

02 December 2021 at 7.00 pm

Council Chamber, Argyle Road, Sevenoaks

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Development & Conservation Advisory Committee

Membership:

Chairman, Cllr. Reay; Vice-Chairman, Cllr. Thornton
Cllrs. Barnett, Cheeseman, Clayton, Penny Cole, P. Darrington, Fothergill, Hunter
McGregor, Pett and Roy

Agenda

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

	Pages	Contact
Apologies for Absence		
1. Minutes To agree the minutes of the meeting of the Advisory Committee held on 19 October 2021, as a correct record.	(Pages 1 - 8)	
2. Declarations of interest Any interests not already registered.		
3. Actions from previous meeting (if any)		
4. Referral from Cabinet or the Audit Committee (if any)		
5. Update from Portfolio Holder		
6. Enforcement Update	(Pages 9 - 14)	Tom Fry Te: 01732 227486
7. Local Plan Update	(Pages 15 - 20)	James Gleave Tel: 01732227326
8. Work plan	(Pages 21 - 22)	

EXEMPT INFORMATION

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

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

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

DEVELOPMENT & CONSERVATION ADVISORY COMMITTEE

Minutes of the meeting held on 19 October 2021 commencing at 7.00 pm

Present: Cllr. Reay (Chairman)

Cllr. Thornton (Vice Chairman)

Cllrs. Cheeseman, Penny Cole, P. Darrington, Fothergill, McGregor, and Roy

Apologies for absence were received from Cllrs. Barnett, Clayton and Pett

Cllrs. Clayton, Dickins, Morris were also present via a virtual media platform, which does not constitute attendance as recognised by the Local Government Act 1972.

11. Minutes

Resolved: That the Minutes of the Development & Conservation Advisory Committee held on 6 July 2021, be approved and signed by the Chairman as a correct record.

12. Declarations of interest

No additional declarations of interest were made.

13. Actions from previous meeting

There were none.

14. Update from Portfolio Holder

The Portfolio Holder gave an update on the services within her portfolio. She advised that there continued to be huge number of applications being submitted to the Council, and based on the same period as the previous year there had already been a 22% increase, which equated to 228 more applications more than last year already. Performance remained high and performance indicators remained in the green. The team were working hard and effectively.

The Enforcement Team also remained busy under the Enforcement Team Manager and there had been some staffing changes including a temporary member of staff becoming a permanent Enforcement Officer and agreed recruitment for another Enforcement Officer.

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There was a huge amount of work being undertaken by the Planning Policy Team, especially with the work for the emerging Local Plan. The Team continued to do a superb job.

The Portfolio Holder advised that the Building Control Service was now fully back in house and the move had been seamless for the customers of the service.

The Chairman echoed his thanks to all the Teams for their continued hard work.

15. Referral from Cabinet or the Audit Committee

There were none.

16. Budget 2022/23: Review of Service Dashboard and Service Change Impact Assessments (SCIAs)

The Head of Finance presented the report which set out updates to the 2022/23 budget within the existing framework of the 10-year budget and savings plan. The report presented growth and savings/additional income proposals that had been identified which needed to be considered, and requested further suggestions from Members, before finalising the budget for 2022/23.

Informed by the latest information from Government and discussions with Cabinet, it was proposed that the Council continued to set a revenue budget that assumed no direct funding from Government through the Revenue Support Grant or New Homes Bonus. This would result in the Council continuing to be financially self-sufficient. To achieve this aim and to ensure a balanced budget position over the next 10-year period would continue to be challenging due to the ongoing financial impacts of the Covid-19 pandemic, homelessness and inflationary pressures.

The budget process would be the same as two years ago as opposed to the shortened process last year, but streamlining the process in future years was being investigated.

No changes had been made to the assumptions at this stage, and the annual budget gap included in the report was £100,000 which related to the annual savings target. It was expected however, that the gap would increase.

Members discussed the report with particular focus on recruitment, staff salaries and the income generated from planning applications.

Public Sector Equality Duty

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

Resolved: That it be recommended to Cabinet that it be noted that

- a) there were no additional growth or saving proposals identified; and
- b) no further income or growth proposals were identified

17. Community Infrastructure Levy (CIL) Governance Annual Review

The Planning Policy Team Leader (Infrastructure) presented the report on the annual review of governance arrangements of allocating Community Infrastructure Levy (CIL) funding to local and strategic infrastructure projects across Sevenoaks District. The current governance arrangements had been agreed by Members of the Committee in July 2020. The report looked at what had been implemented and considered the recommendations made by an independent review, as well as any further changes that were required to the process of spending CIL. The Chairman and Vice Chairman of the CIL Spending Board had also been consulted.

Members took the opportunity to discuss the report and the comments made by the independent review by the Planning Advisory Service (PAS). Members discussed the suggested approach as set out in paragraphs 18 to 22 and 28 to 30 of the report. The Planning Policy Team Leader (Infrastructure) advised that due to time constraints for some infrastructure projects that would otherwise go without the benefit of CIL monies, or may never be implemented, it was proposed that 15% of the money currently allocated CIL Spending Board money be allocated to spend on projects outside of the Spending Board process, in certain circumstances. Members discussed the suggestions and whether some changes could be made, including the removal of allocating to officers, that the allocation be 15% of the CIL money received in a financial year, and that the Leader and Portfolio Holder for Development & Conservation agree the spend by a Portfolio Holder Decision. Members discussed if other Members of the Committee should be consulted noting particularly the Chairman and Vice Chairman of CIL Spending Board should be consulted.

Members also noted that there were proposed changes to part X1 of the Council's constitution.

Public Sector Equality Duty

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

Resolved: That it be recommended to Cabinet that

- a) the following approach as detailed within the report and as (i) to (v), below be agreed;
 - i. Whilst the results of the assessment are good overall as we are seen as being a well-managed and integrated authority, it is important for us to consider if there are any ways to improve.

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- ii. One of the main suggestions is to look at predicting our CIL income. As officers, our recommendation in the past has been that we do not predict our CIL income as there is no guarantee and it is difficult to predict. This has been because not all permissions that have been served a Liability Notice will be implemented and also as we have no control over when development commences. Predicting CIL could cause us problems or unnecessarily raise hopes. If we allocate funds based on our prediction and less CIL actually comes in, it could also lead to disappointment and projects may miss out. As currently nothing relies on our CIL income and the meeting of the CIL Spending Board is flexible and is based on how much CIL actually comes in, it is suggested that there is no need to predict our CIL income and that we set up a CIL Spending Board only when we have sufficient CIL income to do so.
 - iii. It has also been suggested that we adopt a structured engagement plan to set our formally how we engage with stakeholders. Whilst this could be positive as we could formally set out ways in which we interact and when, it could also be beneficial to leave this flexible so we can interact and agree outcomes as and when needed.
 - iv. I do not consider that there is a need to set up an officer's working group as the CIL Spending Board is set up to distribute CIL funds and the DCAC and Cabinet oversee the Governance of this. It is considered that this is appropriate and a working group is not required.
 - v. In regard to the focus of our IDP, it will be possible to make this more of a delivery document, to look to update this regularly and also to ensure that it links into our IFS. It is important to have a clear structure to this process to ensure that all parties are included and to ensure that this links to our more strategic aims. As we are looking at the IDP and IFS again, in relation to a revised Local Plan, this is the perfect time to consider how this can be done more effectively. As a team are looking at this, it is considered that we can look at a better and more efficient way of dealing with this but no details have been decided yet. It is requested that this aspect be allocated to officers to consider a way forward.
- b) the changes to CIL Spending as detailed as (i) to (iii) below, be agreed;
- i. As the percentage for admin and Parish and Town Council's have already been agreed, it is suggested by officers that out of the 70% allocated to the CIL Spending Board to spend, that 15% percent be set aside for officers to spend outside of the CIL Spending Board process.
 - ii. It is still appropriate for the majority of the spending to be allocated through the CIL Spending Board. It be suggested that 15% of the CIL

Spending Board money is allocated to spend on projects outside of the CIL Spending Board process and that funding can only be allocated in the following circumstances:

- The project is for infrastructure
 - The request is submitted in writing
 - The project is for one of the priorities laid out in the Council's IFS.
 - A clear need is shown for this project and it provides a clear community benefit.
 - It is part of an existing strategy or plan.
 - That the project has sought to maximise funding from other resources.
 - It is within a financial year
 - That the Leader of the Council and Portfolio Holder for Development & Conservation agree to the spend, by sign off on a Portfolio Holder Decision sheet, following consultation with the Chairman and Vice Chairman of CIL Spending Board.
- iii. It is considered that this will enable Sevenoaks District Council to contribute to much needed infrastructure projects that otherwise would go without the benefit of CIL monies or may never be implemented. There is no time limit on when this money can be spent and provided the projects will meet the criteria above it will be at officer's discretion. It is only a small percentage of the CIL funds and would enable SDC to be more flexible with the allocation of CIL and be able to help projects that are in line with our priorities.
- c) the amendments to Appendix X1 of the Constitution, as set out in Appendices A, B, C, D and E to the report, be agreed.

18. Infrastructure Funding Statement

The Planning Policy Team Leader (Infrastructure) presented the report which sought agreement to proposed priorities for the Council's Infrastructure Funding Statement (IFS) which the Council was required to report to the Government by the end of the year.

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Members took the opportunity to ask questions of clarification, and discussed the types of infrastructure projects that had received monies through the CIL Spending Board. Discussions also took place around the priorities for spending this year and that Edenbridge should be included as a priority area for health services.

Public Sector Equality Duty

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

Resolved: That it be recommended to Cabinet that

- a) The criteria for prioritising infrastructure projects for funding in the Infrastructure Funding Statement, as set out below, be agreed;
 - The projects fall with the infrastructure types/projects identified in the IFS report.
 - The projects have been identified in our Infrastructure Delivery Plan. (This ensures that the infrastructure prioritised supports the Local Plan).
 - The projects support and are clearly related to proposed or allocated development in the District. They therefore provide a strong link between development and the proposed project.
 - That there is a strong social, environmental or economic justification for the scheme.
 - That projects have not received CIL previously.
 - The scheme has support from infrastructure providers
 - That there is a need or it will be expected to be delivered within the next 5 years.
 - That it is identified as having a critical or high need where the project has to be delivered prior to any development to support it.
 - Where it is likely that the infrastructure project can be delivered within the plan period as there are little or no issues with funding or landownership.
 - Where there is a clear plan as to how the project would be funded; and
- b) the specific projects and types of Infrastructure recommended in paragraphs 28 - 38 of the report, be identified in the Infrastructure Funding Statement as having a priority for full or partial funding, with the inclusion of Edenbridge under priorities under Health and Social Care

19. Local Plan Timetable

The Planning Policy Team Leader (Policy) presented the report which set out the proposed timetable for the Local Plan, which was also known as the Local Development Scheme (LDS). The timetable would be included within an LDS

document, which would also provide details of other relevant documents such as Supplementary Planning Documents (SPDs) and Neighbourhood Plans.

Members were provided with a summary of the timetable and that it was hoped for the plan to be published in winter 2022/23 for final representations which would then be provided to the examining Inspector. It was anticipated that the plan would be adopted by April 2024.

Members discussed the timetable noting that it was a pressurised timetable and the amount of work which would be undertaken by the team.

Public Sector Equality Duty

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

Resolved: That it be recommended to Cabinet that the Local Plan Timetable (LDS), be approved.

20. Local Plan Update

The Strategic Planning Manager presented the report which updated Members on the Local Plan, noting the information which had been set out within the Local Plan Timetable for the next steps for the plan making process.

Discussions with the Department for Levelling up, Housing & Communities were continuing and discussions were constructive and positive, with some clear conclusions on how the Council could progress an updated Local Plan. Members were also updated on the progress of the emerging evidence base studies, including the District-Wide Character Study, Town Centre Strategy, targeted review of Housing Needs and Settlement Capacity Study. Members were encouraged to take part in the Character Study consultation, which was due to run until 8 November 2021.

Members discussed the emerging trends for discussion, and requested briefings on each of the topics outside of the Local Plan Update. Members also took the opportunity to ask questions. In response to questions, Members were advised that the Call for Sites would be undertaken in two stages. Stage 1, which had now commenced, invites the submission of sites in settlements outside of the Green Belt and will be informed by the Settlement Capacity Study. Stage 2 would begin on 25 November and invites sites from all other areas of the District. The Stage 1 and Stage 2 Call for Sites will close on 20 January 2022.

Resolved: That the report be noted.

21. Work plan

The work plan was noted with the following additions for 2 December 2021:

- Building Control - meet the team

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- Local Plan - Housing needs

THE MEETING WAS CONCLUDED AT 8.53 PM

CHAIRMAN

PLANNING ENFORCEMENT UPDATE

Development & Conservation Advisory Committee -2 December 2021

Report of: Deputy Chief Executive and Chief Officer Planning & Regulatory

Status: For consideration

Key Decision: No

Portfolio Holder: Cllr. Julia Thornton

Contact Officer: Tom Fry, Ext. 7486

Recommendation to Development & Conservation Advisory Committee):

That the contents of the report be noted.

Reason for recommendation: This report to provide an update regarding our already implemented and future thinking and plans for the Planning Enforcement team.

Introduction and Background

- 1 This report has come to the Advisory Committee to provide an update of the current work and future ideas for the Planning Enforcement team and how these future ideas can be implemented to aid both the team and the customer.
- 2 The Planning Enforcement team is currently in a settled place with the following officers in post:
 - Tom Fry - Planning Enforcement Team Manager
 - Ronald Tong - Senior Planning Enforcement Officer
 - Maria Payne - Planning Enforcement Officer
 - Rebecca McDonald - Trainee Planning Enforcement Officer
 - Jason Grove - Temporary Senior Planning Enforcement Officer (until March 2022)
- 3 The team is also supported by Sarah Godman and Joshua Shears from the Support team, both providing administration support as well as assistance with Section 106 and Community Infrastructure Levy queries and compliance.
- 4 The Officers in place make up a relatively new team that is settled and enthusiastic about the work they can do within the district. This is a well-resourced team which demonstrates the Council's commitment to the

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Planning Enforcement function. Each Officer has a designated area within the district to investigate enquiries and specialise in the knowledge of this area along with the local constraints in respect of planning control.

- 5 The Officers within the Planning Enforcement team (and Support team) are supported by the Team Manager and the Planning Standards & Improvements Manager on a daily basis, as well as colleagues from the two Development Management teams.
- 6 Members are advised about new cases in their respective Wards and the Portfolio holder is briefed as appropriate on more contentious cases.
- 7 Case numbers are down slightly on last year which has helped the team deal with a historic set of cases from previous officers. At the time of writing this report (5 November 2021) we have just registered our 463rd enquiry on the year; at this stage in 2020 we had registered 537 enquiries.
- 8 There does not appear to be any pattern or reason as to why we have received fewer complaints than last year but it is expected that the lockdowns from 2020 had an effect on last year's case numbers.
- 9 As stated, we do have some historic cases left by previous officers that we are working through. At one point towards the end of 2020 this was significant but current officers have done a really efficient and professional job of getting these cases resolved or taking action where necessary.
- 10 In the early part of the year a lot of work was put in to reviewing the previous [Enforcement Plan](#) and bringing it up to date. The new Enforcement Plan came in to effect in Summer 2021 and thus far appears to have made the Planning Enforcement processes that the Council undertake easier for the customer to understand and take on board.
- 11 Officers within the Planning Enforcement team have also stated that the new Enforcement Plan is an aid should they need any guidance with any of their case work.
- 12 During Summer 2021 we also introduced an improved [online](#) reporting form which was brought in to help both customers and staff. The updated form allows for photos to be submitted as part of any enquiry which gives officers a good starting point to begin an investigation.
- 13 The improved reporting form is more streamlined and simpler for the customer to use whilst also allowing them to be more precise on the location of the potential breach, which again helps officers to begin their investigation.

- 14 Since the beginning of the coronavirus pandemic we have seen an increase in land agents attempting to sell individual plots on wider areas of land in the district. This has seen a need arise for the Council to intervene in certain situations and place Article 4 Directions on parcels of land to restrict some developments that are normally allowed under permitted development.
- 15 Between the Planning Enforcement, Development Management and Legal teams we have devised a process and templates so Article 4 Directions can be brought in efficiently and without hesitation.
- 16 Article 4 Directions have been placed on areas of land in Edenbridge, West Kingsdown, Hever, Shoreham, Cowden, Sevenoaks Weald and Penshurst within the last 18 months. To give some context, most local authorities only need to introduce Article 4 Directions every few years (and some local authorities simply don't bother), so to introduce seven sets of restrictions is unheard of and shows how committed the Council is to protecting the land within the district.
- 17 It is clear to see that land agents have taken advantage of the coronavirus pandemic to try and sell people 'the dream' of their own land, when in reality the plots of land have little use other than grazing and the prospect of planning permission for any scheme will likely be viewed unfavourably.
- 18 The sign of a good Planning Enforcement team is one that manages to resolve breaches of planning control without the need for formal action. The team at Sevenoaks is very good at doing this but there have been times over the last year when we will not hesitate to take formal action where required.
- 19 Sites in Fordcombe, Penshurst (x2), Hever, Otford, Crockenhill (x2), Halstead (x2) and Farningham have been the subject of enforcement notices this year. We have also served five Section 215 Notices on various sites around the district for areas of land that are untidy and having an impact on the amenity of the area.
- 20 These sites are regularly monitored to ensure that the notices are being complied with and officers will not hesitate to involve our Legal team should notices not be complied with and require potential court action.
- 21 Internally and externally, strong relationships have been formed with other services and organisations so they can aid the Planning Enforcement team and vice versa.
- 22 Work is currently taking place with the Legal team to establish how we can make processes more efficient and how both services can help each other,

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whilst conversations also took place with Environmental Enforcement and Environmental Health as to how different cases should be dealt with and how 'enforcement' as a whole looks to the customer.

- 23 Regular multi-service projects and site visits take place with Environmental Health, Environmental Enforcement, Community Safety and Housing so multiple issues on certain sites can be dealt with by more than just one individual and so knowledge is shared to get the matter resolved in the best way.
- 24 Important external relationships have been a big part of the last years work as certain sites and pieces of land have required the help from the Environment Agency, various departments from Kent County Council and the Police.

The future of the Planning Enforcement team and processes to help the customer

- 25 Moving forward, our aim is for the customer to have faith in the Planning Enforcement team and have trust that we will resolve their enquiry as appropriate to do so. This year we have received fewer service requests and complaints than previously and we aim for this trend to continue.
- 26 There also appears to be a lot of confidence from the wider Council Officers and Members that we are doing a good job and again we aim for this to continue.
- 27 To ensure that the service stays as efficient as possible we will give Officers every opportunity to undertake appropriate training. This could be linked to Planning or their own personal development. The Council offers courses in-house which are facilitated by the Human Resources team and staff can take advantage of these as and when they wish. We are also exploring training courses outside of the Council and chances that may arise for officers to obtain a professional qualification in Planning Development and Planning Enforcement.
- 28 There will also be opportunities for other staff within other services, such as the Support team, to undertake projects that will aid Planning Enforcement and so those staff can learn new skills and knowledge.
- 29 We also intend to make our systems easier for staff to use and with the help of the IT team hope to put together smarter processes within our Uniform system. This may include streamlining the system to make it more user friendly and including templates (such as letters, notices, etc.) that can be easily created.

Key Implications

Financial

As this report is just informative, there are no financial implications regarding this report.

Legal Implications and Risk Assessment Statement.

As this report is just informative, there are no legal implications regarding this report.

Equality Assessment

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

Net Zero Implications

the decisions recommended through this paper have a remote or low relevance to the council’s ambition to be Net Zero by 2030. There is no perceived impact regarding either an increase or decrease in carbon emissions in the district, or supporting the resilience of the natural environment.

Appendices

None

Background Papers

[Enforcement Plan](#)

Richard Morris

Deputy Chief Executive and Chief Officer Planning & Regulatory

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Local Plan Update

Development and Conservation Advisory Committee - 2 December 2021

Report of: Deputy Chief Executive, Chief Officer - Planning & Regulatory Services

Status: For Information

Executive Summary: This report provides an update on the Local Plan and outlines the next steps in the plan making process.

This report supports the Key Aims of:

Protecting the Green Belt

Supporting and developing the local economy

Supporting the wellbeing of residents, businesses and visitors

Ensuring that Sevenoaks remains a great place to live, work and visit

Portfolio Holder: Cllr. Julia Thornton

Contact Officer: James Gleave ext. 7326

Recommendation to Development and Conservation Advisory Committee:

That the Development and Conservation Advisory Committee

- a) Notes the content of the report.

Background and Introduction

- 1 Members were last updated on the Local Plan in October, when Officers briefed them on the emerging evidence base and the next steps to move the plan forwards, including discussions with what is now the Department for Levelling Up, Housing and Communities (DLUHC). This report provides an update on these points and focusses specifically on the outcomes of the Council's Targeted Review of Local Housing Needs.

Discussions with DLUHC

2. A further discussion took place between officers and representatives from DLUHC on 4th November. Key points were as follows:
 - SDC set out the common purpose of the meeting - to provide support for the Council to get a sound plan in place at the earliest opportunity.

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- DLUHC noted that they cannot advise on the content of the Local Plan but could facilitate PAS involvement, PINS Advisory Visits, signpost good practice and toolkits.
- SDC noted the intention to build on the previous evidence base produced for the 2019 plan, updating and expanding this where necessary.
- DLUHC recommended that the Council seeks its own legal advice on the intended strategy.
- SDC noted the on-going and well-documented duty to co-operate (DtC) discussions with neighbouring authorities, including through Statements of Common Ground (SoCG).
- A brief discussion took place regarding how wide to 'cast the net' for DtC discussions. DLUHC noted that in other areas, discussions have not generally gone beyond the Housing Market Area (HMA), but wider consideration may be required on some occasions.
- SDC ran through the proposed Local Development Scheme (LDS). DLUHC noted it is tight timetable, but an ambitious and deliverable timetable is important to get a plan in place as soon as possible.
- Updated evidence base documents were discussed in response to the issues raised at the previous examination, changes to national policy and the post-covid environment.
- Meetings with DLUHC will be convened at four monthly intervals. Dates are still to be agreed.

Updated Evidence Base

3. Members were given an overview of emerging evidence base documents in October. The following paragraphs provide an update on these studies.

Town Centre Strategy (TCS)

4. Work on the Town Centres Strategy, covering Sevenoaks Town, Swanley, Edenbridge and Westerham, together with a review of New Ash Green, is ongoing. Strategic Planning and Economic Development jointly appointed Allies and Morrison (A&M) in the autumn to prepare this strategy, which will play an important role in helping to shape the future of the District and the Town Centres, developing a clear vision and priorities for each place.
5. Throughout October, A&M undertook community engagement, consulting with a number of stakeholders who are involved with town centre management, including councillors, town/parish councils, neighbourhood planning groups, Chambers of Commerce and members of the public. Approximately 40 participants attended a virtual stakeholder workshop on 21st October, which included break-out rooms focused on the individual high streets.
6. During November, the in-street retail surveys and household retail telephone surveys have been completed and the consultant team is now drafting initial findings. A member briefing to discuss the draft strategy will

take place on 14 December (6pm) and the document is due to be finalised by the end of the year.

District-wide Character Study (DWCS)

7. The DWCS is progressing well. The survey associated with the work closed on Monday 8th November and received 494 responses. A&M have presented the findings to date at the stakeholder workshop on 17th November. Further updates will be provided at the meeting in December.

Settlement Capacity Study (SCS) and Call for Sites

8. Officers provided an update on the SCS at the meeting in October. Landowners of the sites identified in the study have been contacted to advise them of the call for sites process and how to submit sites for consideration, should they wish to do so.
9. The Stage 1 Call for Sites invites the submission of sites in non-Green Belt locations and commenced on 19th October. The Stage 2 process, for all other areas of the District, began on 25th November. The submission deadline for Stage 1 and Stage 2 is 20th January and feedback will be provided to members on the sites received at the next meeting.

Targeted Review of Local Housing Needs (TRLHN)

10. The TRLHN is now almost complete and the final report will be published in December. Members will receive a short presentation on the key outcomes at the meeting.

Other Housing Matters

11. The following paragraphs provide information on two specific aspects that have been considered by the Health and Housing Advisory Committee (HHAC).

First Homes

12. In June 2021, the Government announced a new affordable housing product called First Homes. The First Homes scheme is designed to help local first time buyers and key workers onto the property ladder, by offering homes at a minimum 30% discount compared to the market price. The national First Homes policy is as follows:
 - 30% discount on open market value in perpetuity;
 - Capped maximum discounted sale price of £250,000 at initial sale;
 - All first time buyers are eligible;
 - Annual household income cap of £80,000 applies; and
 - Subsequent to the delivery of 25% First Homes, the Social Rented Housing tenure has priority.
13. From 28th December 2021, all planning permissions for major development (10+ units) that trigger an on-site affordable housing requirement under

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Core Strategy Policy SP3 will be required to deliver 25% of the affordable housing requirement as First Homes. First Homes must be provided before all other tenures of affordable housing.

14. For example, a site providing 100 units would be required to deliver 40 units of affordable housing, of which 10 units (25%) would be First Homes, with the remaining 30 units split between 65% social/affordable rented (20 units) and 35% intermediate (10 units), as per Core Strategy Policy SP3.
15. The TRLHN has considered how First Homes could work in Sevenoaks District. It recommends that, in order for First Homes to contribute to meeting local housing needs, a local Sevenoaks District specific policy is justified. It is therefore proposed to introduce a local First Homes policy that sets out the following requirements:
 - 50% discount on open market value (instead of the default 30%);
 - A capped maximum discounted sale price of £250,000 at initial sale (this is set nationally). The TRLHN demonstrates that this may be difficult to deliver in some areas and a commuted sum paid in lieu may be preferable in such cases;
 - For a limited marketing period of 3 months (this period is set nationally), priority will be given to first time buyers with a local connection to the District or Service Personnel or Local Essential Workers;
 - An annual household income cap of £56,250 (based on a £250,000 discounted sale price, with 10% deposit and 4x income multiplier);
 - Core Strategy Policy SP3 will continue to apply with the split of 65% homes for social and affordable rent tenures and 35% for intermediate tenures. However, this split is further refined as follows and will apply unless otherwise agreed by the Council on a case by case basis:
 - 58% social rented housing
 - 7% affordable rented housing
 - 25% first homes
 - 10% other intermediate tenures, including shared ownership
 - Confirmation that First Homes Exception Sites will not be permitted in areas designated under S157(1) of the Housing Act (designated rural areas i.e. AONB) or areas within the Green Belt;
 - A reasonable charge to be made to first time buyers for application processing;
 - The policy should be reviewed annually, to ensure the Council keeps pace with housing needs data and any delivery bottlenecks;
 - For parity, the intermediate tenure 'discounted market housing for sale' should be amended to require a 50% discount, rather than the minimum 20% discount set nationally. This is to better reflect the housing needs of the District and to ensure the continued provision of shared ownership housing.

16. The proposed Sevenoaks District First Homes Policy was discussed at the HHAC on 23rd November and will be considered by Cabinet on 9th December. Subject to Cabinet's agreement, the Policy will be set out in an update to the Affordable Housing Supplementary Planning Document and published prior to 28th December 2021, when the First Homes scheme is implemented.

Designated Rural Areas

17. Designated Rural Areas are described in S157(1) of the Housing Act 1985 as areas within National Parks or an Area of Outstanding Natural Beauty (AONB). 60% of land in the District meets this definition and therefore has Rural Area status.
18. Designation of a Rural Area provides the Council with scope to restrict the consequences of the Right to Buy. It allows for restrictive covenants to be put in place so that affordable housing can only be sold on to individuals that have been living or working in the relevant parish for 3 years. Rural Area status affects thresholds for the provision of affordable housing. In particular, contributions can be made for schemes of 6-9 units, as opposed to the national default of 10+ units.
19. Guidance from DLUHC advises that local authorities may apply to the Secretary of State for additional Rural Areas under S157(1) of the Housing Act 1985. To be eligible, parishes must have a population density of less than two persons per hectare and any settlements must have a population of less than 3,000. There is some flexibility in these provisions.
20. The designation of additional Rural Areas will help to protect the Council's rural exceptions housing programme, as set out in Core Strategy Policy SP4. The Areas are excluded from consideration as First Homes Exemption Sites. This exclusion will help to ensure the continuation of Rural Exception Sites and the delivery of genuinely affordable housing across the District.
21. The proposal to seek Rural Area designation for additional parishes was discussed by HHAC on 23rd November and will be considered by Cabinet on 9th December. Subject to Cabinet's agreement, an application will be made to the Secretary of State under S157(1) of the Housing Act 1985.

Next Steps

22. Officers will continue to progress the plan making process in accordance with the updated LDS, which was approved by Cabinet on 11th November.

Emerging Trends

23. Following discussions in October, officers have established a 'Survey Monkey' poll to determine members' preferred topics for presentation. The results of this exercise will be reported at the meeting in December.

Key Implications

Financial

The production of the Local Plan will be funded from the Local Plan reserve.

Agenda Item 7

Legal Implications and Risk Assessment Statement.

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

Equality Assessment

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

Conclusion

Officers will be happy to take any questions on the content of this report at the meeting.

Appendices: None

Background Papers: None

Richard Morris

Deputy Chief Executive, Chief Officer - Planning & Regulatory Services

Development and Conservation Advisory Committee Work Plan 2020/21 (as at 23/11/21)

2 December 2021

- Enforcement Update
- Local Plan Update including - Housing Needs
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3 March 2022

- Local Plan Update

Summer 2022

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