

02 March 2023 at 7.00 pm

Council Chamber, Argyle Road, Sevenoaks

Published: 22.02.23



This meeting will be livestreamed to YouTube [here](#):

https://www.youtube.com/channel/UCIT1f_F5OfvTzxjZk6Zqn6g

Development & Conservation Advisory Committee

Membership:

Chairman, Cllr. Reay; Vice-Chairman, Cllr. Thornton

Cllrs. Barnett, Cheeseman, Clayton, Penny Cole, P. Darrington, Fothergill, McGregor, Pett, Roy and Williams

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 1 December 2022, as a correct record.	(Pages 1 - 4)	
2. Declarations of interest Any interests not already registered.		
3. Actions from previous meeting (if any)		
4. Update from Portfolio Holder		
5. Referral from Cabinet or the Audit Committee (if any)		
6. Local Plan Consultation Update	(Pages 5 - 24)	Emma Coffin Tel: 01732 227315
7. Local Plan and Neighbourhood Plan Update	(Pages 25 - 34)	Hannah Gooden Tel: 01732 227178 Emma Coffin Tel: 01732 227315
8. Work plan	(Pages 35 - 36)	

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 1 December 2022 commencing at 7.00 pm

Present: Cllr. Reay (Chairman)

Cllr. Thornton (Vice Chairman)

Cllrs. Clayton, Penny Cole, Pett, Roy, and Williams

Apologies for absence were received from Cllrs. Barnett, Fothergill and McGregor

Cllr. Perry Cole was also present.

Cllrs. Paul Darrington, Dickins, and Hunter were also present via a virtual media platform that did not constitute attendance as recognised by the Local Government Act 1972.

20. Minutes

Resolved: That the Minutes of the Development & Conservation Advisory Committee held on 11 October 2022, be approved and signed as a correct record.

21. Declarations of interest

There were none.

22. Actions from previous meeting

There were none.

23. Update from Portfolio Holder

The Portfolio Holder presented an update on the services within her portfolio. The Planning Enforcement Manager role had been filled through an internal promotion, and the Council would recruit for her previous role to maintain capacity within the team. A new Principal Infrastructure Delivery Officer had also been appointed internally.

Development Management had determined 95% of major applications, 87% of minor applications, and 93% of all other applications within time. 74% of all appeals had been dismissed. This meant all of the Council's targets for the service were exceeded. The team were within the top 15% nationally regarding the volume of work processed.

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Building Control maintained over 70% of the market share. Further member training would be arranged for the upcoming year.

24. Referral from Cabinet or the Audit Committee (if any)

There were none.

25. Budget 2023/24: Review of Service Dashboards and Service Change Impact Assessments (SCIAs)

The Head of Finance presented the report which set out updates to the 2023/24 budget process within the existing financial strategy. SDC is not immune from the financial challenges affecting the country therefore this budget process is expected to be particularly challenging.

No changes had been made to future assumptions at the stage which would be reviewed during the budget process, as usual. However, due to the April 2022 pay award being higher than previously assumed and an annual savings target of £100,000 already included, an annual budget gap of £735,000 was currently reported.

The report presented a growth proposal that had been identified which needed to be considered. It requested further suggestions from Members before finalising the budget for 2023/24. Informed by the latest information from Government and discussions with Cabinet, it is proposed that the Council once again sets a balanced 10-year budget and continues to aim to be financially self-sufficient.

The Committee considered the growth proposal identified in Appendices E & F to the report. Further consideration was given to the Council's pre-application service, and possible avenues to improve or broaden the services offered without additional cost.

Public Sector Equality Duty

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

Resolved:

- (a) That it be recommended to Cabinet that the growth proposal (SCIA 19) identified in Appendices E & F to the report applicable to this Advisory Committee, be considered.
- (b) That no further income or growth proposals were identified.

26. Infrastructure Funding Statement

The Strategic Planning Manager and the Infrastructure Delivery Officer presented the report, which outlined the proposed priorities for the Council's new Infrastructure Funding Statement (IFS) which the Council was required to report to the Government by the end of the year.

The Infrastructure Delivery Officer outlined the current priorities for allocating CIL and Section 106 (s106) monies, including projects being identified within the

Infrastructure Development Plan (IDP), and that the projects are related to new development. She explained that from 2014 to date, 64% of CIL Funding was allocated to Community Facilities, and 92% of Section 106 funding was allocated to Affordable Housing.

She explained that the proposed priorities within the IFS were controlled by the existing evidence base and the IDP. Infrastructure projects to support major development sites were also a consideration for the IFS priorities. The priorities were largely unchanged from last year, including Health and Social Care, and Highways and Transport, but Education was newly identified as a key infrastructure type for the upcoming year.

In response to questions, they explained to the Committee that the IDP was a live document that would develop throughout the plan, with details added as sites were identified and site-specific information became available. They further explained that the IFS priorities were for direct developer contributions, and would be relevant even if national level changes changed the CIL system. They outlined the process through which the list of projects was constructed, through identified needs to support development, and through working with Infrastructure Providers on their priorities for their capital programmes.

Resolved: That it be recommended that to Cabinet that:

- a) The criteria for prioritising infrastructure projects as set out in paragraph 6 should remain; and
- b) That the specific projects and types of Infrastructure recommended in paragraphs 25-34 of this report are identified in the IFS as having a priority for full or partial funding.

27. Local Plan Update

The Strategic Planning Manager and the Planning Policy Team Leader presented the report, which provided an update on the consultation exercises for the Local Plan to date. The public response had been focused on the town centres vision and housing density. Feedback from the first public drop-in session had primarily focused on local sites, and were from the senior demographic.

They had also received feedback from the Town and Parish Council Forum and the Local Strategic Partnership. There had been Duty to Cooperate meetings with other authorities and infrastructure providers, and the Portfolio Holder had consulted with her counterparts in neighbouring authorities.

The Sevenoaks Town Council's Neighbourhood Plan was at examination, and would likely need modifications following this before going to referendum. The Swanley Neighbourhood Plan would likely go to its Regulation 14 Consultation in January 2023.

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They outlined the Evidence Base for the Plan, which was mostly completed, with the Infrastructure Development Plan and the Strategic Transport Study still ongoing.

In response to questions, they explained that the best and most efficient use of land for settlements was not limited to densification, but also included intensification and the strategic use of small sites. They further explained that many of the residents identified in the Older Person's Housing study wanted to "rightsize", but there was a lack of smaller housing available for them to move into. The Committee discussed some of the recent development schemes in Sevenoaks and how they integrated into the culture of the town.

Resolved: That the contents of the report be noted.

28. Work plan

The Work Plan was noted, with the following additions:

2 March 2023

- Local Plan Update
- Neighbourhood Plan Update

THE MEETING WAS CONCLUDED AT 8:24PM

CHAIRMAN

PLAN 2040 REGULATION 18 CONSULTATION UPDATE

Development and Conservation Advisory Committee - 2 March 2023

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

Status: For information

Key Decision: No

Executive Summary: This report provides an overview of the Plan 2040 Regulation 18 Consultation, which ran from 16 November 2022 until 11 January 2023, as well as presenting the findings from initial high-level analysis of the consultation responses.

This report supports the Key Aim of:

Protecting the Green Belt

Supporting and developing the local economy

Supporting the wellbeing of residents, businesses and visitors

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

Portfolio Holder: Cllr. Julia Thornton

Contact Officer(s): Emma Coffin ext. 7315 / Elisabeth Holness ext. 7046

Recommendation to Development and Conservation Advisory Committee:

That the Development and Conservation Advisory Committee

(a) Note the content of the report

Reason for recommendation: To provide an update and initial high-level analysis on the Plan 2040 Regulation 18 Consultation, which ran for 8 weeks from 16 November 2022 until 11 January 2023

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Introduction and Background

Consultation Overview

- 1 The Plan 2040 Regulation 18 Consultation took place from Wednesday 16 November 2022 and ran for 8 weeks, concluding on Wednesday 11 January 2023.
- 2 The consultation took place in accordance with Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) and the Council's Statement of Community Involvement (2020). It is the first of three prescribed consultation processes and will be followed by a second Regulation 18 Consultation in Autumn 2023 and a Regulation 19 Pre-Submission Consultation in Spring 2024.
- 3 The consultation covered 10 key topics and sought views from communities and stakeholders on what the new Local Plan for Sevenoaks District should contain.
- 4 This report includes high-level summaries and statistics of responses received and key themes identified. It does not include full summaries or Council responses. The full response is proposed to be brought to the next Development and Conservation Advisory Committee (DCAC), alongside other recommendations.
- 5 The consultation was publicised in accordance with the above regulations which included making the consultation documents publicly available in hard copy at the Sevenoaks District Council offices and on the website via our online consultation portal, Citizen Space.
- 6 All contacts listed on the Strategic Planning mailing list were directly informed of the Regulation 18 Consultation by email or letter, including a link to the relevant part of the SDC website.
- 7 A copy of the Plan 2040 document was sent to all Town and Parish Councils within the District, as well as a bundle of Plan 2040 Summary pamphlets and postcards, advertising the Drop-in Sessions and setting out the website link and contact details. The same documents were also sent to all Libraries in the District. A link to the printable response forms was also sent by email to Libraries and Town and Parish Councils.
- 8 Officers worked with the Communications Team to put together a Communications Plan, which included promotion of the Plan 2040 Consultation and Video via Social Media.
- 9 Details of the consultation, drop-in sessions and the promotional video were posted online using the Councils Facebook, Twitter and Instagram accounts. Targeted posts were also used on social media throughout the consultation period in order to increase publication of the Plan 2040 consultation.
- 10 Social Media posts helped to publicise the consultation, with Facebook posts reaching 34,521 individual accounts and generating 4048 clicks through to the online survey.

- 11 As well as publicising the consultation through social media, members of the Strategic Planning team distributed Plan 2040 Postcards to commuters at the following stations: Sevenoaks, Bat & Ball, Dunton Green, Swanley, Edenbridge and Edenbridge Town. The Postcard set out the dates of the consultation, our website address and contact details, along with details of the four Drop-in Sessions taking place throughout the consultation period.
- 12 Four public drop-in sessions were held across the District for members of the public to discuss the emerging Local Plan with members of the Strategic Planning Team. These were held in Sevenoaks, Swanley and Edenbridge. A follow up session was held online via Zoom towards the end of the consultation period.
- 13 Members of the Strategic Planning Team also visited secondary schools across the District to provide an overview of the Plan 2040 document and to gather comments from students. Invitations were sent to the five public schools across the District, of which two schools responded. Officers visited Orchards Academy, Swanley and Weald of Kent Grammar Annexe, Sevenoaks in early January and met with approximately 300 students.
- 14 The Strategic Planning Team worked with Urban Graphics to produce a promotional video for the Plan 2040 consultation. The video provided a concise overview of the key themes and topics in the Plan, as well as setting out how to comment and providing contact details. The video was played throughout the consultation at Drop-in Sessions, School events and other meetings, as well as being promoted online via SDC Social Media accounts.
- 15 Duty to co-operate meetings were held with the Local Strategic Partnership, the Town and Parish Council Forum, public bodies and adjoining Boroughs/Districts.

Consultation Responses

- 16 A total of 598 responses were received to the Plan 2040 Regulation 18 Consultation. This total includes responses to the full survey, the short survey and responses from Schools.
- 17 This response rate is comparable with that of our Neighbouring Authorities at the same stage, with Tunbridge Wells Borough Council received 551 responses at Regulation 18 and Maidstone Borough Council receiving 550 responses at the same stage of consultation.
- 18 We anticipate a greater response rate to our second Regulation 18 in Autumn 2023, which will consider sites across the District (not limited to our top eight settlements) as well as potential Green Belt sites. As a comparison, despite the similar response rate at their first Regulation 18, Maidstone Borough Council received over 3000 responses at their second Regulation 18 consultation.

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- 19 Below is a breakdown of responses received:

Citizen Space	Short Survey	526
	Full Survey	72

- 20 Included in the total number of responses, the following responses were received from secondary school students:

Orchards Academy, Swanley	31
Weald of Kent Grammar Annexe, Sevenoaks	278

- 21 Responses were received from 33 Statutory Consultees, including Thames Water, National Highways and the Environment Agency. A full list of Statutory Consultee responses is set out in **Appendix A** including a summary of the key matters raised. Included in the list of Statutory Consultees, responses were received from 17 of the Districts 31 Town and Parish Councils, and these are also set out at **Appendix A**, along with Neighbouring Authorities.
- 22 **Appendix B** sets out responses made by other organisations, including a list of landowners and developers.
- 23 Through analysis of the survey responses, we are also able to determine that 63% of respondents live within the District. The remaining 37% mainly consists of students who live outside of the District boundary, as well as developers and other organisations.

Initial Analysis

- 24 The following tables set out the initial findings of the key quantitative questions included in the short survey. Please note that respondents were not required to answer all questions, and therefore percentages only consider the number of responses to each question.

Have we identified the right strategic issues that will influence the development of the District to 2040?	
Total Responses to Question:	190
83% of respondents to this question said that we had identified the right strategic issues.	

Do you support the Vision and Objectives?	
Total Responses to Question:	176
87% of respondents to this question support the Vision and Objectives.	

Do you agree with the proposed Development Strategy?													
Total Responses to Question:	197												
58% of respondents to this question said that they Strongly Agree or Agree with the proposed Development Strategy. A full breakdown of responses to this question is provided in the bar chart below:													
<table border="1"> <caption>Breakdown of Responses to 'Do you agree with the proposed Development Strategy?'</caption> <thead> <tr> <th>Response Category</th> <th>Number of Responses</th> </tr> </thead> <tbody> <tr> <td>Strongly Agree</td> <td>27</td> </tr> <tr> <td>Agree</td> <td>86</td> </tr> <tr> <td>Neither Agree nor Disagree</td> <td>34</td> </tr> <tr> <td>Disagree</td> <td>31</td> </tr> <tr> <td>Strongly Disagree</td> <td>19</td> </tr> </tbody> </table>		Response Category	Number of Responses	Strongly Agree	27	Agree	86	Neither Agree nor Disagree	34	Disagree	31	Strongly Disagree	19
Response Category	Number of Responses												
Strongly Agree	27												
Agree	86												
Neither Agree nor Disagree	34												
Disagree	31												
Strongly Disagree	19												

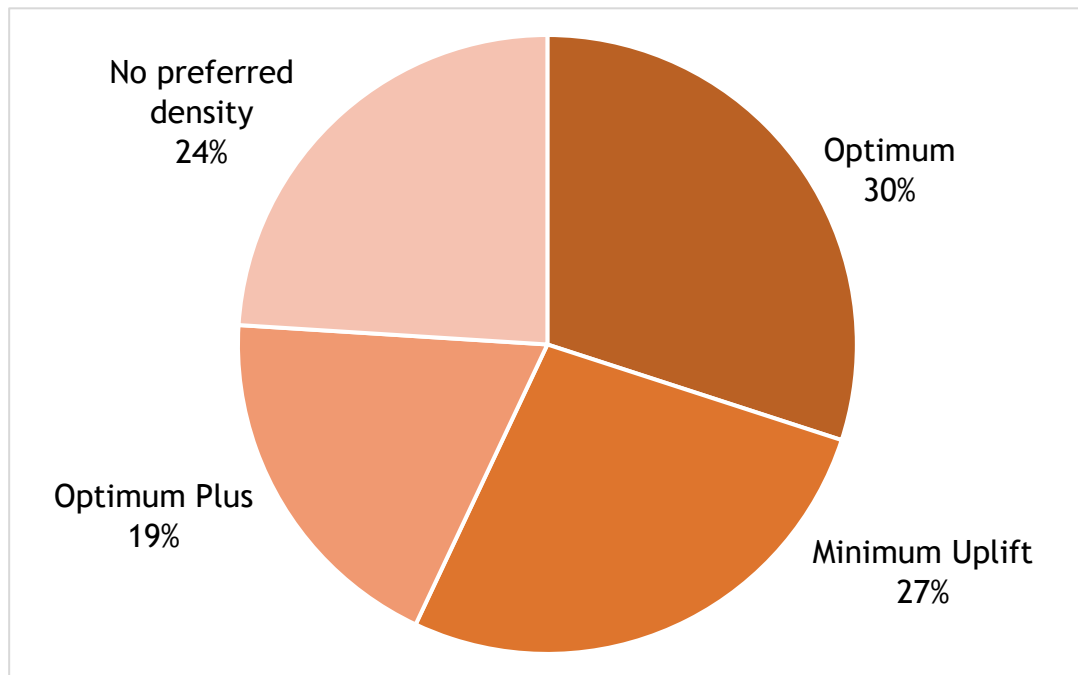
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Which is your preferred Density approach?

Total Responses to Question:	184
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Of the responses to this question, there was no clear preference for the preferred density approach for the District. The responses show that 'Optimum' is the most popular approach to development. The results are evenly spread with the exception of Optimum plus.

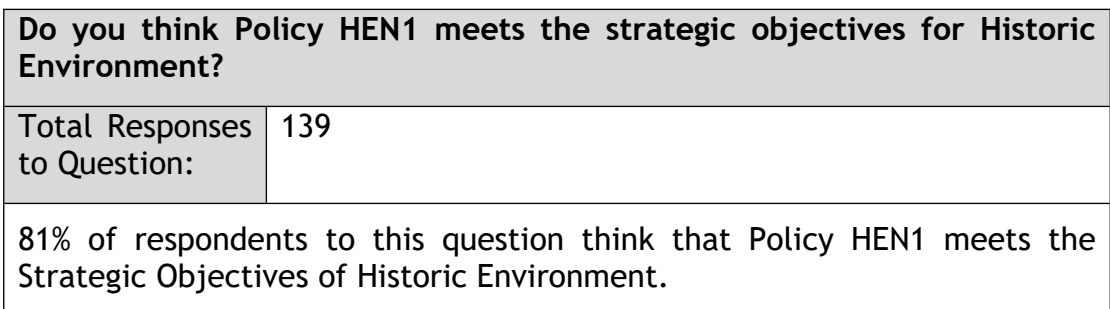
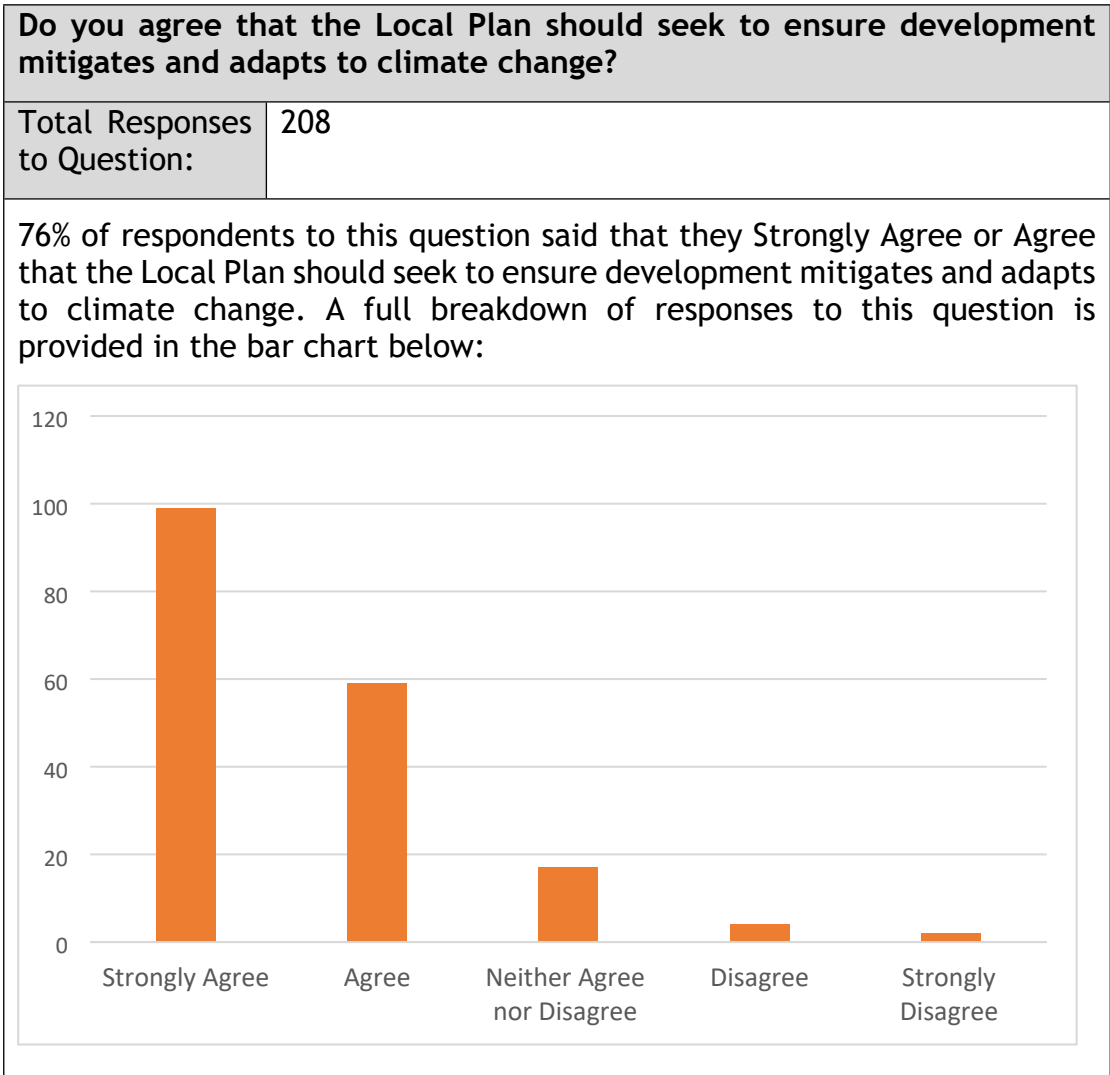
The full results to this question are set out in the pie chart below:



Do you think the proposed affordable housing contributions are reasonable and will help to achieve the aims of Policy H2?

Total Responses to Question:	163
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67% of respondents to this question think the proposed affordable housing contributions are reasonable and will help to achieve the aims of Policy H2.

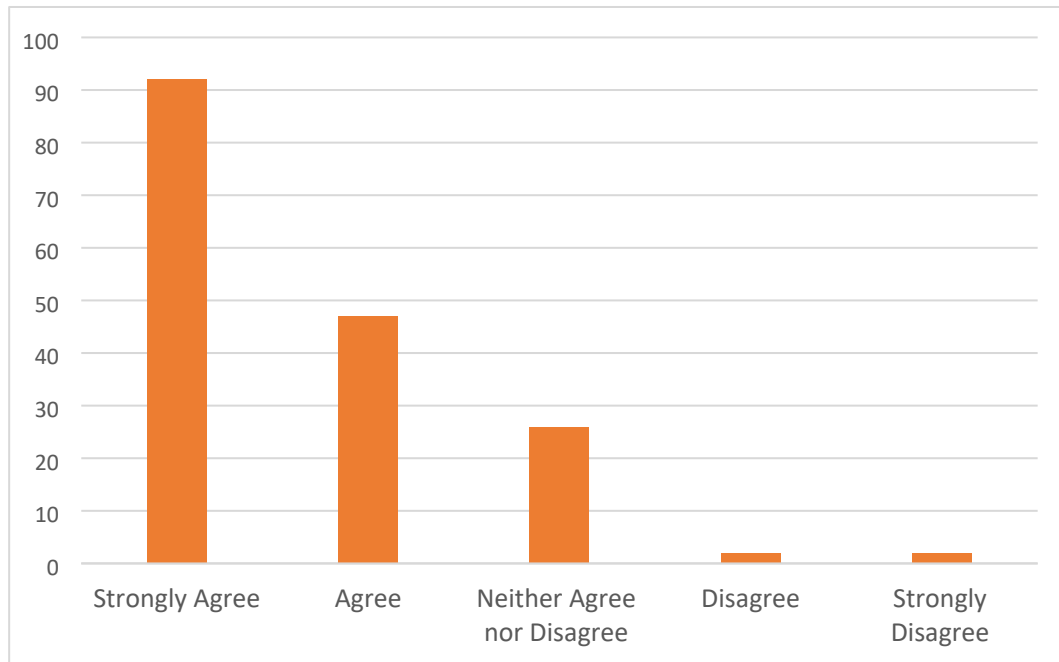


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Do you agree that locally designated sites should generally be protected from development?

Total Responses to Question: 169

82% of respondents to this question said that they Strongly Agree or Agree that locally designated sites should generally be protected from development. A full breakdown of responses to this question is provided in the bar chart below:



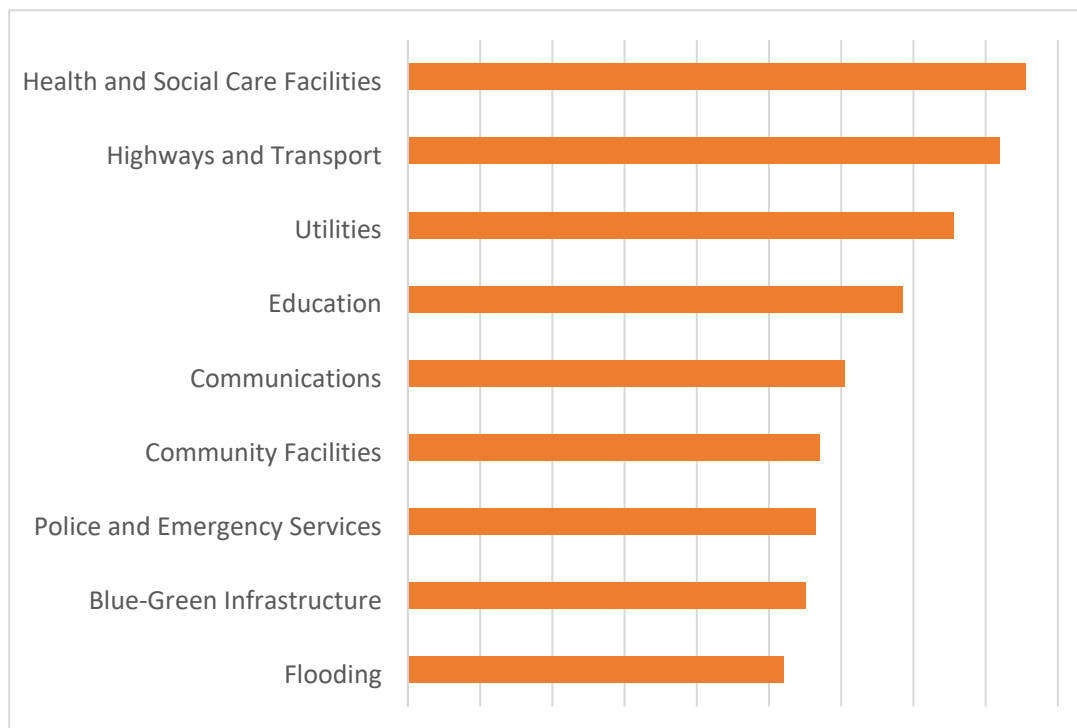
If we are looking to prioritise infrastructure, what do you consider are the most important types to support growth?

Total Responses to Question:	153
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The three types of infrastructure that were considered most important, by respondents to this question, in supporting growth were:

- Health and Social Care Facilities e.g. GP surgeries and mental health services
- Highways and Transport e.g. junctions and sustainable transport
- Utilities e.g. gas, water and sewerage

The ranking outcome, considering the 153 responses to this question, is shown in the chart below:



Should we provide less car parking in developments situated in sustainable locations, for example, town centres?

Total Responses to Question:	163
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62% of respondents to this question do not think we should provide less car parking in developments situated in sustainable locations.

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School Responses - Initial Analysis

- 25 As is highlighted above, 309 responses were received from students at Orchards Academy, Swanley and Weald of Kent Grammar Annexe, Sevenoaks. Officers met with students in January 2023 and provided a short overview presentation of Plan 2040.
- 26 Students were then asked to provide their comments in response to the presentation. As well as having access to the short survey, students were asked to consider the following three key questions in relation to where they live:
1. How old will you be in 2040 and what will matter to you?
 2. What do you like about where you live?
 3. What would you change about where you live?
- 27 Where students did not live within the District, they were asked to consider the location that they attend school or areas of the District that they visit regularly.
- 28 Officers have undertaken some initial analysis of the school responses and the most popular topic was the retail provision to meet the needs of the younger generation. Over 50% of school responses made reference to shopping facilities within the district's town centres.
- 29 Public transport and traffic were also popular responses, with 28% of school responses referring to transport within the district, predominantly highlighting the need to for additional services.

GDPR Implications - Regulation 18 Consultation

- 30 Due to the General Data Protection Regulations, it was necessary for Officers to redact the names of students who responded to the consultation, since at the time of the response they were under 18. Comments from students are therefore listed under the students school and year group in order for the comments to remain anonymous.
- 31 All other responses from individuals and organisations have been treated in the same manner as with previous consultations and have been published and attributed by name and organisation only.

Conclusions

- 32 This report provides an update and initial high-level analysis of the Plan 2040 Regulation 18 Consultation, which ran for 8 weeks from 16 November 2022 until 11 January 2023.
- 33 Officers will be happy to take any questions on the content of this report at the meeting.

Key Implications

Financial

The Plan 2040 Regulation 18 Consultation was funded from the Local Plan reserve.

Legal Implications and Risk Assessment Statement.

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

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.

Safeguarding of Children and Vulnerable adults

As set out above, responses were received from 309 students under the age of 18. Student Names were redacted and not placed in the public domain.

Appendices

Appendix A - Statutory Consultees, Neighbouring Authorities and Town and Parish Councils - Key Matters Raised

Appendix B - List of Landowners, Developers and other organisations who responded to the consultation

Richard Morris

Deputy Chief Executive and Chief Officer - Planning and Regulatory Services

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APPENDIX A - Statutory Consultees, Neighbouring Authorities and Town and Parish Councils - Key Matters Raised

Statutory Consultees

Consultee	Key Matters
East Sussex County Council	No comments at this stage
Environment Agency	Biodiversity Flood Risk Groundwater Contaminated Land
Kent County Council	Education Sports and Leisure (Active Kent) Historic Conservation Waste Management Sustainable Drainage Systems (SuDS)
National Highways	Transport Future Year Modelling Assessments (2040)
Natural England	Cycling and Walking Water Infrastructure Biodiversity in New Development Climate Change Areas of Outstanding Natural Beauty (AONB)
Network Rail	Impact of New Development on Railway Infrastructure
Sport England	Sport England's Active Design' guidance Playing Pitch Strategy Sports Facility Strategy
Transport for London	Site allocations Major Development Proposals Mayor's Strategic Transport Policy Objectives

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Neighbouring Authorities

Consultee	Key Matters
London Borough of Bexley	Unmet Housing Need
London Borough of Bromley	Unmet Housing Need
Dartford Borough Council	Unmet Housing Need
Gravesham Borough Council	Unmet Housing Need
Tandridge District Council	Unmet Housing Need
Tonbridge and Malling Borough Council	Unmet Housing Need Housing Market Areas (HMAs) Density
Tunbridge Wells Borough Council	Unmet Housing Need
Wealden District Council	Unmet Housing Need

Town and Parish Councils

Consultee	Key Matters
Badgers Mount Parish Council	Infrastructure Transport Climate Change Health & Wellbeing
Crockenhill Parish Council	Housing in Rural Areas Density Build to Rent Housing for Older People Housing in Rural Areas Air Quality
Dunton Green Parish Council	Infrastructure
Edenbridge Town Council	Town and Local Centres Development Strategy
Eynsford Parish Council	Infrastructure Gypsy and Traveller Policies Water infrastructure

Consultee	Key Matters
Fawkham Parish Council	Development Density Affordable Housing Employment & Economy Design Historic Environment Transport
Hartley Parish Council	Density Development Affordable Housing Employment & Economy Design Health & Wellbeing Historic Environment Transport & Parking
Hever Parish Council	Broadband & Infrastructure Public Transport Road safety
Kemsing Parish Council	Congestion Older Persons Housing
Otford Parish Council	Parking Older Persons Housing Affordable Housing
Seal Parish Council	Economy Growth Strategy Density Affordable Housing Transport
Sevenoaks Town Council	Density Congestion Older Persons Housing Broadband Sevenoaks Town Neighbourhood Plan
Shoreham Parish Council	Density Affordable Housing Landscape Visual Impact Assessments

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Consultee	Key Matters
Sundridge with Ide Hill Parish Council	Potential Development Village Hall Density
Swanley Town Council	Housing Mix Density Affordable Housing Design
West Kingsdown Parish Council	Affordable Housing Parking
Westerham Town Council	Electric Vehicles Transport Infrastructure Climate Change

APPENDIX B - List of Landowners, Developers and other organisations who responded to the Plan 2040 Consultation

Key Consultation Bodies

Kent Downs AONB Unit
Kent Wildlife Trust
Historic England
National Grid
National Trust
Southern Water
Thames Water

Landowners / Developers / Planning

AKDC Limited
Avison Young
Bellway Homes Ltd
Bellway Strategic
Berkeley Strategic Land Limited
Blackthorn Homes Limited
Boyer Planning on behalf of Berkeley Homes (Eastern Counties) Ltd
Byrne Group Limited
Carter Jonas for Harrison Institute
Carter Jonas/ Richborough Estates
Cooper Estates Strategic Land Ltd.
Croudace Homes Ltd
CPRE Kent
Dandara South East Limited
DHA Planning for Fernham Homes.
DHA Planning Ltd / Finchley Developments C&G No 2 Ltd
DHA Planning for The Art of Living (Hamble) Ltd
DHA Planning Ltd / The Billings Group
DHA Planning Ltd / Hatchery
DHA Planning Ltd / Hawkspare Limited

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DHA Planning Ltd/ Hever Castle Estate
DHA Planning Ltd / Sunray Developments
DHA Planning Ltd / Meadow View Management (Hextable) Ltd
DHA Planning Ltd/ Mr B Sparrow
DHA Planning Ltd/Mr J Drake (A-Tec International)
DHA Planning Ltd / St Johns Capital
DHA Planning Ltd / Mrs P Sivyer
DHA Planning Ltd / Wetttons
DHA Planning Ltd / Orpin
DHA Planning Ltd / West Kent Housing Association
DHA PLanning Ltd/Reside Developments Ltd
DHA Planning Ltd/ The Art of Living (Hamble) Ltd
DHA Planning Ltd/ Millwood Designer Homes
DHA Planning for Canham Homes
DHA Planning Ltd / The Mitchem Family
DHA Planning Ltd / Rydon Homes
DHA Planning Ltd / Simon Patience (New Homes) Ltd
DHA Planning Ltd / Mr & Mrs Baddeley
DHA Planning Ltd / The Police and Crime Commissioner for Kent
Earlswood Homes
ETC Architects
Generator Group
Gladman and Ramac Group
Hallam Land Management Ltd
Home Builders Federation
Iceni Projects / Parkwood Hall Co-Operative Academy Trust
Inca Rose Holdings Limited
Inspired Villages
Kent Renaissance
Lafone Properties Ltd C/O Batcheller Monkhouse
M7 Planning Ltd
Maple Planning

Mark Heeley Property Management Ltd
McCarthy Stone
Merseyside Pension Fund
Miller Homes
MSV Group Ltd
Freeths / Morants Promotions Ltd
NHS Property Services
NHS Kent and Medway Integrated Commissioning Board
Novo Land + Development Ltd
NTR Planning on behalf of Mr & Mrs Weekes
NTR Planning Ltd/ B Weekes & G Wood
Planning Issues Ltd / Churchill Retirement Living
Rapleys LLP
Rosconn Group
Savills
SGN Property Services
Sigma Strategic Land
South Darenth Farms and Cold Stores Limited
St Clere Estate
Taylor Wimpey
Vail Williams
VLH Associates / Dormont Properties Ltd
Wates Development
Whitehall Homes LLP
Woolf Bond Planning

Other Organisations

Aperfield Green Belt Action Group
Ark Projects
AW Champion
British Horse Society
Harrison Institute

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Keep Westerham Green Residents Group
Rockdale Housing Association
New Ash Green Village Association Limited
Sevenoaks Bicycle Users Group
Sevenoaks. Dartford and Gravesham Liberal Democrats
Sevenoaks District Action Forum
Sevenoaks Rail Travellers Association
Sevenoaks Society
Strutt and Parker for the Knole Estate
Tarmac Trading Ltd (Tarmac)
West Kent Badger Group

Schools

Orchards Academy, Swanley - 31 students
Weald of Kent Grammar Annexe, Sevenoaks - 278 students

LOCAL PLAN AND NEIGHBOURHOOD PLAN UPDATE

Development and Conservation Advisory Committee - 2 March 2023

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

Status: For Consideration

Key Decision: No

Executive Summary: The report provides an update on Strategic Planning activities, including the Local Plan, Neighbourhood Plans and the national planning policy consultation.

This report supports the Key Aim 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: Hannah Gooden, Ext. 7178

Recommendation to Development and Conservation Advisory Committee):

To note the contents of the report.

Reason for recommendation: To provide an update on Strategic Planning activities, including the Local Plan, Neighbourhood Plans and the national planning policy consultation.

Introduction and Background

- 1 This report provides an update on:
 - a. Neighbourhood Planning
 - b. The proposed reforms to national planning policy
 - c. Next steps for the Local Plan
 - d. Update on Transport, Infrastructure and Net Zero
 - e. Update on Conservation Area Appraisals

Neighbourhood Planning

- 2 SDC is supporting a number of towns and parishes who are at various stages of developing neighbourhood plans. There are 13 'designated areas', which is the first stage of producing a neighbourhood plan. The 'designated areas' for neighbourhood plans in Sevenoaks District are: Sevenoaks town, Swanley, Edenbridge, Ash-cum-Ridley, Otford, Badgers Mount, Fawkham, Seal, Hextable, Halstead, Hartley Chevening and Shoreham. For context, in Kent, there are just over 20 'made' Neighbourhood Plans - Maidstone has 7, Tunbridge Wells and Ashford have 5 each, Dover has 2, Folkestone & Hythe, Thanet, Dartford and Swale have 1 each.
- 3 The **Sevenoaks Town Neighbourhood Plan** is the most advanced, having recently been subject to examination. It was considered by Cabinet on 9 February with a recommendation to proceed to referendum on 4 May in tandem with local elections (see Appendix A). The examiner recommended that the Neighbourhood Plan should proceed to referendum, subject to a small number of recommended modifications. The next stage is to arrange the referendum on the Neighbourhood Plan. This is a simple yes/no vote, where the plan is 'made' (approved) if more than 50% of voters support the Plan. A person is entitled to vote if at the time of the referendum, they meet the eligibility criteria to vote in a local election for the area and if they live in the referendum area. The referendum will pose the question 'Do you want Sevenoaks District Council to use the Neighbourhood Plan for Sevenoaks Town to help it decide planning applications in the neighbourhood area?'
- 4 The **Swanley Town Neighbourhood Plan** is at an earlier stage of preparation, and the town council is being supported by Locality, a non-profit organisation which supports community development. Officers have met regularly with the neighbourhood plan team, and the plan has recently been issued for Regulation 14 consultation (which mirrors Regulation 18 consultation in the Local Plan process). This runs until 20 Feb and SDC will prepare a response.

Reforms to National Planning Policy

- 5 A consultation on 'Levelling-up and Regeneration Bill (LURB): reforms to national planning policy' was published 22 December. The consultation, which includes changes to the National Planning Policy Framework (NPPF) and national development management policies runs until 2 March. A portfolio-holder level response to the 58 questions has been prepared and submitted. Government has said it will respond to this consultation by 'Spring 2023' and a further review of the NPPF will occur later in 2023, reflecting the wider changes to planning system, proposed by the LURB, following Royal Assent of the Bill. The consultation documents available: <https://www.gov.uk/government/consultations/levelling-up-and-regeneration-bill-reforms-to-national-planning-policy>

- 6 The consultation covers a wide-range of issues, but the key focus is on **housing**, including how housing need is assessed, changes to the Housing Delivery Test (HDT) and planning for older peoples' housing. The consultation reflects the findings of the 'Building Better, Building Beautiful' Commission's report to emphasise the role of 'beauty' within places and spaces, to encourage well-designed development, including through 'gentle density'. In addition, it covers the problems of slow build out (taking into account the past behaviour of applicants, publishing lists of developers who fail to build out large sites and potential financial penalties). The details of how these sanctions could be applied are still to be developed, but any mechanisms which bring forward long vacant sites are to be welcomed.
- 7 In relation to **Green Belt**, the consultation suggests that Green Belt boundaries would not be required to be reviewed and altered if this would be the only means of meeting the objectively assessed need for housing over the plan period. It also now states that development which would be uncharacteristically dense for the area can outweigh the requirement to meet housing need. For a district as constrained as Sevenoaks, these proposals are welcomed as they would give greater scope to recognising the difficulty there is in meeting development needs while continuing to protect the Green Belt. The proposals regarding Green Belt reviews and building density are very relevant to our recent Regulation 18 consultation. The response has noted that the Council is seeking to meet housing need as far as possible, whilst protecting strongly performing Green Belt and the individual characters of our settlements.
- 8 For **plan-making and transition** to a new planning system, the NPPF revisions (including the changes above regarding green belt and density) are likely to be implemented this spring. In relation to the test of 'soundness', plans no longer have to be 'justified' but will need to demonstrate that the proposed housing target meets need so far as possible. The Duty to Co-operate will be replaced with a new 'alignment policy', which is not yet defined. Plans need to be submitted before 30 June 2025 to be examined under the existing system and the examination would need to conclude by 31 December 2026. Our current LDS outlines submission in summer 2024, so at present, the Plan would be examined under the existing system. The revised system of plan-making, as set out in the LURB, is to be introduced in 'late 2024' and plans will be required to be reviewed every 5 years and should be able to be adopted within 30 months. The consultation sets out that Supplementary Planning Document (SPDs) replaced with 'Supplementary Plans' under the new plan-making system (from late 2024), will be afforded same weight at the Local Plan.
- 9 There are pros and cons of proceeding with a Plan under the existing system versus the new system, as summarised below:

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	Existing Planning System (submit before June 2025)	New Planning System (introduced in 'late 2024')
Positives	<p>Keep to existing timetable – helps to demonstrate progress / prevent speculative applications</p> <p>Confirms protection of our Green Belt</p> <p>Use of existing evidence base Social responsibility – provision of housing (including affordable housing) in shortest timetable</p> <p>Changes to NPPF will apply (re Green Belt, Design, Soundness etc.)</p> <p>Known planning system</p> <p>Enables a CIL refresh to deliver necessary infrastructure</p> <p>Brings forward the delivery of design coding</p> <p>Earlier delivery of national and local objectives – Net Zero and health & wellbeing in particular</p>	<p>DTC will be replaced by a less strenuous 'alignment test' (yet to be defined)</p> <p>New plan in new system – will be clearly 'up to date'</p>
Negatives	<p>Existing legal requirements and duties e.g. DTC will still apply</p> <p>Plan will be part of the 'old' system (albeit all plans to be reviewed every 5 years)</p>	<p>Unknowns of new system / untested</p> <p>Time and expense of updating evidence base to ensure it does not become out of date</p> <p>Will encourage more speculative applications and the resultant cost and resource implications of defending appeals</p> <p>Further delay in provision of homes, essential infrastructure – social responsibility to accelerate this provision</p> <p>Diminishes Sevenoaks' pro-good growth reputation</p> <p>Leaves CIL / infrastructure funding unresolved</p>

- 10 There will be a subsequent consultation later in 2023 on national **Development Management** policies and the questions within this consultation are a scoping exercise as to what these should focus on. The Development Management team have contributed to the response. It is noted that national policies are likely to cover planning considerations that are widely applicable such as heritage, Green Belt, and flood risk and areas of new priority, such as Net Zero and carbon reduction in development. The consultation also includes recommendations regarding Biodiversity Net Gain (BNG) rules, whole life carbon assessments and the energy efficient adaptation of buildings, and the Council is supportive of these proposed changes which would help to deliver and promote the Council's Net Zero 2030 commitment.
- 11 The consultation was discussed at a recent KPPF (Kent Planning Policy Forum) which concluded that most **Kent Authorities** will be responding with more questions, as all in agreement that the consultation document lacks some clarity, but there are both positive and negative elements to the proposed changes. The key positives are in relation to housing supply and future calculations moving towards a more rational method, which can take local circumstances into account. In relation to the timings to produce a Local Plan, this has been reduced to 24-30 months, which is considered unrealistic and there is concern regarding the changes to SPDs (to have the same weight as Local Plans) and whether they will require the same level of consultation and examination.
- 12 In terms of the **development industry**, there has been some commentary that the implication of the changes represents the most significant change to the Framework since its first publication in 2012. Commentators have suggested that the NPPF has been 'watered down' for political reasons and that the potential new pathways to reduce housing requirements and leave Green Belt boundaries unchanged leaves clear tensions between plan-making and addressing the national housing crisis. The conclusion of the development industry is that the proposed changes to the NPPF are likely to have significant adverse implications for housing supply.

Local Plan - Next steps

- 13 The Local Development Scheme (LDS, July 2022) outlines the next steps for the Local Plan:
- Reg.18 (Draft Local Plan consultation) - autumn 2023
 - Reg.19 (Plan publication) - spring 2024
 - Reg.22 (Submission) - summer 2024
- 14 The main activities for the next period of plan-making include:

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- Reviewing and analysing responses to the recent Regulation 18 consultation as set out in the previous report
- Continuing to develop ongoing evidence, including in relation to transport, infrastructure, biodiversity and viability
- Undertaking site assessment of the Stage 2 call for sites submission to inform the Stage 2 SHELAA (Strategic Housing and Employment Land Available Assessment)
- Developing detailed site design guidance, including further work on density
- Progressing supporting assessments, including the Sustainability Assessment (SA), Habitats Regulations Assessment (HRA), EQIA and health impact assessment
- Ongoing DTC meeting with neighbouring authorities and stakeholder organisations
- Seeking input and advice as necessary from legal, DLUHC and PAS/PINS
- Reviewing any changes in national planning policy resultant from the current consultation
- Undertaking a refresh of our approach to CIL
- Preparing the Stage 2 Regulation 18 Draft Plan for consultation in autumn 2023.

Update on Transport / Infrastructure / Net Zero

Cycling and Walking

- 15 The Sevenoaks Urban Area Local Cycling and Walking Infrastructure Plan (LCWIP) was finalised in January 2023. The plan proposes new walking and cycling routes and improvements to encourage people to move more sustainably. The plan will also form the basis for funding bids for improvements to walking and cycling provision in the focus area.
- 16 The Plan was launched and promoted on SDC social media in February with photoshoots with pupils from Riverhead Infants School and the Weald of Kent Grammar Annex and members of the Otford cycling group.
- 17 Last year, we successfully secured £1.2 million to deliver the Sevenoaks East-West route from the Active Travel Fund. We are working closely with Kent County Council (KCC) on its delivery. A public consultation will be taking place later this year giving residents the opportunity to comment on the route proposals.
- 18 SDC has secured further funding from the Capability Fund 2023, via KCC, for the development of a Swanley LCWIP and feasibility studies for two routes in the Sevenoaks Urban Area LCWIP - route 1 (Otford to Sevenoaks) and route 6 (Otford to Sevenoaks via Wildernesse). We are awaiting further

detail from KCC regarding terms, conditions and timescales for completion.

Infrastructure Delivery Plan (IDP)

- 19 The IDP identifies infrastructure required to support planned growth over the period of the Local Plan. The document performs a dual function, in that it will also inform any changes to the CIL Charging Schedule and the associated Infrastructure Funding Statement.
- 20 As a live document, the IDP will develop alongside the emerging Local Plan, gathering detail as site specific information becomes available. To support the Regulation 18 consultation, an IDP statement collated consultation responses from infrastructure providers and delivery partners. It is considered that the statement provides a starting point for discussion with infrastructure providers. Future iterations of the IDP will be updated to reflect infrastructure requirements as we continue to engage with our infrastructure providers.
- 21 The final draft, to be submitted for examination with the Local Plan in 2024, will contain a schedule of required infrastructure provision and improvements, along with costs, time horizons, standards of provision and capital programme information.
- 22 A robust assessment of infrastructure requirements is an essential piece of evidence for the emerging Local Plan to ensure sustainable growth. Members will be updated as the document progresses.

Update on Conservation Area Appraisals

- 23 The Conservation and Design team are progressing well with the current Conservation Area review project for Eynsford, Farningham and Kemsing Conservation Areas, which is part of our rolling programme to review Conservation Areas and update the appraisals. The work is being undertaken by consultants Alan Baxter, and as part of the review process we held walkabouts with local stakeholders in November. The revised and reformatted draft Appraisals, along with updated Introduction to Conservation Areas and Conservation Areas Design Guidance documents, went out to public consultation on Monday 16 January. The consultation period will finish on Friday 3 March.
- 24 Public engagement is an important aspect of the work and integral to it are the three public engagement events that we have held in the three Conservation Areas. We have been pleased with the turnout and comments received at all three. Feedback from customers can be received several ways: paper feedback forms or written letter; email; or using an online

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survey (via the CitizenSpace public engagement platform). To help direct the public we set up a host webpage that clearly directs customers to the online survey and allows them to view the draft documents online. As well as online, customers can view hard copies of the reports in the Council Offices, Sevenoaks Library as well as in each of the three Conservation Areas.

- 25 Once the public consultation closes we will review all responses and revise the Appraisals as necessary. We anticipate that they will be presented at Cabinet for approval and adoption in early Summer 2023. This project also includes an assessment of potential development sites for the emerging Local Plan. As with the Local Plan, this project has also used the online public engagement platform CitizenSpace. We have shared our learnings from one project to the next and collaborated effectively across our individual teams.

Conclusions

- 26 This report provides an update on recent Strategic Planning activities.

Key Implications

Financial

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

In relation to Neighbourhood Planning, SDC receives funding from central government to support this activity.

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.

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

Appendix A - Cabinet report on Sevenoaks Town Neighbourhood Plan

<https://cds.sevenoaks.gov.uk/documents/s51502/07%20SEVENOAKS%20TOWN%20NEIGHBOURHOOD%20PLAN.pdf?J=2>

Richard Morris

Deputy Chief Executive, Chief Officer - Planning & Regulatory Services

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Development and Conservation Advisory Committee Work Plan (as at 3/02/23)

6 July 2023

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19 September 2023

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