 | 2 |
| Single Adults over 21 | ✓ | |
| Couple (including same sex couples) | ✓ | |
| 28+ weeks pregnant woman with or without a partner and no other children | ✓ | |
| One child | ✓ | |
| 2 children under 10 regardless of sex | ✓ | |
| 2 children of the same sex aged between 0 and 21 | ✓ | |
| 2 Children of the opposite sex aged between 10 and 21 | | ✓ |

Statutory Overcrowding is when there are too many people in a room or by having too many people for the size of room and will be determined by standards set out in the Housing Act 1985. Applicants who are statutorily overcrowded under these provisions will be placed in Band B.

For households including a pregnant woman, the baby will not be taken into account when assessing the number of rooms required until it is born. Where there is an existing child until the sex of the baby is known the assumption will be that the baby is the same sex as the existing child.

Varying property sizes

As properties vary greatly in design, layout and room size, advice will be taken from other sources particularly Housing Officers of participating Registered Providers/Housing Associations and Environmental Health Officers of suitability.

Medical requirements for additional rooms

Where additional rooms may be required for medical or welfare reasons cases will be considered by the medical and welfare panel.

Agenda Item 7

Large households

Where the bedroom requirements exceed what size property is likely to become available a smaller property may be offered.

Access to children

Those who are in receipt of Child Benefit are entitled to include those children as permanent members of the household and will be allocated the appropriate size property accordingly as detailed in Appendix D.

Prospective adoptive parents or approved foster carers

Applicants who are approved foster carers or a prospective adoptive parent with appropriate supporting documentation will be treated as if the children currently reside with them and will be considered for a property of a suitable size.

There is a high demand for certain properties such as two bedroom properties and four bedroom properties in the district we cannot guarantee that applicants are offered housing to meet a particular timescale.

APPENDIX B – Short Term Intermediate Rented Scheme

From time to time some homes may be available for short term lettings for people who are waiting on the register and that have a NTQ. These properties will be advertised via CBL. Full details of the scheme are available from the Managing Agent for the Housing Register.

Agenda Item 7

APPENDIX C - Financial Limits

Due to the pressure on social housing in this District, those with sufficient assets or income to pursue low cost home ownership (LCHO) will be referred to the Zone Agent, Moat Housing for consideration and will not be included onto the Housing Register.

As a guide, those with a gross household income which exceeds £33,383 will not be accepted onto the Housing Register and will be automatically referred for a LCHO assessment. Those with an income which exceeds the current government set LCHO limit of £60,000 will not be able to register for LCHO and will not be eligible for any form of affordable housing.

Where an applicant is applying to the housing register in order to be considered for rented housing on a specific Rural Exception Site, they may have an income up to the current LCHO limit.

It is the applicant's responsibility to make this clear on their application form.

Applicants applying for general needs properties must not have savings which exceed current housing benefit savings limits.

However, applicants applying for sheltered housing may have saving and/or assets up to £350,000.

APPENDIX B

TENANCY STRATEGY (2013-18)

Sevenoaks District Council

Agenda Item 7

This publication is available in large print. For a copy call 01732 227414

This publication can be explained in other languages by calling the Language Line officer in Housing Services on 01732-227000.

www.sevenoaks.gov.uk

Additional copies of this publication can be obtained on the District Council's website or by calling Housing Policy on 01732-227000.

Address: Council Offices, Argyle Road, Sevenoaks, Kent TN13 1HG

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CONTENTS

Introduction

Regulatory requirements

Local context

Kent and Medway Tenancy Strategy Framework

GUIDANCE FOR SOCIAL HOUSING PROVIDERS

- 1) Tenancy types/options
- 2) Tenancy renewal
- 3) Affordable rent
- 4) Income and capital
- 5) Succession
- 6) Right-to-Buy/Acquire
- 7) Kent Homechoice
- 8) Under-occupation and over-crowding
- 9) Discharge of homeless duty into the private sector
- 10) Disposal of stock
- 11) Appeals and complaints

Equalities

Monitoring and review

Comments/feedback

Contact details

Abbreviations of terms

Appendix A – Key local housing-related data

Appendix B – Registered providers in the Sevenoaks District

Appendix C – List of consulted organisations

Appendix D – Equality Impact Assessment Screening Form

Note:

This guidance specifically applies to Registered Providers (RPs) – those housing associations registered with and governed by the Homes and Communities Agency (HCA). Although non-registered social housing providers are not required to comply with this guidance, it is still considered good practice to do so and would help to standardise approaches to social housing tenancies across the Sevenoaks District.

Agenda Item 7

Introduction

The Localism Act 2011 introduces a number of provisions in relation to social housing. In particular, the introduction of the fixed-term tenancy which can be used as an alternative to secure, lifetime tenancies, which have generally been issued in the past.

The Act also introduces new provisions in relation to the way in which the local housing register list is managed and how priority can be awarded. Local authorities and other Registered Providers (RPs)¹ of social housing now have the discretion to consider a greater range of factors when letting properties and when considering the type of tenancy to be awarded.

The purpose of a tenancy strategy is for the local authority to set out how it sees the new tenancy type being used, its priorities in relation to who should be housed and for how long and to set the framework within which RPs (and other social housing providers) need to have regard when developing their landlord tenancy and allocations policies.

Key aims of this document are to ensure that those in most in need are suitably housed; to make the best use of District's limited social housing stock; be fairer and not over-subsidise households that don't need it; promote economic activity and not be a disincentive for work; and be relatively simple to understand, administer and communicate.

This document also embraces the requirement for a revised Allocation Policy which takes into account Government guidelines, Welfare Reform, social housing tenants, residents and partner organisations' views. Consultation concerning Tenancy Strategy objectives was undertaken both with tenants and the RPs.

Regulatory requirements

It is a regulatory requirement that RPs let their homes in a fair, transparent and efficient way which takes into account the housing needs and aspirations of tenants and potential tenants. Local RPs need to demonstrate how their lettings make the best use of available housing and contribute to local housing strategy and wider Community Plan outcomes. When developing tenancy strategies, local authorities must have regard to their homelessness strategy and allocations scheme. There is a West Kent Homelessness Strategy which is constantly reviewed by a multi-agency group and the current document expires 2016.

The HCA also requires that RPs publish clear and accessible policies which set out the lengths of tenancies; when they will be renewed; the approach to management, including interventions to sustain tenancies and prevent unnecessary evictions; and tackling tenancy fraud.

Local context

Property prices in the Sevenoaks District are the highest in Kent and amongst the most expensive in the UK. As at April 2012, the average price of a property in the

¹ RPs – this term includes the District Council's partner housing associations who are actually registered with the Homes and Communities Agency (HCA)

Agenda Item 7

District was £354,272 compared to the Kent average of £225,125. Using lower-quartile property prices as a measure of affordability, an average property in Sevenoaks costs £222,750 compared to Thanet at £116,000. The average for Kent is £147,000; the SE Region £165,000; and England £125,000.

Agenda Item 7

The Sevenoaks District is also ranked the second most expensive authority for private renting in the South-East region. In contrast, seven other Kent local authorities were ranked in the lowest eleven in South-East England. Rents across the whole of West Kent are generally higher than those in East Kent, reflecting the higher incomes and house prices of the London fringe area.

At 14%, the District has a lower proportion (and overall number) of social housing units than its local authority counterparts in West Kent. There are also far fewer 1-bedroom units in comparison to neighbouring authorities. At April 2012, the District's social housing stock comprised: 1-beds (19%); 2-beds (35%); 3-beds (44%); and 4-beds (2%).

The District's social housing stock is owned and managed by a number of RPs, with West Kent Housing Association and Moat Homes Ltd holding the majority of the stock. The remaining social housing stock is owned and managed in small numbers by a number of other RPs, either being specialist accommodation or general needs units in a particular neighbourhood. The Council's entire housing stock was transferred to West Kent HA in 1989 and that RP manages the Sevenoaks District Housing Register for the Council. The Council's proposed SDHR Allocation Policy will identify priority ranking for bidding and re-housing into the social housing stock.

Being an expensive area with a relatively low proportion of affordable housing (across tenures), there is a distinct mismatch between local housing need and supply. As at April 2012, there were 1,485 households registered as needing social housing on the Sevenoaks District Housing Register (SDHR). With an average of 337 re-lets per annum, the current social housing stock is far from sufficient and housing need continues to outpace supply.

With the majority of the Sevenoaks District being designated Green Belt (c93%), there is limited opportunity to build affordable housing to keep pace with growing need. As a consequence, local housing strategy aims to make more effective use of the existing housing stock by better matching households to properties. In the process, this also helps to reduce under-occupation and over-crowding – both key local housing strategy objectives. The aims of objectives of this policy are to therefore maximise the use of the existing social housing stock to compensate for low levels of new development.

Kent and Medway Tenancy Strategy Framework

The Kent and Medway Tenancy Strategy Framework² was developed in partnership with the Kent County Council and local authority partners across the county (lead by the Kent Housing Group). This provides a base from which local authority tenancy strategies can be developed across Kent, in a consistent approach that is aimed at delivering county housing strategy priorities, whilst still taking into account local district/borough demographics and other circumstances.

² Available at: <http://www.kenthousinggroup.org.uk/>

Guidance for social housing providers

The following guidance takes into account the Kent and Medway Tenancy Strategy Framework and ties in with local housing strategy, including direct links with the District Council's new Sevenoaks District Housing Register Allocations Policy.

The aim of this strategy is to deliver policy objectives of welfare reform whilst still allowing enough flexibility for partner housing associations to continue delivering their own policy objectives, priorities and housing management procedures – all aimed at the most effective and efficient use of the District's social housing stock.

1) Tenancies types/options

In the main, five-year tenancies are supported in the Sevenoaks District – but there are some circumstances where shorter terms will be desirable. During consultation, tenants supported this option but agreed each case should be considered on its merit.

Fixed-term

The District Council supports the use of introductory or probationary tenancies followed by fixed-term tenancies. Fixed-term tenancies provide a way of making the best use of limited stock and linking tenancy renewal to behaviour and responsibilities. It is desirable that all new social tenancies across the District are on similar fixed terms, rather than there being a hierarchy of tenancies which are difficult to explain to customers. In the main, five-year tenancies are supported but there will be some circumstances where shorter terms are desirable. Tenants generally support probationary tenancies because the more vulnerable households are given support to pay their rent and minimise anti-social behaviour. Without a probationary tenancy some tenants would have quickly been evicted.

Two-year

The HCA states that two-year tenancies should only be granted in exceptional circumstances. This could be, for instance: where a short tenancy is being offered for a fixed period and there is no intention to renew; or where an existing five-year tenancy is coming to an end and a further shorter term is more appropriate as the tenant has a history of not keeping to the terms of their tenancy agreement. During consultation with RP tenants it was identified that some are concerned about such short tenancies and that it may create a negative approach to their housing due to insecurity and the Council is mindful of this.

Any issues regarding tenancy concerns are usually dealt with through probationary tenancies.

Five-year

The District Council recognises that five-year tenancies give adequate security to most households as they provide a balance between residents having stability and feeling settled in an area, with the ability to still make the best use of the limited social housing stock. This view was generally agreed by tenants.

Agenda Item 7

Life

Under the Localism Act, RPs must offer secure or assured tenancies to applicants who were already social tenants before the provisions were enacted and this applies to mutual exchanges, reciprocal moves or moves as a result of major works or regeneration. Tenants with enduring vulnerability or lifelong need for support that would disadvantage them in securing alternative accommodation should be offered lifetime tenancies. This applies to tenants in both general needs housing and those in specialist and/or supported accommodation. The District Council is also of the view that those residing in designated older persons' accommodation, should continue to be granted lifetime tenancies. Through consultation some tenants raised the issue of families with disabled children having life time tenancies. It is understood that RPs will look at these on case by case basis.

Rural housing schemes (exceptions sites)

Due to the nature and key purpose of rural exceptions sites, and the fact that there are additional limitations in rural areas, the District Council would support longer tenancy reviews for relevant stock-holding RPs. In the case of the English Rural Housing Association (the District Council's specialist rural housing partner), the District Council supports its corporate policy of a set 21-year review period.

2) Tenancy renewal

HAs should clearly communicate renewal terms to new tenants when they are offered fixed-term tenancies so they understand that, in most circumstances, tenancies will be renewed. This will help people feel connected and settled and also able to contribute to their local areas and to invest in their homes. Social housing also comes with responsibilities and there should be a link between expected behaviour and tenancy renewal which needs to be strongly communicated at the start of the tenancy.

Tenancy renewal is likely to be a contentious area. To ensure the process is dealt with as sensitively as possible, whilst also ensuring key outcomes are still achieved, the District Council supports the following approach:

- The tenancy renewal meeting should be timed to give enough time to consider all issues and for appeals to be made. During consultation some tenants felt that 1 year before tenancy end was an appropriate time to consider renewal
- It should be used as an opportunity to link the household to any necessary support, including employment and training (including HERO scheme);
- Tenancies should generally not be renewed where there has been a serious and persistent breach of the tenancy agreement, such as anti-social behaviour and criminality. Consultation has identified that generally tenants agreed with this.
- Consideration should be given to not renewing tenancies where the tenant is not engaging in the review process (any vulnerability issues need to be fully taken into account) Generally tenants felt this approach is fair
- Income and capital should be taken into account and other appropriate housing options discussed, such as intermediate tenures. The Council is

currently liaising with West Kent HA to increase level of capital held after a property is sold for older people, to ensure that this level is consistent with current house prices.;

- RPs should take a consistent, fair and transparent approach to decisions at the point of tenancy review; and
- The contribution of the household to the overall vitality of the community and potential impact on the community if they were to move out of the area.

In situations where a decision has been taken by a social housing provider not to renew a tenancy at the end of a fixed-term, the provider should seek to engage with the tenant at the earliest possible opportunity to make them aware of the provider's intentions. Tenants raised this and felt it important that RPs are proactive so that some issues can be resolved.

Social housing providers should provide households affected by the termination of a tenancy with any relevant advice and assistance that will assist them in successfully relocating to alternative accommodation. This advice and assistance should include:

- Advice on low-cost home ownership options and other alternative affordable housing tenures;
- Specialist housing and or welfare-related advice and/or signposting to appropriate advice services; and
- Advice on renting in the private rented sector and assistance in identifying and securing a suitable property (this may involve assistance of the District Council's rent-in-advance or property accreditation scheme).

3) Affordable Rent

The District Council aims to prevent excessive disparities between different localities in terms of affordable rent prices to ensure affordability for low-income working households and also for households that are dependent on welfare benefits.

To address the above, the District Council requires social housing providers to ensure that rents charged for affordable rented properties do not exceed the relevant LHA rate that is applicable for that property size at the time of rent setting. This is to avoid excessively high affordable rents in the District's high value areas.

RPs can also convert a proportion of their existing social rented homes to affordable rent to generate additional income to fund future development in place of significantly reduced grant and a shift from a capital to revenue-based delivery model (subject to individual RPs' business plans and agreement from the District Council, where appropriate and unless otherwise agreed). RPs should take a responsible view when determining the size, type and location of the stock they plan to convert to the affordable rent tenure. Conversions should not be over-concentrated in any particular area.

Agenda Item 7

Affordable rent levels must take into account known future welfare reform and have rents which can continue to be paid once these changes have been introduced. This includes the re-basing of rents at the end of a tenancy. Affordable rent levels must not prohibit or prevent tenants or household members from looking for work by creating a benefits trap.

4) Income and capital levels

Many households that have increased their incomes and levels of savings may still need to remain in the area for employment reasons or if they have children at local schools and may not be able to afford local market or intermediate housing to meet their needs. In circumstances where households with higher incomes and levels of capital are unable to move, the District Council supports charging more rent rather than ending tenancies.

Affordability limits for eligibility for intermediate housing are good indicators that households can afford to access other housing or can pay more rent. The income limit for the Sevenoaks District Register is a gross maximum income of £33,383 pa. For households applying for housing solely on a rural exception site, applicants may have a higher limit of income in line with those set for eligibility for Homebuy (currently £60,000 gross, per annum) Capital assets should also be taken into account and can be assessed as notional income in the way that is commonly used for benefit purposes. This means that capital over the Housing Benefit upper savings limit (£16,000 at December 2012) is assumed to generate income for households applying for general needs housing, but an upper limit of £250,000 is in place for applicants requiring sheltered housing only. The Council is liaising with WKHA particularly to possibly increase this level by £100,000 to reflect the increase in house prices. When calculating income and capital, the District Council supports taking the tenant's income into account plus that of their partner or spouse and also some income and capital of wider family members.

5) Succession

The Act allows for one succession of tenancy by a spouse or partner of a deceased tenant, although local authorities and RPs have the flexibility to extend these rights. The District Council expects social housing providers to consider the needs of the household against making best use of their housing stock (under-occupation etc.) when making decisions.

6) Right-to-Buy/Acquire

In addition to already existing rules and limitations that may apply to a particular property/tenancy, a tenant must hold a tenancy for a minimum length of five-years to qualify for the right-to-buy/acquire in the District.

7) Kent Homechoice

When advertising properties directly and through Kent HomeChoice, Social housing providers should clearly indicate the duration of the tenancy being offered, the rent type and level that will be charged, and any client group limitations.

8) Under-occupation and over-crowding

The use of fixed-term tenancies should be the most effective way to manage under-occupation in future – a key local housing strategy objective. RPs should encourage under-occupiers to move by not re-issuing tenancies to properties which are the wrong size for the household and assisting them into a tenancy for a smaller or a more accessible property. This approach should tie in with over-crowding and mutual exchanges, where possible.

RPs should ensure that their policies do not restrict the mobility of existing tenants living in the social rented sector, particularly where existing households are over-occupying or over-crowded. To enable mobility and encourage down-sizing, in particular, the District Council expects that social rented tenants should be allowed to retain their existing security of tenure if they choose to transfer to an alternative property.

9) Discharge of homeless duty into the private sector

Local authorities are now able to discharge their duty to homeless households with an offer of suitable accommodation in the private rented sector, provided that the tenancy offered is for a minimum period of 12-months.

Increasing use of the private rented sector will help the District Council to meet some of the increasing need for housing from households who register on the SDHR, particularly at a time when new supply is falling. The District Council will seek to make an offer of suitable private rented accommodation to applicants approved as statutory homeless where they are deemed able to sustain accommodation. This will only take place where those properties are safe, decent, affordable and well-managed accommodation.

10) Disposal of stock

The District Council in general terms would not wish to see the disposal of housing stock. However, it is recognised that in certain circumstances this may be justifiable providing it allows for future investment within the District in more appropriate housing. In certain circumstances, we would support generated funds being directed elsewhere across Kent.

We would ask that RPs consult with us before disposing of any stock, so that we have the opportunity to discuss the individual situation.

11) Appeals and complaints

The regulator requires RPs to set out the way in which a tenant or prospective tenant may appeal against or complain about the length of the fixed-term tenancy offered and the type of tenancy offered, and against a decision not to grant another tenancy on the expiry of the fixed-term.

The District Council expects related RP tenancy policies, to:

- Set out to whom appeals or reviews should be made (this is expected to be a more senior officer that wasn't involved in the original decision) and how they can be made;

Agenda Item 7

- Give timescales for dealing with appeals or reviews;
- Set out how the tenant can take their appeal or review further if they are dissatisfied with the response i.e. to a tenant panel or Housing Ombudsman and where they may get independent advice; and
- Be accessible and easily available i.e. published on websites/available in local offices.

Equalities

The public sector equalities duty under the Equality Act 2010 requires public bodies in exercising their functions to have due regard to the need to eliminate unlawful discrimination and to advance equality of opportunity. RPs should consider equalities when rent setting, managing and terminating social housing tenancies. Equalities impact assessments on RP tenancy policies are considered the best way of demonstrating due regard.

Monitoring and review

The District Council will need to monitor the impact of this policy against the objectives it is trying to achieve as outlined in both the Housing Strategy and West Kent Homelessness Strategy.. The Government guidance suggests 5 years but this Council will monitor the situation regularly and if necessary undertake earlier reviews before that period of time. These reviews will reflect economic, environment changes, legislation, and Government guidance and local issues..

Comments/feedback

If you would like to comment and/or feedback on this document, please email jane.ellis@sevenoaks.gov.uk or send to the following postal address: (email address as per consultation docs)

Sevenoaks District Council
Social Housing Team
Council Offices
Argyle Road
Sevenoaks
Kent TN13 1HG

Abbreviations

| | |
|------|-------------------------------------|
| LHA | LOCAL HOUSING ALLOWANCE |
| RP | REGISTERED PROVIDER |
| SDHR | SEVENOAKS DISTRICT HOUSING REGISTER |
| WKHA | WEST KENT HOUSING ASSOCIATION |
| | |
| | |
| | |

APPENDIX A

KEY HOUSING DATA

Sevenoaks District Housing Register (SDHR)

| Live applications (as at November 2012) | |
|---|--------------|
| 1-bedroom | 785 |
| 2-bedrooms | 388 |
| 3-bedrooms | 248 |
| More than 3-bedrooms | 62 |
| Not stated | 2 |
| Total | 1,485 |

Historic lettings through SDHR

| SDHR | 2007/08 | 2008/09 | 2009/10 | 2010/11 | 2011/12 |
|--------------|---------|---------|---------|---------|---------|
| Total number | 313 | 409 | 339 | 323 | 300 |

Number of rent-in-advance/deposit bonds issued in private sector

| Year | Number |
|---------|--------|
| 2008/09 | 77 |
| 2009/10 | 72 |
| 2010/11 | 59 |
| 2011/12 | 20 |

Local Housing Allowance (LHA)

The Sevenoaks District falls within two Broad Rental Market Areas (BRMAs) - these being North-West Kent and High Weald. As at November 2012, weekly LHA rates were as follows:

| Accommodation types | NW Kent BRMA | High Weald BRMA |
|----------------------|--------------|-----------------|
| Shared-accommodation | £68.27 | £77.00 |
| One-bedroom | £121.15 | £130.38 |
| Two-bedrooms | £150.00 | £171.92 |
| Three-bedrooms | £167.31 | £201.92 |
| Four-bedrooms | £229.62 | £323.08 |

Directgov (November 2012)

Agenda Item 7

Social housing development programme

| Year | Units |
|---------|-------|
| 2007/08 | 61 |
| 2008/09 | 57 |
| 2009/10 | 80 |
| 2010/11 | 51 |
| 2011/12 | 15 |
| 2012/13 | 62 |
| 2013/14 | 127 |
| 2014/14 | 47 |

} Anticipated

House prices - Sevenoaks District (Land Registry, September 2012)

| TYPE | COST |
|----------|----------|
| Average | £448,336 |
| Detached | £695,407 |
| Semi | £353,043 |
| Terrace | £259,478 |
| Flat | £219,919 |

APPENDIX B

Registered Providers in the Sevenoaks District

| | |
|-------------------|----------------|
| West Kent HA | Moat Homes Ltd |
| Places for People | Orbit HA |
| Housing 21 | Servite Homes |
| Hanover HA | Beckett Trust |
| English Rural HA | Anchor Trust |
| | |
| | |
| | |
| | |

List of consulted groups:

West Kent HA
Moat
Orbit HA
Places for People
Rockdale
Shelter Housing Aid
Citizens Advice Bureaux
Kent County Council
Age UK
Home and Communities Agency
English Rural HA
Kent County Council Supporting People
National Landlord Association
Planning Policy team
Community Development team
Tenancy Boards
Sevenoaks District Housing Register applicants

Feedback from the groups listed above

1) Tenancies types/options

In the main, five-year tenancies are supported in the Sevenoaks District – but there are some circumstances where shorter terms will be desirable. During consultation, tenants supported this option but agreed each case should be considered on its merit.

Fixed-term

Tenants generally support probationary tenancies because the more vulnerable households are given support to pay their rent and minimise anti-social behaviour. Without a probationary tenancy some tenants would have quickly been evicted.

Two-year

During consultation with RP tenants it was identified that some are concerned about such short tenancies and that it may create a negative approach to their housing due to insecurity and the Council is mindful of this.

Any issues regarding tenancy concerns are usually dealt with through probationary tenancies.

Five-year

This view was generally agreed by tenants.

Life

Through consultation some tenants raised the issue of families with disabled children having life time tenancies. It is understood that RPs will look at these on case by case basis.

Tenancy renewal

- During consultation some tenants felt that 1 year before tenancy end was an appropriate time to consider renewal

Affordable Rent

Affordable rent levels must not prohibit or prevent tenants or household members from looking for work by creating a benefits trap

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COMMUNITY RIGHT TO BID

Cabinet – 7 February 2013

Report of the: Chief Executive Designate

Status: For Decision

Executive Summary: This report summarises the duty placed on local authorities in the Localism Act 2011 to administer Assets of Community Value. Assets of Community Value, also known as the Right to Bid, allow relevant bodies to request that a local building or area of land is added to a list for having a value to the community. If an asset is placed on the List of Assets of Community Value it requires the land owner to allow the relevant body up to six months to determine whether they wish to bid to buy the asset once it is decided that the asset will be put up for sale. After the six month period ends the land owner is free to sell their property on the open market to whomever they choose.

This report updates Members on the Councils procedures for administering the Right to Bid and proposes that a Members Advisory Group is established to assist the Council in making a decision on each nomination that it receives.

This report supports the Key Aim of the Corporate Plan ‘ Effective Management of Council Resources’

Portfolio Holder Cllr. Mrs Davison

Recommendation to Cabinet: It is resolved that Cabinet:

- (a) Endorse the Council’s procedures for the administration of the Right to Bid process;
 - (b) Approve that a Members Advisory Group is established to assist the Council in determining nominations under the Right to Bid; and
 - (c) Nominate 12 Members to sit on the Members Advisory Group and to nominate a Chairman and Vice Chairman of the Group.
-

Reason for recommendation: The Council has a duty under the Localism Act 2011 to accept and consider nominations to register Assets of Community Value. By adopting a clear set of effective and efficient procedures the Council will have a consistent and transparent approach to how it will assess nominations and ensure that all relevant parties are properly informed as the process develops. Failure to adopt a clear and effective procedure may result in confusion on what qualifies as a community asset and could lead to relevant bodies missing an opportunity to bid for an asset.

Agenda Item 8

Introduction

- 1 Part 5, Chapter 3 of the Localism Act 2011 provides the legislative framework for Assets of Community Value. Now being termed by Government as the Right to Bid, the legislation allows for relevant bodies to request that a building or other land is registered as having a value to the community by furthering the social wellbeing or social interests of the local community. Local authorities must consider each nomination they receive and either register the asset as being of community value or add it to a register of unsuccessful nominations.
- 2 The Assets of Community Value section of the Localism Act was enacted on 21 September 2012. Subsequent to enactment the Government published the final regulations that local authorities required to ensure the processes they adopt in managing nominations under the Right to Bid scheme are in accordance with legislation.
- 3 This report provides Members with an update on the legislation and regulations that the Council is required to follow in determining its approach to the Right to Bid and sets out a proposal for a decision making process that will help ensure informed and effective determination of nominations for community assets.

Community Right to Bid Guidance

- 4 The Localism Act and associated regulations issued by the department for Communities and Local Government set out the processes that the Council must follow in considering its approach to the Right to Bid.
- 5 To assist Members, officers and community groups the Council has developed its own Community Right to Bid Guidance. The Guidance is a summary of the key elements of the legislation and regulations and provides information on how to nominate an asset under the Right to Bid.
- 6 The Community Right to Bid Guidance is available as background information to this report on the Council website (www.sevenoaks.gov.uk/righttobid) and includes information regarding:
 - Those groups eligible to nominate assets for inclusion on the list of community assets;
 - What type of assets can be nominated for inclusion on the list of community assets;
 - The requirements on the Council; and
 - The disposal of assets which are included on the list of community assets.
- 7 A summary of the details of each of these requirements is set out in the following sections of this report.

Nominating an asset

- 8 Nominations for assets of community value must be made by voluntary or community bodies. These are defined as:

- A body designated as a neighbourhood forum under the Town and Country Planning Act;
 - Town and Parish councils;
 - Unincorporated bodies with at least 21 individual members and which does not distribute any surplus it makes to its members;
 - Charities;
 - Company limited by guarantee which does not distribute any surplus it makes to its members;
 - Industrial and provident society which does not distribute any surplus it makes to its members; and
 - Community interest companies.
- 9 Each of these groups (except Town & Parish Councils in which the asset is located) will need to demonstrate a local connection. A local connection can be summarised as the body's activities being wholly or partly concerned with the local authority's area or a neighbouring local authority area
- 10 Nominations for community assets must all be made in writing and must include the following details:
- Evidence that the nominating body is eligible to make a nomination;
 - A description of the nominated asset including its proposed boundaries – for example, as demonstrated by Land Registry title documents and supporting maps which are less than one month old;
 - A statement of all information which the nominator has with regard to the names of current occupiers and the names and current, or last known addresses of all those holding a freehold or leasehold estate in the land; and
 - Reasons for thinking that the Council should conclude that the land is of community value.
- 11 To assist groups in making their nominations the Council has developed its own nomination form. The Nomination Form, is available as background information to this report on the Council website (www.sevenoaks.gov.uk/righttobid) and has been designed to collect all of the information the Council requires to make its decision on the community value of the asset nominated.

Community Value

- 12 Both privately and publicly owned land and buildings may be nominated where it is considered that the asset has 'community value'. Community value is defined as:
- The principle use of the asset currently, or in the recent past, has furthered the social wellbeing or cultural, recreational or sporting interests of the local community; and
 - That there will continue to be a use of the asset that furthers the social wellbeing or cultural, recreational or sporting interests of the local community.

Agenda Item 8

- 13 Where an asset does not currently demonstrate 'community value', it may still be nominated as a community asset. The nominating body would be required to demonstrate that the asset's main use did further the social wellbeing or cultural, recreational or sporting interests of the local community in the recent past and that it is realistic to think that it will do so again in the next five years.
- 14 The legislation does provide for a limited number of exemptions where land or buildings cannot be considered as being of community value. These can be summarised as residential property or land attached to a residential property; land covered by the Caravan Sites Act; and land used by public utilities.

The role of Sevenoaks District Council

- 15 The council has a duty to consider each nomination it receives for assets to be listed as having 'community value'. From the date at which a nomination is received the council has eight weeks to make its decision.
- 16 The council is required to take all practical steps to notify the relevant Town or Parish council, the owner of the asset, the freeholder and any leaseholder of the land and any lawful occupant that the asset is being considered for listing as a community asset. In addition the council has committed to informing the relevant local District Council Member(s) where a nomination has been received for an asset in their ward area.
- 17 Once the council has reached a decision on each nomination it is required to notify the same groups of the decision that has been reached and the reasons the council has arrived at its decision.
- 18 The right to appeal the council decision is reserved to the owner of the asset. Appeals must be submitted in writing within eight weeks of the date the council gave written notification of its decision to list the land.
- 19 The Council is required to publish two lists detailing the nominations made by community bodies and the decision the council has made in respect of each of the nominations.
- 20 The List of Assets of Community Value will be a record of all successfully nominated assets. It will record details of the community group making the nomination and details of the location and description of the asset.
- 21 The List of Assets Nominated by Unsuccessful Community Nominations is a record of those assets that the council decided were not of community value and are therefore not included in the other list. The intention of this list is to make it transparent to community and voluntary bodies those assets where a decision has been made, the reasons for that decision and the date from which the council would accept a further nomination in respect of that asset.
- 22 Assets will be listed for a period of five years before a further nomination will be required to maintain the assets listing. Each list must be published on the Council website and copies of the lists must also be available for inspection at the Council Offices.

- 23 Where an asset is deemed to be an Asset of Community Value it is the responsibility of the council to also ensure that it is recorded as a local land charge against that property or parcel of land.

Decision Making Process

- 24 The legislation sets out that the decision on whether an asset is of community value is an officer decision. It also prescribes that any appeal against the council's initial decision on the community value of an asset must be decided by an officer not involved in making the initial decision and who is senior to the officer making the initial decision.
- 25 The Council has established a small group of officers to assess each nomination. Chaired by the Head of Community Development, the Group also includes the Head of Legal & Democratic Services, the Head of Housing & Communications, the Group Manager – Planning, the Professional Services Manager and the Policy & Performance Manager.
- 26 To provide information on the local context and to advise officers in making an assessment of the community value of each asset nominated it is proposed that a Members Advisory Group is established. It is proposed that up to 12 Members would be available to sit on a group with a quorum of three. Within the 12 Members it is requested that Cabinet recommend a Chairman and Vice Chairman of the Group.
- 27 To help prevent conflicts of interest arising it is recommended that Members that are the landowner, sit on a Town or Parish Council that owns an asset or otherwise have a direct interest in a community or voluntary body submitting a nomination would not be able to sit on the Members Advisory Group for the consideration of the community value of that asset.
- 28 It is envisaged that the Officers Group would meet within two weeks of a nomination being received to ensure that the nomination is valid and contains sufficient information for a decision on the community value of the asset to be made. The Members Advisory Group would meet no sooner than four weeks after a nomination has been received and no later than six weeks after a nomination has been received. This would allow sufficient time for Officers to communicate the outcome of the nomination within the eight week timescale set out in legislation.
- 29 It is proposed that wherever possible the Council seeks to consistently make decisions on nominations in six weeks. This target timescale will be applied to all nominations to ensure consistency of approach and fairness to all nominating groups and landowners whose assets may be subject to the Right to Bid.

Disposal of a Community Asset

- 30 Where an asset is included in the list of assets of community value, the owner is required to notify the council in writing of their intention to dispose of the asset.
- 31 Once notified the Council must set out in writing to the asset owner the regulations that need to be followed before the asset can be disposed and the moratorium

Agenda Item 8

time periods that take effect. In addition the Council must notify the nominating body in writing, update the list of assets of community value and publish details in the area where the asset is situated that a notice of intention to dispose of the asset has been received.

Moratorium Periods

- 32 On the date the council receives a notification from an asset owner of their intention to dispose of an asset an interim moratorium period applies for six weeks. During this six week period, community and voluntary groups which can demonstrate a local connection may submit an intention to bid.
- 33 If the Council does not receive an intention to bid in this six week period the land owner will be informed that they can proceed with their disposal with no further constraints from the assets of community value legislation.
- 34 If an intention to bid is received by the council from a suitable community group a full six month moratorium period is triggered. During this six month period the asset owner cannot dispose of the asset. This six month period is intended to enable the community group to prepare to submit a bid to the owner to purchase the asset.
- 35 For clarity, the final sale of the asset can take place under normal market conditions. There is no obligation for the community group to make a bid and the group has no rights of purchase over other potential buyers. The owner is under no obligation to sell the asset to the community group or any other person. If the owner decides to sell to the community group, they may do so within the six month moratorium period.
- 36 Once the six month moratorium period has passed, and if the community group has not successfully bought the property, a further 12 month protection period is triggered. During this protection period the asset may be sold by the owner on the open market without the risk of any further moratorium period being triggered.

Compensation

- 37 With the exclusion of public authorities, all other owners of an asset included in the list of assets of community value are entitled to make a claim for compensation from Sevenoaks District Council.
- 38 The claim for compensation can only be in respect of incurred loss or expense in relation to the asset which would not have been incurred if the land had not been listed. Compensation claims must be made in writing within thirteen weeks after the loss or expense was incurred or finished being incurred.
- 39 If the asset owner is not satisfied with the council's decision on their compensation claim they may ask for a review of the decision. The request for review must be made in writing within eight weeks of the date of the council's initial decision.
- 40 Sevenoaks District Council is able to present a claim to Government for the costs of any compensation awarded, but there is no guarantee that this will be funded in

full. Members may wish to note that the Governments own impact assessment estimates that the average value of compensation claims will be £2,000.

Key Implications

Financial

- 41 The administration of the Right to Bid is considered by Government as a new burden. As such New Burdens Funding of £7,706 was received in October 2012 for costs associated with the 2012/13 financial year.
- 42 The Council is also required to assess and make payment on any claims for compensation where land owners are able to demonstrate that as a direct result of the delay of the sale of their asset as a result of complying with the Right to Bid they have incurred losses.
- 43 Payment of compensation will be made by the Council who will then be required to submit a claim to Government for reimbursement. This process carries a level of financial risk to the authority.
- 44 The Council's own assets are also subject to the Right to Bid. As a public authority the Council is not entitled for compensation for any losses incurred as a result of complying with the legislation.

Community Impact and Outcomes

- 45 The Right to Bid affords local voluntary and community groups the opportunity to be given a period of time to accumulate funds and develop bids for assets that are of value to the local community. Maximising opportunities through the Right to Bid provides an opportunity for positive community outcomes by supporting the retention of assets as community assets that support improved social wellbeing or cultural, recreational or sporting interests.

Legal, Human Rights etc.

- 46 Failure to administer the Community Right to Bid in accordance with regulations will leave the Council in breach of the duties placed upon it by the Localism Act 2011.

Resource (non-financial)

- 47 None.

Value For Money and Asset Management

- 48 The Council will seek to deliver the administration of the Community Right to Bid within existing resources. By developing clear guidance for community groups, and implementing effective decision making processes will minimise the need for additional resources and deliver value for money.
- 49 There is potential for the Council's assets to be nominated as being of community value. This places the Council under the same constraints as all other owners of community assets within Sevenoaks District when considering asset disposal.

Agenda Item 8

Equality Impacts

| Consideration of impacts under the Public Sector Equality Duty: | | |
|--|--------|---|
| Question | Answer | Explanation / Evidence |
| a. Does the decision being made or recommended through this paper have potential to disadvantage or discriminate against different groups? | No | The legislation under the Right to Bid promotes community ownership of assets of community value and affords charities and other community groups a window of opportunity to develop bids to purchase assets that support their and local community objectives. |
| b. Does the decision being made or recommended through this paper have the potential to promote equality of opportunity? | Yes | Please see above. |
| c. What steps can be taken to mitigate, reduce, avoid or minimise the impacts identified above? | | None required. |

Conclusions

- 50 The Localism Act 2011 places a duty on the Council to administer the Community Right to Bid in accordance with legislation, regulations and statutory guidance. Right to Bid Guidance and a Nomination Form have been designed to support community and voluntary groups in nominating assets of being of community value, whilst also supporting the needs of the Council in administering the scheme in an efficient manner. A decision making process has been proposed for Members consideration which recommends the formation of a Members Advisory Group to provide information on the local context and to advise officers in making an assessment of the community value of each asset nominated

Risk Assessment Statement

- 51 The Council has set out Guidance and a proposed decision making process that ensures compliance with legislation. Adopting a robust and consultative approach to decision making minimises the reputational risk that may be associated with decisions taken on the community value of privately and publicly owned assets in Sevenoaks District.
- 52 The Council faces a level of financial risk through the enactment of the Right to Bid as the body responsible for assessing and making initial payment of compensation claims, and by virtue of its own assets being subject to the regulations and moratoriums on disposal, but unable to claim any compensation for losses incurred.

Background Papers:

Community Right to Bid Guidance
www.sevenoaks.gov.uk/righttobid

Community Right to Bid Nomination Form
www.sevenoaks.gov.uk/righttobid

Localism Act 2011
<http://www.legislation.gov.uk/ukpga/2011/20/contents>

Community Right to Bid Regulations
<http://www.legislation.gov.uk/uksi/2012/2421/contents/made>

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Chief Executive Designate

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ALLOCATIONS AND DEVELOPMENT MANAGEMENT PLAN DRAFT FOR SUBMISSION AND DRAFT GREEN BELT SUPPLEMENTARY PLANNING DOCUMENT

Cabinet – 7 February 2013

Report of the: Deputy Chief Executive and Director of Community and Planning Services

Status: For decision

Also considered by: LDF Advisory Group – 31 January 2013
Council – 19 February 2013

Key Decision: No

Executive Summary:

This report brings forward the Allocations and Development Management Plan (ADMP) Pre-Submission document for approval prior to public consultation and submission to an independent Inspector. A Pre-Submission version of the ADMP was previously considered by the LDF Advisory Group in October 2012 which required further work to resolve a number of site issues.

In addition, the ADMP is a composite of five separate draft allocation and development management consultation plans. The comments received from five consultation exercises, together with the Council's response, are reported. The Plan has been restructured to bring these draft plans together in a logical order, with consistent wording. The Plan has also been revised to ensure it is consistent with the principles and policies set out in the Government's new National Planning Policy Framework (NPPF, March 2012).

The version that is now reported is the document which the Council would wish to see submitted for independent examination. This version of the ADMP was considered by the LDF Advisory Group on 31 January and their views will be reported to Cabinet orally. A formal decision to publish this pre submission version of the ADMP will be made through Cabinet and Full Council.

The report also contains a draft Green Belt Supplementary Planning Document (SPD) for approval prior to public consultation. When adopted, the SPD will supplement the ADMP with more details about how the Council will consider applications in the Green Belt but it will not contain separate policies.

This report supports all the key aims of the Community Plan

Portfolio Holder Cllr. Mrs Davison

Head of Service Group Manager Planning – Alan Dyer

Recommendations

- a) that the Pre-Submission version of the Allocations and Development Management Plan be approved by Cabinet and Full Council for pre-submission publication
 - b) that the Cabinet approve the draft Green Belt Supplementary Planning Document for public consultation
 - c) the Portfolio Holder be authorised to agree minor presentational changes and detailed amendments to assist the clarity of the document; and
 - (d) copies be made available for sale at a price to be agreed by the Portfolio Holder.
-

Reason for recommendations: To progress the publication and adoption of the Allocations and Development Management Plan and the Green Belt SPD.

Background

- 1 The Allocations and Development Management Plan (ADMP) contains proposals for the development of key sites and detailed development management policies which, in combination with Core Strategy policies, will provide the framework against which future development proposals will be assessed and determined. The ADMP is required to be consistent with the adopted Core Strategy and the National Planning Policy Framework (NPPF), be positively prepared, justified as the most appropriate strategy and deliverable over the plan period. Once the ADMP is adopted as a Development Plan Document (DPD), together with the Core Strategy, it will replace all of the remaining saved policies of the Sevenoaks District Local Plan. The draft document can be taken into account in determining planning applications, but is only afforded limited weight at this stage until it has been externally examined and adopted. The document is included at **Appendix 1** and the related site allocations in **Appendices 2 – 7**.
- 2 Several consultation rounds have taken place on draft proposals for site allocations, development management policies and open space allocations:
 - January - March 2010 – Allocations (Options) consultation
 - May – August 2011 – Development Management Policies consultation
 - September – November 2011 – Open Space Allocations consultation
 - March – May 2012 – Supplementary Site Allocations consultation (10 sites)
 - June – August 2012 – Supplementary consultation on Broom Hill, Swanley
- 3 The comments received from these consultation exercises, together with the Council's response, are summarised in **Appendix 9**.

- 4 The proposed timetable for adoption of the ADMP and consultation on the SPD is set out below.

| Date | Stage |
|---|--|
| Winter 2013 LDFAG (31 January) Cabinet (7 February) Full Council (19 February) | Committee / Cabinet/ Council sign-off of pre-submission plan |
| Spring 2013 | Pre-submission publication consultation Green Belt SPD consultation |
| Summer 2013 | Submission |
| Autumn 2013 | Independent Hearing - 'Examination' |
| Winter 2013 | Inspectors Report |
| Early 2014 | Adoption |

Discussion at Environment Select Committee (4 September) and LDF Advisory Group (9 October)

- 5 The ADMP was considered by Environment Select Committee (ESC) on 4 September. The discussion focused on two sites in Swanley – Broom Hill and United House. The discussion on Broom Hill related to the proposal to remove residential development from the site allocation and the discussion on United House related to the proposal to allocate the site for residential rather than mixed-use.
- 6 The LDF Advisory Group also considered the ADMP on 9 October and following discussion about a number of issues and sites the Group supported the document in the knowledge that discussions continued with local stakeholders/site promoters on site allocations in order to progress the plan to pre-submission publication. The agreed actions have been incorporated into the document and a number of site proposals amended following stakeholder discussions as set out below.
- 7 The ADMP document has been modified since its consideration by ESC and the LDF Advisory Group and the principal amendments are set out in this report.

Agenda Item 9

Allocations and Development Management Plan – Update

Allocations

- 8 Since consideration by the Environment Select Committee and LDF Advisory Group, further research and policy development has been undertaken on a number of sites. Specifically, in order to inform the further assessment of four sites, consultants were appointed to consider the prospects for retaining business uses on the sites. Their report is included as a background document to this report.
- 9 The following sites have also been updated since the draft was last considered by LDF Advisory Group in October 2012, where the Council has worked with site promoters and local stakeholders to finalise the allocations:

Housing Allocations

- 10 The full revised list of housing allocations and the approximate capacity for each site is set out in Policy H1 of the ADMP and is reproduced below:

| POLICY H1: RESIDENTIAL DEVELOPMENT ALLOCATIONS | | |
|---|---|-----------------------|
| The following sites, as defined in Appendix 3, are allocated for residential development purposes to deliver the Core Strategy housing requirements (3,300 units) over the period until 2026. | | |
| These sites will provide for a range of housing types, density, mix and tenure and will be subject to the site areas and design guidance as set out in detail at Appendix 3. | | |
| REF | SETTLEMENT/SITE ADDRESS | APPROXIMATE NO. UNITS |
| <u>Sevenoaks Urban Area</u> | | |
| H1(a) | Car Park, Hitchen Hatch Lane | 17 |
| H1(b) | Cramptons Road Water Works, Cramptons Road | 50 |
| H1(c) | Sevenoaks Gasholder Station, Cramptons Road | 35 |
| H1(d) | School House, Oak Lane & Hopgarden Lane | 19 |
| H1(e) | Johnsons, Oak Lane & Hopgarden Lane | 18 |
| H1 (f) | Greatness Mill, Mill Lane | 20 |
| | Sub Total | 159 |
| <u>Swanley</u> | | |
| H1(g) | Bevan Place | 46 |
| H1(h) | Bus Garage/Kingdom Hall, London Road | 30 |
| H1(i) | Land West of Cherry Avenue (mixed housing and open space) | 50 |
| | Sub Total | 126 |
| <u>Other Settlements</u> | | |
| H1(j) | 57 Top Dartford Road, Hextable | 14 |
| H1(k) | Foxs Garage, London Road, Badgers Mount | 15 |
| H1(l) | Land adjacent to London Road, Westerham | 30 |
| H1(m) | Currant Hill Allotments, Westerham | 20 |
| H1(n) | Land at Croft Road, Westerham | 15 |

| | | |
|--------|------------------------|-----|
| H1 (o) | Warren Court, Halstead | 15 |
| | Sub Total | 109 |
| | GRAND TOTAL | 394 |

United House, Swanley

- 11 On the basis of the consultants report, the United House site has been deleted as a housing allocation and is instead allocated for mixed use development (see below).

Manor House, New Ash Green

- 12 Consultants have recommended that part of the site could have potential for office use, but that the remainder of the site could be released from business use and developed for housing. These detailed considerations can be assessed as part of the Neighbourhood Plan for Ash-cum-Ridley Parish. On the recommendation of the LDF Advisory Group, the site is left as non-allocated land which will allow consideration through a Neighbourhood Plan or through planning applications for the site which would be considered on their merits.

Mixed Use Allocations

- 13 The full revised list of housing allocations and the approximate capacity for each site is set out in Policy H2 of the ADMP and is reproduced below:

| POLICY H2: MIXED USE DEVELOPMENT ALLOCATIONS | | |
|---|---|------------------------------------|
| The following sites (0.2 hectares or greater), as defined in Appendix 5, are allocated for mixed use development that incorporates an element of residential development. | | |
| These sites will provide for a range employment, retail and community facilities in addition to housing types, density, mix and tenure considered appropriate. | | |
| REF | SETTLEMENT/SITE ADDRESS | INDICATIVE SITE CAPACITY NO. UNITS |
| H2(a) | BT Exchange, South Park, Sevenoaks | 25 |
| H2(b) | United House, Goldsel Road, Swanley | 185 |
| H2(c) | Swanley Centre, Nightingale Way, Swanley (only as part of regeneration proposals) | 0 |
| H2(d) | Station Approach, Edenbridge | 20 |
| H2(e) | New Ash Green Village Centre, New Ash Green (only as part of regeneration proposals) | 50 |
| H2(f) | Powder Mills (Former GSK Site), Leigh | 60 |
| TOTAL | | 340 |

Agenda Item 9

Land West of Bligh's meadow, Sevenoaks

- 14 This site now has planning permission and has been removed from the mixed use allocations.

United House, Swanley

- 15 On the basis of the consultants report, the United House site has been allocated for mixed use development.
- 16 The detailed assessment revealed the two storey Gate House and Main Office blocks were refurbished in the 1970s and contain a combination of open plan and cellular offices. There are no lifts in either building. A further ancillary office block, North Block, is located at the northern edge of the site, which was built approximately 50 years ago. Total office floorspace on the site is currently approximately 2,500 sqm. The Main Warehouse is approximately 50 years old, may also have asbestos (according to an independent report) and has relatively low eaves which are considered unsuitable for modern users and uses.
- 17 The report concludes that the site's constrained location and access do not lend themselves to logistical or manufacturing uses. Similarly, retaining the Main Office and Gate House for office use may impact negatively on marketability of site as these offices would require significant investment to bring up to modern standards by way of fitting lifts to ensure they are DDA compliant and introducing air conditioning throughout. Nevertheless, demand and supply of office uses in Sevenoaks District is broadly in balance over the long-term and existing provision should be retained on suitable sites. The recommended viable option is to allow redevelopment of most of the site for residential use with new office space to be provided on the existing car park closest to Goldsel Road which has the highest visibility in the site. In relation to density, the sustainable location of the site and its context make it suitable for a density of approximately 75 dwellings per hectare.
- 18 In terms of the potential conflicts with existing adjoining employment uses, Environment Health officers have confirmed that acceptable noise mitigation measures can be achieved to allow residential development to co-exist with existing surrounding business uses. Nevertheless, residential development in this location would require a substantial on site provision of open space which should be allocated within the central part of the site creating a buffer with existing employment uses.
- 19 The recommended option is in line with the recommendation in the Employment Land Review (December 2012) and is illustrated on the plan below. This would provide new office space of circa 2,000 -2,300 square metres on the existing car park closest to Goldsel Road which is the highest visibility part of the site. Open space provision is also required (0.7ha) and is best located close to a public footpath connecting the site to the residential area to the south and abutting the adjoining industrial use and the central part of the site is allocated as public open space within in the AMDP. The recommended option is also to allow redevelopment of the remainder of the site (3.17ha) for residential uses. At a density of approximately 75 dwellings per hectare, this would give a residential

capacity on the remainder of the site of approximately 185 dwellings.



GSK Major Developed Employment Site

20 Following consultant reports on the GSK Major Developed Employment site and further consideration of the functional floodplain and open space requirements, the approximate residential capacity for the site has been amended to 60 dwellings.

21 The impact of the above changes to the housing land supply is summarised below:

| Summary of Housing Supply Components as at 1 April 2012 | No. of units |
|--|---------------------|
| Completions 2006 - 2012 | 1,360 |
| Permissions (at 01.04.2012) | 970 |
| Permissions granted on Proposed Allocations since 01.04.12 | 44 |
| Windfall Allowance Small Sites 2017 - 2026 | 432 |
| Proposed Housing Allocations | 394 |
| Proposed units from Mixed Use Allocations | 340 |

Agenda Item 9

| | |
|--------------|--------------|
| TOTAL | 3,540 |
|--------------|--------------|

Land for Business

Trading Estate to the rear of Premier Inn, Swanley

- 22 The consultants report states that the site is mostly in retail use rather than office or industrial use and therefore protection as land for B1 – B8 uses under Policy EMP1 is inappropriate. For this reason it is proposed that the site should be left as non-allocated land allowing any applications for the site to be considered on their merits.

Swanley Library and Information Centre

- 23 The site is not primarily in office or industrial use and therefore protection as land for B1 – B8 uses under Policy EMP1 is inappropriate. The site is located within the designated Swanley Town Centre and any development proposals would best be considered under the town centre policy LC2. The loss of the facilities located in this area would be protected by Policy CF2. For these reasons it is proposed to delete this area from Policy EMP1.

Lime Tree Walk, Sevenoaks

- 24 The site was surveyed and found suitable for future employment use in the Employment Land Review. The site is therefore proposed to be protected for business use under Policy EMP1.

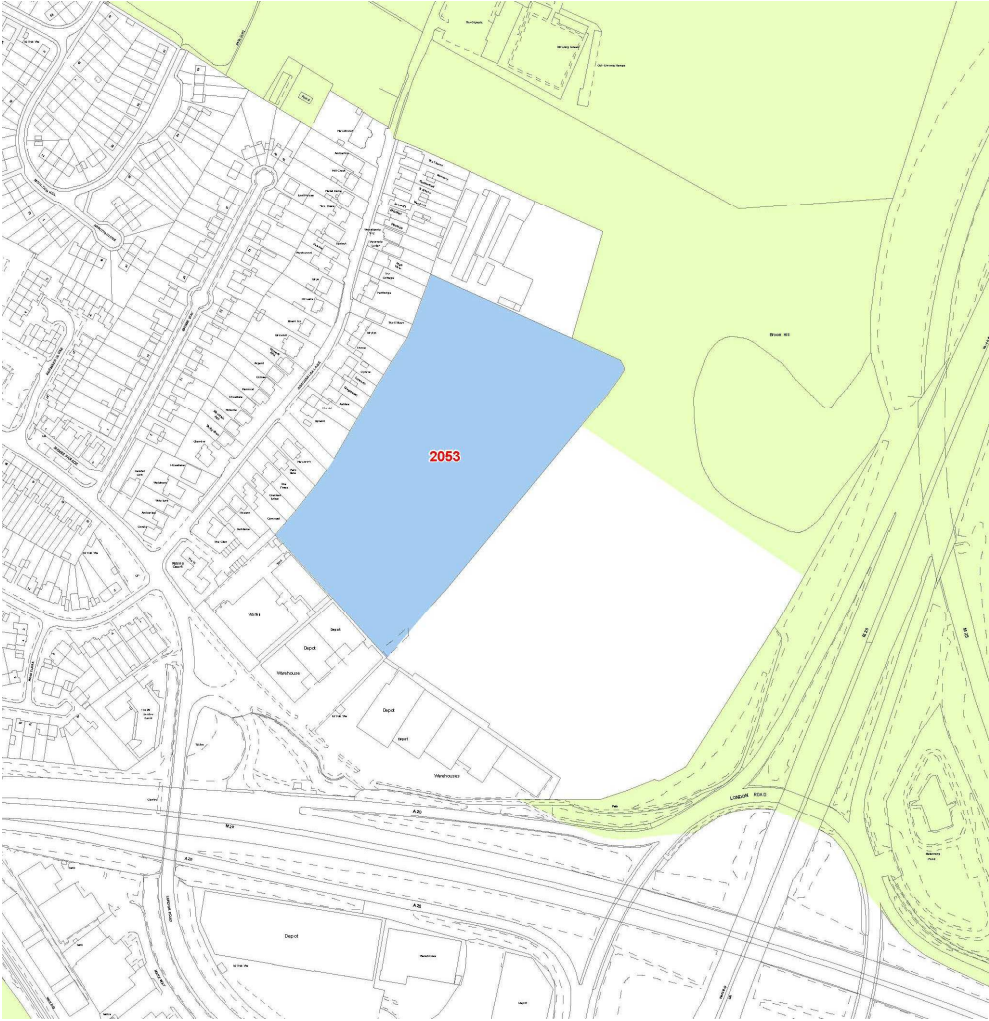
Open Space

- 25 The Open Space sites for protection were considered by the LDF Advisory Group on 7 September 2011 prior to the public consultation during September – November 2011. The summary of comments and officer responses to the public consultation and updated maps were considered by the LDF Advisory Group on 12 March 2012. The following changes have been made to the Open Space sites for protection since March 2012:

Additional area of natural and semi natural open space in Swanley at Broom Hill

The area shaded blue on the map below replaces a potential housing allocation contained in the Supplementary Site Allocations consultations in 2012 with an open space designation as the most appropriate use for the site. This accords with the recommendation of the LDF Advisory Group in October where the case for making this change is set out.

Additional area of natural and semi natural open space: Broom Hill, Swanley



Agenda Item 9

Removal of part of allotment open space in Westerham at Currant Hill allotments

For consistency with the housing allocation H1(m) the area outlined in red on the map below is to be removed from the draft open space designation.



Extension of natural and semi natural open space adjoining Bubblestone Road in Otford.

The amendment has been made in response to consultation response from Otford Parish Council Area. The site outlined in red on the map below forms part of the natural and semi natural environment surrounding Bishop's Palace and should be allocated in the same way as adjoining land.



Development Management Policies

- 26 The Plan has been restructured to bring the Allocations DPD and the Development Management Policies DPD together in a logical order. The consistency of wording between and within the former two documents has been improved. The Plan has been revised to ensure it is consistent with the principles and policies set out in the Government’s new National Planning Policy Framework and so that it does not repeat Core Strategy policies. As the ADMP will be read as a whole, cross-referencing of Plan policies is not necessary and has been avoided.
- 27 The following policies which overlapped have been combined. This simplification does not change the impact of the policies which will not be diminished as a result.

| Former Policy | ADMP Combined Policy | Reason |
|---|--|---|
| Policy SC1 - Design Principles Policy SC4 – Crime and Disorder | Policy EN1 – Design Principles | Policy SC4 is covered in Policy SC2(h). Policy SC2(h) and the reasoned justification has been expanded to cover safe and secure environments. |
| Policy LC4 - Neighbourhood Centres Policy LC 5 – Village Centres | Policy LC4 – Neighbourhood and Village Centres | The criteria in the policies were exactly the same. The policies have now been combined. |
| Policy SC6 - Re-use of School Playing Fields Policy GI2 – Open Space | Policy GI2 – Loss of Open Space | Both policies sought to protect against the loss of open space with the same criteria. The policies have now been combined. |
| Policy LT1 – Hotels and Tourist Accommodation Policy LT2 - New Tourist Attractions and Tourist Facilities. | Policy LT1 – Tourist Accommodation and Visitor Attractions | Both policies sought to encourage hotels and tourist attractions. Former LT1 sought to protect hotels only. LT2 did not seek to protect tourist attractions. The new policy seeks to encourage tourist accommodation and facilities and to protect both types of use. |

Agenda Item 9

Green Belt Boundary

- 28 The Core Strategy established that Green Belt land was not required to meet the Council's development needs up to 2026. However, in line with paragraph 4.1.17 of the Core Strategy the Council undertook a public consultation into the proposed Development Management Policies section of the emerging Allocations and Development Management Plan in May-Aug 2011. The consultation provided opportunity for land owners to promote examples of Minor Green Belt Boundary Amendments where it was felt that the land no longer contributed to Green Belt openness and where exceptional circumstances exist that would justify an amendment to the settlement boundary. At this time there was an opportunity to put forward proposals for The Council received 18 submissions for Green Belt Boundary Amendments. Following the consultation, officers considered all the comments received including the proposed Green Belt Boundary Amendments and a schedule of responses is included on Pages 63 - 71 and 74 - 80 in Appendix 9.
- 29 The Council concluded that there are two instances of sites demonstrating exceptional circumstances that warrant a minor amendment of the green belt boundary. Minor changes to the Green Belt boundary require a new policy to be added to the ADMP. No other Green Belt Boundary Amendments are proposed within the Allocations and Development Management Plan draft for submission however, all representations made regarding the draft submission will be considered by a Planning Inspector at an Independent Examination.
- 30 The following Policy has been added to the ADMP:

| |
|--|
| New Policy |
| POLICY GB10 – GREEN BELT BOUNDARY |
| The Green Belt boundary will be maintained with the exception of small scale adjustments. |
| a) Land at Billings Hill Shaw, Hartley, as defined in Map 4, is designated as Green Belt land |
| b) Land at Warren Court, Halstead, as defined in Map 4, is removed from the Green Belt |
| (Maps of the relevant areas are included in the ADMP) |

- Fort Halstead
- 31 Fort Halstead is a Major Developed Employment Site within the Green Belt that was originally a Ministry of Defence research establishment and is still occupied by defence related industries. DSTL has announced its intention to withdraw from the site by 2016. The Council is working with the owners and other interested parties to develop achievable proposals for the future use and redevelopment of the site. The Council's starting point will remain the policy framework provided by the Core Strategy and relevant national policy. The Green Belt and AONB status of the site constrains the scale of development that can acceptably be

accommodated. However, there is substantial development on the site at present and it remains an important employment site. The Council will expect future redevelopment to be employment-led, though it recognises that in view of the size of the site there may be some scope for widening the mix of uses subject to policy considerations. These include the requirement for the resultant development to comply with sustainability principles, including sustainable transport proposals for accessing the site. The Council has amended Policy EMP3 (Fort Halstead) which states the broad principles that will apply when redevelopment proposals are being considered.

Green Belt SPD

- 32 A Green Belt Supplementary Planning Document (SPD) has been prepared which provides additional interpretation of the Green Belt policies set out in the Allocations and Development Management Plan (see Appendix 10). It covers new buildings and provides a local interpretation of NPPF policy, which allows for limiting infilling in villages, provided it does not have an adverse impact on the openness of the Green Belt. The document also covers conversions, extensions, replacement dwellings, commercial development, agriculture, leisure, change of use and it provides design guidance and worked examples of how policies will be applied. This document will be reported back to committees and Cabinet for review, together with any consultation comments received, prior to its adoption
- 33 The SPD was considered by Environment Select Committee on 4 September and the LDF Advisory Group on 9 October and, in conjunction with the Allocations and Development Management Plan, was noted and supported and recommended to Cabinet. Presentational amendments are now incorporated in this SPD.

Conclusion and Next Steps

- 34 The ADMP has been reviewed and updated in relation to progress on allocated sites, the amalgamation of plans and the publication of the NPPF. The report enables Members to consider changes to the plan.
- 35 It is recommended that the Pre-Submission version of the Allocations and Development Management Plan be approved by Cabinet and Full Council for pre-submission publication and that that the Cabinet approve the draft Green Belt Supplementary Planning Document for public consultation.
- 36 Following publication of the ADMP there will be a further opportunity to make representations before submission for independent examination to confirm the soundness of the plan.

Options

- 37 The options are to agree, vary or reject the documents. The documents are considered appropriate to assist in achieving the detailed objectives of the Core Strategy.

Key Implications

Financial

Agenda Item 9

- 38 Budgetary provision has been made for the cost involved in preparing the ADMP and Green Belt SPD. Combining the site allocations and development policies into one document will achieve a significant budget saving in publication and examination costs compared with maintaining two separate DPDs. Combining the consultation on the AMDP and SPD also represents the most efficient use of resources.

Community Impact and Outcomes

- 39 These issues are addressed in the preparation of the documents concerned.
- 40 The Council has undertaken Sustainability Appraisal (SA) of the sites and policies, which have been published alongside the consultation documents, to ensure that the decision-making process takes into account the Government's key objective of Sustainable Development. The purpose of this document is to appraise a number of alternative approaches to Site Allocations and Development Management Policies that have emerged (subsequent to previous iterations of the policies). The appraisal findings from this SA have informed the preparation of the pre-submission plan.

Legal, Human Rights etc.

- 41 The preparation of an LDF is a requirement under planning legislation. The adopted Allocations and Development Management Plan and Green Belt SPD will form part of the "Development Plan" and has special status in the determination of planning applications. Production of DPDs is in accordance with the Town and Country Planning Local Development (England) Regulations 2004 (as amended).

Equality Impacts

| The Council has undertaken an Equalities Impact Assessment (EQIA) of the ADMP Pre-Submission document, and by association the SPD, to ensure that the decision-making process takes into account equalities issues. The EQIA assesses if there is anything in the policy document that could discriminate or put anyone at a disadvantage, particularly in relation to hard to reach groups. | | |
|--|--------|--|
| Question | Answer | Explanation / Evidence |
| a. Does the decision being made or recommended through this paper have potential to disadvantage or discriminate against different groups in the community? | No | The EQIA concludes that the ADMP and by association the SPD do not have a differential impact which will adversely affect any groups in the community. |
| b. Does the decision being made or recommended through this paper have the potential to promote equality of opportunity? | Yes | The ADMP and by association the SPD are expected to have a positive impact on those people within the community who share the following characteristics: Age: Policy EN1: Design Principles ensures that new development is designed to a high |

| <p>The Council has undertaken an Equalities Impact Assessment (EQIA) of the ADMP Pre-Submission document, and by association the SPD, to ensure that the decision-making process takes into account equalities issues. The EQIA assesses if there is anything in the policy document that could discriminate or put anyone at a disadvantage, particularly in relation to hard to reach groups.</p> | | |
|---|--------|--|
| Question | Answer | Explanation / Evidence |
| | | <p>quality and should be inclusive and make satisfactory provision for the safe and easy access of those with disabilities.</p> <p>The Town Centre and Shopping policies seek to achieve maintain vital and viable town centres in Sevenoaks, Swanley and Edenbridge that offer the quality, range and diversity of retail, services and community facilities to meet the needs of the population they serve.</p> <p>The local centre policies aim to ensure that shops and services in the defined neighbourhood and village centres provide a range of day to day facilities for local residents and, therefore, reducing the need to travel.</p> <p>Some housing allocations have been identified as potentially suitable for older people/those with special needs.</p> <p>Disability: Policy EN1: Design Principles ensures that new development is designed to a high quality and should be inclusive and make satisfactory provision for the safe and easy access of those with disabilities.</p> |
| <p>c. What steps can be taken to mitigate, reduce, avoid or minimise the impacts identified above?</p> | | <p>The EQIA concludes that the ADMP does not have a differential impact which will adversely affect any groups in the community therefore no steps are required.</p> |

Sustainability Checklist

42 The ADMP is accompanied by a Sustainability Appraisal (see Background Papers).

Risk Assessment Statement

43 LDF documents are subject to independent examination and the principal risk involved with their preparation is that the examination finds the document to be unsound. The ADMP should be consistent with national policy, align with the

Agenda Item 9

adopted Core Strategy, be positively prepared, justified as the most appropriate strategy, and deliverable over the plan period. The document will progress to publication in which the Council will be required to meet the requirements as set out in the Town and Country Planning Local Development (England) Regulations, at which time it will formally seek the views of key stakeholders in accordance with the Council's Statement of Community Involvement. The outcome of these processes is unknown but the Local Planning Authority has sought to comply with the tests to which the ADMP will be subjected.

Appendices

Please note: All the appendices are available electronically and paper copies can be provided to Members on request.

Appendix 1 – Allocations and Development Management Plan Pre-Submission document (Separate Document)

Appendix 2 - Policy H1 - Housing Allocation Maps and Development Guidance (Separate Document)

Appendix 3 – Policy Emp1 - Land For Business Allocation Maps (Separate Document)

Appendix 4 – Policy H2 - Mixed Use Development Allocation Maps (Separate Document)

Appendix 5 - Policy Emp2 - Major Developed Employment Sites In the Green Belt (Separate Document)

Appendix 6 - Town And Local Centre Maps (Separate Document)

Appendix 7 - Policy Lc4 – Neighbourhood and Village Centre Maps (Separate Document)

Appendix 8 – Policy Gi2 - Open Space Allocations (Separate Document)

Appendix 9 - Summary of Public Consultation (Separate Document)

Appendix 10 – Draft Green Belt Supplementary Planning Document (Separate Document)

Background Papers:

[Core Strategy, adopted February 2011](#)

Sustainability Appraisal, January 2013

Duty to Cooperate Statement, January 2013

Employment Land Review in relation to:

- [United House, Swanley](#)
- [Manor House New Ash Green](#)
- [Trading Estate to r/o Premier Inn, Swanley](#)
- [West Kingsdown Industrial Estate](#)

URS, December 2012.

Equality Impact Assessment

Contact Officer(s):

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Kristen Paterson

Deputy Chief Executive and Director of Community and Planning Services

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LOCAL DEVELOPMENT FRAMEWORK

ALLOCATIONS AND
DEVELOPMENT MANAGEMENT PLAN

DRAFT FOR SUBMISSION
JANUARY 2013

ABOUT THE ALLOCATIONS AND DEVELOPMENT MANAGEMENT PLAN

The Allocations and Development Management Plan is being prepared as part of the Sevenoaks District Local Development Framework (LDF). We have previously consulted on 'options' for site allocations, the protection of open space and development management policies.

This version of the document is the Council's draft for submission and represents the version of the document that the Council wish to submit for independent examination.

How to comment

By completing the form online (www.planningconsult.sevenoaks.gov.uk); or

Email ldf.consultation@sevenoaks.gov.uk; or

By completing and returning the consultation response form; or

Downloading additional copies of the response form at www.sevenoaks.gov.uk

How to view the Consultation Documents

The consultation documents consist of the following parts:

Allocations and Development Management Plan

Consultation Response form;

Sustainability Appraisal Report – separate document.

All these documents can be viewed at www.sevenoaks.gov.uk/ldfconsultations

Hard copies can be viewed at Sevenoaks District Council offices and public libraries throughout the District (see www.sevenoaks.gov.uk for opening hours) during the consultation period.



**ALLOCATIONS AND DEVELOPMENT MANAGEMENT PLAN
DRAFT FOR SUBMISSION**

Contents

| | |
|--|-------------------|
| FOREWORD & BACKGROUND INFORMATION | 7 |
| 1 SUSTAINABLE COMMUNITIES & DEVELOPMENT PRINCIPLES | 10 |
| 2 ENVIRONMENT | 14 |
| 3 HOUSING AND MIXED USE DEVELOPMENT | 23 |
| 4 THE ECONOMY AND EMPLOYMENT | 31 |
| 5 TOWN AND LOCAL CENTRES | 39 |
| 6 GREEN INFRASTRUCTURE AND OPEN SPACES | 48 |
| 7 THE GREEN BELT | 58 |
| 8 LEISURE AND TOURISM | 73 |
| 9 COMMUNITY FACILITIES | 77 |
| 10 TRAVEL AND TRANSPORT | 79 |
| GLOSSARY | 83 |
| APPENDIX 1 - REPLACEMENT OF SAVED LOCAL PLAN POLICIES BY THE DRAFT POLICIES FOR CONSULTATION | 89 |
| APPENDIX 2 - KCC INTERIM GUIDANCE NOTE 3 – PARKING STANDARDS | 93 |
| APPENDIX 3 – POLICY H1 - HOUSING ALLOCATION MAPS AND DEVELOPMENT GUIDANCE | Separate Document |
| APPENDIX 4 – POLICY EMP1 - LAND FOR BUSINESS ALLOCATION MAPS | Separate Document |
| APPENDIX 5 – POLICY H2 - MIXED USE DEVELOPMENT ALLOCATION MAPS | Separate Document |
| APPENDIX 6 - POLICY EMP2 - MAJOR DEVELOPED EMPLOYMENT SITES IN THE GREEN BELT | Separate Document |

Agenda Item 9

Draft for Submission – January 2013

APPENDIX 7 – TOWN CENTRE MAPS

Separate
Document

APPENDIX 8 - POLICY LC4 – NEIGHBOURHOOD AND VILLAGE CENTRE MAPS

Separate
Document

APPENDIX 9 – POLICY GI2 - OPEN SPACE ALLOCATIONS

Separate
Document

ALLOCATION AND DEVELOPMENT MANAGEMENT POLICY LISTING

| POLICY REF | CHAPTER / POLICY TITLE | PAGE NO. |
|------------------|---|-----------|
| CHAPTER 1 | SUSTAINABLE COMMUNITIES AND DEVELOPMENT PRINCIPLES | 10 |
| POLICY SC 1 | PRESUMPTION IN FAVOUR OF SUSTAINABLE DEVELOPMENT | 13 |
| | | |
| CHAPTER 2 | ENVIRONMENT | 14 |
| POLICY EN1 | DESIGN PRINCIPLES | 15 |
| POLICY EN2 | AMENITY PROTECTION | 16 |
| POLICY EN3 | DEMOLITION IN CONSERVATION AREAS | 18 |
| POLICY EN4 | HERITAGE ASSETS | 20 |
| POLICY EN5 | OUTDOOR LIGHTING | 20 |
| POLICY EN6 | NOISE POLLUTION | 21 |
| | | |
| CHAPTER 3 | HOUSING AND MIXED USE DEVELOPMENT | 23 |
| POLICY H1 | RESIDENTIAL DEVELOPMENT ALLOCATIONS | 25 |
| POLICY H2 | MIXED USE DEVELOPMENT ALLOCATIONS | 26 |
| POLICY H3 | RESIDENTIAL SUBDIVISION | 28 |
| POLICY H4 | REUSE AND PROTECTION OF EXISTING HOUSING STOCK | 30 |
| | | |
| CHAPTER 4 | THE ECONOMY AND EMPLOYMENT | 31 |
| POLICY EMP1 | LAND FOR BUSINESS | 32 |
| POLICY EMP2 | MAJOR DEVELOPED EMPLOYMENT SITES IN THE GREEN BELT | 33 |
| POLICY EMP3 | REDEVELOPMENT OF FORT HALSTEAD | 34 |
| POLICY EMP4 | BUSINESS ALLOCATION AT BROOM HILL, SWANLEY | 37 |
| POLICY EMP5 | NON ALLOCATED EMPLOYMENT SITES | 37 |
| | | |
| CHAPTER 5 | TOWN AND LOCAL CENTRES | 39 |
| POLICY LC1 | SEVENOAKS TOWN CENTRE | 41 |
| POLICY LC2 | SWANLEY TOWN CENTRE | 42 |
| POLICY LC3 | EDENBRIDGE TOWN CENTRE | 43 |
| POLICY LC4 | NEIGHBOURHOOD AND VILLAGE CENTRES | 46 |
| | | |
| CHAPTER 6 | GREEN INFRASTRUCTURE AND OPEN SPACES | 48 |
| POLICY GI1 | GREEN INFRASTRUCTURE AND NEW DEVELOPMENT | 55 |
| POLICY GI2 | LOSS OF OPEN SPACE | 56 |
| | | |
| CHAPTER 7 | THE GREEN BELT | 58 |
| POLICY GB1 | LIMITED EXTENSIONS TO DWELLINGS IN THE GREEN BELT | 61 |
| POLICY GB2 | BASEMENTS WITHIN RESIDENTIAL DEVELOPMENTS IN THE GREEN BELT | 62 |
| POLICY GB3 | RESIDENTIAL OUTBUILDINGS IN THE GREEN BELT | 63 |
| POLICY GB4 | REPLACEMENT DWELLINGS IN THE GREEN BELT | 64 |
| POLICY GB5 | DWELLINGS PERMITTED UNDER VERY SPECIAL CIRCUMSTANCES OR AS RURAL EXCEPTIONS | 65 |
| POLICY GB6 | SITING OF CARAVANS AND MOBILE HOMES IN THE | 66 |

Agenda Item 9

Draft for Submission – January 2013

| | | |
|-------------------|---|-----------|
| | GREEN BELT | |
| POLICY GB7 | RE-USE OF NON RESIDENTIAL BUILDINGS WITHIN THE GREEN BELT | 66 |
| POLICY GB8 | LIMITED EXTENSIONS TO NON RESIDENTIAL BUILDINGS IN THE GREEN BELT | 67 |
| POLICY GB9 | REPLACEMENT OF A NON RESIDENTIAL BUILDING IN THE GREEN BELT | 67 |
| POLICY GB10 | GREEN BELT BOUNDARY | 72 |
| | | |
| CHAPTER 8 | LEISURE AND TOURISM | 73 |
| POLICY LT1 | TOURIST ACCOMMODATION AND VISITOR ATTRACTIONS | 73 |
| POLICY LT2 | EQUESTRIAN DEVELOPMENT | 74 |
| POLICY LT3 | BRANDS HATCH | 75 |
| | | |
| CHAPTER 9 | COMMUNITY FACILITIES | 77 |
| POLICY CF1 | RE-USE OF REDUNDANT SCHOOL BUILDINGS | 77 |
| POLICY CF2 | LOSS OF NEIGHBOURHOOD SERVICES AND FACILITIES | 78 |
| | | |
| CHAPTER 10 | TRAVEL AND TRANSPORT | 79 |
| POLICY T1 | MITIGATING TRAVEL IMPACT | 80 |
| POLICY T2 | VEHICLE PARKING | 81 |
| POLICY T3 | PROVISION OF ELECTRICAL VEHICLE CHARGING POINTS | 82 |
| | | |

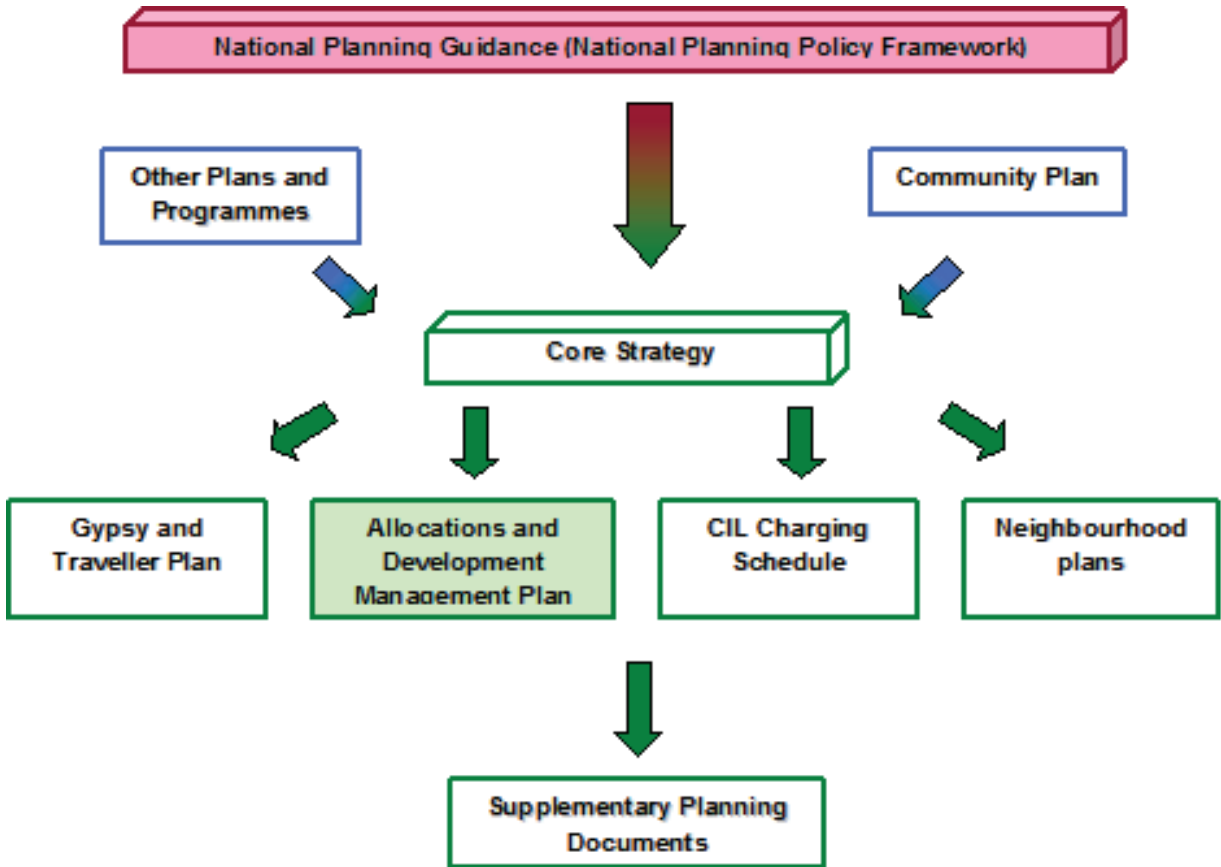
FOREWORD AND BACKGROUND INFORMATION

In accordance with the Government’s planning system, the Council is preparing the Local Development Framework for the period up to 2026. The LDF will eventually replace the Sevenoaks District Local Plan, 2000 (further detail is included at Appendix 1) and will include the Core Strategy, the Allocations and Development Management Plan (ADMP), which is a development plan document (DPD), the Gypsy and Traveller Plan and a number of supplementary planning documents.

A Community Infrastructure Levy (CIL) Charging Schedule will also be produced to set out contributions to be sought from developers to fund infrastructure improvements.

The Core Strategy was adopted in February 2011 and sets out the Council’s general strategy for where future development should be located in the District. The Allocations and Development Management Plan must be consistent with the Core Strategy and is the LDF document that

- Allocates sites for new development such as housing and employment
- Defines sites to be protected in their current use such as open space and employment
- Designates boundaries for the Green Belt and
- Contains detailed policies for determining planning applications. On adoption it will replace all those remaining policies saved from the Sevenoaks District Local Plan. (Further detail is included at Appendix 1)

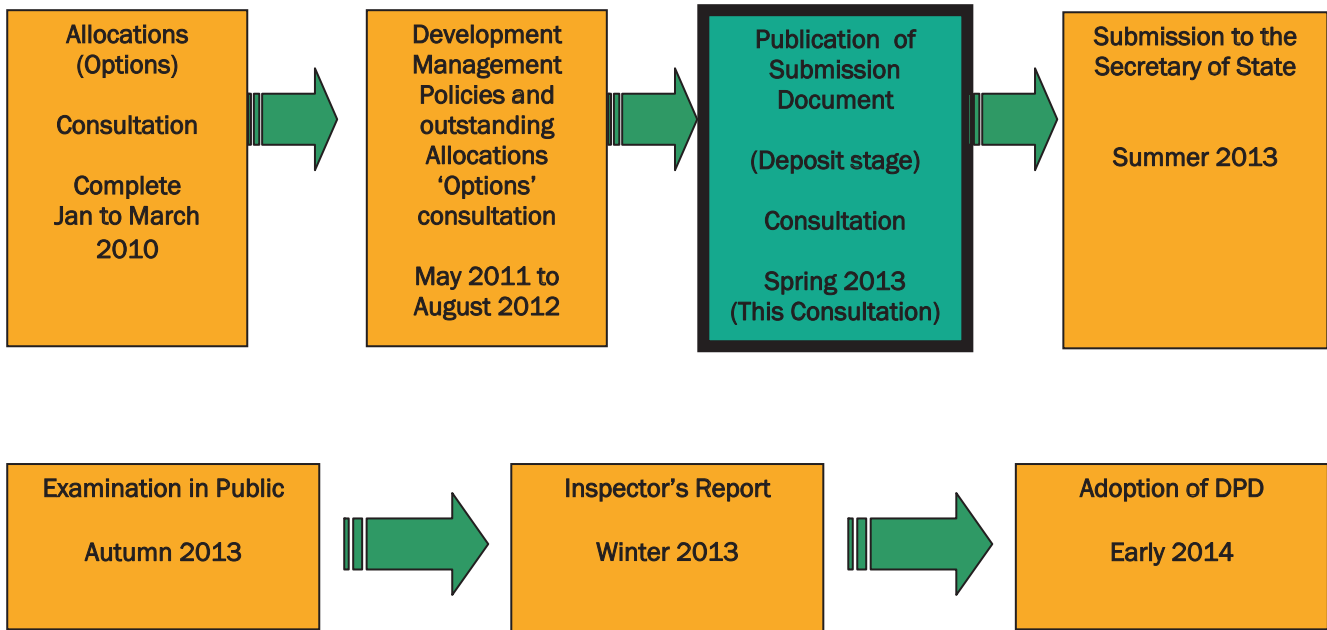


Agenda Item 9

Draft for Submission – January 2013

Preparation of the Allocations and Development Management Plan (ADMP)

In the process of developing the Allocations and Development Management Plan, the District Council has consulted on potential site allocations. This document consolidates and amends previous consultation documents. There is now the opportunity to make representations on the draft for submission prior to it being submitted to the Secretary of State. After submission to the Secretary of State, the DPD is examined by a Planning Inspector, and if it is found to be “sound”, it is adopted for use by the Council for planning purposes. The key stages and anticipated dates for the ADMP are:



Sustainability Appraisal

Sustainability Appraisal is used to test the component LDF documents to ensure that they do not conflict with the aims of sustainable development. The Sustainability Appraisals for the Local Development Framework and the Core Strategy have previously been agreed and sets the parameters for subsequent DPDs to ensure consistency. The sustainability effects of sites and policies have been considered against a range of economic, social and environmental objectives. The outcomes of the SA process have assisted in determining which sites and policies provide the most sustainable development opportunities.

The allocations and policies listed in this document have been appraised against a set of defined criteria, in accordance with the LDF Sustainability Objectives to assess their suitability. The findings of this initial scoping exercise are included within the Allocations and Development Management DPD (Draft for Submission) Sustainability Appraisal document that accompanies this document.

Proposals Map and Site Maps

The draft for submission is accompanied by detailed plans showing the extent of the proposed allocations and areas to which policies apply. Once adopted the policy allocations of this document will be shown on a revised Proposals Map.

Supporting Background Evidence

As part of the wider LDF process, the District Council have prepared or commissioned supporting evidence which forms background evidence in the policy formulation process. These studies cover a range of issues including housing, employment, gypsy and travellers, retail, open space and flooding. The individual documents and any subsequent amendments or updates can be viewed on the Planning Policy pages of the Council's website at www.sevenoaks.gov.uk

1 SUSTAINABLE COMMUNITIES & DEVELOPMENT PRINCIPLES

The principles of sustainable development are fundamental to planning policy set out at a national and regional level and through all policies and proposals of the Sevenoaks District Local Development Framework.

The National Planning Policy Framework (NPPF) paragraphs 6-16 set out that sustainable development is the core principle underpinning planning, and that there is a presumption in favour of sustainable development.

Core Strategy

The Core Strategy promotes sustainable development. It is the over-arching planning document that sets out the Council's vision, strategic objectives and broad policies for where future development should be sustainably located in the District over the period 2006 -2026, as well as a number of generic policies concerning, for example, design quality, sustainable development and infrastructure provision. A summary of the approach included in the Core Strategy is set out below:

- to locate development in sustainable locations on previously developed land, ensuring that the main focus for major development is in Sevenoaks, Swanley and Edenbridge;
- to meet housing provision of 3,300 dwellings primarily in existing urban areas and at a smaller scale in village settlements. The Core Strategy targets at least two thirds of new housing to be in Sevenoaks, Swanley and Edenbridge and at least half in Sevenoaks and Swanley; criteria are set for allocating sites to meet the needs of gypsies, travellers and if necessary travelling showpeople.
- to retain, intensify and regenerate existing business areas primarily at Sevenoaks, Swanley, and Edenbridge and Major Developed Sites in rural areas, locate new business development in urban areas, review poorly located non-strategic employment land for other uses and support appropriate diversification of the rural economy in a sustainable manner.
- to locate new retail development within existing retail centres, focussing on Sevenoaks, Swanley and Edenbridge, whilst allowing for local needs in other settlements;
- to promote specific regeneration opportunities comprising mixed use developments in the centres of Swanley and New Ash Green;
- to locate major forms of traffic generating development in sustainable locations, accessible by a range of transport modes;
- to generally maintain the extent of the Green Belt with the case for any small scale adjustments to cater for situations where land no longer contributes to the Green Belt considered through this Allocations and Development Management DPD;
- to safeguard existing open spaces, sport and recreational facilities that meet community needs and improve provision where necessary.
- to maintain and enhance the biodiversity of the District including provision of a network of habitat corridors as part of the Green Infrastructure Network.

- to protect the high quality environment from inappropriate development.
- to ensure that a new development is designed to a high quality and where possible makes a positive contribution to the distinctive character of the area in which it is situated.
- to ensure that new development takes account of the need to mitigate and adapt to climate change including encouraging sustainable construction through measures to reduce energy consumption and promote the use of renewable energy.
- to ensure new development in areas of poor air quality incorporate measures in the design and orientation that demonstrate an acceptable environment will be created for future occupiers.
- to ensure that any infrastructure and service improvements needed to support delivery of Core Strategy objectives and policies or resolve existing deficiencies are brought forward in a co-ordinated and timely manner and that new development makes an appropriate contribution towards any improvements required as a result of new development.

The following are the key Core Strategy Objectives in respect of Climate Change and the Environment:

- To ensure that new development takes account of the need to mitigate and adapt to climate change including principles of sustainable development, including locating development to minimise energy use, promoting travel patterns that reduce the need to travel by car, and encouraging sustainable construction including measures to reduce energy consumption and promote the use of renewable energy.
- To ensure new development takes place in a way that contributes to an improvement in the District's air quality.

Core Strategy Policy SP1 sets out specifically that:

'New development should create safe, inclusive and attractive environments that meet the needs of users, incorporate principles of sustainable development and maintain and enhance biodiversity'.

Sustainable Construction

The Core Strategy places great emphasis on the importance of sustainable construction, with the Code for Sustainable Homes as the key mechanism and is this is covered at a strategic level through Policy SP2 of the Core Strategy.

Environmental Protection and Pollution Control

The NPPF does not contain specific waste policies, since national waste planning policy will be published alongside the National Waste Management Plan for England. However currently Planning Policy Statement 10 (PPS10) 'Planning for Sustainable Waste Management', seeks to ensure that waste disposal is a last resort and that re-use, recycling and composting should be the priority. It is unlikely that the approach to waste management will be altered significantly.

Development proposals will be required to make adequate arrangements for the provision of recycling.

Water Pollution and Efficiency

Developers must be mindful that the pollution of ground water and/or surface water is an offence under the Water Resources Act 1991. Also, the Water Framework Directive requires there to be no deterioration in water status. Efficiency of water use is also a consideration in determining planning applications.

Flooding

Increased surface water run-off from a development can affect both adjoining sites and more remote sites further downstream by increasing the risk of flooding. Run-off can also physically damage the river environment itself. Surface water run-off is a mandatory component of the Code for Sustainable Homes applied by the District Council. Where possible the Council encourages developers to utilise Sustainable Drainage Systems (SuDS), unless following adequate assessment, soil conditions and/or engineering feasibility demonstrates this method is inappropriate.

In terms of addressing flood risk in development proposals the NPPF (paragraphs 100-104) and the associated Technical Guidance require the use of a sequential test when considering development proposals, to determine the suitability of types of development within the different flood zones (Zone 1 Little or No Risk Less than 0.1% annual probability; Zone 2 - Low to Medium Risk 0.1% to 1.0% annual probability; Zone 3 - High Risk Greater than 1.0% annual probability). Core Strategy Policy LO1 states that development will be located to avoid areas at risk of flooding and more detailed guidance is set out within National Planning Policy. Consequently there is no requirement for a specific localised policy.

Allocations and Development Management Plan

This DPD, in conjunction with the adopted Core Strategy, is a positive plan to promote development, unless the adverse impacts of allowing such development would significantly and demonstrably outweigh the benefits, when assessed against the policies set out in the LDF and NPPF.

Some of the DPD policies are general and apply throughout the Plan area, whilst others are site - or area-specific and apply only to the appropriate areas illustrated on the relevant Map. Nevertheless, in considering proposals for development, the District Council will apply all relevant policies of the Plan. It is therefore assumed that the Plan will be read as a whole and cross-referencing between Plan policies has been avoided.

Policy SC1 draws together the sustainable approach to ensure that the fundamental principles of sustainable development underpin all development proposals whether they be of a strategic or non-strategic nature.

Development that is consistent with the NPPF and Core Strategy will be regarded as sustainable subject to complying with the more detailed policies in this plan where relevant.

POLICY SC 1 – PRESUMPTION IN FAVOUR OF SUSTAINABLE DEVELOPMENT

When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. The Council will work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area. Planning applications that accord with the policies in the LDF will be approved without delay, unless material considerations indicate otherwise.

Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise – taking into account whether:

- Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or
- Specific policies in that Framework indicate that development should be restricted.

Where appropriate to the proposed development, proposals should have regard to:

- a) the compatibility and suitability of the proposal to its location;
- b) the impact of the proposal on the surrounding environment, landscape, habitats and biodiversity, including the Green Belt and AONB;
- c) the contribution to creating balanced communities;
- d) the conservation and enhancement of the Districts cultural heritage;
- e) the contribution to and impact on the District's economy;
- f) the impact on existing infrastructure and contribution to new supporting infrastructure.

Performance Indicators:

Proportion of completed housing in main settlements of Sevenoaks, Swanley and Edenbridge; *(CS indicator)*

Change in Employment floor space in the Main Settlements; *(CS indicator)*

Proportion of additional employment floor space in Urban Confines; *(CS indicator)*

Proportion of completed housing in Urban Confines; *(CS indicator)*

Changes in Settlement Hierarchy services and facilities score for individual settlements; *(CS indicator)*

2 ENVIRONMENT

A distinctive feature of the District is the high quality of the natural and built environment which contains a wealth of nationally and locally important designated environmental areas such as the Kent Downs and High Weald Areas of Outstanding Natural Beauty and Conservation Areas. All these features contribute to the special quality and character of many parts of the District. The District's towns and villages include other areas of distinctive character as illustrated in Character Area Assessments. Outside the built up areas, the distinctive landscape character is illustrated in the Sevenoaks Countryside Assessment SPD. A key responsibility of the plan is to ensure their continued protection, conservation and enhancement through sensitive design which is well suited to its context.

General Design Principles

The National Planning Policy Framework states that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. Sustainable development involves achieving positive improvements in the quality of the built, natural and historic environment, as well as in people's quality of life, including replacing poor design with better design. One of the Government's core planning principles is to always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. Improving design quality and conservation is a key Core Strategy theme. The Spatial Vision of the Core Strategy envisages that all development will be should demonstrate high quality and compatibility with the area, whilst also emphasising the need to incorporate sustainability principles.

Core Strategy Policy SP1 specifically addresses Design of New Development and Conservation and specifies that all new development should be designed to a high quality and should respond to the distinctive local character of the area in which it is situated. It goes on to make it clear that account should be taken of guidance adopted by the Council in the form of Kent Design, local Character Area Assessments, Conservation Area Appraisals and Management Plans, Village Design Statements and Parish Plans. In rural areas account should be taken of guidance in the Countryside Assessment and AONB Management Plans. Account should also be taken of any adopted Neighbourhood Plans, prepared by local communities.

Policy EN1 provides a detailed framework for assessing planning applications against Core Strategy Policy SP1. It gives criteria against which proposals can be assessed with so as to deliver high quality design that responds to local character. Dependant on the context of the proposal, the local character may be formed by the built up area or the landscape character of the extensive countryside. Issues of key importance to design such as the scale, height, site coverage and the layout are to be assessed when considering the detailed design of a proposal, along with other considerations such as parking and the protection and enhancement of biodiversity. Development should ensure that the need to create and maintain a safe environment is addressed, including minimising opportunities for crime, fear of crime, disorder or anti- social behaviour. The council will resist proposals that result in an unacceptable material loss of amenity in relation to crime, fear of crime, disorder or anti-social behaviour. These criteria included in Policy EN1 will be the delivery mechanism for the strategic Core Strategy design policy.

In addition Core Strategy Policy SP7 sets out the approach to density of new development in differing locations and stresses the importance in ensuring that within urban areas, sites are used to their full potential subject to environmental considerations.

There are a number of issues that are common to many types of development and consequently need to be taken into account when determining a wide range of planning applications at a more detailed level, however ensuring new development meets the test of time is an important consideration in delivering sustainable development. Therefore criteria set out in “Building for Life” and other post-occupation assessments will be used as an additional tool for assessing design quality, both at planning application and building completion stages, and the Council will encourage developers to use it in developing their proposals.

Matters of amenity protection have been separated from the basic design principles, which is a departure from the previous approach adopted by Saved Local Plan Policy EN1. The basis for doing this is to ensure greater and more focussed decision making powers. For example applications that should be refused solely on amenity grounds, but are fully acceptable in design aspects, will be underpinned by a single clear policy (See EN2).

POLICY EN1 - DESIGN PRINCIPLES

Proposals which would create high quality design and meet the following criteria will be permitted:

- a) The form of the proposed development would respond to the scale, height, materials and site coverage of the area;
- b) The layout of the proposed development would respect the topography and character of the site and the surrounding area and sensitively incorporate natural features such as trees, hedges and ponds within the site;
- c) The proposal would not result in the loss of buildings, open spaces or green infrastructure that would have an unacceptable impact on the character of the area;
- d) The proposal would ensure satisfactory means of access for vehicles and pedestrians and provide adequate parking and refuse facilities;
- e) The proposal would incorporate within the design opportunities for increasing biodiversity potential, where possible, and retaining and enhancing Green Infrastructure features including sustainable drainage systems. Proposals that affect a site’s existing biodiversity and GI should be designed in a way that avoids or mitigates any potential harm;
- f) The design of new buildings and the layout of spaces, including footways, car and cycle parking areas, would be permeable and provide connectivity with neighbouring areas;
- g) New development would be inclusive and make satisfactory provision for the safe and easy access of those with disabilities; and
- h) The design of new developments would result in the creation of a safe and secure environment and incorporate adequate security measures and features to deter crime, fear of crime, disorder and anti-social behaviour.

Where appropriate, new developments should include infrastructure that complements modern communication and technology needs and restricts the need for future

retrofitting. Such infrastructure should include Broadband, high speed internet cabling, digital TV cabling and provision of a power supply that would support green technology initiatives such as in home electric car charging points.

Subject to the above considerations development should make efficient use of the land on which it is proposed.

Where appropriate proposals should include details and strategies for the effective management and maintenance of sites following their completion.

Delivery Mechanisms:

The Residential Extensions and Residential Character Area Assessment SPDs provide detailed design guidance for residential development

Amenity

The concept of amenity relates to the living conditions of those that will be affected by development proposals either as a future occupant or a neighbour. It is the aim of the Core Strategy and Community Plan to ensure that all development provides an acceptable standard of amenity for its occupants and does not result in significant harmful effects to surrounding uses. Harmful effects can include overlooking, loss of privacy, noise and pollution.

The effects of some developments, such as a poorly designed house extension, can have direct impacts on neighbouring occupiers. Others can cumulatively impact on the general amenity of an area. As such, all development proposals, including intensification of uses and cumulative impacts of similar uses, will be expected to have regard to the amenity of neighbouring uses and occupiers, occupiers of the proposed development and the wider environment. Proposals that seek to introduce sensitive uses, such as residential development, into areas of poor environmental quality will be resisted unless amenity can be adequately safeguarded, such as through mitigation and environmental improvements.

POLICY EN2 – AMENITY PROTECTION

Proposals will be permitted where they safeguard the amenities of occupants and occupants of nearby properties by ensuring that development does not result in excessive noise, vibration, odour, air pollution, activity or vehicle movements, overlooking or visual intrusion and that the built form would not result in an unacceptable loss of privacy, or light enjoyed by the occupiers of nearby properties.

Delivery Mechanisms:

The Residential Extensions and Residential Character Area Assessment SPDs provide detailed design guidance for residential development

Heritage Assets

‘Heritage Assets’ is the term used to describe the highly valued components which make up the historic character of the District, they can be buildings, monuments, woodland, particular street scenes or areas, landscapes or outstanding views. Heritage assets can be nationally or locally designated by the Local Planning Authority, or those identified during the determination of planning applications.

Heritage Assets include:

- Scheduled Ancient Monuments
- Archaeological Sites
- Listed Buildings
- Conservation Areas
- Historic Parks and Gardens
- Ancient Woodland and Ancient Trees
- Areas of Outstanding Natural Beauty (AONB)

Sevenoaks District is characterised by a significant legacy of historic towns and villages, with many listed buildings, Conservation Areas and extensive areas of ancient woodland. These Heritage Assets and their settings are a key feature of the District, as they provide interest, variety, local character and distinctiveness to the many settlements and wider countryside.

Some of these Heritage Assets and features are protected by other policies or legislation, for instance if they are a listed building, Scheduled Monument or covered by a Site of Special Scientific Interest (SSSI). However, the complex history of the landscape means that there are many sites and features which do not have a specific designation. Nevertheless these should also be conserved and enhanced because of their contribution to the wider landscape and to the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring.

Archaeology

Scheduled monuments are protected against disturbance, and therefore prior consent from the Secretary of State is required for all works affecting such monuments, whether or not those works require planning permission. Some types of work, generally related to agriculture or gardening, where these activities are already being carried out, are allowed to proceed without such consent.

Owners are encouraged to maintain their Scheduled Monuments in good condition by adopting sympathetic land uses. However, as scheduling is not comprehensive, this Development Plan Document makes provision for the protection of future Scheduled Monuments and archaeological sites, as well as those that have already been identified.

Listed Buildings

National legislation provides for the protection of Listed Buildings under the Planning (Listed Buildings and Conservation Areas) Act 1990. There is a presumption in favour of retaining Listed Buildings so permission to demolish will be the exception and only allowed if all other options to retain the building are demonstrated to have been thoroughly explored.

Agenda Item 9

Draft for Submission – January 2013

The repair, renovation, alteration and extension of a Listed Building should not be at the expense of its intrinsic value. It is important to guard against unnecessary change or over-restoration. In any change, materials should be sympathetic to those used in the original building. In particular the District Council will resist applications that result in the loss of traditional features that could be preserved.

Listed Buildings may become vacant and derelict if no acceptable use can be found. The original use may be the most appropriate and will be encouraged where possible.

Where this is not practicable the alternative use proposed must not require alteration to the extent that the character and historical importance of the building is destroyed or materially harmed.

Where the District Council considers that a proposal would have an impact on the setting of a Listed Building, it will require the submission of illustrative and technical material to allow that impact to be properly assessed. This will include details to show the existing situation and the precise effect on the fabric and character of the Listed Building and its setting.

Planning permission will be refused where the District Council considers that the proposal would dominate the Listed Building or buildings within its curtilage by scale, form, mass or appearance or harm the visual relationship between the Listed Building and its formal or natural landscape setting.

Conservation Areas

Conservation Areas are designated not on the basis of individual buildings but because of the overall quality of the area, its mix of uses, historic layout, characteristic materials, scale and detailing of buildings and open spaces. It also takes into account the need to protect trees, hedges, walls, railings and other characteristic features. Once designated, special attention must be paid in all planning decisions to the desirability of conserving or enhancing its character and appearance as required by Core Strategy Policy SP1 Design of New Development and Conservation. The choice of materials and detailed design are vital elements in achieving new buildings which preserve the local character and distinctiveness which typifies the Districts Conservation Areas.

In order to assess the impact of proposals whether for redevelopment or alterations/additions to buildings, the District Council will require an appropriate level of detail including drawings or other pictorial material which shows the proposed development in its setting.

Demolition in Conservation Areas

When considering proposals for demolition of buildings within a Conservation Area, the District Council will be looking for any redevelopment to provide a level of visual quality equivalent to that of the existing buildings in the Conservation Area.

POLICY EN3 – DEMOLITION IN CONSERVATION AREAS

Proposals involving the demolition of non-listed buildings in Conservation Areas will be assessed against the contribution to the architectural or historic interest of the area made by that building.

Buildings that make a positive contribution to the character and appearance of the Conservation Area should be conserved. Where a building makes no significant

contribution to the area, consent for demolition will be given subject to submission and approval of a detailed plan for redevelopment or after use of the site.

Historic Parks and Gardens

English Heritage has compiled a Register of Parks and Gardens of Special Historic Interest in England which includes sites within the District. Although no additional statutory controls on development are available, the Local Planning Authority considers that the Historic Parks and Gardens are an important part of the area's heritage and make a significant contribution to the character of the area in which they are located. New development may not be in the best interests of the conservation of the site and principal buildings. Any development must have careful regard to the important landscape architecture of the site and the setting of the historic buildings within the site. The Council will expect sufficient information to be submitted with all applications to enable the impact of development on a historic park or garden to be properly assessed.

Ancient Woodland

National Policy requires the protection of Ancient Woodland, Veteran and Ancient trees from further loss or damage and the District Council will expect applicants with proposals within or adjoining Ancient Woodland or sites containing ancient or veteran trees, to conserve and, where possible, enhance the woodland and to demonstrate that any potential harm can be mitigated.

Areas of Outstanding Natural Beauty (AONB)

The importance of the wider landscape character of the District is recognised by the extent of the High Weald and Kent Downs Areas of Outstanding Natural Beauty. The AONB designation gives these areas the highest protection in terms of their landscape and scenic beauty and highlights the importance of the conservation of the wildlife and the cultural heritage of these landscapes. The character of the AONB's will be conserved and enhanced primarily through Core Strategy Policy LO8 - Countryside and the Rural Economy. Proposals in AONBs will be assessed against LO8 and the detailed development management policies which support this overarching policy, such as SC1 Sustainable Development and GI1 Green Infrastructure and New Development. Any proposal within the AONB must take into account the guidance laid out in the appropriate AONB Management Plan and any relevant more specific AONB guidance for example Kent Historic Farmsteads and Managing Land for Horses.

Heritage Assets are an irreplaceable resource and they should be conserved and enhanced in a manner appropriate to their significance. Any harm or loss will require a clear and convincing justification. Substantial harm to or loss of heritage assets of the highest significance, such as scheduled monuments, grade I and II* listed buildings, grade I and II* registered parks and gardens, will be wholly exceptional. The Spatial Vision of the Core Strategy sets out that the high quality natural built and historic environment will be conserved and enhanced. Core Strategy Policy SP1 Design of New Development and Conservation states that the District's heritage assets and their settings will be protected and enhanced,

Policy EN4 seeks to draw together a comprehensive approach to conserving and enhancing the District's Heritage Assets.

POLICY EN4 – HERITAGE ASSETS

Proposals that affect a Heritage Asset, or its setting, will be permitted where the development conserves or enhances the character, appearance and setting of the asset.

Applications will be assessed with reference to the following:

- a) the historic and/or architectural significance of the asset;
- b) the prominence of its location and setting; and
- c) the historic and/or architectural significance of any elements to be lost or replaced.

Where the application is located within, or would affect, an area or suspected area of archaeological importance an archaeological assessment must be included to ensure that provision is made for the preservation of important archaeological remains/findings. Preference will be given to preservation in situ unless it can be shown that recording of remains, assessment, analysis report and deposition of archive is more appropriate.

Outdoor Lighting

Artificial lighting is essential for reasons of safety and security. However, insensitive lighting can cause what is termed as light pollution. Sevenoaks District, as a predominantly rural area, is sensitive to light pollution through sky glow which can affect the character of the countryside and have a negative impact upon biodiversity.

External lighting is needed for commercial use and for some community and sports facilities such as floodlit sports pitches. Whilst the lighting has to be adequate for the purpose, it is important that there is no significant nuisance to the amenity of surrounding properties. This may require the use of planning conditions to limit the times when lighting is used to minimise the disturbance. The use of low energy lighting will be encouraged.

POLICY EN 5 - OUTDOOR LIGHTING

Proposals for lighting that affect the outdoor environment which meet the following criteria will be permitted:

- a) the proposal would be integrated within a wider related development scheme;
- b) any impact on the night sky would be minimised through the alignment of lamps, provision of shielding and selection of appropriate lighting type and intensity
- c) there would be no harmful impact on privacy or amenity for nearby residential properties;
- d) the proposal would preserve or enhance the character or appearance of any Heritage Asset which may be affected;
- e) any potential impacts on wildlife would be avoided or adequately mitigated where avoidance is not possible; and

f) where proposals affect Areas of Outstanding Natural Beauty or open countryside, it can be demonstrated that the lighting is essential for safety or security reasons.

Where these criteria are met, proposals incorporating the use of low energy lighting will be encouraged.

Noise Pollution

The NPPF states (paragraph 123) that planning policies should aim to avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development.

The Noise Policy Statement for England (DEFRA, March 2010) seeks to promote good health and a good quality of life through the effective management of noise within the context of Government policy on sustainable development.

Noise sensitive developments should be located away from existing sources of significant noise, and potentially noisy developments are located in areas where noise will not be such an important consideration or where its impact can be minimised. Acceptable noise levels will be based upon technical guidance and the advice of noise specialists.

The DEFRA statement references “Significant adverse” and “adverse” that are currently being applied to noise impacts, for example, by the World Health Organisation. They are:

NOEL – No Observed Effect Level - This is the level below which no effect can be detected. In simple terms, below this level, there is no detectable effect on health and quality of life due to the noise.

LOAEL – Lowest Observed Adverse Effect Level - This is the level above which adverse effects on health and quality of life can be detected.

SOAEL – Significant Observed Adverse Effect Level - This is the level which significant adverse effects on health and quality of life occur.

These levels can assist local planning authorities in their consideration of sensitive and noise related development. Conditions may be attached to any planning permission to ensure adequate attenuation of noise emissions or to control the noise at source.

POLICY EN6 – NOISE POLLUTION

Proposals which would meet the following criteria will be permitted:

a) development would not have an unacceptable impact when considered against the indoor and outdoor acoustic environment of surrounding occupiers or occupiers of any future units within the scheme; and

b) development would not result in unacceptable noise levels from existing noise sources that cannot be adequately mitigated.

Where proposals for high noise generating development would affect Areas of Outstanding Natural Beauty or open countryside or sites designated for their biodiversity value, development will not be permitted if it would undermine the character or harm the biodiversity of these areas.

Air Quality and Odour

Policy SP2 of the Core Strategy sets out the policy approach to air quality. Air pollutants (including dust and odour) have been shown to have adverse effects on health and the environment. Emissions arising from any development including indirect emissions such as those attributable to associated traffic generation must therefore be considered in determining planning applications.

Certain developments, such as hot food takeaways, workshops and activities associated with the keeping of animals, can cause a detrimental effect on amenity due to odour nuisance. Therefore, consideration will be given to the odour levels likely to be produced from such premises and their proximity to sensitive development, e.g. residential properties, when determining such planning applications. Proposals that have an unacceptable impact on amenity in terms of odour will be resisted in line with Policy EN2 of this document.

Performance Indicators:

Performance of new housing against Building for Life criteria; *(CS Indicator)*

Percentage of new dwellings completed meeting the Lifetime Homes Standard; *(CS Indicator)*

Changes in Settlement Hierarchy services and facilities score for individual settlements; *(CS indicator)* Change in number of Heritage Assets; *(CS Indicator)*

The Proportion of Conservation Areas with up to date Appraisals; *(CS Indicator)*

Change in Conservation Area extents; *(CS Indicator)*

Number of applications for demolitions in Conservation Areas;

3 HOUSING AND MIXED USE DEVELOPMENT

For new homes to meet the needs of current and future residents, it is important that they are designed to a high quality and create an attractive environment that functions well, where people want to live, which meets their needs, and which creates a sense of place where community identity can develop.

Residential proposals should therefore be consistent with the adopted Core Strategy housing policies and comply with the policies in the Sustainable Communities and Development Principles and Environment Chapters of this document. In addition the Residential Extensions and Residential Character Area Assessment SPDs contain detailed design advice to assist in achieving quality living environments and residential areas.

Core Strategy Housing Objectives

- To increase the proportion of affordable housing in new development in response to the level of local housing need from those unable to rent or buy in the open market. To make specific provision for small scale affordable housing schemes to meet identified local needs in rural areas.
- To ensure that the form of future provision for housing meets the changing needs of the District's population, including provision for a greater proportion of older people and small households, and meets the needs of the Gypsy and Traveller Community.
- To make efficient use of urban land for housing, with higher density development focused on the most accessible locations in and adjoining town centres, through well-designed schemes that do not compromise the distinct character of the local environment.
- To support new housing in local service centres and service villages of a design, scale, character and tenure appropriate to the settlement and support the provision and retention of services and facilities that meet a local need and existing employment opportunities.

In addition to the above objectives, the Core Strategy sets out the general distribution of housing development, which sets the framework for the allocations in this document.

Housing Supply

The Council has carried out a Strategic Housing Land Availability Assessment (SHLAA) that informed the Core Strategy.

The assessment demonstrated that the housing provision figure of 3,300 dwellings (2006-2026) for the District can be met from sites located within existing built up settlements, enabling the Green Belt to continue to be protected. It was also further identified through the Core Strategy process that a significant number of the housing supply comes in the form of existing completions and commitments through outstanding full or outline planning permissions. As at 1st April 2012, the completions (2006-2012) and permissions amount to 2,330 units.

The housing sites identified for allocation were established through a detailed evidence base process. A call for sites was undertaken in 2007, which informed the Strategic Housing Land

Agenda Item 9

Draft for Submission – January 2013

Availability Study (SHLAA) that was published in 2008. This process effectively requested landowners/agents to submit land which they considered to have development potential for a range of uses. A review of the SHLAA was undertaken in Summer 2009 and an 'Options' Draft of the Allocations DPD presented the identified housing sites for consultation in early 2010. The 'options' draft was a scoping exercise to establish the key planning issues and development constraints for sites for consideration at this detailed stage.

Each site was considered through detailed assessment and analysed against the consultation comments received. New sites presented for consideration during the 'options' stage, were subsequently assessed and added where consistent with Core Strategy policy. Sites that were shown to be unsuitable through the initial 'options' consultation process were removed at this stage.

Following scrutiny of the SHLAA methodology and process during the Core Strategy, in which the Inspector deemed the methodology to be appropriate, the Council updated its housing supply to a base date of 1st April 2012. Based on this assessment the Council can currently demonstrate a housing land supply of 3,540 dwellings for the plan period of 2006 –2026 This amounts to a surplus of approximately 240 units over and above the provision identified (3,300) in the Core Strategy, which will provide flexibility in the housing supply.

| Summary of Housing Supply Components as at 1 April 2012 | No. of units |
|--|--------------|
| Completions 2006 – 2012 | 1,360 |
| Permissions (at 01.04.2012) | 970 |
| Permissions granted on Proposed Allocations since 01.04.12 | 44 |
| Windfall ¹ Allowance Small Sites 2017 – 2026 | 432 |
| Proposed Housing Allocations | 394 |
| Proposed units from Mixed Use Allocations | 340 |
| TOTAL | 3,540 |

It therefore remains the position that the Council can meet its Core Strategy housing target without the need to release land in the Green Belt and by focussing development within the existing urban and village locations of the District. Further to this, in accordance with the Core Strategy and Settlement Hierarchy, housing allocations will primarily be focussed on the existing principal towns in the District over other smaller settlements in order to promote the most sustainable development options.

In order to ensure that housing supply remains flexible the Core Strategy (through Policy LO6) identifies land at Enterprise Way Edenbridge as a reserve site for housing. The Policy states that the site cannot be brought forward before 2015 and should only be developed in the plan period if the Council cannot identify an adequate five year housing supply. The detailed boundary of the reserve site is shown in Figure 6 of the Core Strategy

¹ The NPPF sets out how Local Planning Authorities should demonstrate their housing supply. Windfall sites are permitted to be included within the first 5 years of the housing supply if there is "compelling evidence that such sites have consistently become available in the local area and will continue to provide a reliable source of supply. Any allowance should be realistic having regard to the Strategic Housing Land Availability Assessment, historic windfall delivery rates and expected future trends, and should not include residential gardens." Windfalls are defined in Sevenoaks as housing units which are expected to be delivered on sites below the allocation threshold (< 0.2ha). The allowance is calculated by averaging the number of units on previously developed land (not including garden land) provided each year for past 6 years. Allowance has not been included in the first five years, but is made from year six onwards to reflect the unallocated planning permissions (currently 48 dwellings per year from 2017/18 to 2025/26).

Affordable Housing

Affordable Housing is clearly needed in Sevenoaks District. Policy SP3 of the Core Strategy introduced a new (gross) sliding thresholds which will trigger the requirement for on-site affordable housing provision. The Policy applies to the allocations set out within this chapter.

Housing Allocations

Policy H1 sets out the proposed residential allocations for the period up until 2026. All proposals should comprise high quality sustainable designs in accordance with Core Strategy Policies and Policy EN1 of this Plan. Proposals will also be subject to the specific development guidance set out for each site at Appendix 3. Location plans for each of the housing allocation sites are included at Appendix 3 and the mixed use allocation sites at Appendix 5.

Sites that currently benefit from Outline Planning Permission are not proposed to be allocated within this plan as most are likely to have reserved matters resolved prior to the adoption of the document. The Council will support and monitor the implementation of existing residential planning permissions that have been granted. The Council will generally resist any reduction in the number of dwellings already permitted on a site in order to achieve the housing targets.

The policy includes an indicative dwelling yield for each site based on an assessment of an appropriate density that takes into consideration the location and context of the sites. Densities, as proposed in Core Strategy Policy SP7, are generally sought in order to achieve sustainable forms of development, and reduce unnecessary use of greenfield land. However to ensure that new development integrates well within the local character of established areas some allocations have been subject to densities below those set out in Policy SP7. However, it must be emphasised that the yields are approximate and the actual dwelling yield that might be achieved on each site could vary from that indicated. It will be for planning applications to demonstrate how high quality sustainable designs can achieve an appropriate density for each site.

| POLICY H1: RESIDENTIAL DEVELOPMENT ALLOCATIONS | | |
|--|---|-----------------------|
| <p>The following sites, as defined in Appendix 3, are allocated for residential development purposes to deliver the Core Strategy housing requirements (3,300 units) over the period until 2026.</p> | | |
| <p>These sites will provide for a range of housing types, density, mix and tenure and will be subject to the site areas and design guidance as set out in detail at Appendix 3.</p> | | |
| REF | SETTLEMENT/SITE ADDRESS | APPROXIMATE NO. UNITS |
| <u>Sevenoaks Urban Area</u> | | |
| H1(a) | Car Park, Hitchen Hatch Lane | 17 |
| H1(b) | Cramptons Road Water Works, Cramptons Road | 50 |
| H1(c) | Sevenoaks Gasholder Station, Cramptons Road | 35 |
| H1(d) | School House, Oak Lane & Hopgarden Lane | 19 |
| H1(e) | Johnsons, Oak Lane & Hopgarden Lane | 18 |
| H1 (f) | Greatness Mill, Mill Lane | 20 |
| | Sub Total | 159 |

Agenda Item 9

Draft for Submission – January 2013

| <u>Swanley</u> | | |
|--------------------------|---|------------|
| H1(g) | Bevan Place | 46 |
| H1(h) | Bus Garage/Kingdom Hall, London Road | 30 |
| H1(i) | Land West of Cherry Avenue (mixed housing and open space) | 50 |
| | Sub Total | 126 |
| <u>Other Settlements</u> | | |
| H1(j) | 57 Top Dartford Road, Hextable | 14 |
| H1(k) | Foxs Garage, London Road, Badgers Mount | 15 |
| H1(l) | Land adjacent to London Road, Westerham | 30 |
| H1(m) | Currant Hill Allotments, Westerham | 20 |
| H1(n) | Land at Croft Road, Westerham | 15 |
| H1 (o) | Warren Court, Halstead | 15 |
| | Sub Total | 109 |
| | GRAND TOTAL | 394 |

Delivery Mechanism

See detailed design guidance in Appendix 3

Mixed Use Development

Paragraph 38 of the NPPF recognises that larger scale residential developments offer opportunities to provide employment, community and housing benefits as part of comprehensive site developments. The advantages of the mixed use approach includes reducing the need for people to travel to and from work and can increase the variety of activity on sites at different days and times of the week, which aids the reduction and opportunity for crimes to take place. Mixed use development will only be promoted where it is consistent with Core Strategy policy. The purpose is to assist delivery of the Core Strategy housing requirements (3300 units) over the period 2006 – 2026 and to provide additional appropriate uses that complement the provision of new houses.

Policy H2 sets out those sites that are considered suitable for mixed use development, primarily incorporating a significant element of residential development.

POLICY H2: MIXED USE DEVELOPMENT ALLOCATIONS

The following sites (0.2 hectares or greater), as defined in Appendix 5, are allocated for mixed use development that incorporates an element of residential development.

These sites will provide for a range employment, retail and community facilities in addition to housing types, density, mix and tenure considered appropriate.

| REF | SETTLEMENT/SITE ADDRESS | INDICATIVE SITE CAPACITY NO. UNITS |
|-------|---|------------------------------------|
| H2(a) | BT Exchange, South Park, Sevenoaks | 25 |
| H2(b) | United House, Goldsel Road, Swanley | 185 |
| H2(c) | Swanley Centre, Nightingale Way, Swanley (only as part of regeneration proposals) | 0 |
| H2(d) | Station Approach, Edenbridge | 20 |
| H2(e) | New Ash Green Village Centre, New Ash Green (only as part of regeneration proposals) | 50 |
| H2(f) | Powder Mills (Former GSK Site), Leigh | 60 |
| | TOTAL | 340 |

Delivery Mechanism

See detailed design guidance in Appendix 3
 Planning Briefs for mixed-use sites will be prepared as appropriate

Housing for People with Special Needs, including Older People

Sevenoaks is experiencing a steady increase in the number of its population over retirement age. This trend is likely to continue, and will result in more very old people who are likely to require community care or accommodation in nursing homes. Other groups in society also require ‘institutional accommodation’ and it is important that adequate provision is made to meet the full spectrum of local needs.

Residential Institutions are defined in Class C2 of the Town & Country Planning (Use Classes) Order 1987 (as amended). This definition covers residential institutions and other non-custodial institutions where a significant element of care is provided for the residents. This can cover a range of uses such as nursing and convalescent homes; community care and care homes for the elderly; centres for those with severe disabilities; and residential schools.

The Council strongly supports the provision of housing to meet the requirements of people in special need of help or supervision where they are fully integrated into existing communities and located in sustainable locations. The development guidance accompanying each site at Appendix 3 identifies sites that are particularly suitable for this form of housing due to their proximity to facilities or the gentle topography of the area. Examples of inappropriate environments for residential institutions would be include those properties that do not have access to garden areas of an adequate size or areas where the topography makes it difficult for pedestrians.

The Council has also identified a specific requirement, as set out in the Supporting People Strategy 2010-15, for a Young Persons Unit (approximately nine units), to provide assisted living for vulnerable young people, including care leavers. The need has been identified within the Sevenoaks urban confines and the District Council will work with partners and landowners to identify and bring forward a suitable site, well-connected to the town centre.

Housing within Urban Confines

For new homes to meet the needs of current and future residents, it is important that they are designed to a high quality and create an attractive environment that functions well, where people want to live, which meets their needs, and which creates a sense of place where community identity can develop. Higher residential densities are required in the principal settlements of Sevenoaks, Swanley and Edenbridge to maximise the efficient use of previously developed land and in the interests of achieving more sustainable forms of development, and reducing use of greenfield land. There is no reason why higher densities should compromise the quality of new development.

Within existing built confines all proposals for new or replacement dwellings will be assessed against the design, amenity, safety and environmental principles set out in Policies SC1, EN1 and EN2. Proposals for the temporary or permanent location of a mobile home or caravan in the confines of an existing settlement will be considered in the same manner as a new permanent dwelling.

Residential Subdivision

Subdivision of large dwellings often provides opportunities to create smaller units of accommodation, which can be of benefit to the settlement, especially where there are identified shortages of smaller homes. The proposal should not harm the amenities of surrounding residents in accordance with Policy EN2. Proposals for subdivision in the Green Belt need to be carefully considered to ensure that there is no greater impact on openness.

POLICY H3 - RESIDENTIAL SUBDIVISION

Within the built confines of existing settlements proposals for the subdivision of residential properties into smaller units which would meet the following criteria will be permitted:

- a) the building would be structurally suitable for subdivision;**
- b) the proposal, including any extensions, hard standing, enclosure or other ancillary element would reflect the form, integrity and character of the building and its surroundings; and**
- c) Suitable parking and access arrangements could be achieved.**

Within the Green Belt the conversion of a residential property into smaller units will be permitted where the above criteria are met and where the proposal (including any ancillary works such as car parking provision) would not have a materially greater impact on the openness of the Green Belt.

Residential Annexes

Residential annexes within urban confines (not in the Green Belt) are acceptable in principle where their proposed use is ancillary to the enjoyment of the main house and where there is a demonstrable tie to the host dwelling. In most instances annexes ancillary to the enjoyment of a dwelling house can be constructed as permitted development, therefore a detailed policy is not required. Developments that do require planning permission will be assessed against the design and amenity policies within this document.

Where proposals could lead to the creation of a new self contained dwelling the proposal will be considered in the same way as a new dwelling.

Loss of Housing Stock

The Council considers it has appropriate policies/strategies in place to maximise housing options and make best use of the existing housing stock, taking into account national policy set out in The Strategic Housing Role of Local Authorities: Powers and Duties and Planning Guidance on urban renaissance and sustainability. These include;

- Housing Strategy 2003 (adoption of updated version expected 2012)
- The SHMA 2008
- Draft Sevenoaks District Empty Homes Action Plan 2009
- Private Sector Housing Assistance Policy 2008 including Funding the Mid & West Kent Home Improvement Agency which administers the Disabled Facilities Grant for the Council.
- Houses in Multiple Occupancy. HMO Information Pack
- Core Strategy Policies.

To support these policies/strategies a stock condition survey was undertaken in 2004 and has been updated in 2010/11. This updates information on;

- Level of private and public sector stock unfit for habitation.
- SAP (energy efficiency measure) rating of public and private dwellings.
- Condition of Mobile homes.

The SHMA highlights under occupation as an issue. Paragraph 5.3.13 of the Core Strategy outlines the Council's approach to reducing the level of "under occupation" of family homes. West Kent Housing Association which manages the social housing in the District also operates the Small is Beautiful scheme which offers incentives for tenants downsizing.

The Council is being pro-active through its housing strategies, in bringing empty properties back into use for affordable housing. The draft Sevenoaks District Empty Homes Action Plan 2009 aims to continue enabling empty homes to be brought back into use, thereby providing further usable and decent homes. Proposals that allow tenants to downsize will be supported subject to the proposal not conflicting with relevant housing policies such as replacement dwellings in the Green Belt (GB4).

POLICY H4 – REUSE AND PROTECTION OF EXISTING HOUSING STOCK

The Council will support proposals that bring empty properties back into residential use or provide opportunities for tenants to downsize.

The loss of housing stock through change of use or redevelopment will not be permitted unless it is demonstrated that:

a) the dwelling no longer provides accommodation of a satisfactory standard and is incapable of being improved at reasonable expense;

b) the locality and character of the surroundings are no longer appropriate for residential purposes; or

c) the dwelling is located within a Primary or Secondary Retail Frontage, a Neighbourhood or Village Centre Area or land allocated for business uses within Policy EMP1, as defined in Appendices 7, 8 and 4.

Gypsies and Travellers and Travelling Show People

‘Planning Policy for Traveller Sites’ was published in March 2012, alongside the NPPF and suggests that local authorities should work collaboratively to meet needs, in accordance with the Duty to Cooperate.

The District Council commissioned a Gypsy, Traveller and Travelling Showperson Accommodation Assessment to provide an update on the current need in the District and to consider how the issues on local and historic demand could be addressed.

A Gypsy and Traveller Accommodation DPD is being prepared which will set an overall level of future provision of accommodation for gypsies, travellers and travelling show people. The Council is seeking to identify acceptable sites to be allocated, taking account of relevant planning policy guidance, in the Gypsy and Traveller Accommodation Plan. National planning guidance maintains the approach that Gypsy and Traveller development is inappropriate in the Green Belt. For this reason, sites outside the Green Belt must be assessed as the first in a sequence of options. This in turn means assessing the suitability of sites allocated for housing development in the ADMP Plan.

It is unlikely that a site currently proposed for housing development would be re-allocated as a gypsy site as this is not likely to be viable or deliverable. One option under consideration is to substitute the affordable housing requirement for gypsy site provision on a very limited number of suitable sites.

Performance Indicators for Housing and Residential Development:

Progress on Housing Allocations;

Progress on Mixed Use Allocations;

Additional completed units from residential subdivision;

Number of completed housing sites with a net loss of units;

4 THE ECONOMY AND EMPLOYMENT

The Council is committed to providing and preserving a range of employment sites for a variety of business uses. These sites need to be in sustainable locations, provide modern and flexible opportunities for existing businesses, and offer attractive sites for new employers. It is also important to support the rural economy and rural businesses. This in turn will maintain and enhance the economic wellbeing of the District in the future.

Core Strategy Objective

- To provide land for employment development to support the future development of the District's economy.

The Core Strategy sets out that the employment land provision for the District over the plan period, excluding MDS sites is 86.1 hectares. Following work on the proposed allocations this figure has reduced slightly to 79.6 hectares (75.5ha of existing sites and 4.1ha new allocation at Broom Hill, Swanley) primarily as a result of detailed boundary amendments to better represent the existing extent of established employment sites. This recalculation has no effect on future requirements.

In 2007, the District Council commissioned an Employment Land Study to assess both the demand and supply of land in Sevenoaks, to help meet future needs. The study shows that the majority of sites in the District are still required to provide a range of premises. It is therefore essential that designated employment land, with the exception of those sites identified for alternative uses, is protected from other non employment generating uses and to ensure that adequate land and premises are available to support and regenerate the local economy.

In 2011 the Council commissioned URS to undertake a review of the current employment forecasts previously published in 2007. URS identified that the long-term demand trends for Sevenoaks show a change since the 2008-09 recession, with a flat forecast of demand for additional office floorspace. The report also shows that space required for storage and distribution purposes is expected to grow in line with the economy but space required for manufacturing activities is expected to continue to decline.

The trends affecting change in the demand for employment space in the rural economy are considered to be similar to those underlying the broader economy.

Employment Allocations

Core Strategy Policy SP8 is the overarching strategic policy that provides for the retention and creation of employment and business facilities and opportunities throughout the District. It promotes a flexible approach to the use of land for business and employment purposes and as such it is the role of this document to formally identify the sites to which sites Policy SP8 of the Core Strategy applies.

Individual location plans for each of these existing sites, indicating the site boundaries, are located in Appendix 4.

Agenda Item 9

Draft for Submission – January 2013

| POLICY EMP1 - LAND FOR BUSINESS | | |
|--|---|----------------------------------|
| <p>In accordance with Policy SP8 of the Core Strategy the following existing employment sites, as defined in Appendix 4, will be retained, intensified and regenerated for B1 – B8 uses. Appropriate new development within these areas, including the provision of sites for small and medium size businesses and “start-up” facilities, will be supported.</p> | | |
| | Site Address | Total Area (hectares) |
| | <u>Sevenoaks</u> | |
| EMP1(a) | Vestry Road, Sevenoaks | 11.3 |
| EMP1(b) | Bat & Ball Enterprise Centre, Sevenoaks | 1.8 |
| EMP1(c) | British Telecom, Sevenoaks | 1.8 |
| EMP1(d) | Erskine House, Sevenoaks | 0.5 |
| EMP1(e) | Hardy’s Yard, Riverhead | 1.3 |
| EMP1(f) | High Street, Sevenoaks | 1.5 |
| EMP1(g) | London Road, Sevenoaks | 4.0 |
| EMP1(h) | Morewood Close (Outside Housing Area), Sevenoaks | 3.7 |
| EMP1(i) | South Park , Sevenoaks | 0.2 |
| EMP1(j) | Tubs Hill House, Tubs Hill Road, Sevenoaks | 0.4 |
| EMP1 (k) | Lime Tree Walk, Sevenoaks | 0.6 |
| | Sub Total | 27.1 |
| | <u>Swanley</u> | |
| EMP1(l) | Wested Lane Industrial Estate, Swanley | 8.2 |
| EMP1(m) | Swanley Town Council Offices, Swanley | 0.4 |
| EMP1(n) | Swan Mill, Goldsel Road, Swanley | 2.6 |
| EMP1(o) | Horizon House, Swanley | 0.3 |
| EMP1(p) | Media House, Swanley | 0.3 |
| EMP1(q) | Moreton Industrial Estate, Swanley | 1.8 |
| EMP1(r) | Park Road Industrial Estate, Swanley | 1.3 |
| EMP1(s) | Southern Cross Ind. Estate, Swanley | 1.9 |
| EMP1(t) | Teardrop Industrial Estate, Swanley | 3.4 |
| EMP1(u) | The Technology Centre, Swanley | 1.9 |
| | Sub Total | 22.1 |
| | <u>Edenbridge</u> | |
| EMP1(v) | Station Road, Edenbridge | 18.8 |
| EMP1(w) | Edenbridge / Warsop Trading Centre | 1.6 |
| | Sub Total | 20.4 |
| | <u>Other Settlements</u> | |
| EMP1(x) | Westerham Trading Centre, Westerham | 3.7 |
| EMP1(y) | Blue Chalet Industrial Park, West Kingsdown | 0.9 |
| EMP1(z) | West Kingsdown Industrial Estate, West Kingsdown | 0.5 |
| EMP1(zz) | Horton Kirby Trading Estate, South Darenth | 0.8 |
| | Sub Total | 5.9 |
| | GRAND TOTAL | 75.5 |

Major Developed Employment Sites in the Green Belt

There are a number of employment sites in the District, divorced from existing settlements, that have become built up over the years and which are designated as “Major Developed Sites” in the Green Belt in the Sevenoaks Core Strategy and under guidance previously set out in PPG2:

1. Fort Halstead, Halstead
2. North Downs Business Park, Dunton Green
3. Chaucer Business Park, Kemsing
4. Glaxo Smith Kline, Leigh

Under the Major Developed Sites (MDS) designation the owners of these sites were able to carry out limited development consistent with criteria set out in Annex C of PPG2. However since the adoption of the Core Strategy, the NPPF no longer references MDS designation, and has instead set out that limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land) is appropriate development, provided it does not have a greater impact on the openness of the Green Belt. The NPPF (paragraph 89) also states that the replacement of any building in the Green Belt is appropriate development, provided the new building is not materially larger than the one it replaces and is in the same use.

Whilst the NPPF (paragraph 89) sets out what is appropriate development in the Green Belt and no longer provides Local Authorities with the opportunity to designate Major Developed Sites, the Council recognises that three of the sites identified continue to be major employers in the District, these being;

1. Fort Halstead, Halstead
2. North Downs Business Park, Dunton Green
3. Chaucer Business Park, Kemsing

As such these three sites have been formally identified within the plan as sites which are considered to be important employment generating sites, where proposals consistent with Green Belt policy will be supported.

POLICY EMP2 - MAJOR DEVELOPED EMPLOYMENT SITES IN THE GREEN BELT

The following three sites identified in the Core Strategy, as defined in Appendix 6, are considered to be important employment generating sites, where proposals consistent with Green Belt policy will be supported.

| | |
|---------------|--|
| MDES 1 | Fort Halstead, Halstead |
| MDES 2 | North Downs Business Park, Dunton Green |
| MDES 3 | Chaucer Business Park, Kemsing |

Delivery Mechanism:

See employment allocation sheets in Appendix 4

Details of the four previously defined MDES sites are included below.

Fort Halstead

Fort Halstead is a Major Developed Site within the Green Belt and the Kent Downs AONB that was originally a Ministry of Defence research establishment and is still occupied by defence related industries. It remains a major employer in the District.

Proposals for a major residential-led mixed use redevelopment of the site were considered and rejected through the Core Strategy process. However the Core Strategy states (para 4.5.21) that the main requirements of the current occupiers of Fort Halstead, QinetiQ and the Defence Science and Technology Laboratory (DSTL), may vary during the Plan period. It adds that the implications of a future decline in occupancy of the site will be considered within the policy framework of the Core Strategy and relevant national planning policy

Since the adoption of the Core Strategy, DSTL, the largest employer, has announced its intention to withdraw from the site by 2016. The Council is working with DSTL, QinetiQ and the site owners to assess and mitigate the impact on the local economy of the planned withdrawal. It will also be working with the owners and other interested parties to develop achievable proposals for the future use and redevelopment of the site.

Any proposals will be tested against the policy framework provided by the Core Strategy and relevant national policy. The Green Belt status of the site constrains the scale of development that can acceptably be accommodated, while its AONB status provides a further constraint on future development. However, there is substantial development on the site at present, as set out in the CLUED granted by SE/03/02897/LDCEX, and it remains an important employment site subject to Core Strategy Policy SP8 on the protection and regeneration of such sites. The Council will, therefore, expect future redevelopment to be employment-led, though it recognises that in view of the size of the site and the specialist nature of some of the buildings that there may be some scope for widening the mix of uses if required to support the employment-led regeneration, subject to policy considerations. The size of the site makes it feasible to accommodate a range of housing types and tenures. Policy considerations include the requirement for the resultant development to comply with sustainability principles, including conserving and enhancing the Kent Downs AONB, and sustainable transport proposals for accessing the site. The District Council will expect redevelopment proposals to provide for approximately 1200 jobs which were provided on site prior to the announced withdrawal of DSTL.

At this stage it is considered premature to set out a detailed proposal for future redevelopment and Policy EMP3 instead sets out broad principles that will apply when redevelopment proposals are being considered. The delivery mechanism to the policy proposes the preparation of a development brief for the site to provide a more specific agreed planning framework.

The Core Strategy states (para 4.5.20) that the defined boundary of the site from the Saved Local Plan will be reviewed to more fully reflect the developed area in business use. This review has been carried out and the new boundary is shown in Appendix 6.

POLICY EMP3 - REDEVELOPMENT OF FORT HALSTEAD

Fort Halstead, as defined in Appendix 6, is allocated as a Major Employment Site in the Green Belt.

Redevelopment proposals will be expected to achieve a range of employment uses such as

serviced offices, workshops or land based employment, and generate at least the number of jobs that the site accommodated immediately prior to the announced withdrawal of DSTL from the site.

Redevelopment of the site will maintain or reduce the amount of built development on the site and be fully contained within the Major Employment Site Boundary. It should have no greater impact on the openness of the Green Belt. The height of the buildings must take into account the need to conserve and enhance the natural beauty of the countryside in this location.

Redevelopment proposals, including those to widen the mix of uses on site, such as including an element of residential development and a hotel, would be expected to:

- Be sustainable in respect of the location, uses and quantum of development and be accompanied by a Travel Plan incorporating binding measures to reduce dependency of future occupants on car use;
- Provide accessibility to jobs, shops and services by public transport, cycling or walking, including proposals for onsite provision proportionate to the proposed development;
- Make a positive contribution to the achievement of aims and objectives of the Kent Downs AONB Management Plan and conserve and enhance the natural beauty and tranquillity of the Kent Downs Area of Outstanding Natural Beauty;
- Confirm, by way of a Transport Assessment, that the development would not have an unacceptable adverse impact on the local and strategic road networks;
- Protect and integrate the Scheduled Ancient Monument into the development with improved access and setting;
- Integrate existing dwellings located in close proximity to the boundary of the Major Employment Site into the new development;
- Incorporate principles of sustainable design and construction to minimise energy consumption in its construction and operation;
- Improve the provision and connectivity of green infrastructure, including the protection and enhancement of biodiversity and the provision of improvements to the Public Right of Way network.
- Provide for a comprehensive development and include a phasing plan, including phasing of infrastructure provision, showing how each phase of the development will contribute to the implementation of the policy.

Delivery Mechanism:

A Planning Brief will be prepared to guide the redevelopment of Fort Halstead, in consultation with, amongst others, the site owners, local parish councils, the Kent Downs AONB Unit and infrastructure providers.

Chaucer Business Park

Chaucer Business Park is located in Kemsing along Watery Lane. It covers an area of approximately 3.9 ha and there is no available developable land.

The site is primarily used for transport and storage or general business use with some manufacturing.

The site and most of the buildings are new and in good condition. There is on-site parking and good HGV access.

The Council promotes the continuation of the site in its current form. A plan showing the extent of the employment site is included in Appendix 6.

North Downs Business Park

North Downs Business Park is located in Dunton Green and is being used for a variety of activities including manufacturing and various business uses.

The business area is in good condition and the majority of the surveyed buildings are well maintained. There is on-site parking and good HGV access in most areas.

The Council promotes the continuation of the site in its current form. A plan showing the extent of the employment site is included in Appendix 6.

Glaxo Smith Kline, Powder Mills, Leigh

In February 2010 Glaxo Smith Kline announced its intention to close its pharmaceutical site at Leigh, where it is the sole occupier.

The Council commissioned consultants to undertake an independent report into the potential to re-use the site in employment use. The Report undertaken by URS Scott Wilson set out that it was not viable for re-use solely for employment and that a residential led mixed use development would be the most appropriate re-use of the site.

Taking this into consideration the Council has allocated the site for residential mixed use development under Policy H2 of this document. This allocation may involve the preparation of a Planning Brief as a supplementary planning document to guide future redevelopment.

Broom Hill

The Broom Hill development site, adjacent to the M25 in Swanley, is a longstanding employment land allocation. The Core Strategy proposes that it should be carried forward in the Allocations and Development Management Plan, subject to further consideration of the traffic impacts and the impact on on-site biodiversity. Employment development on the Broom Hill site has the potential to support the economic regeneration of Swanley.

The 'Employment Land Review' (2008) and the URS 'Employment Land Review Update' (2011) are based on the development of 4.1ha of the total 8.1ha allocated for employment use at Broom Hill. This provides the opportunity to consider a mix of uses on the site. The Council consider that the site is suitable for a mix of employment, as well as providing opportunities for improved open space provision on the site and on land in the Green Belt to the north.

POLICY EMP4: BUSINESS ALLOCATION AT BROOM HILL, SWANLEY

A comprehensively planned employment development at Broom Hill, Swanley, as defined in Appendix 4, will be supported by the Council, subject to confirmation through a Transport Assessment that the transport impacts of development will be acceptable. Proposals should include:

- Development of 4.1 ha of employment land;
- Improved public access to open space through on site provision and improvements in the quality and connectivity of open space on Green Belt land to the north

The proposed layout of development should take account of the noise and air quality constraints that exist on the site and should be sensitive to the existing topography, green infrastructure features of the site and its surroundings and the amenity of nearby properties.

Access to employment development on the site will be provided through the existing employment site to the south.

Enhancement of habitats on Green Belt land to the north of the site will ensure that there is no net adverse impact on biodiversity and, where possible, a net improvement should be secured.

Delivery Mechanism:
See employment allocation sheets in Appendix 4

Non- allocated employment sites

Redevelopment for mixed use of business sites in urban areas may exceptionally be permitted where such development would facilitate the regeneration of the site to more effectively meet the needs of modern business, where the employment capacity of the site, represented by the commercial floorspace, is maintained and where a mixed use development would represent a sustainable approach consistent with the general distribution of development.

Policy EMP5 below relates to Core Strategy Policy SP8 and acts as a supplementary development management policy to cover non-allocated employment sites. These sites will usually be below 0.2 ha, as sites above this threshold will have been assessed through the Council’s Employment Land Review, and either be allocated for employment purposes or recommended for release.

POLICY EMP5 – NON ALLOCATED EMPLOYMENT SITES

When considering proposals for the creation or loss of employment on unallocated sites, the Council will assess the impact of the proposals on the environment, local economy and the local community.

For new proposals the Council will also consider the impact on the transport network and ensure there is no harm to surrounding uses, including nature conservation areas.

Proposals for mixed use redevelopment on existing unallocated business sites will be

Agenda Item 9

Draft for Submission – January 2013

permitted providing the proposal includes a significant element of business use and the proposal complies with all other relevant planning policies.

The Council will permit the loss of non-allocated lawful business premises and sites to other uses provided it can be demonstrated, to the satisfaction of the Council, that the site has been unsuccessfully marketed for re-use in employment for a period of at least 6 months and that there is no longer a demand for business use at the site/premises.

Performance Indicators for The Economy and Employment:

Maintenance of Employment Allocations and Major Developed Employment Sites in the Green Belt;

Progress on Broom Hill development;

Change in Employment floor space in non allocated sites;

5 TOWN AND LOCAL CENTRES

The NPPF identifies the aims of town centres and suggests that the main uses which should be focused within them are retail development, leisure and entertainment facilities, offices and arts, culture and tourism development.

The Core Strategy includes the objective:

- To focus the majority of new housing, employment and retail development in the towns of Sevenoaks and Swanley and, to a lesser extent, in Edenbridge with smaller scale development in the larger villages which have a more limited range of local facilities.

Policy LO1 of the Core Strategy identifies the generic distribution of development and confirms the roles of the main settlements within the district during the plan period. It confirms the following settlement hierarchy:

| Sevenoaks Settlement Hierarchy | |
|--------------------------------|---|
| Principal Town: | Sevenoaks |
| Secondary Town: | Swanley |
| Rural Service Centre: | Edenbridge |
| Local Service Centres: | Westerham, New Ash Green and Otford |
| Service Village | Brasted, Crockenhill, Eynsford, Farningham, Halstead, Hartley, Hextable, Horton Kirby, Kemsing, Knockholt Pound, Leigh, Seal, Sevenoaks Weald, Shoreham, South Darenth, Sundridge and West Kingsdown. |

New development will focus on the larger settlements, principally Sevenoaks, Swanley and Edenbridge, in line with Government planning advice and the principles of sustainability. However, local shopping provision is also an important facility within many of the District’s neighbourhoods and smaller settlements. In these localised shopping centres small scale retail development should be allowed appropriate in scale to the settlements.

Defined town centre boundaries in previous Local Plans have worked well in focusing town centre uses in areas where there are the best opportunities for linked trips and for access by public transport, cycling and walking. The provision of sustainable transport and sufficient town centre parking also plays a key role in helping to maintain the vitality and viability of town centres. The Council will seek to broadly maintain the existing parking provision.

| Town and Local Centre Definitions |
|--|
| Town centre – A defined area, including the primary shopping area and areas predominately occupied by main town centre uses within or adjacent to the primary shopping area. |
| Primary shopping area – defined area where retail development is concentrated (generally comprising the primary and those secondary frontages which are adjoining and closely related to the primary shopping frontage. |
| Primary shopping frontage – primary frontages are likely to include a high proportion of retail uses which may include food, drinks, clothing and household goods |

Secondary shopping frontage – secondary frontages provide greater opportunities for a diversity of uses such as restaurants, cinemas and businesses.

Town centre uses:

- Retail Development (including warehouse clubs and factory outlet centres);
- Leisure, entertainment facilities and the more intensive sport and recreation uses (including cinemas, restaurants, drive-through restaurants, bars and pubs, night-clubs, casinos, health and fitness centres, indoor bowling centres, and bingo halls);
- Offices, and
- Arts, culture and tourism development (including theatres, museums, galleries and concert halls, hotels and conference facilities).

Local centre – locally significant areas of retail to which specific retail protection policies apply, in accordance with the NPPF. This excludes small parades of purely neighbourhood significance and existing out-of-centre developments. Local centres have been divided into neighbourhood and village centres in this plan.

Dead Town Centre Frontage – A façade that is blank, e.g. lacking in a window display, entrance and offers no life or activity to the street.

Under the town centre policies and designations, set out in the following sub-sections, ground floor development and changes of use which result in a reduction of town centre uses, i.e. not meeting the town centre definition above, within the designated town centres will be restricted. The policies also include a specific focus to ensure that the town centres remain the key areas for retail (Use Class A1) and other ‘A Class’ uses within the District. ‘A Class’ uses are:

- A1 – Shops
- A2 – Financial and Professional Services
- A3 – Restaurants and Cafes
- A4 – Drinking Establishments
- A5 – Hot Food Takeaways.

Applicants will be expected to show that proposals for change of use away from retail uses (Use Class A1) in certain areas within the town centres will meet the tests set out in the policies. In line with the NPPF (paragraph 24), proposals for retail development should look to locate within the town centre boundaries before considering alternative edge-of-centre or out-of-centre sites.

The Council will support the provision and enhancement of markets, in accordance with the NPPF (paragraph 23).

The aim of the town centre policies is to achieve and maintain vital and viable town centres in Sevenoaks, Swanley and Edenbridge that offer the quality, range and diversity of retail, services and community facilities to meet the needs of the populations they serve.

Sevenoaks

Sevenoaks has a successful town centre, which faces competition from larger centres outside the District and has suffered an increase in vacant premises as a result of the recession. Figure 4 of the Core Strategy identifies the town centre boundary for Sevenoaks and Policy L03

sets out the strategic policy for development of the town centre, which includes maintaining a mix of uses (including retail, offices, cultural, leisure, hotel and residential development). The 2009 Retail Study Update forecasts that there is likely to be some capacity for additional retail provision in Sevenoaks Town during the short to medium term. Core Strategy Policy L03 makes provision for the development of approximately 4,000 sq m of new shopping floorspace. This will include redevelopment of land west of Blighs Meadow (which has planning consent) and land east of the High Street in the longer term. In addition, the Council will seek to broadly maintain the existing retail floorspace within the town. Within the Sevenoaks Primary Retail Frontage ground floor, approximately 71% of the Primary Retail Frontage was in A1 use (including those vacant units considered to have last been in A1 use) in July/August 2011 and July/August 2012.

Within Sevenoaks town centre, an area dominated by retail uses can be identified, designated as the Primary Retail Frontage (see Appendix 7). Policy LC1 below seeks to maintain this predominance of retail within the Primary Frontage. A Secondary Retail Frontage is also identified in Sevenoaks town centre. This frontage contains a wider mix of uses, including banks, estate agents and restaurants, and is separated from the Primary Frontage by a significant physical barrier, such as a main road (Pembroke Road). The Secondary Frontage is characterised by an active frontage that contributes to the vitality of the town centre. Policy LC1 seeks to maintain this active frontage, whilst allowing for a range of uses.

POLICY LC1 – SEVENOAKS TOWN CENTRE

- a) Within Sevenoaks Town Centre, residential, business, leisure, entertainment, arts, culture, tourism or community facility uses will be permitted where consistent with criteria b), c) and d):
 - outside the Primary Retail Frontages and the area defined in Policy EMP1(g) for B1 Business Use, and
 - on the upper floors of units within Sevenoaks Primary Retail Frontages where there will be no adverse impact on the functioning of the ground floor use.
- b) Within the Sevenoaks Primary Retail Frontage, at least 70% of the ground floor frontage will be maintained in A1 use. Where proposals would not lead to the percentage of A1 frontage falling below this level, A Class uses will be permitted where they would complement the predominant retail function and not lead to a dead town centre frontage during regular shopping hours.
- c) Within the Sevenoaks Secondary Retail Frontage, proposals for the use of ground floor premises for retail and other A Class uses will be permitted where they would not lead to a dead town centre frontage. Ground floor A Class uses will be maintained except where evidence is provided by the applicant to show that these uses are no longer financially viable. In such circumstances, non-residential town centre uses at ground floor level would be permitted.
- d) Within the areas defined in Policy EMP1 Business Uses will be retained or permitted.

Swanley Town Centre

Swanley town centre contains a pedestrianised shopping centre, which includes a large food superstore, to the north-west of the railway line and a range of predominately smaller retail and

service units to the south-east. The Core Strategy notes that the centre suffers from a high level of vacancies and a limited range of stores.

The Retail Study Update 2009 shows that the town is only capturing a low proportion of available expenditure, particularly for non-food goods, and suggests that the attractiveness of the centre needs to be increased if local shoppers are to be brought back into the town. The Core Strategy (Policy LO5) promotes regeneration to achieve a development that enables the town centre to better meet the needs of the community it serves, increasing its attractiveness so that its market share can increase. It is proposed that the regeneration scheme includes a mix of uses (including retail, offices, residential and community facilities).

The proposed approach in Policy LC2 below is based on the existing town centre boundary (from Figure 5 of the Core Strategy) and frontages. It seeks to maintain a predominance of retail uses within the existing Primary Retail Frontage of the pedestrianised centre (see Appendix 7) and an active frontage and range of uses within the Secondary Retail Frontage. Proposals for the redevelopment of Swanley town Centre should identify a new Primary Retail Frontage to take account of changes to the built form and secure a proportion of these to remain in A1 use through condition. Within the Swanley Primary Retail Frontage ground floor, approximately 79% of the Primary Retail Frontage was in A1 use (including those vacant units considered to have last been in A1 use) in July/August 2011 and approximately 78% in July/August 2012 though this does include a significant length of the superstore frontage.

POLICY LC2 – SWANLEY TOWN CENTRE

- a) Within Swanley Town Centre, residential, business, leisure, entertainment, arts, culture, tourism or community facility uses will be permitted where consistent with criteria b), c) and d):
- outside the Primary Retail Frontages, and
 - on the upper floors of units within Swanley Primary Retail Frontages where there will be no adverse impact on the functioning of the ground floor use.
- b) Within the Swanley Primary Retail Frontage, at least 70% of the ground floor frontage will be maintained in A1 use. Where proposals would not lead to the percentage of A1 frontage falling below this level, A Class uses will be permitted where they would complement the predominant retail function and not lead to a dead town centre frontage during regular shopping hours. Proposals resulting in the change of use of existing non-A1 uses within the Primary Frontage to retail and other A class uses will be permitted where this would be complementary to the predominant retail function.
- c) Within the Swanley Secondary Retail Frontage, proposals for the use of ground floor premises for retail and other A Class uses will be permitted where they would not lead to a dead town centre frontage. Ground floor A Class uses will be maintained except where evidence is provided by the applicant to show that these uses are no longer financially viable units in these uses. In such circumstances, non-residential town centre uses at ground floor level would be permitted.

Edenbridge Town Centre

Edenbridge town centre provides a range of shops and facilities to serve the town and surrounding area. Policy LO6 seeks to maintain a mix of retail and service uses. Edenbridge

Town Centre also contains a number of dwellings along the main High Street, which make a positive contribution towards the mix of uses. However, in accordance with Policy LO6, the Council will resist any proposals for new ground floor residential units where this would reduce the range of retail and service uses.

The Retail Study Update forecasts only limited scope for increasing convenience shopping provision. The Core Strategy does not identify a town centre boundary for Edenbridge but does suggest the need for ‘a consolidated town centre’ and a revised boundary to reflect the completion of the Co-operative food store and a greater focus to the south than the boundary in the Local Plan.

A Primary Retail Frontage in the town centre can be identified, as proposed in Policy LC3 below, which should be the focus of future retail activity. The Primary Retail Frontage excludes the area of the town centre designated in the Local Plan to the north of the Police Office and the Catholic Church of St Laurence. It is proposed that the area to the north of the Primary Retail Frontage is designated as the Northern Area of the town centre and an area to the south of the river, which includes protected retail units in the Local Plan, is designated as the Southern Area. In these areas, ground floor town centre uses and residential redevelopment will both be acceptable. The aim of this approach is to primarily focus new retail development on the Primary Retail Frontage and reduce the number of vacant units. Within the Edenbridge Primary Retail Frontage, approximately 51% of the Primary Retail Frontage ground floor was in A1 use (including those vacant units considered to have last been in A1 use) in July/August 2011 and approximately 50% in July/August 2012.

POLICY LC3 – EDENBRIDGE TOWN CENTRE

- a) **Within Edenbridge Town Centre, residential, business, leisure, entertainment, arts, culture, tourism or community facility uses will be permitted where consistent with criteria b) and c)**
 - outside the Primary Retail Frontage, and
 - on the upper floors of units within Edenbridge Primary Retail Frontages where there will be no adverse impact on the functioning of the ground floor use.

- b) **Within the Edenbridge Primary Retail Frontage, at least 45% of the ground floor frontage will be maintained in A1 use. Where proposals would not lead to the percentage of A1 frontage falling below this level, A Class uses will be permitted where they would complement the predominant retail function and not lead to a dead town centre frontage during regular shopping hours. Proposals resulting in the change of use of existing non-A1 uses within the Primary Frontage to retail and other A class uses will be permitted where this would be complementary to the predominant retail function.**

- c) **In the Northern and Southern Areas of Edenbridge town centre, the balance between shops, services and community facilities and residential uses should be maintained, except, where evidence is provided by the applicant to show that these non-residential uses are no longer financially viable. In such circumstances, residential redevelopment will be acceptable. Proposals that would result in changes between town centre uses in these areas will be permitted.**

Local Centres

Local centres play an important role in meeting the day-to-day needs of many people in the District without the need to travel to a town centre. Local centres provide a range of small shops of a local nature, serving a small catchment and may include a small supermarket, post office, sometimes a pharmacy, a newsagent, launderette and hairdresser. Few local shopping centres within Sevenoaks District contain all of these shops and services, however, these centres still play an important role in meeting people's needs.

A distinction has been drawn between local centres within urban areas that contain a defined town centre (Sevenoaks, Swanley and Edenbridge) and other local centres. Centres meeting the former criteria have been identified as 'neighbourhood centres', whilst those meeting the latter are identified as 'village centres'.

Some local centres in Sevenoaks District also contain community facilities, such as libraries and doctors surgeries. In rural areas, Core Strategy Policy LO7 seeks to ensure that these community facilities are retained. Policy CF2 of this DPD would offer similar protection to community facilities in urban areas.

The aim of the local centre policies are:

- To ensure that shops and services in defined neighbourhood and village centres provide a range of day to day facilities for local residents and, therefore, reduce the need to travel.

Neighbourhood Centres

Neighbourhood centres should provide local shops and services that can meet the day-to-day needs of local residents with a reduced need to travel but should not undermine the vitality and viability of the town centre.

In order to be designated as a neighbourhood centre a group of shops and services should include a minimum number of retail units, one or more of which meets a day-to-day or routine need, and be of a large enough size to warrant designation. Centres have been designated if they meet the following criteria:

- They contain 5 or more A1 units; and
- They contain a supermarket, convenience store, newsagent, pharmacy or post office.

A key characteristic of neighbourhood centres is that they provide a cluster of units in Use Class A within convenient walking distance of one another. This ensures that centres provide opportunities for linked trips. In identifying local centres, units in Use Class A (occupied or vacant) have only been considered if they are less than 50m (as the crow flies) from another unit in Use Class A (occupied or vacant). However, some units that are less than 50m have been excluded where the physical form of a settlement indicates that a particular unit does not form part of a cluster of units within convenient walking distance of one another (e.g. where a unit is separated from the centre by a major road or longer walking distance).

Under these criteria, the following areas within the urban areas of Sevenoaks and Swanley are defined as neighbourhood centres and would be subject to Policy LC4.

- Northern St John's
- Southern St John's
- Tubs Hill and Station Parade
- London Road, Dunton Green (near Lennard Road)
- Riverhead
- Manse Parade, Swanley

Plans showing the extent of each of these neighbourhood centres are included in Appendix 8.

No neighbourhood shopping centres are designated in Edenbridge. Those existing retail units in Edenbridge and those in Sevenoaks and Swanley not designated as a neighbourhood centre should be protected where they are meeting a local need. These units would be subject to Policy CF2.

Village Centres

Policy L07 of the Core Strategy seeks to support the provision and retention of services and facilities that meet a local need and existing employment opportunities. It states:

'The loss from rural settlements of services and facilities that serve the local community will be resisted where possible. Exceptions will be made where equivalent replacement facilities are provided equally accessible to the population served, or where it is demonstrated, through evidence submitted to the Council, that the continued operation of the service or facility is no longer financially viable'.

In accordance with the aims and policies of the Core Strategy, the primary function of village centres should generally be to provide day-to-day shops and services for local residents that are appropriate for the scale and location of the settlement that they serve. However, some village centres that do not currently contain day-to-day shops and services for local residents may make a significant contribution towards the local economy, for example by providing shops and services for visitors. Given this, village centres are designated if they contain:

- 5 or more A1 units; or
- a supermarket and/or convenience store and 3 additional A1 units.

A key characteristic of village centres is that they provide a cluster of units in Use Class A within convenient walking distance of one another. This ensures that centres provide opportunities for linked trips. In identifying local centres, units in Use Class A (occupied or vacant) have only been considered if they are less than 50m (as the crow flies) from another unit in Use Class A (occupied or vacant). Some units that are less than 50m have been excluded where the physical form of a settlement indicates that a particular unit does not form part of a cluster of units within convenient walking distance of one another (e.g. where a unit is separated from the centre by a major road or longer walking distance).

On the basis of these criteria, the following areas are designated as village centres:

- Kemsing – The Parade
- Seal – High Street
- Otford – High Street
- Otford – Bubblestone Parade
- Brasted – High Street and the Green

Agenda Item 9

Draft for Submission – January 2013

- Westerham Centre
- Crockenhill – Broadway
- West Kingsdown – Hever Road
- New Ash Green Centre
- Hartley – Cherry Trees
- Hextable – Upper Main Road

Plans showing the extent of each of these local centres are included in Appendix 8.

In accordance with the Core Strategy, Westerham is no longer designated as a town centre and is instead designated as a village centre, subject to Policy LC4.

Core Strategy Policy LO7 states that New Ash Green village centre will be regenerated so that it better meets the needs of the local community whilst respecting the distinctive character of the settlement. Policy LC4 will apply to the village centre, see Appendix 8, until the centre is redeveloped. Following the redevelopment, the policy will apply to the main retail and service area of the village centre, which should be identified through any planning application. In order to ensure consistency with other village centre boundaries, the car parks in New Ash Green village centre are identified as within the centre boundary.

POLICY LC4 – NEIGHBOURHOOD AND VILLAGE CENTRES

Within neighbourhood and village centres, as defined in Appendix 8, a range of shops (including Use Class A1) and services (including Use Classes A2, A3, A4 and A5) will be maintained.

Changes of use between shopping and service uses within neighbourhood and village centres will be permitted where this would not lead to the loss of A1 units serving the day to day needs of the community or required to ensure that the centre is capable of meeting the day to day needs of the community during the plan period. Proposals resulting in a net loss of shopping or service uses will not be permitted unless evidence is provided to the Council to show that the operation of the facility is no longer financially viable and where there are no other realistic proposals for retail or service uses on the site, including through Community Right to Buy.

Appropriately located additional retail or service units in neighbourhood and village centres will be permitted where the proposal is of a scale appropriate to the centre and would not materially undermine the existing balance of uses.

Residential, business or community uses of the upper floors of units within village centres will be encouraged where there will be no adverse impact on the functioning of the ground floor retail or community use.

Performance Indicators for Town and Local Centres:

Change in Retail floorspace in Main Settlements; *(CS Indicator)*

Town Centre Health Check; *(CS Indicator)*

Proportion of A1 units within Primary Frontages of Sevenoaks Town Centre;

Swanley regeneration scheme; *(CS Indicator)*

Proportion of A1 units within Primary Retail Frontage of Edenbridge Town Centre;

Changes in Settlement Hierarchy services and facilities score for individual settlements; (*CS Indicator*)

6 GREEN INFRASTRUCTURE AND OPEN SPACE

Protecting and improving the environment has always been a central aim of the planning process and is a key element of the Core Strategy. The District has extensive countryside and a unique landscape character, including designated areas of biodiversity value, AONB and many areas of open space.

The importance of these open spaces is that they are often multifunctional, with a variety of uses and designations. They may provide for formal and informal recreation, they are valuable to local communities contributing to their character and landscape and providing important areas for wildlife.

The following key Core Strategy Objectives are relevant to Green Infrastructure and Open Spaces:

- To safeguard and maintain the openness of the Green Belt and the distinctive character and biodiversity of the district's landscapes, particularly in the Kent Downs and High Weald Areas of Outstanding Natural Beauty, whilst facilitating the economic and social well-being of these areas including the diversification of the rural economy by adopting a positive approach to small scale economic development proposals which re-use existing buildings.
- To ensure that a new development is designed to a high quality and where possible makes a positive contribution to the distinctive character of the area in which it is situated.
- To safeguard existing open space, sport and recreational facilities that meet community needs and improve provision where necessary;
- To maintain and enhance the biodiversity of the District.

The policies for the protection and enhancement of the landscape character, open space, sport and recreational facilities and biodiversity are contained in Core Strategy Policies L08, SP10 and SP11.

Green Infrastructure

The NPPF (paragraphs 73-77) encourages the creation and enhancement of a network of open spaces and natural habitats and the Core Strategy specifies the need to identify the Green Infrastructure (GI) Network across the District.

The following areas can form part of networks of green infrastructure:

- **Parks and gardens - including urban parks, country parks and formal gardens.**
- **Natural and semi-natural urban greenspaces - including woodlands, urban forestry, scrub, grasslands (e.g. downlands, commons and meadows), wetlands, open and running water, wastelands and derelict open land and rock areas (e.g. cliffs, quarries and pits).**
- **Green corridors - including river and canal banks, cycleways, and rights of way**
- **Outdoor sports facilities (with natural or artificial surfaces, either publicly or**

privately owned) including tennis courts, bowling greens, sports pitches, golf courses, athletics tracks, school and other institutional playing fields, and other outdoor sports areas.

- Amenity greenspace (most commonly, but not exclusively, in housing areas) – including informal recreation spaces, greenspaces in and around housing, domestic gardens and village greens.
- Provision for children and teenagers - including play areas, skateboard parks, outdoor basketball hoops, and other more informal areas (e.g. 'hanging out' areas, teenage shelters).
- Allotments, community gardens, and city (urban) farms.
- Cemeteries and churchyards.
- Accessible countryside in urban fringe areas.
- River and canal corridors.
- Green roofs and walls.

Sevenoaks District's Green Infrastructure Network

In the District, the Green Infrastructure Network includes nationally designated areas such as:

- Land of biodiversity value, including Biodiversity Opportunity Areas
- Sites of Special Scientific Interest, (SSSIs)
- Historic parks and gardens
- Land designated under The Countryside and Rights of Way Act 2000 (CROW) including Common Land and Public Rights of Way (PROW)

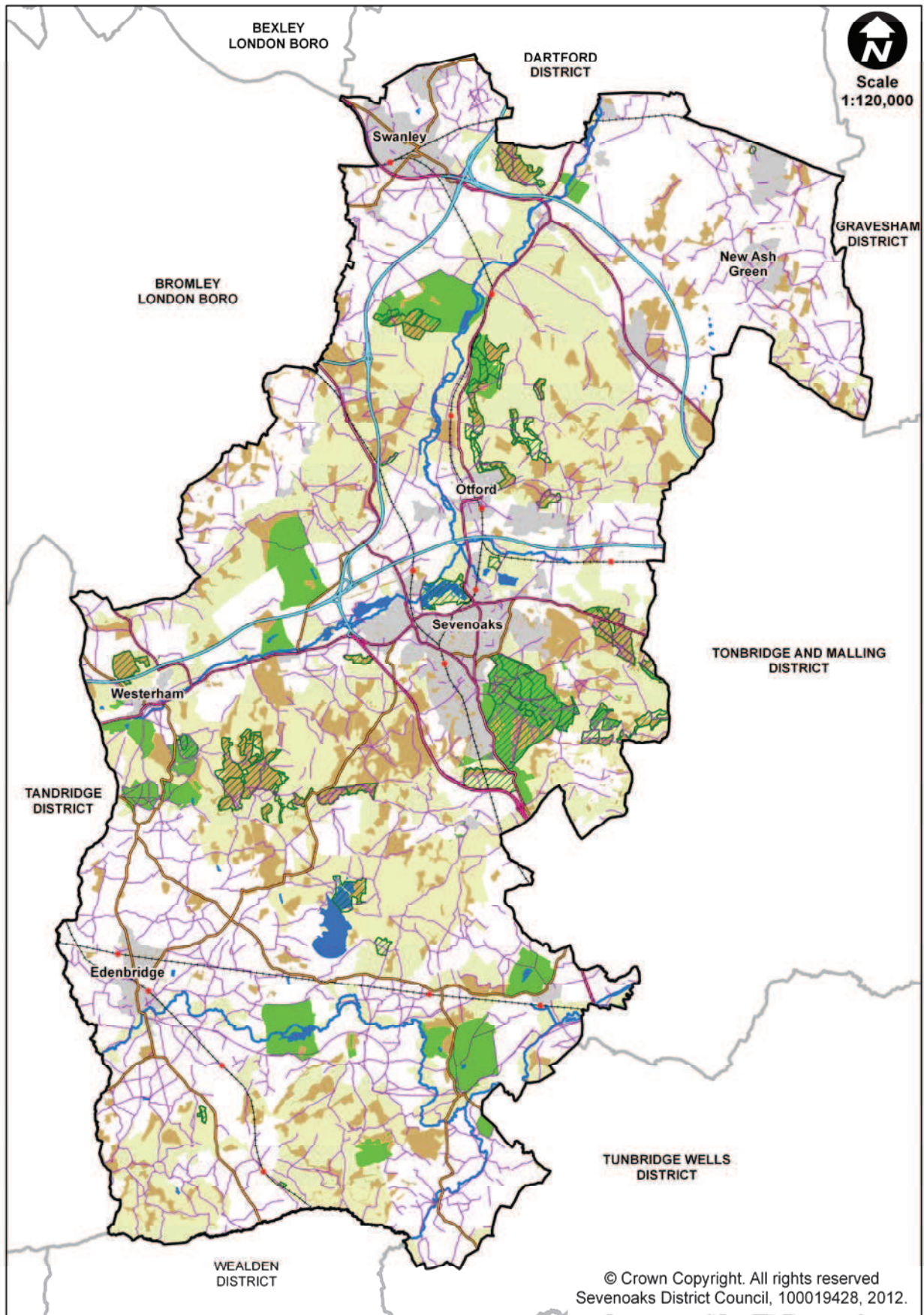
and locally recognised sites such as:

- Local Wildlife Sites, identified by the Kent Wildlife Trust
- Kent Wildlife Trust Reserves
- Local Nature Reserves
- Roadside Nature Reserves
- Ancient woodlands
- Country Parks
- Tree Preservation Orders
- River corridors and open bodies of water
- Cycle routes
- Amenity Greenspace
- Parks and Gardens
- Natural and Semi-Natural Green Space
- Provision for Children and Young People
- Outdoor Sports Facilities
- Allotments and Community Gardens
- Green Corridors
- Cemeteries and Churchyards


Agenda Item 9

Draft for Submission – January 2013

Map 1 Showing Existing Green Infrastructure Network across the District



Legend

-  SDC Boundary
-  Adjoining Districts
-  Motorway
-  A Road
-  B Road
-  Railway Stations
-  Railway Lines
-  River Corridors and Areas of Open Water
-  Biodiversity Opportunity Areas
-  Biodiversity Sites
 - SSSI's
 - Local Wildlife Sites
 - Roadside Reserves
 - Local Nature Reserves
 - KWT Reserves
-  Public Rights of Way and Cycle Routes
-  Trees
 - Ancient Woodland
 - TPO's
-  Parks and Open Spaces
 - Common Land
 - Country Parks
 - Historic Parks and Gardens
-  Urban Areas

Green Infrastructure Opportunities across the District

The Core Strategy focuses development within the built confines of existing settlements and in allocating development seeks to protect sites designated for their wildlife, open space, amenity or recreational value. This approach means that the potential harmful effects of new development on the GI Network will be minimised.

The District's provision of new sites for development is relatively modest and this limits the scope for enhancing or creating additional green infrastructure as part of new development. Consequently it is important for the Council will also work with partner organisations to deliver both landscape scale schemes as well as more localised projects, which both enhance the existing GI Network and increase the network across the District.

The definition of the Green Infrastructure Network has allowed opportunities to be identified which enhance and extend the network, including improving cross boundary linkages, which could be implemented during the plan period.

- Landscape and Countryside –e.g. Kent Orchards Project
- Habitats and Biodiversity - e.g. NWCP Living Churchyards Project
- Cross Boundary Linkages –e.g. Extension of the Tonbridge to Penshurst Cycle Route
- Linkages within Sevenoaks District – e.g. Enhancement along the Darent Valley
- River Corridors and Areas of Open Water – e.g. Removal of Invasive Plant Species

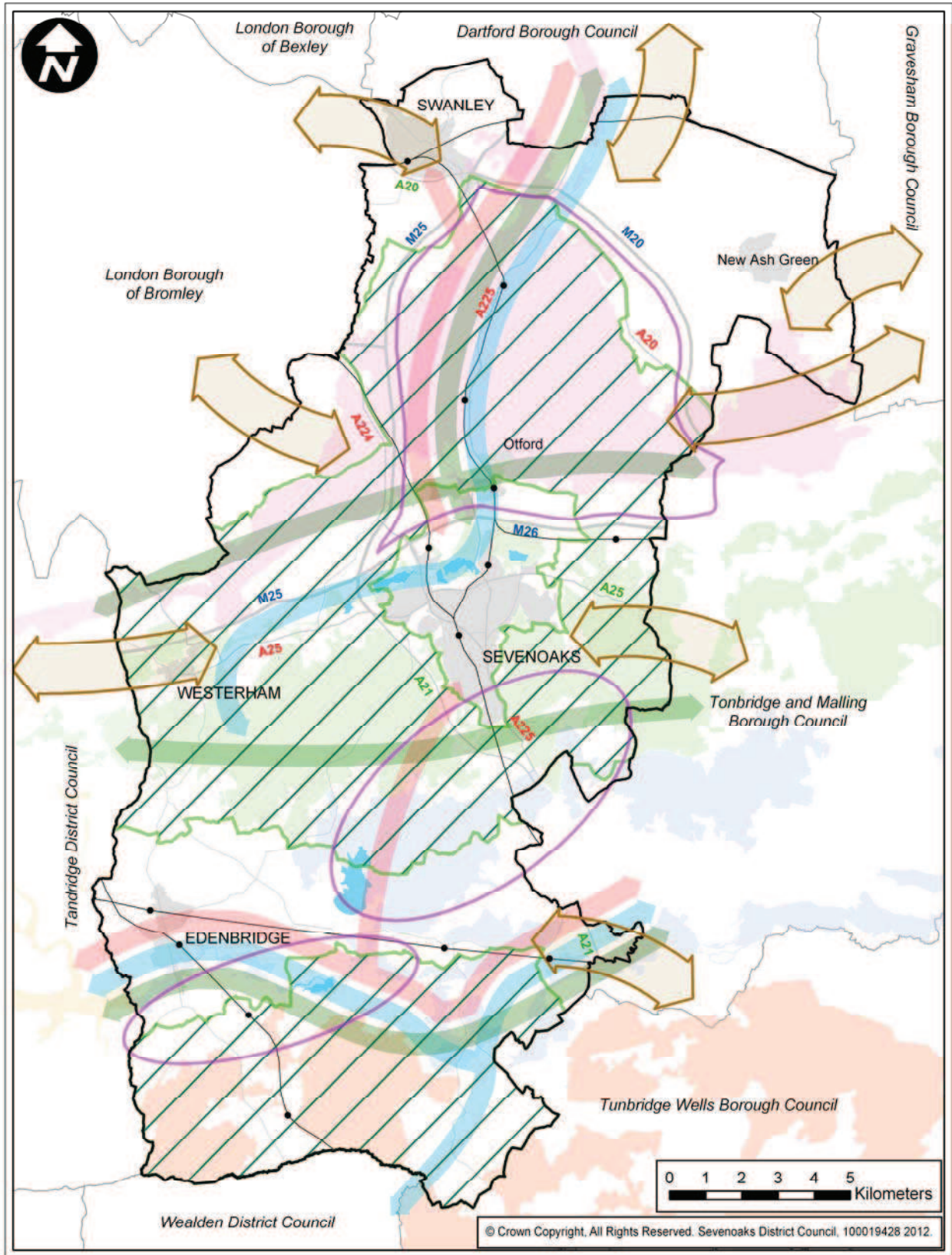
Legend

-  Cycling Route Opportunities
 - improvements/extensions to existing routes
 - creation of new routes
-  Walking Route Opportunities
 - improvements to existing routes
 - creation of new connections
-  Rivers and Areas of Open Water
 - habitat and biodiversity improvements
 - removal of invasive species
-  Opportunities for Cross Boundary Linkages
-  Areas of Outstanding Natural Beauty
 - North Downs AONB (North)
 - High Weald AONB (South)
-  Landscape Scale project areas
 - Darent Triangle Living Landscape
 - Sevenoaks Living Landscape

Biodiversity Opportunity Areas

-  Central North Downs
-  Greensand Heaths & Commons
-  High Weald
-  Medway & Low Weald Greensand & Gault

Map 2 showing Green Infrastructure Opportunities across the District within the LDF Plan Period



Green Infrastructure and New Development

The provision of green infrastructure is a key aspect in delivering development of high quality. The use of landscaping and green spaces in development benefits the health and wellbeing of future occupants and allows new development to integrate with its surroundings. However GI provision goes beyond traditional site based landscaping, it requires development proposals to take into account not only the natural/semi natural features and biodiversity within a site (as sought by Policy EN1) but also its links with the natural environment of its surroundings and where appropriate the wider character of the area (as sought by Policy EN2 and Core Strategy Policies SP10 and SP11).

The existing GI Network in the District is extensive and due to the extent of the Green Belt designation many GI features are already linked to each other by areas or corridors of undeveloped land, agricultural land, forestry or domestic gardens. Despite this it is important to give consideration to the possibilities for strengthening and enhancing these linkages particularly between wildlife corridors and open spaces within or connecting to urban areas.

Retaining existing features such as open space, trees and hedgerows, can help development to be more sensitively integrated into its surroundings and will allow the important links with the established GI Network to be maintained.

Incorporating existing features is also important for local biodiversity. Biodiversity is not confined to protected sites but occurs throughout rural and urban areas. New development, whether on previously developed or greenfield sites, provides opportunities to create or restore areas of biodiversity. It is therefore expected that any GI associated with development will be based on the use of native or local species. Priority habitats and species for the District are set out in Kent Biodiversity Action Plans (BAPs) and in Biodiversity Opportunity Areas (BOA's).

It is also important that the GI within the site reinforces the character of the wider landscape. Key landscape features are identified in The Sevenoaks Countryside Assessment SPD and the AONB Management Plans. It is important not to underestimate the cumulative impact of smaller developments. The conservation and enhancement of key landscape features contributes to the GI Network and must be taken into account in all proposals.

GI also plays an important role in helping development adapt to climate change. Climate change is expected to cause increased winter rainfall and summer temperatures across the South East. GI can help reduce surface water runoff, provide natural shading and create important areas for species migration and help to regulate the temperature of the building. Sustainable drainage systems should be included as part of on site green infrastructure to reduce the risk of surface water flooding. Any systems should have appropriate management arrangements.

GI can be incorporated into new development in a wide variety of ways. The nature and scale of the GI will depend upon the type of development proposed and the existing character of the site and its surroundings. A range of GI should be explored in order to determine what is most appropriate for the site.

Examples include:

- Incorporating Living Roofs
- Sustainable drainage systems
- Connecting with existing PROW network
- Using plants and trees which extend existing habitats around site boundaries

- Using GI which reflects the special character of the landscape or BOA.
- Formal and informal recreational GI (including the provision for children and young people where appropriate)

Occupiers of new development can increase the pressure on the GI Network particularly on open space and recreation facilities. The Council will require the provision of new or enhanced GI if development is proposed in areas where there is a deficiency in existing provision or in situations where the development itself would result in a deficiency in provision.

POLICY GI 1 – GREEN INFRASTRUCTURE AND NEW DEVELOPMENT

Proposals will be permitted where opportunities for provision of additional Green Infrastructure have been fully considered and would be provided where justified by the character of the area or the need for open space.

Any open spaces provided as part of new development should, wherever practical and appropriate, be located where they can provide a safe link for the population and connectivity for biodiversity with the existing features of the Green Infrastructure Network.

Additional green infrastructure and habitat restoration and/or re-creation, should be provided in accordance with the appropriate guidance contained in the Kent Design Guide and the Countryside Assessment SPD and should take account of the guidance within the AONB Management Plans and associated guidance where appropriate.

Delivery Mechanism:

The Kent Design Guide, the Countryside Assessment SPD and the AONB Management Plans provide further guidance on Green Infrastructure. As well as developers, KCC Countryside Access, the AONB Countryside Management Partnerships, the AONB unit and Parish Councils will advise on, and coordinate implementation of, improvement opportunities.

Open Space

The term open space includes both public and private spaces and covers any open space which contributes to the character of the locality and is important to the local community. It can be amenity and/or equipped play areas, sports pitches, allotments, burial land, parks and gardens, civic spaces, urban fringe or areas of water such as rivers, lakes and reservoirs. These open spaces are important for recreational uses but also as part of the Green Infrastructure assets of the District.

Open space and associated leisure facilities perform a wide variety of important functions, as well as providing space for recreation. The Core Strategy recognises the importance of such facilities for health and well being and their value to the local community:

- community health benefits are increased by providing areas for outdoor leisure, both formal and informal, facilitation of greater social interaction and fostering local identity and ownership;

Agenda Item 9

Draft for Submission – January 2013

- economically, open spaces are beneficial as they improve the perception of the local area which can make for a more enjoyable working and leisure experience. Property values are also likely to be higher in the vicinity of an open space; and
- natural and semi-natural open spaces can provide habitat and biodiversity corridors that help safeguard natural heritage, provide water stores to reduce the potential for flooding and 'green lungs' that play an active role in achieving carbon neutral development.

All types of open space across the District were surveyed in the Open Space, Sport and Recreation Study 2009 and Core Strategy Policy SP10 protects open space. The open spaces specifically protected by this policy are the larger sites of over 0.2ha and are defined in Appendix 9. Smaller areas are protected by Policy EN2 and Core Strategy Policies SP10 and SP11.

School Playing fields provide an important component of the Green Infrastructure Network and can provide for important habitats and ecological benefits to an area. In accordance with the NPPF (paragraph 74), playing fields and other forms of open space that could be of value to the local community should be protected from development unless it can be demonstrated that the land is surplus to requirement. The Council therefore considers that where school playing fields become available, in the first instance use for sport and recreation should be retained.

Development that is ancillary to the use of the site as a playing field, such as new changing rooms, may be permitted where it does not affect the quality or quantity of the pitches or their use, nor impact upon the quality and extent of the Green Infrastructure Network.

The NPPF (paragraphs 76-77) supports the idea that local communities should be able to identify for special protection green areas of particular importance to them. Where appropriate, the District Council will support communities in designating Local Green Space via Neighbourhood Planning.

POLICY GI 2 – LOSS OF OPEN SPACE

Change of use or redevelopment of Green Infrastructure, Open Space, Sport or Recreation sites within the urban confines of towns and villages, as defined in Appendix 9, and redundant school playing fields will not be permitted unless the applicant demonstrates that:

- the open space is surplus to requirements; and that there is no need for an appropriate alternative community, sports or recreational use, or
- the loss will be mitigated by equivalent replacement provision (in terms of quality, quantity and accessibility, or
- the development is for alternative sports/recreational use.

Supporting development will be permitted where it is appropriate and ancillary to the use of the site as a community playing field or sports pitch.

There should be no significant adverse impact on the character of the local environment and any potential loss of biodiversity interests should be mitigated.

Proposals for built development on redundant school playing fields in the Green Belt, other than for essential facilities for outside sport and recreation will be refused.

Delivery Mechanism:

See detailed open space allocation maps in Appendix 9

Performance Indicators for Green Infrastructure and Open Spaces:

Change in the Green Infrastructure Network; (*CS Indicator*)

Protection of Open Space Allocations; (*CS Indicator*)

Development of school playing fields;

7 THE GREEN BELT

Sevenoaks District adjoins London and is predominantly rural in character with 93% of the District designated as Metropolitan Green Belt.

The general purposes of the Green Belt are stated in the NPPF:

- (i) to check the unrestricted sprawl of large built-up areas;
- (ii) to prevent neighbouring towns merging into one another;
- (iii) to assist in safeguarding the countryside from encroachment;
- (iv) to preserve the setting and special character of historic towns; and
- (v) to assist in urban regeneration by encouraging the recycling of derelict and other urban land.

The Sevenoaks District lies entirely within the Green Belt. The particular function of the Green Belt in Kent is to preserve the open countryside between the edge of Greater London and the urban areas of the Medway towns, Maidstone, Tonbridge and Tunbridge Wells.

The approved Green Belt in West Kent extends to about 12-15 miles from the built-up edge of Greater London. Within West Kent, the Green Belt has an important role in preserving the identity of the separate communities and in curbing urban pressures by restraining the growth of towns and other settlements.

The most important attribute of Green Belts is their openness and the NPPF states that the fundamental aim of Green Belt policy is to keep land permanently open. Once Green Belts have been defined, the use of land in them has a positive role to play in fulfilling the following objectives:

- to provide opportunities for access to open countryside for the urban population;
- to provide opportunities for outdoor sport and outdoor recreation near urban areas;
- to retain attractive landscapes and enhance landscapes, near to where people live;
- to improve damaged and derelict land around towns;
- to secure nature conservation interest; and
- to retain land in agricultural, forestry and related uses.

The Green Belt also plays an important role in encouraging regeneration within existing built confines and this is particularly relevant at settlements such as Sevenoaks, Swanley and New Ash Green within the Sevenoaks District. The Core Strategy provides further detail on these regeneration proposals.

Core Strategy

The Spatial Vision of the Core Strategy supports national guidance and sets out that Sevenoaks District will provide for future development requirements by making effective use of urban land within existing settlements, while protecting the environment. Further to this the Council's development requirements for housing, employment and other such development as set out in the Core Strategy are based on maintaining existing Green Belt boundaries and not releasing any Green Belt land for development.

The detailed objectives of the Core Strategy include:

- To safeguard the countryside around the District’s towns and villages and promote change within them by making the best use of previously developed land.
- To safeguard and maintain the openness of the Green Belt and the distinctive character and biodiversity of the district’s landscapes, particularly in the Kent Downs and High Weald Areas of Outstanding Natural Beauty, whilst facilitating the economic and social well-being of these areas including the diversification of the rural economy by adopting a positive approach to small scale economic development proposals which re-use existing buildings.

**PREPARATION OF A GREEN BELT
SUPPLEMENTARY PLANNING DOCUMENT**

To support the policies for development in the Green Belt, the Council has prepared a Supplementary Planning Document (SPD) to provide applicants with advice on the way the Council will consider applications and how best to prepare Green Belt schemes.

The following key areas are included within the SPD;

Overview of Green Belt policy;
Principles for new buildings, including limited infilling in existing villages;
Residential development proposals;
Agriculture and re-use of farm buildings;
Leisure, tourism and equestrian development;
Change of use within the Green Belt;
Design considerations for Green Belt development; and
Very special circumstances.

The SPD is subject to a separate six-week consultation.

Control Over Development

The NPPF states that a local planning authority should regard the construction of new buildings as inappropriate in Green Belt. Exceptions to this include:

- buildings for agriculture and forestry;
- the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- the re-use of buildings provided that the buildings are of permanent and substantial construction;
- limited infilling in villages, and limited affordable housing for local community needs under policies set out in the Local Plan; or
- limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.

The following policies set out the approach which the District Council will take to specific forms of development in the Green Belt.

Limited Extensions to dwellings in the Green Belt

It is reasonable for those living in the Green Belt to be able to extend their properties to some degree, to cater for changing family needs or to provide essential basic amenities where these are not available or are inadequate. To support the emerging policies for development in the Green Belt, the Council has prepared a Supplementary Planning Document to provide applicants with detailed advice on the way the Council will consider applications and how best to prepare Green Belt schemes.

The NPPF (paragraph 89) states that the extension or alteration of a building in the Green Belt is not inappropriate development as long as the extension does not result in a disproportionate addition over and above the size of the original building. It is within this context that proposals for extensions and alterations to dwellings will be considered.

It is important to note that existing dwellings in the Green Belt are entitled to the same permitted development rights as dwellings elsewhere (provided permitted development rights have not been removed), and therefore the local planning authority cannot control all extensions or alterations to dwellings in the Green Belt. The Council will give consideration to the removal of permitted development rights when assessing proposals to extend a dwelling in the Green Belt.

Through previous Local Plans the Council has applied a policy that allows the extension of dwellings in the Green Belt by up to 50% over and above the gross floor area of the original building.

Whilst the approach is considered to be successful in principle, it is acknowledged that floorspace does not always fully reflect the impact of extensions on the size of the original building and that alterations can be made to a building that increase the floorspace without significantly affecting the size of the building. For example some loft conversions create extra floorspace accommodation in the roof space but do not involve significant change to the roof form. Conversely development can occur that adds significantly to the physical size of the building without affecting floorspace, for example a replacement roof that is much bulkier but does not include extra accommodation.

Taking these considerations into account the Council has revised its Green Belt policy approach to ensure that the overriding principles that would determine the acceptability of a scheme are based on design and the impact on the form and appearance of the original building, volume and bulk increase and associated impact that development would have on the openness of the Green Belt.

In order to ensure consistency the Council have continued to apply the same 50% floorspace increase allowance to extensions, however the criteria is considered to be secondary to good design and proposals that comply with the 50% rule will not necessarily be approved if the extension is poorly designed or overly intrusive in the Green Belt. The Council have also acknowledged that schemes in excess of the 50% rule may exceptionally be permitted where they do not result in an inappropriate design or unacceptable level of additional volume and bulk and do not materially impact upon the openness of the Green Belt.

In view of the above, any proposals for extensions or alterations to dwellings in the Green Belt will be required to meet the criteria set out in Policy GB1. They should also comply with other relevant Development Management Policies. Extensions to non-residential buildings in the Green Belt will be subject to Policy GB8.

For the purpose of Policy GB1 “Original” means the dwelling as existing on 1st July 1948 even if the original dwellings has since been replaced. If no dwelling existed on that date, then “original” means the dwelling as first built after 1st July 1948. Extensions will only be allowed under the policy where the dwelling proposed to be extended remains intact on site.

Unlike previous versions of the Sevenoaks District Local Plan, the floorspace of the “original” dwelling does not include outbuildings. Policy GB3 sets out the approach to outbuildings and any proposals for outbuildings within 5m of the existing dwelling will be treated as an extension under Policy GB1.

Where applicants seek to demonstrate that an extension in the Green Belt complies with policy GB1, the planning application must include justification of how the proposal complies with criteria a) and b) together with detailed floor space calculations to provide evidence of compliance with criterion c).

POLICY GB1 - LIMITED EXTENSIONS TO DWELLINGS IN THE GREEN BELT

Proposals to extend an existing dwelling within the Green Belt which would meet the following criteria will be permitted:

- a) the existing dwelling is lawful and permanent in nature; and
- b) the design is in keeping with the original form and appearance of the building and the proposed volume of the extension, taking into consideration any previous extensions, is proportional and subservient to the ‘original’ dwelling and does not materially harm the openness of the Green Belt through excessive scale, bulk or visual intrusion; and

If the proposal is considered acceptable when considered against criteria a) and b), the following criterion will then be assessed and must also be met for the proposal to be considered appropriate:

- c) the applicant provides clear evidence that the total floorspace of the proposal, together with any previous extensions, alterations and outbuildings would not result in an increase of more than 50% above the floorspace of the “original” dwelling (measured externally).

Planning applications that include the conversion of loft space through the addition only of roof lights will be permitted and will not be subject to the floorspace allowance in criterion c), provided there is no increase in volume or bulk as result of the proposal. Proposals for loft conversions that include the addition of dormer windows or other alterations that create volume or bulk will be subject to criterion c).

Delivery Mechanism:

The Green Belt SPD and Residential Extensions SPD will provide further guidance on development in the Green Belt

Basements in the Green Belt

The construction of dwellings in the Green Belt with basements would not generally result in overly intrusive, bulky or high dwellings, or impact on the openness of the Green Belt in terms

Agenda Item 9

Draft for Submission – January 2013

of the physical presence, providing that the basements are located entirely underground, are not visible externally and are not artificially raised above natural ground level.

Single storey basements will be permitted for new and replacement dwellings in the Green Belt, in addition to the 50% increase in floorspace for above-ground extensions permitted within Policies GB1 and GB4. However, such structures must not exceed the footprint of the original dwelling (based on the footprint of the original building as at 1st July 1948 or, when it was first constructed, if this is later).

In addition where a basement is acceptable, permitted development rights for extensions to dwellings in the Green Belt may be removed to prevent unreasonably large sized dwellings (by controlling their scale and appearance) and to prevent any potential negative impact on the openness of the Green Belt.

POLICY GB2 - BASEMENTS WITHIN RESIDENTIAL DEVELOPMENTS IN THE GREEN BELT

Proposals to extend or replace a dwelling in the Green Belt that includes the provision of a basement which would meet the following criteria will be permitted and will not be subject to the floorspace allowance as set out in Policies GB1 and GB4:

- a) The basement would not exceed the footprint of the original dwelling (based on the footprint of the original building as at 1st July 1948 or, when it was first constructed, if this is later;
- b) The basement would be situated entirely underground with no part of it visible at any point externally;
- c) There would be no external windows, entrances or exits to the basement;
- d) The extension or replacement dwelling would not be artificially raised above natural ground level to accommodate the extension; and
- e) The elements of the proposal situated above ground would comply with Policy GB1 (extension) or GB4 (replacement dwellings) in all other respects;

For basement proposals that do not comply with the above, the floorspace of the basement shall be included within the calculation for the purpose of Policy GB1 or GB4.

Delivery Mechanism:

The Green Belt SPD will provide further guidance on development in the Green Belt

Residential Outbuildings in the Green Belt

In order to maintain the openness of the Green Belt, it is important to ensure that new ancillary domestic outbuildings, such as garages and sheds, are considered appropriately.

Clusters of buildings would have a more intrusive impact upon Green Belt openness and therefore proposals for residential outbuildings will be treated as an extension under Policy GB1 if the proposed outbuilding would be located within 5m of the existing dwelling.

It is recognised that permitted development rights exist for certain outbuildings, therefore where planning permission is required for these structures in the Green Belt, and where the outbuildings are more than 5m from the existing dwelling, they will be permitted in addition to the allowance under Policy GB1 if the design and cumulative impact would not materially harm the openness of the Green Belt through excessive bulk or visual intrusion.

The Council will seek to ensure that such proposals do not dominate the main dwelling or its setting, and do not have an adverse impact on the openness of the Green Belt. Such buildings should be clearly ancillary to the main dwelling in terms of function and design.

Where permission is granted for an outbuilding, a condition may be imposed, or legal agreement required, to ensure that outbuildings are retained for purposes ancillary to the main dwelling and to prevent their conversion without the approval of planning permission. Consideration will also be given to the need to remove permitted development rights.

POLICY GB3 - RESIDENTIAL OUTBUILDINGS IN THE GREEN BELT

Proposals for residential outbuildings, within the curtilage of an existing dwelling in the Green Belt, will be treated as an extension under Policy GB1 if the proposed outbuilding would be located within 5m of the existing dwelling.

Outbuildings located more than 5m from the existing dwelling will be permitted where the building, including the cumulative impact of other outbuildings and extension within the curtilage of the dwelling, would be ancillary to the main dwelling in terms of function and design and would not materially harm the openness of the Green Belt through excessive bulk or visual intrusion

Delivery Mechanism:

The Green Belt SPD will provide further guidance on development in the Green Belt

Replacement Dwellings in the Green Belt

The NPPF (paragraph 89) states that the replacement of an existing building in the Green Belt is not inappropriate development if it is within the same use and not materially larger than the building it replaces. Proposals for replacement dwellings in the Green Belt will be considered against Policy GB4 below. Proposals for non-residential replacement buildings will be considered against Policy GB8.

In order to minimise the impact of new development, replacement dwellings should be sited on, or close to, the site of the original dwelling, unless an alternative siting would reduce the visual impact of the building on the openness of the Green Belt. In such circumstances, a condition or Section 106 Agreement will be required to ensure the demolition of the existing dwelling.

Some building operations can be carried out under permitted development rights. These can have a significant impact on the character of the plot and its setting, and adversely affect the openness of the Green Belt. Therefore, consideration will be given to the removal of relevant permitted development rights when assessing proposals to replace a dwelling. Proposals for replacement dwellings in the Green Belt will be required to meet the criteria set out in terms of design and amenity as well as other relevant Development Management Policies.

To ensure consistency with Policy GB1 above, it is considered that the gross floor area of a replacement dwelling can be up to 50% greater than the floor area of the original dwelling. In order to avoid a cumulative increase in the size of dwellings being replaced, the baseline will be made to the gross floor area of the original dwelling that existed on the site.

For the purpose of Policy GB4, “Original” means the dwelling as existing on 1st July 1948 even if the original dwellings has since been replaced. If no dwelling existed on that date, then “original” means the dwelling as first built after 1st July 1948. Replacements will only be allowed under the policy where the dwelling proposed to be replaced remains fully intact on site.

Where applicants seek to demonstrate that a replacement dwelling in the Green Belt complies with Policy GB4, the planning application must include justification of how the proposal complies with criteria a), b) and c), together with detailed floor space calculations to provide evidence of compliance with criterion d).

POLICY GB4 - REPLACEMENT DWELLINGS IN THE GREEN BELT

Proposals to replace an existing dwelling within the Green Belt which would meet the following criteria will be permitted:

- a) the existing dwelling is lawful and permanent in nature;
- b) the design and volume proposed does not materially harm the openness of the Green Belt through excessive scale, bulk or visual intrusion;
- c) the proposal adheres to the “original” dwelling curtilage; and
- d) the applicant provides clear evidence that the total floorspace of the replacement dwelling, together with any retained extensions, alterations and outbuildings would not result in an increase of more than 50% above the floorspace of the “original” dwelling (measured externally).

Construction of permanent dwellings as replacements for mobile homes or caravans will not be permitted.

Delivery Mechanism:

The Green Belt SPD will provide further guidance on development in the Green Belt

Dwellings Permitted Under Very Special Circumstances or As Rural Exceptions

Policies GB1, GB2, GB3 and GB4 will not apply to dwellings permitted under Very Special Circumstances or as rural exception (local needs) affordable housing schemes.

Since the introduction of Planning Policy Guidance Note 2: Green Belts and the subsequent publication of the NPPF opportunities exist to pursue development in the Green Belt based on Very Special Circumstances where proposals are contrary to Policy. Where developments are or have been allowed under Very Special circumstances they have been permitted in instances where development would not usually have been allowed, and as such it is reasonable that

further extensions that would impact upon the openness should be resisted. The Council will therefore remove permitted development rights for developments allowed under Very Special Circumstances and will refusal future proposals for extensions and outbuildings that impact upon Green Belt openness.

In a parallel process, Core Strategy Policy SP4 and predecessor policies from earlier versions of the Local Plan, have allowed small scale affordable housing developments in the Green Belt where rural housing needs surveys have demonstrated a local need for affordable housing. As these developments are, or have been, allowed as exceptions to normal Green Belt policy, and as affordable units to be maintained as such in perpetuity, it is not reasonable to allow significant future extensions and additions. Therefore as with Very Special Circumstance dwellings, the Council will remove permitted development rights and refusal future proposals for extensions and outbuildings that impact upon Green Belt openness.

POLICY GB5 - DWELLINGS PERMITTED UNDER VERY SPECIAL CIRCUMSTANCES OR AS RURAL EXCEPTIONS

Where new dwellings are permitted in the Green Belt on grounds of very special circumstances or as part of a rural exception scheme, the Council will remove permitted development rights for extensions and outbuildings to prevent future additions that cumulatively impact upon the openness of the Green Belt.

Applications to extend dwellings or erect or extend outbuildings to dwellings that have or are permitted on grounds of very special circumstances or as part of a rural exception scheme will not be permitted.

Delivery Mechanism:

The Green Belt SPD will provide further guidance on development in the Green Belt

Mobile Homes in the Green Belt

The temporary stationing of a residential mobile home or caravan, may be viewed favourably in the context of providing essential accommodation for the operation of an agricultural or forestry holding. This will usually be where a period of residence is required to establish the commercial viability of an ongoing venture, prior to demonstrating a case for a permanent dwelling. Where planning permission is granted, conditions will be imposed restricting the period of stationing, and limiting occupation to persons and direct relatives specifically employed on the holding in question. On such time as the mobile home is no longer required for these purposes it should be removed.

Mobile homes or caravans may also provide temporary accommodation during the period of construction of a new or replacement dwelling. The Local Planning Authority recognises the need that can arise, and such proposals will be viewed sympathetically subject to environmental considerations. The onus however remains with the applicant to demonstrate a genuine need. Where planning permission is granted, conditions will be imposed limiting the stationing of the mobile home or caravan to the period of construction, and requiring removal on completion of the new dwelling.

POLICY GB6 – SITING OF CARAVANS AND MOBILE HOMES

Proposals for the temporary or permanent location of a mobile home or caravan in the Green Belt which would meet the following criteria will be permitted:

- a) it is for residential accommodation, associated with an agricultural or forestry activity with a proven need; and
- b) the siting is acceptable in terms of location, access, environmental and local amenity considerations.

Re-use of Buildings in the Green Belt

Core Strategy Policy SP 8 states that the sustainable development of the District's economy will be supported by giving priority to business uses, or tourist facilities, in the conversion of buildings in the rural area.

Conversion of buildings that require substantial rebuilding in order to make them suitable for re-use will not be permitted. As a starting point when determining whether a proposal constitutes substantial new rebuilding, the Council will wish to see a substantial proportion of the original structure maintained to protect its character.

Conversions are accepted where they will have no greater impact than the present use on the openness of the Green Belt or harm the character of the area. To avoid increasing impact, conversions that involve disproportionate extensions will not be considered acceptable.

Where the proposed conversion relates to an agricultural building, the applicant should demonstrate that the building is no longer required for agricultural purposes. Where it is demonstrated and accepted that there is no longer an agricultural need for the building, the Council will not permit the future construction of new agricultural buildings of the same type and nature unless it is satisfied that circumstances have significantly changed that would warrant allowing the proposal.

POLICY GB7 – RE-USE OF BUILDINGS WITHIN THE GREEN BELT

Proposals for the re-use of a building in the Green Belt, which would meet the following criteria will be permitted:

- a) the proposed new use, along with any associated use of land surrounding the building, will not have a materially greater impact than the present use on the openness of the Green Belt or harm the existing character of the area; and
- b) the applicant can demonstrate through a detailed structural survey and method statement that the buildings are of permanent and substantial construction and are capable of conversion without major or complete re-construction that would detract from their original character.

Where a proposal seeks the re-use of an agricultural building constructed within the last 10 years, it will be necessary for the applicant to demonstrate that there is no longer an agricultural need for the building, or that the building is no longer fit for its agricultural purpose.

Where it is accepted that there is no future agricultural need for the building, the Council will resist future proposals for new agricultural buildings, unless it is apparent that they are of a different type and nature than that previously identified as being surplus to requirements.

Delivery Mechanisms:

The Green Belt SPD will provide further guidance on development in the Green Belt

Extension and Replacement of non-residential buildings in the Green Belt

Paragraph 89 of the NPPF states that the extension or alteration of a building in the Green Belt is not inappropriate development as long as the extension does not result in a disproportionate addition over and above the size of the original building.

Paragraph 89 also goes on to state that the replacement of an existing building in the Green Belt is not inappropriate development if it is within the same use and not materially larger than the building it replaces.

Since this approach applies to a much wider range of uses and scale of proposals, from the extension or replacement of a small workshop to that of a very large scale warehouse, the Council do not feel that it would be appropriate to include a floor space figure to guide what is acceptable.

Proposals for extensions and replacements to non-residential buildings in the Green Belt will therefore be considered against Policy GB8 below.

POLICY GB8 - LIMITED EXTENSIONS TO NON-RESIDENTIAL BUILDINGS IN THE GREEN BELT

Proposals to extend an existing non-residential building within the Green Belt which would meet the following criteria will be permitted:

- a) the existing building is lawful and permanent in nature; and
- b) the design and volume of the proposed extension, taking into consideration the cumulative impact of any previous extensions, would be proportional and subservient to the ‘original’ building and would not materially harm the openness of the Green Belt through excessive scale, bulk or visual intrusion.

POLICY GB9 - REPLACEMENT OF A NON-RESIDENTIAL BUILDING IN THE GREEN BELT

Proposals to replace an existing non-residential building within the Green Belt which would meet the following criteria will be permitted:

- a) the existing building is lawful and permanent in nature;
- b) the design and volume of the proposed replacement building would not be not materially larger than the ‘original’ building and would not materially harm the openness of the Green Belt through excessive scale, bulk or visual intrusion; and
- c) the replacement building would be within the same use as the building to be demolished.

Delivery Mechanisms:

The Green Belt SPD will provide further guidance on development in the Green Belt

Green Belt Boundary Review

The NPPF states that when drawing up or reviewing Green Belt boundaries local planning authorities should take account of the need to promote sustainable patterns of development. It also states that once Green Belt boundaries are established they should only be altered in exceptional circumstances (paragraphs 83-84).

The Core Strategy established that Green Belt land was not required to meet the Council's development needs up to 2026. However, in line with paragraph 4.1.17 of the Core Strategy the Council has undertaken a detailed review of the District's Green Belt boundary and provided opportunity for land owners to promote examples of anomalies where it was felt that the land no longer contributed to Green Belt openness and where exceptional circumstances exist that would justify an amendment to the settlement boundary.

The Council considered all of the representations received during the consultation stage and concluded that there are two instances of sites demonstrating exceptional circumstances that warrant a minor amendment of the green belt boundary.

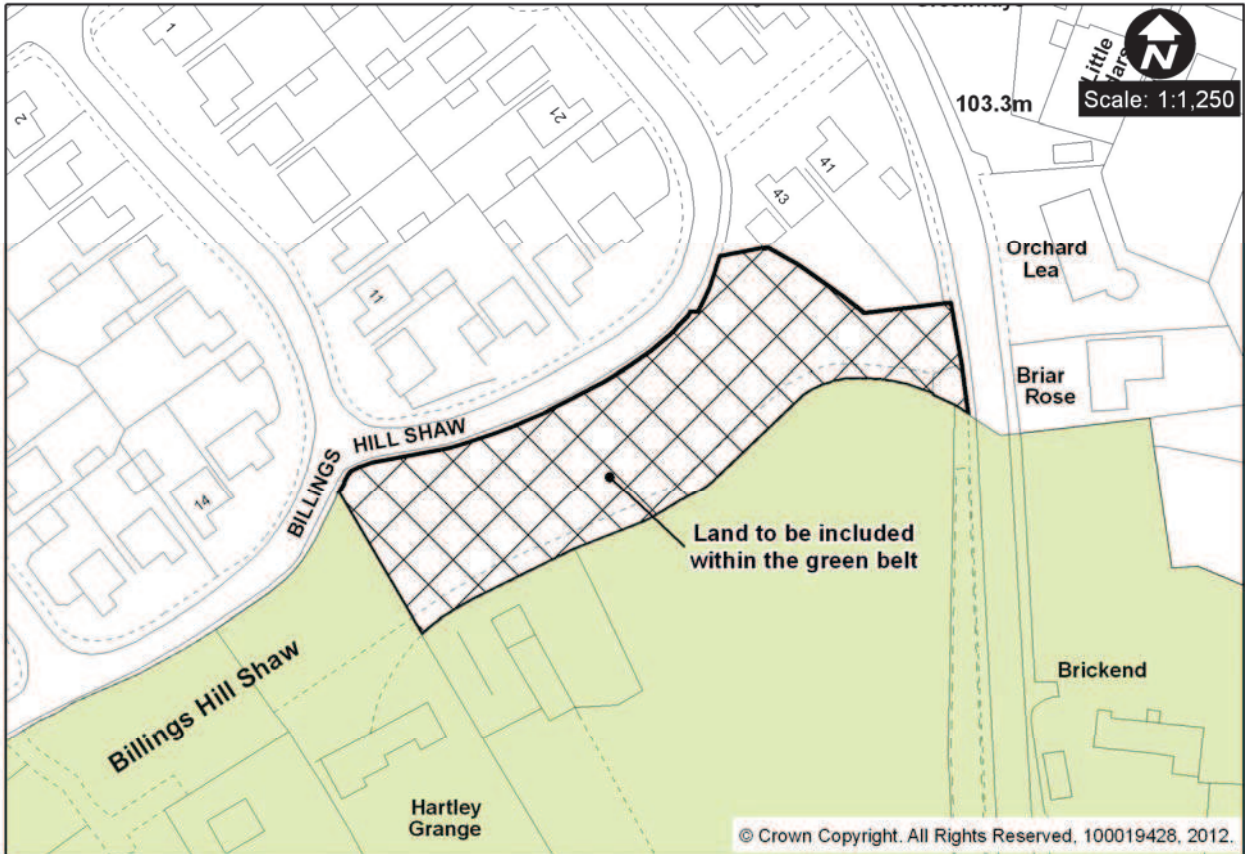
The Council is also responsible for the preparation of the Gypsy and Traveller Plan and there may be exceptional circumstances for allocating land in the Green Belt in order to meet part of the identified need.

Billings Hill Shaw, Hartley

It is proposed that the small parcel of land indicated on Map 3 below is returned to the Green Belt. This area was previously included within the Green Belt, until the adoption of the 1994 Swanley Planning Area Local Plan, when it was removed, although there is no written justification for this amendment. Representations were made by the Parish Council in relation to the subsequent Local Plan in 2000, urging that the land at Billings Hill Shaw be included in the Green Belt. The Inspector commented at that time that the non-inclusion of the land in the Green Belt was an anomaly and that there was a clear case for its inclusion in the Green Belt to provide a rational and coherent boundary along the highways margin of Billings Hill Shaw. In the Inspector's view, the apparent error in the previously defined boundary (from 1994) provided justification for an amendment. Notwithstanding the Inspector's report, the Council maintained the existing boundary in the Local Plan (2000) but noted in the Plan that: *'the Council recognises the force of the Inspector's recommendation in respect of the land at Billings Hill Shaw. In particular the need to rectify two "apparent" (cartographical) errors made in 1984 and 1994 in the line of the Green Belt boundary. This would clearly incorporate this land within the Green Belt and re-establish the Hartley Village envelope at this point. The Council will, therefore, be proposing a change in the Green belt boundary to rectify this error at the earliest opportunity'*.

The Council has reviewed the land in question, which is covered in trees and is clearly differentiated from the adjoining housing estate from which it is separated by a clearly defined boundary (Billings Hill Shaw Road). The site is subject to a Tree Preservation Order, and the continuous strip of trees extends onto the land to the west of the site. The area to the west of the site is included within the Green Belt, and the site in question is of similar character to this land. Its character is associated more closely with the surrounding countryside than the developed area. It is considered that the highways margin of Billings Hill Shaw provides a rational and coherent Green Belt boundary. These considerations, together with the comments of the previous Local Plan Inspector who recommended the site be included in the Green Belt and the Council's acceptance that the error would be rectified at the earliest opportunity, provide the exceptional circumstances to justify the amendment to the Green Belt in this location.

Map 3 Area to be designated as Green Belt



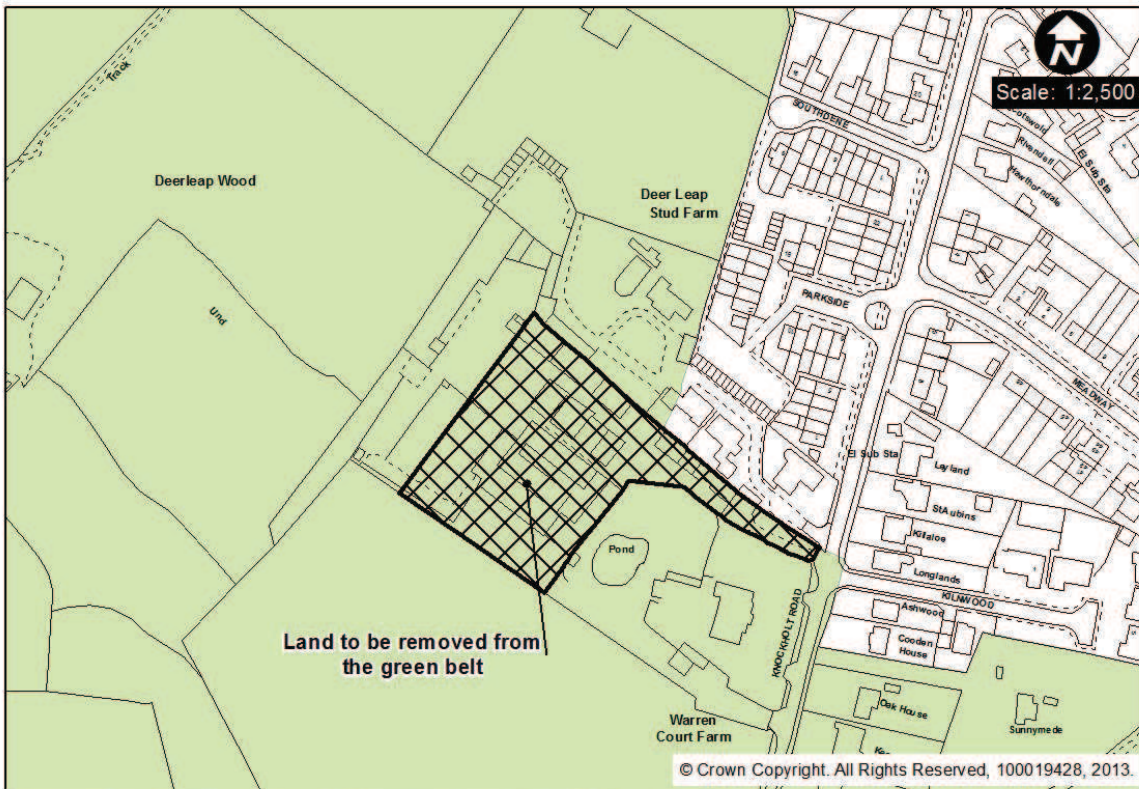
Agenda Item 9

Draft for Submission – January 2013

Warren Court, Halstead

Part of the site is allocated as an employment site within the Green Belt in the adopted Local Plan and is not therefore in accordance with the NPPF. Policy H1 proposes that this site be reallocated for residential development, with a concurrent amendment of the green belt boundary to bring the area within the village envelope. The developed site is currently occupied by a poor quality commercial development and new development would not have an adverse impact on the character and openness of the Green Belt. The site abuts the village boundary. All these factors contribute to the exceptional circumstances that justify an amendment to the settlement boundary.

Map 4 Area to be deleted from the Green Belt



POLICY GB10 – GREEN BELT BOUNDARY

The Green Belt boundary will be maintained with the exception of small scale adjustments.

- a) Land at Billings Hill Shaw, Hartley, as defined in Map 3, is designated as Green Belt land
- b) Land at Warren Court, Halstead, as defined in Map 4, is removed from the Green Belt

Performance Indicators for The Green Belt:

Proportion of additional employment floor space in Urban Confines;

Proportion of completed housing in Urban Confines;

Number of new dwellings granted contrary to Green Belt Policy; (*CS Indicator*)

Proportion of residential Green Belt applications overturned at appeal for:

- Extensions
- Basements
- Outbuildings
- Replacement dwellings;

Net additional caravan/mobile home units in the Green Belt;

8 LEISURE AND TOURISM

Sevenoaks District has a wide range of natural and cultural attractions throughout the area. They form the basis of the tourism industry that is vital to the local economy. The protection and enhancement of local natural and built assets will be encouraged, whilst promoting the continued responsible growth of the industry.

The existing Green Infrastructure network provides a range of access opportunities to the natural environment which is a valuable resource in its own right providing a range of activities for visitors. Activities to explore the unspoilt countryside, via the public rights of way network, exist in the form of cycling and walking and these will be encouraged. Any proposals which affect access the countryside should have regard to Policies GI1 and GI2.

The Council has adopted an Economic Development Action Plan, which sets out a range of initiatives to support the District's economy, include supporting the rural economy and tourism.

Core Strategy

Paragraph 5.4.10 of the Core Strategy states that there is scope for further tourist-related development in the District and the location policies give support to hotel development in Sevenoaks and Swanley and improved facilities for visitors in Edenbridge, together with small scale initiatives to support tourism in rural areas.

Tourist Accommodation and Attractions

The NPPF defines the main uses to which the town centre policies apply and include hotels as key town centre uses.

The NPPF also supports the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well designed new buildings. It states that support should be given to sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside. This includes supporting the provision and expansion of tourist and visitor facilities in appropriate locations where identified needs are not met by existing facilities in rural service centres.

At a local level hotels and guest houses provide necessary serviced accommodation for visitors and business customers wishing to visit the District. To sustain the continued growth of the tourism industry in Sevenoaks District, the Council will seek to protect existing tourist accommodation and resist proposals to convert tourist accommodation, such as hotels, into non-tourism uses.

The impact of extensions to existing hotels and guest houses will need to be carefully considered, particularly with regard to residential amenity, under Policy EN2.

It is important to retain tourist accommodation and visitor attractions not least for economic benefit and it would be inappropriate to lose such facilities to other forms of development.

POLICY LT1 - TOURIST ACCOMMODATION AND VISITOR ATTRACTIONS

The benefits to the local economy will be recognised in considering proposals for tourist accommodation or facilities.

Existing tourist accommodation and visitor attractions will be protected from conversion to non-tourism use unless it is demonstrated that the use is no longer viable or inappropriately sited.

Equestrian Development

Horse and other equestrian-related activities are popular forms of recreation in the countryside that can fit in well with farming activities, and help diversify the rural economy.

The Core Strategy acknowledges this and identifies horse riding as a significant recreational activity which can offer benefits to rural communities. The Council will support equine enterprises that maintain environmental quality and countryside character.

The NPPF (paragraph 81) states that once Green Belts have been defined, the use of land in them has a positive role to play in providing access to the open countryside for the urban population; and in providing opportunities for outdoor sport and recreation near urban areas. It allows the construction of new buildings which provide essential facilities for outdoor sport and recreation which preserve the openness of the Green Belt and do not conflict with its purposes, e.g. small stables.

The NPPF (paragraph 109) sets out the Government's objectives for rural areas, which include the need to protect the most valued landscapes and environmental resources, as well as providing appropriate leisure opportunities that benefit rural businesses, communities and visitors, and which respect the character of the countryside. The NPPF (paragraph 28) states that, local authorities should support activities which contribute to the rural economy and/or promote recreation in, and the enjoyment of, the countryside. At the same time, account needs to be taken of the need to protect natural resources and features of landscape value. The NPPF (paragraph 112) recognises that the presence of the best and most versatile agricultural land should be taken into account alongside other sustainability considerations when determining planning applications.

While Government Guidance supports equestrian development, horse related activities such as stables and paddocks, both individually and cumulatively, can have a significant impact on the character of the area. These impacts require careful consideration. The scale of buildings is a principal consideration and for this reason. new buildings for indoor equestrian centres may not be permitted in the Green Belt. A Supplementary Planning Document will be produced giving more detailed guidance on the issues and appropriateness of such development. It should also be noted that the welfare of the animals is an important factor and guidance on standards from the British Horse Society will be taken in to consideration in determining applications for horse related activities.

POLICY LT2 - EQUESTRIAN DEVELOPMENT

Proposals for equestrian buildings, facilities and activities which would meet the following criteria will be permitted:

- a) buildings would be appropriate in scale to their setting and would be closely related to existing farm buildings or other groups of buildings that are well screened from public view;**
- b) for proposals that involve new facilities for the keeping of horses, sufficient grazing land and off road riding areas would be available and would not harm the amenities of surrounding residents;**

c) the proposal would not have an unacceptable impact on the water environment and sewage disposal, and

d) the development would not result in harm to the character of the landscape or the ecological value of the area in which it is situated.

Proposals for equestrian development in the Green Belt will be permitted where the scale of the development is appropriate to a Green Belt setting, and where the cumulative impact of other buildings, does not harm the openness of the Green Belt. Where stables or associated equestrian buildings are proposed they should be designed and constructed in materials appropriate to a rural area and should not be of a size and degree of permanence that they could be adapted for other use in the future.

The conversion of rural buildings to equestrian centres or stables would be acceptable.

Delivery Mechanism:

The Equestrian Development SPD will provide further guidance.

Brands Hatch

Part 4.5 of the Core Strategy acknowledges that that Brands Hatch (as defined on the Proposals Map) has become a centre, in the Green Belt, for sport and leisure activities based on the motor racing circuit.

Due to its location the countryside in this area must be conserved and the distinctive features that contribute to the special character of the landscape and its biodiversity will be protected and enhanced where possible. Notwithstanding, the Council is supportive of the role that Brands Hatch plays in the District’s economy and in terms of attracting visitors into the District. Motor Sport uses within the existing site extent defined on the Proposals Map, will therefore be supported provided activity does not result in increased noise levels affecting adjoining residential properties. Proposals for new development in the vicinity of Brands Hatch will be assessed against Policy EN6 Noise Pollution.

Noise generating activities or development proposals which would involve over-intensification of urban uses in the Green Belt and/or loss of natural visual and aural screening will not be supported.

LT3 – BRANDS HATCH

The Council is supportive of the role Brands Hatch plays in the District’s economy and in attracting visitors to the District. The Council will permit proposals for outdoor sport, recreation and leisure activities in connection with, or ancillary to, the existing motor sport use at Brands Hatch as defined on the Proposals Map.

The following criteria will apply to all proposals:

- a) the proposed development would not result in increased noise levels experienced by nearby residential properties;
- b) the character of the area, including trees and woodland would be retained and

Agenda Item 9

Draft for Submission – January 2013

reinforced;

c) the proposed development would be appropriate in scale and character to the existing uses or buildings;

d) vehicular movements would be substantially confined to the existing access on the A20.

Performance Indicator:

Additional Hotel and Tourist Accommodation Units in Urban Confines and Green Belt;

Additional Tourist attractions and facilities;

Number of equestrian related applications overturned at appeal;

Development at Brands Hatch;

9 COMMUNITY FACILITIES

Re-Use of Redundant School Buildings

While most schools will continue to be used for either primary or secondary education there may be some sites that will become vacant over the plan period.

The NPPF states that Local Planning Authorities should plan positively for the provision and integration of community facilities (such as local shops, meeting places, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments (paragraph 70).

Whilst it is recognised that residential or commercial development of vacant school sites would attract much higher values, vacant school buildings and redundant playing fields could provide an opportunity to meet the shortfall for recreational or community uses as highlighted in the Council's Open Space and Leisure study, including facilities such as community centres (that could include buildings for religious purposes), allotments and health facilities.

The sites are generally located where there is good access to residential areas and public transport and could become the focus for local community facilities.

Where buildings or sites become available these should first be considered for community use. Only where there is no community need for the buildings or sites will other uses be considered.

Where it can be demonstrated that these facilities are not required residential development will be permitted but should include affordable housing. The Sevenoaks area has an ageing population and the Housing Market Assessment indicates a need to provide housing including residential care homes or sheltered housing for this group of people. Well located former school sites may be suited to this form of residential development.

All new proposals for the re-development of school sites and buildings should also have regard to Policy GI2 with regards to the loss of school playing fields.

POLICY CF1 - RE-USE OF REDUNDANT SCHOOL BUILDINGS

Where school buildings become vacant or redundant and there is no requirement for an alternative educational use, priority should be given to reusing the buildings or site to address local need for community facilities.

Proposals for change of use or redevelopment for alternative non community uses will only be considered if it is demonstrated by the applicant that there is no identified community need that can be facilitated through the site, or that community facilities that meet the identified need are incorporated into a wider mixed use scheme. Alternative uses that may be acceptable in this instance, subject being located close to services, include residential care homes or sheltered housing

Loss of Neighbourhood Services and Facilities

The provision of shops and local services, such as post offices, banks, public houses, schools, surgeries, churches, community facilities, and public transport, help to build sustainable

Agenda Item 9

Draft for Submission – January 2013

communities by supporting the local economy and/or providing day-to-day facilities in locations where there is less need for people to travel by car.

Core Strategy Policy L07 seeks to retain local services and facilities within rural settlements, where possible, to maintain the sustainability of these settlements. Policy CF2 of this document extends this approach to services and facilities serving local neighbourhoods within Sevenoaks, Swanley and Edenbridge to ensure that the communities within these towns continue to have reasonable access to services that meet their day to day needs. Policy CF2 does not apply within Sevenoaks, Swanley or Edenbridge town centres or Manse Parade, neighbourhood centre Swanley, where separate policies apply. Alongside community facilities, the policy will apply to retail units that are considered to be meeting a local need outside the town and neighbourhood centres.

Community Right to Buy, which was introduced in the Localism Act, will give communities new powers to help them buy local facilities threatened with closure, which might offer communities an alternative option to retain community facilities.

POLICY CF2 LOSS OF NEIGHBOURHOOD SERVICES AND FACILITIES

The loss of neighbourhood services and facilities that are within Sevenoaks, Swanley and Edenbridge urban areas will be resisted where they are serving a local need. Exceptions will be made where equivalent replacement facilities equally accessible to the population served are provided, or where it is demonstrated, through evidence submitted to the Council, that the continued operation of the service or facility is no longer financially viable.

Performance Indicators for Sustainable Communities and Development Principles:

Changes in Settlement Hierarchy services and facilities score for individual settlements; (*CS Indicator*)

Development of redundant school buildings;

10 TRAVEL AND TRANSPORT

A Transport Strategy for Sevenoaks District has been prepared by Kent County Council, which will inform the LDF process in the future. The Strategy will propose measures to address key transport issues that arise as a result of future development proposals across the District.

The key transport issues for the District are considered to be:

- Congestion around Sevenoaks Town Centre and Swanley;
- Heavy dependency on rail for commuting, particularly to London leading to growing need and further improvements to services;
- Major gaps in the current bus network between New Ash Green and Sevenoaks and poor access to the south of the District;
- There is high car ownership;
- Provision for cycling is generally low throughout the District;
- Rural areas have a dispersed population with a reliance on the car;
- Community transport is currently provided and its importance will increase as the currently ageing population will increase its reliance on those facilities as they no longer have access to a car;
- Parking problems exist around commuter stations and in town centres
- Air quality management areas are increasing and will require traffic management to assist and mitigate.

Government policy is to promote more sustainable transport choices, to improve access to major trip generators by non-motorised modes, and to reduce the need to travel, especially by car.

Core Strategy Objectives

- To ensure that new development takes account of the need to mitigate and adapt to climate change including principles of sustainable development, including locating development to minimise energy use, promoting travel patterns that reduce the need to travel by car, and encouraging sustainable construction including measures to reduce energy consumption and promote the use of renewable energy.

Although the potential for using public transport and non-recreational walking and cycling is more limited in small rural settlements within the Sevenoaks District, the same overall policy approach is required. In addition, in recognition of increasingly sedentary lifestyles, the health impacts of travel, and the health benefits from walking and cycling, national policy initiatives seek to improve health through encouraging use of walking and cycling which are sustainable modes.

Responsibility for transport is generally shared between central government and its agencies and Kent County Council. However, the District Council also has planning responsibilities, which can have important transport implications. For example, by ensuring development takes place in locations that are accessible by a range of modes of transport, the District Council can promote more sustainable travel patterns by reducing reliance on the private car.

Mitigating Travel Impact

It is important that all development mitigates its transport impact. 'Major development' proposals or development proposals with 'significant transport implications' will be required to produce a Transport Assessment and a Travel Plan. In determining whether or not a transport assessment is required, the Council will have regard to Kent County Council's 'Transport Assessments and Travel Plans' (2008), or any subsequent replacement, and guidance from KCC as local highway authority.

An assessment of transport implications in a Transport Statement should be submitted alongside all other development proposals where there is considered to be a transport impact to enable the applicant to demonstrate to the Council that they have properly considered the transport impact of the proposal and taken into account how to mitigate them. The level of detail will vary according to the scale and complexity of the application. Guidance on when a Transport Statement should be carried out and what it should contain has been prepared by the DfT. Planning permission will be refused where appropriate mitigation cannot be achieved.

POLICY T1 - MITIGATING TRAVEL IMPACT

New developments will be required to mitigate any adverse travel impacts, including their impact on congestion and safety, environmental impact, such as noise, pollution and impact on amenity and health. This may mean ensuring adequate provision is made for integrated and improved transport infrastructure or other appropriate mitigation measures, through direct improvements and/or developer contributions.

Vehicle Parking

Car parking standards will ensure that new developments provide adequate off-street parking to accommodate the needs they generate and to protect surrounding areas and development. Developers will be required to provide car parking spaces in accordance with the relevant standards.

Current vehicle parking standards for residential developments applied in Sevenoaks District are set out in KCC's Interim Guidance Note 3 (IGN3) to the Kent Design Guide. These standards set maxima standards in town centre and edge of centre locations and minima standards in suburban area and villages (see Appendix 2). For non-residential standards, the District Council rely on advice from Kent County Council, as the local transport authority. This advice should take into account national policy on parking, including encouraging sustainable modes of transport and maintaining road safety. Maximum standards in former Supplementary Planning Guidance 4 (SPG4) to the Kent and Medway Structure Plan provides a starting point for this advice.

The residential standards in IGN3 and some of the standards in SPG4 cover the space needs of residents, visitors, employees and customers, but do not provide for the space requirements of vehicles which deliver and collect goods. Consequently, in addition to the requirements set out in these standards, sufficient space will also be required within the site to allow for the parking and manoeuvring of such vehicles.

Insufficient parking associated with new development can lead to inappropriate parking on streets and verges creating highway safety problems and unsightly environments. A flexible approach is therefore required to reflect the availability of non-car alternatives and the

proximity of key services, shops and jobs. Generally, development will only be permitted where it is in accordance with KCC’s current Parking Standards. The District Council will encourage KCC to keep parking standards under review as the evidence base behind them continues to develop.

POLICY T2 - VEHICLE PARKING

Vehicle parking provision, including cycle parking, in new residential developments should be made in accordance with the current KCC vehicle parking standards in Interim Guidance Note 3 to the Kent Design Guide (or any subsequent replacement).

Vehicle parking provision, including cycle parking, in new non residential developments should be made in accordance with advice by Kent County Council as Local Highway Authority or until such time as non-residential standards are adopted.

Notwithstanding the Council may depart from established maxima or minima standards in order to:

- a) take account of specific local circumstances that may require a higher or lower level of parking provision, including as a result of the development site’s accessibility to public transport, shops and services, highway safety concerns and local on-street parking problems;
- b) ensure the successful restoration, refurbishment and re-use of listed buildings or buildings affecting the character of a conservation area;
- c) allow the appropriate re-use of the upper floors of buildings in town centres or above shop units;
- d) account for the existing parking provision (whether provided on or off-site) already attributed to the building’s existing use when a redevelopment or change of use is proposed and for the use of existing public car parks outside of normal working/trading hours by restaurants and leisure uses.

Provision of Electrical Vehicle Charging Points

The Core Strategy identifies that Sevenoaks District has high average CO2 emissions and energy consumption levels, therefore new development should take account of the need to mitigate and adapt to climate change and ensure development contributes to an improvement in the District's air quality.

To do this the Council will encourage the shift to low emission electrical vehicles by promoting charging points in appropriate locations throughout the District. The Council will seek provision in places where they will be well-used and will not interfere with the safe movement of traffic.

It is expected that charging technology will advance rapidly over the next 10-20 years as the use of electric vehicles increases, however there is some uncertainty as to whether alternative technologies will develop and as such this policy will be kept under regular review. To take into account the uncertainty regarding the future of electric vehicles the policy takes a flexible approach that allows it to respond to this technological evolution or decline, with the initial emphasis on determining suitable locations and developments for public charging points rather than setting rigid standards.

Agenda Item 9

Draft for Submission – January 2013

The Council will seek the inclusion of public vehicle charging points within suitable major development schemes in line with the criteria contained in Policy T3. Due to charging times, the most suitable locations are likely to be within developments in town centres, employment areas, tourist and leisure locations and any others that attract visitors for a substantial period of time.

Where under Policy T3 it is deemed that a public point is not appropriate, it would still be advisable to design the development to accommodate such provision at a later date if there is sufficient demand, for example by incorporating appropriate ducting and electrical supply capacity to avoid expensive retrofitting.

Whilst public vehicle charging points will not be suitable in all commercial development, the Council recognises that the majority of existing electric vehicle charging takes place overnight at home. Therefore all new houses with a garage or vehicular accesses should include an electrical socket with suitable voltage and wiring for the safe charging of electric vehicles. Where possible schemes for new apartments and sites with separate parking areas should include a scheme for at least one communal charging point.

POLICY T3- PROVISION OF ELECTRICAL VEHICLE CHARGING POINTS

For all major non-residential development proposals the applicant should set out within their Transport Assessment a scheme for the inclusion of electric vehicle charging infrastructure.

In considering whether a publicly accessible charging point is appropriate the Council will have regard to:

1. The accessibility of the location;
2. The suitability of the site as a long stay destination during charging;
3. The number of existing and proposed publicly accessible charging points in the surrounding area;
4. The potential impact of providing electric vehicle charging points on development viability.

Within new residential developments all new houses with a garage or vehicular accesses should include an electrical socket with suitable voltage and wiring for the safe charging of electric vehicles.

Schemes for new apartments and houses with separate parking areas should include a scheme for at least one communal charging point.

In non-residential developments where it is not appropriate to provide electric vehicle charging points, new development should be designed to include the electrical infrastructure in order to minimise the cost and disturbance of retrofitting at a later date.

Performance Indicator:

Number of developments which include publicly assessable electric vehicle charging points.

Number of developments with adopted Travel Plans; (*CS Indicator*)

Number of developments which depart from Vehicle Parking Guidance Note;

GLOSSARY

This Glossary has status only as a guide to planning terminology used in this document and should not be used as a source for statutory definitions. All definitions have been produced by Sevenoaks District Council unless referenced otherwise.

Affordable housing

‘Affordable housing includes social rented and intermediate housing, provided to specified eligible households whose needs are not met by the market. Affordable housing should:

- Meet the needs of eligible households including availability at a cost low enough for them to afford, determined with regard to local incomes and local house prices.
- Include provision for the home to remain at an affordable price for future eligible households or, if these restrictions are lifted, for the subsidy to be recycled for alternative affordable housing provision’.

Air Quality Management Area (AQMA)

The Environment Act 1995 requires local councils to regularly assess the air quality in their area to see if any of the key pollutants in the National Air Quality Strategy are likely to exceed the targets currently set. In locations where this is likely to happen and where the public are exposed to the pollution, the Council is required to designate an 'Air Quality Management Area'.

Ancient Monument

Section 61(12) of the Ancient Monuments and Archaeological Areas Act 1979 defines an ancient monument as ‘any scheduled monument’ and ‘any other monument which in the opinion of the Secretary of State is of public interest by reason of the historic, architectural, traditional, artistic or archaeological interest attaching to it.

Annual Monitoring Report (AMR)

A report prepared by local planning authorities assessing progress with and the effectiveness of a Local Development Framework.

Area of Outstanding Natural Beauty (AONB)

An area with statutory national landscape designation, the primary purpose of which is to conserve and enhance natural beauty. Together with National Parks, AONB represent the nation's finest landscapes. AONB are designated by the Countryside Agency.

Biodiversity Opportunity Areas (BOA)

Regional priority areas of opportunity for restoration and creation of Biodiversity Action Plan (BAP) habitats areas of greatest potential for restoration and creation. They are areas of opportunity, not constraint. The BOAs are designated by the South East England Biodiversity Forum.

BREEAM (Building Research Establishment Environmental Assessment Method)

BREEAM is the world's most widely used environmental assessment method for buildings. BREEAM assesses buildings against a set criteria and provides an overall score which will fall within a band providing either a; PASS, GOOD, VERY GOOD, EXCELLENT or OUTSTANDING rating.

Climate Change Adaptation

Adjustment in natural or human systems in response to actual or expected climatic stimuli or their effects, which moderates harm or exploits beneficial opportunities. Various types of adaptation can be distinguished, including anticipatory, autonomous and planned adaptation.

Code for Sustainable Homes

The Code measures the sustainability of a new home against nine categories of sustainable design, rating the 'whole home' as a complete package. The Code uses a 1 to 6 star rating system to communicate the overall sustainability performance of a new home. The Code sets minimum standards for energy and water use at each level.

Conservation Areas

Areas of special architectural or historical interest, where development is more tightly restricted than elsewhere in order to preserve and enhance their special character and qualities. These areas are designated by the Local Planning Authority under Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990 which gives them statutory recognition and protection.

Core Strategy

The Local Development Framework core strategy is the spatial vision for what a local authority wants to achieve. It contains a set of strategic policies that are required to deliver the vision including the broad approach to development.

Development Plan Documents (DPD)

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. Should include the following elements

- Core strategy
- Site specific allocations of land
- Area action plans (where needed); and
- Proposals Map (with inset maps, where necessary).

Green Belt

Areas of land where there is a strong presumption against development except that which falls into certain limited categories. The purposes of Green Belts are to check the unrestricted sprawl of urban areas, stop the joining of neighbouring towns, safeguard the surrounding countryside, preserve the special character of the area, assist in urban regeneration and to serve as a recreational resource.

Green Corridors

Strips of land or water including river and canal banks, cycle ways and rights of way which connect areas of green infrastructure.

Green Infrastructure (GI)

Green Infrastructure goes beyond traditional site based landscaping. It requires an assessment of both the natural/semi natural features and biodiversity within the site, and further its links with the natural environment of its surroundings and where appropriate the wider character of the area.

The provision of Green Infrastructure can include :

- Incorporating Living Roofs
- Connecting with existing PROW network
- Using plants and trees which extend existing native habitats around site boundaries
- The provision Formal and informal recreational spaces (including the provision for children and young people where appropriate)

Green Infrastructure Network (GI Network)

The following areas can form part of networks of green infrastructure:

- Parks and gardens - including urban parks, country parks and formal gardens.
- Natural and semi-natural urban greenspaces - including woodlands, urban forestry, scrub, grasslands (e.g. downlands, commons and meadows), wetlands, open and running water, wastelands and derelict open land and rock areas (e.g. cliffs, quarries and pits).
- Green corridors - including river and canal banks, cycleways, and rights of way
- Outdoor sports facilities (with natural or artificial surfaces, either publicly or privately owned) including tennis courts, bowling greens, sports pitches, golf courses, athletics tracks, school and other institutional playing fields, and other outdoor sports areas.
- Amenity greenspace (most commonly, but not exclusively, in housing areas) – including informal recreation spaces, greenspaces in and around housing, domestic gardens and village greens.
- Provision for children and teenagers - including play areas, skateboard parks, outdoor basketball hoops, and other more informal areas (e.g. 'hanging out' areas, teenage shelters).
- Allotments, community gardens, and city (urban) farms.
- Cemeteries and churchyards.
- Accessible countryside in urban fringe areas.
- River and canal corridors.
- Green roofs and walls.

Gypsies and Travellers

Persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependants' educational or health needs or old age have ceased to travel temporarily or permanently, but excluding members of an organised group of travelling show people or circus people travelling together as such.

Historic Parks and Gardens

A park or garden of special historic interest. Graded I (highest quality), II* or II. Designated by English Heritage.

Housing Trajectory

Local Planning Authorities are required to prepare a housing trajectory. This provides a position statement comparing past performance on housing supply with anticipated future rates of housing development. The trajectory is updated each year as part of the Annual Monitoring Report.

Infrastructure

Basic services necessary for development to take place, for example, roads, electricity, sewerage, water, education and health facilities.

Listed Building

A building of special architectural or historic interest. Listed buildings are graded I, II* or II with grade I being the highest. Listing includes the interior as well as the exterior of the building, and any buildings or permanent structures (e.g. wells within its curtilage). Designated by English Heritage.

Living Roofs

Roofs which consist of organic materials and which can be capable of supporting biodiversity.

Local Development Document (LDD)

Local Development Documents will comprise of Development Plan Documents, Supplementary Planning Documents, Statement of Community Involvement.

Local Development Framework (LDF)

The LDF contains a portfolio of Local Development Documents which provides the local planning authority's policies for meeting the community's economic, environmental and social aims for the future of their area where this affects the development of land.

Local Development Scheme (LDS)

The LDS sets out the programme for preparing the Local Development Documents

Local Wildlife Site

Local wildlife sites, previously known as Sites of Nature Conservation Interest (SNCIs), are sites which are important to nature conservation interests in a local context.

The National Planning Policy Framework (NPPF)

This is a single document prepared by the government to replace guidance previously set out in Planning Policy Guidance Notes (PPGs) and Planning Policy Statements (PPSs). The role of the NPPF is to explain statutory provisions and provide guidance to local authorities and others on planning policy on the operation of the planning system. Local authorities must take its contents into account in preparing their development plan documents.

Renewable Energy

Renewable energy covers those energy flows that occur naturally and repeatedly in the environment – from the wind, the fall of water, the movement of the oceans, from the sun and also from biomass. Low carbon technologies are those that can help reduce carbon emissions. Renewable and low-carbon energy supplies include, but not exclusively, those from biomass and energy crops; CHP/CCHP (and micro-CHP); energy-from-waste; ground source heating and cooling; hydro; solar thermal and photovoltaic generation; wind generation.

Settlement Hierarchy

The arrangement of settlements within a given area in order of importance.

Site of Special Scientific Interest (SSSI)

A site identified under the Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of Way Act 2000) as an area of special interest by reason of any of its flora, fauna, geological or physiographical features (e.g. plants, animals, and natural features relating to the Earth's structure).

Statement of Community Involvement (SCI)

The Statement of Community Involvement sets out the processes to be used by the local authority in involving the community in the preparation, alteration and continuing review of all local development documents and development control decisions. It is an essential part of the Local Development Framework.

Strategic Flood Risk Assessment (SFRA)

This report provides an overview of the methodology, assumptions, uncertainties, tasks undertaken and the links to the wider sustainability appraisal process. It provides policy recommendations and guidance for the application of the Sequential Test, the preparation of

flood risk assessments and the use of sustainable drainage systems, within the Council's administrative boundary.

Strategic Housing Land Availability Assessment (SHLAA)

A Strategic Housing Land Availability Assessment should:

- Assess the likely level of housing that could be provided if unimplemented planning permissions were brought into development.
- Assess land availability by identifying buildings or areas of land (including previously developed land and Greenfield) that have development potential for housing, including within mixed use developments.
- Assess the potential level of housing that can be provided on identified land.
- Where appropriate, evaluate past trends in windfall land coming forward for development and estimate the likely future implementation rate.
- Identify constraints that might make a particular site unavailable and/or unviable for development.
- Identify sustainability issues and physical constraints that might make a site unsuitable for development.
- Identify what action could be taken to overcome constraints on particular sites.

Strategic Housing Market Assessment (SHMA)

A Strategic Housing Market Assessment should:

- Estimate housing need and demand in terms of affordable and market housing.
- Determine how the distribution of need and demand varies across the plan area, for example, as between the urban and rural areas.
- Consider future demographic trends and identify the accommodation requirements of specific groups such as, homeless households, Black and Minority Ethnic groups, first time buyers, disabled people, older people, Gypsies and Travellers and occupational groups such as key workers, students and operational defence personnel.

Supplementary Planning Document (SPD)

SPDs provide further guidance regarding how Local Development Framework policies should be implemented.

Sustainability Appraisal (SA)

Assessment of the social, economic, and environmental impacts of the policies and proposals contained within the Local Development Framework.

Sustainable Urban Drainage System (SUDS)

An alternative approach from the traditional ways of managing runoff from buildings and hardstanding. They can reduce the total amount, flow and rate of surface water that runs directly to rivers through stormwater systems.

Use Class Order

The Town and Country Planning (Use Classes) Order 1987 (as amended) puts uses of land and buildings into various categories known as 'Use Classes'. In many cases involving similar types of use, a change of use of a building or land does not need planning permission. Planning permission is not needed when both the present and proposed uses fall within the same 'class', or if the Town and Country Planning (Use Classes) Order says that a change of class is permitted to another specified class. Full details of the different use classes can be found on <http://www.legislation.gov.uk>

Windfall Site

Agenda Item 9

Draft for Submission – January 2013

A site not specifically allocated for development in a development plan, but which unexpectedly becomes available for development during the lifetime of a plan. Most "windfalls" are referred to in a housing context. They tend to be very small sites for one or a small number of homes.

APPENDIX 1 – REPLACEMENT OF SAVED LOCAL PLAN POLICIES

Once adopted the Allocations and Development Management Plan DPD and Core Strategy will replace all of the remaining saved policies of the Sevenoaks District Local Plan.

The table below shows a comprehensive list of all of the Saved Local Plan Policies which have not already been replaced by the Core Strategy. The Saved policies continue to form part of the Development Plan and will be used to assess planning applications until such time as the Allocations and Development Management Plan is formally adopted.

The table shows how each remaining saved policy is proposed to be replaced by new Allocations and Development Management policies.

| Policy No. | Policy Title | Replacement |
|------------|---|--|
| EN1 | Development Control: General Principles | SC1 - Presumption in favour of Sustainable Development EN1 – Design Principles EN2 – Amenity Protection |
| EN4A | Access for Persons with Disabilities | Adopted Core Strategy Policy SP5 and EN1 – Design Principles. |
| EN4B | | |
| EN4C | | |
| EN9 | Green Spaces and Urban Fringe | GI1 - Green Infrastructure and New Development GI 2 - Loss of Open Space |
| EN17B | Nature Conservation | GI1 - Green Infrastructure and New Development will supplement Core Strategy Policy SP11 on Biodiversity. |
| EN23 | Conservation Areas | EN4 – Heritage Assets |
| EN25A | Archaeology | EN4 - Heritage Assets |
| EN25B | | |
| EN26 | Historic Parks and Gardens | EN4 - Heritage Assets; GI1 - Green Infrastructure and New Development |
| EN27 | Shopfronts | No replacement proposed as adequate guidance included within Adopted Core Strategy SP1 and EN1 Design Principles |
| EN31 | Outdoor Lighting | EN5 – Outdoor Lighting |
| EN34 | Rural Lanes | No replacement proposed as adequate guidance included within Adopted Core Strategy LO8, SP10 and SP11 and EN1 Design Principles; GI1 Green Infrastructure and New Development and GI2 Loss of Open Space |
| NR10 | Pollution Control | EN2 – Amenity Protection; EN6 – Noise Pollution |
| GB1 | Green Belt Boundaries | Adopted Core Strategy Policy LO8; GB10 – Green Belt Boundary |
| GB3A | Re-use of Buildings in the Green Belt | GB7 - Re-use of Buildings within the Green Belt |
| GB3B | | |
| GB5 | Major Developed Sites | EMP2 – Major Developed Employment Sites in the Green Belt |

Agenda Item 9

Draft for Submission – January 2013

| | | |
|------|--|---|
| T2 | A25 Seal Road/Bat and Ball | No direct replacement |
| T8 | Development Control Policies for Transport. | No direct replacement of T9 and T10. T8 partially replaced by EN1 Design Principles and T1 Mitigating Travel Impact |
| T9 | | |
| T10 | | |
| VP1 | General Parking Standards | T2 – Vehicle Parking |
| VP10 | Parking (Edenbridge) | T2 – Vehicle Parking |
| VP11 | Parking (Rural Areas) | T2 – Vehicle Parking |
| H1 | Housing Allocations | H1 - Residential Development Allocations; H2 - Mixed Use Development Allocations. |
| H3 | Phasing of Allocated and Unallocated Large Sites | H1 - Residential Development Allocations; H2 - Mixed Use Development Allocations. |
| H6A | Residential Conversions, Subdivisions and Extensions | H3 – Residential Subdivision |
| H6B | Residential Extensions | EN1 – Design Principles; and Residential Extensions SPD (Adopted 2009) |
| H7A | Loss of Residential Accommodation | H4 - Reuse and protection of existing housing stock |
| H7B | Loss of Residential Accommodation | LC1 – Sevenoaks Town Centre; LC2 – Swanley Town Centre; LC3 – Edenbridge Town Centre; T2 – Vehicle Parking |
| H8 | Care Homes | Adopted Core Strategy Policy SP5; H1 – Residential Housing Allocations |
| H13 | Replacement Dwellings in the Green Belt | GB4 – Replacement Dwellings in the Green Belt |
| H14A | Extensions and Outbuildings in the Green Belt | GB1 – Limited Extensions to Dwellings in the Green Belt; GB3 – Residential Outbuildings in the Green Belt |
| H14B | | |
| H16 | Residential Caravans and Mobile Homes | GB6 – Siting of Caravans and Mobile Homes in the Green Belt |
| H17 | | |
| H18 | | |
| H19 | | |
| EP1 | Employment Provision | EMP1 – Land for Business; EMP2 – Major Developed Employment Sites in the Green Belt; EMP3 – Redevelopment of Fort Halstead; EMP4 – Business Allocation at Development at Broom Hill, Swanley; EMP5 – Non Allocated Employment Sites |
| EP8 | Development in Business Area | EMP1 – Land for Business; EMP2 – Major Developed Employment Sites in the Green Belt; EMP3 – Redevelopment of Fort Halstead; EMP4 – Business Allocation at Development at Broom Hill, Swanley; |

| | | |
|-------|---|--|
| | | EMP5 – Non Allocated Employment Sites. |
| EP11A | The Construction of New Buildings | No direct replacement as adequate guidance included within EN1 Design Principles |
| EP13 | Replacement of Commercial Buildings in the Green Belt | GB9 – Replacement of non residential buildings in the Green Belt |
| S3A | Local Shops and Village Centres | LC4 – Neighbourhood Centres and Village Centres |
| S3B | | |
| S4 | Farm Shops | No direct replacement needed. |
| S6 | Hot Food Takeaways | EN2 – Amenity Protection |
| ST1A | Sevenoaks Town Centre | LC1 – Sevenoaks Town Centre |
| ST2 | Sevenoaks Town Centre Primary Frontages | LC1 – Sevenoaks Town Centre |
| ST6 | Blighs Meadow | Not replaced due to planning consent |
| ST9 | Farmers Public House, Sevenoaks | Not replaced due to planning consent |
| ST10 | Morewood Close, Sevenoaks | Not replaced due to planning consent |
| ST11 | Waterworks, Cramptons Road | H1 – Residential Development Allocations. |
| SW1 | Swanley Town Centre | LC2 – Swanley Town Centre |
| SW6 | Bevan Place Swanley | H1 – Residential Development |
| SW7 | Goldsel Road Swanley | No direct replacement. Site no longer promoted |
| SW8 | Broom Hill Swanley | EMP4 – Business Allocation at Broom Hill |
| EB1 | Edenbridge Town Centre | LC3 – Edenbridge Town Centre |
| EB2 | | |
| EB3 | Land Adjoining Edenbridge Town Centre | No direct replacement as no longer promoted |
| EB4 | Edenbridge Tannery | Not replaced due to planning consent |
| WS1 | Westerham Town Centre | LC4 – Neighbourhood and Village Centres |
| WS2 | | |
| HL1 | Land at Warren Court Farm | H1 – Residential Development Allocations. |
| FH1 | Fort Halstead | Adopted Core Strategy Policy SP8 Land for Business; EMP1 – Land for Business; EMP 2 – Major Development Employment Sites in the Green Belt EMP3 – Redevelopment at Fort Halstead; H2 – Mixed Use Development Allocations |
| DG1 | North Downs Business Park Dunton Green | |
| CBP1 | Chaucer Business Park Kemsing | |
| SKB1 | SmithKline Beecham Powder Mill Lane Leigh | |
| WK2 | Brands Hatch | LT3 – Brands Hatch |
| WK6 | Brands Hatch Noise | LT3 – Brands Hatch |
| TR5 | Camping and Caravanning | EN1 – Design principles; LT1 – Loss of Tourist Accommodation and Visitor Attractions; National Planning Policy Framework |
| SR9 | Horses and Stables | LT2 – Equestrian Development |
| PS2 | Developer Contributions | SP9 Infrastructure Provision |
| PS6 | Churchill School | H1 – Residential Development |

Agenda Item 9

Draft for Submission – January 2013

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|------|-------------------------|--------------------------------------|
| | | Allocations |
| PS10 | Rural Service Provision | L07 Development in Rural Settlements |

APPENDIX 2 – ‘GUIDANCE TABLE FOR RESIDENTIAL PARKING’ FROM INTERIM GUIDANCE NOTE 3 TO THE KENT DESIGN GUIDE (2008)

| LOCATION | CITY/TOWN CENTRE | EDGE OF CENTRE | SUBURBAN | SUBURBAN EDGE/VILLAGE/RURAL |
|-------------------------------------|--|---|---|---|
| ON-STREET CONTROLS | On-street controls preventing all (or all long stay) parking | On-street controls, residents' scheme and/or existing saturation (Note 3) | No, or very limited, on-street controls | No on-street controls, but possibly a tight street layout |
| NATURE OF GUIDANCE | MAXIMUM (Note 1) | MAXIMUM | MINIMUM (Note 6) | MINIMUM (Note 6) |
| 1 & 2 BED FLATS | 1 space per unit | 1 space per unit | 1 space per unit | 1 space per unit |
| FORM | Controlled (Note 2) | Not allocated | Not allocated | Not allocated |
| 1&2 BED HOUSES | 1 space per unit | 1 space per unit | 1 space per unit | 1.5 spaces per unit |
| FORM | Controlled (Note 2) | Allocation possible | Allocation possible | Allocation of one space per unit possible |
| 3 BED HOUSES | 1 space per unit | 1 space per unit | 1.5 spaces per unit | 2 independently accessible spaces per unit |
| FORM | Controlled (Note 2) | Allocation possible | Allocation of one space per unit possible | Allocation of one or both spaces possible |
| 4+ BED HOUSES | 1 space per unit | 1.5 spaces per unit | 2 independently accessible spaces per unit | 2 independently accessible spaces per unit |
| FORM | Controlled (Note 2) | Allocation of one space per unit possible | Allocation of both spaces possible (Note 7) | Allocation of both spaces possible (Note 7) |
| ARE GARAGES ACCEPTABLE (Note 4) | Yes, but with areas of communal space for washing etc | Yes, but not as a significant proportion of overall provision | Additional to amount given above only | Additional to amount given above only |
| ADDITIONAL VISITOR PARKING (Note 5) | Public car parks | Communal areas, 0.2 per unit maximum | On-street areas, 0.2 per unit | On street areas, 0.2 per unit |

NOTES

1. Reduced, or even nil provision is encouraged in support of demand management and the most efficient use of land.
2. Parking/garage courts, possibly with controlled entry.
3. Reduced, or even nil provision acceptable for rented properties, subject to effective tenancy controls.
4. Open car ports or car barns acceptable at all locations, subject to good design.
5. May be reduced where main provision is not allocated. Not always needed for flats.
6. Lower provision may be considered if vehicular trip rate constraints are to be applied in connection with a binding and enforceable Travel Plan.
7. Best provided side by side, or in another independently accessible form. Tandem parking arrangements are often under-utilised.

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**APPENDIX 3: HOUSING ALLOCATION MAPS AND DEVELOPMENT
GUIDANCE**

APPENDIX 3

HOUSING SITE ALLOCATIONS AND DEVELOPMENT GUIDANCE

Important

Development proposals will be assessed against the guidance in this appendix alongside relevant Core Strategy and Development Management Policies. Particular reference should be had to the Policies contained within the Sustainable Communities and Development principles and Environment Chapters of the ADMP.

Key

- - - Footpath

 Tree Preservation Orders

HOUSING ALLOCATIONS

POLICY H1: RESIDENTIAL DEVELOPMENT ALLOCATIONS

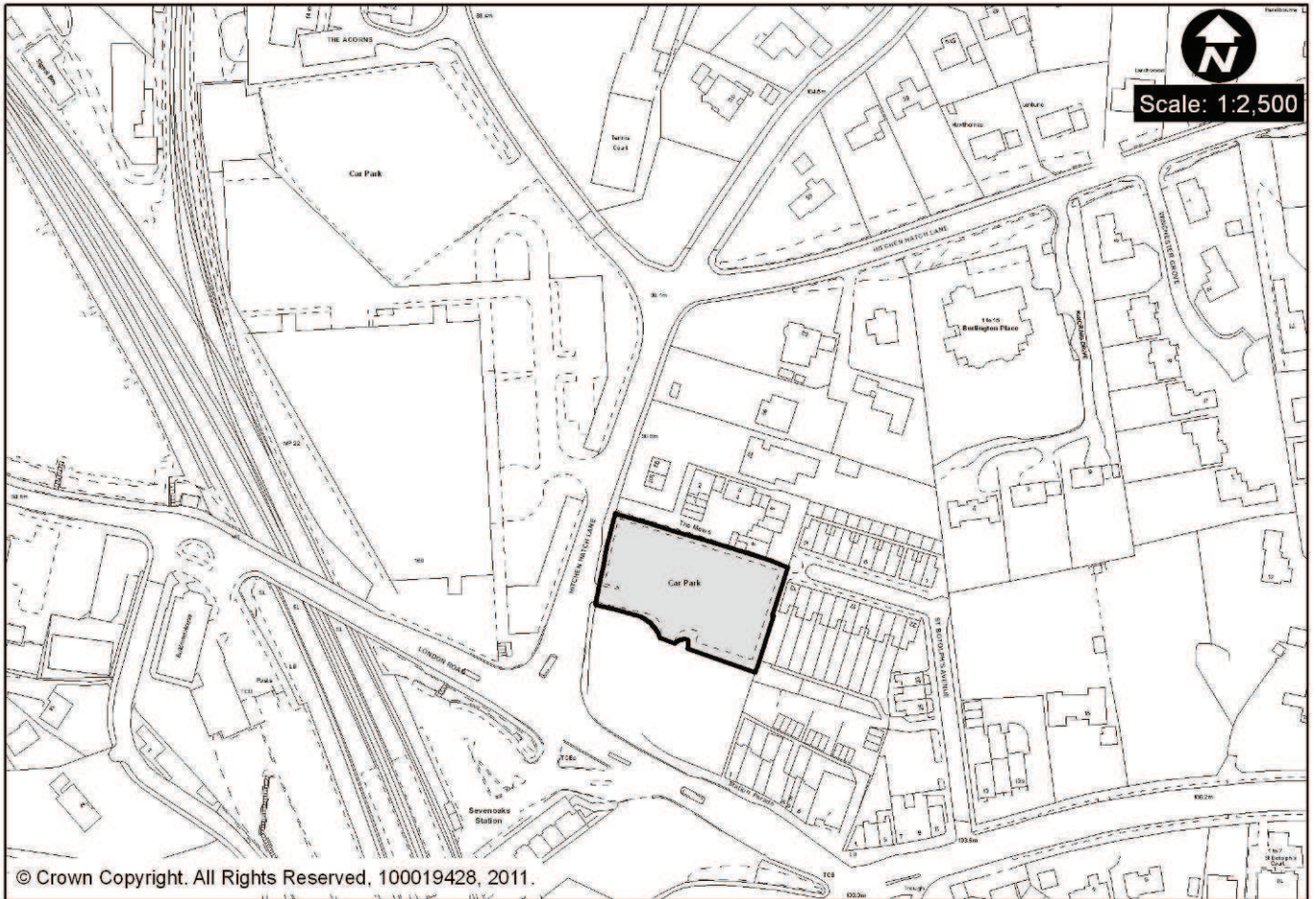
The following sites, as defined in Appendix 3, are allocated for residential development purposes to deliver the Core Strategy housing requirements (3,300 units) over the period until 2026.

These sites will provide for a range of housing types, density, mix and tenure and will be subject to the site areas and design guidance as set out in detail at Appendix 3.

| REF | SETTLEMENT/SITE ADDRESS | APPROXIMATE NO. UNITS |
|------------------------------------|---|--------------------------|
| <u>Sevenoaks Urban Area</u> | | |
| H1(a) | Car Park, Hitchen Hatch Lane | 17 |
| H1(b) | Cramptons Road Water Works, Cramptons Road | 50 |
| H1(c) | Sevenoaks Gasholder Station, Cramptons Road | 35 |
| H1(d) | School House, Oak Lane & Hopgarden Lane | 19 |
| H1(e) | Johnsons, Oak Lane & Hopgarden Lane | 18 |
| H1 (f) | Greatness Mill, Mill Lane | 20 |
| | Sub Total | 159 |
| <u>Swanley</u> | | |
| H1(g) | Bevan Place | 46 |
| H1(h) | Bus Garage/Kingdom Hall, London Road | 30 |
| H1(i) | Land West of Cherry Avenue (mixed housing and open space) | 50 |
| | Sub Total | 126 |
| <u>Other Settlements</u> | | |
| H1(j) | 57 Top Dartford Road, Hextable | 14 |
| H1(k) | Foxs Garage, London Road, Badgers Mount | 15 |
| H1(l) | Land adjacent to London Road, Westerham | 30 |
| H1(m) | Currant Hill Allotments, Westerham | 20 |
| H1(n) | Land at Croft Road, Westerham | 15 |
| H1 (o) | Warren Court, Halstead | 15 |
| | Sub Total | 109 |
| | GRAND TOTAL | 394 |

Agenda Item 9

H1(a): Car Park Hitchin Hatch Lane, Sevenoaks



3



| | | | |
|---------------------------|---|-----------------------------|--------------|
| Site Address: | Car Park, Hitchin Hatch Lane, Sevenoaks | Settlement: | Sevenoaks UA |
| Ward: | Sevenoaks Town and St John's | Proposed Allocation: | Residential |
| Current Use or PP: | Station car-park (SDC owned) | | |

Development Guidance:

Design and Layout

Sustainable location with good transport links provides the opportunity to design a high density flatted development, subject to safeguarding the amenity of adjacent residential properties (on St Botolph's Avenue and The Mews) and accommodating changing levels across the site

Development should achieve a good relationship with the adjacent development site to south (currently vacant with PP (06/2004) for mixed use scheme - 18 flats, 5 maisonettes, 3 retail (A1/A2) units). There may be future opportunities to develop a revised scheme that encompasses both sites.

Design must reflect the prominent nature of the site at the gateway to Sevenoaks.

Landscape

Landscape features at the edge of the site should be retained.

Access

The site should be accessed from Hitchin Hatch Lane (not from London Road)

Infrastructure

As well as contributions to CIL, a sewer flood alleviation scheme would be required, potentially involving a sewer diversion and provision of additional storage capacity.

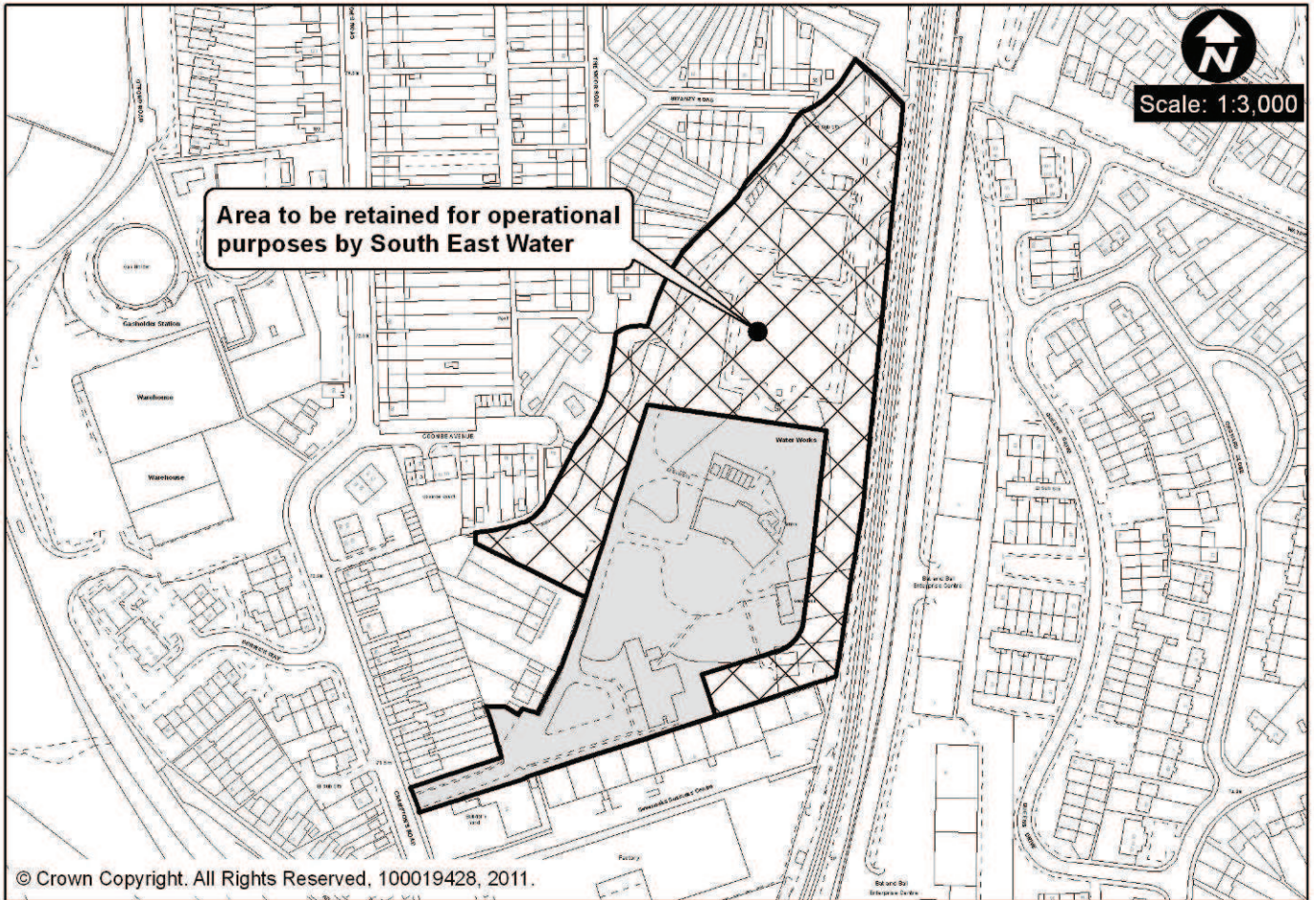
Equivalent convenient replacement car parking should be provided to serve station commuters. Initially this has been identified as to be provided at the nearby Bradbourne Car park and would involve decking a portion of the existing car park.

Delivery – SDC, as landowner, is promoting the site for residential development

| | | | |
|-------------------------------------|-----------------------|----------------------------------|--------------------------------|
| Gross Area (Ha): | 0.23 | Net Area (Ha): | 0.23 |
| Approximate Density (DPH): | 75 | Approximate Net Capacity: | 17 |
| Estimated development period | 0-5 years (2012-2016) | Source / Evidence Base: | Previous Local Plan Allocation |

Agenda Item 9

H1(b) Cramptons Road Water Works, Sevenoaks



5



Agenda Item 9

| | | | |
|--------------------------|--|-----------------------------|----------------------|
| Site Address: | Cramptons Road Water Works, Sevenoaks | Settlement: | Sevenoaks Urban Area |
| Ward: | Sevenoaks Northern | Proposed Allocation: | Residential |
| Current Use / PP: | Reorganisation of water treatment works. | | |

Development Guidance:

Design and Layout

Proposals should not prejudice the operations or access to the existing water treatment facility. The operational area as shown on the accompanying map will also provide a buffer between the residential development and the railway corridor.

The size and context of the site make it suitable for a range of housing types and tenures which should be provided as part of this development

The amenity of adjacent residential properties that abut the site and use the existing site access will need to be safeguarded

Landscape

Retention of boundary planting and provision of open space will be required to serve the development

Access

The existing access (with minor modifications) should serve the site

Infrastructure

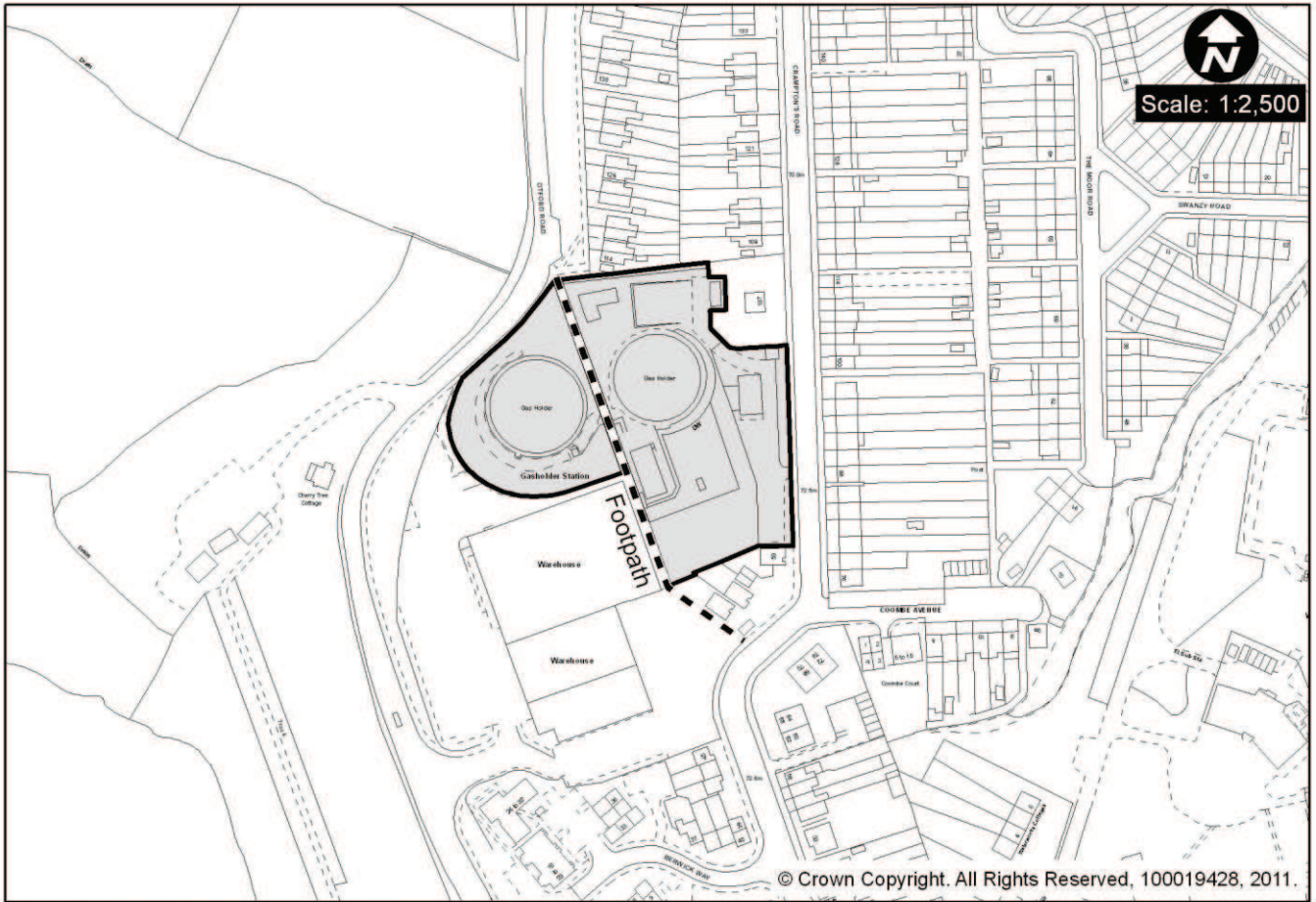
Contributions to CIL will be required

Delivery - promoted by owner (South East Water) for residential development

| | | | |
|--------------------------------------|-----------------------|----------------------------------|-------|
| Gross Area (Ha): | 1.26 | Net Area (Ha): | 1.26 |
| Approximate Density (DPH): | 40 | Approximate Net Capacity: | 50 |
| Estimated Development Period: | 0-5 years (2012-2016) | Source / Evidence Base: | SHLAA |

Agenda Item 9

H1(c) Sevenoaks Gasholder Station, Cramptons Road, Sevenoaks



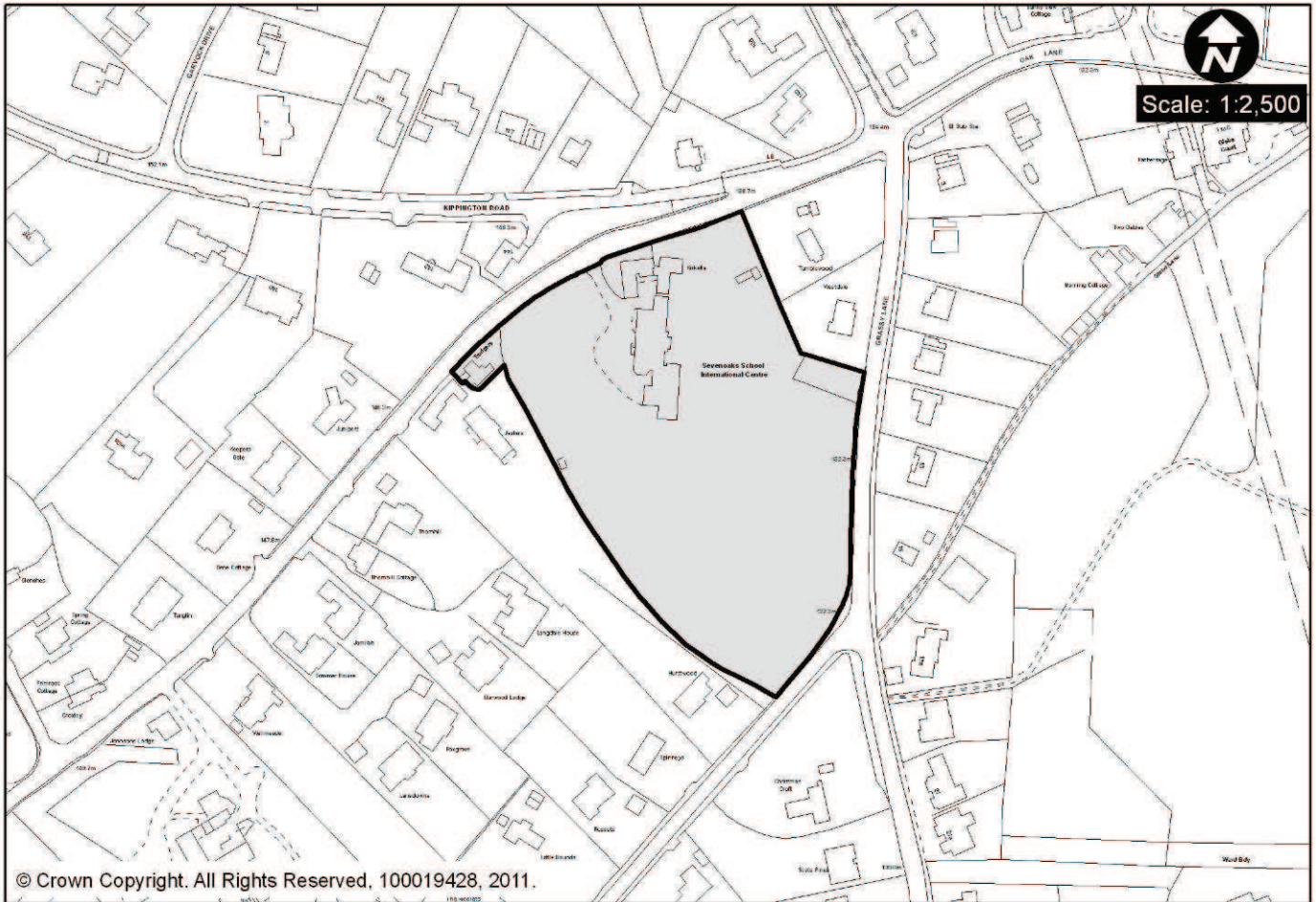
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| | | | |
|---|--|----------------------------------|----------------------|
| Site Address: | Sevenoaks Gasholder Station, Cramptons Road, Sevenoaks | Settlement: | Sevenoaks Urban Area |
| Ward: | Sevenoaks Northern | Proposed Allocation: | Residential |
| Current Use / PP: | Gas Holders and Yard | | |
| Development Guidance: | | | |
| Design and Layout | | | |
| Potential to extend the linear terraced residential layout that exists to the north of the site, through into the eastern portion of the site | | | |
| Careful consideration of relationship with adjacent commercial premises and sympathetic boundary treatment to minimise any conflict between uses. | | | |
| The size and context of the site make it suitable for a range of housing types and tenures which should be provided as part of this development | | | |
| Landscape | | | |
| The western edge of the site fronting Otford Road should be well landscaped. | | | |
| Access | | | |
| Vehicular access should be taken from Cramptons Road. The existing footpath which bisects site – should be retained. The site should link in to proposed cycle route on Cramptons Road. | | | |
| Infrastructure | | | |
| As well as contributions to CIL, any site remediation, if required, will be carried out by the site owner before disposal or will be required to be signed off by the site owner before the site transaction is completed. This will not preclude development opportunities on this site; | | | |
| Delivery - The extent of the site is owned by National Grid who have indicated that the yard is available now for redevelopment. The gasholders themselves are owned by Southern Gas Networks, who are de-commissioning all their gasholders in the period 2013 – 2021 | | | |
| Gross Area (Ha): | 0.88 | Net Area (Ha): | 0.88 |
| Approximate Density (DPH): | 40 | Approximate Net Capacity: | 35 |
| Estimated Development Period: | 6-10 years (2017-2021) | Source / Evidence Base: | SHLAA |

Agenda Item 9

H1(d) School House (Sevenoaks School) at Oak Lane & Hopgarden Lane, Sevenoaks



9



| | | | |
|--------------------------|---|-----------------------------|--------------|
| Site Address: | School House (Sevenoaks School) at Oak Lane & Hopgarden Lane, Sevenoaks | Settlement: | Sevenoaks UA |
| Ward: | Sevenoaks Kippington | Proposed Allocation: | Residential |
| Current Use / PP: | Sevenoaks School boarding house and grounds | | |

Development Guidance:

Design and Layout

The site should be split into upper and lower parcels of contrasting character.

The lower southern parcel should accommodate development at a density typical to the surrounding area (approximately 10 dph). The fragile balance in favour of the landscape dominating the built form should be retained. Buildings should be well screened and well set back from the front boundary to avoid a significant impact on the rural character of the lanes.

The upper northern parcel should accommodate a conversion of the existing building into apartments or a replacement block of similar size, location and character maintaining the broad balance between built development and open space. This portion of the site is also considered suitable for housing specifically designed for older people (including those with special needs), subject to improved footway access to the town centre.

Landscape

Trees within and surrounding the sites add to the generally verdant character of the area. Tree Preservation Orders apply around the boundary and across the centre of the site and development should not result in the loss or harm to any of these trees.

Access

Access should be via a narrow and hedge lined access drive to the lower part of the site should be from Grassy Lane / Hopgarden Lane Development should be served by. Access to the upper part of the site from Oak Lane likely to require modification and visibility improvement

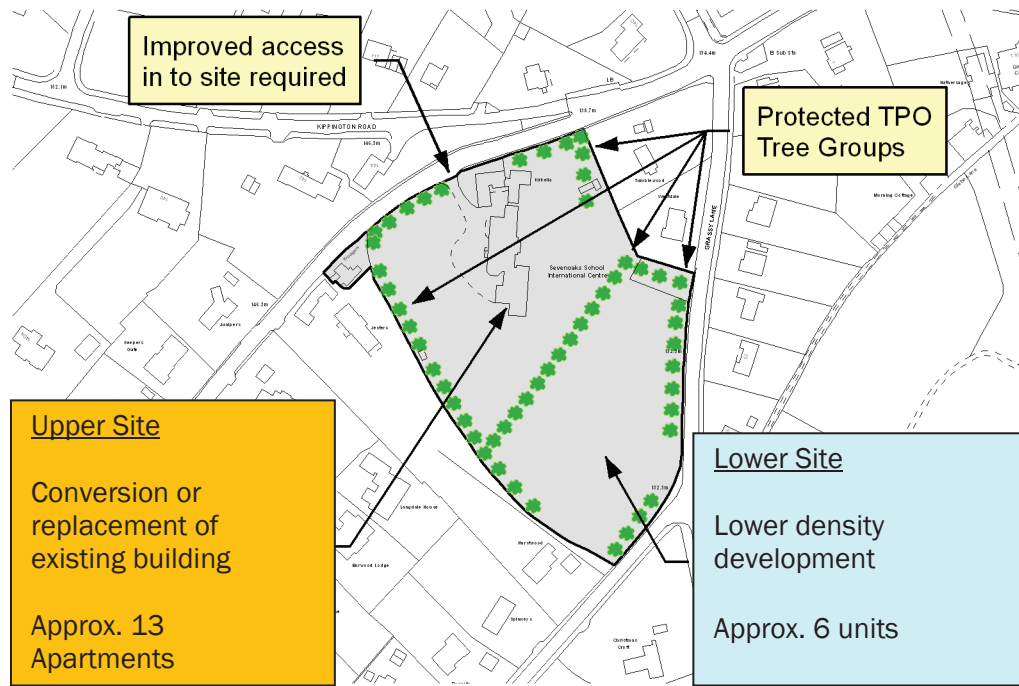
Infrastructure

Contributions to CIL will be required.

Delivery – Sevenoaks School promoting the site for redevelopment as part of their estate master-plan

10

Agenda Item 9

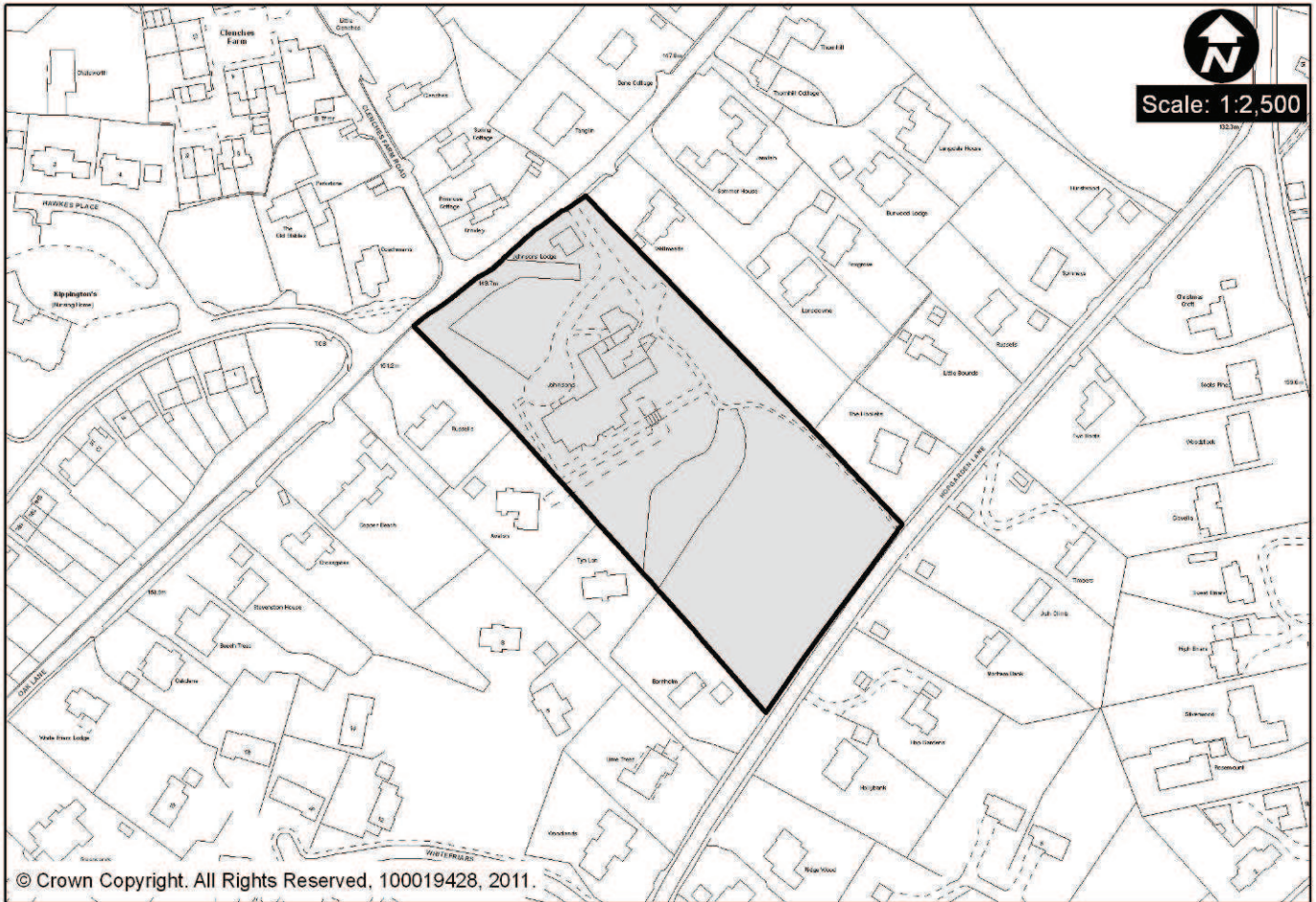


11

| | | | |
|--------------------------------------|---|----------------------------------|--|
| Gross Area (Ha): | 1.40 | Net Area (Ha): | 1.40 |
| Approximate Density (DPH): | 10 – Lower Site Conversion/ replacement on upper site | Approximate Net Capacity: | 6 houses – lower site 13 flats – upper site |
| Estimated Development Period: | 6-10 years (2017-2021) | Source / Evidence Base: | SHLAA |

Agenda Item 9

H1(e) Johnsons (Sevenoaks School) at Oak Lane & Hopgarden Lane, Sevenoaks



13



| | | | |
|--------------------------|---|-----------------------------|--------------|
| Site Address: | Johnsons (Sevenoaks School) at Oak Lane & Hopgarden Lane, Sevenoaks | Settlement: | Sevenoaks UA |
| Ward: | Sevenoaks Kippington | Proposed Allocation: | Residential |
| Current Use / PP: | Sevenoaks School boarding house and grounds | | |

Development Guidance:

Design and Layout

The site should be split into upper and lower parcels of contrasting character.

The lower southern parcel should accommodate development at a density typical to the surrounding area (approximately 10 dph). The fragile balance in favour of the landscape dominating the built form should be retained. Buildings should be well screened and well set back from the front boundary to avoid a significant impact on the rural character of the lanes.

The upper northern parcel should accommodate a conversion of the existing building into apartments or a replacement block of similar size, location and character maintaining the broad balance between built development and open space. This portion of the site is also considered suitable for housing specifically designed for older people (including those with special needs), subject to improved footway access to the town centre.

Landscape

Trees within and surrounding the sites add to the generally verdant character of the area. Tree Preservation Orders apply around the boundary and across the centre of the site and development should not result in the loss or harm to any of these trees.

Access

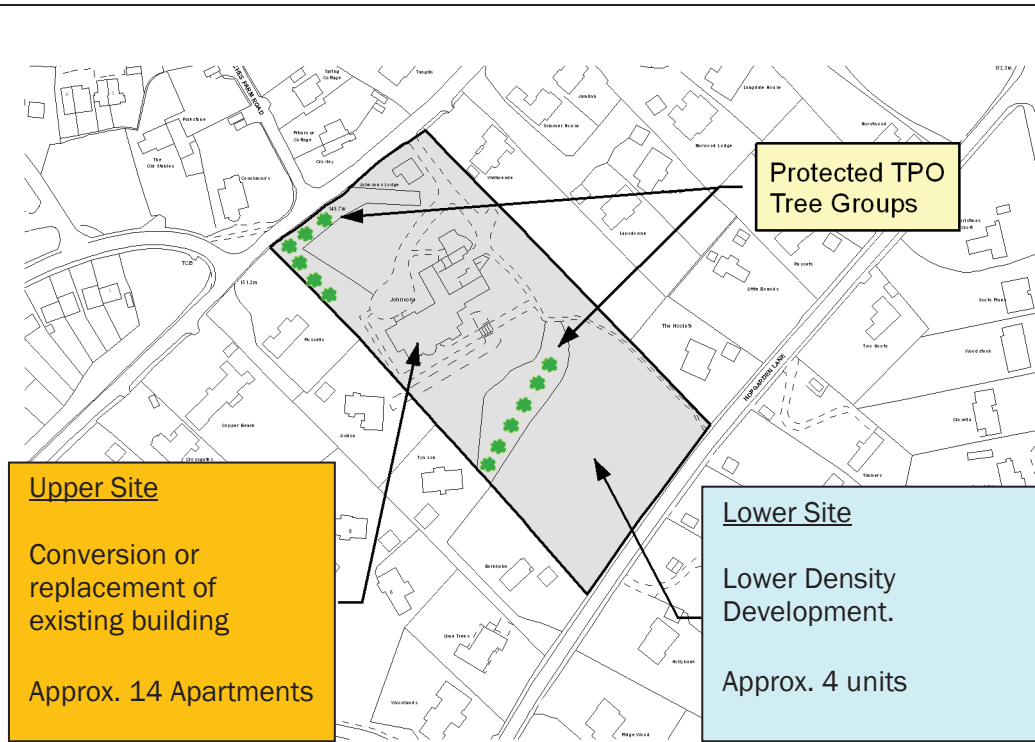
Access should be via a narrow and hedge lined access drive to the lower part of the site should be from Grassy Lane / Hopgarden Lane Development should be served by. Access to the upper part of the site from Oak Lane likely to require modification and visibility improvement

Infrastructure

Contributions to CIL will be required.

14

Agenda Item 9



Upper Site
 Conversion or replacement of existing building
 Approx. 14 Apartments

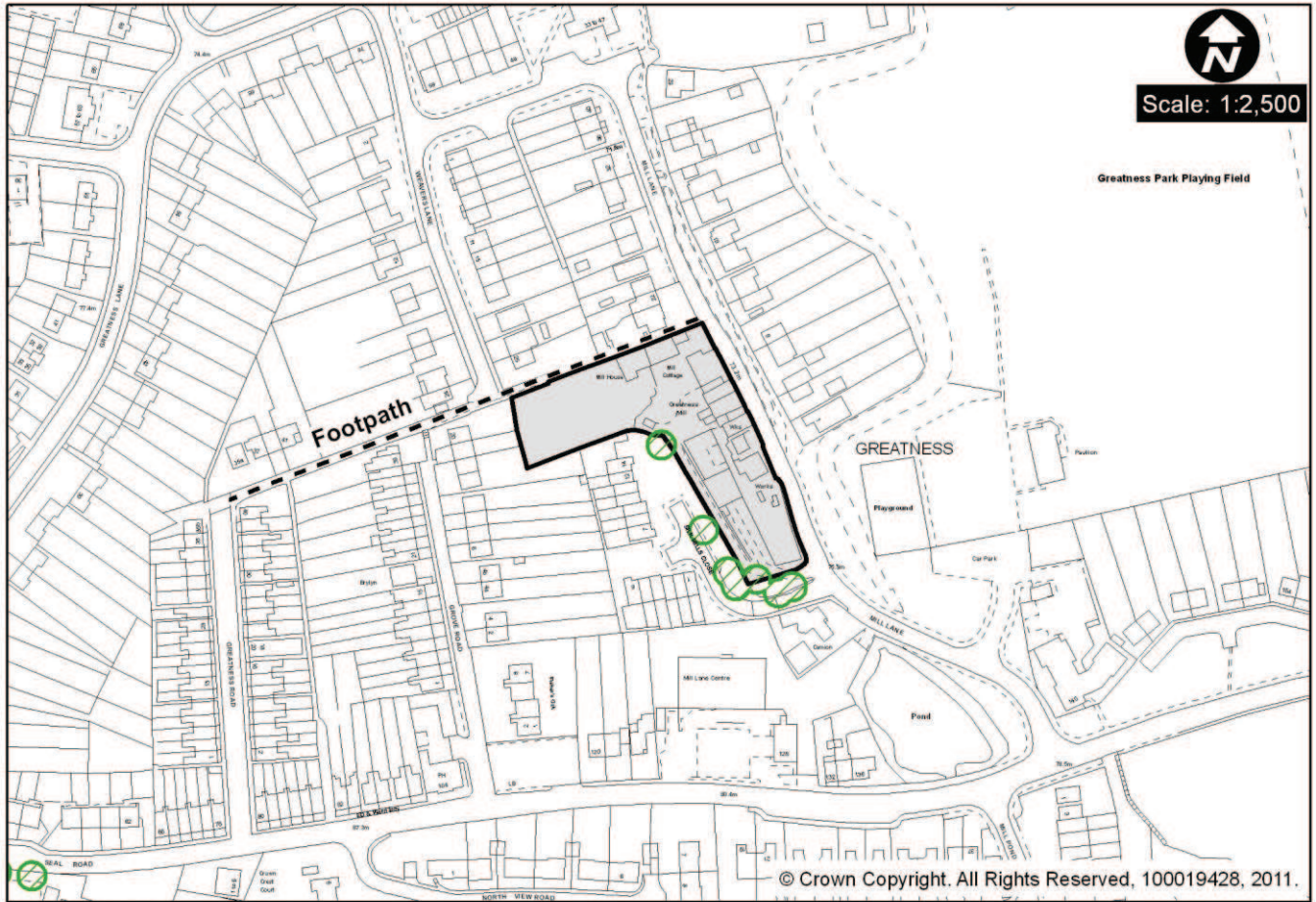
Lower Site
 Lower Density Development.
 Approx. 4 units

| | | | |
|--------------------------------------|---|----------------------------------|--|
| Gross Area (Ha): | 1.36 | Net Area (Ha): | 1.36 |
| Approximate Density (DPH): | 10 – Lower Site Conversion/ replacement on upper site | Approximate Net Capacity: | 4 houses – lower site 14 flats – upper site |
| Estimated Development Period: | 6-10 years (2017-2021) | Source / Evidence Base: | SHLAA |

15

Agenda Item 9

H1 (f) Greatness Mill, Mill Lane, Sevenoaks



17



| | | | |
|--------------------------|--|-----------------------------|--------------|
| Site Address: | Greatness Mill, Mill Lane, Sevenoaks | Settlement: | Sevenoaks UA |
| Ward: | Sevenoaks Northern | Proposed Allocation: | Residential |
| Current Use / PP: | Workshops (car repair) and residential | | |

Development Guidance:

Design and Layout

The site contains the historic Mill House building, which contributes to the character of the local area. The building or the character of the building should be retained in any development scheme. The site is likely to be able to accommodate a mix of houses and flats

Landscape

Tree Preservation Orders apply around the southern and western boundary of the site and development should not result in the loss or harm to any of these trees.

Access

Vehicular access should be from Mill Lane. The footpath to north of the site should be retained.

Infrastructure

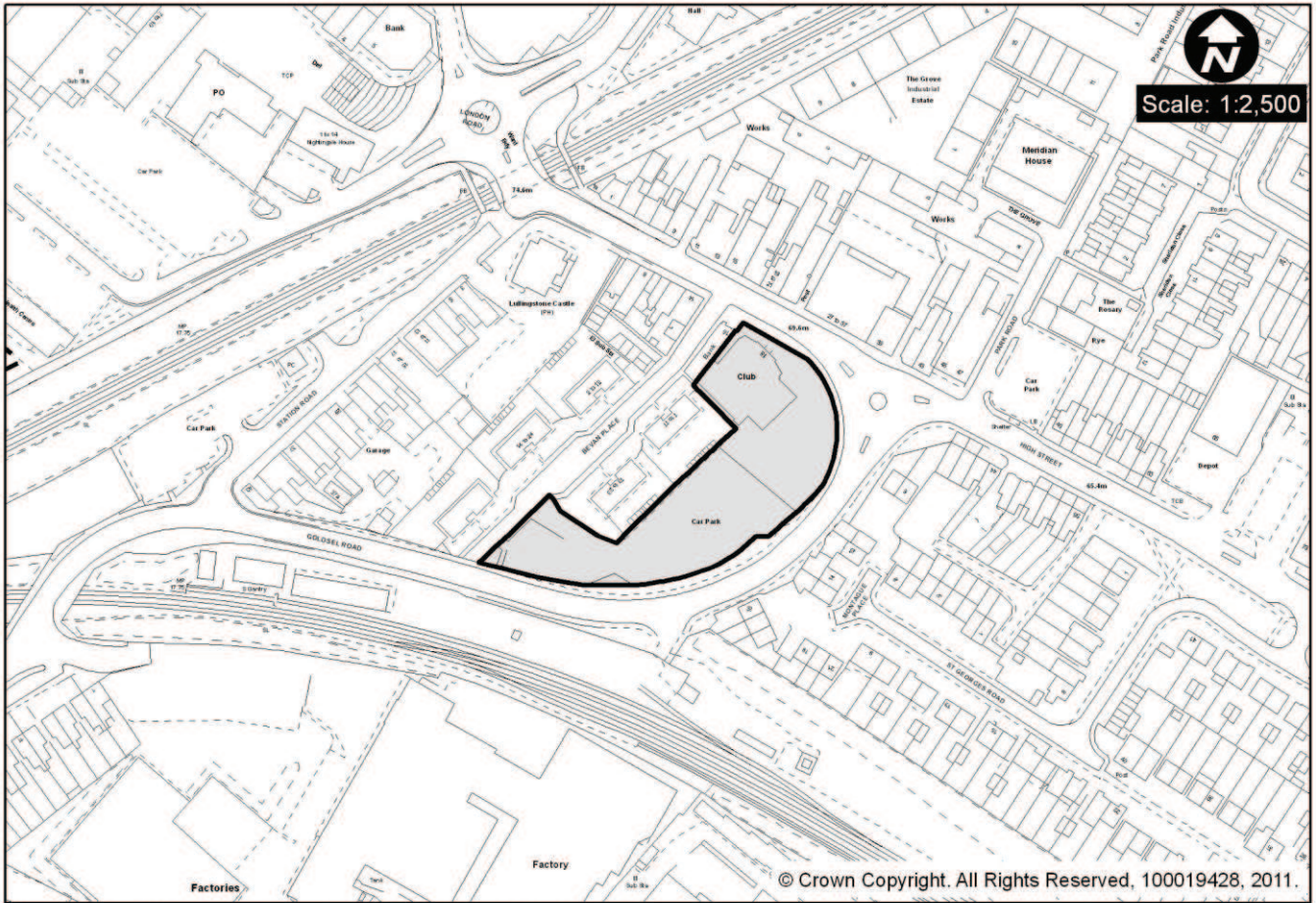
As well as a CIL contribution, site remediation may be necessary. This will not preclude development opportunities on this site.

Delivery – site owner promoting the site for residential development

| | | | |
|--------------------------------------|-----------------------|----------------------------------|-------|
| Gross Area (Ha): | 0.34 | Net Area (Ha): | 0.34 |
| Approximate Density (DPH): | 60 | Approximate Net Capacity: | 20 |
| Estimated Development Period: | 0-5 years (2012-2016) | Source / Evidence Base: | SHLAA |

Agenda Item 9

H1(g) Bevan Place, Swanley



19



| | | | |
|--------------------------|--|-----------------------------|-------------|
| Site Address: | Bevan Place, Swanley | Settlement: | Swanley |
| Ward: | Swanley Christchurch and Swanley Village | Proposed Allocation: | Residential |
| Current Use / PP: | Car park/ working men’s club, Swanley | | |

Development Guidance:

Design and Layout

Sustainable location with good transport links provides the opportunity to design a high density flatted development, subject to safeguarding the amenity of adjacent residential properties. The design and layout of each site should take account of the other and form a comprehensive design. Development should achieve a good relationship with the adjacent residential blocks, which abut the site on three sides. Options for inclusion of this land within the comprehensive scheme should be considered. If this is not achievable, the proposal must be carefully designed to integrate with the existing housing.

Residential is likely to be most appropriately provided in the form of apartments blocks. This site is also considered suitable for housing specifically designed for older people (including those with special needs), as it is close to a range of services that would provide for the needs of future occupants.

Careful design and/or physical measures may be needed to mitigate impact from traffic noise.

The site is located within an Air Quality Management Area and measures may be needed to mitigate air quality impact.

Landscape

Landscaping proposals should enhance the site and the wider street scene.

Access

Access should be provided from Bevan Place.

Infrastructure

As well as CIL contributions, the re-provision or relocation of the working men’s club should be provided.

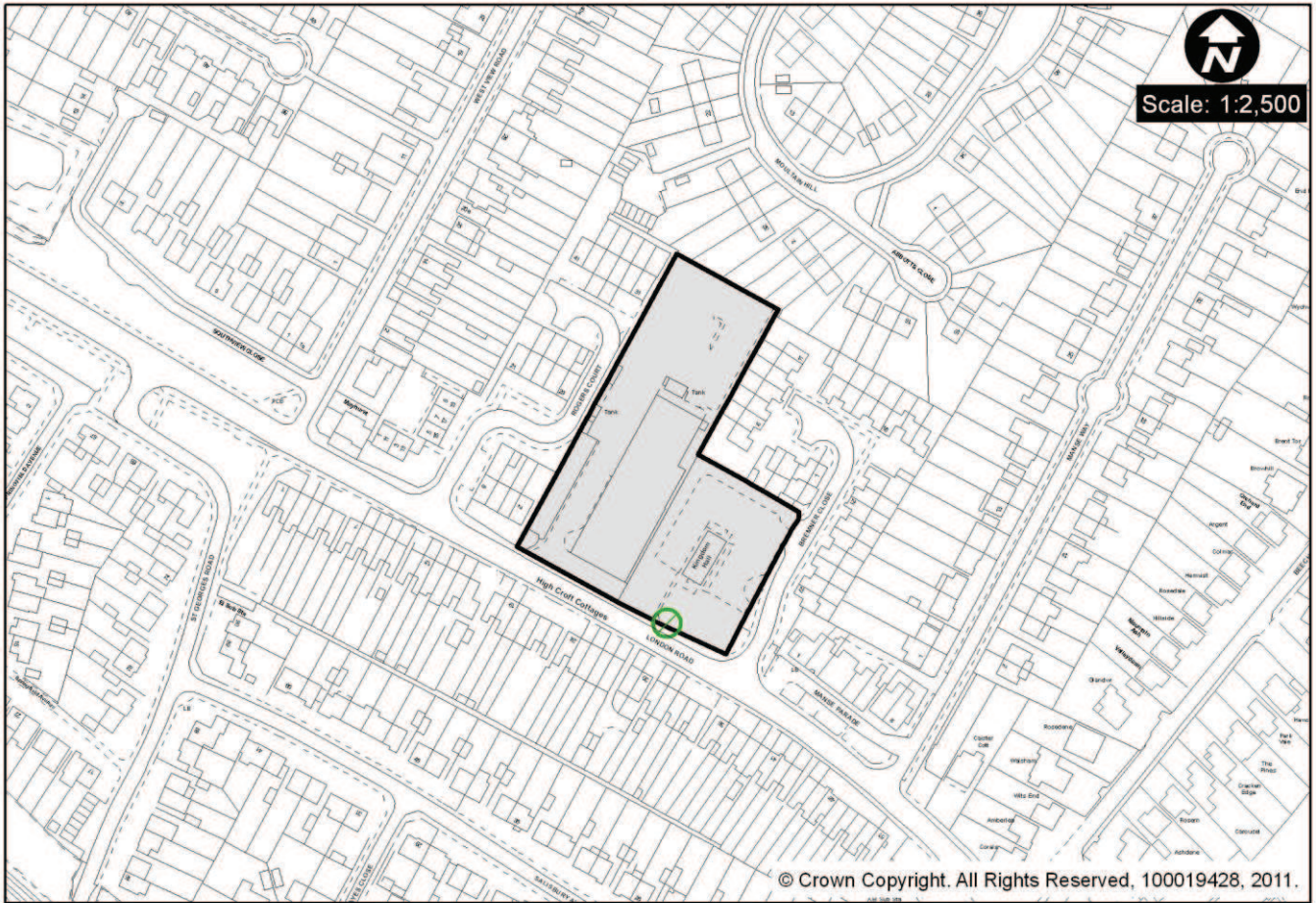
Parking surveys over the last three years have confirmed that car park average usage is at 25% occupation. The loss of this parking will not therefore impact on the vitality of the area. There is capacity in Park Road / Station Approach car parks and free parking in the town centre.

Delivery – Owners of Swanley working men’s club investigating options for redevelopment and working with SDC (owners of car park) to bring forward a comprehensive site redevelopment

| | | | |
|--------------------------------------|------------------------|----------------------------------|--------------------|
| Gross Area (Ha): | 0.46 | Net Area (Ha): | 0.46 |
| Approximate Density (DPH): | 100 | Approximate Net Capacity: | 46 |
| Estimated Development Period: | 6-10 years (2017-2021) | Source / Evidence Base: | Local Plan / SHLAA |

Agenda Item 9

H1(h) Bus Garage and Kingdom Hall, London Road, Swanley



21



| | | | |
|--------------------------|---|-----------------------------|-------------|
| Site Address: | Bus Garage and Kingdom Hall Swanley | Settlement: | Swanley |
| Ward: | Swanley Christchurch and Swanley Village | Proposed Allocation: | Residential |
| Current Use / PP: | Bus Garage / Church hall | | |

Development Guidance:

Design and Layout

The design and layout of each site should take account of the other and form a comprehensive design. Development should front London Road, Rogers Court and Bremner Close and respect the well established building lines in London Road.

Attached housing is likely to be the most appropriate form of development on the site. This site is also considered suitable for housing specifically designed for older people (including those with special needs), as it is close to a range of services that would provide for the needs of future occupants.

Careful design and/or physical measures may be needed to mitigate impact from traffic noise.

The site frontage is located within an Air Quality Management Area and measures may be needed to mitigate air quality impact.

Landscape

The TPO should be protected on the site. Landscaping proposals should enhance the site and the wider street scene.

Access

Access – via existing access off London Road or via Bremner Close. A single access should serve the combined Bus Garage and Kingdom Hall site.

Infrastructure

As well as a CIL contribution, development should include re-provision of the existing community facility (hall of worship) in a portion of the site.

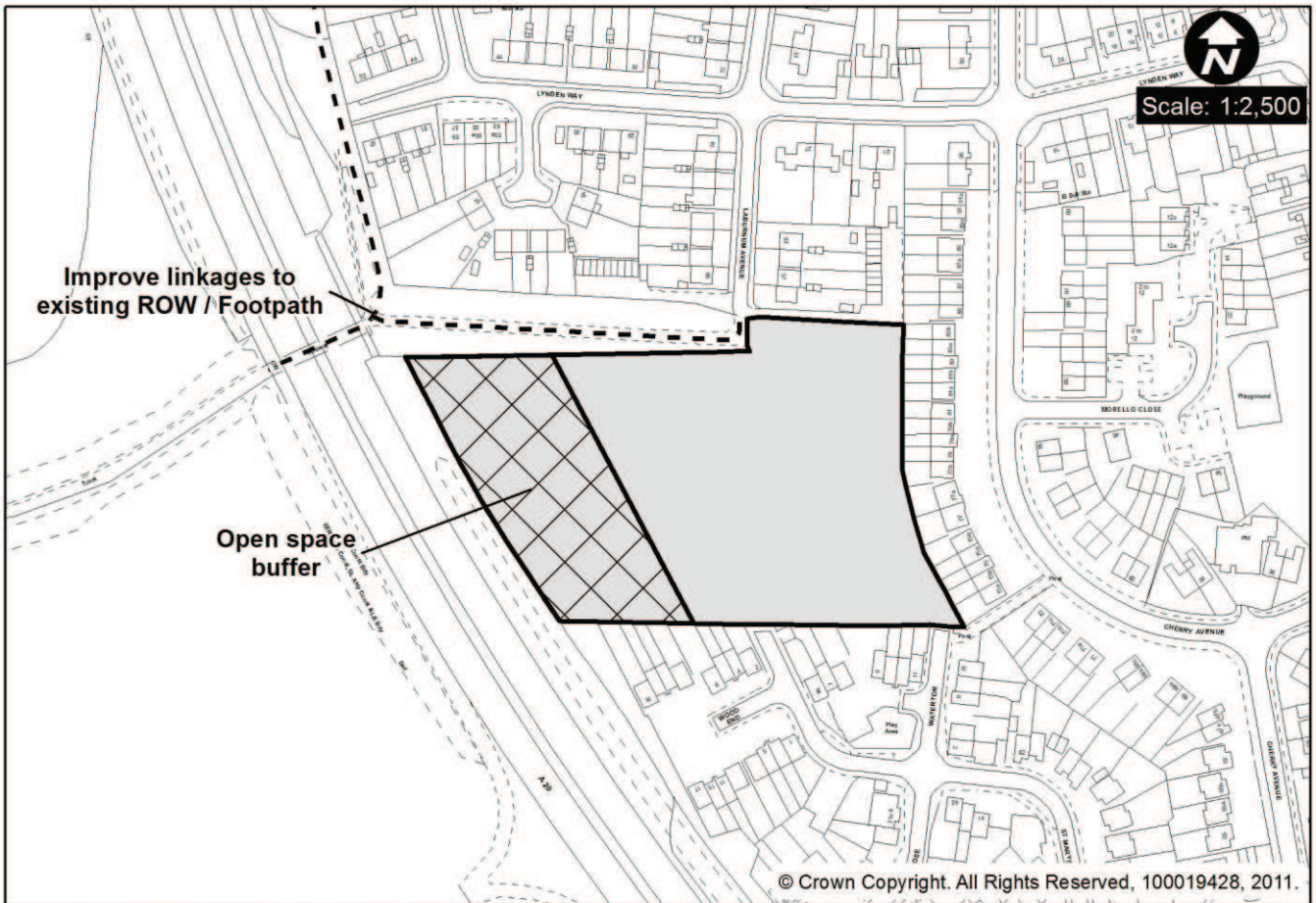
Site remediation may be necessary. This will not preclude development opportunities on this site.

Delivery – promoted by owners for residential development

| | | | |
|--------------------------------------|-----------------------|----------------------------------|--------------------|
| Gross Area (Ha): | 0.74 | Net Area (Ha): | 0.74 |
| Approximate Density (DPH): | 40 | Approximate Net Capacity: | 30 |
| Estimated Development Period: | 0-5 years (2012-2016) | Source / Evidence Base: | Local Plan / SHLAA |

Agenda Item 9

H1(i) Land west of Cherry Avenue, Swanley



23



| | | | |
|--------------------------|---|-----------------------------|----------------------------|
| Site Address: | Land west of Cherry Avenue, Swanley | Settlement: | Swanley |
| Ward: | Swanley St Mary's | Proposed Allocation: | Residential and open space |
| Current Use / PP: | Vacant open land (Private - no public access) | | |

Development Guidance:

Design and Layout

This large site can accommodate mix of housing types (semi-detached, terraced, detached), which respects the layout and density of the surrounding housing estate. With the proximity to the A20 to the west the open space should act as a buffer (in terms both noise and air quality) with properties designed to overlook the open space..

Landscape

Proposals should include the provision of public open space with biodiversity enhancement of approximately 0.5ha abutting the A20 as shown on the accompanying plan. The type and layout of open space will be a matter for consultation with the local community.

Access

There is potential for two vehicular access points, via St Marys Road and Laburnum Avenue, to create an extension of the existing housing estate.

Footpath connections should be provided through site, providing a safe and convenient link with existing footpath to the north

Infrastructure

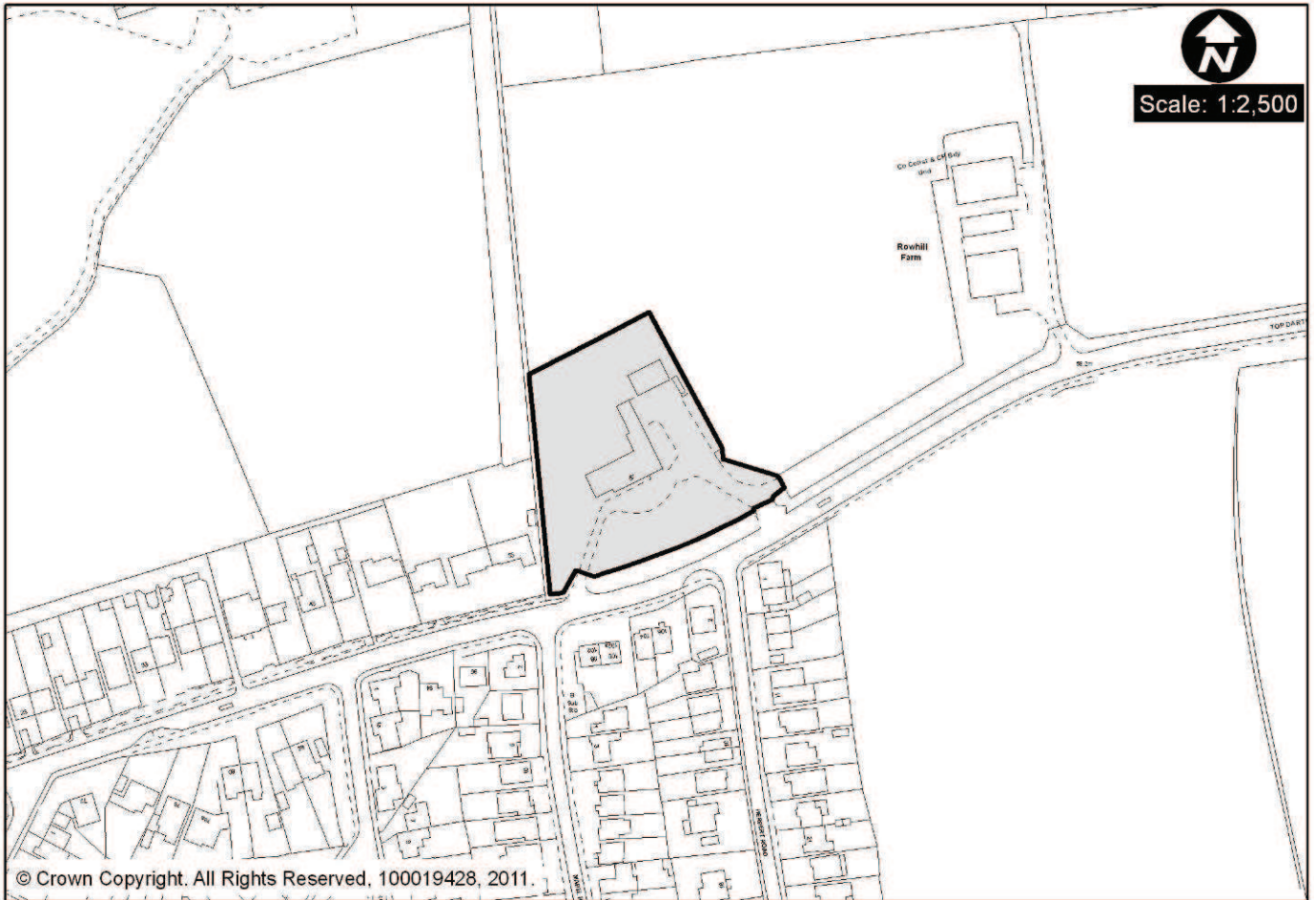
As well as CIL contributions, public open space should be provided on the site.

Delivery – KCC (site owner) promoting site for residential development

| | | | |
|--------------------------------------|-----------------------|----------------------------------|-------|
| Gross Area (Ha): | 1.5 | Net Area (Ha): | 1.00 |
| Approximate Density (DPH): | 50 | Approximate Net Capacity: | 50 |
| Estimated Development Period: | 0-5 years (2012-2016) | Source / Evidence Base: | SHLAA |

Agenda Item 9

H1(j) 57 Top Dartford Road, Hextable



25



| | | | |
|--------------------------|--------------------------------|-----------------------------|------------------|
| Site Address: | 57 Top Dartford Road, Hextable | Settlement: | Other settlement |
| Ward: | Hextable | Proposed Allocation: | Residential |
| Current Use / PP: | Residential | | |

Development Guidance:

Design and Layout

Development should be designed carefully to avoid any adverse impact on the adjoining Green Belt. Appropriate design should respond to the gateway location to the village. Development should front Top Dartford Road and respect the building line of other properties in this location.

Attached and detached housing is likely to be suitable on the site.

Landscape

Appropriate tree screening / landscaping should be incorporated in any development scheme to avoid any adverse impact on THE Green Belt or long distance views

Access

Access should be taken from Top Dartford Road (B258). The site currently has in and out driveway arrangement that straddles traffic calming measures (one-way pinch points). Any access modifications will need to be carefully designed to integrate with these measures. The footpath to the west of site should be retained.

Infrastructure

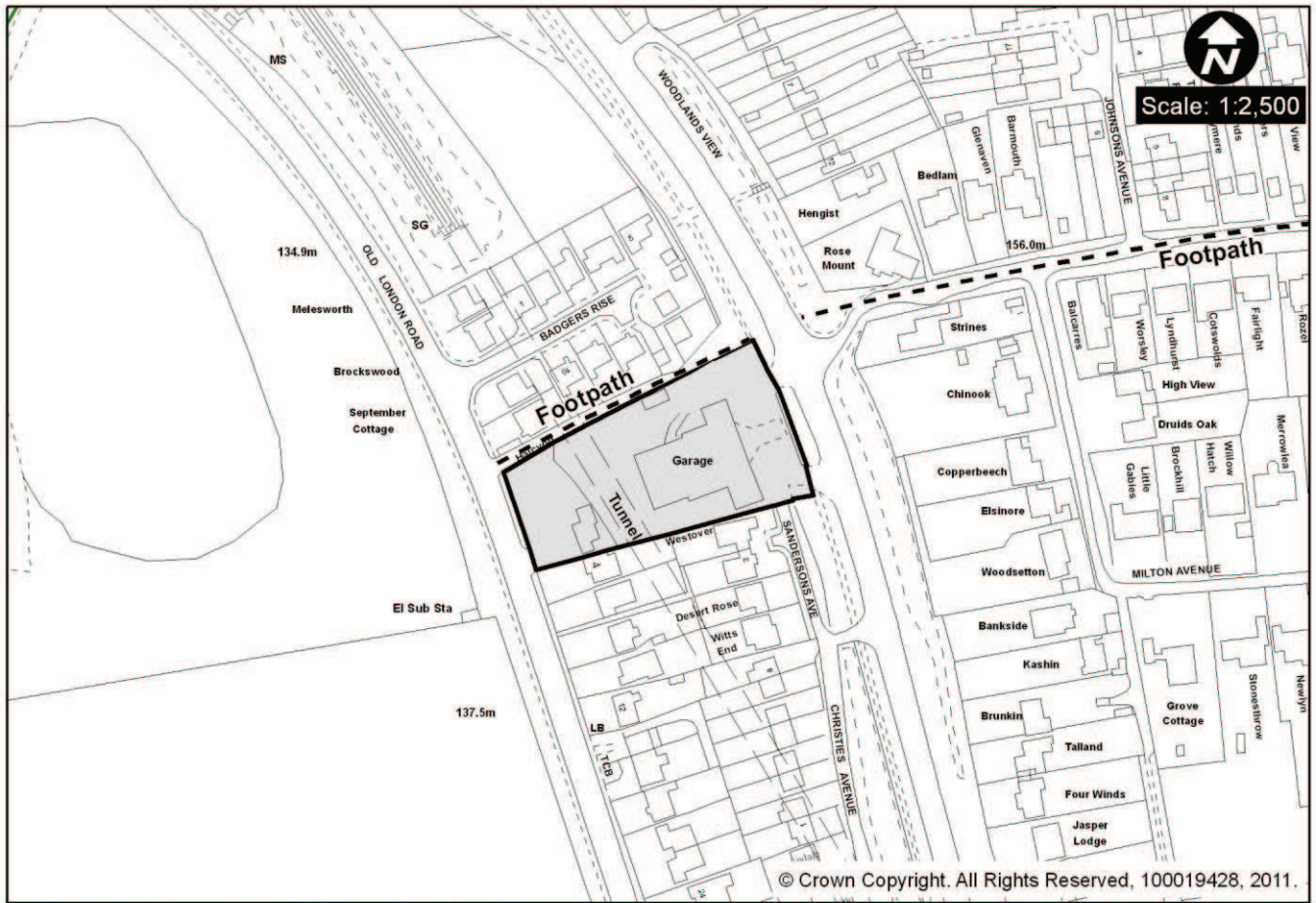
Contributions to CIL will be required

Delivery - Promoted for residential development by owner of site

| | | | |
|--------------------------------------|------------------------|----------------------------------|-------|
| Gross Area (Ha): | 0.51 | Net Area (Ha): | 0.51 |
| Approximate Density (DPH): | 30 | Approximate Net Capacity: | 14 |
| Estimated Development Period: | 6-10 years (2017-2021) | Source / Evidence Base: | SHLAA |

Agenda Item 9

H1(k) Foxs Garage, Orpington By-Pass, Badgers Mount



27



| | | | |
|--------------------------|---|-----------------------------|------------------|
| Site Address: | Foxs Garage, Orpington By-pass, Badgers Mount | Settlement: | Other settlement |
| Ward: | Halstead, Knockholt & Badgers Mount | Proposed Allocation: | Residential |
| Current Use / PP: | Garage and MOT testing centre | | |

Development Guidance:

Design and Layout

Careful consideration should be given to the site topography, where the land rises steeply from Old London Road to A224 Orpington by-pass. There is potential to reflect the layout and scale of the adjacent close (Badgers Rise).

The footpath to the north of site should be overlooked.

Proposals should avoid adverse impact on/from the rail tunnel below site.

Landscape

The landscape frontage to Orpington By-pass is a characteristic of the area and should be respected on this site.

Access

A single point of access at a central location should be provided on the frontage of Old London Road, which is slower (40mph) than the Orpington By-Pass. Associated re-positioning of the existing bus stop currently located between the existing in/out access arrangement.

The footpath to the north of site should be retained.

Infrastructure

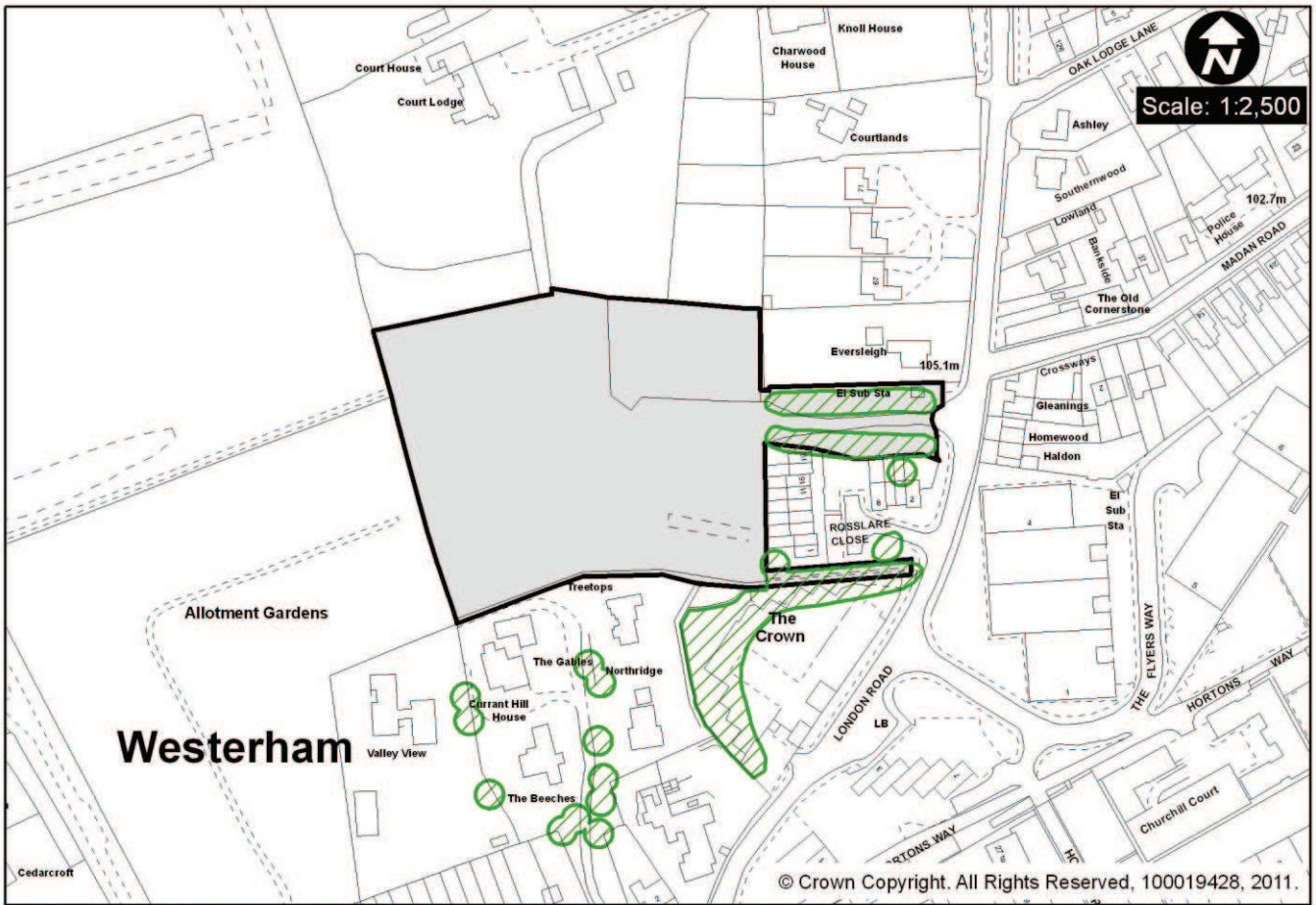
As well as CIL contributions, site remediation may be necessary. This will not preclude development opportunities on this site.

Delivery – promoted for residential development by owners of site

| | | | |
|--------------------------------------|-----------------------|----------------------------------|-------|
| Gross Area (Ha): | 0.50 | Net Area (Ha): | 0.50 |
| Approximate Density (DPH): | 30 | Approximate Net Capacity: | 15 |
| Estimated Development Period: | 0-5 years (2012-2016) | Source / Evidence Base: | SHLAA |

Agenda Item 9

H1 (I) Land Adjacent to London Road, Westerham



29



| | | | |
|--------------------------|---|-----------------------------|------------------|
| Site Address: | Land adjacent to London Road, Westerham – (Formerly Safeguarded Land) | Settlement: | Other settlement |
| Ward: | Westerham & Crockham Hill | Proposed Allocation: | Residential |
| Current Use / PP: | Field with hard-standing (former site of primary school) | | |

Development Guidance:

Design and Layout

The site is located within the AONB and development should protect and enhance the landscape features.

This large site can accommodate mix of housing types (detached, semi-detached, terraced). The site is also considered suitable for housing specifically designed for older people (including those with special needs), as it is close to a range of services that would provide for the needs of future occupants.

Landscape

There are Tree Preservation Orders on the site which should be protected and form an integral part of the scheme. The trees provide an attractive avenue into the site and line both the pedestrian and vehicular access from London Road. No protected trees to be removed. Ecological issues should be considered in any redevelopment. The existing tree screening should be maintained and enhanced.

Access

Access should be taken off London Road, via wide avenue to north of Rosslare Close

The development should provide vehicular access to the Westerham allotment housing allocation site to the West, from London Road.

The passageway to the south of Rosslare Close should provide pedestrian and cycle access to the site

Infrastructure

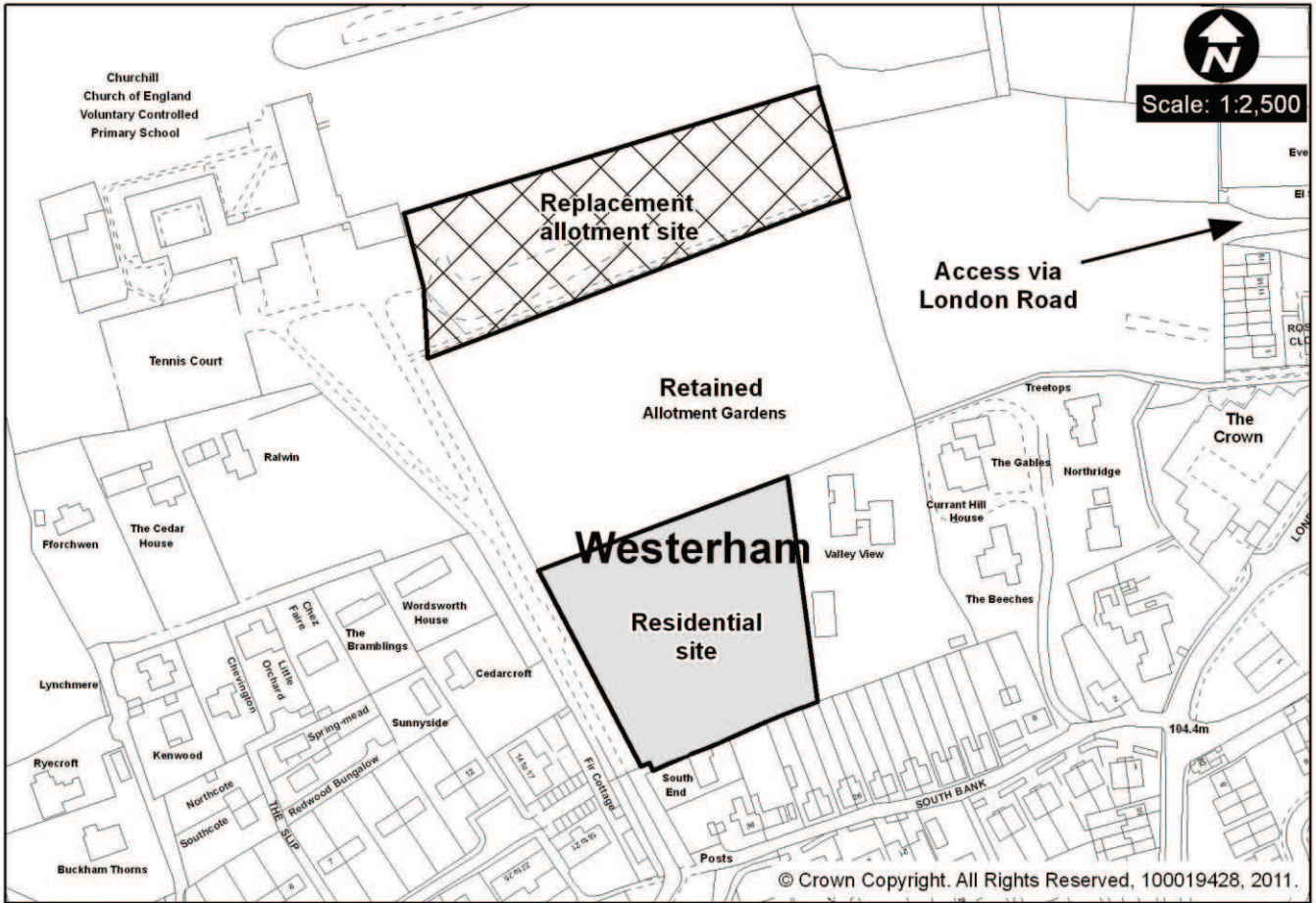
Contributions to CIL will be required

Delivery - Promoted for residential development by owner of site (KCC)

| | | | |
|--------------------------------------|-----------------------|----------------------------------|-----------------------|
| Gross Area (Ha): | 1.46 | Net Area (Ha): | 1.24 |
| Approximate Density (DPH): | 25 | Approximate Net Capacity: | 30 |
| Estimated Development Period: | 0-5 years (2012-2016) | Source / Evidence Base: | Local Plan Allocation |

Agenda Item 9

H1(m) Currant Hill Allotments, Westerham



31



| | | | |
|--------------------------|--|-----------------------------|------------------|
| Site Address: | Currant Hill Allotments, Westerham (Formerly Safeguarded Land) | Settlement: | Other settlement |
| Ward: | Westerham & Crockham Hill | Proposed Allocation: | Residential |
| Current Use / PP: | Allotments | | |

Development Guidance:

Design and Layout

The site is located within the AONB and development should protect and enhance the landscape features.

The site should reflect the adjacent mix of housing types (detached, semi-detached, terraced). This site is also considered suitable for housing specifically designed for older people (including those with special needs), as it is close to a range of services that would provide for the needs of future occupants.

Low buildings heights (not greater than two storeys) should be incorporated into the development scheme to respond to the site topography and integrate with the surrounding development

Landscape

Existing tree screening should be maintained and enhanced

Site biodiversity surveys will be sought to ensure any biodiversity concerns are adequately mitigated and biodiversity enhancement will be required on the adjacent replacement allotment site

Access

Site access should be provided via the adjacent site to London Road (emergency/pedestrian access on via Rysted Lane).

Infrastructure

As well as CIL contributions, development of the site will require equivalent replacement of allotments within Westerham. The replacement allotments would need to be of equivalent or greater value, in terms of their size, location, accessibility and quality, in order to maintain the supply of allotments for the local community. Westerham Town Council, who own the site, have proposed that replacement allotments be provided in the field immediately to the north of the site, which is allocated in the ADMP. The site is currently leased to Churchill School. The school is aware of this proposal and has confirmed that it can accommodate the loss of the field without prejudicing its activities.

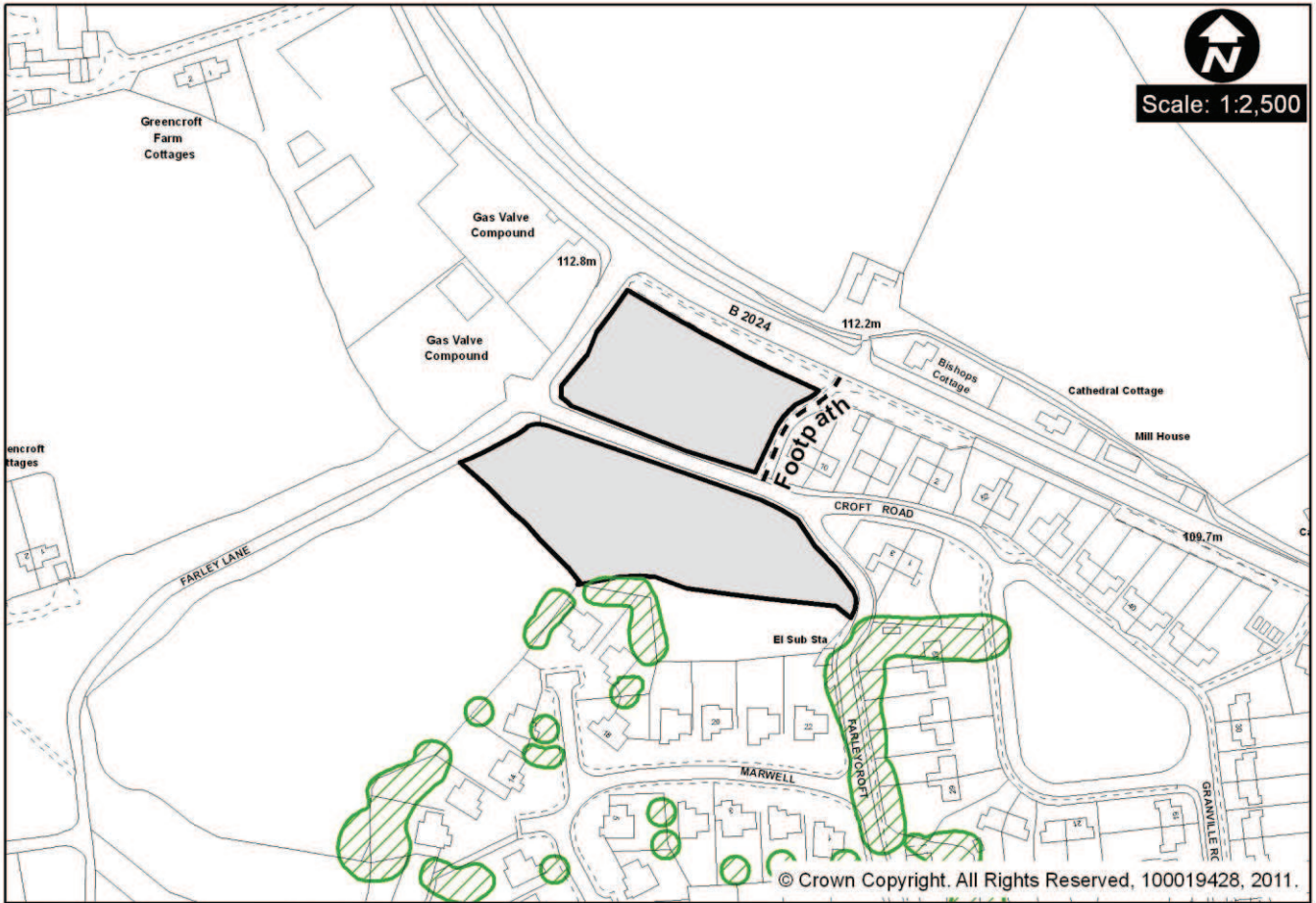
Delivery – site owners (Westerham Town Council) are promoting the site for residential development, subject to further consultation with the local community.

Note - the local authority must seek permission from the Secretary of State before selling or changing the use of a statutory allotment site under the Allotments Act 1925

| | | | |
|--------------------------------------|-------------------------|----------------------------------|-------------------------------|
| Gross Area (Ha): | 0.67 | Net Area (Ha): | 0.67 |
| Approximate Density (DPH): | 30 | Approximate Net Capacity: | 20 |
| Estimated Development Period: | 10-15 years (2022-2026) | Source / Evidence Base: | Local Plan (Safeguarded Land) |

Agenda Item 9

H1 (n) Land at Croft Road Westerham



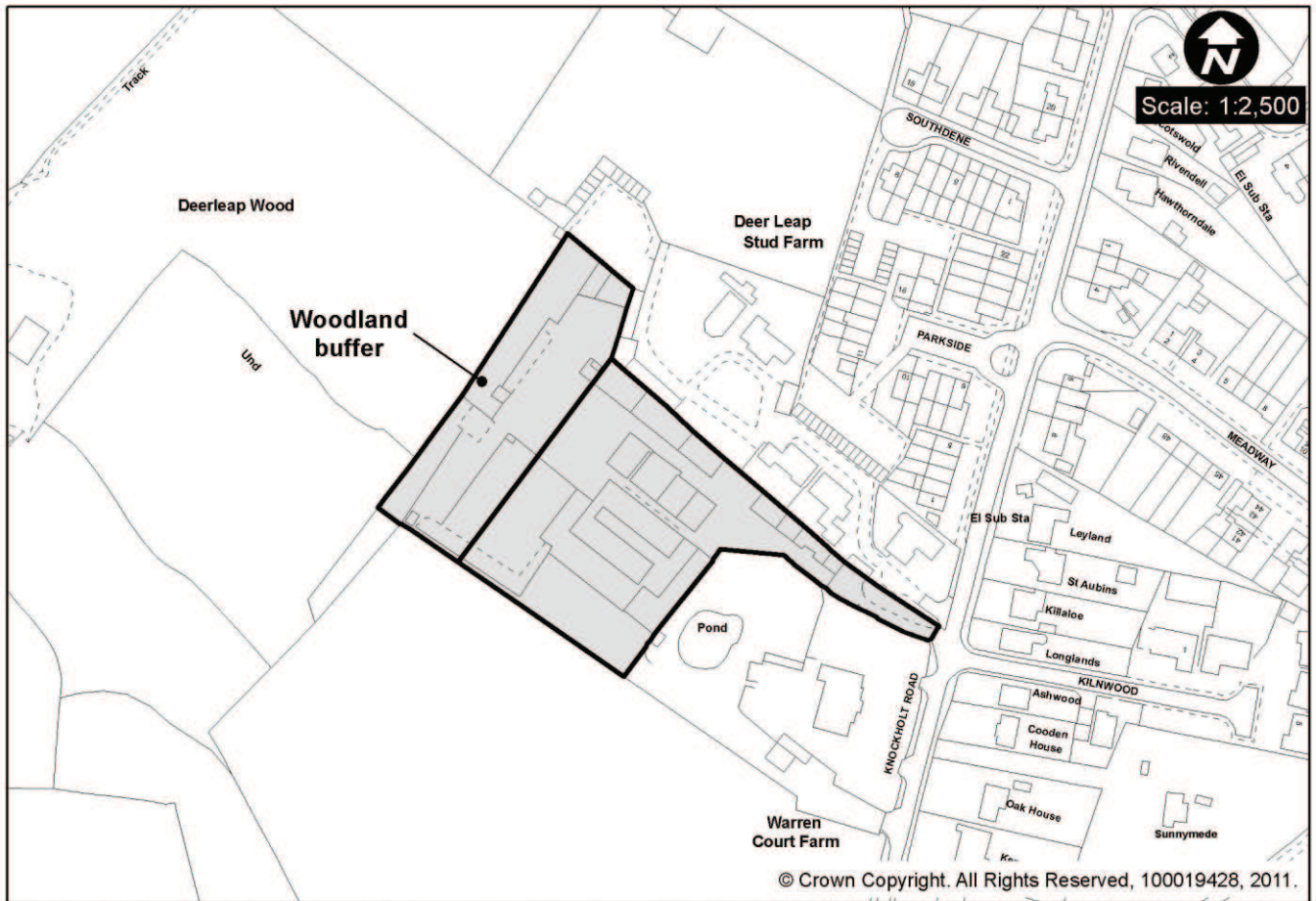
33



| | | | |
|--|---|----------------------------------|-------------------------------|
| Site Address: | Land at Croft Road, Westerham (Formerly Safeguarded Land) | Settlement: | Other settlement |
| Ward: | Westerham & Crockham Hill | Proposed Allocation: | Residential |
| Current Use / PP: | Open Land | | |
| Development Guidance: | | | |
| Design and Layout | | | |
| <p>The site is located within the AONB and development should protect and enhance the landscape features. Development should be designed carefully to avoid any adverse impact on the adjoining Green Belt.</p> <p>The site should reflect the layout and scale of adjacent attached and detached housing.</p> | | | |
| Landscape | | | |
| Existing tree screening should be maintained and enhanced | | | |
| Access | | | |
| <p>The site should be accessed from Croft Road and not from the B2024 Croydon Road.</p> <p>The footpath to east of northern (lower) site should be retained.</p> | | | |
| Infrastructure | | | |
| Contributions to CIL will be required | | | |
| Delivery – SDC own site and support residential development | | | |
| Gross Area (Ha): | 0.77 | Net Area (Ha): | 0.77 |
| Approximate Density (DPH): | 25 | Approximate Net Capacity: | 15 |
| Estimated Development Period: | 6-10 years (2017-2021) | Source / Evidence Base: | Local Plan (Safeguarded Land) |

Agenda Item 9

H1(o) Warren Court, Halstead



35



| | | | |
|----------------------|---------------------------------------|-----------------------------|-------------|
| Site Address: | Warren Court, Halstead | Settlement: | Halstead |
| Ward: | Halstead, Knockholt and Badgers Mount | Proposed Allocation: | Residential |
| Current use: | Mixed Use (Industry and Offices) | | |

Development Guidance:

Design and Layout

The residential redevelopment must be carefully designed to minimise the impact on the surrounding countryside. It is likely to be most appropriate in the form of relatively low density attached/detached housing. Dwellings should be of similar height to the existing buildings on the site i.e. 1.5/2 storey dwellings, in order to reduce their impact. The scheme design should reflect the edge of settlement location of this site.

The area around the southern and western boundary of the site (includes a large expanse of hard-standing, Leylandi planting and small-scale commercial buildings. Restoration and environmental improvement of this area will be required as part of any residential scheme, to improve the relationship of the site with the surrounding countryside.

The relationship of development to adjacent residential and farm buildings will need to be carefully addressed

Landscape

A buffer of woodland is required to protect and extend Deerleap wood to the rear of the site as shown on the accompanying map..

Landscaping and planting will be required within the site to screen the site from surrounding countryside.

Access

Access should be via the existing access.

Improvements in footway links and provision an informal pedestrian crossing facility to connect to the existing bus stop facilities will be required.

Infrastructure

As well as contributions to CIL, site remediation may be necessary. This will not preclude development opportunities on this site.

Delivery – promoted by owner of site for residential development.

| | | | |
|-------------------------------------|-----------------------|----------------------------------|-------------------|
| Gross Area (Ha): | 1.1 | Net Area (Ha): | 0.6 |
| Approximate Density (DPH): | 25 | Approximate Net Capacity: | 15 |
| Estimated Development Period | 0-5 years (2012-2016) | Source / Evidence Base: | Promoted by owner |

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APPENDIX 4: LAND FOR BUSINESS ALLOCATION MAPS

APPENDIX 4

LAND FOR BUSINESS ALLOCATION MAPS

Important

Development proposals will be assessed against the guidance in this appendix alongside relevant Core Strategy and Development Management Policies. Particular reference should be had to the Policies contained within the Sustainable Communities and Development Principles and Environment chapters of the ADMP.

Key

- - - Footpath



Tree Preservation Orders

Core Strategy Policy SP8 is the overarching strategic policy that provides for the retention and creation of employment and business facilities throughout the District, and promotes a flexible approach to the use of land for business and employment purposes.

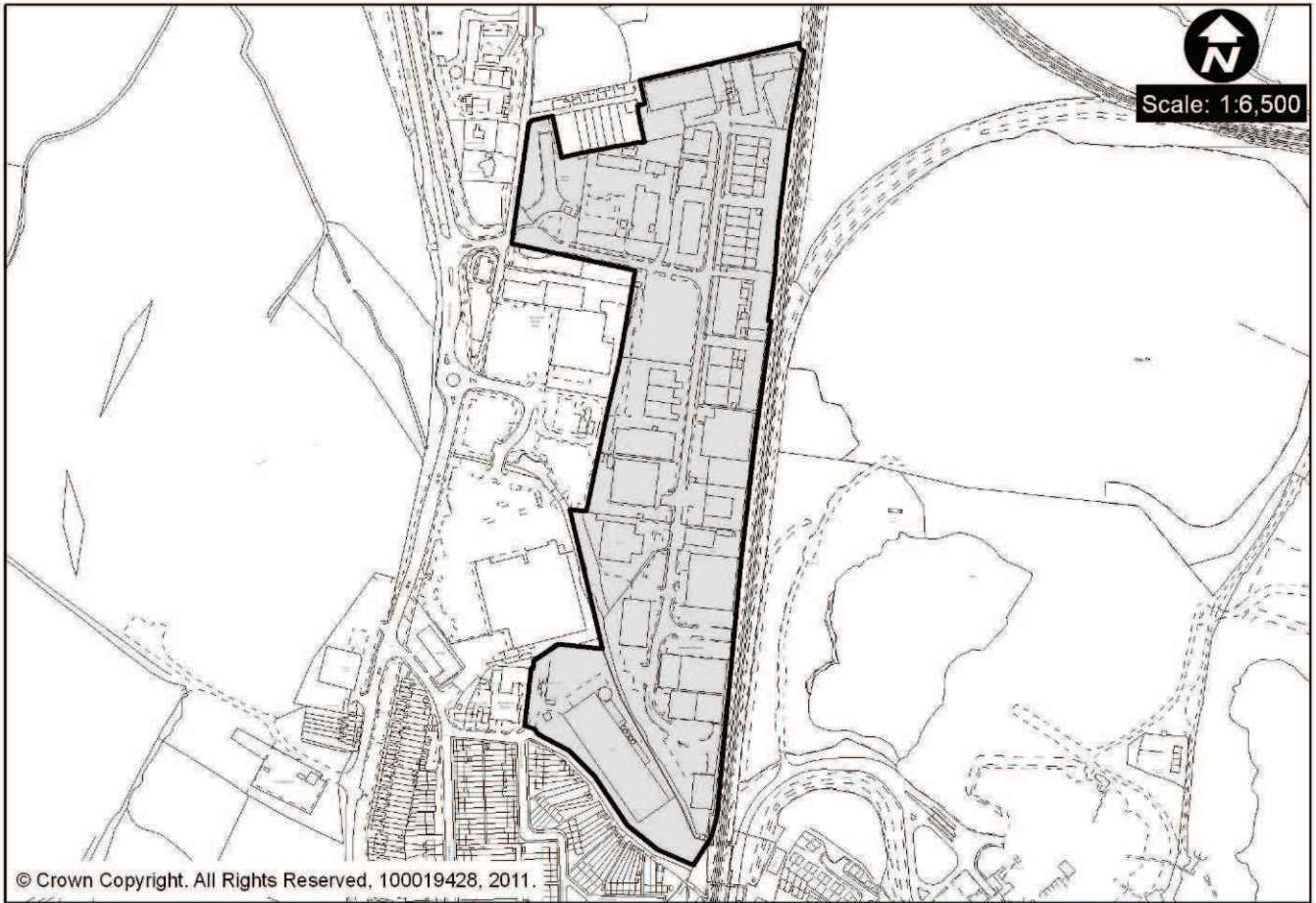
It is the role of the ADMP to formally identify the sites to which sites Policy SP8 of the Core Strategy applies.

Policy EMP1 of this document therefore identifies that the following sites will be retained or allocated for Business Use across the District for B1 – B8 uses. Site location plans are included to show the extent of the sites, whilst the site areas and existing uses are detailed below. Further detail on each of these existing employment sites can be found in the Councils Employment Land Review evidence base documents.

| REF: | SETTLEMENT | SITE AREA (HA) | CURRENT USE |
|----------|--|----------------|---|
| | <u>Sevenoaks Urban Area</u> | | |
| EMP1(a) | Vestry Road, Sevenoaks | 11.3 | Office & Industry |
| EMP1(b) | Bat & Ball Enterprise Centre, Sevenoaks | 1.8 | Warehouse & Industry |
| EMP1(c) | British Telecom, Sevenoaks | 1.8 | Offices |
| EMP1(d) | Erskine House, Sevenoaks | 0.5 | Offices |
| EMP1(e) | Hardy's Yard, Riverhead | 1.3 | Office & Industry |
| EMP1(f) | High Street, Sevenoaks | 1.5 | Offices |
| EMP1(g) | London Road, Sevenoaks | 4.0 | Offices & Residential |
| EMP1(h) | Morewood Close (Outside Housing Area), Sevenoaks | 3.7 | Offices, Warehousing & Industry |
| EMP1(i) | South Park , Sevenoaks | 0.2 | Offices & Medical Centre |
| EMP1(j) | Tubs Hill House, Tubs Hill Road, Sevenoaks | 0.4 | Office |
| EMP1(k) | Lime Tree Walk, Sevenoaks | 0.6 | Office |
| | <u>Swanley</u> | | |
| EMP1(l) | Wested Lane Industrial Estate, Swanley | 8.2 | Depot, Warehousing, Industry |
| EMP1(m) | Swanley Town Council Offices, Swanley | 0.4 | Offices, Banqueting |
| EMP1(n) | Swan Mill, Goldsel Road, Swanley | 2.6 | Industry |
| EMP1(o) | Horizon House, Swanley | 0.3 | Offices |
| EMP1(p) | Media House, Swanley | 0.3 | Offices |
| EMP1(q) | Moreton Industrial Estate, Swanley | 1.8 | Depot & Warehousing |
| EMP1(r) | Park Road Industrial Estate, Swanley | 1.3 | Offices, Warehousing & Industry |
| EMP1(s) | Southern Cross Ind. Estate, Swanley | 1.9 | Depot & Warehousing |
| EMP1(t) | Teardrop Industrial Estate, Swanley | 3.4 | Offices, Warehousing, recycling Station & Highways Depot. |
| EMP1(u) | The Technology Centre, Swanley | 1.9 | Offices, Warehousing & Industry |
| | <u>Edenbridge</u> | | |
| EMP1(v) | Station Road, Edenbridge | 18.8 | Offices, Warehousing & Industry |
| EMP1(w) | Edenbridge Trading Centre/ Warsop Trading Centre | 1.6 | Offices, Warehousing & Industry |
| | <u>Other Settlements</u> | | |
| EMP1(x) | Westerham Trading Centre, Westerham | 3.7 | Offices & Warehousing |
| EMP1(y) | Blue Chalet Industrial Park, West Kingsdown | 0.9 | Industry, Offices and Vehicle repairs |
| EMP1(z) | West Kingsdown Industrial Estate, West Kingsdown | 0.5 | Light industry |
| EMP1(zz) | Horton Kirby Trading Estate, South Darenth | 0.8 | Office & Industry |
| | <u>New Allocations</u> | | |
| EMP4 | Broom Hill, Swanley | 4.1 | Green Field |

Agenda Item 9

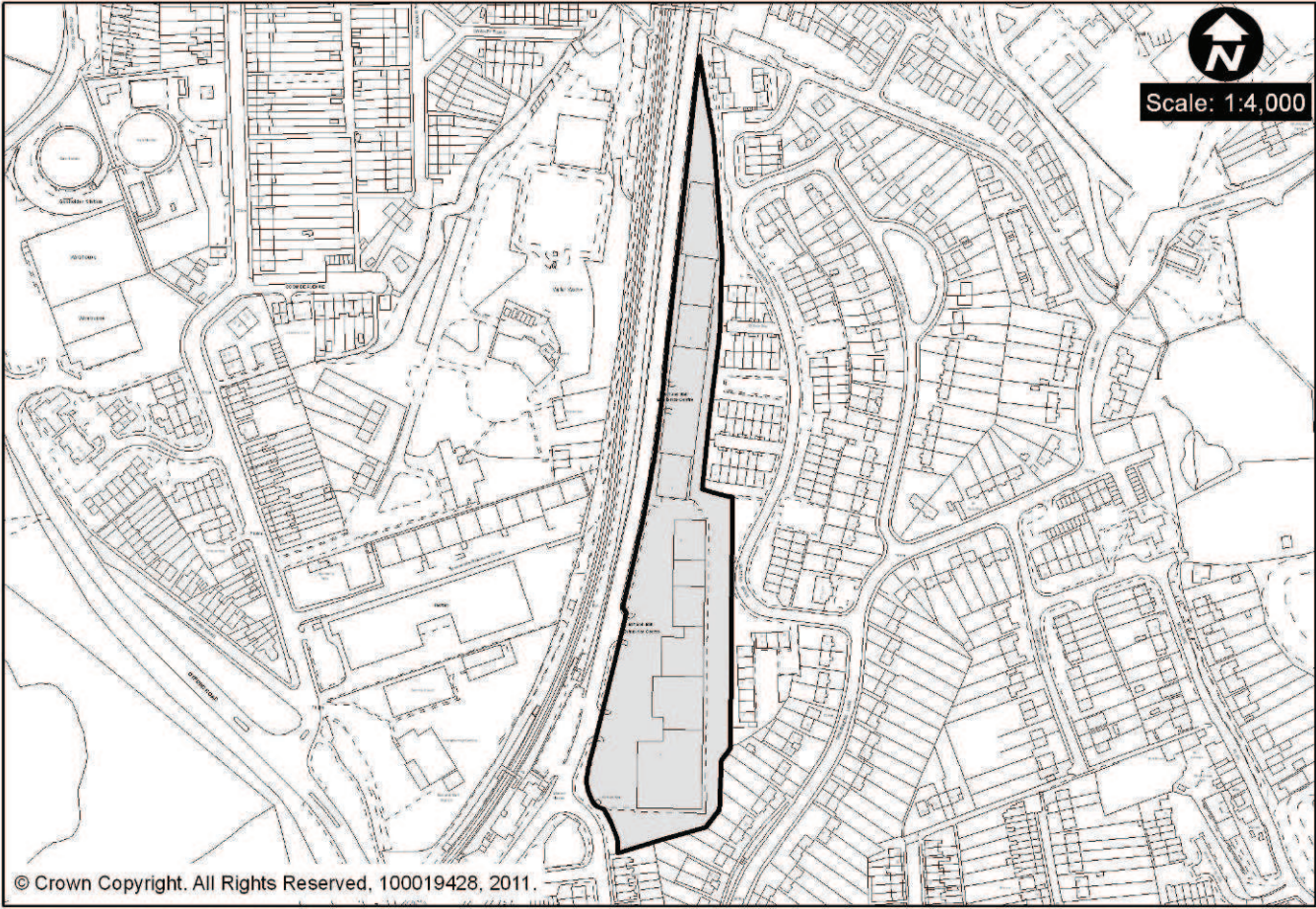
EMP1(a) Vestry Road, Sevenoaks (11.3ha)



3



EMP1(b) - Bat & Ball Enterprise Centre, Sevenoaks (1.8ha)

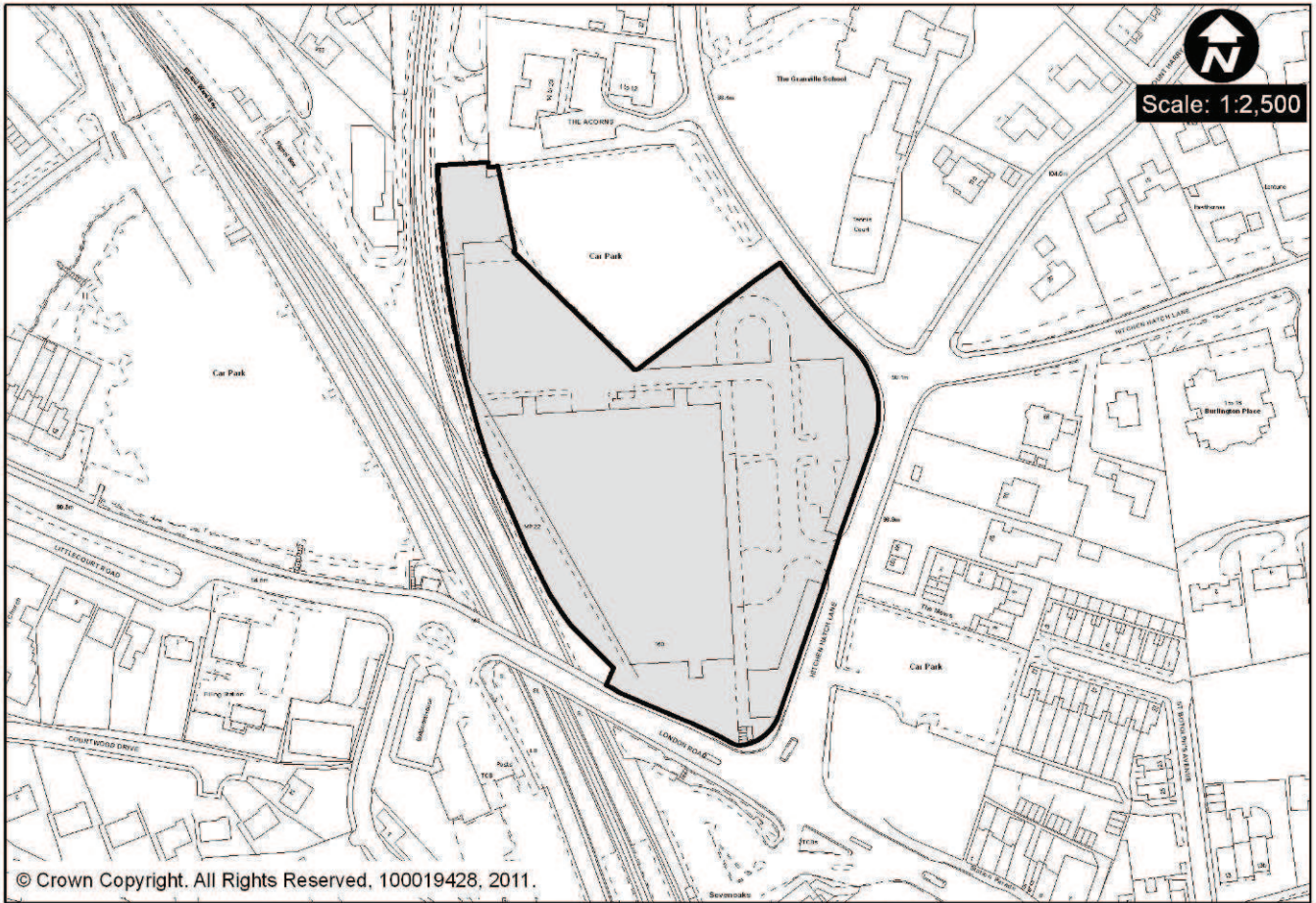


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Agenda Item 9

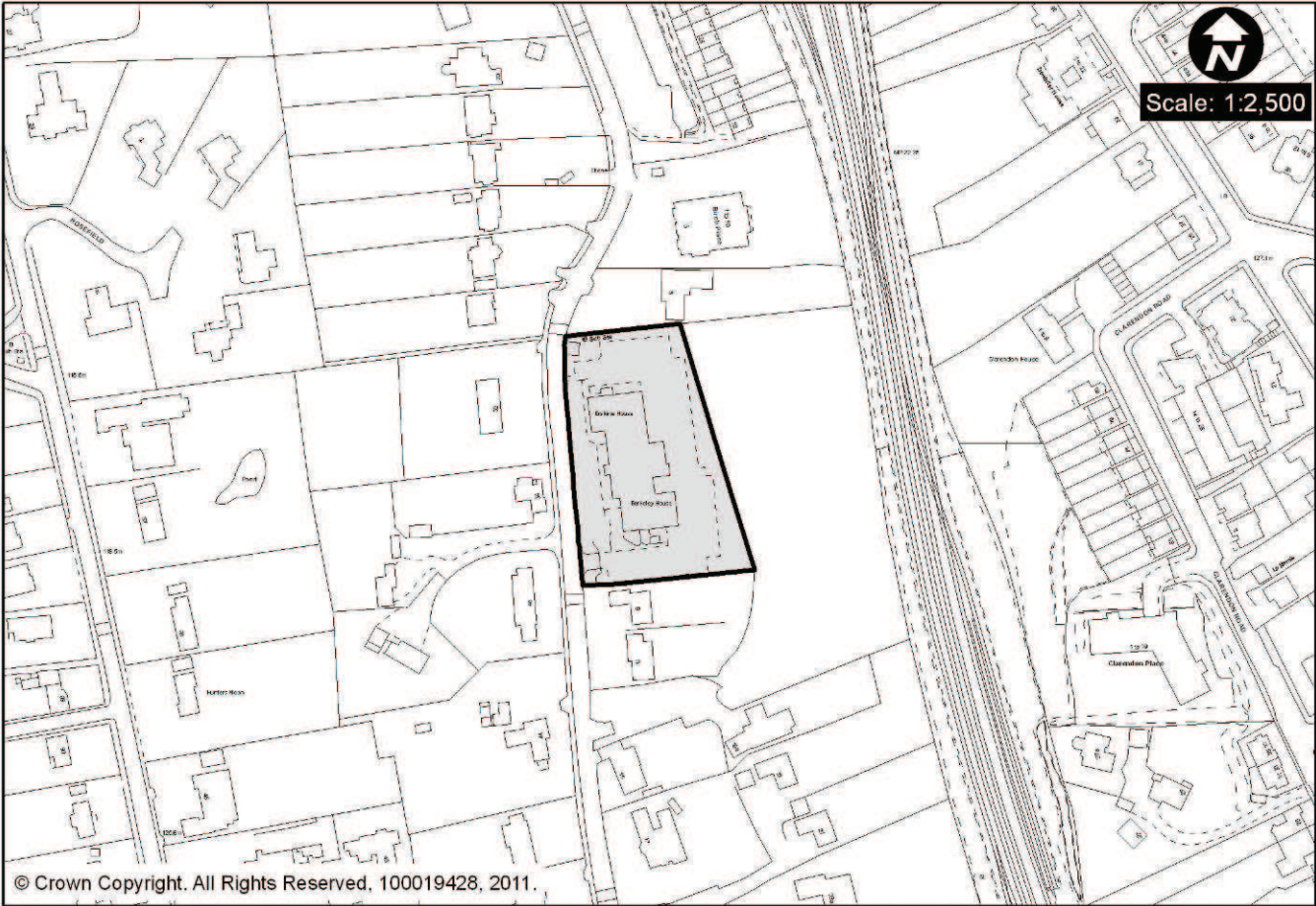
EMP1(c) British Telecom, London Road, Sevenoaks (1.8 ha)



5



EMP1(d) Erskine House, Oak Hill Road, Sevenoaks (0.5ha)

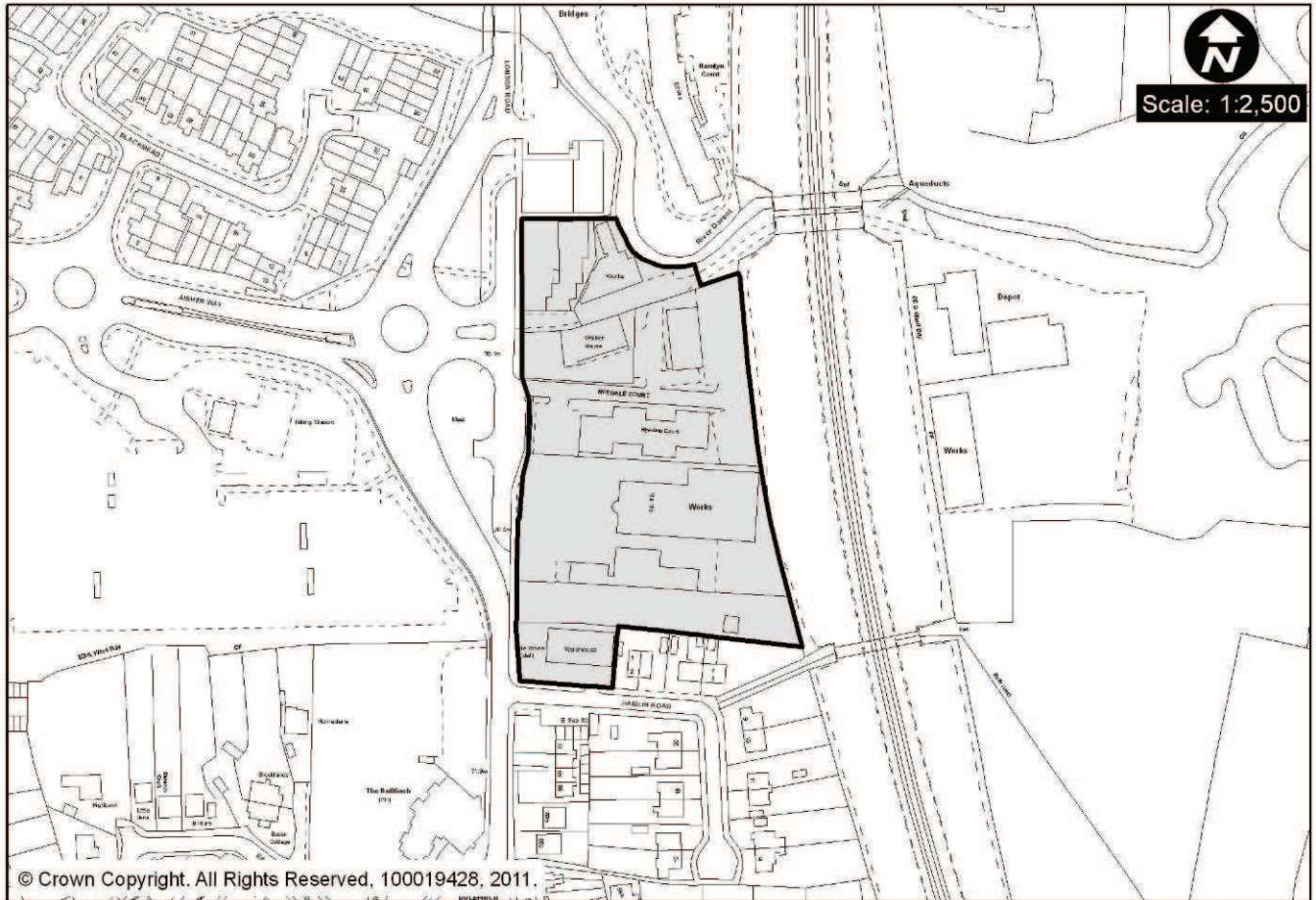


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Agenda Item 9

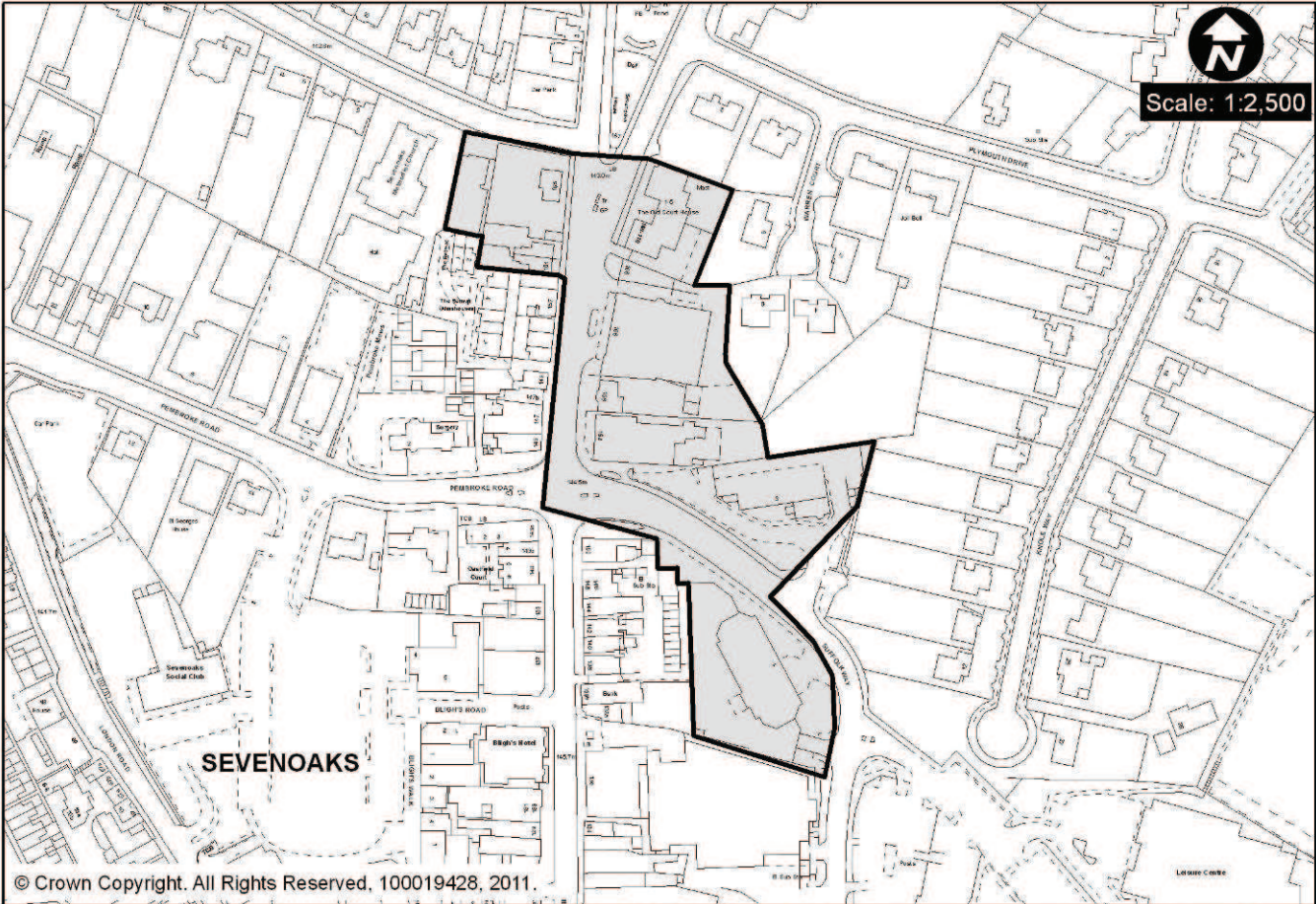
EMP1(e) Hardy's Yard, Riverhead (1.3ha)



7



EMP1(f) High Street, Sevenoaks (1.5ha)

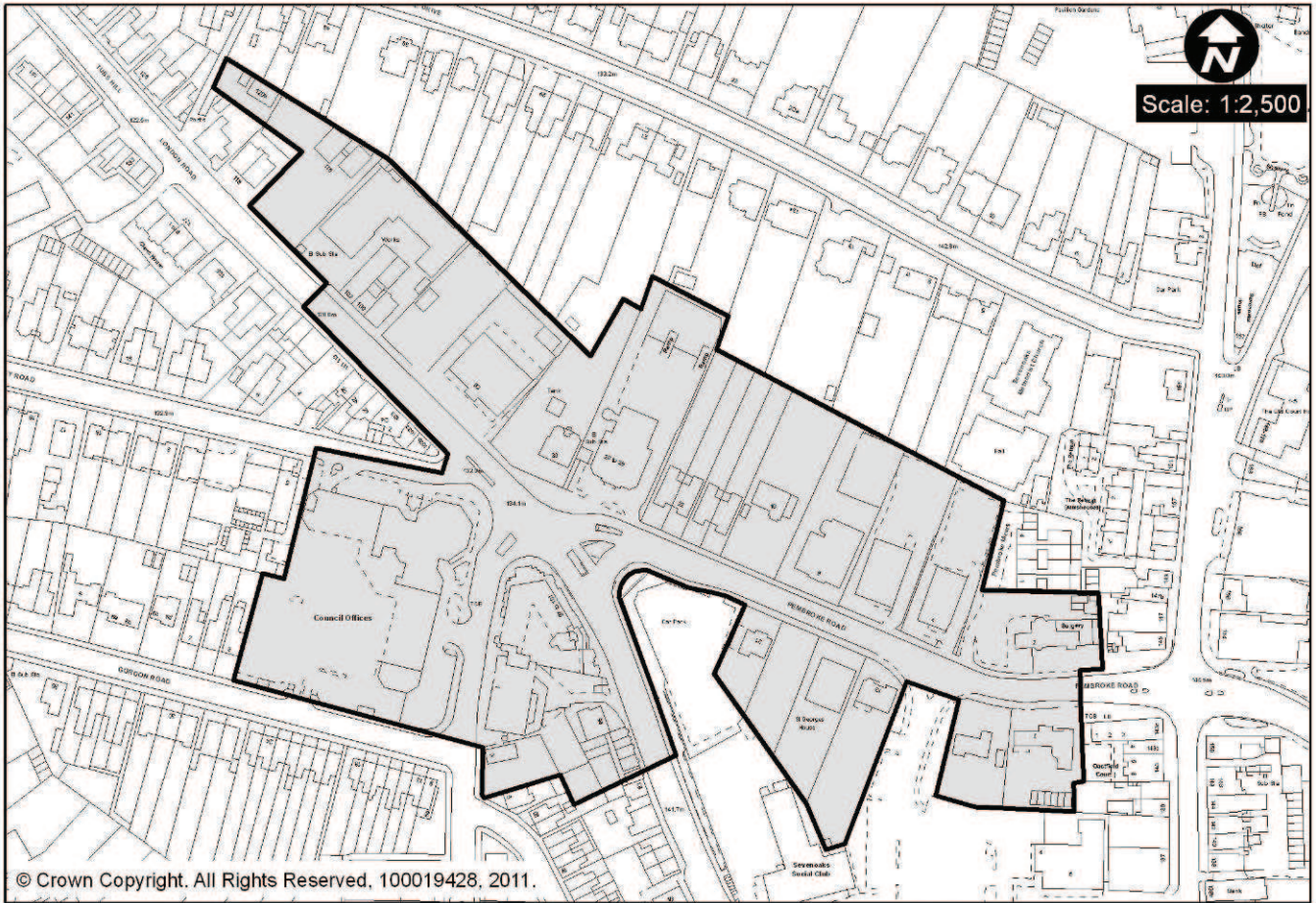


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Agenda Item 9

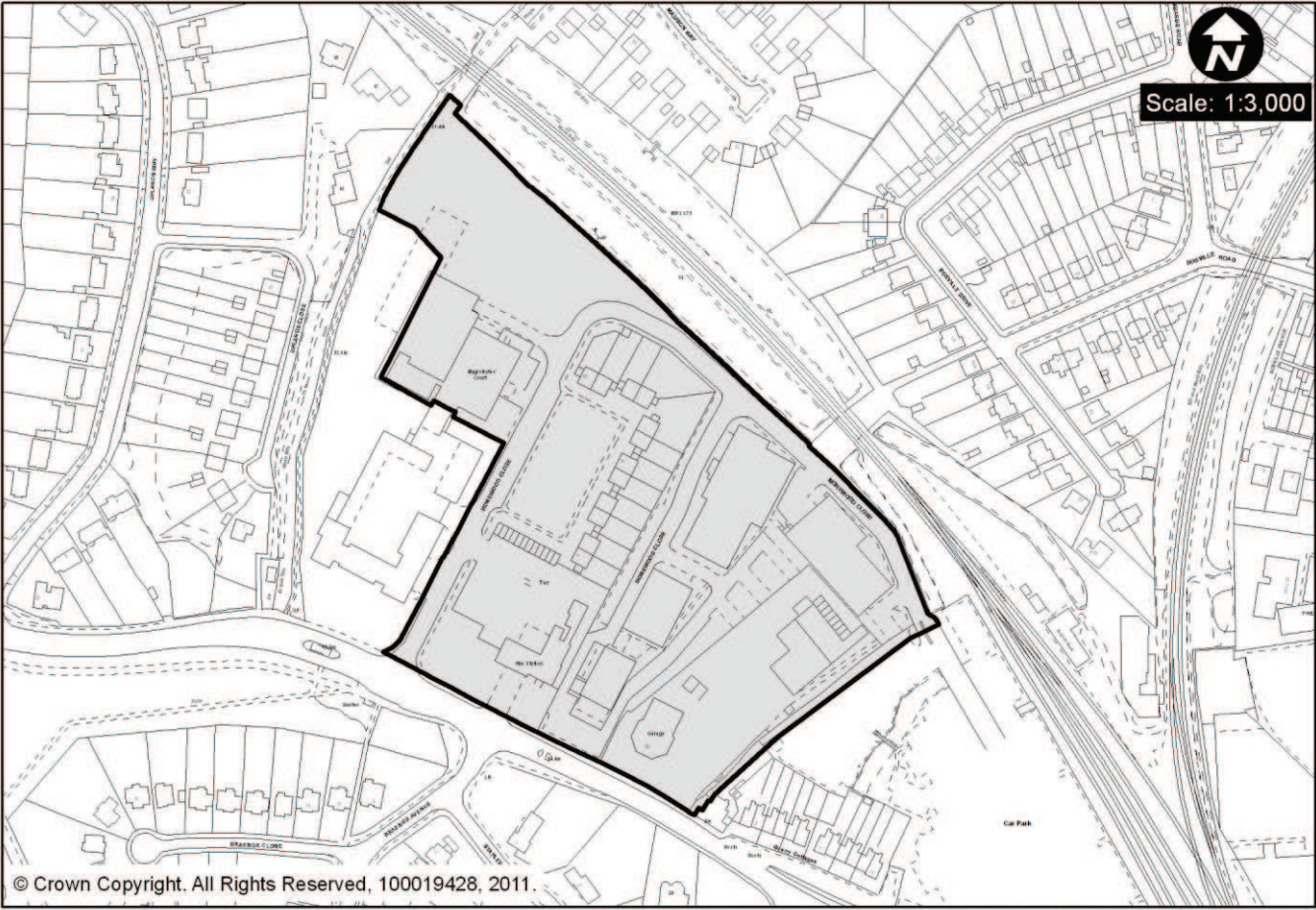
EMP1(g) London Road, Sevenoaks (4.0ha)



9



EMP1(h) Morewood Close (outside housing area), Sevenoaks (3.7ha)

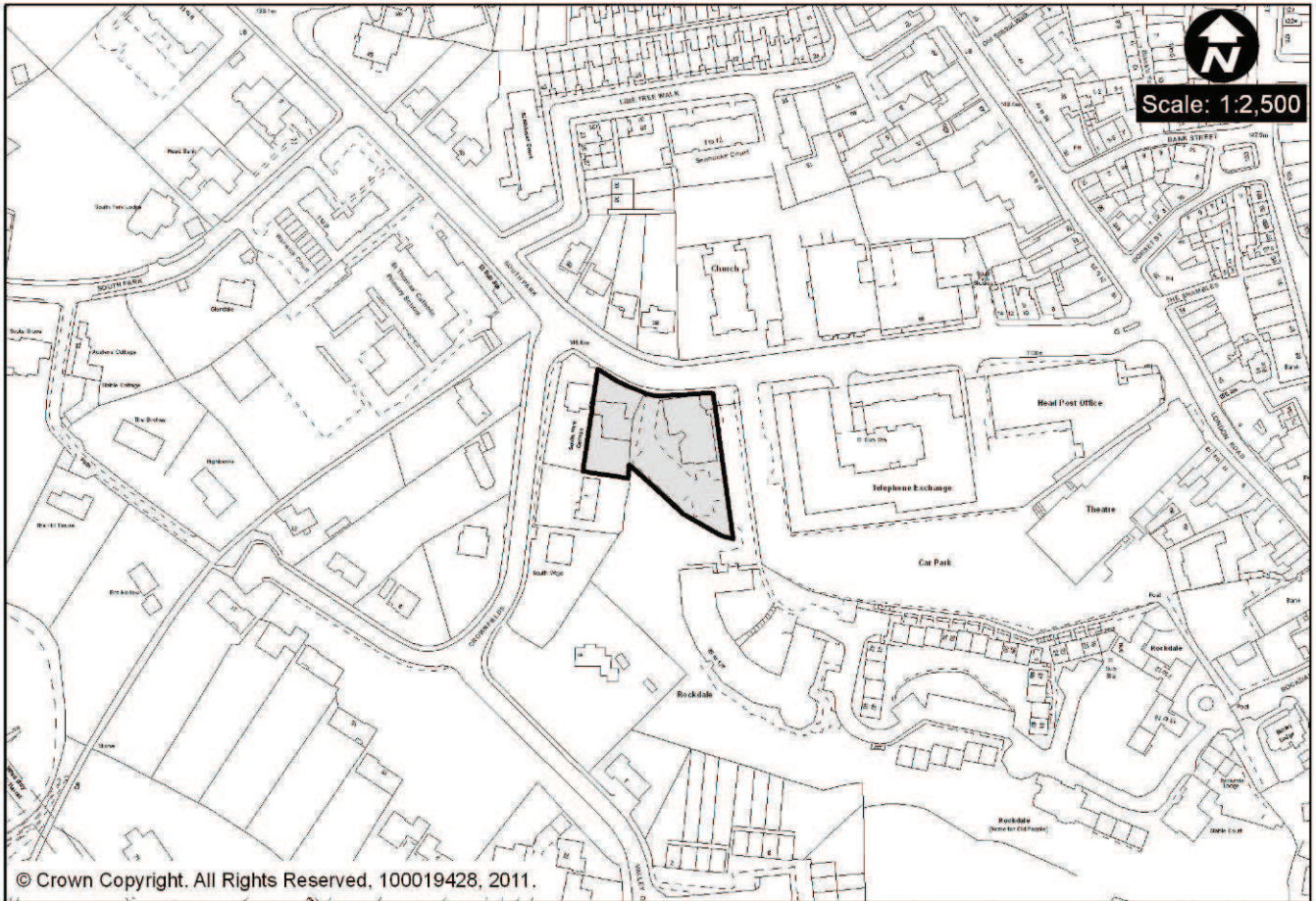


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Agenda Item 9

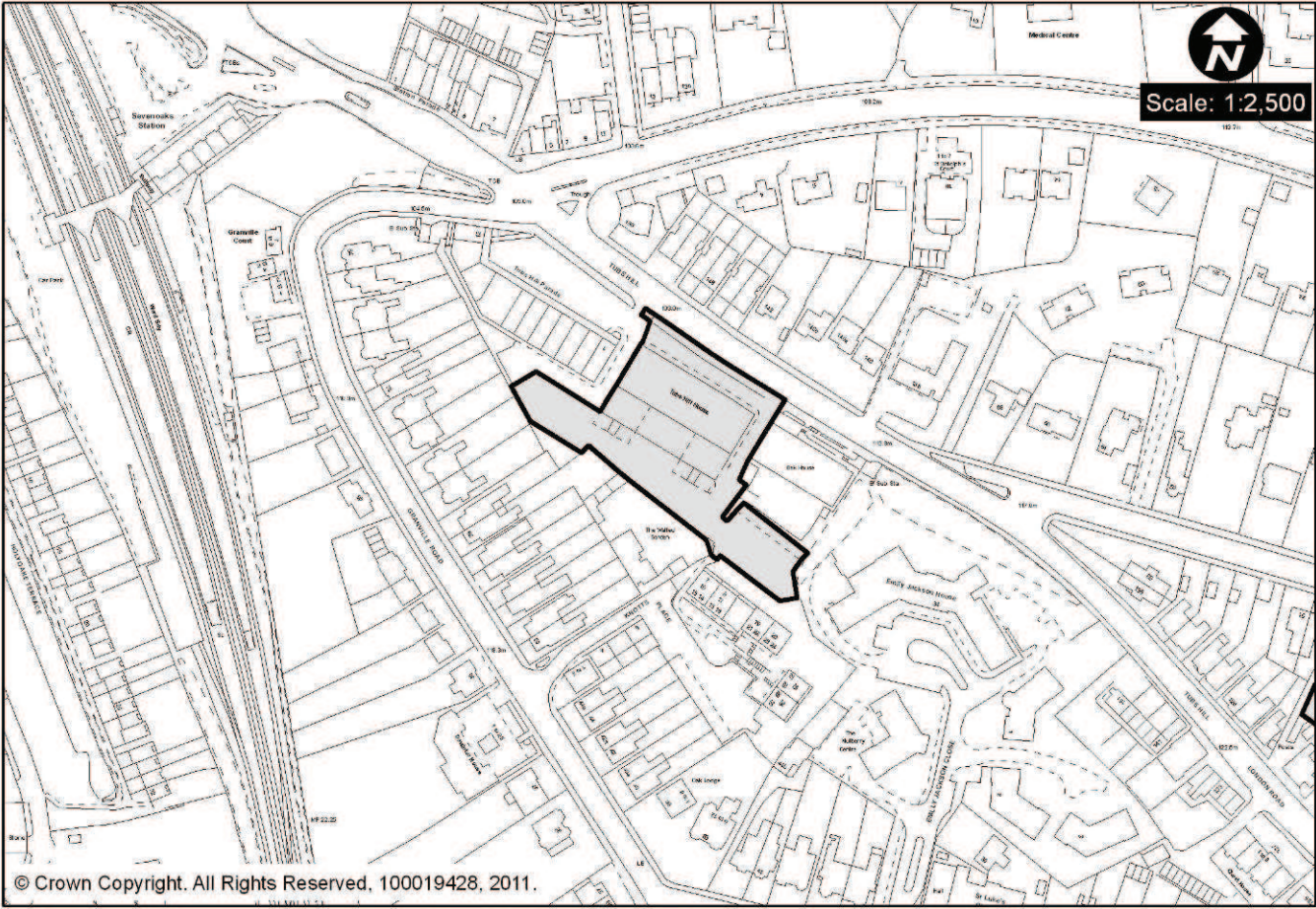
EMP1(i) South Park, Sevenoaks (0.2ha)



11



EMP1(j) Tubs Hill House, Tubs Hill, Sevenoaks (0.4ha)

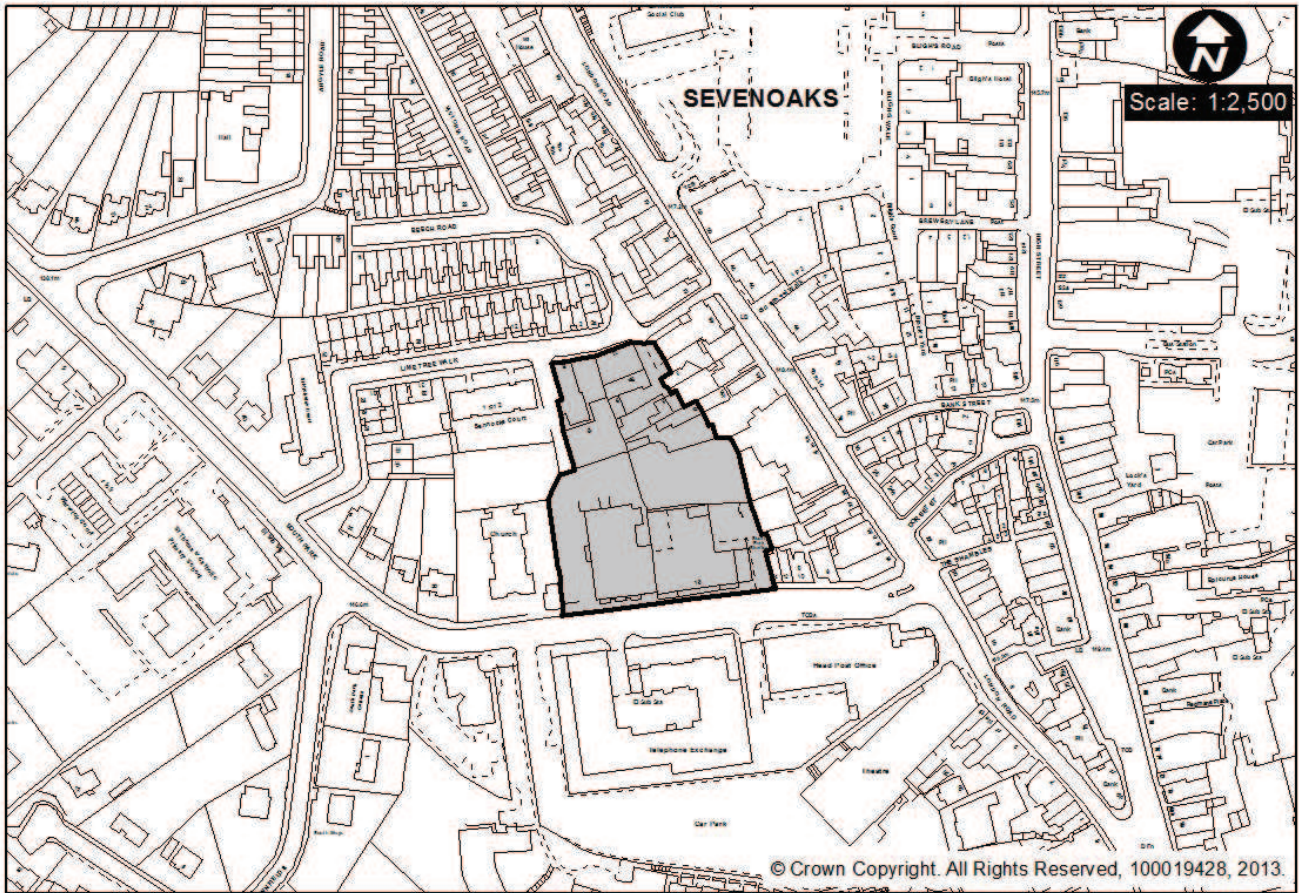


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Agenda Item 9

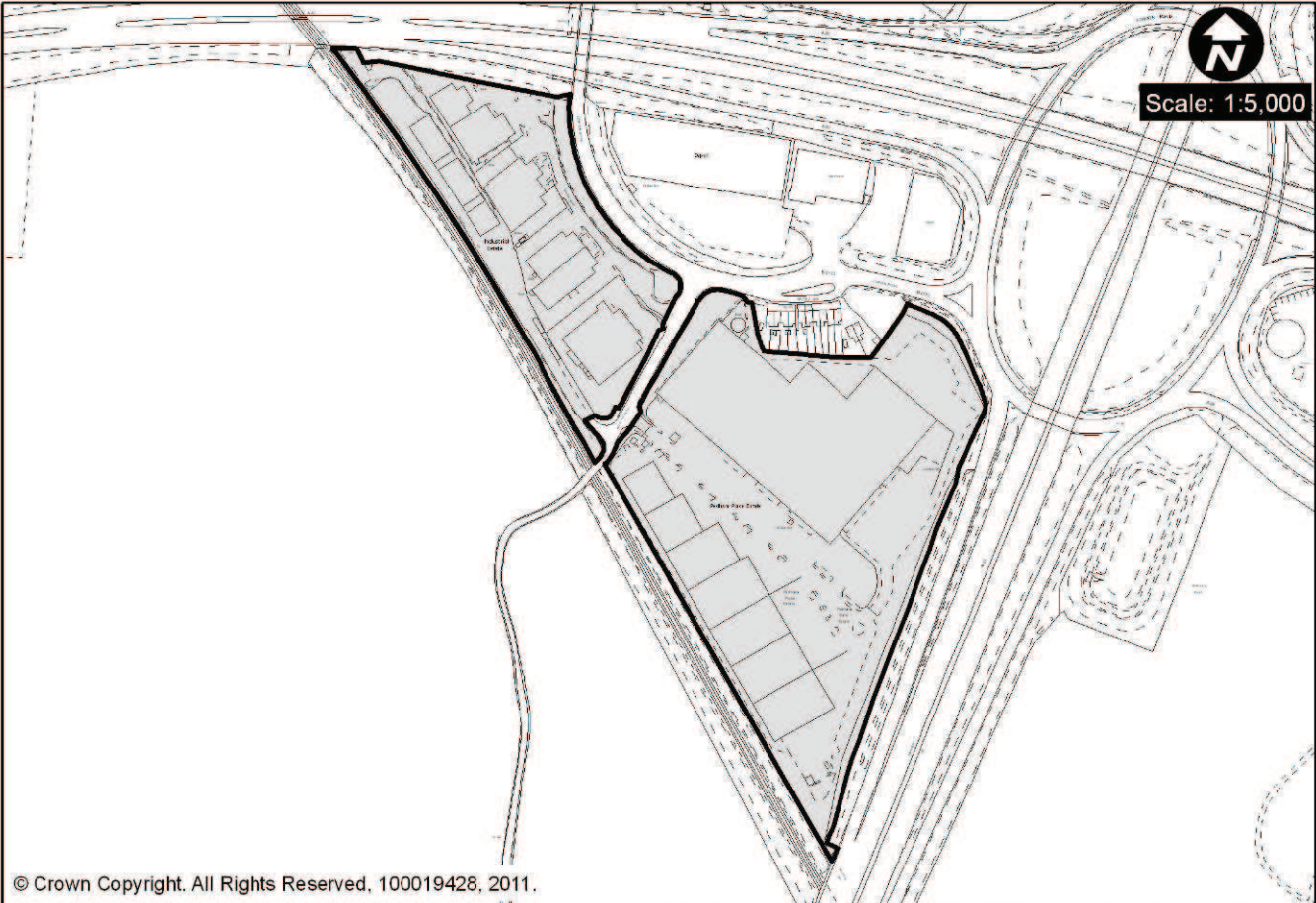
EMP1(k) Lime Tree Walk, Sevenoaks (0.6ha)



13



EMP1(I) Wested Lane Industrial Estate, Swanley (8.2ha)

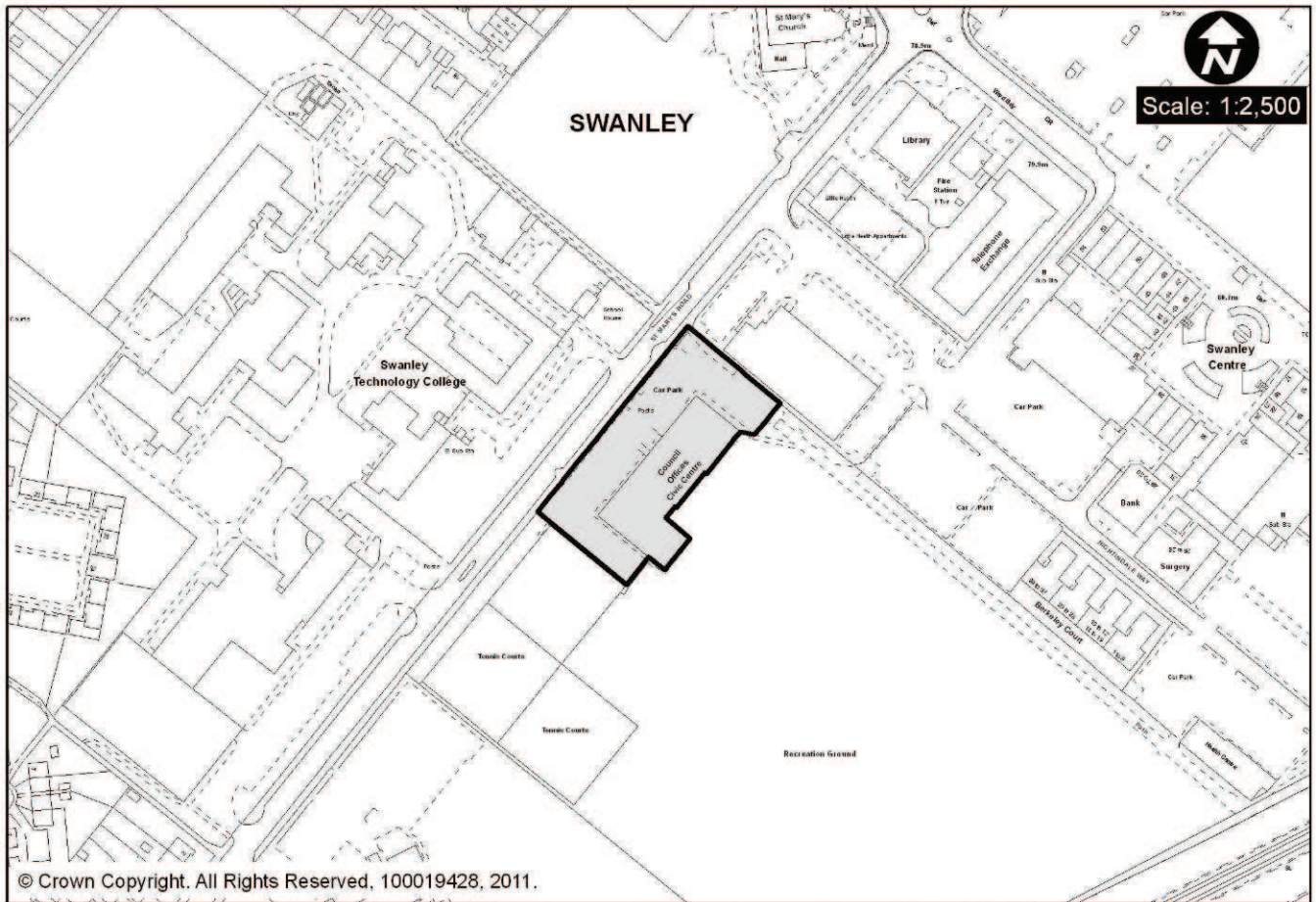


14



Agenda Item 9

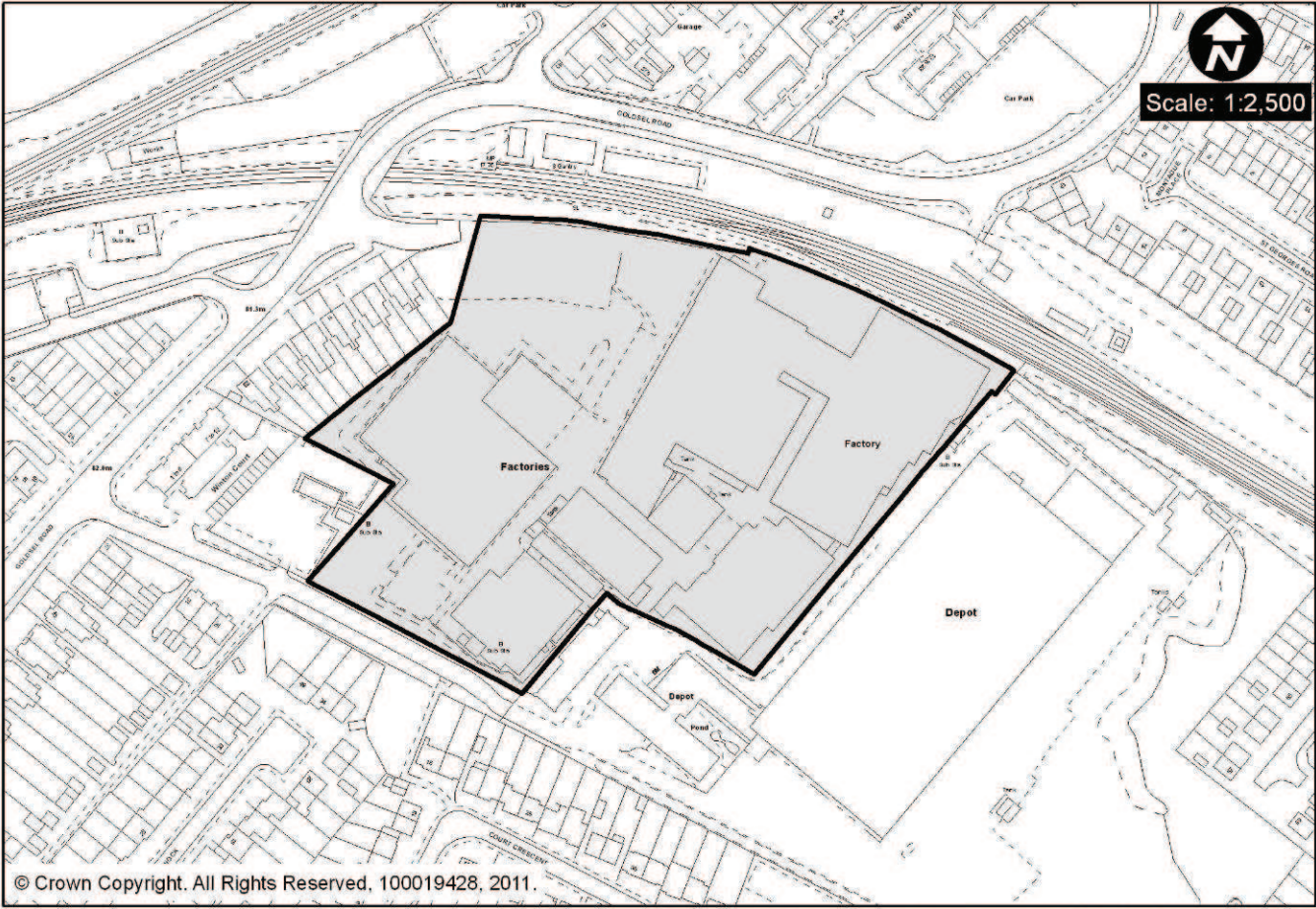
EMP1(m)Swanley Town Council Offices, Swanley (0.4ha)



15



EMP1(n) Swan Mill, Goldsel Road, Swanley (2.6ha)

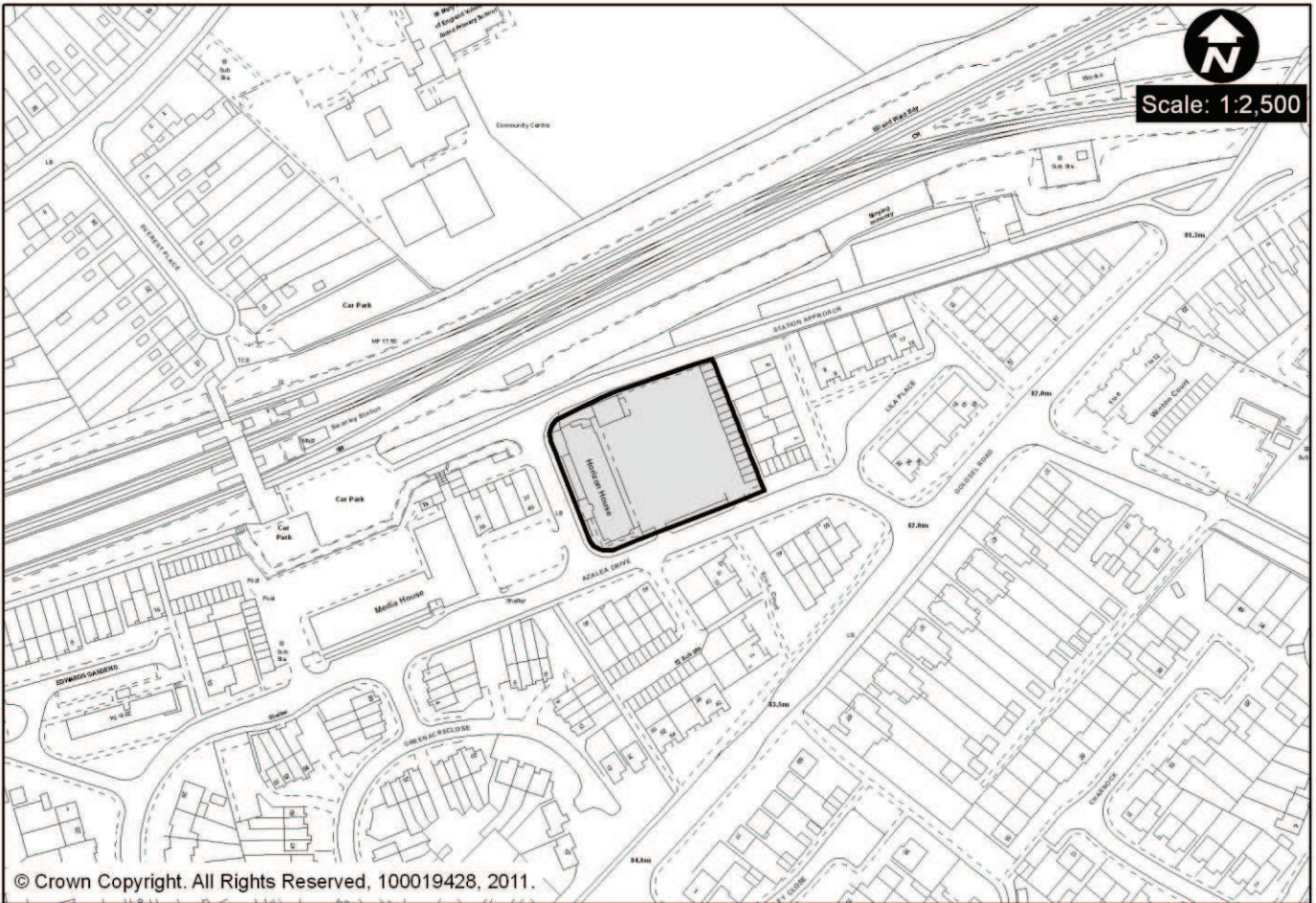


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Agenda Item 9

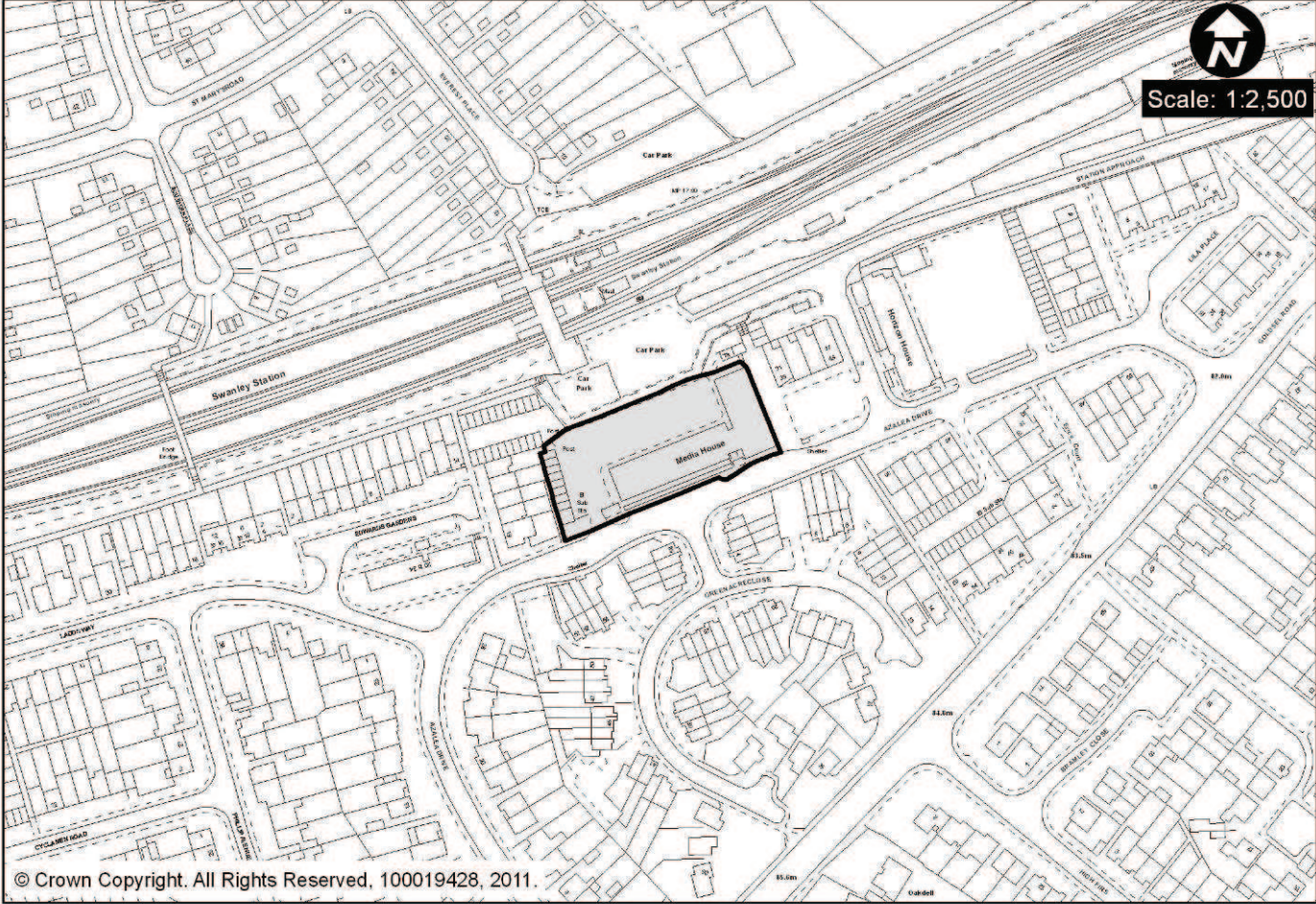
EMP1(o) Horizon House, Swanley (0.3ha)



17



EMP1(p) Media House, Swanley (0.3ha)

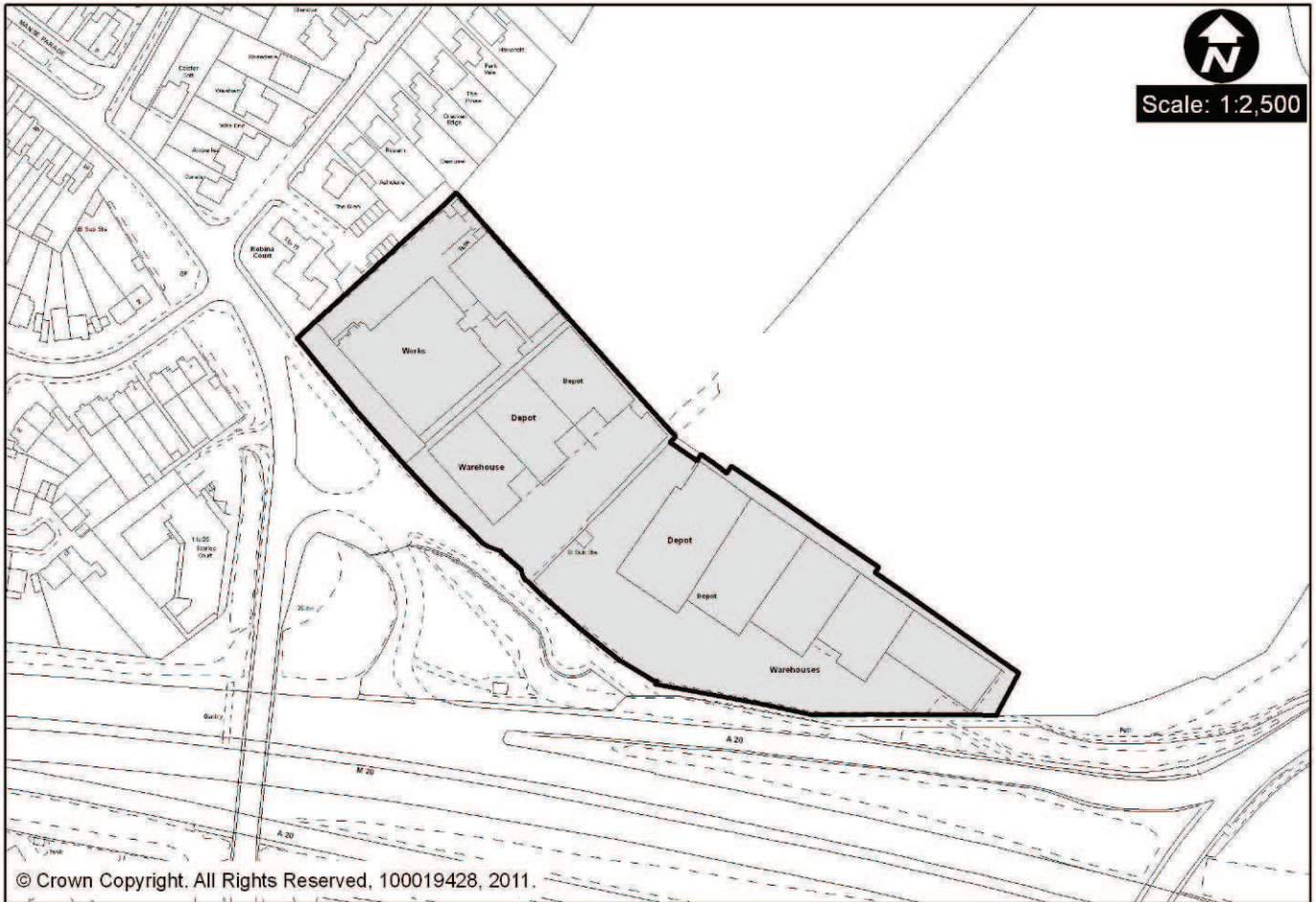


18



Agenda Item 9

EMP1 (q) Moreton Industrial Estate, Swanley (1.8ha)



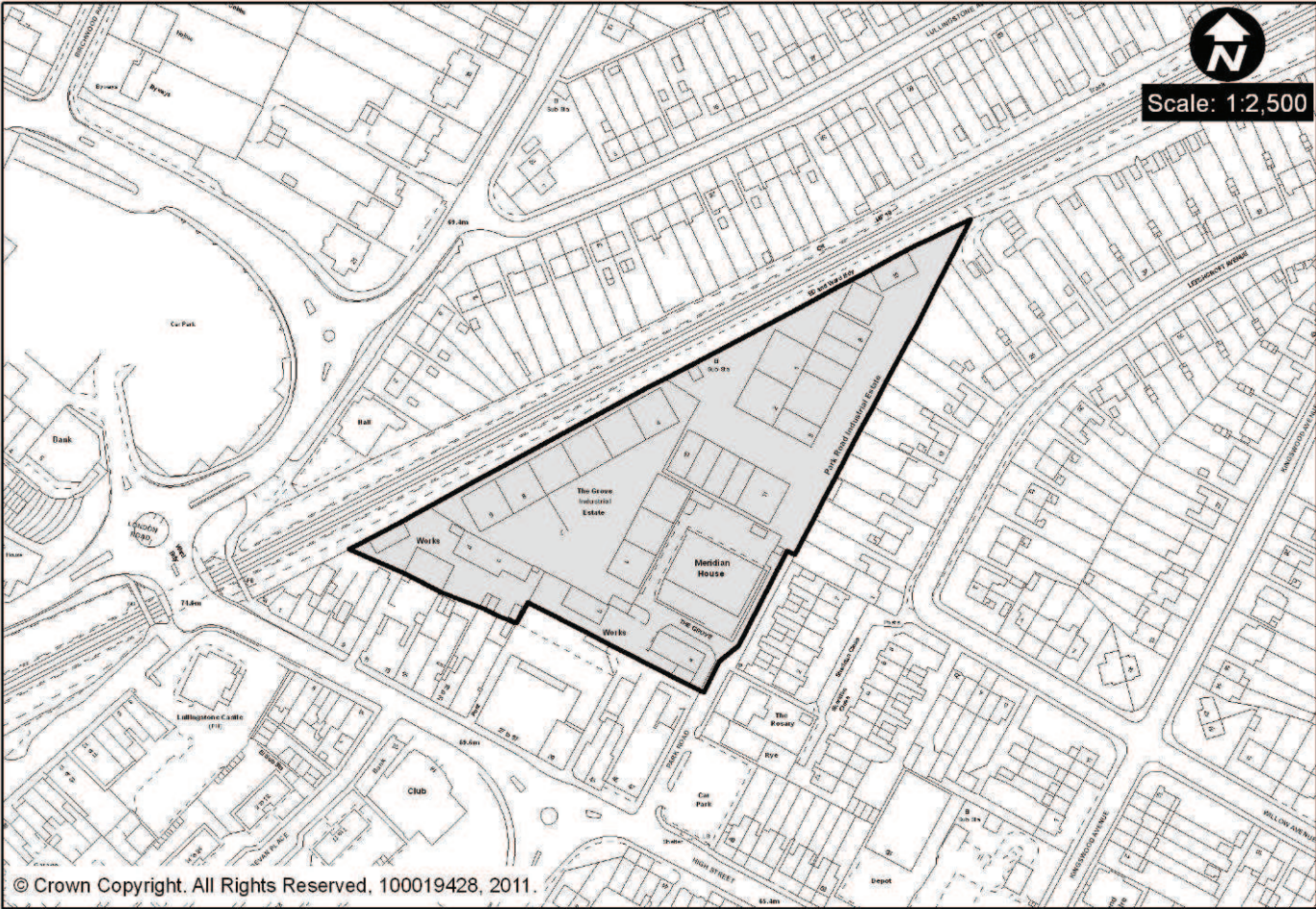
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19



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EMP1(r) Park Road Industrial Estate, Swanley (1.3ha)

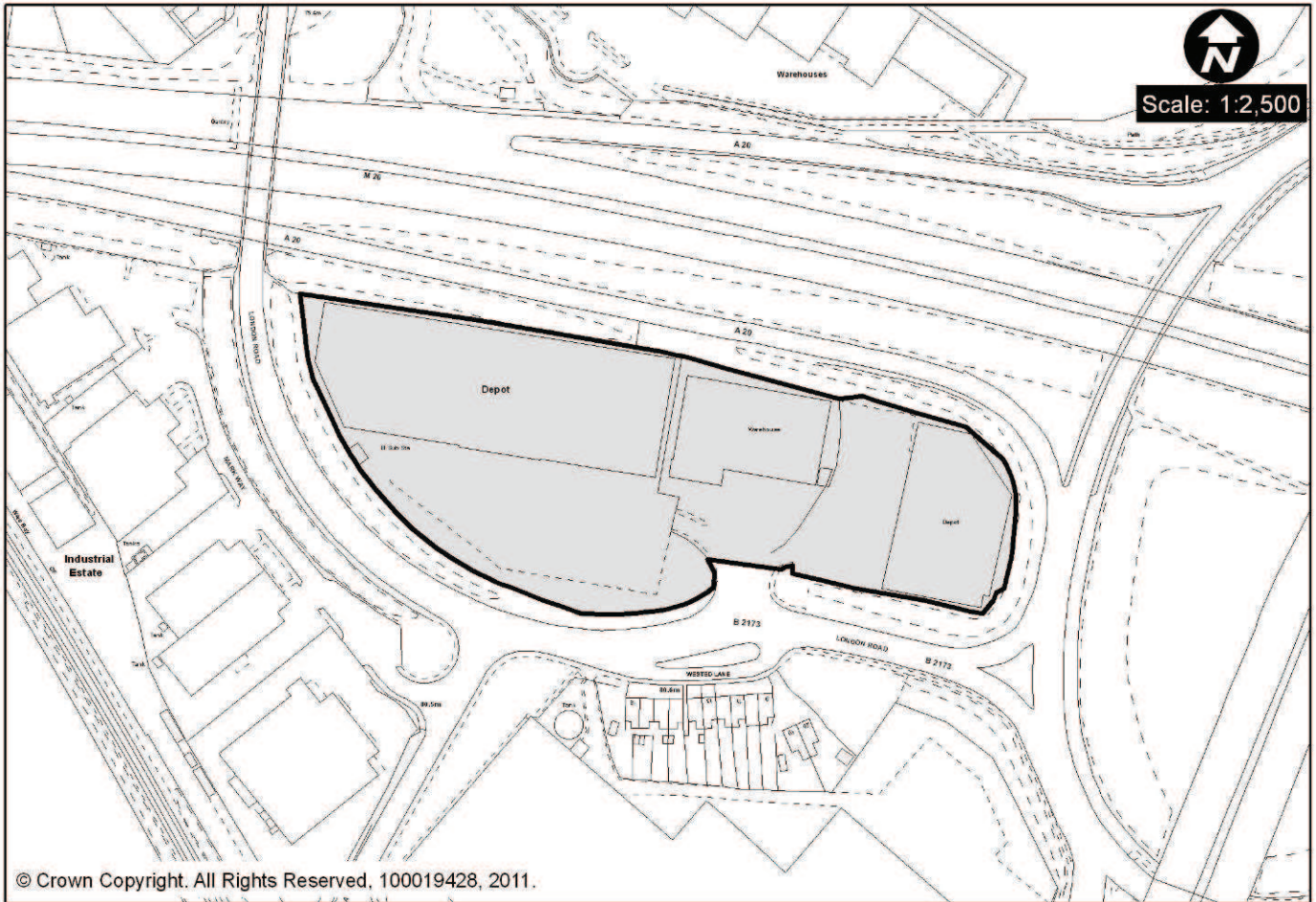


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Agenda Item 9

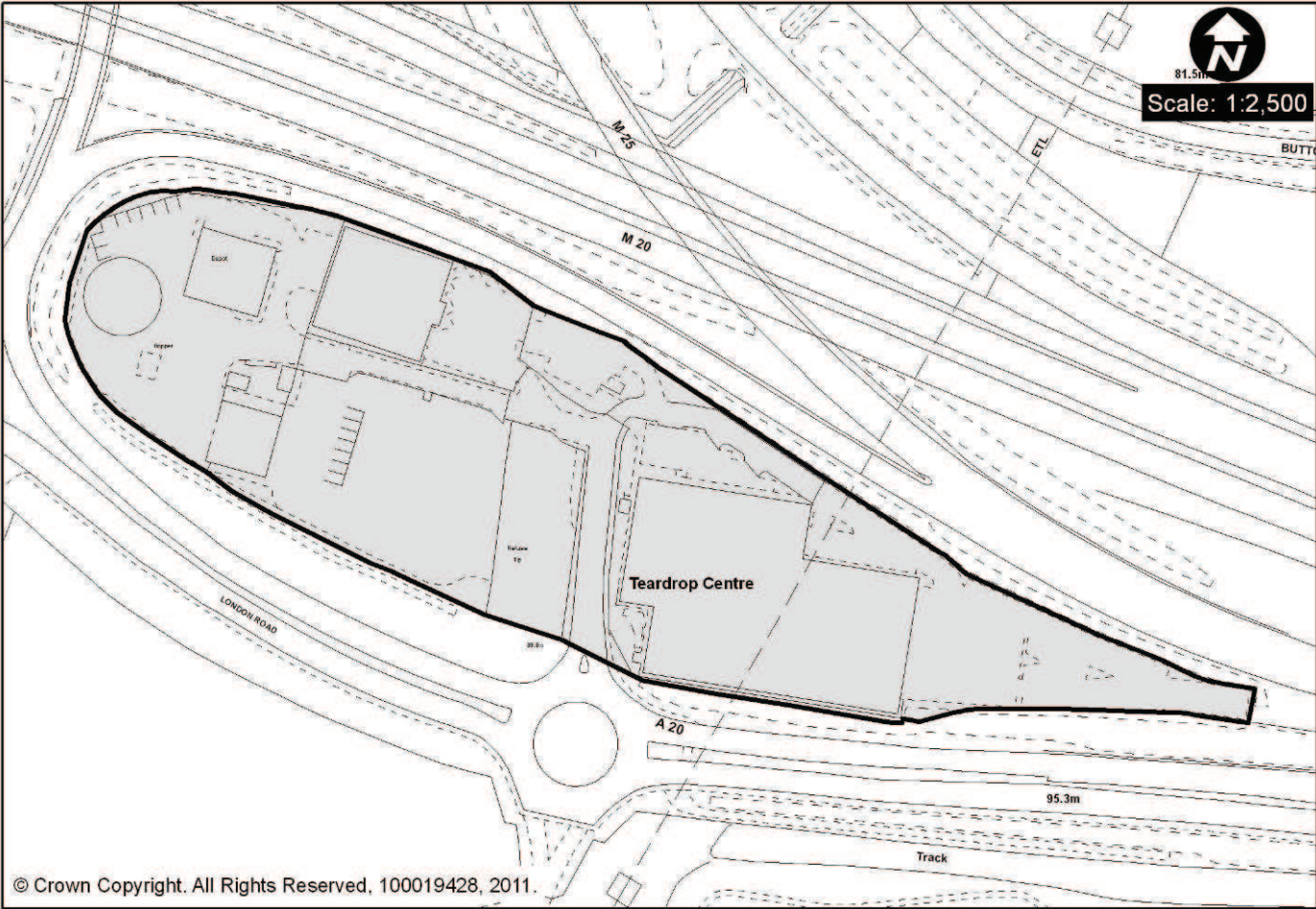
EMP1 (s) Southern Cross Industrial Estate, Swanley (1.9ha)



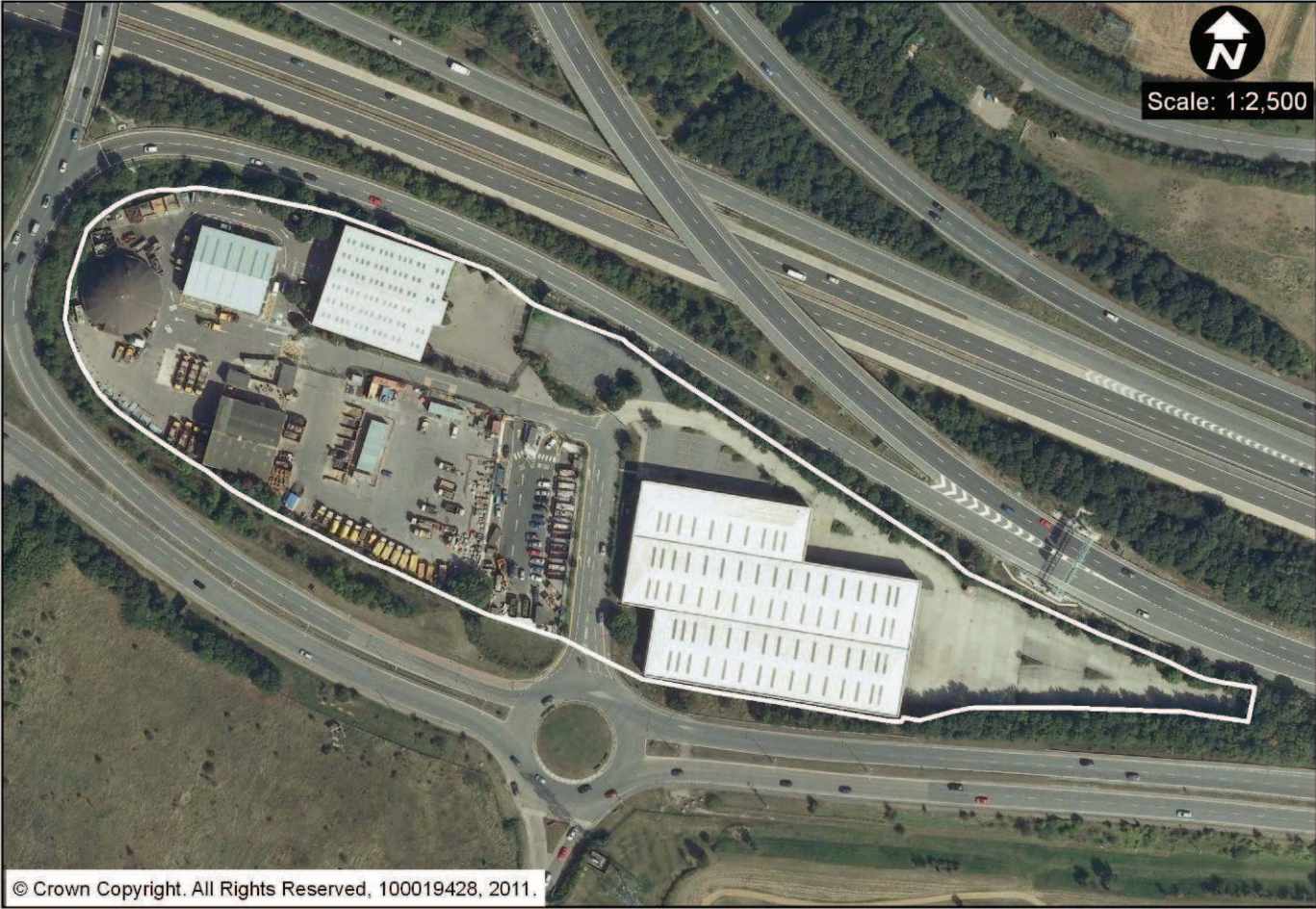
21



EMP1(t)Teardrop Industrial Estate, Swanley (3.4ha)

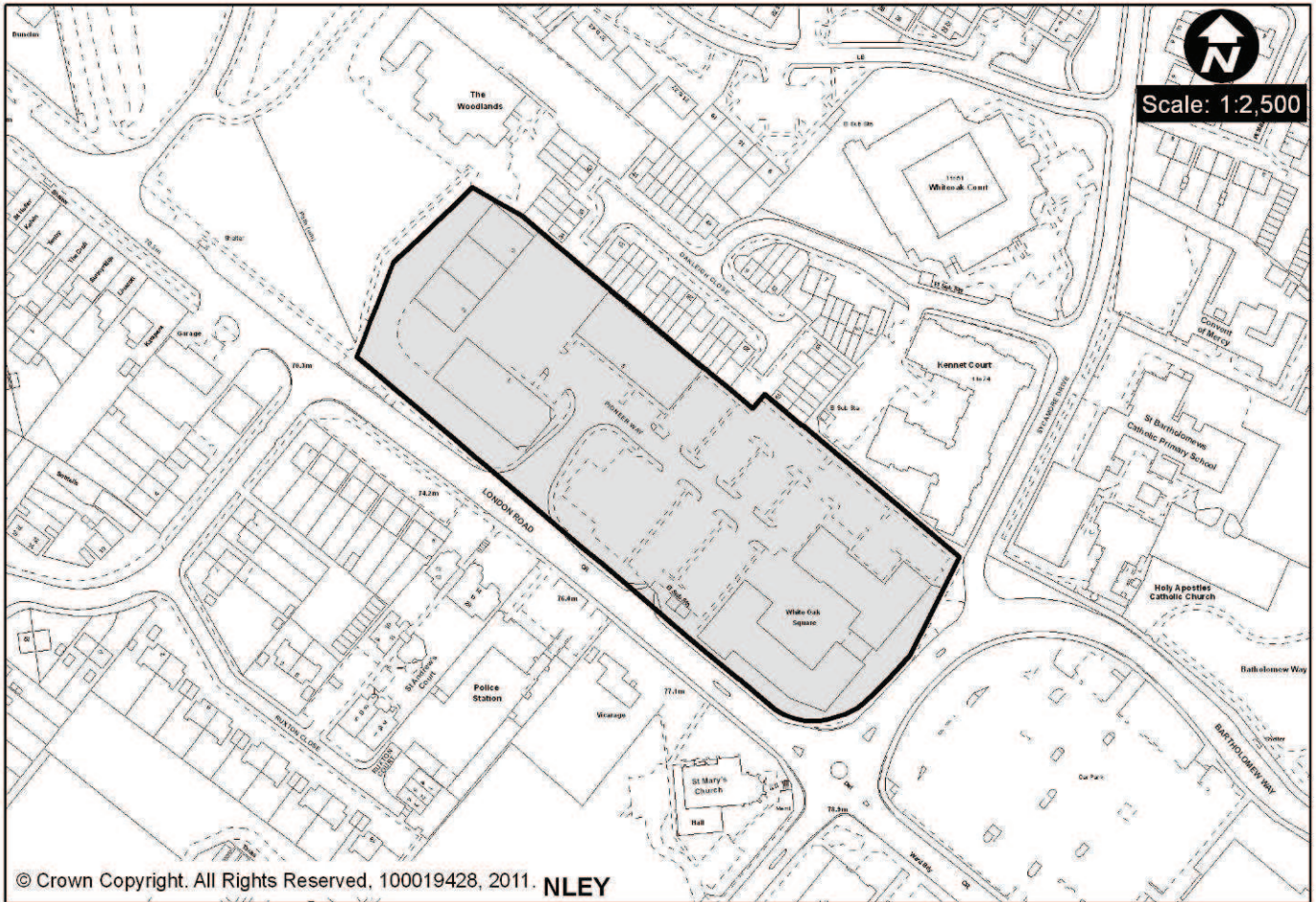


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Agenda Item 9

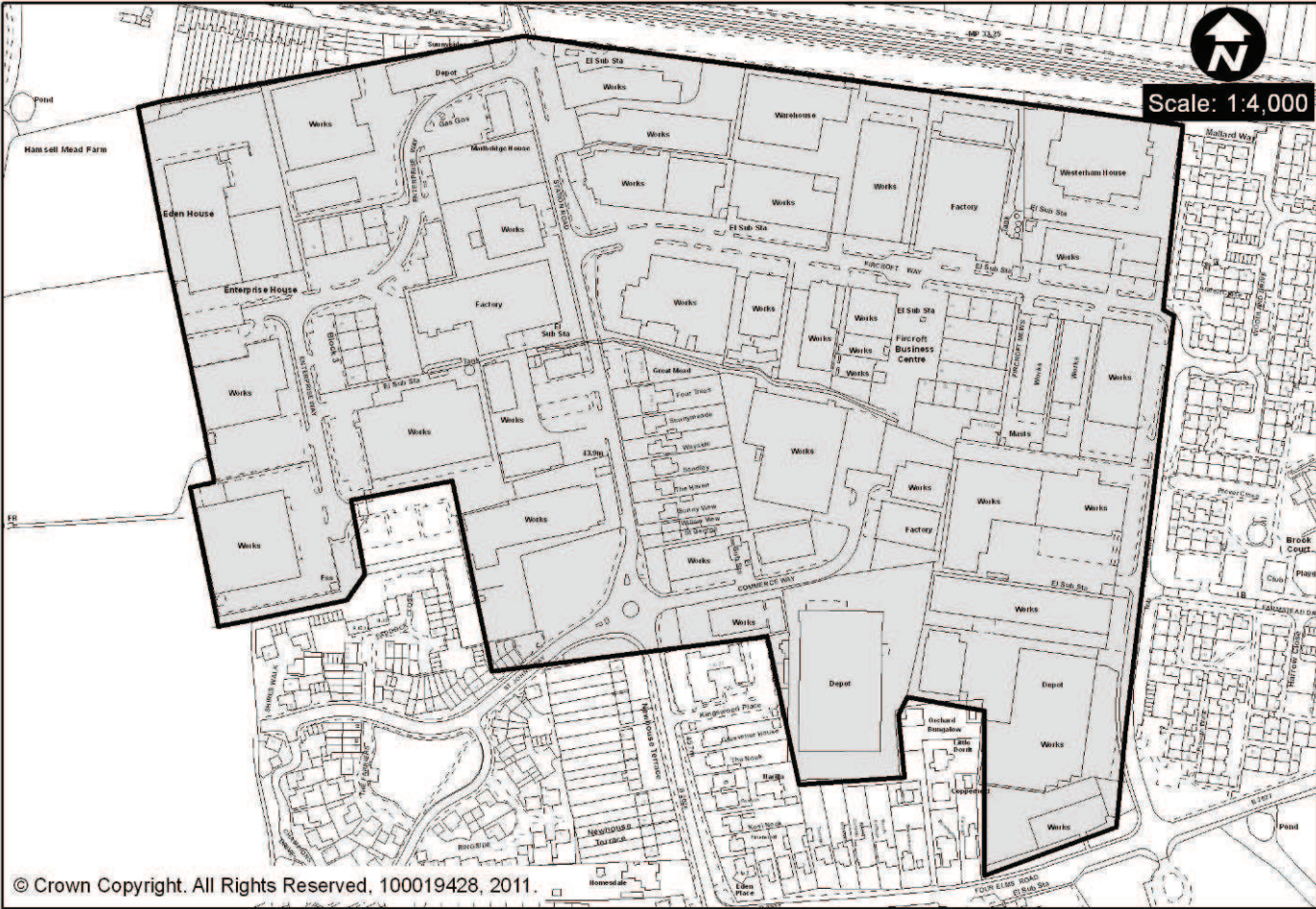
EMP1(u) The Technology Centre, Swanley (1.9ha)



23



EMP1 (v) Station Road, Edenbridge (18.8ha)

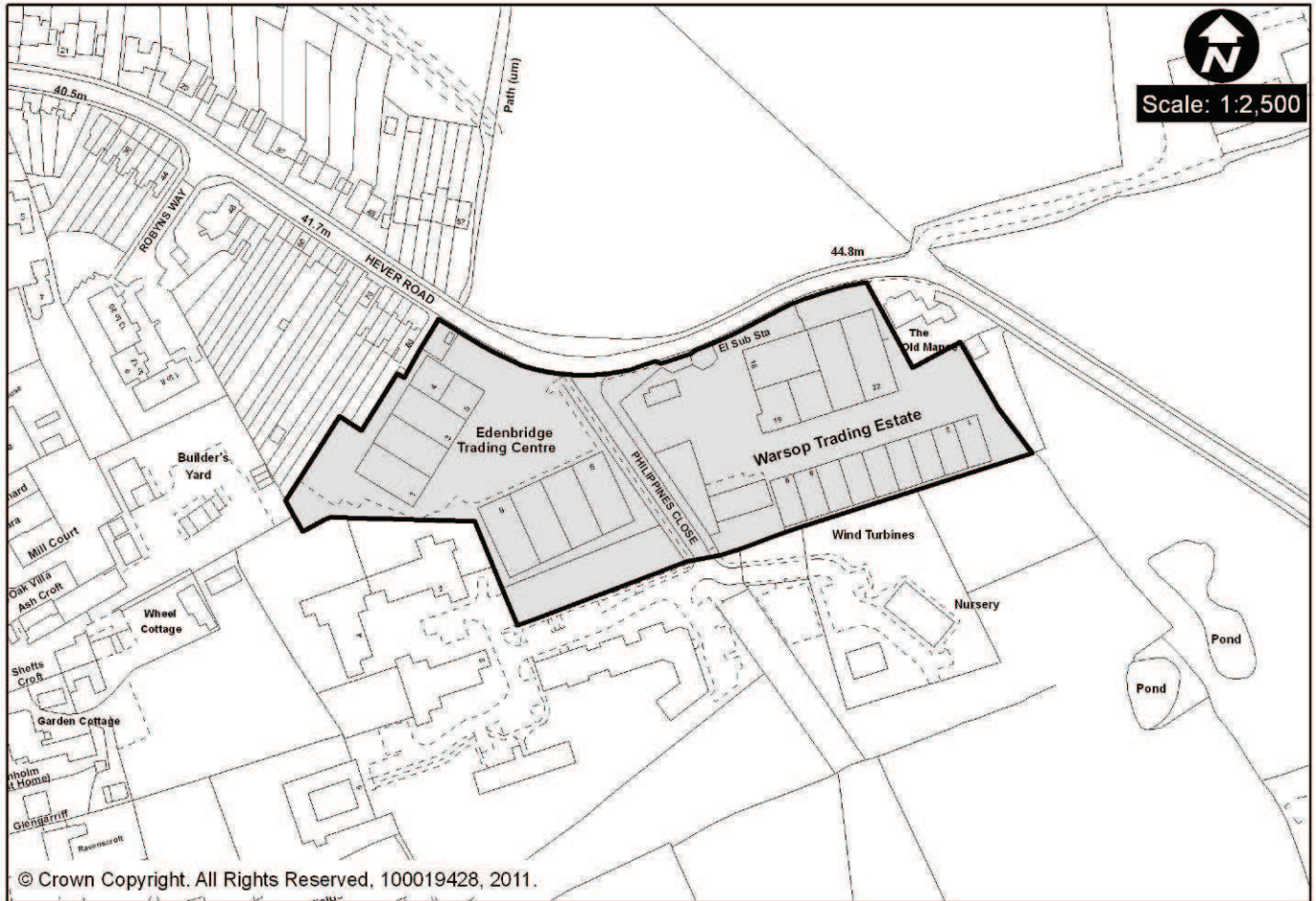


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Agenda Item 9

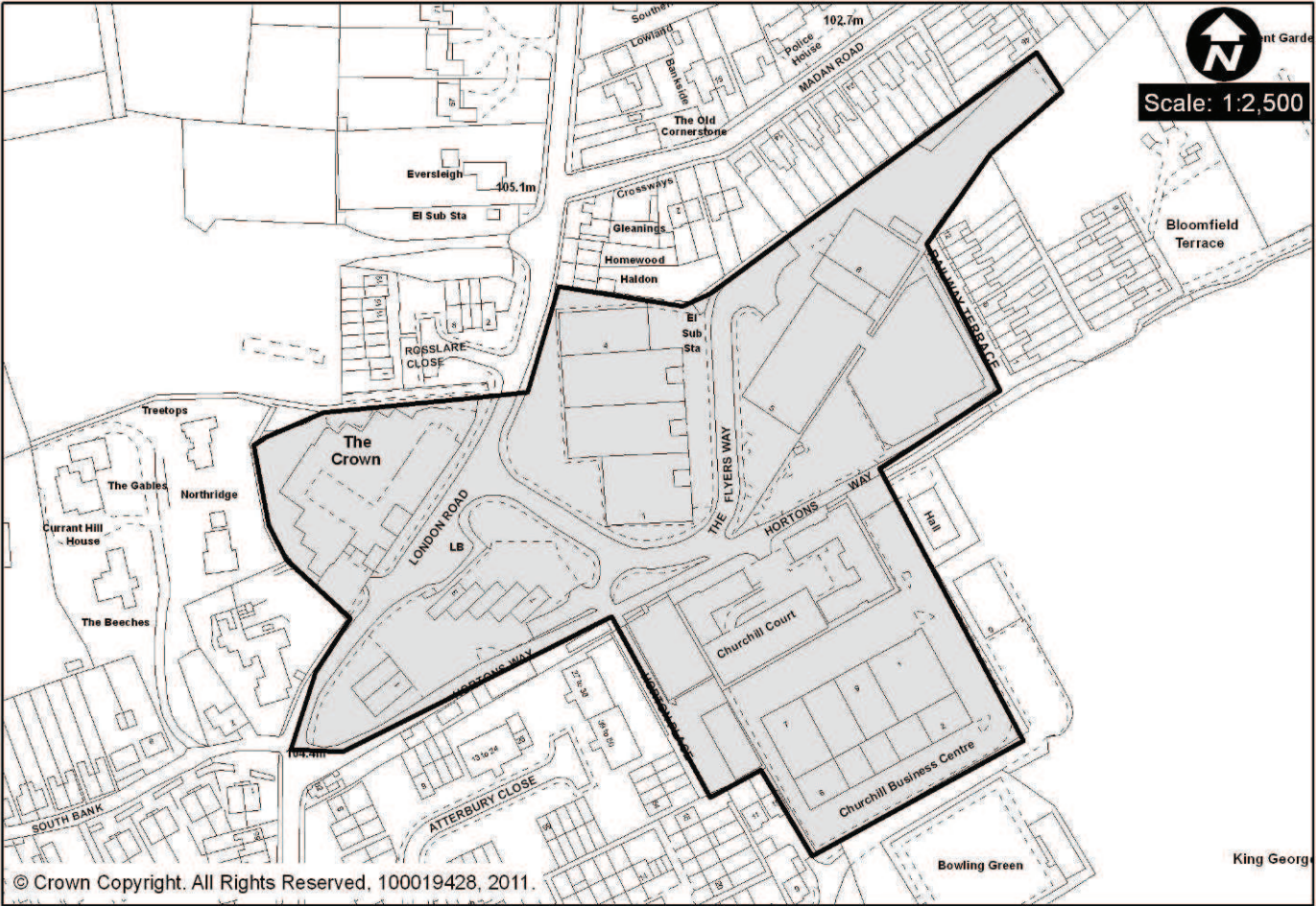
EMP1(w) Edenbridge Trading Centre/Warsop Trading Centre (1.6ha)



25



EMP1(x) Westerham Trading Centre, Westerham (3.7ha)

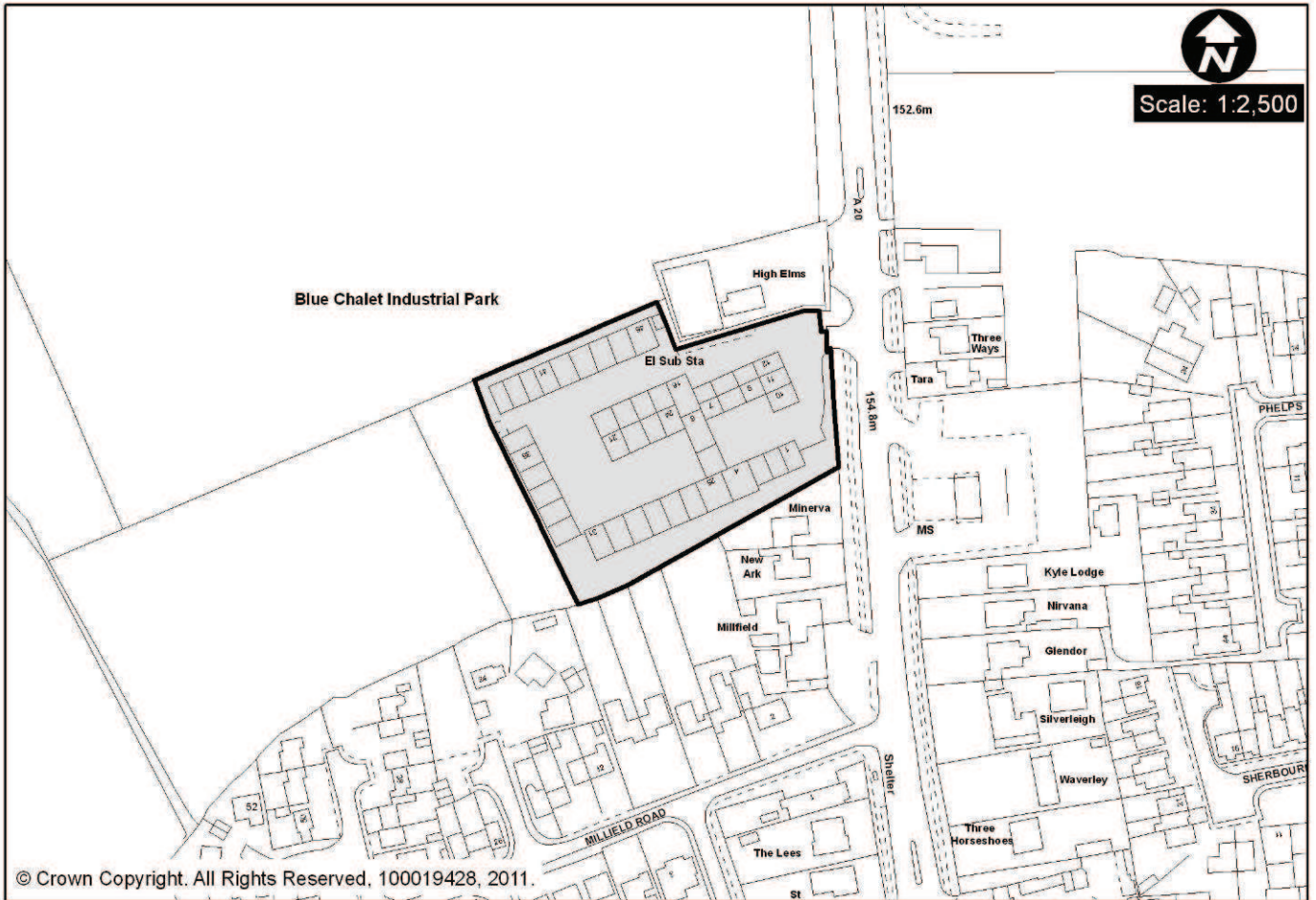


26



Agenda Item 9

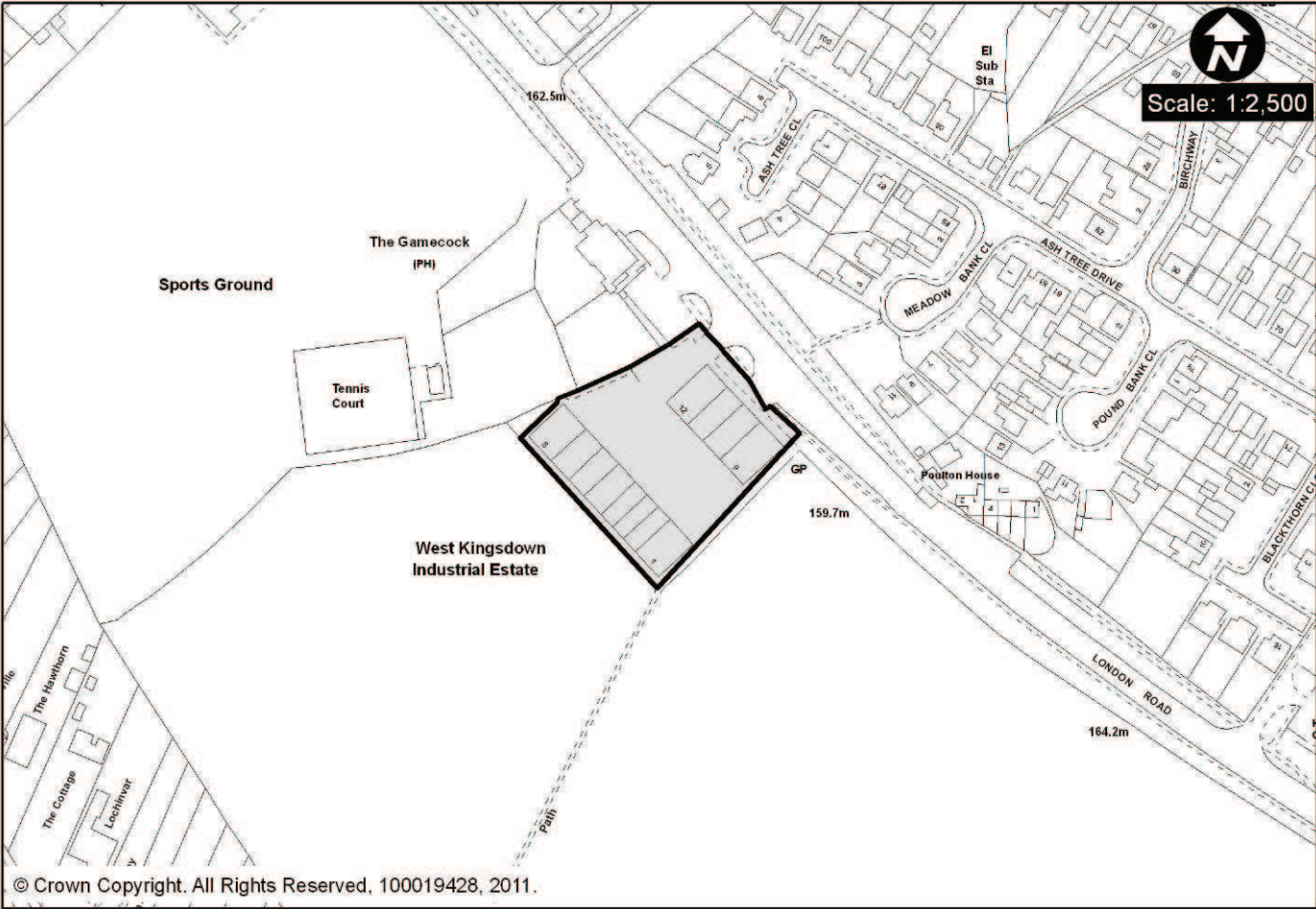
EMP1 (y)Blue Chalet Industrial Park, West Kingsdown (0.9ha)



27



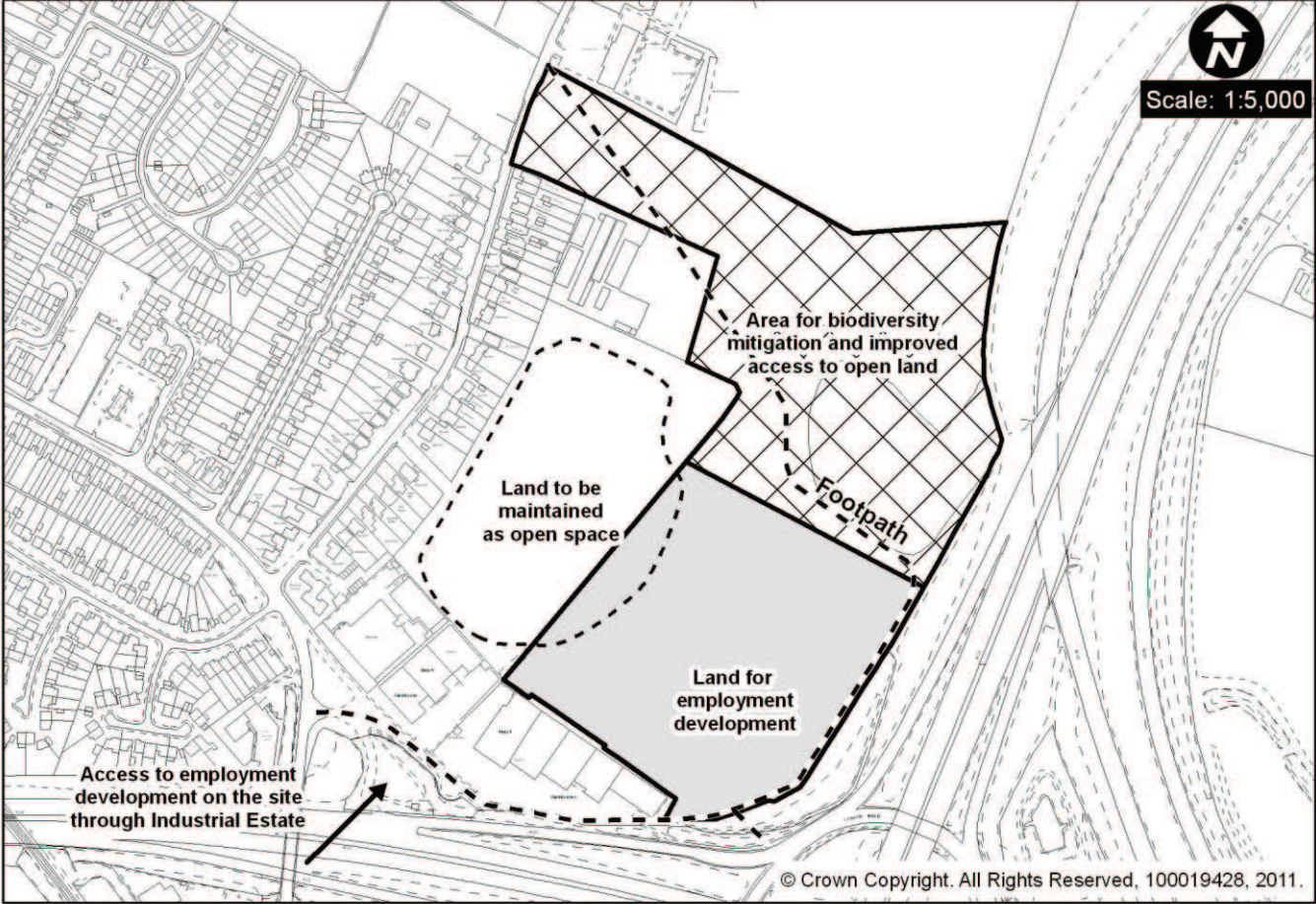
EMP1 (z) West Kingsdown Industrial Estate, West Kingsdown (0.5ha)



28



EMP4 - Land at Broom Hill, Swanley



30



Agenda Item 9

| | | | |
|---|--|--------------------------------|--|
| Site Address: | Land at Broom Hill, Swanley | Settlement: | Swanley |
| Ward: | Swanley Christchurch and Swanley Village | Proposed Allocation: | Business Uses |
| Current use: | Green Field | | |
| Development Guidance: | | | |
| <p>Design and Layout - Land at Broom Hill is allocated as shown on the accompanying Map to include 4.1ha of employment land to the south of the site and open space to the north of the site</p> <p>The proposed layout and design of development, including the location and type of open space, should take account of the noise and air quality constraints that exist on the site and in the immediate surroundings. Development should be sensitive to the topography and existing green infrastructure features of the site and its surroundings and be sensitive to the amenities of nearby properties.</p> <p>Landscape - Landscaped open space should be provided on the ridge and steep slopes at the centre of the site and the north of the site</p> <p>Landscaped buffers should be provided</p> <ul style="list-style-type: none"> • to the eastern boundary of the site to abut the public footpath and screen the development from the east, and • to the northern boundary as part of the open space to screen the development from the north <p>The land is primarily open grass and scrub some of which has been identified as acidic grassland surrounded by natural hedging and trees. Enhancement of habitats on the site and on Green Belt land to the north of the site will ensure that there is no net adverse impact on biodiversity and, where possible, a net improvement should be secured.</p> <p>Access - Vehicular access to the business development will be provided through the Industrial Estate to the south. A Transport Assessment should be prepared to confirm that the transport impacts of development on the surrounding highway, including the adjoining motorway and junction, will be acceptable.</p> <p>Pedestrian access to the open space within the Broom Hill site and its surroundings (including the land to the north) should be improved by retaining and enhancing the Public Right of Way network.</p> <p>Infrastructure - Site specific access, biodiversity improvements and Public Rights of Way diversions or enhancements will need to be secured through a Planning Obligation.</p> <p>Delivery – The Council will prepare a revised Development Brief, in accordance with the delivery mechanisms to Policy LO4 in the Core Strategy.</p> | | | |
| Gross Area (Ha): | 4.1 | Net Area (Ha): | 4.1 |
| Business Allocation: | 4.1 ha | Source / Evidence Base: | Employment Land Review / Local Plan |

APPENDIX 5: MIXED USE DEVELOPMENT ALLOCATION MAPS

APPENDIX 5

MIXED USE DEVELOPMENT ALLOCATION MAPS

Important

Development proposals will be assessed against the guidance in this appendix alongside relevant Core Strategy and Development Management Policies. Particular reference should be had to the Policies contained within the Sustainable Communities and Development Principles and Environment Chapters of this document.

Key

- - - Footpath

 Tree Preservation Orders

MIXED USE SITES

POLICY H2: MIXED USE DEVELOPMENT ALLOCATIONS

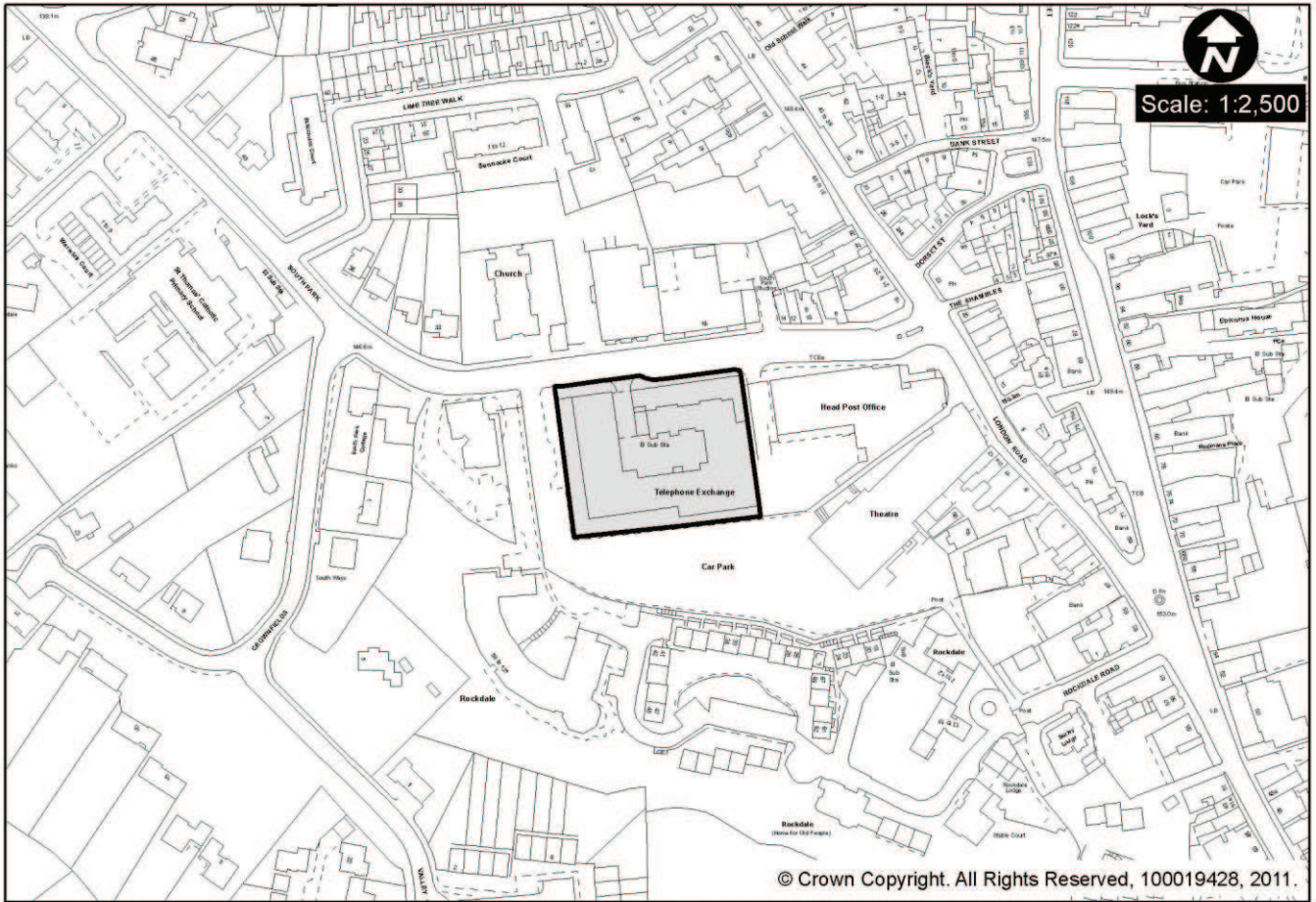
The following sites (0.2 hectares or greater), as defined in Appendix 5, are allocated for mixed use development that incorporates an element of residential development.

These sites will provide for a range employment, retail and community facilities in addition to housing types, density, mix and tenure considered appropriate.

| REF | SETTLEMENT/SITE ADDRESS | INDICATIVE SITE CAPACITY NO. UNITS |
|-------|---|---|
| H2(a) | BT Exchange, South Park, Sevenoaks | 25 |
| H2(b) | United House, Goldsel Road, Swanley | 185 |
| H2(c) | Swanley Centre, Nightingale Way, Swanley (only as part of regeneration proposals) | 0 |
| H2(d) | Station Approach, Edenbridge | 20 |
| H2(e) | New Ash Green Village Centre, New Ash Green (only as part of regeneration proposals) | 50 |
| H2(f) | Powder Mills (Former GSK Site), Leigh | 60 |
| | TOTAL | 340 |

Agenda Item 9

H2 (a) BT Exchange, South Park, Sevenoaks



3



| | | | |
|----------------------|------------------------------------|-----------------------------|-----------|
| Site Address: | BT Exchange, South Park, Sevenoaks | Settlement: | Sevenoaks |
| Ward: | Sevenoaks Town and St. Johns | Proposed Allocation: | Mixed Use |
| Current use: | Telephone Exchange | | |

Development Guidance:

Design and Layout

The site forms part of the setting of the Sevenoaks High Street Conservation Area and the opportunity should be taken to re-develop the current building to a suitable scale, form, materials and detailing which enhances the setting of the conservation area.

Active retail/town centre uses should be incorporated at least on the ground floor on the South Park frontage of this scheme. Residential uses are likely to be in the form of apartments above the ground floor, duplexes or townhouses.

Landscape

High quality materials used in the conservation area should be employed for hard landscaping of the frontages to buildings, pedestrian links and other public realm.

Access

Servicing, parking and access arrangements will need careful consideration once the mix of uses is determined. Development should improve pedestrian linkages to the town centre

Infrastructure

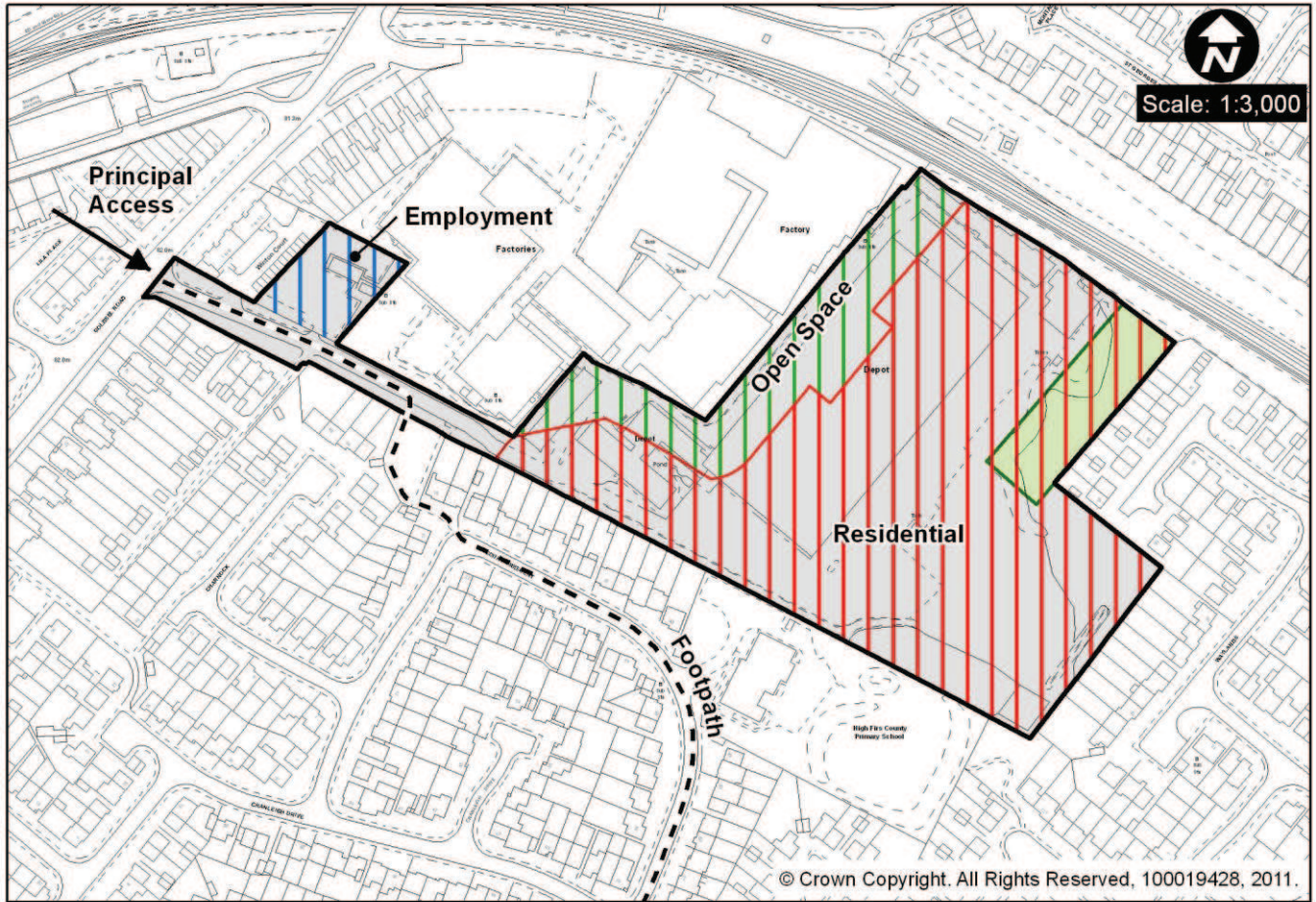
Contributions will be required to CIL.

Delivery - Relocation of the BT Telephone Exchange and BT have indicated that their site will be available in the longer term (i.e. 11-15 years).

| | | | |
|-----------------------------|------|-----------------------|-------------------|
| Gross Area (Ha): | 0.36 | Net Area (Ha): | 0.36 |
| Net Housing Capacity | 25 | Phasing | 11-15 yrs 2022-26 |

Agenda Item 9

H2 (b) United House, Goldsel Road, Swanley



5



| | | | |
|--------------------------|--|-----------------------------|-------------------------|
| Site Address: | United House, Goldsel Road, Swanley | Settlement: | Swanley |
| Ward: | Swanley Christchurch & Swanley Village | Proposed Allocation: | Mixed use – Residential |
| Current Use / PP: | Office and Depot / warehousing | | |

Development Guidance:

Design and Layout

The site represents a sustainable location with good transport links and provides the opportunity to design a high density mixed development, subject to safeguarding the amenity of adjacent residential properties (on Goldsel Road, Charnock, Court Crescent and Waylands) and sensitively accommodating changing levels across the site particularly the lower level dwellings along the eastern boundary of the site. Building heights should take into account residential amenity and long distance views of the site. The lower part of the site to the east is likely to be more suitable for family housing.

The layout should incorporate office development of some 2000sqm within the existing western car park area as shown in the accompanying map.

Careful consideration has been given to the adjoining industrial use to the north-west of the main site and the need to protect the operational requirements of this important employment site. The design, layout and orientation of the residential buildings will be crucial to ensuring the development of a satisfactory scheme.

Affordable housing to be provided in line with Core Strategy Policy SP3. Consideration to be given to the most suitable mix of affordable housing, included shared ownership and housing specifically designed for older people.

Landscape

Open space should be laid out through the centre of the site as shown in the accompanying map with a safe and direct connection to the existing footpath which runs through the site. The open space should provide a dense landscaped edge providing a suitable buffer to the adjoining industrial use abutting the employment site to the north west. The open space should also include landscaped amenity space and a central space for informal recreation such as a kick about area. The open space should be overlooked by residential development.

The north-east corner of the site is constrained and unsuitable for development (balancing pond at low level) and is likely to remain as open space.

Access

The main access should be to Goldsel Road via the existing access road. A secondary emergency access route will be required to serve the site. The existing footpath which runs through the site should be retained and be incorporated into, and well connected with, the rest of the site.

Infrastructure

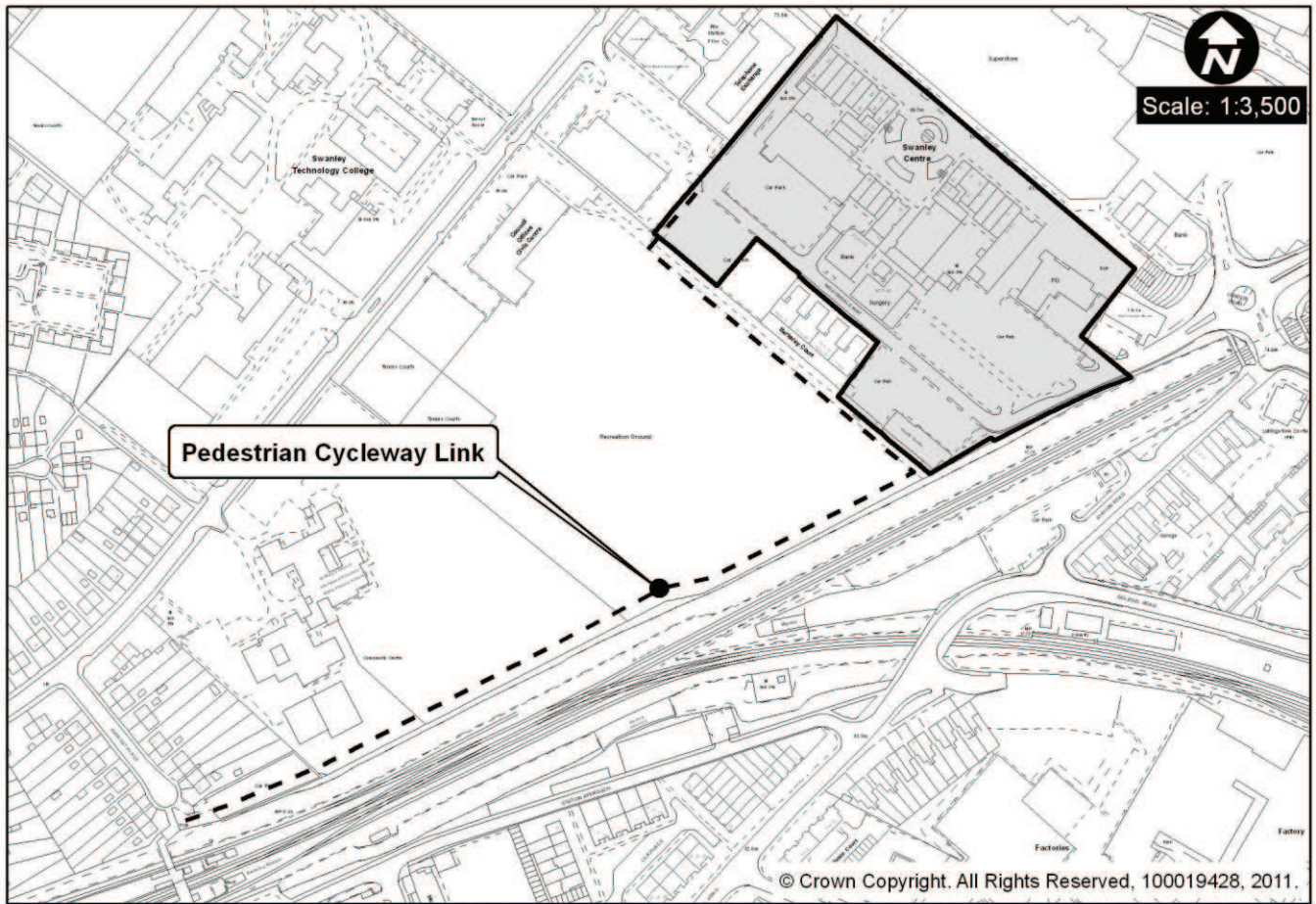
As well as contributions to CIL, site remediation may be necessary. This will not preclude development opportunities on this site.

Delivery – site owner promoting the site for residential development

| | | | |
|-----------------------------|------|-----------------------|--|
| Gross Area (Ha): | 3.80 | Net Area (Ha): | 3.30 (due to pond and access corridor) |
| Net Housing Capacity | 185 | Phasing | 0-5years (2012-2016) |

Agenda Item 9

H2(c) Swanley Town Centre Regeneration Area



7



| | | | |
|----------------------|---------------------------------------|--------------------|---|
| Site Address: | Swanley Town Centre Regeneration Area | Settlement: | Swanley |
| Ward: | Swanley St Mary's | Allocation: | Town centre regeneration area – Mixed Use |
| Current use | Town centre uses and open space | | |

Development Guide:

Design and Layout:

The Council's aim is to secure the regeneration of the town centre and the opportunity should be taken to re-develop the current building to a suitable scale, form and materials which enhances the overall attraction of the centre for residents and visitors. The scale of the scheme should reflect the prominent location of the site, which forms the central core of Swanley centre.

The mix of uses should reflect local needs and priorities, as expressed via the Planning for Real community consultation exercise. This retail-led redevelopment will include provision of retail uses on the ground floor, medical and community facilities, residential development and replacement car parking,. Active retail uses should be incorporated on the ground floor of this scheme within the area of Primary Shopping Frontage. Other uses will be more appropriate in the Secondary Frontage areas. Priority is to be given to residential development complementing the most appropriate mix of town centre uses and residential use is likely to be in the form of apartments above the ground floor.

The scheme should be designed to integrate with the surrounding retail and residential uses and should provide routes through the site on desire lines. The pedestrian environment should be designed to provide safe and secure access incorporating security measures (such as the public realm overlooked by residential development) to deter crime, the fear of crime and antisocial behaviour.

Landscape:

The scheme should provide improvements to the town centre public realm, including quality open spaces and an improved environment for Swanley Market

Access:

Servicing, parking and access arrangements will need to be addressed and a Transport Assessment will be required. A new pedestrian/cycle link to Swanley station should be provided (see indicative route marked on the accompanying map).

Infrastructure:

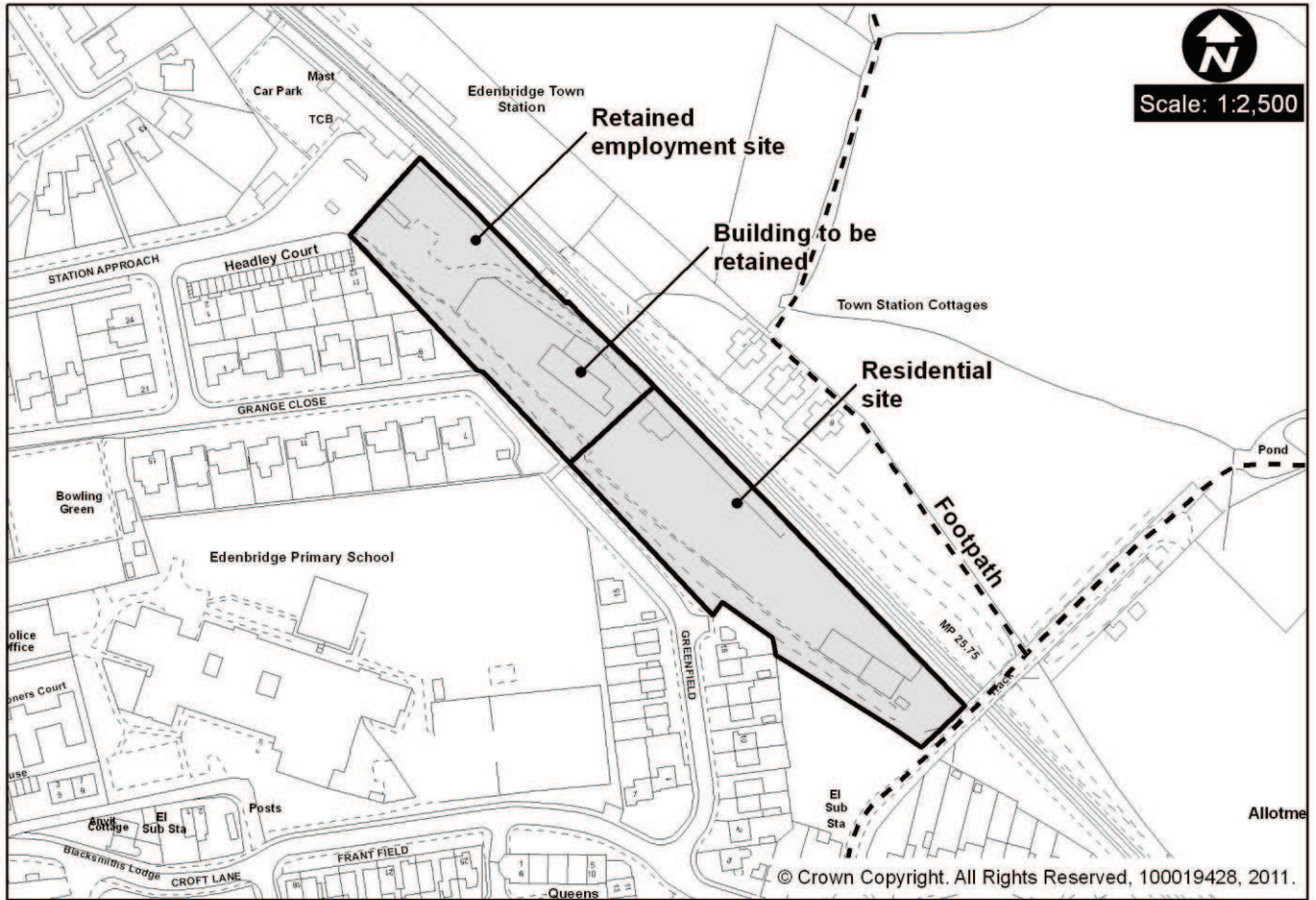
Contributions will be required to CIL

Delivery – site owner promoting site for redevelopment

| | | | |
|-----------------------------|-----|-----------------------|------------------------|
| Gross Area (Ha): | 2.6 | Net Area (Ha): | 2.6 |
| Net Housing Capacity | 0 | Phasing | 6-10 years (2017-2021) |

Agenda Item 9

H2 (d) Station Approach, Edenbridge



9



| | | | |
|----------------------|------------------------------|-----------------------------|--|
| Site Address: | Station Approach, Edenbridge | Settlement: | Edenbridge |
| Ward: | Edenbridge North and East | Proposed Allocation: | Mixed Use – Employment and Residential |
| Current use: | Builder’s Merchant | | |

Development Guide:

Design and Layout

The area of employment land on the northern portion of site as shown on the accompanying map should be retained; including the historic train-shed brick building on site (recommended in employment use). The southern end of site as shown on the accompanying map is allocated for residential use. Residential development is likely to be most appropriate in the form of apartments and townhouses. This site is also considered suitable for housing specifically designed for older people (including those with special needs), as it is close to a range of services that would provide for the needs of future occupants.

Landscape

A landscaped buffer will be required to protect residential amenity adjacent to railway

Access

Access to employment land should be taken from the existing access on Station Approach. Access to residential development should be taken from Greenfield. Safety enhancements such as signing and lining are likely to be required at the junction of Greenfield and Forge Croft. Safe and convenient links should be made to the footpath network to the south of the site.

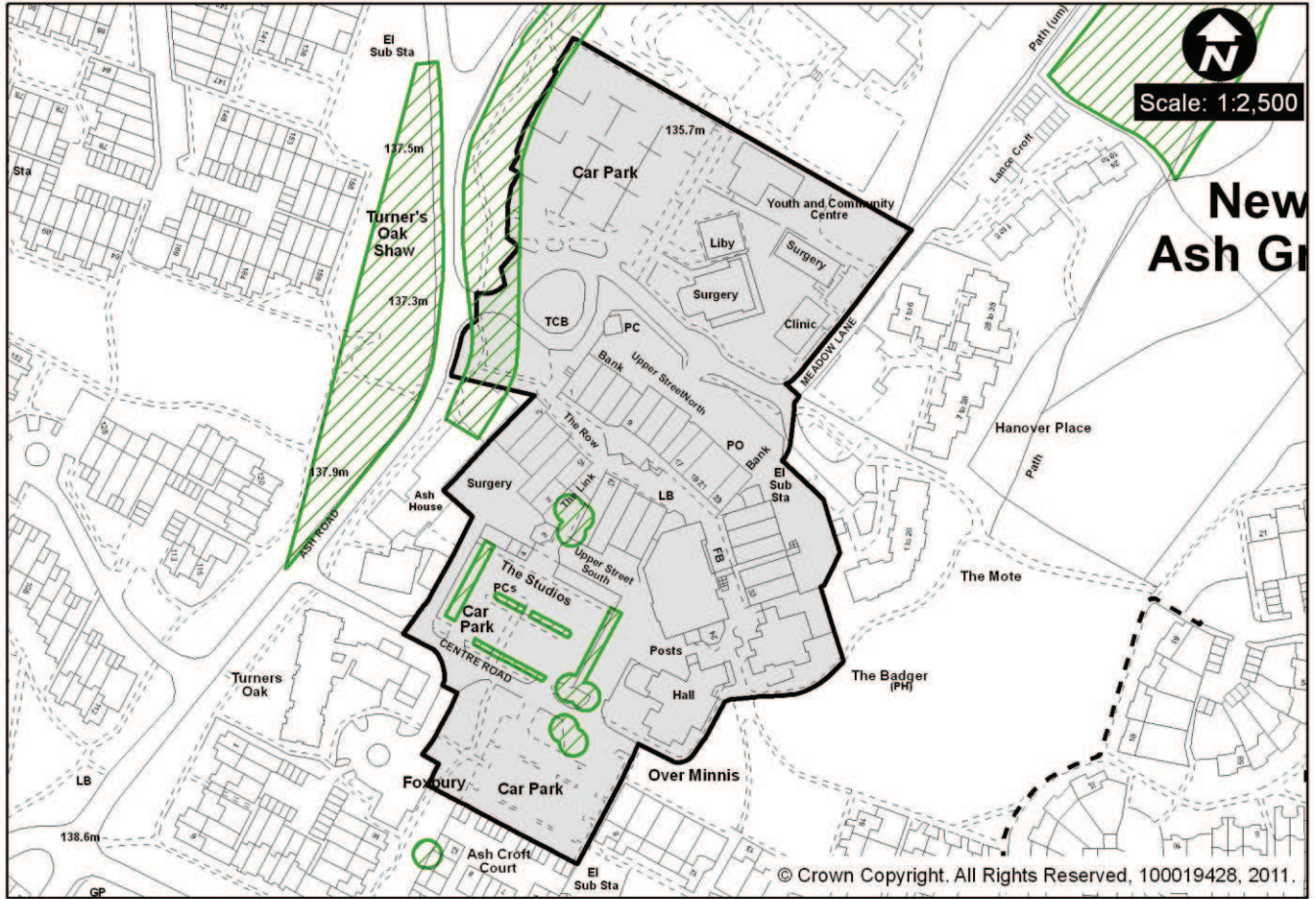
Infrastructure

Contributions will be required to CIL

Delivery – site promoted for mixed use by owner, Network Rail

| | | | |
|-----------------------------|--|-----------------------|-----------------------|
| Gross Area (Ha): | 1.0 (employment 0.5 / residential 0.5) | Net Area (Ha): | 1.0 |
| Net Housing Capacity | 20 | Phasing | 0-5 years (2012-2016) |

H2 (e) New Ash Green Village Centre, New Ash Green



11

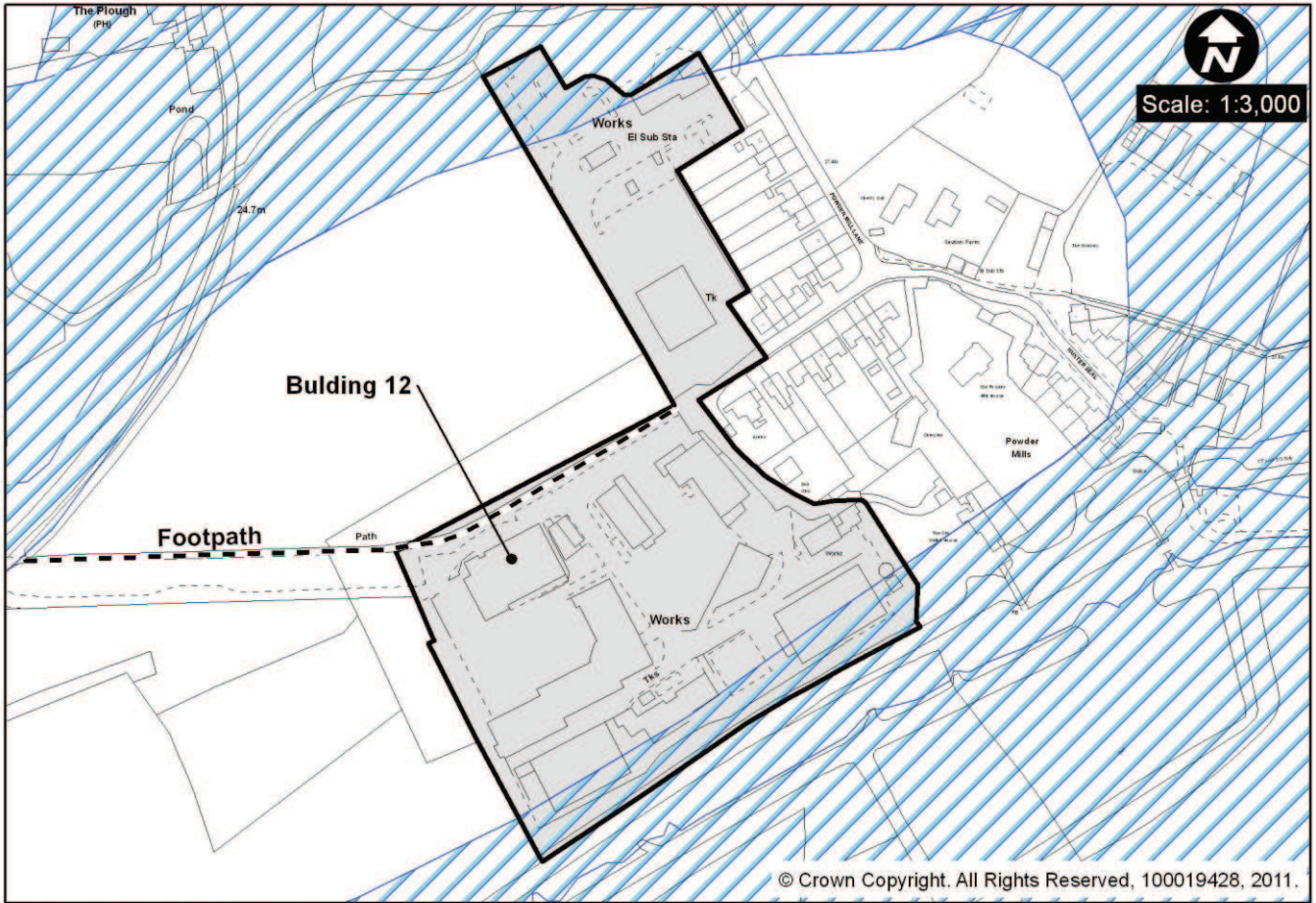


| | | | |
|--|--|-----------------------------|---|
| Site Address: | New Ash Green Village Centre, New Ash Green | Settlement: | New Ash Green |
| Ward: | Ash | Proposed Allocation: | Mixed use including residential as part of a regeneration scheme for the village centre |
| Current Use / PP: | Village centre uses (retail and services, community facilities, parking) and residential | | |
| Development Guide: | | | |
| Design and Layout | | | |
| <p>New Ash Green village centre will be regenerated and the quality of the environment improved so that it more effectively meets the needs of the community. Development should retain a scale appropriate to the size of the community it is intended to serve and a form that respects the distinctive character of the settlement. Development should achieve a satisfactory relationship with the adjoining housing and open space (The Mote).</p> <p>Proposals should include retail, employment and community facilities and services. Office space should be retained or provided in this central location. An element of residential development (in the form of apartments) should be included as part of the regeneration scheme.</p> | | | |
| Landscape | | | |
| <p>Tree Preservation Orders apply around the boundary and within the site and development should not result in the loss or harm to any of these trees.</p> <p>The scheme should provide improvements to the local centre public realm.</p> | | | |
| Access | | | |
| <p>Servicing, parking and access arrangements will need careful consideration once the mix of uses is determined and a Transport Assessment will be required. Parking should be re-provided as part of the scheme, including parking for residential units. The pedestrian environment should be designed to provide a safe and secure access incorporating security measures (such as the public realm overlooked by residential development) to deter crime, the fear of crime and antisocial behaviour.</p> | | | |
| Infrastructure | | | |
| <p>Contributions will be required to CIL</p> <p>Delivery - SDC working with multiple site owners to bring forward scheme on site. SDC would like the village centre regeneration to take place as soon as feasible, but the Estimated Development Period indicated below provides a cautious estimate.</p> | | | |
| Gross Area (Ha): | 1.87 | Net Area (Ha): | 1.87 |
| Housing Capacity: | 50 | Phasing | 10-15 years (2022-26) (although earlier if feasible) |

12

Agenda Item 9

H2 (f) Glaxo Smith Kline, Powder Mills, Leigh



13



| | | | |
|--|--|-----------------------------|---|
| Site Address: | Glaxo Smith Kline, Powder Mills, Leigh | Settlement: | Other settlement |
| Ward: | Leigh and Chiddingstone Causeway | Proposed Allocation: | Residential Led Mixed Use |
| Current use: | Mixed Use – Offices, Warehousing & General Industrial (vacant) | | |
| <p>Development Guide:</p> <p>Design and Layout</p> <p>'Building 12' shown on the accompanying map should be retained for employment use with the remainder of the site laid out as residential development in a mix of unit types. Any proposal for residential development that does not include the retention of 'Building 12' would need to justify the loss of employment in line with Policy SP8 of the Sevenoaks Core Strategy.</p> <p>Any redevelopment is restricted to the replacement of the existing 'footprint' of buildings at the site within the boundary shown on the accompanying map. The existing residential units outside of the secure element of the site should be retained and are not included within the formal allocation. The development should have no greater impact on the openness of the Green Belt and must take into account the character of the countryside in this location, with a reduction in the scale and height of the buildings. New housing should generally not exceed two storeys in height.</p> <p>The site is partially covered by Flood Zone 3B shown on the accompanying map. No residential units should be located within this area.</p> <p>Part of the site contains the remains of a gunpowder manufacturing facility dating back to 1811, as such the site is listed in the English Heritage document 'Monument Protection Programme: Gunpowder Mills' (1998), where it is assessed as 'not of schedulable quality but undoubtedly of regional value'. Redevelopment proposals should be designed in a manner that respects the historic nature of the site and preserves archaeological interest.</p> <p>The Powder Mill area is a remote rural settlement with few amenities and poor accessibility. Due to the limited sustainability of the location, site constraints and the character of the surrounding hamlet in which it is situated the site should be developed at a low density (e.g. 25dph)..</p> <p>Landscape</p> <p>The woodland area and habitats that surround the site should be protected and enhanced, through a management strategy to be developed in conjunction with the local community, which should provide appropriate levels of public access. Open space and green buffer zones should be incorporated into the development site, to assist its integration with the surrounding countryside. The water features to the south of the site and the area adjoining the footpath to the north should be enhanced and overlooked by new housing (except adjoining 'Building 12').</p> <p>The provision and connectivity of green infrastructure should be enhanced, including the protection and enhancement of biodiversity, and improvements to the Public Right of Way network.</p> <p>Access</p> <p>Any redevelopment of the site will be contingent on the inclusion of accessibility improvements, which will be required as part of any planning application, to improve the sustainability of the site.</p> <p>A Transport Assessment would be required to confirm that the development would not have an unacceptable adverse impact on the local and strategic road networks and would be sustainable in respect of the location, uses and quantum of development.</p> <p>Both north and west existing access points to Powder Mills Lane should be maintained to ensure an acceptable 'dry escape route' in the event of severe flooding</p> <p>The public footpath should be retained and the network through the site enhanced.</p> <p>Infrastructure</p> <p>Contributions to CIL will be required. This should facilitate contributions to mitigate impacts of the development on local infrastructure, including education.</p> <p>In relation to remediation, a small number of localised areas of contamination have been identified within the site. Any redevelopment permission will be conditioned to require further assessment and/or remediation of these areas. This will not preclude development opportunities on this site.</p> <p>Delivery – the owner (GSK) is promoting the site for redevelopment</p> | | | |
| Gross Area (Ha): | 3.3 | Net Area (Ha): | 2.4 (reduction related to building 12 and ancillary parking and functional flood plain) |
| Housing capacity | 60 (@ 25 dph) | Phasing | 0-5 years (2012-2016) |

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**APPENDIX 6: MAJOR DEVELOPED EMPLOYMENT SITES IN THE GREEN
BELT**

Agenda Item 9

Chaucer Business Park, Kemsing (4.4ha)



86



North Downs Business Park, Dunton Green (6.1ha)

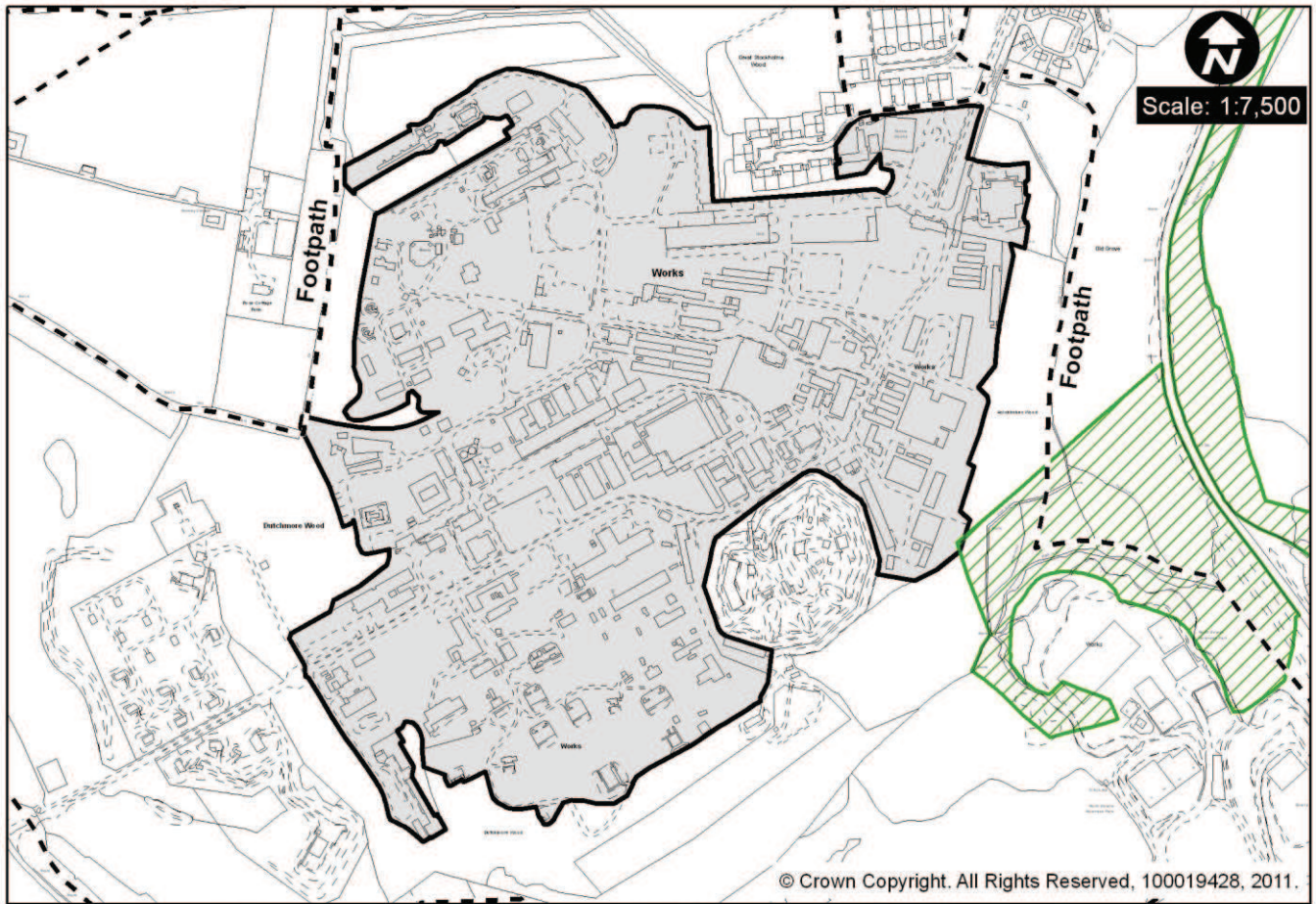


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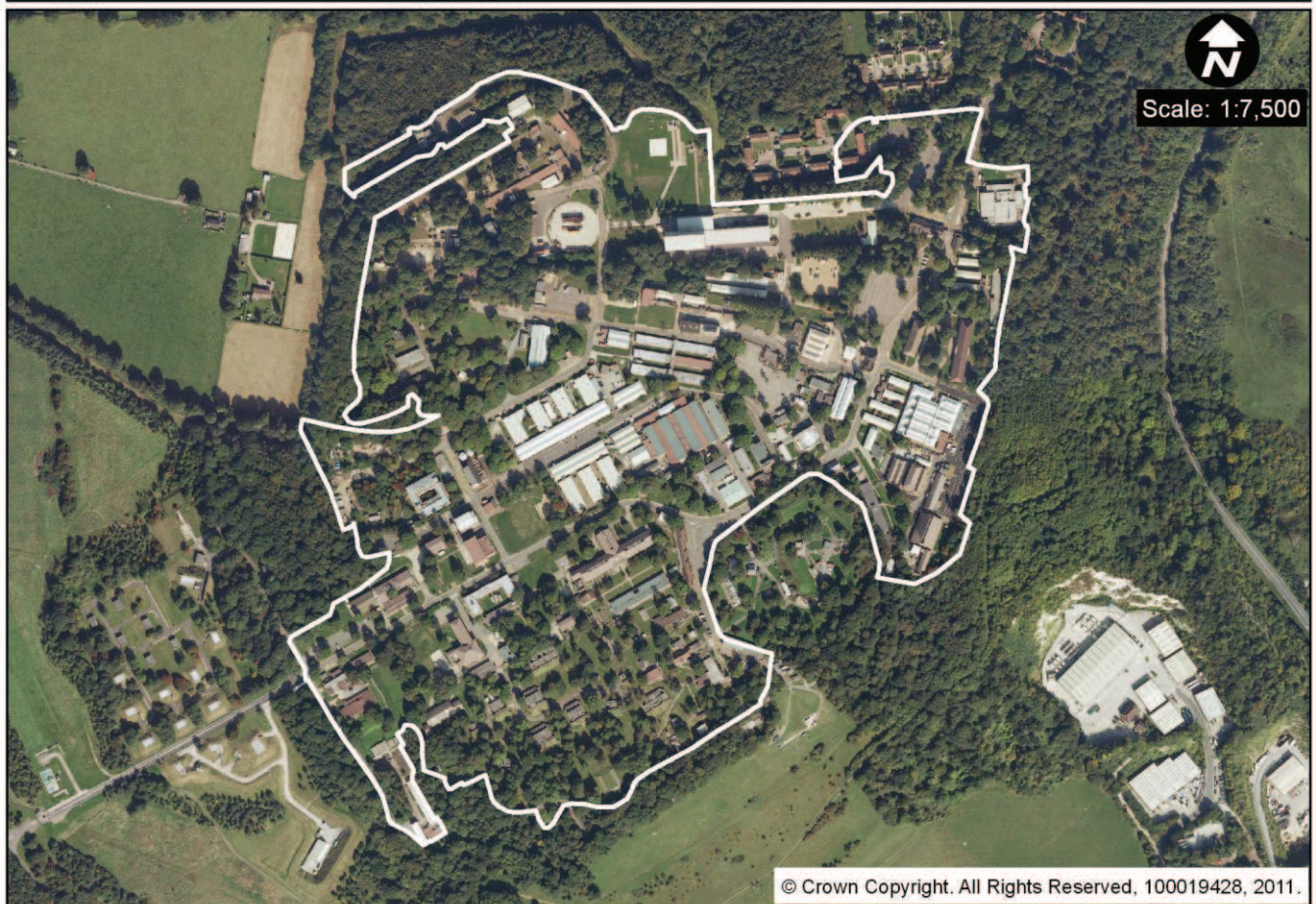


Agenda Item 9

Fort Halstead, Halstead (40.1ha) – see Policy EMP3 (Redevelopment of Fort Halstead) below

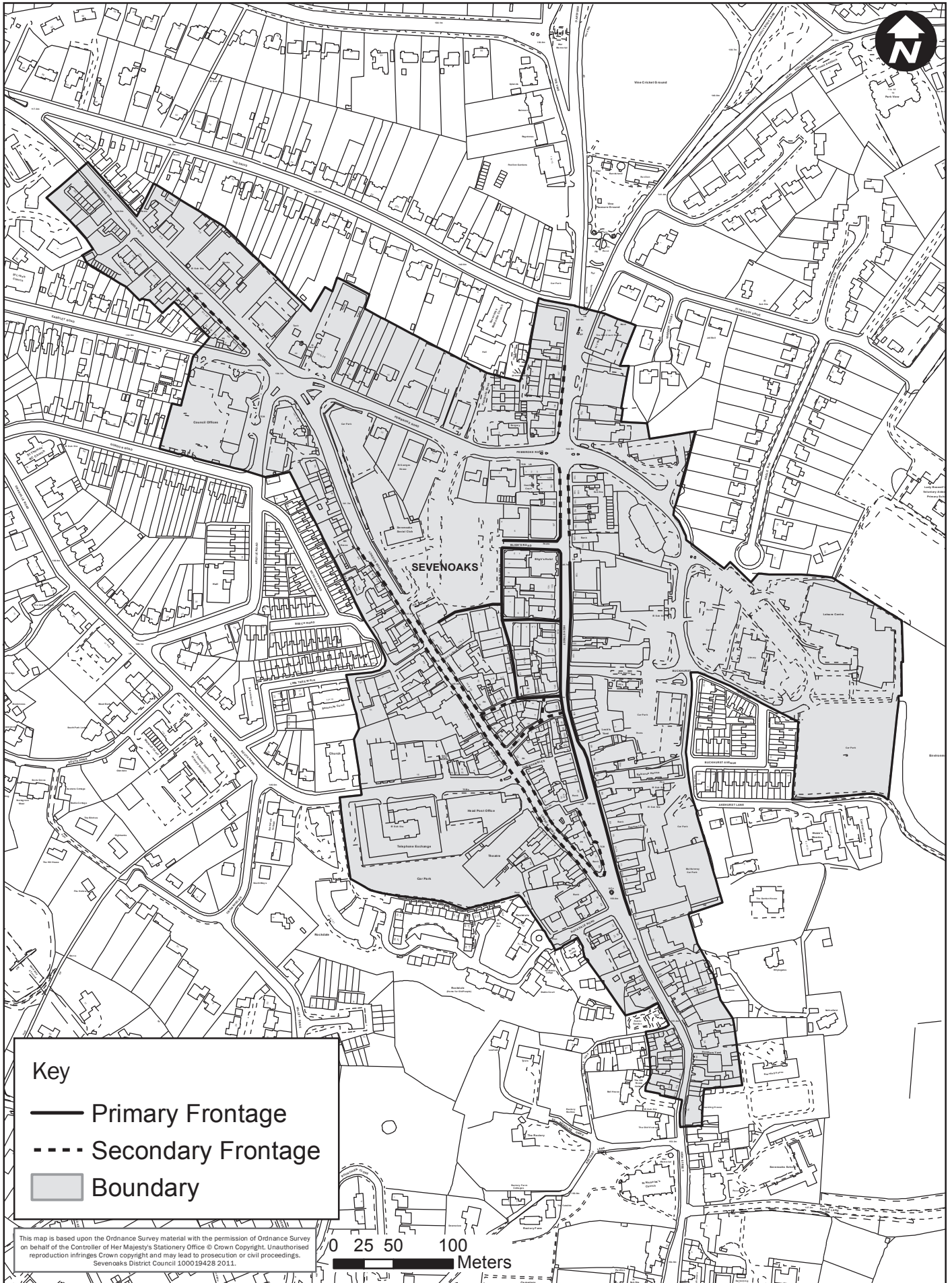


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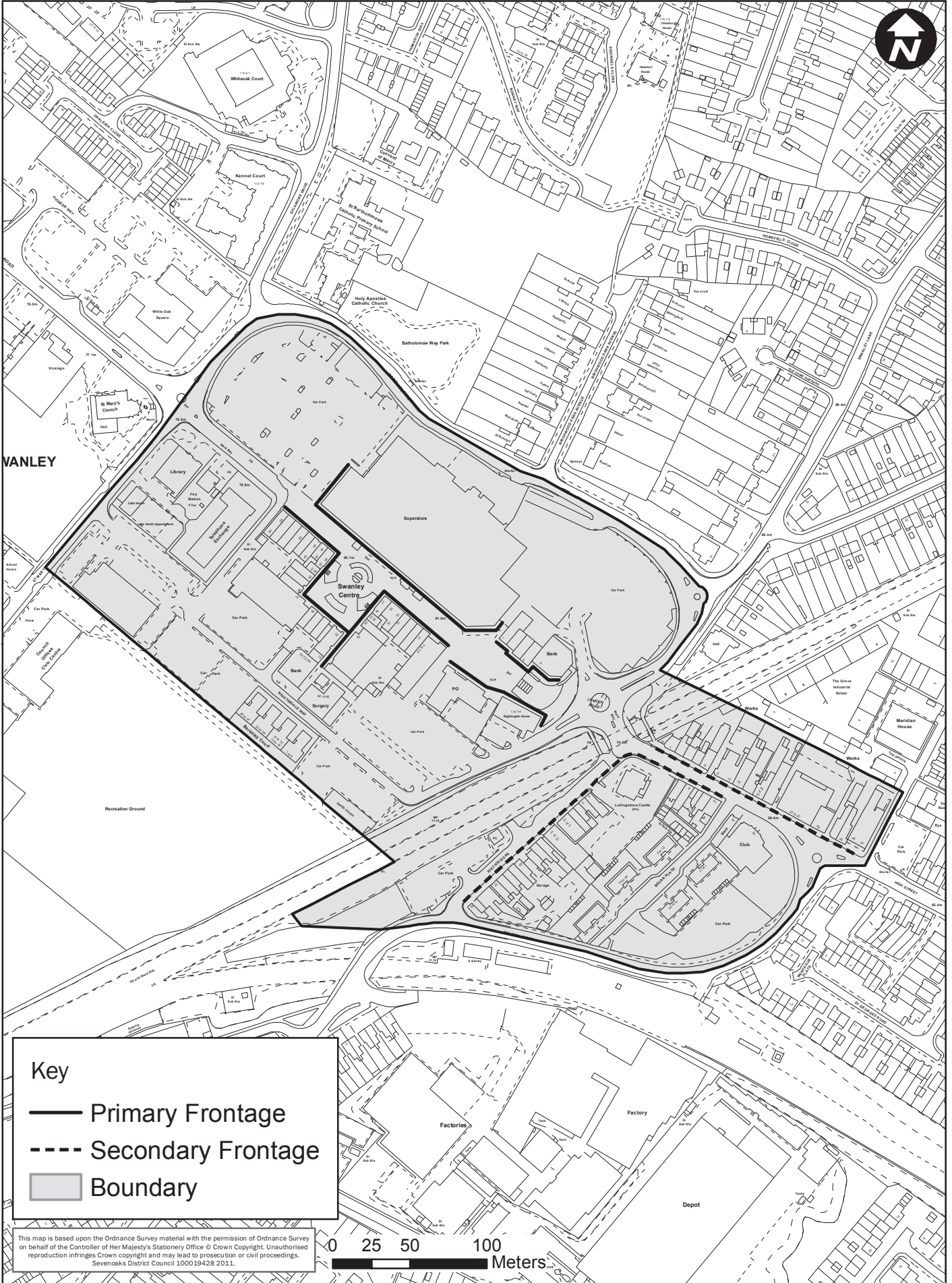


APPENDIX 7: TOWN CENTRE MAPS

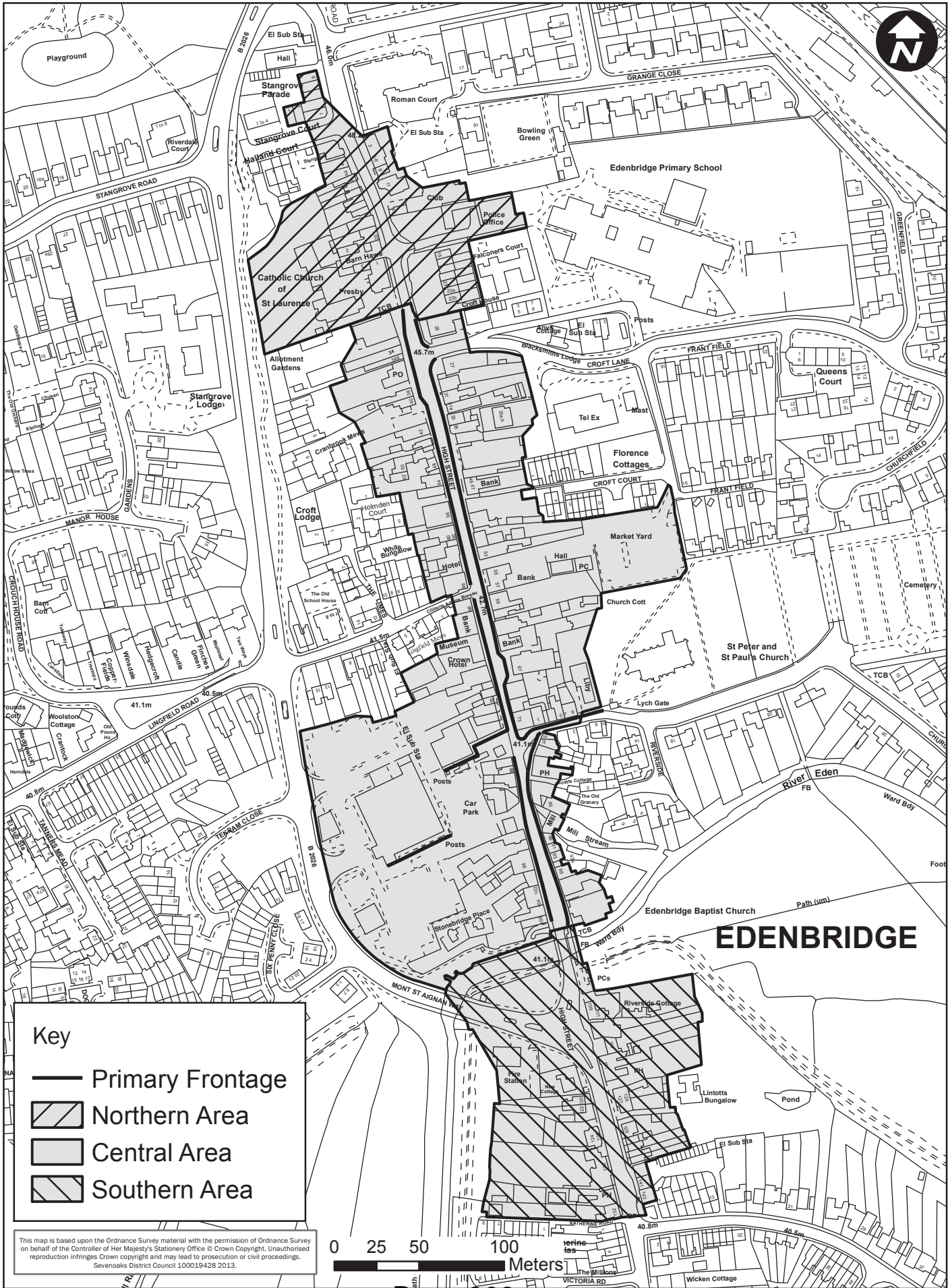
Policy LC1 - Sevenoaks Town Centre







Policy LC2 - Swanley Town Centre



Policy LC3 - Edenbridge Town Centre



Key

-  Primary Frontage
-  Northern Area
-  Central Area
-  Southern Area

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**DEVELOPMENT IN THE GREEN BELT
SUPPLEMENTARY PLANNING DOCUMENT
DRAFT – February 2013**

DEVELOPMENT IN THE GREEN BELT
DRAFT SUPPLEMENTARY PLANNING DOCUMENT

February 2013

Content

Pre-Application Advice

| | | |
|----------|---|-----------|
| 1 | INTRODUCTION | 5 |
| | -What is the Supplementary Planning Document? -The Green Belt in Sevenoaks | |
| 2 | OVERVIEW OF GREEN BELT POLICY | 7 |
| | - The National Planning Policy Framework (NPPF) - The Sevenoaks District Local Plan | |
| 3 | LIMITED INFILLING IN VILLAGES IN THE GREEN BELT | 10 |
| | - Limited Infilling in Villages in the Green Belt | |
| 4 | CONVERSION OF BUILDINGS IN THE GREEN BELT | 12 |
| 5 | RESIDENTIAL EXTENSIONS AND REPLACEMENT DWELLINGS | 14 |
| | - What is the 'original' dwelling? - Approach to considering Residential Proposals - Lawfulness and Permanence - Consideration of Volume and Bulk - Floorspace Allowance - The Inclusion of Roof Lights - Residential Curtilage Restriction for Replacement Dwellings - Residential Outbuildings - Dwellings Permitted under ' <i>Very Special Circumstances</i> ' or as Rural Exceptions | |
| 6 | NON RESIDENTIAL EXTENSIONS AND REPLACEMENT BUILDINGS | 23 |
| | - Approach to considering Non Residential Extensions and Single Replacement Buildings - Lawfulness and Permanence - Consideration of Volume and Bulk - Brownfield Site Redevelopments | |

| | | |
|-----------|--|-----------|
| 7 | AGRICULTURE AND FORESTRY | 27 |
| | - Agriculture and Forestry Workers Accommodation | |
| 8 | LEISURE, TOURISM AND EQUESTRIAN DEVELOPMENT | 29 |
| | - Leisure Proposals | |
| | - Equestrian Development | |
| 9 | CHANGE OF USE OF GREEN BELT LAND | 31 |
| | - Garden/Curtilage Extensions | |
| | - Recreation | |
| 10 | DESIGN GUIDANCE | 33 |
| | - Siting and Visual Design | |
| | - Scale and Form | |
| | - Surroundings | |
| | - Landscape and Design | |
| | - Materials and Colours | |
| | - Extensions | |
| | - Replacement Buildings | |
| | - Outbuildings | |
| 11 | <i>VERY SPECIAL CIRCUMSTANCES</i> | 36 |
| | - Departures from Policy | |
| | GLOSSARY | 38 |
| | APPENDICES | |
| | | 40 |
| 1 | Conversions Guidance | |
| 2 | Practical Example of How the Council will determine an application against Policy H4: Limited Extensions or Outbuildings to Existing Dwellings in The Green Belt | 42 |
| 3 | Practical Example of How the Council will determine an application against Policy H5: Replacement Dwellings in The Green Belt | 43 |

Pre-Application Advice

Pre-application advice is valuable in ensuring the best possible development outcomes for the community. It is also of benefit to any prospective applicant for the following reasons:

- It gives you an opportunity to understand how our policies will be applied to your development and you can identify and resolve potential problems before an application is submitted. This can help prevent costly and time-consuming amendments to schemes later;
- It may indicate that a proposal has little or no realistic chance of success, thus saving you considerable time and money;
- It may lead to a reduction in time spent by your professional advisers in working up the proposals in more detail;
- It can identify at an early stage whether any specialist advice is necessary (e.g. listed buildings, trees, landscape, transport, ecology or archaeology);
- We can give advice that can help you prepare a better planning application so we can process it more quickly and give you a decision sooner.

The Council introduced charges for pre-application meetings and letters from 1 July 2008. These charges apply to enquiries or meeting for planning officer advice prior to the submission of a new application or following the refusal of planning permission. For up-to-date details or the fee required for pre application advice, please visit the Council's website via the below link; http://www.sevenoaks.gov.uk/environment/planning/pre_application_enquiries/3373.asp

What information we require for pre-application advice

All proposals;

- Site location plan with the site clearly marked (to a recognised scale, Nth point etc)
- Written details of the address and proposal
- Sketch block plan for any built development (to a recognised scale)
- Photographs showing key features of the site (directions shown on plan)

Residential extensions or replacement dwellings in the Green Belt;

- Existing floor plans and proposed floor plans to scale and detailed calculations of original floorspace and resulting floorspace

How to submit your pre-application

There are a few ways in which you can submit your pre-application:

By email to: planning.preapplication.advice@sevenoaks.gov.uk

By post or in person: Community and Planning Services, Sevenoaks District Council, Argyle Road, Sevenoaks, Kent, TN13 1HG.

1 INTRODUCTION

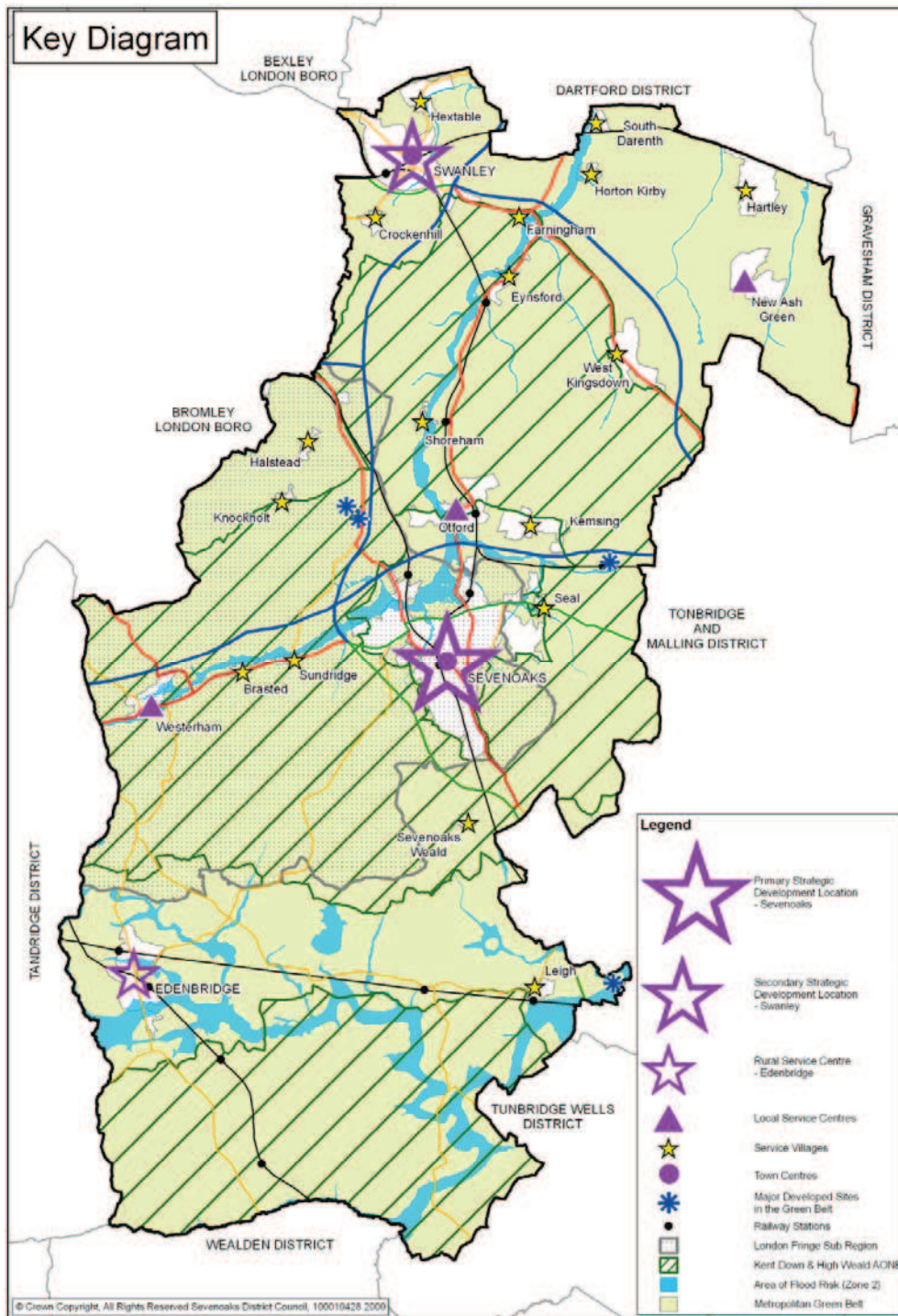
What is the Supplementary Planning Document?

- 1.1 This draft Supplementary Planning Document (SPD) provides detailed guidance on the implications of applying for development located within the Green Belt. The guidance will help to ensure consistency in decision making when determining planning applications in the Green Belt.
- 1.2 Once adopted the SPD will form part of Sevenoaks District Council's Local Plan (also known as the Local Development Framework) and will be used by the District Council in determining planning applications.
- 1.3 The District Council will take a positive approach to development in the Green Belt that accords with the Sevenoaks District Local Development Framework, including the guidance set out in this document and, where relevant, guidance contained within the Residential Extensions SPD (Adopted August 2009).
- 1.4 Some minor development is permitted by the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008 without the need for a planning application (usually known as 'permitted development'). Home owners and developers who are considering such alterations are encouraged to refer to the guidance in this SPD when considering even minor development. This guidance clarifies the implications of development built as permitted development on future planning proposals in the Green Belt.

The Green Belt in Sevenoaks District

- 1.5 Sevenoaks is a large District lying to the south east of London with an overall area of just over 143 square miles (370 square km). Despite adjoining the outer edge of London it is predominantly rural in character with 93% of the District designated as Green Belt.

1.6 The Core Strategy Key Diagram outlines the extent of the Green Belt in Sevenoaks District whilst the Local Plan Proposals Map illustrates the detailed boundaries.



The Core Strategy Key Diagram highlights the extent of the Green Belt

2 OVERVIEW OF GREEN BELT POLICY

National Planning Policy Framework

- 2.1 The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent uncontrolled spread of urban areas by keeping land permanently open. The essential characteristics of the Green Belt are its openness and its permanence.
- 2.2 The Green Belt serves five purposes:
- to check the unrestricted sprawl of large built-up areas;
 - to prevent neighbouring towns merging into one another;
 - to assist in safeguarding the countryside from encroachment;
 - to preserve the setting and special character of historic towns; and
 - to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

The Green Belt performs all these purposes in Sevenoaks District.

- 2.3 The National Planning Policy Framework (Paragraph 87) sets out that inappropriate development in the Green Belt is, by definition, harmful to the Green Belt and should not be approved except in *Very Special Circumstances*. Inappropriate development in the Green Belt is harmful in principle, even if it is not visible from a public viewpoint.
- 2.4 Paragraph 89 states that a local planning authority should regard the construction of new buildings as inappropriate in Green Belt. Exceptions to this are:
- *buildings for agriculture and forestry;*
 - *provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it;*
 - *the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;*
 - *the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;*
 - *limited infilling in villages, and limited affordable housing for local community needs under policies set out in the Local Plan; or*

- *limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.*

2.5 Paragraph 90 states that certain other forms of development are also not inappropriate in Green Belt provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt. These are:

- *mineral extraction;*
- *engineering operations;*
- *local transport infrastructure which can demonstrate a requirement for a Green Belt location;*
- *the re-use of buildings provided that the buildings are of permanent and substantial construction; and*
- *development brought forward under a Community Right to Build Order.*

The Sevenoaks Local Development Framework

Sevenoaks District Core Strategy

2.6 The Core Strategy Development Plan Document (adopted February 2011) is the key strategic development plan document produced by Sevenoaks District Council.

2.7 The document sets out the strategic approach to the Green Belt and demonstrates that existing Green Belt boundaries should be maintained. The Core Strategy also states that Green Belt land is not required for the Council to meet development needs up until 2026. In line with the Core Strategy (Paragraph 4.1.17) the case for any small scale adjustments to cater for situations where land no longer contributes to the Green Belt is considered through the Allocations and Development Management Plan (ADMP).

Sevenoaks Local Plan Saved Policies

2.8 In considering extensions to residential properties in the Green Belt, proposals should meet the tests included in Saved Local Plan Policies H14A and H14B. When adopted, the ADMP policies referred to below will supersede these 'saved' policies.

Allocations and Development Management Plan

2.9 The ADMP sets out policies applying to development in the Green Belt:

| | |
|------------|---|
| POLICY GB1 | LIMITED EXTENSIONS TO DWELLINGS IN THE GREEN BELT |
| POLICY GB2 | BASEMENTS WITHIN RESIDENTIAL DEVELOPMENTS IN THE GREEN BELT |
| POLICY GB3 | RESIDENTIAL OUTBUILDINGS IN THE GREEN BELT |
| POLICY GB4 | REPLACEMENT DWELLINGS IN THE GREEN BELT |
| POLICY GB5 | DWELLINGS PERMITTED UNDER VERY SPECIAL CIRCUMSTANCES OR AS RURAL EXCEPTIONS |
| POLICY GB6 | SITING OF CARAVANS AND MOBILE HOMES IN THE GREEN BELT |
| POLICY GB7 | RE-USE OF NON RESIDENTIAL BUILDINGS WITHIN THE GREEN BELT |
| POLICY GB8 | LIMITED EXTENSIONS TO NON RESIDENTIAL BUILDINGS IN THE GREEN BELT |
| POLICY GB9 | REPLACEMENT OF A NON RESIDENTIAL BUILDING IN THE GREEN BELT |

2.10 Advice about how the District Council interprets the policies of the NPPF and the Local Development Framework is set out in the subsequent sections of this document.

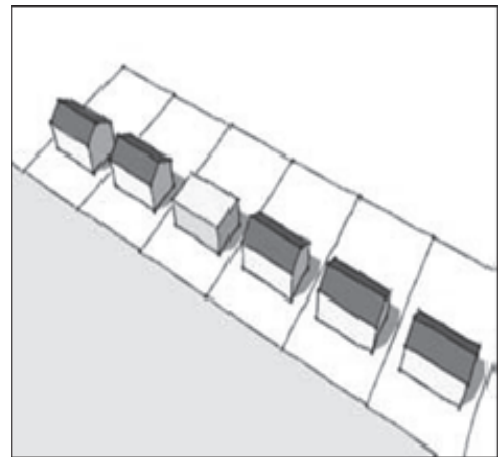
3 LIMITED RESIDENTIAL INFILL IN VILLAGES IN THE GREEN BELT

3.1 Development in rural settlements is covered by Core Strategy Policy LO7, which sets out that small scale redevelopment and infilling will be permitted in the Service Villages, which have defined Green Belt boundaries. Development in villages in the Green Belt is limited to small scale infilling only, due to the limited range of services and facilities in these settlements and the need to protect the openness of the Green Belt.

3.2 The National Planning Policy Framework (NPPF) states that limited infilling in villages is not inappropriate development in the Green Belt, provided it preserves the openness of the Green Belt.

3.3 The District Council defines limited infill development as the completion of an otherwise substantially built up frontage by the filling of a narrow gap normally capable of taking one or two dwellings only.

3.4 A substantially built up frontage is defined as an otherwise continuous and largely uninterrupted built frontage of several dwellings visible within the street scene.



Edge of settlements with Green Belt boundaries

3.5 For settlements where a Green Belt boundary has been defined, the boundary usually marks the edge of the settlement where there is a break in development or a change in character to more loose-knit development. Where this is the case, infill development beyond a defined settlement boundary would compromise the purposes of the Green Belt and would constitute inappropriate development.

3.6 Where a change of character is not apparent between the defined settlement and development within the adjoining Green Belt, there may be circumstances where infill development is appropriate in the Green Belt, provided the purposes of the Green Belt would not be compromised.

Villages washed over by the Green Belt

- 3.7 Sevenoaks District contains villages which are ‘washed over’ by the Green Belt. Some of these have substantially built up frontages whereas others are loose knit. There may be opportunities for limited infill development within parts of villages which have substantially built up frontages. Limited infilling will not be acceptable in low density areas, where gaps between dwellings form part of the character of the area and contribute to openness. Limited infilling is also not acceptable in isolated or loose-knit groups of dwellings, where there is a break between the dwellings and the continuous built-up frontage of the village in order to protect the openness of the Green Belt.

Openness of the Green Belt

- 3.8 The NPPF states that one of the essential characteristics of Green Belts is their openness. Infilling should not compromise the openness of the Green Belt. For this reason, infilling within loose knit development is unlikely to be appropriate.

4 CONVERSION OF BUILDINGS IN THE GREEN BELT

- 4.1 There is pressure in rural areas to convert existing farm buildings to residential or commercial use. The re-use of buildings in the Green Belt may be appropriate, providing there is no additional impact on the openness of the Green Belt.
- 4.2 In accordance with Core Strategy Policy SP 8 - Economic Development and Land for Business, the reuse of existing buildings for a commercial use that would make a positive contribution to rural economy is preferred to residential conversion in the Green Belt.
- 4.3 The conversion of buildings in the Green Belt will be supported providing the proposal meets the criteria contained in Policy GB7 of the ADMP, which states;

POLICY GB7 – RE-USE OF BUILDINGS WITHIN THE GREEN BELT

Proposals for the re-use of a building in the Green Belt, which would meet the following criteria will be permitted:

a) the proposed new use, along with any associated use of land surrounding the building, will not have a materially greater impact than the present use on the openness of the Green Belt or harm the existing character of the area; and

b) the applicant can demonstrate through a detailed structural survey and method statement that the buildings are of permanent and substantial construction and are capable of conversion without major or complete re-construction that would detract from their original character.

Where a proposal seeks the re-use of an agricultural building constructed within the last 10 years, it will be necessary for the applicant to demonstrate that there is no longer an agricultural need for the building, or that the building is no longer fit for its agricultural purpose.

Where it is accepted that there is no future agricultural need for the building, the Council will resist future proposals for new agricultural buildings, unless it is apparent that they are of a different type and nature than that previously identified as being surplus to requirements.

- 4.4 Conversion of buildings that require substantial rebuilding in order to make them suitable for re-use will not be permitted. As a starting point when determining whether a proposal constitutes substantial new rebuilding, the Council will wish to see at least 75% of the original structure maintained to protect its character. However, the Council

recognise that in some instances proposals may be able to protect the character of the existing building with a lesser proportion of the original structure being retained.

- 4.5 Further detailed guidance regarding information that should be submitted with a conversion application is included at **Appendix 1**.
- 4.6 To avoid increasing impact, conversions that involve disproportionate extensions will not be considered acceptable. Extensions to converted building may be controlled by the removal of Permitted Development Rights at the time of permission. Any proposals for extensions to converted buildings will be reviewed with particular attention to ensure that the proposals do not detract from the character of the original building.
- 4.7 There is concern that permitted development rights in respect of agricultural buildings should not be abused as a way of obtaining residential or non-agricultural businesses development in the countryside. The Local Planning Authority will examine the history of buildings recently erected under agricultural permitted development rights where these come forward with proposals for change of use. Where a proposal seeks the re-use of an agricultural building constructed within the last 10 years, the applicant should demonstrate that the building is no longer required for agricultural purposes.
- 4.8 Where the conversion of existing buildings would lead directly to a need for a replacement building and this could have a significant detrimental effect on the Green Belt, the Council will not generally permit the future construction of new agricultural buildings of the same type and nature and will consider the need to attach a condition to the permission removing permitted development rights for the erection of new buildings. The purpose of this control is to ensure that new agricultural buildings in the Green Belt are not permitted solely for the intention of subsequent conversion.

5 RESIDENTIAL EXTENSIONS AND REPLACEMENT DWELLINGS

- 5.1 The NPPF and ADMP policies allow additions and alterations to buildings in the Green Belt provided they do not result in disproportionate additions in relation to the original building.
- 5.2 This section relates solely to proposals for residential buildings and outlines the approach to determining whether a proposal is proportionate to the original building. Guidance on the policies for non residential buildings is included at Chapter 6.

What is the Original Dwelling?

- 5.3 In determining proposals for residential extensions or replacement dwellings in the Green Belt an assessment will be made against the impact of the 'original' existing development.
- 5.4 Establishing what the Council deems to be the 'original dwelling' depends on when the property in question was first built and whether it pre-dates the modern planning system. In many cases the 'original dwelling' will refer to the floorspace of the dwelling when it was first constructed.
- 5.5 However for older homes constructed prior to July 1st 1948, the 'original dwelling' refers to the floorspace of the dwelling as it was on this date, when the Town and Country Planning Act was first introduced.
- 5.6 In either case any additions that have occurred since the 'original' dwelling date will be considered cumulatively and will be counted as part of the overall increase in floorspace of the dwelling when new additions are being assessed. This is because small reductions in openness, repeated many times, can have a cumulatively detrimental effect.
- 5.7 The original dwelling relates solely to the main dwelling and does not include ancillary outbuildings, whether subsequent or original, more than 5m from the dwelling. Any

original outbuilding within 5m of the original dwelling may be included in the floorspace of the original dwelling.

- 5.8 Applications that seek the development of a former historic dwelling site, which has been demolished and the land returned to open use, will be resisted unless *Very Special Circumstances* have been demonstrated.

Approach to Considering Residential Proposals

- 5.9 Policy GB1 of the ADMP is the policy by which residential extensions in the Green Belt will be considered. The policy states that;

POLICY GB1 - LIMITED EXTENSIONS TO DWELLINGS IN THE GREEN BELT

Proposals to extend an existing dwelling within the Green Belt which would meet the following criteria will be permitted:

a) the existing dwelling is lawful and permanent in nature; and

b) the design is in keeping with the original form and appearance of the building and the proposed volume of the extension, taking into consideration any previous extensions, is proportional and subservient to the 'original' dwelling and does not materially harm the openness of the Green Belt through excessive scale, bulk or visual intrusion; and

If the proposal is considered acceptable when considered against criteria a) and b), the following criterion will then be assessed and must also be met for the proposal to be considered appropriate:

c) the applicant provides clear evidence that the total floorspace of the proposal, together with any previous extensions, alterations and outbuildings would not result in an increase of more than 50% above the floorspace of the "original" dwelling (measured externally).

Planning applications that include the conversion of loft space through the addition only of roof lights will be permitted and will not be subject to the floorspace allowance in criterion c), provided there is no increase in volume or bulk as result of the proposal. Proposals for loft conversions that include the addition of dormer windows or other alterations that create volume or bulk will be subject to criterion c).

- 5.10 Policy GB4 of the ADMP is the policy by which replacement dwellings in the Green Belt will be considered. The policy states that;

POLICY GB4 - REPLACEMENT DWELLINGS IN THE GREEN BELT

Proposals to replace an existing dwelling within the Green Belt which would meet the following criteria will be permitted:

- a) the existing dwelling is lawful and permanent in nature;*
- b) the design and volume proposed does not materially harm the openness of the Green Belt through excessive scale, bulk or visual intrusion;*
- c) the proposal adheres to the “original” dwelling curtilage; and*
- d) the applicant provides clear evidence that the total floorspace of the replacement dwelling, together with any retained extensions, alterations and outbuildings would not result in an increase of more than 50% above the floorspace of the “original” dwelling (measured externally).*

Construction of permanent dwellings as replacements for mobile homes or caravans will not be permitted.

Lawfulness and Permanence

- 5.11 Policies GB1 and GB4 adopt a sequential approach to considering proposals for extensions or replacement dwellings in the Green Belt.
- 5.12 Criterion a) for both policies requires that the existing dwelling is lawful and permanent in nature.
- 5.13 The term lawful means that planning permission was granted for the original construction of the dwelling, that the dwelling was constructed prior to the introduction of planning controls or that the dwelling was constructed unlawfully but a certificate of lawfulness has since been granted. An existing dwelling can also be lawful if created through an approved change of use or conversion.
- 5.14 Criterion a) also requires the dwelling to be permanent in nature. For the purpose of these policies permanent in nature means it must be built on permanent foundations with connections to water supply and electricity connections. Non permanent buildings such as summerhouses or portacabin buildings, even though they may have such infrastructure connections, do not constitute permanent buildings and are not considered to be entitled to rights to extend under Policies GB1 and GB4.

Consideration of Volume, Scale and Bulk

- 5.15 The volume, scale and bulk of an extension or replacement dwelling should not result in a large, bulky or intrusive building which would adversely impact on the character of the countryside or the openness of the Green Belt.
- 5.16 The impact of the development on the countryside is clearly greater if located in a highly visible location. However, the test of impact still applies even if there are limited or no public views of it as, if allowed, the argument could be repeated, with a potentially more serious cumulative impact on the openness of the Green Belt and the urbanisation of the countryside and for these reasons would be unacceptable. In some locations any extension or replacement dwelling may be inappropriate.
- 5.17 Where a development is acceptable in principle, its form should be well proportioned and present a satisfactory composition with the house. Rural buildings often have a simple form or may possess a visual symmetry which should not be significantly altered.

Floorspace Allowance

- 5.18 National and local policies allow for a limited extension or moderately increased replacement dwelling directly related to the original dwelling. The size of the original building rather than the size of the plot will be used in assessing the appropriate size increase that is likely to be acceptable.
- 5.19 As a general guide, an appropriately proportioned enlargement, for the purpose of dwellings in the Green Belt is considered to be a floorspace increase of no more than 50% of the original floorspace of the dwelling and does not constitute a 50% increase per planning application. This is consistent with the approach of the previous Local Plan, but Policies GB1 and GB4 now place greater emphasis on the scale, bulk or visual intrusion; impact on openness and any cumulative impact rather than the floor space figures defining what is acceptable under the policy.

-
- 5.20 Development proposals that increase the floorspace of the original dwelling by 50% are likely to be substantial in size, and most likely to increase the impact of the dwelling on the Green Belt.
- 5.21 Applicants should be aware that an addition may be considered ‘disproportionate’ or ‘materially larger’ as a result of unacceptable design even where it is below the 50% floorspace increase allowance, depending on the other individual circumstances of the site, and what type of development is proposed.

The conversion of loft space through the inclusion of roof lights

- 5.22 Whilst the 50% floorspace approach has been successful in principle, the Council acknowledges that the floorspace does not always fully reflect the impact of extensions or replacement dwellings on the size of the original building. Alterations to the roof can be made to a building that increase the floorspace without significantly affecting the size of the building. For example the use of loft space that includes roof lights can create extra accommodation in the roof space without any significant harm in terms of height and bulk, and consequently without any significant impact on openness. Consequently, planning applications that include the conversion of loft space through the addition only of roof lights will not be subject to the floorspace allowance.

Residential Curtilage Restrictions for Replacement Dwellings

- 5.23 Proposals for replacement dwellings should not be materially larger than the original. To ensure replacement dwellings do not result in a significantly greater impact, Criterion c) of Policy GB4 restricts the replacement of dwellings to the originally defined residential curtilage to ensure the wider extent of the Green Belt is protected.

Basements

- 5.24 The introduction of basements to residential properties is covered in AMDP Policy GB2.

POLICY GB2 - BASEMENTS WITHIN RESIDENTIAL DEVELOPMENTS IN THE GREEN BELT

Proposals to extend or replace a dwelling in the Green Belt that includes the provision of a basement which would meet the following criteria will be permitted and will not be subject to the floorspace allowance as set out in Policies GB1 and GB4:

a) The basement would not exceed the footprint of the original dwelling (based on the footprint of the original building as at 1st July 1948 or, when it was first constructed, if this is later;

b)The basement would be situated entirely underground with no part of it visible at any point externally;

c)There would be no external windows, entrances or exits to the basement;

d)The extension or replacement dwelling would not be artificially raised above natural ground level to accommodate the extension; and

e)The elements of the proposal situated above ground would comply with Policy GB1 (extension) or GB4 (replacement dwellings) in all other respects;

For basement proposals that do not comply with the above, the floorspace of the basement shall be included within the calculation for the purpose of Policy GB1 or GB4.

5.25 The policy restricts basements to the footprint of the extension or replacement dwelling in order to ensure that only an acceptable level of accommodation is provided underground and that basement accommodation does not expand beyond the extent of the dwelling. For this reason basements will also be restricted to single storey underground.

5.26 The policy supports basements which would be situated entirely underground with no part of it visible at any point externally, no external windows, light-wells, entrances or exits should be provided and the extension or replacement dwelling should not be artificially raised above natural ground level to accommodate a basement. Compliance with these three criteria is essential if an applicant wishes to have the basement floor space excluded from the 50% floor space increase criterion. Where these criteria are not met the Council will include any floorspace created by the inclusion of a basement as counting towards the 50% allowable floorspace increase.

- 5.27 Where a basement is accepted as an exclusion to the 50% increase allowance, permitted development rights for further extensions may be removed to prevent unreasonably large sized dwellings (by controlling their scale and appearance) and to prevent any potential negative impact on the openness of the Green Belt.

Residential Outbuildings in the Green Belt

- 5.28 The ADMP recognises that permitted development rights exist for certain outbuildings and that many proposals will not require planning permission.
- 5.29 For those outbuildings which would need planning permission, Policy GB3 states:

POLICY GB3 - RESIDENTIAL OUTBUILDINGS IN THE GREEN BELT

Proposals for residential outbuildings, within the curtilage of an existing dwelling in the Green Belt, will be treated as an extension under Policy GB1 if the proposed outbuilding would be located within 5m of the existing dwelling.

Outbuildings located more than 5m from the existing dwelling will be permitted where the building, including the cumulative impact of other outbuildings and extension within the curtilage of the dwelling, would be ancillary to the main dwelling in terms of function and design and would not materially harm the openness of the Green Belt through excessive bulk or visual intrusion

- 5.30 Where planning permission is required for these structures in the Green Belt, and where the outbuildings are more than 5m from the existing dwelling, outbuildings will be permitted in addition to the allowance under Policies GB1 or GB4 if the design and cumulative impact would not materially harm the openness of the Green Belt through excessive bulk or visual intrusion. The outbuilding should be well designed in relation to the dwelling, compatible with the character of the area and designed and sited to minimise visual intrusion. In order to minimise the impact of outbuildings on the openness of the Green Belt, the Council will seek to restrict any outbuildings to a limit of 40sqm (measured externally).
- 5.31 Clusters of buildings would have a more intrusive impact on Green Belt openness and therefore proposals for residential outbuildings will be treated as an extension under Policy GB1, or as part of the replacement dwelling under Policy GB4, if the proposed outbuilding would be located within 5m of the existing dwelling.

- 5.32 The Council will seek to ensure that such proposals do not dominate the main dwelling or its setting. Their scale should not exceed what might reasonably be expected for the function of the building. Garages and outbuildings for domestic purposes should not normally need to exceed a single storey in height or have excessive volume. Such buildings should be clearly ancillary to the main dwelling in terms of function and design.
- 5.33 Whether planning permission is required or not, the design of outbuildings should not impact detrimentally on the space surrounding buildings and must be limited in scale.
- 5.34 Outbuildings should not compete with the main house. Often secondary buildings were traditionally erected with a simplicity of design. This may be used to good effect to reinforce the distinction between the original building and the secondary building. The form of garages and outbuildings (including roof pitches) and architectural features should be in keeping with the existing and surrounding properties.
- 5.35 Where permission is granted for an outbuilding, a suitably worded condition may be imposed, or legal agreement required, to ensure that outbuildings are retained for purposes ancillary to the main dwelling and to prevent their conversion without the approval of planning permission. Consideration will also be given to the need to remove permitted development rights.

Dwellings Permitted Under *Very Special Circumstances* or As Rural Exceptions

- 5.36 The NPPF provides opportunity for applicants to pursue development in the Green Belt based on a *Very Special Circumstances* case if proposals are contrary to national and local Green Belt policy. Where developments are or have been allowed under *Very Special Circumstances* they have been permitted in instances where development would not usually have been allowed, and it is reasonable that further extensions or a replacement dwelling that would impact on the openness should be resisted. Policy GB5 of the ADMP therefore removes permitted development rights for developments allowed under *Very Special Circumstances* and will refuse future proposals for extensions and outbuildings that impact on Green Belt openness in any way. Consequently Policies GB1, GB2, GB3 and GB4 will not apply to dwellings permitted

under Very Special Circumstances or as rural exception (local needs) affordable housing schemes.

5.37 Similarly, the NPPF allows the construction of agricultural workers dwellings in the countryside, where there is an ‘essential need for a rural worker to live permanently at or near their place of work in the countryside’. As above, the Council will remove permitted development rights and refusal future proposals for extensions and outbuildings that impact on Green Belt openness.

5.38 Policy GB5 states:

POLICY GB5 - DWELLINGS PERMITTED UNDER VERY SPECIAL CIRCUMSTANCES OR AS RURAL EXCEPTIONS

Where new dwellings are permitted in the Green Belt on grounds of very special circumstances or as part of a rural exception scheme, the Council will remove permitted development rights for extensions and outbuildings to prevent future additions that cumulatively impact upon the openness of the Green Belt.

Applications to extend dwellings or erect or extend outbuildings to dwellings that have or are permitted on grounds of very special circumstances or as part of a rural exception scheme will not be permitted.

5.39 A worked example of how the Council will consider planning applications against Policy GB1 and GB2 is included at Appendix 2, whilst an example against Policy GB4 is included at Appendix 3.

6 NON RESIDENTIAL EXTENSIONS, REPLACEMENT BUILDINGS AND REDEVELOPMENTS

- 6.1 Commercial buildings vary widely in form, size and function and a general floorspace increase allowance would not be appropriate or workable for the extension or replacement of non residential buildings.
- 6.2 Instead, the Council will adopt a design based approach to assess proposals against the impact that they would have on Green Belt openness, as detailed within this chapter.

Approach to Considering Non Residential Extensions and Single Replacement Buildings

- 6.3 Policy GB8 of the ADMP sets out how the Council will consider extensions to non residential buildings in the Green Belt. It states that:

POLICY GB8 - LIMITED EXTENSIONS TO NON-RESIDENTIAL BUILDINGS IN THE GREEN BELT

Proposals to extend an existing non-residential building within the Green Belt which would meet the following criteria will be permitted:

- a) the existing building is lawful and permanent in nature; and*
- b) the design and volume of the proposed extension, taking into consideration the cumulative impact of any previous extensions, would be proportional and subservient to the 'original' building and would not materially harm the openness of the Green Belt through excessive scale, bulk or visual intrusion.*

- 6.4 Policy GB9 of the ADMP sets out how the Council will consider non residential replacement buildings in the Green Belt. It states that:

POLICY GB9 – REPLACEMENT OF A NON-RESIDENTIAL BUILDING IN THE GREEN BELT *Proposals to replace an existing non-residential building within the Green Belt which would meet the following criteria will be permitted:*

- a) the existing building is lawful and permanent in nature;*
- b) the design and volume of the proposed replacement building would not be not materially larger than the 'original' building and would not materially harm the openness of the Green Belt through excessive scale, bulk or visual intrusion; and*
- c) the replacement building would be within the same use as the building to be demolished.*

Lawfulness and Permanence

- 6.5 Policies GB8 and GB9 adopt a sequential approach to considering proposals for extensions or replacement of non residential buildings in the Green Belt.
- 6.6 Criterion a) for both policies requires that the existing dwelling is lawful and permanent in nature.
- 6.7 The term lawful means that planning permission was granted for the original construction of the building, that the building was constructed prior to the introduction of planning controls or that the building was constructed unlawfully but a certificate of lawfulness has since been granted.
- 6.8 Criterion a) also requires the building to be permanent in nature. For the purpose of these policies, permanent in nature means it must be built on permanent solid foundations. Portacabins, caravans and mobile homes are not considered to be permanent buildings and are not considered to be entitled to rights to extend or be replaced under Policies GB8 or GB9.

Consideration of Volume, Scale and Bulk

- 6.9 The volume, scale and bulk of an extension or replacement building should not result in a large, bulky or intrusive building which would adversely impact on the character of the countryside or the openness of the Green Belt.
- 6.10 The impact of the development on the countryside is clearly greater if located in a highly visible location. However, the test of impact still applies even if there are limited or no public views of it as, if allowed, the argument could be repeated, with a potentially more serious cumulative impact on the openness of the Green Belt and the urbanisation of the countryside and for these reasons would be unacceptable. In some locations any extension or replacement building may be inappropriate.

- 6.11 Where a development is acceptable in principle, its form should be well proportioned and present a satisfactory composition with the building. Rural buildings often have a simple form or may possess a visual symmetry which should not be significantly altered.

Future Use of a Replacement Building

- 6.12 In order to comply with National Planning Guidance, criterion c) of Policy GB9 requires that the replacement building would be within the same use as the building to be demolished.

Brownfield Site Redevelopment

- 6.13 Sevenoaks District has a number of historic brownfield developed sites within the Green Belt, including sites identified as Major Developed Sites in the Green Belt in the Core Strategy.

- 6.14 Paragraph 89 (Bullet 6) of the NPPF states that;

'limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development'.

- 6.15 In line with the NPPF the Council will consider redevelopment proposals of brownfield sites based on whether they would have a greater impact on the openness of the Green Belt. The Council will consider the impact of proposals on a case by case basis and the unique circumstances of the site. However, the Council would generally expect redevelopment proposals to:

(a) have no greater impact than the existing development on the openness of the Green Belt and the purposes of including land in it, and where possible have less;
(b) not exceed the height of the existing buildings; and
(c) not occupy a larger area of the site than the existing buildings.

- 6.16 The most relevant area for the purpose of (c) is the aggregate ground floor area of the existing buildings (the "footprint"), excluding temporary buildings, open spaces with direct external access between wings of a building, and areas of hardstanding. However the Council will consider alternative approaches to determining impact where there is justification to do so.

- 6.17 The character and dispersal of proposed redevelopment will need to be considered as well as its footprint. For example many houses may together have a much smaller footprint than a few large buildings, but may be unacceptable because their dispersal over a large part of the site and enclosed gardens may have an adverse impact on the character of the Green Belt
- 6.18 Proposals for protected employment sites and designated Major Developed Employment Sites in the Green Belt will also be subject to relevant policies contained in the ADMP and the Core Strategy, including Policy SP8 that seeks to protect existing employment sites.

7 AGRICULTURE AND FORESTRY

- 7.1 New buildings that are demonstrably essential for agriculture or forestry purposes are considered to be appropriate development in the Green Belt.
- 7.2 Where possible these buildings should normally form part of a group, rather than stand in isolation and should relate to existing buildings in size and materials. However, where new buildings of modern design are proposed, they may be best separated from a group of traditional buildings to avoid visual conflict.
- 7.3 Where it is at an acceptable distance, the site selected should be close to an existing highway in order to avoid long obtrusive driveways. The development should respond well to landscape features such as woodland or hedgerows and not harm views of the skyline.
- 7.4 Applicants should include arrangements for siting, access, curtilage, boundary treatment, materials and landscaping in their plan proposals.
- 7.5 Although many agricultural and forestry related proposals may benefit from permitted development rights, the Council may request details of siting, design and external appearance to be submitted prior to approval for works to commence.

Agricultural and Forestry Workers Accommodation

- 7.6 Applications for agricultural or forestry workers dwellings are excluded from permitted development and therefore always require full planning permission in addition to fulfilling relevant functional and financial tests of their business.
- 7.7 If the proposal is to enable an agricultural or forestry worker to live at, or in the immediate vicinity of, their place of work on a temporary or permanent basis, as part of their planning application, applicants should demonstrate that they have first examined the possibility of providing the accommodation by alternative means other than locating it on the land.

- 7.8 Where workers accommodation cannot be provided in the local area or by conversion of an existing building on site, there will be a requirement to provide evidence in support of both financial and functional tests. For permanent accommodation, the Council will need to be satisfied that there is a long term need for such accommodation.
- 7.9 Workers accommodation should be sited close to existing farm buildings wherever possible. An occupancy condition tying the accommodation to the employment use will be applied as a matter of course. Permitted development rights from the proposed new buildings are likely to be removed, in order to safeguard the openness of the Green Belt from further development.

8 LEISURE, TOURISM AND EQUESTRIAN DEVELOPMENT

Leisure Proposals

- 8.1 Sevenoaks District has a wide range of natural and cultural attractions throughout the area. They form the basis of the tourism industry that is vital to the local economy.
- 8.2 The Core Strategy has an objective to safeguard existing open spaces, sport and recreational facilities that meet community needs and improve provision where necessary.
- 8.3 The erection of new buildings for the purpose of leisure or tourism would be considered to be inappropriate development in the Green Belt unless it would provide essential facilities for outdoor sport and recreation that preserve the openness of the Green Belt and do not conflict with its overall purpose. Where this would not apply, *Very Special Circumstances* must be demonstrated for any proposals for tourism.
- 8.4 The Council will encourage the conversion, extension or replacement of buildings into tourism facilities providing the proposal complies fully with respective Policies GB7, GB8 and GB9 of the ADMP. Any proposal for should also comply with the other relevant generic policies set out in the ADMP.

Equestrian Development

- 8.5 The Core Strategy identifies horse riding as a significant recreational activity in rural areas of Sevenoaks District, which offers benefits to local communities.
- 8.6 Horse and other equestrian-related activities are popular forms of recreation in the countryside that can fit in well with farming activities, and help diversify the rural economy.
- 8.7 The Council will support equine enterprises in the Green Belt that maintain environmental quality and countryside character.
- 8.8 Policy LT2 of the ADMP covers Equestrian Development in the Green Belt and states:

Proposals for equestrian development in the Green Belt will be permitted where the scale of the development is appropriate to a Green Belt setting, and where the cumulative impact of other buildings, does not harm the openness of the Green Belt. Where stables or associated equestrian buildings are proposed they should be designed and constructed in materials appropriate to a rural area and should not be of a size and degree of permanence that they could be adapted for other use in the future.

Buildings would be appropriate in scale to their setting and would be closely related to existing farm buildings or other groups of buildings that are well screened from public view;

- 8.9 Any proposal for equestrian development should also comply with the other relevant generic policies set out in the ADMP and the Green Belt design guidance contained within this document.

9 CHANGE OF USE OF GREEN BELT LAND

9.1 Permission is required if a proposal would result in the change of use of land. The use of land can by its very nature have a greater impact on the openness of the Green Belt than the current authorised use, for example the use of land as a car-park or domestic garden and therefore impact would need to be assessed. A common change of use in the Green Belt is from an agricultural use to a garden / curtilage extension or recreational use such as horse riding. The following section explains how change of use applications will be considered.

Garden / Curtilage Extensions

9.2 Owners of homes in the Green Belt sometimes want to extend their garden, or 'curtilage', into the surrounding countryside. These types of extensions are considered to be a change of use and can detrimentally impact on the openness of the Green Belt. This process can be cumulative and over time can lead to suburbanisation and urban sprawl.

9.3 For these reasons, the Council consider garden and curtilage extensions in the Green Belt to be inappropriate development which will not be permitted.

Recreation

9.4 Use of land in the Green Belt can provide opportunities for outdoor recreation and outdoor sporting activities near urban areas. Provision may be made for structures related to outdoor recreation as long as they are considered to be appropriate.

9.5 Where outdoor recreation activities are acceptable in principle, they may still result in unacceptable adverse impacts. The landscape character and the visual amenity of the countryside may be affected as well as other possible impacts from noise, traffic generation, car parking, lighting, and disruption to residential amenity.

- 9.6 New buildings should be limited to facilities that are the minimum essential for the operation of the associated activity, for example small changing rooms. 'Appropriate Facilities' means that they are genuinely required for uses of land that preserve the openness of the Green Belt and do not conflict with the purposes of the Green Belt.
- 9.7 The erection of horse related structures such as stables, fences, and jumps can fall within the definition of appropriate Green Belt development provided that they are small in scale. Such developments may not require the benefit of planning permission subject to certain criteria being met, providing the use of the land is authorised for the keeping of horses.

10 DESIGN GUIDANCE

10.1 The following considerations are applicable to all development in the Green Belt, unless otherwise stated. These issues should be considered thoroughly by the applicant when preparing any proposal and Design and Access statement within the Green Belt.

Siting

10.2 Careful consideration should be given to the impact of the proposal when viewed from locations in both the immediate vicinity and the wider countryside. The view of the proposal from main roads, public footpaths and settlements will be given significant weight when assessing planning applications.

10.3 Applicants should give careful consideration to the siting of proposed buildings.

10.4 Buildings located on the crest of a hill are visually intrusive. If such a location is unavoidable, special consideration will be necessary to minimize the impact.

10.5 On sloping sites it is normally best to align a building parallel with the contours and use cut and fill as opposed to underbuilding. If different floor levels are practicable, the building should be stepped down the slope.

10.6 Existing trees and hedgerows should be retained and new buildings should respect the existing field boundary pattern.

Form

10.7 Where an extension is acceptable in principle, its form should be well proportioned and present a satisfactory composition with the original building. Rural buildings often have a simple form or may possess a visual symmetry which should not be significantly altered.

10.8 Extensions should not overwhelm or destroy the original form of the building, but should appear secondary to it. The scale of an extension should fit unobtrusively with the building and its setting. An extension which infills a void between existing parts of a

building, such as a space in an 'L' shaped house, may be less obtrusive and could reduce impact on the openness of the Green Belt.

- 10.9 Roof shape is critical to creating a successful built form. The pitch of extension roofs should be as, or similar to, the main house roof pitch. It should be noted that a flat roof extension in the countryside designed in order to reduce the bulk of the proposal is unlikely to be acceptable in appearance. The pitch of replacement dwelling roofs should be as, or similar to, the original house roof pitch to reflect the character of the original dwelling and surrounding area. Roof shape also determines the rate at which run-off enters the drainage system in periods of intense rainfall and this should be taken into consideration.
- 10.10 Particular account will be taken of the cumulative impact of extensions, including the effect on the character of the original property. Repeated extensions to properties impact significantly on the original form and can have a cumulatively detrimental effect.

Landscape Features and Setting

- 10.11 The landscape is very important to the openness and amenity of the Green Belt. All applications for development in the Green Belt will be required to demonstrate how they protect the openness and amenity of the Green Belt, through careful siting, form and the design of buildings and all external areas, landscape works and planting. Further information on the landscape character of the area in which the proposed development is located can be found in the Sevenoaks District Countryside Character Assessment SPD.
- 10.12 Consideration must be given to the best way of integrating a new building with its immediate surroundings and landscape.
- 10.13 Existing trees, shelterbelts and other biodiversity features (e.g. ponds, unimproved grassland, etc) should be retained, and where appropriate enhanced.
- 10.14 Wherever possible, native trees should be used for new planted areas, rather than fast growing conifer hedges. Any new planting should be first agreed with the Council. Any

areas proposed for new planting should take account of any plans for future development.

10.15 Sustainable drainage systems should be included as part of on site green infrastructure to reduce the risk of surface water flooding. Any systems should have appropriate management arrangements. Planting assists in water retention and amelioration of any flooding issues.

10.16 Waste material and redundant machinery should be removed, as should obsolete buildings except where those constructed in the local style and are worth retaining.

10.17 Consideration should be given to how hard-surfaced areas will link together and where resurfacing is needed, use materials that are in-keeping with the surrounding area. Non-porous surfaces that aggravate water run-off should be avoided where feasible.

Materials

10.18 Materials should be sympathetic with the location, minimising visual impact. Applicants should take into consideration any local vernacular when selecting materials and colours for their building.

10.19 The use of dark colours for window and door frames, guttering and other such elements is often preferable to lighter colours but this will also depend on the materials used within the building fabric. The use of overly bright colours should generally be avoided.

10.20 In relation to agricultural buildings, with a wide range of cladding materials and colours available, applicants should consider using materials and colours that have been used on similar buildings, if located within a farm complex. There should be an emphasis on materials and colours that have the least visual impact on the surrounding area.

11 VERY SPECIAL CIRCUMSTANCES

- 11.1 There are some situations that may allow certain developments to take place in the Green Belt, which under any other circumstances would not be allowed. These are known as '*Very Special Circumstances*' and if proven, are treated as a departure from the Development Plan.
- 11.2 When attempting to prove *Very Special Circumstances* the onus is on the applicant to prove that the exceptional nature of the proposal outweighs the harm that it would cause to the Green Belt.
- 11.3 Circumstances that are accepted as being "very special" are very rare, but will usually involve a specific judgement being made that no other option is available in light of the unique circumstances and individual case. These circumstances are not common and are unique 'one-offs' that are rarely likely to be repeatable.
- 11.4 If a proposal is against Green Belt policy it would therefore be inappropriate development. In such circumstances an application may still be submitted, however the Council would have to judge there to be *Very Special Circumstances* for it to be permitted.
- 11.5 Each '*Very Special Circumstances*' argument will be judged on its own unique set of circumstances. Any accepted case would not necessarily result in a precedent for similar arguments on the same or alternative sites.

'Departures' from the Local Plan

- 11.6 If the Council receives an application considered to be inappropriate development in the Green Belt, yet considers approving it, the decision is considered to be a departure from the Development Plan. The Council may need to send the planning application to the Secretary of State giving them the opportunity to 'call it in' to make their own determination.
- 11.7 This process ensures that the Secretary of State has the opportunity to consider whether to call-in the more significant and potentially most harmful proposals for

inappropriate development, thereby helping to strengthen planning controls in the Green Belt.

11.8 Applications will be referred to the Secretary of State if:

- the Council does not plan to refuse the application; and
- the application is considered to be inappropriate development in the Green Belt and involves either:
 - a) the construction of a building or buildings with a floor space of more than 1,000 square metres; or
 - b) any other development that, by reason of its scale or nature or location, would have a significant impact on the openness of the Green Belt.

GLOSSARY

Explanation of some planning terms commonly used:

Amenity - positive element that contributes to the overall character or enjoyment of an area.

Cumulative Impact - A number of developments in a locality or a continuous activity over time that together may have an increased impact on the environment, local community or economy.

Curtilage - The enclosed area immediately surrounding a house or dwelling.

Departure - A proposed development that is not in accordance with the Development Plan, but for which the local planning authority proposes to grant planning permission.

Development Management/Control - The process whereby a local planning authority receives and considers the merits of a planning application and whether it should be given permission.

Development Plan Documents (DPD): The documents that a local planning authority must prepare (To make up its LDF/Local Plan), and which have to be subject to rigorous procedures of community involvement, consultation and independent examination. Should include the following elements

- Core strategy
- Site specific allocations of land
- Area action plans (where needed); and
- Proposals map (with inset maps, where necessary).

Dwelling - A self-contained building or part of a building used as a residential accommodation, usually housing a single household.

Green Belt - A designation for land around certain cities and large built-up areas, which aims to keep this land permanently open or largely undeveloped.

Infill Development - The completion of an otherwise substantially built-up frontage, by the filling of a small gap capable of taking one or two dwellings, or the small scale redevelopment of existing properties within such a frontage

Development Plan - This includes adopted Local Plans, neighbourhood plans and the London Plan, and is defined in section 38 of the Planning and Compulsory Purchase Act 2004. (Regional strategies remain part of the development plan until they are abolished by Order using powers taken in the Localism Act. It is the government's clear policy intention to revoke the regional strategies outside of London, subject to the outcome of the environmental assessments that are currently being undertaken.)

Local Plan (Formerly Local Development Framework) - The plan for the future development of the local area, drawn up by the local planning authority in consultation with the community. In law this is described as the development plan documents adopted under the Planning and Compulsory Purchase Act 2004. Current core strategies or other planning policies, which under the regulations would be considered to be development plan documents, form part of the Local Plan. The term includes old policies which have been saved under the 2004 Act.

Local Planning Authority - The authority entitled to make a particular planning decision. Sevenoaks District Council determine all planning applications in their administrative area.

National Planning Policy Framework - Produced by the Government in March 2012 to guide Local Authorities when they are producing their Local Plans and determining planning applications. The NPPF replaced most of the guidance previously contained in Planning Policy Guidance Notes and Policy Statements (PPGs/PPSs).

Planning Permission - Permission to carry out development issued by a local planning authority.

Rural Exception Sites - Small sites used for affordable housing in perpetuity where sites would not normally be used for housing. Rural exception sites seek to address the needs of the local community by accommodating households who are either current residents or have an existing family or employment connection. Small numbers of market homes may be allowed at the local authority's discretion, for example where essential to enable the delivery of affordable units without grant funding.

Supplementary Planning Documents - Documents which add further detail to the policies in the Local Plan. They can be used to provide further guidance for development on specific sites, or on particular issues, such as design. Supplementary planning documents are capable of being a material consideration in planning decisions but are not part of the development plan.

Urban Sprawl - The uncontrolled or unplanned extension of urban areas into the countryside.

Very Special Circumstances (VSC's) - unique and rare situations that may allow certain developments to take place in the Green Belt, which under any other circumstances would not be allowed. If proven, VSC's are treated as a departure from the Development Plan.

Washed Over - If a village is 'washed over', it is treated as being part of the Green Belt and the Green Belt policies apply to any development in the village.

APPENDIX 1 – CONVERSION GUIDANCE

For any proposed conversion the Council needs to be satisfied that:

- A building is structurally sound at the time the application is submitted.
- That it is capable of being converted without significant re-building, and
- Can remain standing as existing throughout the construction process.

Minimum information required:

- A structural survey of the existing building, to include an internal inspection.
- Attached to the survey should be plans and elevations of the existing building highlighted to show any remedial work such as under-pinning or replacement roof timbers that would be required and to show any areas that would or may need re-building, even if this is only localised, such as demolition of the wall under a window to make it a door. Clarify whether the roofing material and structure is to be removed and replaced.
- Where there are concerns about the stability or amount of re-building proposed, this should be clarified or the application refused due to lack of information to confirm whether the building is capable of conversion.
- A method statement should set out how you intend to keep the building standing and stable in its current state throughout the construction process. They may need to refer to how vulnerable walls will be protected when new openings are formed or when there is under-pinning. If the existing structure is not going to be load bearing, will it be strong and stable enough to remain standing whilst the new structure / foundations are built around it. Identify which parts of the existing structure and materials will remain, be repaired or replaced.

Typical Brief for Structural Survey

Outline: The survey should include:

- The inspection of visible, exposed and accessible parts of the fabric of the building.
- Refer to building services, drainage, outbuildings as well as the load bearing structure and general fabric of the building.
- Details of all defects or potential defects.
- If the survey indicates that the condition of the building's structure or the potential for future movement or deterioration cannot be accurately predicted, this should be stated.

Detailed requirements to consider:

- Are the walls, roof and any other load bearing elements adequate on their own and in their current condition to allow for the conversion of the building for the purpose intended? If not, what remedial work is required e.g. repairs, replacements of some parts, a new roof structure, an independent internal load bearing structure.
- Confirm whether there are any existing foundations and if so, whether they are adequate to allow for the conversion of the building for the purpose intended.
- If new foundations are required in whole or part or the existing foundations need to be re-enforced, comment on the impact this may have on the existing structure. For example, could such work affect the stability of a wall?
- Do any parts of the structure require work to guarantee structural stability?
- Is the structural stability of the building sufficient to be maintained whilst work is undertaken to convert the building for the purpose intended?
- A defects drawing and report is required.

- A drawing and report to confirm the extent of remedial works is required.

When considering the structure and whether it is adequate for the purpose intended, consideration should be given to the requirements of the Building Regulations.

Please note that for conversion of buildings in the Green Belt the Council needs to be satisfied that any conversion can be carried out without the need for significant rebuilding and without additions. The survey should need to bear this in mind.

APPENDIX 2 – PRACTICAL EXAMPLE OF HOW THE COUNCIL WILL DETERMINE AN APPLICATION AGAINST POLICIES GB1 AND GB3: LIMITED EXTENSIONS OR OUTBUILDINGS TO EXISTING DWELLINGS IN THE GREEN BELT

The Council will require full floorspace and elevation drawings of the existing and proposed dwelling, clearly indicating, if applicable, the extent of any previous extensions in order to calculate the floorspace. Failure to submit such drawings may make the application invalid.

The Council will also require a breakdown of the applicant's floor space figures detailing how the proposals comply with the details of the policy.

Upon receipt of a valid planning application, the Council will assess an application based on the following steps;

Step 1: The Council will determine whether the existing dwelling is lawful and permanent in nature.

Step: 2: The case officer will visit the site and determine whether the design and proposed volume of the extension, taking into consideration any previous extensions, is proportional and subservient to the 'original' dwelling and would not materially harm the openness of the Green Belt through excessive bulk or visual intrusion.

If the proposal is considered acceptable when considered against steps 1 and 2, the council will review the floorspace figures as detailed below.

Step 3: The Council will determine what they believe to be the floorspace of the original dwelling (A).

Step 4: The Council will determine the total floorspace that the proposed extension or alteration seeks to add (B)

Step 5: The Council will determine the floorspace of any previous extensions or alterations (C).

Step 6: Calculation

If the floorspace of the dwelling as proposed, plus the floorspace of any previous extensions are equal or less than the total floorspace of the original dwelling plus 50% increase, then the proposal will be considered to comply with criterion c) of the policy.

If it is greater than an 50% floorspace increase, the Council will consider the proposal a disproportionate addition contrary to the policy unless 'Very Special Circumstances' apply or unless a case has been submitted under policy H6 that justifies the additional floor space.

APPENDIX 3 - HOW THE COUNCIL WILL DETERMINE AN APPLICATION AGAINST POLICY GB4: REPLACEMENT DWELLINGS IN THE GREEN BELT

The Council will require full floorspace and elevation drawings of the existing and proposed dwelling, clearly indicating, if applicable, the extent of any previous extensions in order to calculate the original floorspace. Failure to submit such drawings may make the application invalid.

The Council will also require a breakdown of the applicant's floorspace figures detailing how the proposals comply with the details of the policy.

Upon receipt of a valid planning application, the Council will assess an application based on the following steps;

Step 1: The Council will determine whether the existing dwelling is lawful and permanent in nature;

Step: 2: The case officer will visit the site and determine whether the design and proposed volume of the replacement dwelling would materially harm the openness of the Green Belt through excessive bulk or visual intrusion.

Step 3: The Council will ensure that the curtilage of the proposed replacement dwelling adheres to that of the original dwelling.

If the proposal is considered acceptable when considered against steps 1, 2 and 3 the council will review the floorspace figures as detailed below.

Step 4: The Council will determine what they believe to be the floorspace of the original dwelling (A).

Step 5: The Council will determine the total floorspace of the replacement dwelling (B)

Step 6: The Council will determine the floorspace of any retained extensions, alterations or outbuildings (C).

Step 7: Calculation

If the floorspace of the replacement dwelling, plus the floorspace of any retained extensions, alterations or outbuildings are equal or less than the total floorspace of the original dwelling plus 50% increase, then the proposal will be considered to comply with criterion d)

If it is greater than an 50% floorspace increase, the Council will consider the proposal a disproportionate addition contrary to the policy unless 'Very Special Circumstances' apply or unless a case has been submitted under policy H6 that justifies the additional floor space.

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COMMUNITY INFRASTRUCTURE LEVY – DRAFT CHARGING SCHEDULE

Cabinet – 7 February 2013

Report of the: Deputy Chief Executive and Community and Planning Services Director

Status: For Consideration

Also considered by: Environment Select Committee – 15 January 2013

LDF Advisory Group – 31 January 2013

Council – 19 February 2013

Key Decision: No

Executive Summary: The Community Infrastructure Levy (CIL) is a new mechanism for securing contributions from developers towards the provision of infrastructure that is required to support development. In order to begin charging CIL, SDC must prepare a Charging Schedule, which will set out what developers will need to pay in £ per sq m of new buildings and any variations by area or type of development. Following consultation between June and August 2012, responses to the consultation have been reviewed and additional work on the evidence base has been undertaken.

A Draft Charging Schedule (Appendix A) has been prepared and it is proposed that this is put to full Council to agree in February 2013. It is recommended that the proposed residential charges remain at £75/m² and £125/m², based on the same charge areas previously consulted on. Proposed charges for supermarkets and retail warehouses continue to be at £125/m² but on the basis of additional viability evidence it is proposed that other retail uses are not charged CIL. If agreed, the Draft Charging Schedule would be published for interested parties to comment on and would then be submitted for independent examination. If found sound, it is likely that the Council would be in a position to adopt the Charging Schedule in late 2013 / early 2014.

This report supports the key aims of a green environment and safe and caring communities of the Community Plan

Portfolio Holder Cllr. Mrs Jill Davison

Head of Service Group Manager Planning – Alan Dyer

Recommendation to Cabinet that it endorses the following recommendation to Full Council:

- (a) That the Community Infrastructure Levy Draft Charging Schedule is agreed for publication and submission for independent examination.

Agenda Item 10

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- (b) That the Portfolio Holder is authorised to agree minor presentational changes and detailed amendments to the Charging Schedule to assist the clarity of the document.
 - (c) That the consultation document is published on the Council's website and made available to purchase in hard copy at a price to be agreed by the Portfolio Holder.
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Reason for recommendation:

To ensure that the Council is able to progress the CIL Charging Schedule in accordance with the Local Development Scheme and to continue to secure developer contributions for infrastructure.

Introduction

- 1 The Community Infrastructure Levy (CIL) is a new mechanism for securing contributions from developers towards the provision of infrastructure that is required to support development. In order to begin charging CIL, SDC must prepare a Charging Schedule, which will set out what developers will need to pay in £ per sq m of new buildings. Charges can be varied by area or type of development.
- 2 The Council consulted on a Preliminary Draft Charging Schedule between June and August 2012. Following this consultation, the Council has prepared and commissioned further evidence and considered the representations made during the consultation. As a result, some amendments have been made to the Draft Charging Schedule. If approved by Members, the Draft Charging Schedule would be published and submitted for examination. If found sound by an independent examiner, the Charging Schedule could be adopted by Sevenoaks District Council and CIL could be levied on developments granted planning permission after the charge comes into force.

Summary of Previous Consultation (Preliminary Draft Charging Schedule)

Previously Proposed Charges

- 3 The Preliminary Draft Charging Schedule consultation document set out an initial proposal for the level that CIL could be set at. For residential development, these were £125/m² in some parts of the District and £75/m² in others (see Appendix A for the proposed areas). Retail was the only other form of development proposed to have a CIL charge levied on it. It was proposed that convenience stores of 280 sq m or more and retail warehouses would be charged £125/m² and all other retail development (in all A class uses) would be charged £50/m².
- 4 These proposed charges were based on engagement with infrastructure providers and a CIL Viability Assessment, which, amongst other things, considered standard build costs, percentages of developers' profits, the impacts of the Council's affordable housing and sustainable construction policies and land values.

- 5 A nil charge was proposed for some uses, including offices, warehousing, hotels, residential care homes and agricultural buildings, because the Viability Assessment concluded that the development of units in those uses would be at a significant risk of not being viable if a CIL charge was to be levied.

Estimated Receipts

- 6 It was noted that the receipts that are generated by CIL are dependent on a number of factors, including:
- The amount of development that comes forward and where it occurs;
 - The amount of affordable housing (which is offered 100% relief from CIL) that is secured on development sites;
 - The size of dwellings built; and
 - The floorspace of existing buildings on development sites that have recently been in use (for 6 of the previous 12 months) as this is subtracted from the new floorspace to be developed when CIL is calculated.
- 7 As a very rough estimate, it was predicted that SDC may receive approximately £5-6 million over the period 2014 to 2026 (not adjusted for inflation). This does not take account of the percentages to be paid to town and parish councils.

Infrastructure Requirements

- 8 A funding gap of approximately £24,000,000, before CIL receipts were taken into account, was identified against the cost of delivering infrastructure considered to be required by infrastructure providers. This included a scheme of approximately £13,000,000 for flood defence works in Edenbridge, proposed increases in primary and secondary school capacity in Sevenoaks District, transport schemes and leisure and community schemes proposed by SDC colleagues. The consultation document was clear that the list of schemes to be funded through CIL was purely indicative and stated that the Council did not have to definitively identify what CIL would be used to fund throughout the plan period in advance. This remains the case.

Representations on the Preliminary Draft Charging Schedule

- 9 The following key points were raised during the consultation between June and August 2012:
- Some respondents objected to the proposal to charge £75/m² in some areas and £125/m² in others. This included some developers, who considered that the charge should be set at the lower level, and parish councils. Additionally, some parish councils suggested that different charging levels should be set at a more fine-grained level than wards. It should be noted that some parish councils supported the approach and more than half did not respond.
 - Some developers that responded suggested that the CIL charge would make the developments that they are undertaking, or are likely to undertake, unviable. Other developers did not object to the proposals.

Agenda Item 10

- Representatives of major supermarket companies objected to the proposal for different charges between large and small retail units.
- Infrastructure providers stressed the need for their schemes to be funded through CIL to ensure that they are available to support development. Some town and parish councils proposed additional schemes for inclusion in the CIL Infrastructure Plan. Infrastructure providers also wanted to see a commitment to updating the Infrastructure Plan regularly.
- Most respondents who commented supported the introduction of policies on payment in instalments. There was a more mixed response to the question on whether the Council should offer relief in exceptional circumstances and for investment developments by charities.

10 Summaries of each comment raised and a proposed response can be found in Appendix B.

Proposed Draft Charging Schedule

11 It is proposed that the Council should publish for comment and then submit to independent examination a Charging Schedule with the following charges:

| Development Type | Area A | Area B |
|--|---------------|--------------|
| Residential (C3 use class) | £125 per sq m | £75 per sq m |
| Supermarkets and superstores(1) primarily selling convenience goods(2) | £125 per sq m | |
| Retail warehousing(3) | £125 per sq m | |
| Other forms of development | £0 per sq m | |

(1) Superstores/supermarkets are shopping destinations in their own right (of 500 sq m of sales floorspace or more) where weekly food shopping needs are met and which can also include non-food floorspace as part of the overall mix of the unit.

(2) Convenience goods: Food and non-alcoholic beverages, Tobacco, Alcoholic beverages (off-trade), Newspapers and periodicals, Non-durable household goods.

(3) Retail warehouses are large stores (of 500 sq m of sales floorspace or more) specialising in the sale of household goods (such as carpets, furniture and electrical goods), DIY items and other ranges of goods, catering for mainly car-borne customers.

12 Areas A and B are set out on the map included within the Draft Charging Schedule (appendix A). These areas are the same as those proposed during the Preliminary Draft Charging Schedule consultation.

Residential Charges

- 13 The CIL Viability Assessment concludes that in certain parts of the District a charge of no more than £75 per m² can be levied without putting development at significant risk of being non-viable. However, in other areas a charge of £125 per m² could be charged without making development non-viable. Wards have been categorised into areas that can sustain charges of £75 per m² and £125 per m². Ward boundaries have been used because information on average house prices and average house prices per m² are readily available at that level. In reality, house prices will vary street by street or even by sides of street but it is not considered possible or to be in accordance with Government guidance to set charges on such a basis.
- 14 On the basis of the evidence available, it is considered that the two options open to the Council to achieve a sound charging schedule are:
- 1) To propose charges of £75 and £125 per m² for residential development based on ward boundaries as proposed by the CIL Viability Assessment.
 - 2) Propose a single charge of £75 per m² for residential development across the whole District.
- 15 Both schemes are considered to be technically sound, on the basis of evidence available, and each has distinct advantages and disadvantages. Whilst the two charge approach can lead to charging boundaries that do not relate to obvious distinctions in viability, such as between Eynsford and Farningham, it is forecast to allow SDC to levy approximately an additional £1 million over the period 2014-2026 (£5-6 million). The single charge approach would be more simplistic but would lead to less money being available to spend on infrastructure (£4-5 million). The two charge approach does not mean that less money will be available from SDC to spend on infrastructure in areas with lower charges as funds do not have to be spent in the area of the District in which they are collected. There is, therefore, a financial benefit of having the two charge approach for all areas which accommodate development. However, it is uncertain what impact this would have on the money passed to town and parish councils.
- 16 Given the significant infrastructure funding gap identified in the Draft Infrastructure Plan (see para 22, below), it is recommended that the two charge (£75 and £125 per m²) approach is taken forward in the Draft Charging Schedule in order to maximise the receipts. A comparison with sound charging schedules and proposed charges in neighbouring/nearby authorities is presented in Background Paper 6.
- 17 Following representations, further advice has been sought from the Council's viability consultants to consider whether housing for older people in Use Class C3 would be viable if it were to be subject to the proposed residential charges. It is not considered that any changes to the previously proposed charges are required, with it continuing to be proposed that this use is charged the same as 'regular' market housing.

Agenda Item 10

Retail Charges

- 18 The Preliminary Draft Charging Schedule proposed different charges for stores selling convenience goods of less than 280m² of sales floorspace and those of 280m² or more. As they have in Sevenoaks District, supermarket companies have objected to a split between large and small retail in Charging Schedules across the country. Recent examinations have confirmed that differentiating between different types of retail use is not prohibited by the CIL regulations, as the supermarket companies have claimed, subject to local authorities having sufficient evidence to justify the charge. Advice has been sought from the Council's viability consultants as to whether additional viability evidence is required on this issue. On the basis of this additional evidence, it is considered that requiring CIL on retail developments such as supermarkets and retail warehouses is sound and should be carried forward in the Draft Charging Schedule. However, following further evidence gathering, proposed definitions of these uses include thresholds of 500m² rather than 280m², as previously proposed.
- 19 The Council's viability consultants were also asked to consider whether town centre comparison retail would be viable if a CIL charge were to be levied on it. Their assessment indicated that it would not. It is, therefore, proposed that retail developments other than supermarkets/superstores and retail warehouses are not charged CIL.

Forecast Receipts

- 20 On the basis of the same assumptions previously considered (see para 6, above), it is still forecast that the proposed CIL charges will generate approximately £5-6 million over the period 2014 to 2026 to be spent on infrastructure to support development.

Infrastructure Planning

- 21 A Draft Infrastructure Plan was published alongside the Preliminary Draft Charging Schedule to provide an indication of the schemes that may be required to support development. The Planning Policy Team has continued to engage with infrastructure providers, including KCC, SDC teams and town and parish councils, to identify schemes that they consider are necessary to support development and could be funded through CIL. A number of changes have been made to the Draft CIL Infrastructure Plan following the consultation on the Preliminary Draft Charging Schedule and on-going engagement, for example:
- Revising the proposed flood defence scheme in Edenbridge, including reducing the estimated funding gap from £13,000,000 to £3,500,000, on the basis of further engagement with the Environment Agency. This funding gap results from the identification of the EA's current preferred option, which it is estimated would cost approximately £4,500,000, and its estimate that approximately £1,000,000 could be available from Flood Defence Aid in Grant for the scheme;
 - Including a calculation of the financial contribution (approx. £1,250,000) needed to meet the needs of new pupils that would be required to travel out

of the District to attend secondary schools, on the basis of further engagement with Kent County Council. KCC has not identified how this need will be met and this is an issue on which there will need to be on-going engagement, which may result in further changes to the funding gap. This is in addition to funding for additional school secondary places at existing schools in the District (which has been estimated to cost approx. £3,000,000); and

- The addition of new schemes proposed by town and parish councils during the consultation period.
- 22 As a result of the changes that have been made, the identified funding gap has been reduced to approximately £19 million in the Draft Infrastructure Plan. The Draft Infrastructure Plan is 'Background Paper 3' to this report and a summary is provided in the 'Summary of Evidence and Proposals' document (appendix C). Engagement on infrastructure projects will continue through the process of preparing the CIL Charging Schedule.
- 23 Suggestions of indicative projects that could be undertaken by SDC have previously been put forward by SDC teams. These include the possible redevelopment of Whiteoak Leisure Centre, providing community development services to integrate new residents into the District, outdoor gym facilities and new and/or improved Youth Zone vans and services. Unless these schemes are prioritised above all others, CIL will meet only a very limited percentage of the funding gap identified for SDC schemes.
- 24 The Council does not need to specify the projects on which it will spend CIL receipts at the outset. This can be determined on the basis of local priorities when receipts are received. The list of infrastructure projects previously identified in the Draft Infrastructure Plan should, therefore, only be treated as indicative. All schemes in the draft Infrastructure Plan have been categorised into:
- 'potential strategic schemes for CIL funding', which are those schemes considered to support the broad distribution of development proposed in the Core Strategy and have been used to identify the funding gap;
 - 'potential local schemes for CIL funding', which are those schemes that town and parish councils would like to see developed and are likely to be appropriate uses of the CIL receipts to be paid directly to them; and
 - 'other schemes', which are schemes where more information is required, a commitment from the responsible organisation is required, or the scheme is not an appropriate use of CIL.
- 25 The Council does, however, need to identify the types of infrastructure that it expects to fund through CIL and that which it expects to continue to seek contributions for / provision of through planning obligations / s106 agreements, following changes to Government guidance in December 2012. This is intended to ensure that developers are able to identify how each approach will be used and that they will not be charged twice for the same infrastructure. Only draft lists need to be provided at this stage and the Council is able to identify broad

Agenda Item 10

categories of infrastructure rather than specific projects. The following are the proposed lists:

To be funded through CIL (not in order of priority):

- Transport schemes except for site-specific access improvements;
- Flood Defence schemes;
- Water quality schemes;
- Schools;
- Health and social care facilities;
- Police and emergency services facilities;
- Community facilities;
- Green infrastructure except for site-specific improvements or mitigation measures; and
- CIL administration.

To be funded/secured through s106 agreements/planning obligations (not in order of priority):

- Site specific access improvements (these could also be secured through s278 of the Highways Act 1980 in some circumstances);
- On-site open space, for example children's play areas;
- Site specific green infrastructure, including biodiversity mitigation and improvement;
- On-site crime reduction and emergency services infrastructure, for example CCTV or fire hydrants; and
- Site specific Public Rights of Way diversions or impact mitigation.

- 26 The Government's view is that the Community Infrastructure Levy should support and incentivise new development by placing control over a 'meaningful proportion' of the funds raised with the town/parish council where development takes place. It has announced that 15% of the CIL receipts associated with a development (capped at £100 per existing council tax dwelling) will be paid to the town and parish councils in areas without neighbourhood plans and that 25% will be passed to town and parish councils in areas with neighbourhood plans (without a cap). The Government is still to publish revised regulations to introduce this but it is expected that they will be published in Spring 2013. It is not necessary to delay the submission of the Charging Schedule until these are published.

Implementation

- 27 The June 2012 consultation document sought views from stakeholders on a number of the issues that the Council will need to address in implementing CIL. This included consultation questions on whether the Council should offer relief from CIL in exceptional circumstances, for investment developments by charities (as opposed to development of facilities to be used for charitable purposes, which are already exempt) and whether it should introduce an instalments policy. Policies on these issues do not need to be set out at the time that the Council adopts the Charging Schedule and do not need to be subject to Examination. It is, therefore, recommended that the Council continues to keep these issues under

review, as more authorities implement charging schedules, and that a final decision is not made on these issues at this stage.

- 28 However, on the basis of an initial review of the legislation, it is considered that there will be little benefit in offering relief in exceptional circumstances. This is due to the fact that there are stringent regulations governing when this relief can be offered and it is for the Council to ensure that any exemption is compliant with EU State Aid legislation. The offer of exemptions in exceptional circumstances is not comparable with the flexibility and negotiation that is available on the Core Strategy affordable housing policy (SP3) and it is anticipated that any policy that was introduced will be applied very rarely, if at all.
- 29 Exemptions for investment development by charities are unlikely to be required in Sevenoaks District as only residential and retail development will be liable to pay CIL under the proposed Charging Schedule and affordable housing is already offered 100% relief. It is considered that the infrastructure requirements resulting from the development of any market dwellings should be met, regardless of whether they are built by a charity. It is unlikely that a charity would undertake a major new retail development, as opposed to occupying a small existing but vacant unit, which would not be liable to pay CIL. It is, therefore, considered unlikely that a policy on offering relief for investment developments by charities will be required.
- 30 It is proposed that an instalment policy should be prepared to assist developers' cash flows and improve the viability of schemes.
- 31 The Planning Policy team is preparing an implementation plan that will help to explain the process of calculating and charging to developers, landowners, stakeholders, Council Officers and Members and the public. This will address issues such as monitoring processes and the prioritisation of infrastructure schemes. The implementation plan requires the involvement of a number of Council teams and will be brought to Members prior to the adoption of the CIL Charging Schedule.

Timetable

32 The anticipated timescale for preparing the CIL Charging Schedule is as follows:

| | |
|---|-------------------------|
| Consultation on draft Charging Schedule | March 2013 – April 2013 |
| Submission of draft Charging Schedule for Examination | May 2013 |
| Examination of draft Charging Schedule | Autumn 2013 |
| Adoption of Charging Schedule | Early 2014 |

Other Options Considered and/or Rejected

33 The Council could choose not to prepare a CIL Charging Schedule. However, this is likely to lead to less funding being secured for infrastructure required to support development. The Council would need to rely on using planning obligations, which

Agenda Item 10

will have a more limited scope for securing contributions towards infrastructure after April 2014.

- 34 The Council could choose to propose a higher or lower CIL Charge, including £75 per m² for residential across the District. However, the proposed charge is based on evidence that it would not make the scale of development proposed in the Core Strategy unviable. There is a significant risk that a higher CIL charge would be found unsound by an independent Examiner. A lower charge, including a standard rate across the District, would mean that less money would be available to be spent on infrastructure to support development.

Key Implications

Financial

- 35 Budgetary provision has been made for the cost involved in preparing the Community Infrastructure Levy through the LDF budget. The CIL Regulations allow for the Council to use receipts secured through CIL to pay for its administration.

Community Impact and Outcomes

- 36 The CIL Charging Schedule will assist the Council in securing contributions from developers to the provision of infrastructure required to support development.

Legal, Human Rights etc.

- 37 The Draft Charging Schedule (included in the consultation document) will be consulted upon and submitted for examination in accordance with the relevant legislation and national policy.

Equality Impacts

- 38 An Equality Impact Assessment of the CIL Charging Schedule has been carried out. It is set out as 'Background Paper 4' to this report.

| Consideration of impacts under the Public Sector Equality Duty: | | |
|---|--------|---|
| Question | Answer | Explanation / Evidence |
| a. Does the decision being made or recommended through this paper have potential to disadvantage or discriminate against different groups in the community? | No | The CIL Charging Schedule will help to fund infrastructure requirements for the local community surrounding any new development. This will have a positive impact on all aspects of the community, as the fund will help to address any deficiencies. |
| b. Does the decision being made or recommended through this paper have the potential to promote equality of opportunity? | Yes | |
| c. What steps can be taken to mitigate, reduce, avoid or minimise the impacts identified above? | | n/a |

Sustainability Checklist

- 39 The adoption of a CIL Charging Schedule will ensure that the Council can implement Core Strategy Policy SP9, which aims to ensure that development is supported by sufficient infrastructure. This is important in ensuring that development comes forward in a sustainable manner. CIL Charging Schedules do not need to be subject to a formal Sustainability Appraisal.

Conclusions

- 40 The Draft Charging Schedule is considered to be based on a robust evidence base that shows that the proposed CIL charges are viable and required to provide infrastructure to support development. It has been produced following consultation with local stakeholders. It is recommended that the Charging Schedule is published and submitted for independent examination.

Risk Assessment Statement

- 41 The Draft Charging Schedule has been prepared in accordance with national policy and legislation.
- 42 If the Draft Charging Schedule is not approved then the Council will not be able to prepare the Charging Schedule in accordance with the Local Development Scheme. This may lead to it being adopted after the restrictions on the pooling of planning obligations come into force (April 2014), which would mean that contributions from some developments towards necessary infrastructure would not be able to be secured during this time.

Appendices

Appendix A – CIL: Preliminary Draft Charging Schedule: Consultation Document

Appendix B – Representations on the Draft Charging Schedule and proposed SDC response. (on website)

Appendix C – Summary of Evidence and Proposals (on website)

Background Papers:

1. CIL Viability Assessment Report
2. CIL Viability Assessment Addendum
3. Draft CIL Infrastructure Plan
4. Equality Impact Assessment
5. An Introduction to the Community Infrastructure Levy
6. Comparison with sound charging schedules and neighbouring/nearby authorities (December 2012).

Agenda Item 10

Contact Officer(s): Steve Craddock (x7315)

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Alan Dyer (x7196).

Kristen Paterson

Deputy Chief Executive and Community and Planning Services Director



COMMUNITY INFRASTRUCTURE LEVY:

DRAFT CHARGING SCHEDULE:

February 2013

Agenda Item 10

Consultation

Once adopted, the Community Infrastructure Charging Schedule will set out a standard rate that developers will need to pay when undertaking different types of development in different parts of the District. Funds collected through CIL must be spent on infrastructure required to support development of the area.

An explanatory document has been published alongside this Charging Schedule but this will not form part of the Council's formally submitted document.

The consultation is carried out in accordance with regulation 16 of the Community Infrastructure Levy Regulations 2010, as amended.

Statement of the Representations Procedure

This document was published on XX/XX/XX. Comments should be made before 5pm on XX/XX/XX. Comments should be submitted via the Council's consultation web-portal, by email to ldf.consultation@sevenoaks.gov.uk or in writing to:

Planning Policy
Sevenoaks District Council
Argyle Road
Sevenoaks
TN13 1HG

Representations on the Draft Charging Schedule will be made available to the person appointed to examine the soundness of the Charging Schedule during an independent examination. Persons making representations may request the right to be heard by an examiner.

Persons making representation may also be accompanied by a request to be notified at a specified address of:

- The draft charging schedule being submitted to the examiner;
- The publication of the recommendations of the examiner and the reasons for those recommendations;
- The approval of the charging schedule by the charging authority.

The Council's timetable for producing an adopted CIL Charging Schedule is:

| | |
|---|-----------------------|
| Consultation on draft Charging Schedule ends | April 2013 |
| Submission of draft Charging Schedule for Examination | April/May 2013 |
| Examination of draft Charging Schedule | August/September 2013 |
| Adoption of Charging Schedule | Early 2014 |

Background

Sevenoaks District Council's Community Infrastructure Levy Draft Charging Schedule is subject to consultation between X March 2013 and X April 2013. Views expressed on the Draft Charging Schedule will be made available to the person appointed to examine the soundness of the Charging Schedule during an examination.

Charging Authority

The Charging Authority will be Sevenoaks District Council.

Date of Approval

It is anticipated that the Charging Schedule will be subject to independent examination in summer/autumn 2013 and adopted in late 2013 or early 2014.

Date of Effect

It is anticipated that the Charging Schedule will come into effect in late 2013 / early 2014.

Statutory Compliance

The draft Charging Schedule has been prepared in accordance with the Community Infrastructure Levy Regulations 2010, Part 11 of the Planning Act 2008 and statutory guidance in 'Community Infrastructure Levy: Guidance' (CLG, 2012).

In accordance with Regulation 14, in setting the CIL rate the Council has aimed to strike what it considers to be an appropriate balance between

- the desirability of funding from CIL (in whole or part) the actual and expected estimated total cost of infrastructure required to support the development of its area, taking into account other actual and expected sources of funding; and
- the potential effects (taken as a whole) of the imposition of CIL on the economic viability of development across its area.

Agenda Item 10

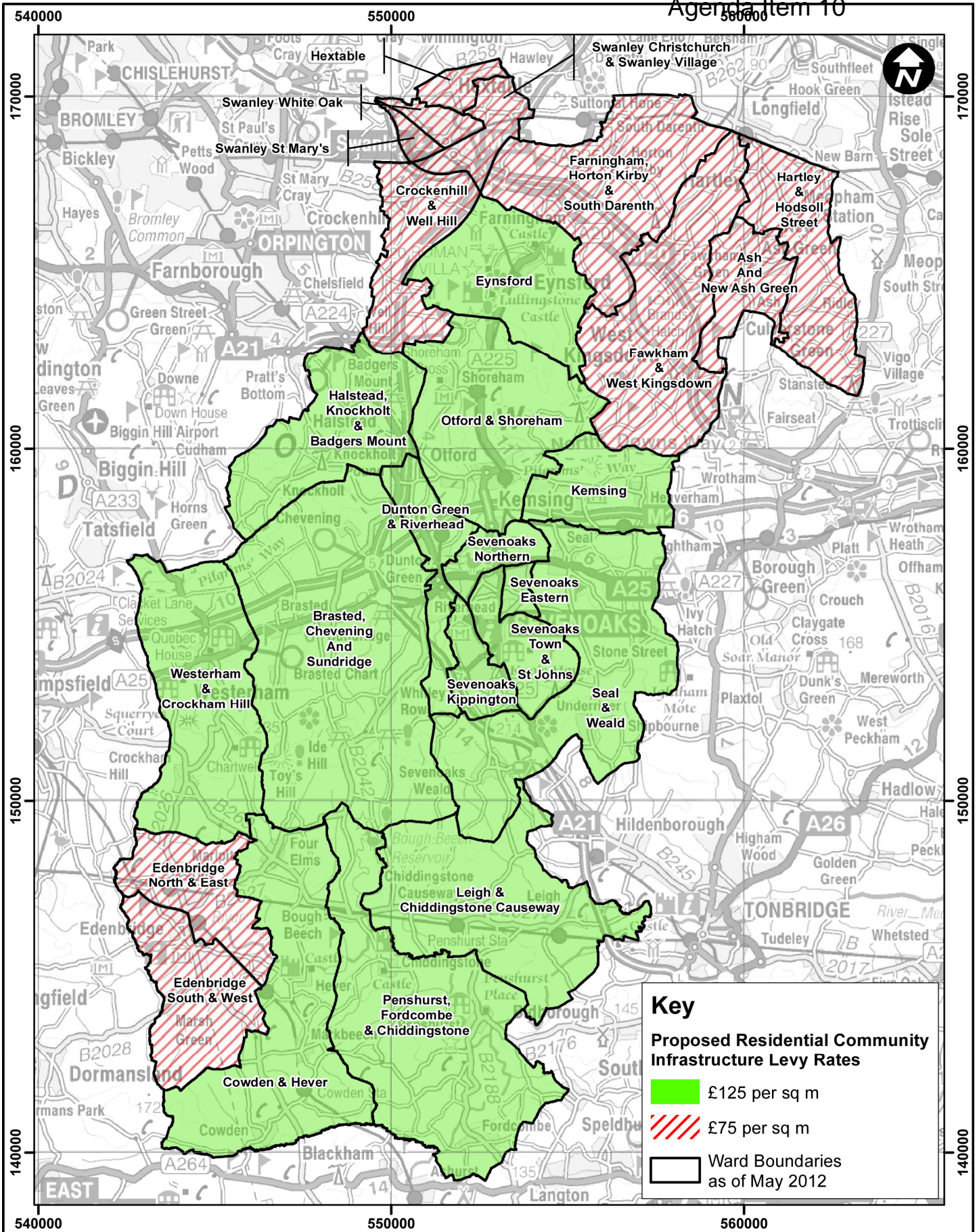
The CIL Rate

Developers will be liable to pay the following CIL rates in Sevenoaks District, subject to any exemptions, relief or reductions that may be available under the CIL regulations or local discretionary exemptions:

| Development Type | Area A | Area B |
|--|-------------------------|------------------------|
| Residential (C3 use class) | £125 per m ² | £75 per m ² |
| Supermarkets and superstores(1) primarily selling convenience goods(2) | £125 per m ² | |
| Retail warehousing(3) | £125 per m ² | |
| Other forms of development | £0 per m ² | |

- (1) Superstores/supermarkets are shopping destinations in their own right (of 500 sq m of sales floorspace or more) where weekly food shopping needs are met and which can also include non-food floorspace as part of the overall mix of the unit.
- (2) Convenience goods: Food and non-alcoholic beverages, Tobacco, Alcoholic beverages (off-trade), Newspapers and periodicals, Non-durable household goods.
- (3) Retail warehouses are large stores (of 500 sq m of sales floorspace or more) specialising in the sale of household goods (such as carpets, furniture and electrical goods), DIY items and other ranges of goods, catering for mainly car-borne customers.

Areas A and B are set out on the map, below



This map is based upon the Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown Copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.
Sevenoaks District Council, 100019428, 2011.

Proposed Residential Community Infrastructure Levy Rates

Sevenoaks District Council

Scale: 1:140,000

Date: May 2012

Preliminary Draft CIL Charging Schedule: Proposed Residential Community Infrastructure Levy Rates

Produced by the GIS Team, Sevenoaks District Council

Agenda Item 10

Calculating how much CIL developers will pay.

Calculating the Charge

SDC will calculate the amount of CIL payable (“chargeable amount”) in respect of a chargeable development in accordance with regulation 40 of the Community Infrastructure Levy Regulations 2010, as amended in 2011.

Inflation

Under Regulation 40, the CIL rate will be index linked with the Royal Institute of Chartered Surveyors “All In Tender Price Index”.

The current All In Tender Price Index is (to be set out at time of adoption).

Existing Floorspace on a Development Site

Regulation 40 provides that the total floorspace of any existing buildings on a development site should be subtracted from the floorspace of the chargeable development, where the existing buildings have been in use for at least six months within the period of 12 months ending on the day planning permission first permits the chargeable development.

Exemptions and Relief

The following forms of development are exempt from paying CIL:

- buildings into which people do not normally go, or go only intermittently for the purpose of inspecting or maintaining fixed plant or machinery (Reg 6); and
- developments of under 100 sq m that do not result in the creation of 1 or more additional dwellings (Reg 42);
- development by a charity where the development will be used wholly or mainly for charitable purposes (Reg 43).

The following types of development are able to apply for relief from paying CIL:

- social housing (Reg. 48, 49, 50, 51, 52, 53, 54).

In addition, the Council has the option to offer discretionary relief for

- development by a charity where the profits of the development will be used for charitable purposes (Regs. 44, 45, 46, 47, 48); and
- exceptional circumstances (Regs. 55, 56, 57, 58)

The Council’s policy on whether discretionary relief is offered will be set out in a separate policy document, in accordance with the relevant regulations.

TREASURY MANAGEMENT STRATEGY 2013/14

Cabinet – 7 February 2013

Report of the: Chief Executive Designate

Status: For Decision

Also considered by: Performance and Governance Committee - 8 January 2013

Finance Advisory Group - 24 January 2013

Council - 19 February 2013

Key Decision: No

Executive Summary: The Local Government Act 2003 (the Act) and supporting regulations requires the Council to 'have regard to' the Prudential Code and to set Prudential Indicators for the next three years to ensure that the Council's capital investment plans are affordable, prudent and sustainable.

The Act therefore requires the Council to set out its treasury strategy for borrowing and to prepare an Annual Investment Strategy (as required by investment guidance issued subsequent to the Act). This sets out the Council's policies for managing its investments and for giving priority to the security and liquidity of those investments.

Members' particular attention is drawn to paragraphs 57-59 of the report, which deal with changes to the investment criteria in the light of recent credit rating downgrades.

As a result of discussions at meetings of the Performance and Governance Committee and the Finance Advisory Group, the following changes to the existing strategy have been agreed:

- 1) Lending limits for Lloyds Banking Group plc and Royal Bank of Scotland Group plc to be increased from £6m to £8m;
- 2) Building societies with assets in excess of £9bn are to be included in the lending list with a maximum investment limit of £2m and maximum duration of three months; and
- 3) Investments in any single institution or institutions within a group of companies to be limited to 25% of the total fund at the time an investment is placed.

This report supports the Key Aim of effective management of Council resources.

Portfolio Holder Cllr. Ramsay

Head of Service Group Manager – Financial Services – Mr Adrian Rowbotham

Recommendation:

That Cabinet recommend Council to approve the Treasury Management Strategy for 2013-14 as set out in this report.

Reason for recommendations: To ensure that an appropriate and effective annual Treasury Management Strategy is drawn up in advance of the forthcoming financial year, which meets both legislative and best practice requirements.

Background

1. The Council is required to operate a balanced budget, which broadly means that cash raised during the year will meet cash expenditure. Part of the treasury management operation is to ensure that this cash flow is adequately planned, with cash being available when it is needed. Surplus monies are invested in low risk counterparties or instruments commensurate with the Council's low risk appetite, providing adequate liquidity initially before considering investment return.
2. The second main function of the treasury management service is the funding of the Council's capital plans. These capital plans provide a guide to the borrowing need of the Council, essentially the longer term cash flow planning to ensure that the Council can meet its capital spending obligations. This management of longer term cash may involve arranging long or short term loans, or using longer term cash flow surpluses. On occasion any debt previously drawn may be restructured to meet Council risk or cost objectives.
3. CIPFA defines treasury management as:

"The management of the local authority's investments and cash flows, its banking, money market and capital market transactions; the effective control of the risks associated with those activities; and the pursuit of optimum performance consistent with those risks."

Introduction

Reporting requirements

4. The Council is required to receive and approve, as a minimum, three main reports each year, which incorporate a variety of policies, estimates and actuals. These reports are required to be adequately scrutinised by committee before being recommended to the Council. This role is undertaken by the Finance Advisory Group and the Performance and Governance Committee.
5. Prudential and Treasury Indicators and Treasury Strategy (This report) - The first, and most important report covers:
 - the capital plans (including prudential indicators);
 - a Minimum Revenue Provision Policy (MRP) (how residual capital expenditure is charged to revenue over time);

- the Treasury Management Strategy (how the investments and borrowings are to be organised) including treasury indicators; and
 - an investment strategy (the parameters on how investments are to be managed).
6. A Mid Year Treasury Management Report – This will update members with the progress of the capital position, amending prudential indicators as necessary, and whether the treasury strategy is meeting the strategy or whether any policies require revision.
 7. An Annual Treasury Report – This provides details of a selection of actual prudential and treasury indicators and actual treasury operations compared to the estimates within the strategy.

Treasury Management Strategy for 2013/14

8. The strategy for 2013/14 covers two main areas:

Capital Issues

- the capital plans and the prudential indicators;
- the minimum revenue provision (MRP) strategy.

Treasury management Issues

- the current treasury position;
 - treasury indicators which will limit the treasury risk and activities of the Council;
 - prospects for interest rates;
 - the borrowing strategy;
 - the investment strategy; and
 - creditworthiness policy.
9. These elements cover the requirements of the Local Government Act 2003, the Chartered Institute of Public Finance and Accountancy (CIPFA) Prudential Code, the Department of Communities and Local Government (CLG) MRP Guidance, the CIPFA Treasury Management Code and the CLG Investment Guidance.

Training

10. The CIPFA Code requires the responsible officer to ensure that Members with responsibility for treasury management receive adequate training in treasury management. This especially applies to members responsible for scrutiny. Training was last undertaken in 2010 and further training will be arranged as required.

Agenda Item 11

11. The training needs of treasury management officers are reviewed periodically.

Treasury management consultants

12. The Council uses Sector Treasury Services Limited (Sector) as its external treasury management advisors.
13. The Council recognises that responsibility for treasury management decisions remains with the organisation at all times and will ensure that undue reliance is not placed upon our external service providers.
14. It also recognises that there is value in employing external providers of treasury management services in order to acquire access to specialist skills and resources. The Council will ensure that the terms of their appointment and the methods by which their value will be assessed are properly agreed and subjected to review.

Capital Issues

The Capital Prudential Indicators 2013/14 – 2015/16

15. The Council's capital expenditure plans are the key driver of treasury management activity. The outputs of the capital expenditure plans are reflected in prudential indicators, which are designed to assist Members' overview and confirm capital expenditure plans.

Capital Expenditure

16. This prudential Indicator is a summary of the Council's capital expenditure plans, both those agreed previously, and those forming part of this budget cycle. Members are asked to approve the capital expenditure forecasts:

| | 2011/12 | 2012/13 | 2013/14 | 2014/15 | 2015/16 |
|---------------------|---------|----------|----------|----------|----------|
| | Actual | Estimate | Estimate | Estimate | Estimate |
| | £000 | £000 | £000 | £000 | £000 |
| Capital Expenditure | 2,348 | 1,423 | 1,253 | 1,253 | 1,253 |

17. Other long term liabilities. The above financing need excludes other long term liabilities, such as PFI and leasing arrangements which already include borrowing instruments.
18. The table below summarises the above capital expenditure plans and how these plans are being financed by capital or revenue resources. Any shortfall of resources results in a funding need (borrowing).

| | 2011/12 | 2012/13 | 2013/14 | 2014/15 | 2015/16 |
|--|---------|----------|----------|----------|----------|
| | Actual | Estimate | Estimate | Estimate | Estimate |

| | £000 | £000 | £000 | £000 | £000 |
|--|--------------|--------------|--------------|--------------|--------------|
| Capital Expenditure | 2,348 | 1,423 | 1,253 | 1,253 | 1,253 |
| Financed by: | | | | | |
| Capital receipts | 119 | 197 | 0 | 0 | 0 |
| Capital grants | 1,085 | 396 | 396 | 396 | 396 |
| Capital reserves | 330 | 330 | 207 | 207 | 207 |
| Revenue | 814 | 500 | 650 | 650 | 650 |
| Net financing need for the year | 2,348 | 1,423 | 1,253 | 1,253 | 1,253 |

The Council's Borrowing Need (the Capital Financing Requirement)

19. The second prudential indicator is the Council's Capital Financing Requirement (CFR). The CFR is simply the total historic outstanding capital expenditure which has not yet been paid for from either revenue or capital resources. It is essentially a measure of the Council's underlying borrowing need. Any capital expenditure above, which has not immediately been paid for, will increase the CFR.
20. The CFR does not increase indefinitely, as the minimum revenue position (MRP) is a statutory annual revenue charge which broadly reduces the borrowing need in line with each asset's life.
21. The CFR includes any other long term liabilities (e.g. finance leases) brought onto the balance sheet. Whilst these increase the CFR, and therefore the Council's borrowing requirement, these types of scheme include a borrowing facility and so the Council is not required to separately borrow for these schemes. The Council currently has £0.2m of such schemes within the CFR.
22. The Council is asked to approve the CFR projections below:

| | 2011/12 | 2012/13 | 2013/14 | 2014/15 | 2015/16 |
|--------------------------------------|---------|----------|----------|----------|----------|
| | Actual | Estimate | Estimate | Estimate | Estimate |
| | £000 | £000 | £000 | £000 | £000 |
| Capital Financing Requirement | | | | | |
| Total CFR | 185 | 164 | 143 | 122 | 101 |

Agenda Item 11

| | | | | | |
|-----------------|-----|-----|-----|-----|-----|
| Movement in CFR | -21 | -21 | -21 | -21 | -21 |
|-----------------|-----|-----|-----|-----|-----|

| | | | | | |
|---|-----|-----|-----|-----|-----|
| Movement in CFR represented by: | | | | | |
| Net financing need for the year (above) | | | | | |
| <u>Less</u> MRP/VRP and other financing movements | -21 | -21 | -21 | -21 | -21 |
| Movement in CFR | -21 | -21 | -21 | -21 | -21 |

Note:- The MRP / VRP includes finance lease annual principal payments

Minimum Revenue Provision (MRP) Policy Statement

23. The Council is required to pay off an element of the accumulated General Fund capital spend each year (the CFR) through a revenue charge (the minimum revenue provision - MRP), although it is also allowed to undertake additional voluntary payments if required (voluntary revenue provision - VRP).
24. CLG Regulations have been issued which require the full Council to approve an MRP Statement in advance of each year. A variety of options are provided to councils, so long as there is a prudent provision. The Council is recommended to approve the following MRP Statement:
25. For capital expenditure incurred before 1 April 2008 or which in the future will be Supported Capital Expenditure, the MRP policy will be based on CFR.
26. These options provide for an approximate 4% reduction in the borrowing need (CFR) each year.
27. From 1 April 2008 for all unsupported borrowing (including PFI and finance leases) the MRP policy will be the Depreciation method – MRP will follow standard depreciation accounting procedures. This provides for a reduction in the borrowing need over approximately the asset's life. Repayments included in annual PFI or finance leases are applied as MRP.

Core Funds and Expected Investment Balances

28. The application of resources (capital receipts, reserves etc.) to either finance capital expenditure or other budget decisions to support the revenue budget will have an on-going impact on investments unless resources are supplemented each year from new sources (asset sales etc.). Detailed below are estimates of the year end balances for each resource and anticipated day to day cash flow balances.

| Year End Resources | 2011/12 | 2012/13 | 2013/14 | 2014/15 | 2015/16 |
|--------------------------|---------------|------------|------------|------------|------------|
| | Actual | Estimate | Estimate | Estimate | Estimate |
| | £000 | £000 | £000 | £000 | £000 |
| Fund balances / reserves | 19,810 | *** | *** | *** | *** |
| Capital receipts | 708 | 1,459 | 2,182 | 1,101 | 26 |
| Provisions | 1,943 | *** | *** | *** | *** |
| Other | 0 | *** | *** | *** | *** |
| Total core funds | 22,461 | *** | *** | *** | *** |
| Working capital* | 22,461 | *** | *** | *** | *** |
| Under/over borrowing | 0 | *** | *** | *** | *** |
| Expected investments | 22,461 | *** | *** | *** | *** |

*Working capital balances shown are estimated year end; these may be higher mid year

Affordability Prudential Indicators

29. The previous sections cover the overall capital and control of borrowing prudential indicators, but within this framework prudential indicators are required to assess the affordability of the capital investment plans. These provide an indication of the impact of the capital investment plans on the Council’s overall finances. The Council is asked to approve the following indicators:

Ratio of Financing Costs to Net Revenue Stream

30. This indicator identifies the trend in the cost of capital (borrowing and other long term obligation costs, net of investment income) against the net revenue stream.

| | 2011/12 | 2012/13 | 2013/14 | 2014/15 | 2015/16 |
|--|---------|----------|----------|----------|----------|
| | Actual | Estimate | Estimate | Estimate | Estimate |
| | -3.00% | *** | *** | *** | *** |

The estimates of financing costs include current commitments and the proposals in the budget report.

Agenda Item 11

Incremental Impact of Capital Investment Decisions on Council Tax.

31. This indicator identifies the revenue costs associated with proposed changes to the three year capital programme recommended in this budget report compared to the Council's existing approved commitments and current plans. The assumptions are based on the budget, but will invariably include some estimates, such as the level of Government support, which are not published over a three year period.

| | 2011/12 | 2012/13 | 2013/14 | 2014/15 | 2015/16 |
|--------------------|---------|----------|----------|----------|----------|
| | Actual | Estimate | Estimate | Estimate | Estimate |
| Council tax band D | £0.18 | *** | *** | *** | *** |

Treasury Management Issues

32. The capital expenditure plans set out above provide details of the service activity of the Council. The treasury management function ensures that the Council's cash is organised in accordance with the the relevant professional codes, so that sufficient cash is available to meet this service activity. This will involve both the organisation of the cash flow and, where capital plans require, the organisation of appropriate borrowing facilities. The strategy covers the relevant treasury / prudential indicators, the current and projected debt positions and the annual investment strategy.

Current Portfolio Position

33. The Council's treasury portfolio position at 17 December 2012 appears in Appendix A.

Treasury Indicators: Limits to Borrowing Activity

The Operational Boundary

34. This is the limit beyond which external debt is not normally expected to exceed. In most cases, this would be a similar figure to the CFR, but may be lower or higher depending on the levels of actual debt.

| Operational boundary | 2012/13 | 2013/14 | 2014/15 | 2015/16 |
|----------------------|----------|----------|----------|----------|
| | Estimate | Estimate | Estimate | Estimate |
| | £000 | £000 | £000 | £000 |
| Debt | 5,000 | 5,000 | 5,000 | 5,000 |

| | | | | |
|-----------------------------|--------------|--------------|--------------|--------------|
| Other long term liabilities | 0 | 0 | 0 | 0 |
| Total | 5,000 | 5,000 | 5,000 | 5,000 |

The Authorised Limit for external debt

35. A further key prudential indicator represents a control on the maximum level of borrowing. This represents a limit beyond which external debt is prohibited, and this limit needs to be set or revised by the full Council. It reflects the level of external debt which, while not desired, could be afforded in the short term, but is not sustainable in the longer term.
36. This is the statutory limit determined under section 3 (1) of the Local Government Act 2003. The Government retains an option to control either the total of all councils' plans, or those of a specific council, although this power has not yet been exercised.
37. The Council is asked to approve the following Authorised Limit:

| Authorised limit | 2012/13 Estimate £000 | 2013/14 Estimate £000 | 2014/15 Estimate £000 | 2015/16 Estimate £000 |
|-----------------------------|-----------------------------|-----------------------------|-----------------------------|-----------------------------|
| Debt | 5,000 | 5,000 | 5,000 | 5,000 |
| Other long term liabilities | 0 | 0 | 0 | 0 |
| Total | 5,000 | 5,000 | 5,000 | 5,000 |

Prospects for Interest Rates

38. The Council has appointed Sector Treasury Services Limited as its treasury advisor and part of their service is to assist the Council to formulate a view on interest rates. Appendix B draws together a number of current City forecasts for short term and longer fixed interest rates. Appendix C contains Sector's latest economic background report.
39. The economic recovery in the UK since 2008 has been the worst and slowest recovery in recent history, although the economy returned to positive growth in the third quarter of 2012. Growth prospects are weak and consumer spending, the usual driving force of recovery, is likely to remain under pressure due to consumers focusing on repayment of personal debt, inflation eroding disposable income, general malaise about the economy and employment fears.

Agenda Item 11

40. The primary drivers of the UK economy are likely to remain external. 40% of UK exports go to the Eurozone so the difficulties in this area are likely to continue to hinder UK growth. The US, the main world economy, faces similar debt problems to the UK, but urgently needs to resolve the fiscal cliff now that the Presidential elections are out of the way. The resulting US fiscal tightening and continuing Eurozone problems will depress UK growth and is likely to see the UK deficit reduction plans slip.
41. This challenging and uncertain economic outlook has several key treasury management implications:
- The Eurozone sovereign debt difficulties provide a clear indication of high counterparty risk. This continues to suggest the use of higher quality counterparties for shorter time periods;
 - Investment returns are likely to remain relatively low during 2013/14 and beyond;
 - Borrowing interest rates continue to be attractive and may remain relatively low for some time. The timing of any borrowing will need to be monitored carefully;
 - There will remain a cost of carry – any borrowing undertaken that results in an increase in investments will incur a revenue loss between borrowing costs and investment returns.

Borrowing Strategy

42. It is anticipated that there will be no capital borrowings required during 2013/14.

Annual Investment Strategy

Investment Policy

43. The Council's investment policy has regard to the Department of Communities and Local Government (CLG) Guidance on Local Government Investments ("the Guidance") and the 2011 revised CIPFA Treasury Management in Public Services Code of Practice and Cross Sectoral Guidance Notes ("the CIPFA TM Code"). The Council's investment priorities will be security first, liquidity second, then return.
44. In accordance with the above, and in order to minimise the risk to investments, the Council has below clearly stipulated the minimum acceptable credit quality of counterparties for inclusion on the lending list. The creditworthiness methodology used to create the counterparty list fully accounts for the ratings and watches published by all three ratings agencies with a full understanding of what the ratings reflect in the eyes of each agency. Using the Sector ratings service banks' ratings are monitored on a real time basis with knowledge of any changes notified electronically as the agencies notify modifications.
45. Further, the Council's officers recognise that ratings should not be the sole determinant of the quality of an institution and that it is important to continually assess and monitor the financial sector on both a micro and macro basis and in relation to the economic and political environments in which institutions operate. The assessment will also take account of information that reflects the opinion of

the markets. To this end the Council will engage with its advisors to maintain a monitor on market pricing such as “Credit Default Swaps (CDS)” and overlay that information on top of the credit ratings. This is fully integrated into the credit methodology provided by Sector in producing its colour codings which show the varying degrees of suggested creditworthiness.

46. Other information sources used will include the financial press, share price and other such information pertaining to the banking sector in order to establish the most robust scrutiny process on the suitability of potential investment counterparties.
47. The aim of the strategy is to generate a list of highly creditworthy counterparties which will also enable diversification and thus avoidance of concentration risk.
48. The intention of the strategy is to provide security of investment and minimisation of risk.
49. Investment instruments identified for use in the financial year are listed in Appendix D under the ‘Specified’ and ‘Non-Specified’ Investments categories. Counterparty limits will be as set below.

Creditworthiness Policy

50. This Council applies the creditworthiness service provided by Sector. This service employs a sophisticated modelling approach utilising credit ratings from the three main credit rating agencies - Fitch, Moodys and Standard and Poores. The credit ratings of counterparties are supplemented with the following overlays:
 - credit watches and credit outlooks from credit rating agencies;
 - CDS spreads to give early warning of likely changes in credit ratings;
 - sovereign ratings to select counterparties from only the most creditworthy countries.
51. This modelling approach combines credit ratings, credit watches and credit outlooks in a weighted scoring system which is then combined with an overlay of CDS spreads for which the end product is a series of colour coded bands which indicate the relative creditworthiness of counterparties. These colour codes are used by the Council to determine the duration for investments. The Council will therefore use counterparties within the following durational bands:
 - Blue 1 year (only applies to nationalised or semi nationalised UK Banks)
 - Orange 1 year
 - Red 6 months
 - Green 3 months
 - No Colour not to be used
52. The Sector creditworthiness service uses a wider array of information than just primary ratings and by using a risk weighted scoring system, does not give undue preponderance to just one agency’s ratings.

Agenda Item 11

53. Typically the minimum credit ratings criteria the Council use will be a short term rating (Fitch or equivalent) of short term rating F1, long term rating A, viability rating of A- and a support rating of 1. There may be occasions when the counterparty ratings from one rating agency are marginally lower than these ratings but may still be used. In these instances consideration will be given to the whole range of ratings available, or other topical market information, to support their use.
54. All credit ratings will be monitored regularly. The Council is alerted to changes to ratings of all three agencies through its use of the Sector creditworthiness service.
- if a downgrade results in the counterparty / investment scheme no longer meeting the Council's minimum criteria, its further use as a new investment will be withdrawn immediately.
 - in addition to the use of credit ratings the Council will be advised of information in movements in Credit Default Swap against the iTraxx benchmark and other market data on a weekly basis. Extreme market movements may result in downgrade of an institution or removal from the Council's lending list.
55. Sole reliance will not be placed on the use of this external service. In addition this Council will also use market data and market information, information on government support for banks and the credit ratings of that supporting government.

Country limits

56. The Council has determined that it will only use approved counterparties from the UK or the EU which also have a minimum sovereign credit rating of AA- from Fitch. The list of countries that qualify using this credit criteria as at the date of this report are shown in Appendix E. This list will be added to, or deducted from, by officers should ratings change in accordance with this policy.

Other Creditworthiness Issues

57. The Council's current investment policy further limits the one proposed by Sector as follows:-
- a. Maximum investment period of 1 year.
 - b. Investments are limited to 25% of the total fund to any single institution or institutions within a group of companies.
 - c. Total investments in any one foreign country are limited to 15% of the total fund.
 - d. Investments are limited to £5m per counterparty excluding call accounts and £6m including call accounts.
 - e. UK-based institutions to be used as a first preference.

58. In the last cycle of meetings, officers have suggested a change to some of these limits in order to provide more flexibility when placing investments and to take greater advantage of the better rates offered by the nationalised or semi-nationalised UK banks. The proposal for the 2013/14 investment policy is as follows:
- a. Maximum investment period of 1 year.
 - b. Investments in any single institution or institutions within a group of companies are limited to 25% of the total fund, at the time the investment is placed.
 - c. Total investments in any one foreign country are limited to 15% of the total fund, but UK-based institutions to be used as first preference..
 - d. Investments are limited to £5m per counterparty excluding call accounts and £6m including call accounts except for Lloyds Banking Group plc and Royal Bank of Scotland Group plc, where the limits will be £8m for each with no distinction between fixed deposits and call accounts.
 - e. If the Council's own banker, Barclays, falls below Sector's minimum credit rating requirements, it will nevertheless continue to be used, although balances will be minimised in both monetary size and duration.
 - f. Building societies that do not meet Sector's minimum credit rating requirements will nevertheless be included provided they have assets in excess of £9bn. At the time of writing this report, the relevant societies are Yorkshire, Coventry, Skipton and Leeds (the Nationwide is already included by virtue of its credit ratings). The maximum investment per counterparty is limited to £2m and the maximum duration of any single investment 3 months.
59. These proposed changes were discussed at meetings of the Performance and Governance Committee on 8 January 2013 and the Finance Advisory Group on 24 January 2013. The original proposal in paragraph b. was for a 40% limit, but following further analysis, a limit of 25% was deemed appropriate.

Investment Strategy

60. Investments will be made with reference to the core balance and cash flow requirements and the outlook for short-term interest rates (i.e. rates for investments up to 12 months).
61. Bank Rate is forecast to remain unchanged at 0.5% before strating to rise from quarter 4 of 2014. Bank Rate forecasts for financial year ends (March) are:
- 2012/2013 0.50%
 - 2013/2014 0.50%
 - 2014/2015 0.75%
 - 2015/2016 1.75%

Agenda Item 11

62. There are downside risks to these forecasts (i.e. start of increases in Bank Rate is delayed even further) if economic growth remains weaker for longer than expected. However, should the pace of growth pick up more sharply than expected there could be upside risk, particularly if Bank of England inflation forecasts for two years ahead exceed the Bank of England's 2% target rate.
63. The suggested budgeted investment earnings rates for returns on investments placed for periods up to three months during each financial year for the next five years are as follows:

| | |
|---------|-------|
| 2012/13 | 0.50% |
| 2013/14 | 0.50% |
| 2014/15 | 0.60% |
| 2015/16 | 1.50% |

Icelandic Bank Investments

64. This authority currently has an investment of £1m frozen in Landsbanki Islands hf. The investment was placed on 25 June 2007 at 6.32%, to mature on 25 June 2009.
65. The Icelandic Government has stated its intention to honour all its commitments as a result of their banks being placed into receivership. The U.K. Government is working with the Icelandic Government to help bring this about. The Local Government Association is coordinating the efforts of all UK authorities with Icelandic investments.
66. At the current time, the process of recovering assets is still ongoing with the administrators. Investments outstanding with the two Iceland-domiciled banks (Glitnir Bank hf and Landsbanki Islands hf) have been subject to decisions of the Icelandic Courts. Following the successful outcome of legal test cases in the Icelandic Supreme Court in late 2011, the Administrators have now commenced the process of dividend payments in respect of both of these banks.

End of Year Investment Report

67. At the end of the financial year, the Council will receive a report on its investment activity as part of the Annual Treasury Report.

Scheme of delegation

68. The guidance notes accompanying the revised Code also require that a statement of the Council's scheme of delegation in relation to treasury management is produced as part of the Annual Investment Strategy. This appears at Appendix F.

Role of the Section 151 officer

69. As with the scheme of delegation mentioned in the previous paragraph, a statement of the role of the Section 151 officer is also required. This appears at Appendix G.

Key Implications

Financial

70. The management of the Council’s investment portfolio and cash-flow generated balances plays an important part in the financial planning of the authority. The security of its capital and liquidity of its investments is of paramount importance.
71. There are financial implications arising from the restriction of the Council’s lending list in that an inferior rate of interest may have to be accepted on a particular investment if some of the smaller and lower-rated institutions have been removed from the list.

Community Impact and Outcomes

72. There are no community impacts arising from this report.

Legal, Human Rights etc.

73. This report satisfies the requirements of the Local Government Act 2003 and supporting regulations plus the Council’s Financial Procedure Rules which both require the preparation of an annual treasury strategy.

Equality Impacts

- 74.

| Consideration of impacts under the Public Sector Equality Duty: | | |
|---|--------|---|
| Question | Answer | Explanation / Evidence |
| a. Does the decision being made or recommended through this paper have potential to disadvantage or discriminate against different groups in the community? | No | The recommendation is concerned with investment management and does not directly impact upon a service provided to the community. |
| b. Does the decision being made or recommended through this paper have the potential to promote equality of opportunity? | No | |
| c. What steps can be taken to mitigate, reduce, avoid or minimise the impacts identified | | No mitigating steps are required. |

Agenda Item 11

| Consideration of impacts under the Public Sector Equality Duty: | | |
|---|--------|------------------------|
| Question | Answer | Explanation / Evidence |
| above? | | |

Conclusions

75. The effect of the proposals set out in this report is to allow the Council to effectively and efficiently manage cash balances.
76. In line with the revised CIPFA Code of Practice on Treasury Management, the Annual Treasury Strategy must be considered by Council and this is planned for its meeting on 19 February 2013. Given the current uncertainties in the banking sector and financial markets, the Council may need to consider amending its strategy during the year.

Risk Assessment Statement

77. Treasury Management has two main risks :
- Fluctuations in interest rates can result in a reduction in income from investments; and
 - A counterparty to which the Council has lent money fails to repay the loan at the required time.

Consideration of risk is integral in our approach to treasury management.

78. This report proposes new investment limits. The movement towards having a restricted lending list of better quality institutions but higher individual limits with those institutions reduces the chances of a default. But if a default did occur, the potential loss would be greater. Previously, the preference was to have smaller investments with a greater range of institutions.
79. These risks are mitigated by the annual investment strategy which has been prepared on the basis of achieving the optimum return on investments commensurate with proper levels of security and liquidity. However, Members should recognise that in the current economic climate, these remain significant risks and that the strategy needs to be constantly monitored.

Sources of Information:

Existing treasury counterparty list

Treasury Management Strategy Statement for 2013/14 provided by Sector Treasury Services Ltd.

CIPFA – Prudential Code on Treasury Management

ODPM (now DCLG) – Guidance on Local Government Investments (March 2004)

CIPFA Treasury Management in the Public Services Code of Practice (Revised 2009, 2010 & 2011)

Contact Officer(s):

Roy Parsons ext.7204

**Dr. Pav Ramewal
Chief Executive Designate**

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SEVENOAKS DISTRICT COUNCIL

List of Investments as at:- 17-Dec-12 (in alphabetical order)

| Reference | Name | Rating | Country | Group | Amount | Start Date | Comm Rate | End Date | Curr Rate | Terms | Broker |
|---------------------------|--|--------|---------|-------------|------------|------------|-----------|-----------|-----------|----------|------------|
| | Santander UK plc (Business Reserve A/C) | A+ | U.K. | Santander | 0 | 01-Apr-99 | | | 0.50000% | Variable | Direct |
| | Santander UK plc (Money Market A/C) | A+ | U.K. | Santander | 0 | 09-Oct-06 | | | 0.50000% | Variable | Direct |
| | Clydesdale Bank plc (Base Tracker Plus - 15 Day) | A | U.K. | NAB | 0 | 10-Sep-10 | | | 0.65000% | Variable | Direct |
| | Barclays Bank plc (Business Premium A/C) | A | U.K. | | 1,341,000 | 01-Oct-11 | | | 0.45000% | Variable | Direct |
| | National Westminster Bank plc (Liquidity Select) | A | U.K. | RBS | 1,000,000 | 07-Oct-11 | | | 0.80000% | Variable | Direct |
| | Ignis Liquidity Fund (Money Market Fund) | AAA | U.K. | | 3,000,000 | 11-May-12 | | | | Variable | Direct |
| | Insight Liquidity Fund (Money Market Fund) | AAA | U.K. | | 3,000,000 | 11-May-12 | | | | Variable | Direct |
| IP1078 | Aberdeen City Council | | U.K. | | 2,000,000 | 29-Nov-12 | 0.32000% | 29-May-13 | | 6 Months | Sterling |
| IP1014 | Bank of Scotland plc | A | U.K. | Lloyds/HBOS | 1,000,000 | 14-Feb-12 | 2.50000% | 12-Feb-13 | | 1 Year | Direct |
| IP1018 | Bank of Scotland plc | A | U.K. | Lloyds/HBOS | 1,000,000 | 24-Feb-12 | 2.50000% | 22-Feb-13 | | 1 Year | Direct |
| IP1072 | Barclays Bank plc | A | U.K. | | 1,000,000 | 02-Nov-12 | 0.47000% | 04-Feb-13 | | 3 Months | Direct |
| IP1076 | Barclays Bank plc | A | U.K. | | 1,000,000 | 15-Nov-12 | 0.46000% | 15-Feb-13 | | 3 Months | Direct |
| IP1065 | Greater London Authority | | U.K. | | 4,000,000 | 15-Oct-12 | 0.26000% | 15-Jan-13 | | 3 Months | Sterling |
| IP1079 | Leeds City Council | | U.K. | | 1,000,000 | 14-Dec-12 | 0.34000% | 15-Mar-13 | | 3 Months | Tradition |
| IP1049 | Lloyds TSB Bank plc | A | U.K. | Lloyds/HBOS | 1,000,000 | 25-Jul-12 | 3.00000% | 04-Jul-13 | | 1 Year | Direct |
| IP1069 | Lloyds TSB Bank plc | A | U.K. | Lloyds/HBOS | 1,000,000 | 31-Oct-12 | 2.25000% | 30-Oct-13 | | 1 Year | Direct |
| IP1073 | Lloyds TSB Bank plc | A | U.K. | Lloyds/HBOS | 1,000,000 | 05-Nov-12 | 2.25000% | 04-Nov-13 | | 1 Year | Direct |
| IP1026 | National Westminster Bank plc | A | U.K. | RBS | 2,000,000 | 27-Apr-12 | 1.00000% | 22-May-13 | 2.25000% | 1 Year | Direct |
| IP1046 | National Westminster Bank plc | A | U.K. | RBS | 2,000,000 | 18-Jul-12 | 1.00000% | 21-Aug-13 | 2.25000% | 1 Year | Direct |
| IP1064 | Nationwide Building Society | A+ | U.K. | | 1,000,000 | 09-Oct-12 | 0.47000% | 09-Jan-13 | | 3 Months | Tradition |
| IP1067 | Nationwide Building Society | A+ | U.K. | | 2,000,000 | 23-Oct-12 | 0.45000% | 23-Jan-13 | | 3 Months | Sterling |
| IP1071 | Nationwide Building Society | A+ | U.K. | | 1,000,000 | 01-Nov-12 | 0.45000% | 01-Feb-13 | | 3 Months | Tradition |
| IP1077 | Nationwide Building Society | A+ | U.K. | | 1,000,000 | 28-Nov-12 | 0.44000% | 28-Feb-13 | | 3 Months | R P Martin |
| IP1080 | UK Debt Management Office | | U.K. | | 1,000,000 | 17-Dec-12 | 0.25000% | 02-Jan-13 | | 16 days | Direct |
| IP1051 | Ulster Bank Ltd | A- | U.K. | RBS | 1,000,000 | 27-Jul-12 | 1.20000% | 28-Jan-13 | | 6 Months | R P Martin |
| Total Invested | | | | | 33,341,000 | | | | | | |
| Matured Investment | | | | | | | | | | | |
| IP813 | Landsbanki Islands hf | | Iceland | | 504,700 | 25-Jun-07 | 6.32000% | 25-Jun-09 | | 2 Years | R P Martin |
| Other Loan | | | | | | | | | | | |
| | Sevenoaks Leisure Limited | | | | 250,000 | 29-Apr-08 | 7.00000% | 31-Mar-18 | | 10 Years | Direct |

SEVENOAKS DISTRICT COUNCIL

List of Investments as at:- 17-Dec-12 (in order of maturity date)

| Reference | Name | Rating | Country | Group | Amount | Start Date | Comm Rate | End Date | Curr Rate | Terms | Broker |
|---------------------------|--|--------|---------|-------------|------------|------------|-----------|-----------|-----------|----------|------------|
| | Santander UK plc (Business Reserve A/C) | A+ | U.K. | Santander | 0 | 01-Apr-99 | | | 0.50000% | Variable | Direct |
| | Santander UK plc (Money Market A/C) | A+ | U.K. | Santander | 0 | 09-Oct-06 | | | 0.50000% | Variable | Direct |
| | Clydesdale Bank plc (Base Tracker Plus - 15 Day) | A | U.K. | NAB | 0 | 10-Sep-10 | | | 0.65000% | Variable | Direct |
| | Barclays Bank plc (Business Premium A/C) | A | U.K. | | 1,341,000 | 01-Oct-11 | | | 0.45000% | Variable | Direct |
| | National Westminster Bank plc (Liquidity Select) | A | U.K. | RBS | 1,000,000 | 07-Oct-11 | | | 0.80000% | Variable | Direct |
| | Ignis Liquidity Fund (Money Market Fund) | AAA | U.K. | | 3,000,000 | 11-May-12 | | | | Variable | Direct |
| | Insight Liquidity Fund (Money Market Fund) | AAA | U.K. | | 3,000,000 | 11-May-12 | | | | Variable | Direct |
| IP1080 | UK Debt Management Office | | U.K. | | 1,000,000 | 17-Dec-12 | 0.25000% | 02-Jan-13 | | 16 days | Direct |
| IP1064 | Nationwide Building Society | A+ | U.K. | | 1,000,000 | 09-Oct-12 | 0.47000% | 09-Jan-13 | | 3 Months | Tradition |
| IP1065 | Greater London Authority | | U.K. | | 4,000,000 | 15-Oct-12 | 0.26000% | 15-Jan-13 | | 3 Months | Sterling |
| IP1067 | Nationwide Building Society | A+ | U.K. | | 2,000,000 | 23-Oct-12 | 0.45000% | 23-Jan-13 | | 3 Months | Sterling |
| IP1051 | Ulster Bank Ltd | A- | U.K. | RBS | 1,000,000 | 27-Jul-12 | 1.20000% | 28-Jan-13 | | 6 Months | R P Martin |
| IP1071 | Nationwide Building Society | A+ | U.K. | | 1,000,000 | 01-Nov-12 | 0.45000% | 01-Feb-13 | | 3 Months | Tradition |
| IP1072 | Barclays Bank plc | A | U.K. | | 1,000,000 | 02-Nov-12 | 0.47000% | 04-Feb-13 | | 3 Months | Direct |
| IP1014 | Bank of Scotland plc | A | U.K. | Lloyds/HBOS | 1,000,000 | 14-Feb-12 | 2.50000% | 12-Feb-13 | | 1 Year | Direct |
| IP1076 | Barclays Bank plc | A | U.K. | | 1,000,000 | 15-Nov-12 | 0.46000% | 15-Feb-13 | | 3 Months | Direct |
| IP1018 | Bank of Scotland plc | A | U.K. | Lloyds/HBOS | 1,000,000 | 24-Feb-12 | 2.50000% | 22-Feb-13 | | 1 Year | Direct |
| IP1077 | Nationwide Building Society | A+ | U.K. | | 1,000,000 | 28-Nov-12 | 0.44000% | 28-Feb-13 | | 3 Months | R P Martin |
| IP1079 | Leeds City Council | | U.K. | | 1,000,000 | 14-Dec-12 | 0.34000% | 15-Mar-13 | | 3 Months | Tradition |
| IP1026 | National Westminster Bank plc | A | U.K. | RBS | 2,000,000 | 27-Apr-12 | 1.00000% | 22-May-13 | 2.25000% | 1 Year | Direct |
| IP1078 | Aberdeen City Council | | U.K. | | 2,000,000 | 29-Nov-12 | 0.32000% | 29-May-13 | | 6 Months | Sterling |
| IP1049 | Lloyds TSB Bank plc | A | U.K. | Lloyds/HBOS | 1,000,000 | 25-Jul-12 | 3.00000% | 04-Jul-13 | | 1 Year | Direct |
| IP1046 | National Westminster Bank plc | A | U.K. | RBS | 2,000,000 | 18-Jul-12 | 1.00000% | 21-Aug-13 | 2.25000% | 1 Year | Direct |
| IP1069 | Lloyds TSB Bank plc | A | U.K. | Lloyds/HBOS | 1,000,000 | 31-Oct-12 | 2.25000% | 30-Oct-13 | | 1 Year | Direct |
| IP1073 | Lloyds TSB Bank plc | A | U.K. | Lloyds/HBOS | 1,000,000 | 05-Nov-12 | 2.25000% | 04-Nov-13 | | 1 Year | Direct |
| Total Invested | | | | | 33,341,000 | | | | | | |
| Matured Investment | | | | | | | | | | | |
| IP813 | Landsbanki Islands hf | | Iceland | | 504,700 | 25-Jun-07 | 6.32000% | 25-Jun-09 | | 2 Years | R P Martin |
| Other Loan | | | | | | | | | | | |
| | Sevenoaks Leisure Limited | | | | 250,000 | 29-Apr-08 | 7.00000% | 31-Mar-18 | | 10 Years | Direct |

APPENDIX B: Interest Rate Forecasts 2013 – 2016

| Sector's Interest Rate View | | | | | | | | | | | | | | | |
|------------------------------------|-------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
| | Now | Dec-12 | Mar-13 | Jun-13 | Sep-13 | Dec-13 | Mar-14 | Jun-14 | Sep-14 | Dec-14 | Mar-15 | Jun-15 | Sep-15 | Dec-15 | Mar-16 |
| Sector's Bank Rate View | 0.50% | 0.50% | 0.50% | 0.50% | 0.50% | 0.50% | 0.50% | 0.50% | 0.50% | 0.50% | 0.75% | 1.00% | 1.25% | 1.50% | 1.75% |
| 3 Month LIBD | 0.40% | 0.50% | 0.50% | 0.50% | 0.50% | 0.50% | 0.50% | 0.60% | 0.60% | 0.70% | 0.80% | 1.10% | 1.40% | 1.70% | 1.90% |
| 6 Month LIBD | 0.56% | 0.70% | 0.70% | 0.70% | 0.70% | 0.70% | 0.70% | 0.80% | 0.90% | 1.00% | 1.10% | 1.30% | 1.60% | 1.90% | 2.20% |
| 12 Month LIBD | 0.92% | 1.00% | 1.00% | 1.00% | 1.00% | 1.00% | 1.10% | 1.10% | 1.20% | 1.30% | 1.30% | 1.50% | 1.80% | 2.10% | 2.40% |
| 5yrPW IB Rate | 1.66% | 1.50% | 1.50% | 1.50% | 1.60% | 1.60% | 1.70% | 1.70% | 1.80% | 2.00% | 2.20% | 2.30% | 2.50% | 2.70% | 2.90% |
| 10yrPW IB Rate | 2.64% | 2.50% | 2.50% | 2.50% | 2.60% | 2.60% | 2.70% | 2.70% | 2.80% | 3.00% | 3.20% | 3.30% | 3.50% | 3.70% | 3.90% |
| 25yrPW IB Rate | 3.88% | 3.70% | 3.80% | 3.80% | 3.80% | 3.80% | 3.90% | 3.90% | 4.00% | 4.10% | 4.30% | 4.40% | 4.60% | 4.80% | 5.00% |
| 50yrPW IB Rate | 4.04% | 3.90% | 4.00% | 4.00% | 4.00% | 4.00% | 4.10% | 4.10% | 4.20% | 4.30% | 4.50% | 4.60% | 4.80% | 5.00% | 5.20% |
| Bank Rate | | | | | | | | | | | | | | | |
| Sector's View | 0.50% | 0.50% | 0.50% | 0.50% | 0.50% | 0.50% | 0.50% | 0.50% | 0.50% | 0.50% | 0.75% | 1.00% | 1.25% | 1.50% | 1.75% |
| UBS | 0.50% | 0.50% | 0.50% | 0.50% | 0.50% | 0.50% | 0.50% | 0.50% | 0.50% | 0.50% | - | - | - | - | - |
| Capital Economics | 0.50% | 0.50% | 0.50% | 0.50% | 0.50% | 0.50% | 0.50% | 0.50% | 0.50% | 0.50% | - | - | - | - | - |
| 5yrPW IB Rate | | | | | | | | | | | | | | | |
| Sector's View | 1.66% | 1.50% | 1.50% | 1.50% | 1.60% | 1.60% | 1.70% | 1.70% | 1.80% | 2.00% | 2.20% | 2.30% | 2.50% | 2.70% | 2.90% |
| UBS | 1.66% | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| Capital Economics | 1.66% | 1.30% | 1.30% | 1.30% | 1.30% | 1.30% | 1.30% | 1.30% | 1.50% | 1.60% | - | - | - | - | - |
| 10yrPW IB Rate | | | | | | | | | | | | | | | |
| Sector's View | 2.64% | 2.50% | 2.50% | 2.50% | 2.60% | 2.60% | 2.70% | 2.70% | 2.80% | 3.00% | 3.20% | 3.30% | 3.50% | 3.70% | 3.90% |
| UBS | 2.64% | 2.80% | 3.00% | 3.10% | 3.20% | 3.40% | 3.50% | 3.60% | 3.70% | 3.80% | - | - | - | - | - |
| Capital Economics | 2.64% | 2.30% | 2.30% | 2.30% | 2.30% | 2.30% | 2.30% | 2.30% | 2.30% | 2.30% | - | - | - | - | - |
| 25yrPW IB Rate | | | | | | | | | | | | | | | |
| Sector's View | 3.88% | 3.70% | 3.80% | 3.80% | 3.80% | 3.80% | 3.90% | 3.90% | 4.00% | 4.10% | 4.30% | 4.40% | 4.60% | 4.80% | 5.00% |
| UBS | 3.88% | 4.00% | 4.20% | 4.30% | 4.40% | 4.50% | 4.50% | 4.50% | 4.50% | 4.50% | - | - | - | - | - |
| Capital Economics | 3.88% | 3.50% | 3.50% | 3.50% | 3.50% | 3.50% | 3.50% | 3.50% | 3.50% | 3.50% | - | - | - | - | - |
| 50yrPW IB Rate | | | | | | | | | | | | | | | |
| Sector's View | 4.04% | 3.90% | 4.00% | 4.00% | 4.00% | 4.00% | 4.10% | 4.10% | 4.20% | 4.30% | 4.50% | 4.60% | 4.80% | 5.00% | 5.20% |
| UBS | 4.04% | 4.10% | 4.30% | 4.40% | 4.50% | 4.60% | 4.60% | 4.60% | 4.60% | 4.60% | - | - | - | - | - |
| Capital Economics | 4.04% | 3.80% | 3.80% | 3.80% | 3.80% | 3.80% | 3.80% | 3.80% | 3.80% | 3.80% | - | - | - | - | - |

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APPENDIX C: Economic Background

The Global economy

The Eurozone debt crisis has continued to cast a pall over the world economy and has depressed growth in most countries. This has impacted the UK economy which is unlikely to grow significantly in 2012 and is creating a major headwind for recovery in 2013. Quarter 2 of 2012 was the third quarter of contraction in the economy; this recession is the worst and slowest recovery of any of the five recessions since 1930. A return to growth @ 1% in quarter 3 is unlikely to prove anything more than a washing out of the dip in the previous quarter before a return to weak, or even negative, growth in quarter 4.

The Eurozone sovereign debt crisis has abated somewhat following the ECB's pledge to buy unlimited amounts of bonds of countries which ask for a bailout. The immediate target for this statement was Spain which continues to prevaricate on making such a request (for a national bailout) and so surrendering its national sovereignty to IMF supervision. However, the situation in Greece is heading towards a crunch point as the Eurozone imminently faces up to having to relax the time frame for Greece reducing its total debt level below 120% of GDP and providing yet more financial support to enable it to do that. Many commentators still view a Greek exit from the Euro as inevitable as total debt now looks likely to reach 190% of GDP i.e. unsustainably high, unless the Eurozone were to accept a major write down of Greek debt. The possibility of a write down has now been raised by the German Chancellor, but not until 2014-15, and provided the Greek annual budget is in balance.

Sentiment in financial markets has improved considerably since this ECB action and recent Eurozone renewed commitment to support Greece and to keep the Eurozone intact. However, the foundations to this "solution" to the Eurozone debt crisis are still weak and events could easily conspire to put this into reverse.

The US economy has only been able to manage weak growth in 2012 despite huge efforts by the Federal Reserve to stimulate the economy by liberal amounts of quantitative easing (QE) combined with a commitment to a continuation of ultra low interest rates into 2015. Unemployment levels have been slowly reducing but against a background of a fall in the numbers of those available for work. The fiscal cliff facing the President at the start of 2013 has been a major dampener discouraging business from spending on investment and increasing employment more significantly in case there is a sharp contraction in the economy in the pipeline. However, the housing market does look as if it has, at long last, reached the bottom and house prices are now on the up.

Hopes for a broad based recovery have, therefore, focused on the **emerging markets**. However, there are increasing concerns over flashing warning signs in various parts of the Chinese economy that indicate it could be in risk of heading for a hard landing rather than a gradual slow down.

The UK economy

The Government's austerity measures, aimed at getting the public sector deficit into order, have now had to be extended in the autumn statement over a longer period than the original four years. Achieving this new extended time frame will still be dependent on the UK economy returning to a reasonable pace of growth

towards the end of this period. It was important for the Government to retain investor confidence in UK gilts so there was little room for it to change course other than to move back the timeframe.

Currently, the UK is enjoying a major financial benefit from some of the lowest sovereign borrowing costs in the world as the UK is seen as a safe haven from Eurozone debt. There is, though, little evidence that consumer confidence levels are recovering nor that the manufacturing sector is picking up. On the positive side, growth in the services sector rebounded in Q3 and banks have made huge progress since 2008 in shrinking their balance sheets to more manageable levels and also in reducing their dependency on wholesale funding. However, availability of credit remains tight in the economy and the Funding for Lending scheme, which started in August 2012, has not yet had time to make a significant impact. Finally, the housing market remains tepid and the outlook is for house prices to be little changed for a prolonged period.

Economic Growth. Economic growth has basically flat lined since the election of 2010 and, worryingly, the economic forecasts for 2012 and beyond were revised substantially lower in the Bank of England Inflation quarterly report for August 2012 and were then further lowered in the November Report. Quantitative Easing (QE) was increased again by £50bn in July 2012 to a total of £375bn. Many forecasters are expecting the MPC to vote for a further round of QE to stimulate economic activity regardless of any near-term optimism. The announcement in November 2012 that £35bn will be transferred from the Bank of England's Asset Purchase Facility to the Treasury (representing coupon payments to the Bank by the Treasury on gilts held by the Bank) is also effectively a further addition of QE.

Unemployment. The Government's austerity strategy has resulted in a substantial reduction in employment in the public sector. Despite this, total employment has increased to the highest level for four years as over one million jobs have been created in the private sector in the last two years.

Inflation and Bank Rate. Inflation has fallen sharply during 2012 from a peak of 5.2% in September 2011 to 2.2% in September 2012. However, inflation increased back to 2.7% in October though it is expected to fall back to reach the 2% target level within the two year horizon.

AAA rating. The UK continues to enjoy an AAA sovereign rating. However, the credit rating agencies will be carefully monitoring the rate of growth in the economy as a disappointing performance in that area could lead to a major derailment of the plans to contain the growth in the total amount of Government debt over the next few years.

Sector's forward view

Economic forecasting remains difficult with so many external influences weighing on the UK. There does, however, appear to be consensus among analysts that the economy remains relatively fragile and whilst there is still a broad range of views as to potential performance, expectations have all been downgraded during 2012. Key areas of uncertainty include:

- the potential for the Eurozone to withdraw support for Greece at some point if the Greek government was unable to eliminate the annual budget deficit and the costs of further support were to be viewed as being

prohibitive, so causing a worsening of the Eurozone debt crisis and heightened risk of the breakdown of the bloc or even of the currency itself;

- inter government agreement on how to deal with the overall Eurozone debt crisis could fragment; the impact of the Eurozone crisis on financial markets and the banking sector;
- the impact of the Government's austerity plan on confidence and growth and the need to rebalance the economy from services to manufactured goods;
- the under-performance of the UK economy which could undermine the Government's policies that have been based upon levels of growth that are unlikely to be achieved;
- the risk of the UK's main trading partners, in particular the EU and US, falling into recession ;
- stimulus packages failing to stimulate growth;
- elections due in Germany in 2013;
- potential for protectionism i.e. an escalation of the currency war / trade dispute between the US and China.
- the potential for action to curtail the Iranian nuclear programme
- the situation in Syria deteriorating and impacting other countries in the Middle East

The focus of so many consumers, corporates and banks on reducing their borrowings, rather than spending, will continue to act as a major headwind to a return to robust growth in western economies.

Given the weak outlook for economic growth, Sector sees the prospects for any changes in Bank Rate before 2015 as very limited. There is potential for the start of Bank Rate increases to be even further delayed if growth disappoints.

Sector believes that the longer run trend is for gilt yields and PWLB rates to rise due to the high volume of gilt issuance in the UK, and the high volume of debt issuance in other major western countries. The interest rate forecast in this report represents a balance of downside and upside risks. The downside risks have already been commented on. However, there are specific identifiable upside risks as follows to PWLB rates and gilt yields, and especially to longer term rates and yields: -

- UK inflation being significantly higher than in the wider EU and US causing an increase in the inflation premium in gilt yields
- Reversal of QE; this could initially be allowing gilts held by the Bank to mature without reinvesting in new purchases, followed later by outright sale of gilts currently held

- Reversal of Sterling's safe haven status on an improvement in financial stresses in the Eurozone
- Investors reverse de-risking by moving money from government bonds into shares in anticipation of a return to worldwide economic growth
- The possibility of a UK credit rating downgrade (Moody's has stated that it will review the UK's Aaa rating at the start of 2013).

APPENDIX D - SPECIFIED AND NON-SPECIFIED INVESTMENTS

SPECIFIED INVESTMENTS

All such investments will be sterling denominated, with maturities up to maximum of 1 year, meeting the minimum ‘high’ rating criteria where applicable

Term deposits within the UK

| | Minimum ‘High’ Credit Criteria | Use |
|--|---------------------------------------|------------|
| Debt Management Agency Deposit Facility | – | In-house |
| Term deposits – local authorities | – | In-house |
| Term deposits – banks and building societies | Sector colour code ‘Green’ or better | In-house |

Term deposits with nationalised banks and banks and building societies

| | Minimum ‘High’ Credit Criteria | Use |
|--|---|------------|
| UK part nationalised banks | Sector colour code ‘Blue’ | In-house |
| Banks part nationalised by high credit rated (sovereign rating) countries – non UK | Sovereign rating AA- or better and Sector colour code ‘Green’ or better | In-house |

Others

| | | |
|--|--|-----------------------|
| Certificates of deposit issued by banks and building societies covered by UK Government (explicit) guarantee | UK sovereign rating AA- or better and Sector colour code ‘Green’ or better | In-house |
| UK Government Gilts | UK sovereign rating AA- or better | In-house buy and hold |
| Bonds issued by multilateral development banks | AAA | In-house buy and hold |
| Bond issuance issued by a financial institution which is explicitly guaranteed by the UK Government (refers solely to GEFCO - Guaranteed Export Finance Corporation) | UK sovereign rating AA- or better | In-house buy and hold |
| Sovereign bond issues (other than the UK govt) | AAA | In-house buy and hold |
| Treasury Bills | UK sovereign rating AA- or better | In house |

Agenda Item 11

| Collective Investment Schemes structured as Open Ended Investment Companies (OEICs): - | | |
|---|--|----------|
| Government Liquidity Funds | Long-term rating AAA Volatility rating MR1+ | In-house |
| Money Market Funds | Long-term rating AAA Volatility rating MR1+ | In-house |
| Enhanced cash funds | Long-term rating AAA Volatility rating MR1+ | In-house |
| Gilt Funds | Long-term rating AAA Volatility rating MR1+ | In-house |

NON-SPECIFIED INVESTMENTS: As the Council has a maximum investment period of one year, many of the investment instruments previously listed in this category are no longer applicable

| | Minimum Credit Criteria | Use | Max % of total investments | Max. maturity period |
|---|---|------------|-----------------------------------|-----------------------------|
| Fixed term deposits with variable rate and variable maturities (i.e. structured deposits) | Sovereign rating AA- or better and Sector colour code 'Green' or better | In-house | 25 | 1 year |

APPENDIX E - Approved countries for investments

Based on lowest available rating

AAA

- Denmark
- Finland
- Germany
- Luxembourg
- Netherlands
- Norway
- Sweden
- Switzerland
- U.K.

AA+

- France

AA

- None

AA-

- Belgium

Agenda Item 11

APPENDIX F - Treasury management scheme of delegation

Full Council

- receiving and reviewing reports on treasury management policies, practices and activities;
- approval of annual strategy.

Cabinet

- approval of/amendments to the organisation's adopted clauses, treasury management policy statement and treasury management practices;
- budget consideration and approval;
- approval of the division of responsibilities;
- receiving and reviewing regular monitoring reports and acting on recommendations;
- approving the selection of external service providers and agreeing terms of appointment.

Performance and Governance Committee

- reviewing the treasury management policy and procedures and making recommendations to Cabinet.

APPENDIX G - The treasury management role of the section 151 officer

The S151 (responsible) officer is responsible for:

- recommending clauses, treasury management policy/practices for approval, reviewing the same regularly, and monitoring compliance;
- submitting regular treasury management policy reports;
- submitting budgets and budget variations;
- receiving and reviewing management information reports;
- reviewing the performance of the treasury management function;
- ensuring the adequacy of treasury management resources and skills, and the effective division of responsibilities within the treasury management function;
- ensuring the adequacy of internal audit, and liaising with external audit;
- recommending the appointment of external service providers.

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CAPITAL PROGRAMME & ASSET MAINTENANCE 2013/16

Cabinet – 7 February 2013

Report of the: Chief Executive Designate

Status: For Decision

Key Decision: Yes

Executive Summary:

This report sets out the proposed 2013/16 Capital Programme, with supporting documentation in a standard format for individual scheme bids. Projected capital receipts are included, indicating the proposed financing of the Programme. A proposed overall provisional limit for Asset Maintenance is also made.

This report supports the Key Aim of effective management of Council resources

Portfolio Holder Cllr. Ramsay

Head of Service Group Manager – Financial Services – Adrian Rowbotham

Recommendation to Cabinet: It be RESOLVED that:

- (a) the Capital Programme 2013/16 and funding method set out in Appendix B be approved,
- (b) and the proposed Asset Maintenance budget of £857,000 be agreed for 2013/14.

Background

- 1 A copy of the existing 2012/15 three year programme is attached at Appendix A. The 2012/13 column includes budgets brought forward from 2011/12. Forecast outturn figures for the current year and estimated carry forward figures are shown.
- 2 The Council's current policy in relation to capital expenditure is as follows: "no new schemes to be added to the programme except mandatory improvement grants, information technology and vehicle replacements"
- 3 This policy has previously been revised and updated as part of the Best Value review of Asset Management and Capital Investment, including the development of a formal options appraisal process.

Agenda Item 12

Capital Bids

- 4 Scheme Bid Documents are attached at Appendix C for all on-going items referred to at paragraph 2 above which require additional capital resources. These documents identify any external funding available and indicate the internal funding source.
- 5 Appendix B summarises the position if all schemes are approved, and indicates the funding methods proposed.
- 6 Unspent schemes in the current year's programme (2012/13) may be carried forward to 2013/14, subject to Cabinet approval, when the outturn is known.
- 7 Cabinet on 10 January 2013 discussed asset maintenance at White Oak Leisure Centre and it was resolved that Officers be asked to investigate and explore all possibilities surrounding Options Two (invest in the existing building) and Three (replace the existing building on the same or a different site), consulting with all stakeholders and report back to Members as soon as practicable. The results of this investigation may lead to additional capital resources in future years.

Capital Receipts

- 8 Other than the Vehicle Renewal Fund, net capital scheme costs, after any approved funding from the Capital Reserve, are funded from Capital Receipt balances. New receipts expected over the programme period are as follows:

| | 2012/13 £000 | 2013/14 £000 | 2014/15 £000 | 2015/16 £000 |
|---|-----------------|-----------------|-----------------|-----------------|
| Shared Ownership Staircasing | 140 | 50 | 50 | 25 |
| Mortgage repayments (net of pooling) | 2 | 1 | 1 | 1 |
| Land Sales | 1,317 | 2,131 | 1,050 | 0 |
| | <hr/> 1,459 | <hr/> 2,182 | <hr/> 1,101 | <hr/> 26 |

The Land Sales receipts arise from the Property Review process which plans and monitors actions to dispose of surplus sites as part of the asset management plan.

- 9 It must be emphasised that the scale and timing of the land sales is very unpredictable and subject to market conditions and planning risks. For this reason, only 75% of the above figures have been included in Appendix B.
- 10 Up until 2008/09, the Council used its capital receipts to fund its capital programme. However, due to a combination of reducing assets and a period of recession impacting asset values, the level of reliance on capital receipts could not be sustained. Therefore, Members made the decision to fund the capital

programme through the revenue budget at an annual cost of £330,000. This has now been reduced to £298,000 following a reduction in the gross capital scheme costs for Improvement Grants.

- 11 Appendix B takes these projections, together with the actual balance of such receipts at 1st April 2012.

Asset Maintenance

- 12 Up until 2010/11 asset maintenance was funded from a separate revenue earmarked reserve.
- 13 One of the principles adopted as part of the Business and Financial Planning Strategy was to make more effective use of remaining earmarked reserves. It was agreed that from 2011/12, allowing for an emergency asset maintenance reserve of £1m, the remainder be used over the ten-year budget period equally to smooth the rundown of these reserves.
- 14 The allocation of budgets to individual areas and schemes is made in accordance with the asset management plan and service requirements, reflecting backlog maintenance, health & safety and income generation as priorities.
- 15 The following SCIA agreed in the 2012/13 budget will result in changes to asset maintenance expenditure in future years:
- SCIA28 Playground equipment / CCTV equipment / depot / car parks – asset maintenance costs reduced by £31,000 (30%) from 2011/12 for three years returning to original budget levels in 2014/15. This will allow the remaining assets to be maintained as required for public and staff safety and welfare.
- 16 SCIA 5 Leisure in the 2011/12 to 2014/15 savings plan had a saving of £70,000 additional saving in Asset maintenance, however this saving is now considered to be at risk and a growth pressure item is to be considered by Cabinet on 9 February 2013 and, if approved, continue the expenditure on leisure asset maintenance at its 2012/13 level.
- 17 After allowing for the above changes, the budget figures are based on an average of 30% of the existing 10 year maintenance assessment. This would then give the following programme :

| | 2012/13 £000 | 2013/14 £000 | 2014/15 £000 | 2015/16 £000 |
|--------|-----------------|-----------------|-----------------|-----------------|
| Budget | 372 | 427 | 467 | 476 |

Key Implications

Financial

- 18 All financial implications are covered elsewhere in the report.

Agenda Item 12

Community Impact and Outcomes

19 There are no community impacts.

Legal, Human Rights etc

20 There are no legal or human rights issues.

Equality Impacts

21

| Consideration of impacts under the Public Sector Equality Duty: | | |
|---|--------|---|
| Question | Answer | Explanation / Evidence |
| a. Does the decision being made or recommended through this paper have potential to disadvantage or discriminate against different groups in the community? | No | It is a statutory duty to provide Disabled Facility Grants to the older and or disabled residents in the district |
| b. Does the decision being made or recommended through this paper have the potential to promote equality of opportunity? | Yes | |
| c. What steps can be taken to mitigate, reduce, avoid or minimise the impacts identified above? | | |

Risk Assessment Statement

22 The Council must agree a Capital Programme as part of its financial plan and ensure that resources are available to fund it.

Impact on and Outcomes for the Community

23 The capital programme funds improvements to residents' homes and infrastructure required to deliver services to the public.

Conclusions

24 Members are asked to review the scheme bids submitted at Appendix C, and approve the programme and funding at Appendix B.

Appendices

Appendix A – Existing 2012/15 capital programme

Appendix B – Proposed 2013/16 capital programme

Appendix C – Scheme bid documents

Background Papers:

None

Contact Officer(s):

Helen Martin Ext. 7483

Adrian Rowbotham Ext. 7153

Dr. Pav Ramewal
Chief Executive Designate

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Cabinet Programme and Asset Maintenance
Capital Programme 2012-15 (existing programme)

| Head of Service/Scheme | Scheme Cost | | | | 2013/14 | 2014/15 | 2015/16 |
|---|--------------------|----------------|-----------------|-------------------|----------------|----------------|----------------|
| | | 2012/13 | | | | | |
| | | Budget | Forecast | Likely C/F | | | |
| £000 | £000 | £000 | £000 | £000 | £000 | £000 | |
| Chief Executive | | | | | | | |
| Blighs phase two | | 150 | 150 | - | - | - | - |
| Community Development | | | | | | | |
| Parish projects | | 71 | - | 71 | - | - | - |
| Environmental and Operational Services | | | | | | | |
| Commercial vehicle replacements | | 844 | 844 | - | 700 | 700 | - |
| Housing | | | | | | | |
| Improvement Grants | | | | | | | |
| Gross cost | | 612 | 512 | 100 | 723 | 723 | - |
| Government DFG Subsidy | | -347 | -347 | - | -396 | -396 | - |
| Legal and Democratic Services | | | | | | | |
| Modern Government Doc. Mgt. system | 16 | 16 | 16 | - | - | - | - |
| Police Office In Argyle Road offices | 200 | 200 | 200 | - | - | - | - |
| Argyle Road Office Accommodation | | 7 | 7 | - | - | - | - |
| TOTAL | | 1,553 | 1,382 | 171 | 1,027 | 1,027 | - |

The 2012/13 budget includes amounts carried forward from 2011/12.

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Capital Programme and Asset Maintenance

Capital Programme 2013-16 (proposed programme)

| Head of Service/Scheme | Scheme Cost £000 | 2012/13 | | | 2013/14 £000 | 2014/15 £000 | 2015/16 £000 |
|--|----------------------------|----------------|------------------|-----------------------|---------------------|---------------------|---------------------|
| | | Budget £000 | Forecast £000 | Likely C/F £000 | | | |
| | | | | | | | |
| Chief Executive | | | | | | | |
| Blighs phase two | | 150 | 150 | - | - | - | |
| Community Development | | | | | | | |
| Parish projects | | 71 | 0 | 71 | - | - | |
| Environmental and Operational Services | | | | | | | |
| Commercial vehicle replacements | | 844 | 844 | - | 650 | 650 | |
| Housing | | | | | | | |
| Improvement Grants | | | | | | | |
| Gross cost | | 612 | 512 | 100 | 603 | 603 | |
| Government DFG Subsidy | | -347 | -347 | - | -396 | -396 | |
| Legal and Democratic Services | | | | | | | |
| Modern Government doc. mgt. system | | 16 | 16 | - | - | - | |
| Police office in Argyle Road offices | 200 | 200 | 200 | - | - | - | |
| Argyle Road Office Accommodation | 7 | 7 | 7 | - | - | - | |
| TOTAL | | 1,553 | 1,382 | 171 | 857 | 857 | |

The 2012/13 budget includes amounts carried forward from 2011/12.

Internal Funding

| | | | | |
|----------------------|--------------|------------|------------|------------|
| Vehicle Renewal Fund | 844 | 650 | 650 | 650 |
| Capital reserve | 330 | 207 | 207 | 207 |
| Capital receipts | 379 | 0 | 0 | 0 |
| | 1,553 | 857 | 857 | 857 |

Capital Receipts

| | | | | |
|-----------------------|--------------|--------------|--------------|--------------|
| Balance at 1st April | 708 | 1,423 | 3,060 | 3,886 |
| Expected new receipts | 1,094 | 1,637 | 826 | 19 |
| Capital Financing | -379 | 0 | 0 | 0 |
| Balance at 31st March | 1,423 | 3,060 | 3,886 | 3,905 |

Capital Reserve

| | | | | |
|------------------------------|----------|-----------|------------|------------|
| Balance at 1st April | 0 | 0 | 91 | 182 |
| Contributions to the reserve | 330 | 298 | 298 | 298 |
| Capital Financing | -330 | -207 | -207 | -207 |
| Balance at 31st March | 0 | 91 | 182 | 273 |

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Capital Programme 2013/16

Scheme Bid Document - Scheme: Vehicle Replacement Programme

Description: Purchase of replacement commercial fleet vehicles for vehicles that have reached the end of their fully depreciated life

Service : Environmental and Operational Services

Portfolio Holder/Head of Service : Cllr Mrs Hunter/Richard Wilson

Financials :

| CAPITAL COSTS | TOTAL £000 | 2013/14 £000 | 2014/15 £000 | 2015/16 £000 |
|-------------------------------|---------------|-----------------|-----------------|-----------------|
| Gross scheme cost | 1950 | 650 | 650 | 650 |
| External Contributions (list) | | | | |
| Net scheme cost | 1950 | 650 | 650 | 650 |

ONGOING REVENUE IMPLICATIONS

(excluding loss of interest)

Running costs

Income streams

| | | | |
|----------|---|---|---|
| Net cost | 0 | 0 | 0 |
|----------|---|---|---|

Funding Source : Funding via the vehicle replacement fund which is financed by depreciation charges for all fleet vehicles and from the sale of any vehicles. Depreciation charges are made on all vehicles and met from fixed transport charges on relevant trading account or relevant service budget

| | |
|--------------------------------------|--|
| Other Resource Implications : | |
| Staffing | Managed by fleet management overhead account by existing staff |
| Asset Values | Approx £3.0 M |

Justification: (Statutory Duty / Community Plan Aims / Key Infrastructure / Additional Savings / Other)

To maintain services, mainly statutory. Supports all the Council's priorities

Capital Programme 2013/16

Scheme Bid Document - Scheme: Improvement Grants

Description: Statutory Disabled facility Grants (DFGs) including LSVT RSL aids and adaptations and cost of processing applications

Service : Housing & Communication services

Portfolio Holder/Head of Service : Cllr Mrs Carol Clark / Pat Smith

Financials :

| CAPITAL COSTS | TOTAL | 2013/14 | 2014/15 | 2015/16 |
|-------------------------------|---------|---------|---------|---------|
| | £000 | £000 | £000 | £000 |
| Gross scheme cost | 1,809 | 603 | 603 | 603 |
| External Contributions (list) | | | | |
| CLG grant | (1,188) | (396) | (396) | (396) |
| Net scheme cost | 621 | 207 | 207 | 207 |

ONGOING REVENUE IMPLICATIONS

(excluding loss of interest)

Running costs

Income streams

| | | | |
|----------|---|---|---|
| Net cost | 0 | 0 | 0 |
|----------|---|---|---|

Funding Source : Government Grant (DCLG) and Council budgets
* : Revenue implications dependent on individual projects.

| | |
|--------------------------------------|---|
| Other Resource Implications : | |
| Staffing | Staff costs have been removed over a 5 year period (cost met from existing revenue budgets) to pay a total of £105,000 savings. |
| Asset Values | Deferred charges – assets not in Council ownership |

Justification: (Statutory Duty / Community Plan Aims / Key Infrastructure / Additional Savings / Other)

It is a statutory duty to provide DFGs to the older and or disabled residents in the district .Out of the total budget £250,000 is ring fenced for WKHA Aids and Adaptations for tenants. Both schemes are eligible for DCLG funding. For the last 2 years demand has fallen due to delays created by the OT Bureau KCC (being addressed) and the Home improvement Agency (HIA) under

Appendix C

performing. The HIA has now been re tendered by KCC and is now managed by Family Mosaics. SDC along with other L As are considering withdrawing capital funding and the HIA will be managed only on KCC funding from Supporting People budgets. This will reduce the service provided and thus reduce the pressure on SDC budgets. The shortfall in service will in part be met in house by Grant Officers and the DCLG has given extra funding to SDC for the last couple of years.. It is therefore proposed to make an on going saving of around £100,000 pa from the DFG budget. West Kent HA spends the full £250,000 allocated to them for aids and adaptations.

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REVENUE BUDGET AND COUNCIL TAX

Cabinet – 7 February 2013

Report of the: Chief Executive Designate

Status: For Decision

Key Decision: No

Executive Summary: This report sets out the proposed budget and required level of Council Tax for 2013/14. The report details changes to the draft budget since the Cabinet meeting on 10 January.

The proposed net expenditure budget is £13.800m (£13.443m in 2012/13). Subject to any further changes this would result in a Council Tax increase of 1.98% in 2013/14, with the District's Council Tax being £185.49 for a Band D property for the year (£181.89 in 2012/13).

This report supports the Key Aim of effective management of Council resources.

Portfolio Holder Cllr. Ramsay

Head of Service Group Manager – Financial Services – Adrian Rowbotham

Recommendation to Cabinet:

It is recommended to Council that:

- (a) The Summary of Council Expenditure and Council Tax set out in Appendix C be approved.
- (b) The 10-year budget 2012/13 to 2022/23 set out in Appendix A, including the growth and savings proposals set out in Appendix B, be approved and that where possible any variations during and between years be met from the Budget Stabilisation Reserve.
- (c) The changes to reserves set out in Appendix F be approved.

Background and Introduction

- 1 Members will be aware that the 2013/14 budget process started in September 2012 with consideration of a report on the Council's financial prospects. The Select Committees reviewed the budget and service plans in October and November and reported back to Cabinet on 6 December 2012. Cabinet received a further report on 10 January which contained details of the Government's provisional settlement figures for 2013/14 and 2014/15.

Agenda Item 13

2 The adoption of the 10-year budget over the last two years has resulted in a much more stable budget position than had previously been achieved.

3 This report includes a number of attachments:

- Appendix A – 10-year budget;
- Appendix B – Growth and savings;
- Appendix C – Summary of Council Expenditure and Council Tax;
- Appendix D – Summary Service Analysis in budget book format;
- Appendix E – Analysis of pay costs;
- Appendix F - Reserves
- Appendix G – Risk analysis;
- Appendix H – Financial Strategy (available on the website).

Changes made since 10 January 2013

4 The Council Tax increase for 2013/14 has been reduced to 1.98% resulting in a Band D Council Tax of £185.49. This is the closest it can be below the 2% referendum limit and still be divisible by 9 which is best practice as Council Tax bands are set in units of 9 (e.g. Band D 9/9ths, Band E 11/9ths).

5 Members continue to have the option to freeze the Council Tax and apply for a grant from Government equivalent to a 1% increase in Council Tax. The option to freeze the Council Tax would require the Council to identify an additional £1.8m in savings or additional income over the duration of the 10-year budget.

6 For the remaining confirmed four years of the New Homes Bonus, £120,000 per annum will be transferred to the Budget Stabilisation Reserve instead of to the Big Communities Fund. This was requested by Cabinet on 10 January.

Integration with other budget reports on the Cabinet Agenda

7 Separate reports on this Agenda set out the Asset Maintenance and Capital Programme Budget proposals, and Treasury Management Strategy. The attached revenue budgets take into account the recommendations and revenue implications set out in those reports.

2012/13 Outturn

8 Supported by the Finance Advisory Group, tight financial monitoring and control has been in place for a number of years and again for 2012/13. Given the constraints being placed on all budgets, and the savings planned for 2013/14 and future years, it is essential that the Council continues to operate on this basis.

- 9 The latest monitoring figures indicate a small favourable variance at the year end. However, it should be recognised that this has been a challenging budget year for a number of reasons, including reduced income streams and the continued impact of the recession. In spite of this, officers, with the support of the Finance Advisory Group, are continuing to ensure the year-end outturn remains within budget.
- 10 Key risk items in the current year include:
- Development Control income (£97,000 forecast shortfall in 2012/13),
 - Building Control income (£112,000),
 - Car Parking income (£100,000),
 - Land Charges income (£34,000).

Estimated Income from Business Rates

- 11 In previous years the estimate of the amount collected from business rates was not of great importance since it was all paid to central government. From 2013/14 the amount collected will have a direct bearing on the funding of this council.
- 12 The Council has to calculate by 31 January each year the amount it estimates it will collect from business rates in the following year. It is difficult to estimate this accurately due to the high number of outstanding appeals against the rateable value. The rateable value of the premises with appeals outstanding is £28m but it is not known when these appeals will be determined or the likelihood of success.
- 13 The following table is a summary of the estimated income from business rates in 2013/14:

| Estimated Business Rate Income 2013/14 | £m |
|--|--------|
| Gross Rateable Value at 30/09/12 | 90.501 |
| Net rate yield | 33.677 |
| Shared between: | |
| Central share | 16.838 |
| KCC share | 3.031 |
| KF&R share | 0.337 |
| SDC share * | 13.471 |

Agenda Item 13

| | |
|--|--------|
| Total | 33.677 |
| *a tariff is applied to this figure to reduce it to £1.862m which is the Business Rates element of the Government Support amount included in the 10-year budget. | |

- 14 The estimated share for this Council is at the same level as the safety net used in the calculation of Government Support included in the 10-year budget. It is hoped that actual income will be higher than this but bearing in mind the significant risks to the Council it is prudent to estimate at this level.
- 15 Any surplus or deficit at the end of the year will be taken into account when setting the budget for the following year.

Medium Term Prospects

- 16 The 10-year budget includes previously agreed savings up to 2014/15 to help to achieve a balanced budget.
- 17 Looking at both national and local issues, the medium term prospects remain difficult, in that the Council is likely to be faced with a number of substantial additional financial pressures. These include:
- reduced Government support and the change to the Business Rates Retention Scheme;
 - the economic downturn has resulted in increased demand for some services and also reduced investment and other income;
 - expectations that Council Tax increases will remain low;
 - the ongoing effect of Welfare Reform changes (e.g. Localisation of Council Tax Support, Universal Credit).
- 18 The 10-year budget at Appendix A already reflects the impact of a number of these pressures on the Council's finances. Members will appreciate that there is considerable uncertainty over many of the financial assumptions for future years and that this is an evolving picture. Officers continue to track and analyse the latest information and views.

Adequacy of Reserves

- 19 Ensuring the adequacy and sustainability of the Council's reserves continues to be a key part of the budget process. Individual balances have been reviewed as part of writing this report and the detailed work is set out in Appendix F. This review should ensure that all provisions and earmarked reserves are adequate for their purposes.

- 20 It is recommended that the Council hold a minimum General Fund reserve balance of 10% of its net Revenue Budget, for emergencies. The remainder of the General Fund reserve is the only resource not earmarked to a particular future need.

2013/14 Budget and Council Tax

- 21 After allowing for the savings previously agreed and the key changes made during this budget process, the resulting net expenditure for 2013/14 is £13.800m. As shown in Appendix C this results in Council Tax income of £8.728m, meaning that the District element of the Band D charge will be £185.49.
- 22 The other preceptors are yet to announce their increases. Members will be updated at the meeting with the latest information.

Key Implications

Financial

- 23 All financial implications are covered elsewhere in this report.

Community Impact and Outcomes

- 24 A balanced budget that includes the assessment and management of risk provides the Council with the financial stability required to plan and deliver its services to the community.

Legal, Human Rights etc.

- 25 There are no legal or human rights implications.

Equality Impacts

26

| Consideration of impacts under the Public Sector Equality Duty: | | |
|---|--------|---|
| Question | Answer | Explanation / Evidence |
| a. Does the decision being made or recommended through this paper have potential to disadvantage or discriminate against different groups in the community? | Yes | Individual equalities assessments have been completed for all of the Service Change Impact Assessments (SCIAs) to ensure our decision making process was fair and transparent. The cumulative impact of these proposals show there will be impacts on diverse groups but the proposals reflect the fairest overall course of action to produce a balanced budget. |
| b. Does the decision being made or recommended through this paper have the potential to promote equality of opportunity? | No | |
| c. What steps can be taken to mitigate, reduce, avoid or minimise the impacts identified above? | | |

Agenda Item 13

Conclusions

- 27 Members will be aware that the Council continues to face financial pressure from the economic downturn and reductions in Government funding. Income is expected to remain depressed whilst demand for key services has remained high.
- 28 The future financial prospects for the public sector are increasingly difficult. However, this budget will ensure the Council is in a financially sustainable position.

Risk Assessment Statement

- 29 The budget risk analysis is attached at Appendix G to this report. The Finance Advisory Group reviewed these risks as part of the budget process at its meeting on 23 January 2013.
- 30 An effective integrated policy and priority driven long-term financial and business process is required for the Council to deliver on its priorities and maintain a sustainable budget. It is also essential that continuous improvements are identified and implemented in order to take account of the changing climate within which the Council operates and to meet the expectations of both Government and the public on the quality of service demanded from this Council.
- 31 The risks associated with the 10-year budget approach include uncertainty around the level of shortfall and the timing of key announcements such as future grant settlements. The risk will be mitigated by continuing to review assumptions and estimates and by updating Members throughout the process.
- 32 The Council has in place a number of specific reserves and provisions to address identified risks.

Appendices

Appendix A – 10-year budget

Appendix B – Growth and savings

Appendix C – Summary of Council Expenditure and Council Tax

Appendix D – Summary Service Analysis in budget book format

Appendix E – Analysis of pay costs

Appendix F – Reserves

Appendix G – Risk analysis

Appendix H – Financial Strategy (available on the website)

Background Papers:

Report to Cabinet 10 January 2013 – Item 6 – Draft Budget 2013/14

Agenda Item 13

Report to Cabinet 6 December 2012 – Item 9 –
Draft Budget 2013/14

Report to Environment Select Committee 23 October
2012, Social Affairs Select Committee 30 October
2012 and Services Select Committee 1 November
2012 – 2013/14 Budget and Review of Service
Plans

Report to Cabinet 13 September 2012 – Item 6 –
Financial Prospects & Budget Strategy 2012/13 and
Beyond

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Dr. Pav Ramewal
Chief Executive Designate

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Ten Year Budget - Revenue

| | Budget 2012/13 | Plan 2013/14 | Plan 2014/15 | Plan 2015/16 | Plan 2016/17 | Plan 2017/18 | Plan 2018/19 | Plan 2019/20 | Plan 2020/21 | Plan 2021/22 | Plan 2022/23 | Cumulative |
|---|-------------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|----------------|
| | £000 | £000 | £000 | £000 | £000 | £000 | £000 | £000 | £000 | £000 | £000 | £000 |
| Expenditure | | | | | | | | | | | | |
| Net Service Expenditure c/f | 13,771 | 13,443 | 13,800 | 14,854 | 15,302 | 15,723 | 16,127 | 16,389 | 16,761 | 17,126 | 17,465 | |
| Inflation | 468 | 621 | 633 | 565 | 564 | 566 | 563 | 558 | 552 | 339 | 338 | |
| Superannuation Fund deficit: actuarial increase | 0 | 0 | 520 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | |
| Net savings (approved in previous years) | (796) | (404) | (119) | (117) | (143) | (162) | (301) | (186) | (187) | 0 | 0 | |
| New growth and savings | 0 | 140 | 20 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | |
| Net Service Expenditure b/f | 13,443 | 13,800 | 14,854 | 15,302 | 15,723 | 16,127 | 16,389 | 16,761 | 17,126 | 17,465 | 17,803 | |
| Financing Sources | | | | | | | | | | | | |
| Government Support (1) | (4,646) | (3,788) | (3,542) | (3,412) | (3,338) | (3,307) | (3,406) | (3,508) | (3,613) | (3,721) | (3,833) | |
| New Homes Bonus | | (976) | (1,276) | (1,576) | (1,876) | 0 | 0 | 0 | 0 | 0 | 0 | |
| Govt Support - to be passed on to Towns/Parishes | | (274) | (282) | (293) | (305) | (317) | (330) | (343) | (357) | (371) | (386) | |
| Govt Support - passed on to Towns/Parishes | | 274 | 282 | 293 | 305 | 317 | 330 | 343 | 357 | 371 | 386 | |
| Council Tax | (9,251) | (8,728) | (8,990) | (9,350) | (9,724) | (10,113) | (10,518) | (10,939) | (11,377) | (11,832) | (12,305) | |
| Council Tax Support grant | | (734) | (756) | (786) | (769) | (762) | (785) | (809) | (833) | (858) | (884) | |
| Interest Receipts | (173) | (229) | (234) | (356) | (375) | (351) | (317) | (286) | (260) | (239) | (221) | |
| Contributions to Reserves | 330 | 787 | 474 | 477 | 479 | 362 | 365 | 367 | 370 | 373 | 376 | |
| Contributions from Reserves | (536) | (795) | (580) | (580) | (580) | (580) | (580) | (580) | (580) | (580) | 0 | |
| Total Financing | (14,276) | (14,463) | (14,905) | (15,584) | (16,183) | (14,752) | (15,241) | (15,756) | (16,294) | (16,858) | (16,867) | |
| Budget Gap (surplus)/deficit | (833) | (663) | (51) | (282) | (460) | 1,375 | 1,148 | 1,005 | 832 | 607 | 936 | 3,614 |
| Contribution to/(from) Stabilisation Reserve | 833 | 663 | 51 | 282 | 460 | (1,375) | (1,148) | (1,005) | (832) | (607) | (936) | (3,614) |
| Unfunded Budget Gap (surplus)/deficit | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

Remaining balance / (shortfall) in Budget Stabilisation reserve: 552

Assumptions

Government Support: -14% in 13/14, -7% in 14/15, -4% in 15/16, -2% in 16/17, -1% in 17/18, +3% later years
 Council Tax: 1.98% in 13/14, 3% in 14/15, 4% later years
 Interest Receipts: 0.8% in 13/14 and 14/15, 1.2% in 15/16, 1.3% later years (based on Sector Bank Rate forecast + 0.3%)
 Pay award: 1% in 13/14, 1.5% in 14/15, 2% later years
 Other costs: 3.5% in 13/14, 3% in 14/15 1.75% later years
 Income: 3.5% in all years

Note 1 Government Support includes Council Tax Freeze Grants

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Growth and Savings Agreed in Previous Years updated with changes presented to Cabinet on 06/12/12

| SCIA | | | 2011/12 | 2012/13 | 2013/14 | 2014/15 |
|---------|-----|--|--------------|--------------|-----------|-------------|
| Year | No. | | £000 | £000 | £000 | £000 |
| | | Community Development | | | | |
| 2008/09 | 18 | Community Development - Replace core salaries with external funding and reduce health budget 2011/12 | (2) | | | |
| 2008/09 | 20 | Community Safety - Reduce Community Safety budget - crime reduction | (2) | | | |
| 2008/09 | 21 | Reduce Youth budget - SNAP, drugs/alcohol | (13) | | | |
| 2008/09 | 22 | Reduce grants budget | (3) | | | |
| 2010/11 | 24 | STAG agreement expiry | | | (25) | (75) |
| 2011/12 | 1 | Arts Development | (5) | | | |
| 2011/12 | 2 | Community Safety - external funding at risk | 56 | | | |
| 2011/12 | 3 | Grants | (25) | (20) | | |
| 2011/12 | 4 | Health - reduced activity | (17) | | | |
| 2011/12 | 5 | Leisure - Asset Maintenance | (70) | (70) | | |
| 2011/12 | 5 | Leisure - Asset Maintenance (amended Cabinet 06/12/12) | | | 70 | |
| 2011/12 | 6 | Leisure - reduced Management Fee | (80) | (80) | | |
| 2011/12 | 7 | Sustainability - delete remaining cost | (4) | | | |
| 2011/12 | 8 | Tourism - reduced activity | | (30) | | |
| 2011/12 | 9 | West Kent Partnership | (2) | | | |
| 2011/12 | 10 | Youth - reduce activity, leave only statutory duty | (20) | (60) | | |
| 2011/12 | 11 | Youth - 8-12's project | | (23) | | |
| 2011/12 | 61 | Community Development share of corporate targets | (3) | (2) | | |
| | | Community Development Sub Total | (190) | (285) | 45 | (75) |
| | | Development Services | | | | |
| 2008/09 | 30 | Development Control - staffing reduction | (41) | | | |
| 2010/11 | 1 | Development Control - various | (20) | | | |
| 2010/11 | 33 | Planning Policy - reverse one off income 2010/11 | 22 | | | |
| 2011/12 | 12a | Development Control - Conservation - deletion of consultants budget | (11) | | | |
| 2011/12 | 12b | Development Control - Appeals - reduced use of external legal resources | (10) | | | |
| 2011/12 | 12c | Development Control - Appeals - reduced use of consultants | (6) | | | |
| 2011/12 | 13 | Development Control - review processes and structure to reduce costs | (131) | | | |
| 2011/12 | 14a | Development Control - Planning and Pre-Application Fees - extra income | | (100) | | |
| 2011/12 | 14b | Development Control - S106 Monitoring - charge developers to monitor | (50) | | | |
| 2011/12 | 14b | Development Control - S106 Monitoring - charge developers to monitor (amended Cabinet 06/12/12) | | | 25 | |
| 2011/12 | 15 | LDF preparation - reduce annual contribution to reserve based on cost reduction (reversing short-term saving made in 11/12) | (70) | | 70 | |
| 2011/12 | 15 | LDF preparation - reduce annual contribution to reserve based on cost reduction (reversing short-term saving made in 11/12) (amended Cabinet 06/12/12) | | | (35) | |
| 2011/12 | 61 | Development Services share of corporate targets | (8) | (14) | | |
| | | Development Services Sub Total | (325) | (114) | 60 | 0 |
| | | Environmental and Operational | | | | |
| 2010/11 | 2 | Building Control - review of team | (5) | | | |
| 2010/11 | 8 | Licensing - Enlarge Partnership | (15) | (15) | | |
| 2010/11 | 36 | Building Control - reverse one off income home condition survey | 15 | | | |
| 2010/11 | 66 | CCTV | (45) | | | |
| 2011/12 | 16 | Building Control - joint working and cost savings from team review | (74) | | | |
| 2011/12 | 17 | CCTV - Partnership Work/Other arrangement (with Contact Centre) | | | | (50) |
| 2011/12 | 17 | CCTV - Partnership Work/Other arrangement (with Contact Centre) (amended Cabinet 06/12/12) | | | | 50 |
| 2011/12 | 18 | Direct Services - review operations and reduce costs | (88) | (16) | | |
| 2011/12 | 20 | Environmental Health - shared working | (150) | | | |
| 2011/12 | 21 | Minibuses - Deletion of service | (333) | | | |
| 2011/12 | 22a | Parking - joint working | (26) | | | |
| 2011/12 | 22b | Parking - reduce administrative costs | | (13) | (14) | |
| 2011/12 | 22c | Civil Enforcement - review structure | (34) | | | |
| 2011/12 | 22d | Hollybush Outdoor Bowls Centre - transfer ownership to private club | (20) | | | |
| 2011/12 | 22e | Further transfer of land playgrounds etc to Town/Parish Councils | (15) | | | |
| 2011/12 | 23 | Sencio Leisure parking fees reimbursement at Sevenoaks - cancel | (26) | | | |
| 2011/12 | 24 | Parking - additional income | (43) | | | |
| 2011/12 | 25 | On-street Parking - additional income | (35) | | | |
| 2011/12 | 26 | Direct Services - Public Conveniences | (62) | | | |
| 2011/12 | 27 | Direct Services - Street Cleansing reduction | (124) | | | |
| 2011/12 | 28 | Asset Maintenance (reduction for 3 years) - Playground equipment/CCTV equipment/depot/car parks (reversing short-term saving made in 11/12) | (31) | | | 31 |
| 2011/12 | | Direct Services - Pest Control - review of service and removal of subsidy | (16) | | | |
| 2011/12 | 61 | Env & Ops share of corporate targets | (24) | (91) | | |
| 2013/14 | 1 | Building Control - reduced income | | | 50 | |

Agenda Item 13

Appendix B

Growth and Savings Agreed in Previous Years updated with changes presented to Cabinet on 06/12/12

| SCIA | | | 2011/12 | 2012/13 | 2013/14 | 2014/15 |
|---------|-----|--|----------------|--------------|-------------|-------------|
| Year | No. | | £000 | £000 | £000 | £000 |
| 2013/14 | 9 | Environmental Health partnership - further savings | | | | (30) |
| | | Environmental & Operational Services Sub Total | (1,151) | (135) | 36 | 1 |
| | | Finance and HR | | | | |
| 2010/11 | 15 | Concessionary Fares - Govt funding reduction | 200 | | | |
| 2010/11 | 16 | Members' Allowances - Phasing of new scheme | 45 | 45 | | |
| 2010/11 | 22 | Internal Audit - reverse extra income DBC | 10 | | | |
| 2010/11 | 41 | Concessionary Fares - reverse reduced costs | 60 | | | |
| 2011/12 | 30a | Finance - re-structure and review processes | (40) | | | |
| 2011/12 | 30b | Finance/Direct Services - Rationalisation of financial systems and administration over sites | | (50) | | |
| 2011/12 | 31 | Human Resources - partnership working | | | (20) | |
| 2011/12 | 31 | Human Resources - partnership working (amended Cabinet 06/12/12) | | | 20 | |
| 2011/12 | 32 | Secretariat - review across council with view to reducing with senior management | (41) | | | |
| 2011/12 | 33 | Members' Allowances - next phased increase not implemented | (45) | | | |
| 2011/12 | 37 | Revenues & Benefits - joint working savings above target | (50) | | | |
| 2011/12 | 38 | Revenues and Benefits - Partnership - further efficiencies target (£60k split 50:50) | | | (30) | |
| 2011/12 | 39 | Civic Expenditure - delete budget except Chair/Vice Allowance | (68) | | | |
| 2011/12 | 40 | Lease Cars - cease scheme administration | (10) | (10) | (20) | |
| 2011/12 | 41 | Training Budget - reduce | (50) | | | |
| 2011/12 | 42 | Admin Support - reduce | (28) | | | |
| 2011/12 | 61 | Finance & HR share of corporate targets | (15) | (22) | | |
| 2012/13 | 1 | Benefits - reduction in Admin grant | | 40 | | |
| 2012/13 | 2 | Benefits - contribution from Housing Benefits Subsidy Reserve | | (40) | | |
| 2012/13 | 3 | Members' Allowances - provision for Members IT allowance | | 6 | | |
| 2012/13 | 5 | Members' Allowances - underspend | | (6) | | |
| | | Finance & HR Sub Total | (32) | (37) | (50) | 0 |
| | | Housing and Communication | | | | |
| 2010/11 | 47 | Homeless - reverse one off rent in advance | 10 | | | |
| 2010/11 | 47 | Homeless - reverse one off deposit bonds | 10 | | | |
| 2010/11 | 50 | Housing initiatives - reverse one off support of under 18s | 15 | | | |
| 2010/11 | 51 | Gypsy site - Support -Hever Rd | 7 | | | |
| 2010/11 | 56 | Communications Officer - temporary cover by apprentice (reversal of short-term saving) | | 19 | | |
| 2011/12 | 43 | Housing Policy - Climate Change | (23) | | | |
| 2011/12 | 44 | Social Housing - West Kent Housing Contract Saving | | (30) | | |
| 2011/12 | 45 | Merge Private Sector and Social Housing | (55) | | | |
| 2011/12 | 46 | Disabled Facilities Grant reduction | (50) | | | |
| 2011/12 | 47 | Social Housing - Joint assessment referrals - stop contribution | | (8) | | |
| 2011/12 | 58 | Review of Policy, Performance and Communications functions - part | (35) | | | |
| 2011/12 | 58 | Policy, Performance and Communications - review of functions | | (50) | | |
| 2011/12 | 61 | Housing share of corporate targets | (5) | (4) | | |
| | | Reallocation of staffing expenditure between the Housing Improvement Grants capital scheme and revenue - this is offset by reducing the annual contribution from revenue to the Capital reserve by £32,000 | | | 32 | |
| | | Housing & Communication Sub Total | (126) | (73) | 32 | 0 |
| | | IT and Facilities Management | | | | |
| 2011/12 | 29 | Contact Centre - shared services or reduction in service | | (40) | | |
| 2011/12 | 48 | Internet provision - reduce charges | (40) | | | |
| 2011/12 | 49 | Information Systems and IT Support - review staffing resources | (30) | | (20) | (60) |
| 2011/12 | 50 | IT Support - reduce general costs | (41) | | | |
| 2011/12 | 51 | IT - Agresso and IDOX - reduce support costs | (23) | (50) | | |
| 2011/12 | 52 | Facilities Management - staffing - review | (45) | (30) | | |
| 2011/12 | 53 | FM - window cleaning, hand dryers, building cleaning, microfilming | (15) | | | |
| 2011/12 | 53 | FM - window cleaning, hand dryers, building cleaning, microfilming | (10) | | | |
| 2011/12 | 61 | IT & FM share of corporate targets | (7) | (7) | | |
| | | IT & FM Sub Total | (211) | (127) | (20) | (60) |
| | | Legal and Democratic Services | | | | |
| 2008/09 | 17 | Democratic Services - reorganise to reduce service/costs | (17) | | | |
| 2008/09 | 62 | Policy and Perf - review of team tasks | (35) | | | |
| 2010/11 | 21 | Equalities - Tunbridge Wells BC contract ends | | (15) | | |
| 2011/12 | 34 | Central offices target savings | (5) | | | |
| 2011/12 | 35 | Property - review processes and restructure team | (75) | | (75) | |

Growth and Savings Agreed in Previous Years updated with changes presented to Cabinet on 06/12/12

| SCIA | | | 2011/12 | 2012/13 | 2013/14 | 2014/15 |
|---------|-------|---|----------------|--------------|--------------|-------------|
| Year | No. | | £000 | £000 | £000 | £000 |
| 2011/12 | 35 | Property - review processes and restructure team (amended Cabinet 06/12/12) | | | 35 | |
| 2011/12 | 36 | Property - income from Tandridge | (13) | | | |
| 2011/12 | 54 | Legal Services - Partnership Working | (25) | | | |
| 2011/12 | 55 | Democratic Services Manager - Partnership Working | (20) | | | |
| 2011/12 | 56 | Land Charges income loss (personal searches) | 22 | | | |
| 2011/12 | 57 | Legal Services - additional income (S106) | (30) | | | |
| 2011/12 | 61 | Legal & Democratic share of corporate targets | (5) | (10) | | |
| 2013/14 | 3 | Planning - Legal/Barrister fees | | | 20 | |
| 2013/14 | 4 | Land Charges - reduced income | | | 40 | |
| 2013/14 | 5 | Audit fees | | | (40) | |
| 2013/14 | 6 | Argyle Road rents - KCC/MOAT | | | (20) | |
| 2013/14 | 7 | Argyle Road rents - Police | | | (15) | |
| | | Legal & Democratic Services Sub Total | (203) | (25) | (55) | 0 |
| | | Corporate | | | | |
| 2010/11 | 1 | Review of senior management - part | (75) | | | |
| 2010/11 | 58 | Partnership working - corporate target | (200) | | | |
| 2011/12 | 59 | Review of senior management or joint management | | | (302) | |
| 2011/12 | | Market supplements - continuation of phased removal | (100) | | | |
| 2011/12 | 62,63 | Staff terms and conditions - savings reprofiled as agreed by Council 18/10/11 | | | | 35 |
| 2013/14 | 8 | Market related supplements - reduction | | | (10) | |
| | | Corporate Sub Total | (375) | 0 | (312) | 35 |
| | | Total | (2,613) | (796) | (264) | (99) |

= changes agreed by Select Committees and Cabinet (October/November 2012)

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Summary of Council Expenditure & Council Tax

| | <i>2012/13 Budget Net Expenditure £000</i> | 2013/14 Budget Net Expenditure £000 |
|--|--|--|
| Service expenditure before Support Services and Capital Charges including trading accounts (see Appendix D) | 13,688 | 14,013 |
| Capital Charges and Support Services charged outside the General Fund | (245) | (213) |
| Sub Total | 13,443 | 13,800 |
| Non allocated expenditure: | | |
| Collection Fund adjustment | 0 | 0 |
| Net Service Expenditure excluding Capital Charges | 13,443 | 13,800 |
| Government Grant | (4,186) | (3,788) |
| New Homes Bonus | 0 | (976) |
| Government Support to be passed to Parishes | 0 | (274) |
| Government Support passed to Parishes | 0 | 274 |
| Council Tax Requirement - Sevenoaks DC | (9,251) | (8,728) |
| Council Tax Support Grant | 0 | (734) |
| Government support to offset Council Tax freeze | (460) | 0 |
| Grant & Council Tax income | <u>(13,897)</u> | <u>(14,226)</u> |
| Net Expenditure after Grant & Council Tax, before interest | (454) | (426) |
| Less: Interest and Investment income | (173) | (229) |
| Amount to be met from Reserves | <u>(627)</u> | <u>(655)</u> |
| Contributions (to) / from reserves | | |
| Earmarked Reserves | | |
| Capital | (330) | (298) |
| Reorganisation | 0 | (100) |
| Budget Stabilisation | (885) | (1,052) |
| New Homes Bonus | 0 | 215 |
| Financial Plan | 588 | 580 |
| Planned contribution from Gen Fund Res | 0 | 0 |
| | <u>(627)</u> | <u>(655)</u> |

Agenda Item 13

Appendix C

| | 2011/12 | 2012/13 | 2013/14 |
|----------------------|---------|---------|---------|
| Taxbase | 50,575 | 50,860 | 47,053 |
| | £ | £ | £ |
| Council Tax @ Band D | 181.89 | 181.89 | 185.49 |

Council Tax Summary

Band D charge

| | | | % | |
|---------------------|------------------------|------------------------|--------------|--------------------|
| Kent County | 1,047.78 | 1,047.78 | 69.7 | |
| Kent Fire | 67.95 | 67.95 | 4.5 | |
| Kent Police | 138.68 | 138.68 | 9.2 | |
| | <u>1,254.41</u> | <u>1,254.41</u> | <u>83.5</u> | 0.00 |
| Sevenoaks District | 181.89 | 181.89 | 12.1 | |
| Average Town/Parish | 66.56 | 66.56 | 4.4 | |
| | <u>1,502.86</u> | <u>1,502.86</u> | <u>100.0</u> | <u>0.00</u> |

Interest Receipts Summary

| | | | |
|-----------------------------|--|-------------------|-------------------|
| Investment interest | | 206 | 260 |
| Mortgage and other interest | | 2 | 2 |
| Allocations to Provisions | | <u>(35)</u> | <u>(33)</u> |
| Net Revenue contribution | | <u>173</u> | <u>229</u> |

| Head of Service | Actuals | | Proposed |
|-------------------------------|---------------|---------------|---------------|
| | 11/12 | Budget 12/13 | Budget 13/14 |
| | £'000 | £'000 | £'000 |
| Community Development | 1,140 | 979 | 1,014 |
| Development Services | 1,413 | 1,307 | 1,405 |
| Environmental and Operations | 2,528 | 2,752 | 2,880 |
| Finance and Human Resources | 3,584 | 3,929 | 4,029 |
| Housing and Communications | 944 | 875 | 929 |
| IT and Facilities Management | 2,052 | 2,049 | 2,103 |
| Legal and Democratic Services | 1,837 | 1,861 | 1,700 |
| | <u>13,498</u> | <u>13,752</u> | <u>14,060</u> |
| Direct Services | -0 | -64 | -64 |
| As Budget Book | <u>13,498</u> | <u>13,688</u> | <u>13,996</u> |
| Items outside General Fund | | -245 | -196 |
| | | <u>13,443</u> | <u>13,800</u> |

| | |
|------------------------------------|---------------|
| Summary | £'000 |
| Budget for 12/13 | 13,443 |
| Inflation | 621 |
| Previous Years Savings | -436 |
| SCIA 2013/14 | 140 |
| Change in contribution to reserves | 32 |
| | <u>13,800</u> |

| | Actuals 11/12 | Budget 12/13 | Proposed Budget 13/14 |
|---|------------------|---------------|--------------------------|
| | £'000 | £'000 | £'000 |
| Pay Costs | 9,099 | 9,464 | 9,574 |
| Pay Costs Externally Funded | 73 | 78 | 112 |
| Premises and Grounds | 1,420 | 1,246 | 1,281 |
| Transport | 60 | 59 | 62 |
| Supplies and Services | 2,777 | 2,591 | 2,651 |
| Agency and Contracted | 4,545 | 3,604 | 3,721 |
| Agency and Contracted - Direct Services | 3,408 | 3,484 | 3,630 |
| Agency and Contracted - Partnership payments | 2,876 | 2,709 | 2,769 |
| Transfer Payments - Benefits | 32,538 | 31,146 | 25,998 |
| Transfer Payments - Other | 529 | 83 | 45 |
| Departmental Management and other Heads of Service | 651 | 632 | 634 |
| Funds drawn from/to Reserves | -430 | 115 | 147 |
| Income | -8,527 | -7,527 | -7,757 |
| Income - Housing Benefits | -33,198 | -31,805 | -26,658 |
| Recharges | -3,002 | -2,796 | -2,871 |
| Asset Maintenance | 678 | 671 | 719 |
| Service expenditure before re-allocation of Support Services and Capital charges | 13,498 | 13,752 | 14,060 |

Net Service Expenditure analysed by Head of Service

| | Actuals 11/12 | Budget 12/13 | Proposed Budget 13/14 |
|---|---------------|--------------|--------------------------|
| | £'000 | £'000 | £'000 |
| Community Development | | | |
| 8 to 12 project | 23 | 0 | 0 |
| All Weather Pitch | -2 | -2 | -2 |
| Community Activity | 20 | 0 | 0 |
| Community Safety | 191 | 207 | 209 |
| Community Development Service Provisions | -15 | -2 | -2 |
| The Community Plan | 50 | 58 | 70 |
| Economic Development | 43 | 41 | 44 |
| Grants to Organisations | 185 | 179 | 183 |
| Health Improvements | 41 | 41 | 45 |
| Leisure Contract | 339 | 248 | 281 |
| Leisure Development | 20 | 20 | 20 |
| Administrative Expenses - Community Development | 8 | 13 | 14 |
| STAG Community Arts Centre | 100 | 100 | 75 |
| Sustainability | 16 | 4 | 0 |
| Tourism | 52 | 24 | 28 |
| Youth | 71 | 48 | 49 |
| Total Service Expenditure | 1,140 | 979 | 1,014 |

| | Actuals 11/12 £'000 | Budget 12/13 £'000 | Proposed Budget 13/14 £'000 |
|---|------------------------|-----------------------|-----------------------------------|
| Community Development | | | |
| Pay Costs | 431 | 354 | 365 |
| Pay Costs Externally Funded | 73 | 78 | 112 |
| Premises and Grounds | 74 | 60 | 71 |
| Transport | 3 | 9 | 9 |
| Supplies and Services | 158 | 118 | 137 |
| Agency and Contracted | 734 | 556 | 515 |
| Departmental Management and other Heads of Service | 24 | 24 | 24 |
| Funds drawn from/to Reserves | 50 | 0 | 0 |
| Income | -407 | -220 | -220 |
| Service expenditure before re-allocation of Support Services and Capital charges | 1,140 | 979 | 1,014 |

| Analysis of budget changes between 12/13 and 13/14 | £'000 |
|--|--------------|
| Base Budget 2012/13 | 979 |
| Inflation | 60 |
| Planned Savings agreed previous years | |
| SCIA 24 (10/11) Stag agreement expiry | -25 |
| Approved Budget 2013/14 | 1,014 |

Net Service Expenditure analysed by Head of Service

| | Actuals 11/12 | Budget 12/13 | Proposed Budget 13/14 |
|---|---------------|--------------|--------------------------|
| | £'000 | £'000 | £'000 |
| Development Services | | | |
| Bridleways / Footpath Diversions | 2 | 1 | 0 |
| Conservation | 45 | 47 | 50 |
| Planning Policy | 428 | 435 | 417 |
| LDF Expenditure | -0 | 0 | 0 |
| Planning - Appeals | 166 | 163 | 188 |
| Planning - Counter | -0 | -1 | -0 |
| Planning - Development Control | 499 | 362 | 446 |
| Planning - Enforcement | 253 | 269 | 272 |
| Administrative Expenses - Development Control | 21 | 30 | 31 |
| Total Service Expenditure | 1,413 | 1,307 | 1,405 |

| | Actuals 11/12 £'000 | Budget 12/13 £'000 | Proposed Budget 13/14 £'000 |
|---|------------------------|-----------------------|-----------------------------------|
| Development Services | | | |
| Pay Costs | 1,623 | 1,794 | 1,809 |
| Premises and Grounds | 3 | 1 | 1 |
| Transport | 0 | 0 | 1 |
| Supplies and Services | 90 | 64 | 66 |
| Agency and Contracted | 177 | 64 | 87 |
| Departmental Management and other Heads of Service | 59 | 60 | 61 |
| Funds drawn from/to Reserves | -15 | 42 | 77 |
| Income | -525 | -719 | -696 |
| Service expenditure before re-allocation of Support Services and Capital charges | 1,413 | 1,307 | 1,405 |

| Analysis of budget changes between 12/13 and 13/14 | £'000 |
|--|--------------|
| Base Budget 2012/13 | 1,307 |
| Inflation | 47 |
| Planned Savings agreed previous years | |
| SCIA 15 (2011/12) LDF Preparation | 70 |
| SCIA 15 (2011/12) LDF cost reduction | -35 |
| SCIA 14b (2011/12) Income S106 monitoring | 25 |
| SCIA 59 (2011/12) Senior Management Review | -30 |
| SCIAs 2013/14 | |
| SCIA 3 (2013/14) Planning - Legal/Barrister Fees | 20 |
| Minor Adjustments | 1 |
| Approved Budget 2013/14 | 1,405 |

Net Service Expenditure analysed by Head of Service

| | Actuals 11/12 | Budget 12/13 | Proposed Budget 13/14 |
|--|---------------|--------------|--------------------------|
| | £'000 | £'000 | £'000 |
| Environmental and Operations | | | |
| Asset Maintenance Car Parks | 0 | 15 | 16 |
| Asset Maintenance CCTV | 15 | 11 | 12 |
| Asset Maintenance Countryside | 8 | 5 | 5 |
| Asset Maintenance Direct Services | 19 | 26 | 27 |
| Asset Maintenance Playgrounds | 3 | 8 | 8 |
| Asset Maintenance Public Toilets | 13 | 8 | 8 |
| Building Control Discretionary Work | 0 | 0 | -0 |
| Building Control | -14 | -130 | -84 |
| Car Parks | -1,555 | -1,597 | -1,663 |
| CCTV | 275 | 245 | 244 |
| Civil Protection | 10 | 28 | 32 |
| Dangerous Structures | 21 | 22 | 23 |
| Dartford Environmental Hub (SDC Costs) | 0 | -0 | 0 |
| On-Street Parking | -297 | -389 | -403 |
| Trade Waste (VAT) | -552 | 0 | 0 |
| EH Commercial | 18 | 251 | 262 |
| EH Animal Control | 62 | 43 | 1 |
| EH Environmental Protection | 669 | 351 | 396 |
| Emergency | 57 | 60 | 62 |
| Estates Management - Grounds | 81 | 94 | 95 |
| Licensing Partnership Hub (Trading) | 0 | -0 | 0 |
| Licensing Partnership Members | 0 | 0 | 0 |
| Licensing Regime | 25 | -14 | -3 |
| Minibus | 1 | 0 | 0 |
| Parks and Recreation Grounds | 123 | 91 | 97 |
| Parks - Rural | 56 | 81 | 80 |
| Environmental Health Partnership | 0 | 0 | 0 |
| Public Transport Support | 1 | 1 | 0 |
| Refuse Collection | 2,161 | 2,204 | 2,284 |
| Administrative Expenses - Building Control | 6 | 9 | 9 |
| Administrative Expenses - Community Director | 5 | 14 | 14 |
| Administrative Expenses - Health | 15 | 24 | 25 |
| Administrative Expenses - Transport | 5 | 9 | 9 |
| Street Naming | 4 | 13 | 13 |
| Street Cleansing | 1,214 | 1,177 | 1,216 |
| Support - Health and Safety | 12 | 17 | 18 |
| Support - Direct Services | 25 | 50 | 52 |
| Taxis | -16 | -12 | -16 |
| Public Conveniences | 55 | 37 | 41 |
| Total Service Expenditure | 2,528 | 2,752 | 2,880 |

Agenda Item 13

Appendix D

| | Actuals 11/12 £'000 | Budget 12/13 £'000 | Proposed Budget 13/14 £'000 |
|---|------------------------|-----------------------|-----------------------------------|
| Environmental and Operations | | | |
| Pay Costs | 2,292 | 2,268 | 2,253 |
| Premises and Grounds | 466 | 415 | 409 |
| Transport | 35 | 30 | 32 |
| Supplies and Services | 510 | 556 | 583 |
| Agency and Contracted | 549 | 270 | 267 |
| Agency and Contracted - Direct Services | 3,310 | 3,386 | 3,528 |
| Agency and Contracted - Partnership payments | 255 | 880 | 885 |
| Transfer Payments - Other | 259 | 0 | 0 |
| Departmental Management and other Heads of Service | 28 | 34 | 35 |
| Funds drawn from/to Reserves | -96 | 0 | 0 |
| Income | -5,014 | -4,392 | -4,407 |
| Recharges | -124 | -768 | -782 |
| Asset Maintenance | 58 | 73 | 76 |
| Service expenditure before re-allocation of Support Services and Capital charges | 2,528 | 2,752 | 2,880 |

| Analysis of budget changes between 12/13 and 13/14 | £'000 |
|--|--------------|
| Base Budget 2012/13 | 2,752 |
| Inflation | 89 |
| Planned Savings agreed previous years | |
| SCIA 22b (2011/12) Parking - reduce administration costs | -14 |
| SCIAS 2013/14 | |
| SCIA 1 (2013/14) Income - Building Control | 50 |
| Other Adjustments between Heads of Service | |
| Asset Maintenance | 3 |
| Approved Budget 2013/14 | 2,880 |

Net Service Expenditure analysed by Head of Service

| | Actuals 11/12 | Budget 12/13 | Proposed Budget 13/14 |
|---|---------------|--------------|--------------------------|
| | £'000 | £'000 | £'000 |
| Finance and Human Resources | | | |
| Benefits Admin | 1,276 | 828 | 863 |
| Benefits Grants | -659 | -659 | -659 |
| Dartford Partnership Hub (SDC costs) | -524 | 0 | 0 |
| Housing Advances | 3 | 5 | 5 |
| Local Tax | 208 | 154 | 127 |
| Members | 313 | 395 | 407 |
| Misc. Finance | 2,036 | 2,155 | 2,276 |
| Dartford Partnership Implementation & Project Costs | -0 | 0 | -30 |
| Administrative Expenses - Corporate Director | 2 | 5 | 7 |
| Administrative Expenses - Chief Executive | 6 | 20 | 13 |
| Administrative Expenses - Finance | 17 | 39 | 42 |
| Administrative Expenses - Personnel | 14 | 13 | 14 |
| Support - Audit Function | 126 | 139 | 145 |
| Support - Exchequer and Procurement | 134 | 140 | 135 |
| Support - Finance Function | 147 | 234 | 222 |
| Support - General Admin | 177 | 147 | 139 |
| Support - Nursery | 2 | 0 | 0 |
| Support - Personnel | 208 | 225 | 233 |
| Treasury Management | 99 | 90 | 90 |
| Total Service Expenditure | 3,584 | 3,929 | 4,029 |

Agenda Item 13

Appendix D

| | Actuals 11/12 | Budget 12/13 | Proposed Budget 13/14 |
|---|---------------|--------------|--------------------------|
| | £'000 | £'000 | £'000 |
| Finance and Human Resources | | | |
| Pay Costs | 2,027 | 2,247 | 2,281 |
| Premises and Grounds | 106 | 122 | 123 |
| Transport | 2 | 5 | 4 |
| Supplies and Services | 794 | 840 | 849 |
| Agency and Contracted | 2,406 | 2,197 | 2,504 |
| Agency and Contracted Partnership payments | 2,621 | 1,829 | 1,885 |
| Transfer Payments - Benefits | 32,538 | 31,146 | 25,998 |
| Transfer Payments - Other | 7 | 0 | 0 |
| Funds drawn from/to Reserves | -163 | 0 | 0 |
| Income | -915 | -750 | -998 |
| Income - Housing Benefits | -33,198 | -31,805 | -26,658 |
| Recharges | -2,705 | -1,902 | -1,960 |
| Service expenditure before re-allocation of Support Services and Capital charges | 3,520 | 3,929 | 4,029 |

Analysis of budget changes between 12/13 and 13/14 £'000

Base Budget 2012/13 3,929

Inflation 214

Planned Savings agreed previous years

SCIA 38 (2011/12) Revenues and Benefits - Partnership - further efficiencies target (£60k split 50:50) -30

SCIA 40 (2011/12) Lease Cars - Cease scheme administration -9

SCIA 59 (2011/12) Senior Management Review -30

SCIAs 2013/14

Other Adjustments between Heads of Service

Transferred to ICT -6

Asset Maintenance salaries returned to General Fund -39

Approved Budget 2013/14 4,029

Net Service Expenditure analysed by Head of Service

| | Actuals 11/12 | Budget 12/13 | Proposed Budget 13/14 |
|---|---------------|--------------|--------------------------|
| | £'000 | £'000 | £'000 |
| Housing and Communications | | | |
| Home Improvement Agency (prev. Care and Repair) | 39 | 39 | 0 |
| Consultation and Surveys | 0 | 2 | 3 |
| Energy Efficiency | 16 | 6 | 22 |
| External Communications | 113 | 143 | 147 |
| Gypsy Sites | -6 | -20 | -23 |
| Homeless | 194 | 104 | 113 |
| Housing | 394 | 367 | 436 |
| Housing Initiatives | 8 | 8 | 8 |
| Homelessness Prevention | 0 | 0 | 0 |
| Needs and Stock Surveys | 15 | 13 | 13 |
| Housing Option - Trailblazer/HERO Project | 0 | 0 | -0 |
| Private Sector Housing | 164 | 195 | 189 |
| Administrative Expenses - Housing | 11 | 13 | 17 |
| Support - General Admin | -10 | 0 | 0 |
| Leader Programme | 5 | 4 | 4 |
| Total Service Expenditure | 944 | 875 | 929 |

| | Actuals 11/12 £'000 | Budget 12/13 £'000 | Proposed Budget 13/14 £'000 |
|---|------------------------|-----------------------|-----------------------------------|
| Housing and Communications | | | |
| Pay Costs | 641 | 732 | 781 |
| Premises and Grounds | 26 | 26 | 18 |
| Transport | 1 | 0 | 0 |
| Supplies and Services | 118 | 87 | 91 |
| Agency and Contracted | 254 | 158 | 198 |
| Departmental Management and other Heads of Service | 23 | 23 | 26 |
| Funds drawn from/to Reserves | 324 | 156 | 116 |
| Income | -444 | -307 | -302 |
| Service expenditure before re-allocation of Support Services and Capital charges | 944 | 875 | 929 |

| Analysis of budget changes between 12/13 and 13/14 | £'000 |
|--|------------|
| Base Budget 2012/13 | 875 |
| Inflation | 32 |
| Planned Savings agreed previous years | |
| Salaries Contra to Disabled Facilities Grant | 22 |
| SCIAS 2013/14 | |
| Approved Budget 2013/14 | 929 |

Net Service Expenditure analysed by Head of Service

| | Actuals 11/12 | Budget 12/13 | Proposed Budget 13/14 |
|--|---------------|--------------|--------------------------|
| | £'000 | £'000 | £'000 |
| IT and Facilities Management | | | |
| Asset Maintenance IT | 300 | 300 | 290 |
| Administrative Expenses - IT | 16 | 25 | 25 |
| Support - Contact Centre | 407 | 408 | 427 |
| Support - Central Offices - Facilities | 259 | 252 | 260 |
| Support - General Admin | 280 | 263 | 258 |
| Support - IT | 739 | 749 | 789 |
| Support - Local Offices | 50 | 53 | 55 |
| Total Service Expenditure | 2,052 | 2,049 | 2,103 |

Agenda Item 13

Appendix D

| | Actuals 11/12 £'000 | Budget 12/13 £'000 | Proposed Budget 13/14 £'000 |
|---|------------------------|-----------------------|-----------------------------------|
| IT and Facilities Management | | | |
| Pay Costs | 1,196 | 1,197 | 1,253 |
| Premises and Grounds | 15 | 14 | 14 |
| Transport | 6 | 7 | 8 |
| Supplies and Services | 917 | 717 | 710 |
| Agency and Contracted | 94 | 102 | 106 |
| Departmental Management and other Heads of Service | 41 | 41 | 41 |
| Funds drawn from/to Reserves | -112 | 0 | 0 |
| Income | -405 | -329 | -318 |
| Asset Maintenance | 300 | 300 | 290 |
| Service expenditure before re-allocation of Support Services and Capital charges | 2,052 | 2,049 | 2,103 |

Analysis of budget changes between 12/13 and 13/14 £'000

Base Budget 2012/13 2,049

Inflation 52

Planned Savings agreed previous years

SCIA 40 (2011/12) Lease Cars - Cease scheme administration -1

SCIA 49 (2011/12) Information Systems and IT Support - review staffing resources -20

SCIAS 2013/14

Other Adjustments between Heads of Service

IT Software 17

Transferred from Finance 6

Approved Budget 2013/14 2,103

Net Service Expenditure analysed by Head of Service

| | Actuals 11/12 | Budget 12/13 | Proposed Budget 13/14 |
|--|---------------|--------------|--------------------------|
| | £'000 | £'000 | £'000 |
| Legal and Democratic Services | | | |
| Action and Development | 11 | 6 | 7 |
| Asset Maintenance Argyle Road | 30 | 50 | 50 |
| Asset Maintenance Other Corporate Properties | 34 | 30 | 30 |
| Asset Maintenance Hever Road | 0 | 0 | 6 |
| Asset Maintenance Leisure | 143 | 92 | 165 |
| Asset Maintenance Support & Salaries | 101 | 115 | 95 |
| Asset Maintenance Sewage Treatment Plants | 13 | 11 | 8 |
| Bus Station | 10 | 13 | 14 |
| Civic Expenses | 14 | 14 | 15 |
| Corporate Management | 879 | 908 | 930 |
| Corporate Savings | 0 | -48 | -300 |
| Committee Admin | 85 | 102 | 103 |
| Elections | 68 | 67 | 71 |
| Equalities Legislation | 13 | 17 | 17 |
| Estates Management - Buildings | -48 | -113 | -96 |
| Housing Premises | -8 | -9 | -8 |
| Land Charges | -116 | -121 | -91 |
| Markets | -281 | -240 | -241 |
| Performance Improvement | 5 | 6 | 6 |
| Register of Electors | 118 | 131 | 135 |
| Administrative Expenses - Legal and Democratic | 58 | 77 | 79 |
| Administrative Expenses - Property | 1 | 4 | 4 |
| Support - Central Offices | 410 | 426 | 405 |
| Support - Legal Function | 242 | 236 | 233 |
| Support - Property Function | 56 | 88 | 65 |
| Total Service Expenditure | 1,837 | 1,861 | 1,700 |

Agenda Item 13

Appendix D

| | Actuals 11/12 £'000 | Budget 12/13 £'000 | Proposed Budget 13/14 £'000 |
|---|------------------------|-----------------------|-----------------------------------|
| Legal and Democratic Services | | | |
| Pay Costs | 889 | 870 | 832 |
| Premises and Grounds | 730 | 608 | 644 |
| Transport | 12 | 7 | 7 |
| Supplies and Services | 190 | 210 | 216 |
| Agency and Contracted | 382 | 355 | 146 |
| Departmental Management and other Heads of Service | 450 | 449 | 446 |
| Funds drawn from/to Reserves | -58 | 0 | 0 |
| Income | -1,079 | -937 | -945 |
| Asset Maintenance | 320 | 298 | 353 |
| Service expenditure before re-allocation of Support Services and Capital charges | 1,837 | 1,861 | 1,700 |

Analysis of budget changes between 12/13 and 13/14 £'000

Base Budget 2012/13 1,861

Inflation 121

Planned Savings agreed previous years

| | |
|--|------|
| SCIA 5 (2011/12) Asset Maintenance | 70 |
| SCIA 35 (2011/12) Property - review processes and restructure Original | -75 |
| SCIA 35 (2011/12) Property - review processes and restructure Revision | 35 |
| SCIA 40 (2011/12) Lease Cars - Cease scheme administration | -5 |
| SCIA 59 (2011/12) Senior Management Review | -242 |

SCIAs 2013/14

| | |
|---|-----|
| SCIA 4 (2013/14) Land Charges Income | 40 |
| SCIA 5 (2013/14) Audit Fees | -40 |
| SCIA 6 (2013/14) Argyle Rents KCC/MOAT | -20 |
| SCIA 7 (2013/14) Argyle Rents Police | -15 |
| SCIA 8 (2013/14) Market Related Supplements | -10 |

Other Adjustments between Heads of Service

| | |
|-------------------|-----|
| IT Software | -17 |
| Asset Maintenance | -3 |

Approved Budget 2013/14 1,700

| | Actuals | Budget | Proposed Budget |
|---------------------------------------|----------|------------|--------------------|
| | 11/12 | 12/13 | 13/14 |
| | £'000 | £'000 | £'000 |
| Direct Services | | | |
| Pay Costs | 2,778 | 2,848 | 2,913 |
| Premises and Grounds | 0 | 207 | 214 |
| Transport | 0 | 2,393 | 2,477 |
| Supplies and Services | -4 | 878 | 909 |
| Agency and Contracted | 0 | -138 | -138 |
| Agency and Contracted - Direct Servic | 0 | 0 | 0 |
| Departmental Management and othe | 0 | 0 | 0 |
| Funds drawn from/to Reserves | 0 | 0 | 0 |
| Support Services | 143 | 118 | 122 |
| Capital Financing | 47 | 54 | 54 |
| Income | -2,964 | -6,423 | -6,613 |
| Asset Maintenance | 0 | 0 | 0 |
| Total Service Expenditure | 0 | -64 | -64 |

Analysis of budget changes between 12/13 and 13/14

| | | |
|---------------------------------------|-----|------------|
| Base Budget 2012/13 | net | -64 |
| Inflation | | 135 |
| Inflation recharged to services | | -135 |
| Planned Savings agreed previous years | | 0 |
| SCIAS 2013/14 | | 0 |
| Other adjustments | | 0 |
| Approved Budget 2013/14 | | -64 |

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PAY COST ESTIMATES SUMMARY 2013/2014

| Line No. | | 2012/13 BUDGET | 2012/13 BUDGET FTE | 2013/14 PROPOSAL | CHANGE | | 2013/14 BUDGET FTE |
|---|--|-------------------|--------------------|-------------------|----------------|--------------|--------------------|
| | | | | | £ | % | |
| Chief Executive's Department | | | | | | | |
| 1 | Chief Executive, P.A. & Secretarial | 205,519 | 3.00 | 207,511 | 1,992 | 0.97% | 3.00 |
| | | 205,519 | 3.00 | 207,511 | 1,992 | 0.97% | 3.00 |
| Corporate Resources Department | | | | | | | |
| 2 | Director, P.A. & Secretarial | 282,000 | 6.38 | 286,774 | 4,774 | 1.69% | 6.38 |
| 2a | Human Resources | 233,187 | 5.72 | 240,225 | 7,038 | 3.02% | 6.54 |
| 3 | Finance | 2,253,709 | 76.95 | 2,234,483 | (19,226) | (0.85%) | 60.46 |
| 4 | Legal & Democratic Services | 639,259 | 14.95 | 641,751 | 2,492 | 0.39% | 15.34 |
| 5 | Information Technology & Facilities Management | 1,197,222 | 23.43 | 1,252,521 | 55,299 | 4.62% | 41.30 |
| | | 4,605,377 | 127.43 | 4,655,754 | 50,377 | 1.09% | 130.02 |
| Community & Planning Services Department | | | | | | | |
| 6 | Director, P.A. & Secretarial | 169,161 | 2.00 | 171,825 | 2,664 | 1.57% | 2.00 |
| 7 | Community Development | 357,920 | 8.54 | 368,787 | 10,867 | 3.04% | 8.54 |
| 8a | Operational Services | 504,238 | 13.20 | 503,780 | (458) | (0.09%) | 12.63 |
| 8b | Operational Services (TASK) | 2,848,231 | 102.78 | 2,912,590 | 64,359 | 2.26% | 101.14 |
| 9 | Environmental Health | 589,046 | 12.57 | 604,486 | 15,440 | 2.62% | 12.57 |
| 10 | Licensing | 327,547 | 9.41 | 290,925 | (36,622) | (11.18%) | 8.81 |
| 11 | Development Services | 1,798,092 | 48.37 | 1,812,940 | 14,848 | 0.83% | 47.19 |
| 12 | Building Control | 379,056 | 7.81 | 384,314 | 5,258 | 1.39% | 7.81 |
| 13 | Housing & Communications | 610,906 | 14.89 | 629,788 | 18,882 | 3.09% | 14.89 |
| 14 | Parking & Amenity Services | 477,795 | 15.56 | 478,811 | 1,016 | 0.21% | 14.61 |
| | | 8,061,992 | 235.13 | 8,158,246 | 96,254 | 1.19% | 230.19 |
| Other Salary Costs | | | | | | | |
| 15 | Vacancy Savings | (100,000) | - | (100,000) | 0 | 0.00% | - |
| 16 | Performance Award Contingency | 48,000 | - | 48,000 | 0 | 0.00% | - |
| 17 | Market Premium Review | 52,272 | - | 42,272 | (10,000) | | - |
| | SUB-TOTAL | 12,873,161 | 365.56 | 13,011,783 | 138,622 | 1.08% | 363.21 |
| 18 | Community Development (Ext Funded) | 78,039 | 2.54 | 112,196 | 34,157 | 43.77% | 2.54 |
| 19 | Operational Services (Ext Funded) | - | - | - | 0 | | - |
| 20 | Operational Services TASK (Ext Funded) | - | - | - | 0 | | - |
| 21 | Development Services (Ext Funded) | - | - | - | 0 | | - |
| 22 | Housing (Ext Funded) | 185,945 | 5.81 | 196,461 | 10,516 | 5.66% | 6.00 |
| | GRAND TOTAL | 13,137,146 | 373.91 | 13,320,440 | 183,294 | 1.40% | 371.75 |

NOTES

1) Externally funded posts (lines 18 to 22) have been excluded from earlier lines. The income will show elsewhere in the 2013/14 budget.

Note that the figures in the above table may vary slightly from the detailed analysis sheets because of this.

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Statement of Reserves and Provisions

1. This appendix sets out details of the reserves and provisions held by the council. These balances have been subject to a detailed review as part of the budget process. **The items in bold show the changes that are being recommended.**
2. One of the requirements of the Financial Planning Strategy is to have flexible use of the Budget Stabilisation Reserve. The fund would incorporate any annual under-spends and absorb any annual over-spends. **It is recommended that any favourable variance achieved in the 2012/13 budget is put into this reserve.**
3. The New Homes Bonus has now been included in the 10-year revenue budget for the first time, as it has been confirmed that it will be received until 2016/17. **It is recommended that the balance held in this reserve at 01/04/12 of £215,000 be transferred to the Budget Stabilisation Reserve and that £120,000 per annum from the New Homes Bonus received in 2013/14 to 2016/17, be transferred to the Budget Stabilisation Reserve.** These actions will help to ensure the sustainability of the 10-year budget.
4. The annual contribution from revenue to the Capital Reserve is currently £330,000. On an annual basis, Housing are reducing the amount of staffing expenditure charged to the Housing Improvement Grants capital scheme which has contributed to the annual cost of this scheme reducing. Therefore, less funding is now required for this scheme. **It is recommended that the annual contribution from revenue to the Capital Reserve be reduced by £32,000 to £298,000.**
5. The Housing Benefit Subsidy Reserve has grown over recent years due to the favourable method in calculating the Benefit Subsidy received from Government. Therefore, it is now possible to reduce the balance in this reserve to fund the changes shown below. **It is recommended that £294,000 be transferred from the Housing Benefit Subsidy Reserve.**
6. As a consequence of the Senior Management restructure, a proportion of the Reorganisation Reserve will be used to fund the one-off cost of these changes. It is advisable that this reserve is topped up to help support any future reorganisations that may take place. **It is recommended that a further £100,000 be transferred to the Reorganisation Reserve.**
7. Due to the ongoing reduction in the Council's revenue budget, there is less scope for any ad hoc expenditure resulting from emergencies to be offset by underspends elsewhere, therefore it would be prudent to increase the amount held in the Action and Development Reserve. **It is**

- recommended that £100,000 be transferred to the Action and Development Reserve.**
8. A provision of £211,000 was set up in 2011/12 for possible costs relating to Municipal Mutual Insurance Ltd (MMI), as a solvent run-off of the company was now less likely to be achieved. More recent information suggests that the provision should be increased to £305,000. **It is recommended that £94,000 be transferred to the MMI Provision.**
 9. No movement on the General Fund Reserve is currently planned in 2013/14.
 10. The following table set out the reserves and provisions held by the Council at 1st April 2012.

| | 01/04/12 | Purpose (some further details are included in the Statement of Accounts 2011/12) |
|----------------------------|---------------|--|
| Provisions | £000 | |
| Edenbridge Relief Road | 1,546 | Future compensation costs in relation to the scheme. A full and final settlement has now been made. |
| Accumulated Absences | 152 | Absorbs the difference that would otherwise arise on the General Fund Balance from accruing for compensated absences (e.g. annual leave) earned but not taken in the year. |
| Municipal Mutual Insurance | 211 | A solvent run-off of MMI is now unlikely which may result in Councils being liable to clawback of monies paid out. |
| Other | 34 | To cover potential restitutionary claims in respect of personal search fees of the land register. |
| Sub Total | 1,943 | |
| Capital Receipts | | |
| Capital Receipts | 708 | Balance from previous asset sales and mortgage repayments. Can be used to fund future capital expenditure. |
| Earmarked Reserves | | |
| Action and Development | 296 | To fund ad hoc expenditure, e.g. resulting from an emergency. |
| Asset Maintenance | 1,000 | To fund emergency works to assets. |
| Big Community Fund | 103 | To fund local projects. |
| Budget Stabilisation | 2,765 | To support decisions required to continue to produce a balanced budget in future years. |
| Carry Forward Items | 222 | For specific items agreed by Cabinet, e.g. if a project has slipped between years. |
| Community Development | 470 | External funding received for ongoing and future projects. |
| Financial Plan | 5,812 | Funds moved from the Asset Maintenance and Employer's Superannuation Reserves to support the 10-year budget. |
| First Time Sewerage | 915 | Transferred from a provision for potential liabilities relating to earlier sewerage installations. |
| Homelessness Prevention | 134 | For preventing homelessness. |
| Housing Benefit Subsidy | 1,351 | Provides a cushion against large movements in the subsidy claim each year. |
| IT Asset Maintenance | 121 | To fund future IT asset maintenance costs. |
| Local Plan/LDF | 565 | To help support the Local Plan and Local Development Framework. |
| New Homes Bonus | 215 | Due to the uncertainty of future Government funding an element of NHB is being kept separate. |
| Pension Fund Valuation | 349 | To contribute towards the expected downturn at the next pension fund actuarial valuation. |
| Rent Deposit Guarantees | 181 | To support the homeless etc, by providing their initial deposit and guarantee for a property. |
| Re-organisation | 478 | To fund actions taken to achieve annual budget savings. |
| Vehicle Insurance | 287 | Own vehicle damage for the commercial vehicle fleet. Contributions are made from the trading accounts. |
| Vehicle Renewal | 292 | Vehicle replacement for the commercial vehicle fleet. Contributions are made from the revenue trading accounts each year. |
| Others | 542 | Mainly reserves where contributions are made annually from revenue, to meet specific periodic costs - e.g. district elections, community safety audit, civic expenses transport. |
| Sub Total | 16,098 | |
| General Fund | 3,713 | Acts as a working balance to meet unexpected issues during the year, for which a minimum of 10% of net service expenditure recommended. It also meets any planned deficits on the revenue account. |
| TOTAL | 22,462 | |

Definitions:

Provisions – cash set aside for liabilities or losses which are known obligations, but are uncertain as to amounts or dates. Expenditure can be charged direct against the Provision without being reflected in the Revenue Account.

Capital Receipts – cash received from the sale of assets (normally land and buildings) and the repayment of grants and advances (e.g. mortgage repayments). Such receipts can only be used to repay debt, or to finance capital investment.

Earmarked Reserve – amounts set aside for purposes falling outside the definition of Provisions. Expenditure should not be charged direct to reserves, but shown in the Revenue Account with the transfer to or from the reserve distinguished from service expenditure. For each reserve the purpose, usage and basis of transactions should be clearly identified.

Unallocated Reserve – the General Fund balance. Sums not set-aside for a specific purpose. The only transaction should be the surplus or deficit on the General Fund each year.

Risk Factors 2013/14

| Issue | £ Scale | Likelihood 1 (low) – 5 (high) | Impact 1 (low) – 5 (high) | Total Score | Potential Annual Impact and Sensitivity Analysis | Risk Areas | Controls and Actions in place |
|-------------------------------|------------------------|--|--|------------------------|--|---|--|
| Pay Costs | £13m total costs | 2 | 4 | 8 | 1% pay increase = £130k. Budget assumptions: 1% pay award, 0.9% incremental increase which will reduce each year. | Largest single item of cost. Complex drivers across the organisation. | Strict monitoring of both financials and staff numbers. New salary bands introduced from 1 April 2012 will reduce the costs of annual increments. Formal sickness & overtime monitoring. Separate control on agency staff. Part of National Agreement. |
| Pensions Funding | £23m deficit | 1 | 4 | 4 | 1% change in employers contribs = £105k. Revaluation to take effect from 14/15 | Deficit on County Fund. Future actuarial results. Government review. | £520,000 included in 10-year budget in 2014/15 to contribute towards any revaluation increase. |
| Major Service Income areas | | | | | See below by income type | Income subject to local economic conditions. Some very large single-source income targets (see below). | Strict monitoring, with trend analysis. |

| Issue | £ Scale | Likelihood 1 (low) – 5 (high) | Impact 1 (low) – 5 (high) | Total Score | Potential Annual Impact and Sensitivity Analysis | Risk Areas | Controls and Actions in place |
|--------------------------|---------|-------------------------------------|---------------------------------|----------------|---|--|---|
| - Land Charges | £0.2m | 4 | 1 | 4 | 20% reduction would be £37k. | Low activity levels in the housing market. National legal action now underway in relation to Personal Search companies recouping monies expended under the previous legislation. | A provision of £34k is held for the national legal action. Continue to monitor. |
| - Development Control | £0.7m | 3 | 3 | 9 | 20% reduction would be £140k. | Low activity levels in the housing market and general economic conditions. | Current year income is below target. Continue to monitor. |
| - Building Control | £0.5m | 4 | 3 | 12 | 20% reduction would be £100k | Low activity levels in the housing market and general economic conditions. | Current year income is below target. Continue to monitor. |
| - Car Parks | £2.1m | 2 | 4 | 8 | 20% reduction would be £421k | General economic conditions | Current year income is below target. Continue to monitor. |
| - On-Street Parking | £0.7m | 3 | 3 | 9 | 20% reduction would be £130k | General economic conditions. Reverts to KCC control | Continue to monitor and review. |

| Issue | £ Scale | Likelihood 1 (low) – 5 (high) | Impact 1 (low) – 5 (high) | Total Score | Potential Annual Impact and Sensitivity Analysis | Risk Areas | Controls and Actions in place |
|---|-------------------------------------|--|--|------------------------|---|---|--|
| Partnership working and partner contributions | | 3 | 2 | 6 | Impact on individual projects is high. | Partner actions delayed. Agreed funding not received by SDC. Partnerships ending. | Separate accounting arrangements. Written partnership agreements. |
| External Funding Awards | £0.5m | 3 | 2 | 6 | Up to £400k Impact on individual projects is high | Time limited. | Exit strategies in place. |
| Changes in service demand | | 3 | 3 | 9 | Impacts will vary depending on service. | | Service planning in place Continue to lobby Government where changes are due to new Gov't requirements. |
| Interest Rates | £0.173m 12/13 budget | 2 | 4 | 8 | £85k per 0.5%. | Large cash variance from small rate changes. Reducing availability of suitable counter parties | Use of professional advisers |
| Investments | £36m balance at March 2011 | 1 | 5 | 5 | | Financial institutions going into administration. | Investment strategy regularly reviewed by FAG and P&G Cttee. |

| Issue | £ Scale | Likelihood 1 (low) – 5 (high) | Impact 1 (low) – 5 (high) | Total Score | Potential Annual Impact and sensitivity Analysis | Risk Areas | Controls and Actions in place |
|------------------------------|------------------------------|--|--|------------------------|---|---|---|
| Asset base maintenance | £1.0m | 1 | 1 | 1 | Annual budget is based on 25% of assessed maintenance. | Unexpected problems occurring with financial implications. Reducing budget levels. | Reserve funds set aside. 10 year maintenance planning carried out. Policy of reducing asset liabilities wherever possible. |
| Capital Investment resources | £0.7m balance at March 2012 | 2 | 2 | 4 | Risks taken into account in the Capital Programme report. | Capital receipt levels low. | External funding sought wherever possible. Capital Investment priorities in place. Property Review being pursued to secure asset sales. |
| Disposal of surplus assets | £1.7m budget in plan (13/14) | 2 | 2 | 4 | Risks taken into account in the Capital Programme and Asset Maintenance report. | Planning conflict. Resources required to bring sites forward. | Land Owner/Planning protocols in place. In-house property team. Planned Property Review disposal programme. |
| Government Grant | £4.6m in 2012/13 | 5 | 4 | 20 | £46k per 1% change | Government continues to reduce grant. Impact of business rates retention policy. Only 1 year settlement in 2015/16. Austerity measures extended to 2017/18. | Adequate level of General Reserve held. |

| Issue | £ Scale | Likelihood 1 (low) – 5 (high) | Impact 1 (low) – 5 (high) | Total Score | Potential Annual Impact and sensitivity Analysis | Risk Areas | Controls and Actions in place |
|---|-------------------------------------|--|--|------------------------|---|--|---|
| Council tax capping | £9.3m CTAX income in 12/13 | 4 | 3 | 12 | £93k per 1% capping reduction | Council tax freeze offers from Govt. Council tax increases limited to 2% Impact on council tax base from Local CTAX schemes. | Draft 10-year budget includes council tax increase assumptions for future years. |
| Future Service Changes by Government | | 4 | 4 | 16 | | Additional services without consequent resources, e.g. Maint. of trees on common land. | Monitor proposals. Respond to consultation with local view. |
| Fuel cost increases for Direct Services | £0.5m | 5 | 2 | 10 | 10% increase would be £50k | Changes in global oil prices. | Continue to monitor fuel usage and efficiency. Vehicle replacement programme. |
| Changes to external framework | | 2 | 2 | 4 | | Abolition of Audit Commission, change of external auditors | Plan responses to new initiatives well in advance. Ensure Council organisation design can meet challenges. |

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DISCRETIONARY RATE RELIEF

Cabinet – 7 February 2013

Report of the: Chief Executive Designate

Status: For Decision

Key Decision: Yes

Executive Summary:

The Council has historically reviewed the allocation of discretionary rate relief every two years. In view of the changes brought about by Business Rate Retention, this report only sets out proposals for awarding discretionary rate relief for 2013-2014. A further review will be carried out prior to the award of any relief for .2014-2015.

This report supports the Key Aim of Caring Communities and Effective Use of Council Resources

Portfolio Holder Cllr. Ramsay

Head of Service Group Manager – Financial Services – Mr Adrian Rowbotham

Recommendation to Cabinet: Members are asked to approve the proposals for granting relief from business rates for 2013-2014 set out in Appendix B.

Background

- 1 The Council is responsible for collecting business rates (formally known as Non-Domestic Rates) and passing the receipts onto the Government. The Government re-distributes business rate income as part of the Revenue Support Grant settlement.
- 2 The Local Government Finance Act 1988 provides local authorities with discretionary powers to grant relief from business rates on property occupied by charities and other non-profit making organisations.
- 3 Each Local Authority has discretion to grant relief from all or part of the amount of the business rates payable, with certain limitations. There should be an easily understood policy for deciding whether or not to grant relief and for determining the amount of relief. The Policy should be based on the consideration of the merits of each individual case.
- 4 To qualify for relief the organisation must be non-profit making (except for village shop relief), however the range of bodies that are eligible for discretionary relief is wide and not all the suggested criteria will be applicable in each case.

Agenda Item 14

Introduction

- 5 The Council currently grants discretionary rate relief over the following categories:
- Discretionary rate relief up to 100% of rates bill (but usual award is 80%);
 - Village Shop rate relief at 50% of rates bill;
 - Hardship relief up to 80% of rates bill; and
 - Discretionary top-up relief, granted to some organisations in receipt of mandatory relief to take relief up to 100% of rates bill (registered charities receive mandatory rate relief at 80% of rates bill, village shops receive mandatory relief at 50% of their rates bill).
- 6 The cost of granting discretionary relief is shared between the Government and this Council, based on the type of relief granted. The following table sets out the financial implications for the Council of the various reliefs.

| Type of relief | % funded by Government (NNDR pool) | % funded by SDC |
|--|------------------------------------|-----------------|
| Mandatory relief | 100 | 0 |
| Discretionary rate relief | 75 | 25 |
| Top-up discretionary relief for an organisation receiving mandatory relief | 25 | 75 |
| Discretionary Village Shop relief | 75 | 25 |
| Hardship relief | 75 | 25 |

- 7 The receipt of relief from business rates provides organisations with valuable support. Discretionary relief represents a cost effective way of supporting organisations with up to 75% funding from the Government. The Council needs to strike a balance between the Council's financial ability to grant relief and the benefit that the particular organisation provides to the local community.
- 8 Members reviewed the criteria for granting discretionary and top up rate relief in July 2008 and this is attached at Appendix A. As relief has historically been reviewed every two years, organisations were recently invited to apply for discretionary relief and 68 applications have been received.

Approach taken to reviewing applications

- 9 The full list of applications, together with officer recommendations, is attached at Appendix B. Each application has been considered on its own merits, however in

reviewing applications against the criteria, similar organisations were considered together, to ensure consistency of approach.

- 10 The criteria was applied as follows for discretionary rate relief and discretionary top-up relief:
- Links to Council priorities – the extent to which the activities supported the Council’s priorities was assessed, including support/activities for vulnerable or socially excluded groups.
 - Evidence of financial need including reserve levels and assets – all organisations were requested to provide financial information and reserve levels were compared to annual expenditure, to assess financial need. The ability to generate income was also considered. In addition, for sports clubs, consideration was given to whether they had applied to become community amateur sports clubs (CASCs), as that would entitle them to mandatory rate relief at no cost to the Council (see further details below).
 - Membership within the District – where it appeared that a substantial portion of the membership was from outside the District, this was taken into account in putting forward a recommendation.
 - Membership open to all – where membership is restricted to particular groups or locations, or is dependent on recommendations from existing members, this has been taken into account, as not all residents would be able to benefit from the relief granted.
 - Membership fee levels – fees levels were assessed to consider whether they were so high that they could exclude some in the local community.
 - Bar activity and profits – if the bar is the main activity an organisation was unlikely to receive relief. Any profits are expected to be used to fund club expenses.
- 11 Registration under the CASC scheme is free, although it may require some changes to a club’s constitution. All sports clubs in receipt of discretionary rate relief have been alerted to this scheme previously by the Council and strongly encouraged to apply to become a CASC. As mandatory relief incurs no costs for the Council, it is recommended that sports clubs are only considered for discretionary relief if they have applied for CASC status and there are valid reasons for the club being denied registration that could not be addressed through a simple amendment to the club’s constitution.
- 12 For discretionary village shop relief, officers considered the benefits of the shop/business to the local community when compared with the cost of the relief. It is recommended that the village shops receive relief, due to the benefit they provide to local communities.
- 13 Discretionary rate relief and village shop relief is not recommended where the ratepayer is entitled to 100% small business rate relief, since this means they already receive maximum support.

Agenda Item 14

- 14 There is no formal appeal process against the Council's decisions on the discretionary reliefs referred to in this report. The current approach is however to re-consider decisions in the light of any additional points ratepayers wish to make.

Key Implications

Financial

- 15 Consideration of all applications at the same time allows the Council to contain the total value of relief granted within the budget. The budget for discretionary relief for 2012/13 is xx. The projected cost of all applications received and recommended is £100,756 (based on the percentage cost split set out in paragraph 6 above). The cost is projected because it is based on the provisional business rate multipliers which are still subject to confirmation.

Community Impact and Outcomes

- 16 By granting discretionary village shop relief, the Council is helping valuable community assets to continue to operate in small communities.

Legal, Human Rights etc.

- 17 There are no legal or human rights issues.

Equality Impacts

18

| Consideration of impacts under the Public Sector Equality Duty: | | |
|---|--------|--|
| Question | Answer | Explanation / Evidence |
| a. Does the decision being made or recommended through this paper have potential to disadvantage or discriminate against different groups in the community? | No | This approach provides equality of access to discretionary relief, due to clear criteria for the award of relief and consideration of all applications at the same time. |
| b. Does the decision being made or recommended through this paper have the potential to promote equality of opportunity? | Yes | |
| c. What steps can be taken to mitigate, reduce, avoid or minimise the impacts identified above? | | |

Risk Assessment Statement

- 19 New organisations may request relief after the deadline for receipt of applications and so would not be able to receive discretionary relief until the

next review. In order to address urgent cases it is proposed that a small amount of the annual budget is held back for allocation by the Group Manager – Financial Services to applications from new organisations. These organisations would then apply in the usual way for the next round.

- 20 A biennial application process may seem to be an additional burden on non-profit making organisations, many of which are small. Officers have taken account of this in designing the annual application process so as to minimise the administrative burden on organisations.

Appendices

Appendix A – Policy for considering applications for Discretionary Rate Relief

Appendix B – List of organisations proposed to receive relief

Background Papers:

None

Contact Officer(s):

Adrian Rowbotham Ext 7153
Sue Cressall Ext. 7041
Paula Porter Ext. 7277

Dr. Pav Ramewal
Chief Executive Designate

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Policy for considering applications for Discretionary Rate Relief

Under National Non-Domestic Rate (NNDR) Regulations the Council has the power to award discretionary rate relief to certain charitable or non profit-making organisations where the following conditions are satisfied. All or part of the rateable facility is occupied by one or more institutions or organisations which are:

- Not established for profit; **and**
- Whose main aims are charitable, philanthropic or religious, or are concerned with social welfare, education, science, literature or the fine arts; or
- Used wholly or mainly for recreation by a not-for-profit club or society.

Discretionary relief cannot be awarded if the ratepayer is a billing or precepting authority.

The process for considering applications is as follows:

- Non-profit making organisations are asked to apply for discretionary rate relief (ordinary or top up) every two years, all applications to be considered at the same time.
- Cabinet to decide annually which organisations are to receive relief based on criteria including how the organisation assists the Council to achieve its priorities (see below). This includes deciding the level of relief to be granted in each case.
- A small amount of the budget to be held back to allow urgent cases to be considered in between reviews.

| Criteria | Explanation |
|--|---|
| Links to Council priorities | The extent to which the activities of the organisation support the Council's priorities – Delivering the Community Plan, developing Balanced Communities, the Local Development Framework and providing good value for money through a balanced budget. |
| Evidence of financial need including reserve levels and assets | Organisations with high levels of reserves (covering more than 12 months' expenditure) or who cannot demonstrate a financial need would not be a priority for rate relief. |
| Membership within District | As an element of the relief is funded by SDC taxpayers priority will be given to those organisations with a high proportion of members from within the District. |
| Membership open to all | To give all residents an opportunity to benefit from the rate relief, priority should be given to organisations where membership is open to all. |

| | |
|---|--|
| Membership fee levels | Where membership fees are charged they should not be so high as to exclude any of the community. |
| Extent to which activity is based around Bar and use of profits from it | Priority would not be given to those organisations where the bar is the main activity. It would be expected that any profits from the bar would be put back to fund club expenses. |

Certain types of **business in rural villages**, with a population below 3,000, may qualify for rate relief of 50%. Businesses that qualify for this relief are the sole general store and the sole post office in the village, provided it has a rateable value of up to £8,500, any food shop with a rateable value of up to £8,500 and the sole pub and the sole petrol station in the village provided it has a rateable value of up to £12,500. The Council has discretion to give further relief on the remaining bill on such property.

The Council may decide to give up to 100% relief to any other business in such a rural village, with a rateable value of up to £16,500, if it is satisfied that the business is of benefit to the community and having regard to the interests of its council tax payers.

Hardship relief is granted in exceptional circumstances, Any business can apply for hardship relief if they can show the following:

- The business would suffer hardship if relief was not granted; and
- It is in the interests of Council Tax payers for relief to be granted.

An application needs to be supported by current trading figures as well as previous audited accounts or accounts accepted by HMRC. In assessing an application regard will be had to employment issues for the company or any related business and the impact that the loss of business would have on the local area. The current approval process is that the Finance Team carry out a review of the business's accounts and the Group Manager – Financial Services decides whether hardship relief is appropriate based on each case's merits. In practice hardship relief has been granted in only exceptional cases to date.

| Ref | Organisation name and property description/address | Parish | % for 2012/13 | Actual Relief for 2012/13 | Cost to SDC | Projected Relief for 2013/14 | Projected Cost to SDC for 2013/14 | Recommendation/comments |
|----------|---|---------------|---------------|---------------------------|-------------|------------------------------|-----------------------------------|---|
| | DISCRETIONARY RELIEF | | | | | | | |
| 30559572 | Army Cadet Force Hall Argyle Road, Sevenoaks | Sevenoaks | 80 | £4,320.00 | £1,080.00 | £4,435.20 | £1,108.80 | Recommended |
| 30561773 | Army Cadet Force Hall Swanley Lane, Swanley | Swanley | 80 | £2,052.00 | £513.00 | £2,106.72 | £526.68 | Recommended |
| 30562325 | Army Cadet Force Hall 8 High Street, Westerham | Westerham | 80 | £2,160.00 | £540.00 | £2,217.60 | £554.40 | Recommended |
| 30549735 | Edenbridge Forge Singers Hall 72 High Street, Edenbridge | Edenbridge | 80 | £0.00 | £0.00 | £0.00 | £0.00 | Not recommended for 2013/14 100% SBRR payable |
| 30558326 | Hartley & District Social Club Ltd Club Ash Road, Hartley | Hartley | 40 | £541.26 | £135.32 | £ 555.69 | £ 138.92 | Recommended Facility used by non-members including youth karate, fitness pilates, local Masons, Hartley & District Active Retirement Association, Wellfield Horticultural Group |
| 30567870 | Manor Forstal Residents Society Ltd Garage 97-98 Manor Forstal | Ash Cum Ridle | 80 | £0.00 | £0.00 | £0.00 | £0.00 | Not recommended for 2013/14 100% SBRR payable |
| 30578788 | New Ash Green Village Association Ltd Offices Centre Road, New Ash Green | Ash Cum Ridle | 80 | £7,877.60 | £1,969.40 | £8,101.20 | £2,025.30 | Recommended |

| Ref | Organisation name and property description/address | Parish | % for 2012/13 | Relief for 2012/13 | Cost to SDC | | | Recommendation/comments |
|----------|--|---------------|---------------|--------------------|-------------|-----------|-----------|---|
| 30553475 | New Ash Green Village Association Ltd Workshop Ash Road, New Ash Green | Ash Cum Ridle | 80 | £4,950.00 | £1,237.50 | £5,082.00 | £1,270.50 | Recommended |
| 30570319 | New Ash Green Village Association Ltd Hall Ash Road, New Ash Green | Ash Cum Ridle | 80 | £2,664.00 | £666.00 | £2,735.04 | £683.76 | Recommended |
| 30557491 | New Ash Green Village Association Ltd Sports Ground Punch Croft, New Ash Green | Ash Cum Ridle | 80 | £5,580.00 | £1,395.00 | £5,728.80 | £1,432.20 | Recommended |
| 30584363 | Royal British Legion Club (Leigh Kent) Ltd Club High Street, Leigh | Leigh | 80 | £0.00 | £0.00 | £0.00 | £0.00 | Not recommended for 2013/14 100% SBRR payable |
| 30553413 | Sevenoaks Entertainers Store Oxford Road, Sevenoaks | Sevenoaks | 80 | £0.00 | £0.00 | £0.00 | £0.00 | Not recommended for 2013/14 100% SBRR payable |
| 30553253 | Gamecock Meadow Management Committee Club House R/O Gamecock Meadow, London Rd, West Kingsdown | West Kingsdov | 80 | £0.00 | £0.00 | £0.00 | £0.00 | Not recommended for 2013/14 100% SBRR payable Used for recreational sports, pavillion, library. Rents facilities to local football clubs, boules club, tennis clubs and skateboard park |
| 30573806 | Royal British Legion (Westerham) Club Ltd Club Mill Lane, Westerham | Westerham | 80 | £1,209.60 | £302.40 | £1,241.86 | £310.47 | Recommended |

| Ref | Organisation name and property description/address | Parish | % for 2012/13 | Relief for 2012/13 | Cost to SDC | | | | Recommendation/comments |
|----------|---|-----------------|---------------|--------------------|-------------|---------|---------|--|-------------------------|
| | TOP-UP RELIEF | | | | | | | | |
| 30550568 | 10th Sevenoaks (Weald's own) Scout Group Hall Glebe Road, Sevenoaks | Sevenoaks Weald | 20 | £261.06 | £195.80 | £268.47 | £201.35 | | Recommended |
| 30562165 | 15th Sevenoaks (Otford) Scouts Hall Station Road, Otford | Otford | 20 | £247.32 | £185.49 | £254.34 | £190.76 | | Recommended |
| 30565195 | 17th Sevenoaks (Westerham) Scout Group Hall Hortons Way, Westerham | Westerham | 20 | £185.49 | £139.12 | £190.76 | £143.07 | | Recommended |
| 30557095 | 1st Crockenhill Scouts Group Hall Stones Cross Road, Swanley | Swanley | 20 | £146.56 | £109.92 | £150.72 | £113.04 | | Recommended |
| 30561414 | Edenbridge Scout Group Hall Station Road, Edenbridge | Edenbridge | 20 | £187.78 | £140.84 | £193.11 | £144.83 | | Recommended |
| 30558593 | 1st Eynsford & Farningham Scout Group Hall Priory Lane, Eynsford | Eynsford | 20 | £203.81 | £152.86 | £209.60 | £157.20 | | Recommended |
| 30565812 | 1st Horton Kirby Scout Group Hall Horton Road, Horton Kirby | Horton Kirby | 20 | £203.81 | £152.86 | £209.60 | £157.20 | | Recommended |

| Ref | Organisation name and property description/address | Parish | % for 2012/13 | Relief for 2012/13 | Cost to SDC | | | Recommendation/comments |
|----------|--|---------------|---------------|--------------------|-------------|---------|---------|-------------------------|
| 30558555 | 1st Sevenoaks Scout Group Hall 57 Oakhill Road, Sevenoaks | Sevenoaks | 20 | £302.28 | £226.71 | £310.86 | £233.15 | Recommended |
| 30562080 | 3rd Sevenoaks (Riverhead & Dunton Green) Scouts Hall Bradbourne Vale Road | Sevenoaks | 20 | £270.22 | £202.67 | £277.89 | £208.42 | Recommended |
| 30573417 | 6th Sevenoaks (Kemsing) Scout Group Hall Heaverham Road, Kemsing | Kemsing | 20 | £162.59 | £121.94 | £167.21 | £125.41 | Recommended |
| 30566792 | 7th Sevenoaks (Halstead) Scout Group Hall Shoreham Lane, Halstead | Halstead | 20 | £93.89 | £70.42 | £96.56 | £72.42 | Recommended |
| 30556245 | 7th Tonbridge (Eden Valley) Scout Group Hall Kiln Lane, Leigh | Leigh | 20 | £219.84 | £164.88 | £226.08 | £169.56 | Recommended |
| 30606904 | Rural Age Concern Darent Valley Offices High Street, Swanley | Swanley | 20 | £824.40 | £618.30 | £847.80 | £635.85 | Recommended |
| 30631306 | Rural Age Concern Darent Valley Community Centre Scratchers Lane, Fawkham | West Kingsdov | 20 | £229.00 | £171.75 | £235.50 | £176.63 | Recommended |

| Ref | Organisation name and property description/address | Parish | % for 2012/13 | Relief for 2012/13 | Cost to SDC | | | Recommendation/comments |
|----------|---|------------|---------------|--------------------|-------------|-----------|-----------|-------------------------|
| 30638543 | Age Concern Sevenoaks & District Offices St John's Road, Sevenoaks | Sevenoaks | 20 | £1,396.90 | £1,047.68 | £1,436.55 | £1,077.41 | Recommended |
| 30606959 | Rural Age Concern Darent Valley Shop High Street, Swanley | Swanley | 20 | £4,099.10 | £3,074.33 | £4,215.45 | £3,161.59 | Recommended |
| 30642788 | Age Concern Sevenoaks & District Shop London Road, Sevenoaks | Sevenoaks | 20 | £1,122.10 | £841.58 | £1,153.95 | £865.46 | Recommended |
| 30612176 | Badgers Mount Memorial Hall Hall Highlands Rd, Badgers Mount | Shoreham | 20 | £334.34 | £250.75 | £343.83 | £257.87 | Recommended |
| 30558715 | British Red Cross Society Hall 47 Bradbourne Vale Road | Sevenoaks | 20 | £348.08 | £261.06 | £357.96 | £268.47 | Recommended |
| 30574069 | Sevenoaks Citizens Advice Bureau Offices Buckhurst Lane, Sevenoaks | Sevenoaks | 20 | £650.36 | £487.77 | £668.82 | £501.62 | Recommended |
| 30569890 | Farningham Village Hall Hall High Street, Farningham | Farningham | 20 | £334.34 | £250.76 | £343.83 | £257.87 | Recommended |

| Ref | Organisation name and property description/address | Parish | % for 2012/13 | Relief for 2012/13 | Cost to SDC | | | Recommendation/comments |
|----------|---|------------|---------------|--------------------|-------------|---------|---------|-------------------------|
| 30604373 | Eden Valley Museum Trust Museum High Street, Edenbridge | Edenbridge | 20 | 632.04 | 474.03 | 649.98 | 487.49 | Recommended |
| 30673591 | Edenbridge & District Community Link Shop High Street, Edenbridge | Edenbridge | 20 | 407.62 | 305.72 | 419.19 | 314.39 | Recommended |
| 30548664 | Edenbridge & Westerham Citizens Advice Bureau Shop High Street, Edenbridge | Edenbridge | 20 | £906.84 | £680.13 | £932.58 | £699.44 | Recommended |
| 30558982 | Fawkham Village Hall Hall Valley Road, Fawkham | Fawkham | 20 | £512.96 | £384.72 | £527.52 | £395.64 | Recommended |
| 30675078 | Hartley Village Hall Hall Ash Road, Hartley | Hartley | 20 | £242.74 | £182.06 | £249.63 | £187.22 | Recommended |
| 30555785 | Ide Hill Village Hall Management Committee Store Ide Hill Village Hall | Sundridge | 20 | £203.81 | £152.86 | £209.60 | £157.20 | Recommended |
| 30570296 | Ide Hill Village Hall Management Committee Hall Ide Hill Village Hall | Sundridge | 20 | £233.58 | £175.19 | £240.21 | £180.16 | Recommended |

| Ref | Organisation name and property description/address | Parish | % for 2012/13 | Relief for 2012/13 | Cost to SDC | | | Recommendation/comments |
|----------|--|------------|---------------|--------------------|-------------|------------|------------|-------------------------|
| 30658332 | Longfield & Hartley Scout G Club House Larkwell Lane, Hartley | Hartley | 20 | £421.36 | £316.02 | £433.32 | £324.99 | Recommended |
| 30676033 | Relate West & Mid Kent Store 12-14 Wealden Place,Sevenoaks | Sevenoaks | 20 | £316.02 | £237.02 | £324.99 | £243.74 | Recommended |
| 30643088 | Riverside Players Store Furlong Farm, Eynsford | Eynsford | 20 | £208.39 | £156.29 | £214.31 | £160.73 | Recommended |
| 30554812 | Sevenoaks Area Mind Day Centre St John's Road, Sevenoaks | Sevenoaks | 20 | £403.04 | £302.28 | £414.48 | £310.86 | Recommended |
| 30569944 | Ide Hill Scout Group Hall Ide Hill | Sundridge | 20 | £105.34 | £79.01 | £108.33 | £81.25 | Recommended |
| 30575161 | Sevenoaks District Scout Council Hall School Lane, Seal | Seal | 20 | £233.58 | £175.19 | £240.21 | £180.16 | Recommended |
| 30609651 | Sevenoaks Leisure Ltd Offices 66 London Road, Sevenoaks | Sevenoaks | 20 | £1,946.50 | £1,459.88 | £2,001.75 | £1,501.31 | Recommended |
| 30607563 | Sevenoaks Leisure Ltd Leisure Centre Edenbridge Leisure Centre | Edenbridge | 20 | £20,701.60 | £15,526.20 | £21,289.20 | £15,966.90 | Recommended |

| Ref | Organisation name and property description/address | Parish | % for 2012/13 | Relief for 2012/13 | Cost to SDC | | | | Recommendation/comments |
|----------|---|-------------|---------------|--------------------|-------------|------------|------------|--|-------------------------|
| 30605970 | Sevenoaks Leisure Ltd Leisure Centre White Oak Leisure Centre | Swanley | 20 | £41,449.00 | £31,086.75 | £42,625.50 | £31,969.13 | | Recommended |
| 30607556 | Sevenoaks Leisure Ltd Swimming Pool Sevenoaks Leisure Centre | Sevenoaks | 20 | £24,045.00 | £18,033.75 | £24,727.50 | £18,545.63 | | Recommended |
| 30607570 | Sevenoaks Leisure Ltd Shop Lullingstone Golf Club | Crockenhill | 20 | £668.68 | £501.51 | £687.66 | £515.75 | | Recommended |
| 30687859 | Sevenoaks Leisure Ltd Sports Centre Wilderness Sports Centre | Sevenoaks | 20 | £3,022.80 | £2,267.10 | £3,108.60 | £2,331.45 | | Recommended |
| 30556474 | St John Ambulance Hall Chatham Hill Road, Sevenoaks | Sevenoaks | 20 | £167.17 | £125.38 | £171.92 | £128.94 | | Recommended |
| 30671342 | Stag Community Arts Centre Theatre & Cinema London Road, Sevenoaks | Sevenoaks | 20 | £3,847.20 | £2,885.40 | £3,956.40 | £2,967.30 | | Recommended |
| 30576102 | Swanley & District Citizens Advice Bureau Offices High Street, Swanley | Swanley | 20 | £933.89 | £700.42 | £1,101.71 | £826.28 | | Recommended |
| 30568910 | Swanley Youth & Community Centre Hall St Mary's Road, Swanley | Swanley | 20 | £1,122.10 | £841.58 | £1,153.95 | £865.46 | | Recommended |

| Ref | Organisation name and property description/address | Parish | % for 2012/13 | Relief for 2012/13 | Cost to SDC | | | Recommendation/comments |
|----------|--|---------------|---------------|--------------------|-------------|-----------|-----------|---|
| 30567641 | 4th Sevenoaks (St John's) Scout Group Hall Mill Lane, Sevenoaks | Sevenoaks | 20 | £622.88 | £467.16 | £640.56 | £480.42 | Recommended |
| 30556276 | Sundridge Village Hall Hall Main Road, Sundridge | Sundridge | 20 | £247.32 | £185.49 | £254.34 | £190.76 | Recommended Previous application showed hall let for horticultural society, yoga, youth club, elections, spiritualists, birthday parties, dance classes |
| 30569487 | Ash Village Hall Hall The Street, Ash | Ash Cum Ridle | 20 | £226.71 | £170.03 | £233.15 | £174.86 | Recommended |
| 30570692 | West Kingsdown Village Hall Hall Fawkham Rd, West Kingsdown | West Kingsdov | 20 | £251.90 | £188.93 | £259.05 | £194.29 | Recommended Previous application showed hall used for local sports, brownies, keep fit, judo, badminton, parties, local active retirement association |
| 30672130 | YMCA Workshop Warsop Trading Estate, Edenbridge | Edenbridge | 20 | £1,717.50 | £1,288.13 | £1,766.25 | £1,324.69 | Recommended Property used as warehouse/distribution centre for donated goods |

| | RURAL RATE RELIEF OFFICER RECOMMENDED | | | | | | | |
|----------|--|--------------|----|-----------|---------|-----------|---------|--|
| 30575154 | BD & CB Patel Convenience Store 6 East Hill, South Darent | Horton Kirby | 50 | £0.00 | £0.00 | £0.00 | £0.00 | Not recommended for 2013/14 100% SBRR payable |
| 30585724 | Mr B Parmar Convenience store 122 London Rd, Dunton Green | Dunton Green | 50 | £0.00 | £0.00 | £0.00 | £0.00 | Not recommended for 2013/14 100% SBRR payable |
| 30583360 | Mr M Patel Retail and post office 4-5 The Broadway, Crockenhill | Crockenhill | 50 | £2,092.50 | £523.13 | £2,148.30 | £537.08 | Recommended |
| 30671168 | Senthikumar Thangavelu General store 19-21 West End, Kemsing | Kemsing | 50 | £2,418.75 | £604.69 | £2,483.25 | £620.81 | Recommended |
| 30602841 | Seal Supermarket Ltd General Store 21 High Street, Seal | Seal | 50 | £2,812.50 | £703.13 | £2,887.50 | £721.87 | Recommended |

| <u>Discretionary Rate Relief</u> | Number | Total actual relief 2012/13 | Cost to SDC 2012/13 | Total projected rel 2013/14 | Cost to SDC 2013/14 |
|---|---------------|--|--------------------------------|--|--------------------------------|
| Total Officer Recommended | 9 | £31,354.46 | £7,838.62 | £32,204.11 | £8,051.03 |
| Total Officer Rejected | 5 | £ - | £ - | £ - | £ - |
| <u>Top-Up Relief</u> | Number | Amount | | Amount | |
| Total Officer Recommended | 49 | £117,620.84 | £88,215.72 | £121,100.78 | £90,825.62 |
| Total Officer Rejected | 0 | £ - | £ - | £ - | £ - |
| <u>Rural Rate Relief</u> | Number | Amount | | Amount | |
| Total Officer Recommended | 3 | £7,323.75 | £1,830.95 | £7,519.05 | £1,879.76 |
| Total Officer Rejected | 2 | £ - | £ - | £ - | £ - |
| <u>Total Rate Reliefs</u> | Number | Amount | | Amount | |
| Total Officer Recommended | 61 | £156,299.05 | £97,885.29 | £160,823.94 | £100,756.41 |
| Total Officer Rejected | 7 | £0.00 | £0.00 | £0.00 | £0.00 |

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COUNCIL TAX DISCOUNTS AND PREMIUM - RESOLUTIONS

Cabinet – 7 February 2013

Report of the: Chief Executive Designate

Status: For Decision

Also considered by: Council – 19 February 2013

Key Decision: No

Executive Summary: The purpose of the report is to formally determine the level of council tax discounts (if any) to be applied from 1 April 2013 to prescribed classes of dwellings and to formally determine the percentage level of additional council tax payable in respect of long-term empty dwellings.

This report supports the Key Aim of effective management of Council resources

Portfolio Holder Cllr. Ramsay

Head of Service Group Manager - Financial Services – Adrian Rowbotham

Recommendations to Cabinet: Members recommend the following resolutions to Council.

Recommendations to Council:

- (a) That from 1 April 2013, the council tax discount applied to second homes (prescribed Classes A & B) in accordance with Section 11A of the Local Government Finance Act 1992, is set at 0%.
 - (b) That from 1 April 2013, the council tax discount applied to unoccupied and substantially unfurnished dwellings (prescribed Class C) in accordance with Section 11A of the Local Government Finance Act 1992, is set at 100% for a maximum period of three months and that following the expiry of the three month period; the discount is set at 0%.
 - (c) That from 1 April 2013, the council tax discount applied to vacant dwellings requiring or undergoing major repairs, undergoing structural alteration or which have undergone such repairs/alterations (prescribed Class D) in accordance with Section 11A of the Local Government Finance Act 1992, is set at 100% for a maximum period of twelve months.
 - (d) That from 1 April 2013, in accordance with Section 11B of the Local Government Finance Act 1992, no council tax discount shall be applied to dwellings that are unoccupied and substantially unfurnished for more than two years and that the council tax payable on such properties is increased from
-

Agenda Item 15

100% to 150% (except for those properties which fall into prescribed Classes E & F).

Reason for recommendations: Legislation has changed to allow Council's to amend discounts currently offered on certain classes of property.

The Local Council Tax Support Scheme approved by Council on 27 November 2012 included reducing the exemption on Class C empty properties from 6 months to 3 months which will help to fund the scheme.

The other changes proposed in this report should help to persuade property owners to bring those properties back into use earlier which will reduce the housing shortage. When this is not the outcome, a small amount of additional Council Tax income will be received.

Introduction

- 1 On 31 October 2011 the Department for Communities and Local Government issued a consultation paper entitled Technical Reforms of Council Tax. The consultation sought views on replacing certain council tax exemptions with locally determined discounts, allowing authorities to charge up to 100% council tax on second homes and allowing authorities to levy an 'empty homes premium' on dwellings that have been empty for two years or more.

The Local Government Finance Act 2012, which was given Royal Assent on 31 October 2012, set out the framework for the operation of the new discounts with details to be contained in subsequent regulations.

Background

Discounts

- 2 The Council Tax (Prescribed Classes of Dwellings)(England) Regulations 2003 set out three classes of dwellings:
 - Class A - unoccupied, furnished dwellings where occupation is restricted by a planning condition preventing occupancy for a continuous period of at least 28 days in the year
 - Class B – unoccupied, furnished dwellings where no planning condition prevents occupation
 - Class C – unoccupied and substantially unfurnished dwellings
- 3 The Council previously determined that a 10% discount should be applied in respect of Classes A and B and that no discount should be applicable in respect of Class C. The dwellings that fell into Class C at this point were homes that had been empty in excess of six months, since for a shorter period, such properties attracted an exemption from council tax.

4 Section 11 of the Local Government Act 2012 amended Section 11A of the Local Government Finance Act 1992 to give billing authorities the power to determine the level of council tax discounts to be applied for classes of dwellings prescribed by the Secretary of State.

5 The Council Tax (Exempt Dwellings) (England) (Amendment) Order 2012 amended the Council Tax (Exempt Dwellings) Order 1992, removing two classes of exemption (Classes A and C).

Class A exempted empty dwellings requiring or undergoing major repair work or undergoing structural alteration or having undergone such repairs/alterations for a maximum period of twelve months (uninhabitable exemption). Class C covered empty homes for a maximum period of six months.

6 The effect of the removal of the exemption for properties that have been empty for up to six months is that they now fall into Class C of the prescribed classes of dwellings. As such the Council is now able to determine the level of discount to be applied (if any) and the period for which it should apply.

7 The Council Tax (Prescribed Classes of Dwellings) (England) (Amendment) Regulations 2012 added an additional class, Class D to the original regulations:

- Class D – unoccupied and substantially unfurnished dwellings requiring or undergoing major repair work or undergoing structural alteration or having undergone such repairs/alterations

8 Class D effectively replaced the now defunct ‘uninhabitable’ exemption and gave billing authorities the power to determine the level of discount to be applied (if any). Unlike Class C, there is no discretion to vary the period for which a discount can be given and the legislation prescribes a maximum period of twelve months for which the discount must be applied.

Determinations of discounts effective from 1 April 2013

Classes A & B

9 Determinations of the level of discount to be applied for each of the prescribed classes of dwellings A to D must be set by the Council.

10 As stated in paragraph 3, the current level of discount for Classes A and B is set at 10%, this being the minimum discount permitted under the previous legislation. Whilst any reduction in discounts for these classes will impact on both ‘true’ second home owners and landlords of furnished lets, nevertheless officer recommendation is to set the level of discount from 1 April 2013 at 0%.

Class C

11 The Council wishes to encourage taxpayers to bring empty dwellings back into use at the earliest opportunity but recognises that a period of 100% discount is equitable to allow taxpayers the opportunity to either make the property ready for sale or for letting as appropriate. Officer recommendation is therefore to set the

Agenda Item 15

level of discount for this Class at 100% for a maximum period of three months and after the expiry of the three month period to reduce the discount to 0%.

Class D

- 12 The Council recognises that some properties will require major repairs to render them habitable and that this cannot necessarily be completed within a three month timeframe. In addition, recent changes made by Government to planning rules, are aimed at making it easier for taxpayers to take steps to undertake major home improvements.
- 13 Reductions in either the discount available to such dwellings could result in fewer developers coming forward to renovate 'uninhabitable' properties or go against the intentions of Government in relaxing the planning rules. Officer recommendation is therefore to set the level of discount at 100% for a maximum period of twelve months. At the end of the twelve month period, the property will cease to fall under Class D and will come under Class C, attracting no further discount.

Council Tax Premium

- 14 Section 12 of the Local Government Finance Act 2012 inserted Section 11B into the Local Government Finance Act 1992 to give billing authorities the power to set a higher amount of council tax for 'long-term' empty dwellings.
- 15 A dwelling is considered to be a 'long-term' empty dwelling if it has been unoccupied and substantially unfurnished for a continuous period of at least two years.
- 16 The Secretary of State reserved the right to prescribe classes of 'long-term' empty dwellings where authorities may not levy a premium. The Council Tax (Prescribed Classes of Dwellings) (England) (Amendment) Regulations 2012 added two prescribed classes of dwellings which cannot be charged a higher amount of council tax:
 - Class E – dwellings that are empty whilst the taxpayer resides in accommodation provided by the Ministry of Defence as part of their employment
 - Class F - annexes in a property which are being used as part of the main property

Determination of percentage of additional council tax to be levied on 'long-term empty' dwellings from 1 April 2013

- 17 The power to impose a maximum 50% premium on dwellings that have been empty in excess of two years is seen as an incentive to encourage taxpayers to bring these properties back into use as quickly as possible. Officer recommendation is therefore that no council tax discount shall be applied to dwellings that are unoccupied and substantially unfurnished for more than two years and that the council tax payable on such properties be increased from 100% to 150% (save for those properties which fall into prescribed Classes E & F).

Key Implications

Financial

- 18 The table below shows the number of cases and financial effect of the proposed changes.

| Type of Discount | Cases (as at 01/12/12) | Additional Council Tax (based on 2011/12 full year data) | Sevenoaks DC share of (c) (12%) |
|--|------------------------|--|---------------------------------|
| (a) | (b) | (c) | (d) |
| | No. | £000 | £000 |
| Second Homes | 272 | 43 | 5 |
| Class C (3-6 months) | 350 | 169 | 20 |
| Premium if unoccupied for over 2 years | 139 | 132 | 16 |
| Total | 761 | 344 | 41 |

- 19 The reduction in the exemption on Class C empty properties from 6 months to 3 months was included in the Council Tax Support scheme approved by Council on 27 November 2012. The Major Precepting Authorities share of this saving will be used towards the funding being passed on to this Council to help administer the new scheme.

Community Impact and Outcomes

- 20 There are no community impacts arising from this report.

Legal, Human Rights etc.

- 21 All legal implications are as set out in the body of the report.

Resource (non-financial)

- 22 Additional work may be generated for the Revenues Service where taxpayers declare changes in circumstances in order to 'avoid' additional council tax.

Equality Impacts

23

Agenda Item 15

| Consideration of impacts under the Public Sector Equality Duty: | | |
|---|--------|---|
| Question | Answer | Explanation / Evidence |
| a. Does the decision being made or recommended through this paper have potential to disadvantage or discriminate against different groups in the community? | No | There is no evidence to suggest that the recommendations of this report will disadvantage any equalities group. |
| b. Does the decision being made or recommended through this paper have the potential to promote equality of opportunity? | No | |
| c. What steps can be taken to mitigate, reduce, avoid or minimise the impacts identified above? | | n/a |

Conclusions

- 24 The changes recommended in this report should help to make the Local Council Tax Support Scheme sustainable as well as encouraging owners of empty properties to return them to use.

Risk Assessment Statement

- 25 Officers have obtained a thorough understanding of the new legislation that allows the Council to make the changes recommended in this report.
- 26 Taxpayers may react to these changes in a way that results in extra work for the Revenues Service.

Appendices none

Background Papers: none

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