

## Development & Conservation Advisory Committee

Minutes of the meeting held on 31 October 2023 commencing at 7.00 pm

Present: Cllr. Williams (Chairman)

Cllr. Reay (Vice Chairman)

Cllrs. Barnett, Camp, P. Darrington, Malone, Purves, Reay, Roy, Varley, Waterton, White and Williams

Apologies for absence were received from Cllrs. Barker

Cllrs. Baker, Edwards-Winsor, Maskell, McArthur, and Robinson were also present.

Cllrs. Clack, Gustard, and Manston were also present via a virtual media platform which does not constitute attendance as recognised by the Local Government Act 1972.

### 13. Minutes

Resolved: That the minutes of the meeting held 11 July 2023 be approved, and signed by the Chairman as a correct record.

### 14. Declarations of interest

Councillor Varley declared for Minute 19 – Local Plan Regulation 18 Consultation that he had formerly been a member of the Redlands Resident Association, and the Management Committee of the Brittain's Lane Association, but that was no longer a member of either association and that he remained open minded.

### 15. Actions from previous meeting

There were none.

### 16. Update from Portfolio Holder

The Portfolio Holder gave an update on the services within their portfolio. The Development Management team remained busy, with no decline in the number of applications processed compared with previous years. 100% of major applications, and 97% of other applications had been determined within target deadlines. This placed the team in the top quartile of equivalent teams nationally. The teams were now fully staffed.

The Planning Enforcement team had appointed a new Planning Enforcement Manager, and hired a new Planning Enforcement Officer. Almost 70% of planning

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appeals were dismissed, and feedback from successful appeals was fed back to Members.

Building Control maintained a market share of around 70%. The team were preparing for the new Building Safety Act, to ensure they were able to respond to new responsibilities resulting from it.

The Local Plan remained on course, within the timeline set out in the Local Development Scheme. The Strategic Planning Team were thanked for their hard work in preparing the second Regulation 18 Consultation. The Sustainability Appraisal would be made available in advance of the consultation.

### 17. Referral from Cabinet or the Audit Committee

There were none.

### 18. Budget 2024/25: Review of Service Dashboards and Service Change Impact Assessments (SCIAs)

The Head of Finance presented the report which set out updates to the 2024/25 budget process within the existing framework of the 10-year budget and savings plan.

Some changes had been made to future assumptions and they would be continued to be reviewed during the budget process. The key cost driver continued to be inflation, with pressure coming through on service demand, the pay award and the cost of goods and services. The items listed in Appendix E reported a current annual budget gap of £1.368m. Members were advised that they were likely to have to make more difficult decisions during the 2024/25 budget setting process than they had had to make for many years.

Informed by the latest information from Government and discussions from Cabinet, it was proposed that the Council once again set a balanced 10-year budget and continued to aim to be financially self-sufficient with no direct funding from Government through additional Revenue Support Grant or New Homes Bonus.

The report presented savings that had been identified which needed to be considered, and requested further suggestions from the Advisory Committee, before finalising the budget for 2024/25.

The Committee considered the proposal as set out in Appendices G and H.

Members gave further consideration to additional suggestions for savings, which included lobbying central government to allow the Council to levy cost recovery fines in Planning Enforcement cases, and to review the provision of non-fee paying Building Control services. The Chief Officer for Planning & Regulatory Services advised that lobbying in this regard was ongoing, including in the recent government Fee Consultation. He further explained that many non-fee earning services were

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essential, but that this option would be investigated, to see if they could be minimised without negatively impacting the quality of service provided.

### 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 savings proposal (SCIA 1) identified in Appendices G & H to the report applicable to this Advisory Committee, be considered.
- (b) That no further income or growth proposals were identified.

### 19. Local Plan Regulation 18 Consultation

The Planning Policy Team Leader presented the report, which set out the proposed Regulation 18 Part 2 Consultation for the Local Plan 2040. The consultation would run from 23 November 2023 to 11 January 2024, and would concern sites across the district, including the potential contributions of sites in the Green Belt. The Local Plan would help guide what could be built, and where, until 2040, and would address the district's housing and infrastructure needs in a coordinated manner.

The Officer gave an overview of the Local Plan's development. The first Regulation 18 consultation, held last year, focused on sites in existing settlements, to optimise density in sustainable locations. The consultation offered three density scenarios - Low, Medium, and High density - of which Medium Density was the most popular in the feedback received. This option did not meet the total housing need for the district, which was for 712 homes per year, 5.7 hectares of employment land, 43 Gypsy & Traveller Sites, and to maintain existing retail provision in high streets. Thus, additional development sites would need to be considered outside existing settlements.

The officer outlined the evidence base for the Plan. This included the Stage 2 Green Belt Assessment, which identified weakly performing Green Belt land on the edge of higher tier settlements in the district. The land was assessed against the purposes of the Green Belt as set out in the National Planning Policy Framework (NPPF). The exceptional circumstances for amending the Green Belt in these areas were a combination of the acute housing need, particularly for affordable housing, the identification of available, sustainable, sites, and that the Green Belt land in question was weakly performing. Other elements of the evidence base were progressing in line with the Local Plan timetable.

The Consultation would cover three development scenarios, which would approximately meet the housing need, would meet the housing need, and would exceed the housing need respectively. All three options included a baseline consisting of the urban sites that were the subject of the first consultation, and Green Belt sites. The first option comprised of the baseline, and multiple smaller and medium sites that

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were in both the Green Belt and Areas of Outstanding Natural Beauty (AONB). The second option consisted of the baseline, and a standalone settlement at Pedham Place. The third option was a combination of the other two options. It was noted that an over delivery of houses would likely not occur, as it was expected that some sites would not be brought forward for development. The site at Pedham Place was considered for a range of possible uses, including as a standalone settlement with 2500 housing units and associated infrastructure, including a secondary school. Another option was as part of a wider mixed-use development which would provide a multipurpose stadium complex, hotel, and training facilities for Wasps RFC.

The Senior Planning Officer outlined the consultation strategy. The consultation period was longer than the 6-week statutory requirement to account for the consultation taking place over Christmas. The consultation would be run online, via the consultation portal, and written responses would also be accepted. It would be publicised online through the Council's website and social media and through physical posters and summary leaflets. Hard copies of the consultation document, summary leaflets, and paper response forms would be available at all libraries and parish councils across the district. Members would receive materials to help promote the consultation, and pop-up sessions would be held in Sevenoaks, Swanley, Edenbridge, Westerham, and West Kingsdown. There were additional plans to target demographic groups that were harder to reach through traditional consultation methods, including young people, commuters, and gypsy and traveller communities. These included targeted consultation activities at secondary schools, additional displays at key train stations, and specific handouts for the gypsy and traveller communities. Conversations with key stakeholders and neighbouring authorities regarding the duty to cooperate would also continue during the consultation.

In response to questions, the officers advised that the very special circumstances required for development in the Green Belt to be considered appropriate in the development management process were different to the exceptional circumstances required for Green Belt land to be released, through the Local Plan. The former addressed the suitability of a development within the Green Belt, and the other considered redrawing the Green Belt boundary. All Gypsy and Traveller Sites went through the Strategic Housing and Economic Land Availability Assessment process, which evaluates the suitability, sustainability, and deliverability of the site. These assessments would be published and available alongside the consultation.

Members were advised that the normal rate of housing construction had been factored into the housing supply through the windfall and small sites allocation, which was an average of the number of units built in the past 9 years. Very few sites in rural villages were brought forward in the call for sites, but this did not preclude housing developments there through the development management process. Sites that were already allocated through other plans, such as Bevan Place through the Allocations & Development Management Plan, were carried forward into the Local Plan, and would be subject to the proposed consultation.

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The officers outlined the development process for the Infrastructure Delivery Plan and for infrastructure provider engagement. Infrastructure providers set out their requirements for each site, which would allow the Council to ensure that development proposals met the strategic infrastructure needs of the area. Providers for all areas of infrastructure, including transport, health, education, and utilities, were approached.

Members discussed the issue of affordable housing provision within the district. The officers explained that Policy H2 'Provision of Affordable Housing' within the Plan would apply to all sites that reached the allocation stage, through the planning process. Development briefs would be created for all sites, which would set out policy priorities on a site-by-site basis – nearly all of which would include affordable housing provision. These briefs would also identify which sites were suitable for specialist housing, including for the elderly. Greenfield Green Belt-release sites were typically more able to provide affordable housing, due to the uplift in land value associated with the release, and the absence of costs and abnormalities associated with redeveloping brownfield sites. All viability assessments for affordable housing were externally assessed.

Members noted that the current Community Infrastructure Levy (CIL) arrangements would be reviewed closer to the adoption of the Local Plan. Section 106 agreements for major developments would allow for infrastructure to be delivered faster, and in a more site-specific manner, than through CIL. The infrastructure priorities for each site would be established through the proposed consultation.

In response to questions, the officers further outlined the Stage 2 Green Belt Assessment. Some sites were inaccessible to in-person visits, so were assessed through a combination of site visits and aerial photography. The Assessment solely evaluated land from the perspective of Green Belt purposes, and thus did not include analysis of other constraints on sites such as being in an AONB. This analysis was conducted on both an individual site basis, and the performance of the land in conjunction with neighbouring Green Belt land. This analysis found some sites that could only be released alongside other areas to not affect the wider Green Belt.

Members were advised that Neighbourhood Plans were of equivalent weighting to the Local Plan and that neighbourhood plans need to be in general conformity with the adopted Local Plan. Developments within a parish that has a made Neighbourhood Plan would be subject to the policies within both that Plan and the Local Plan.

Members discussed Option 1 of the consultation, which would approximately meet the housing need. Officers explained that design work was ongoing to improve the capacities of sites within that option, to optimise density. The option did have the potential to meet the housing need of the district, but sites would require reassessment as part of the consultation. They further discussed the Pedham Place site from Options 2 and 3. There were a range of possible uses for the site, and public feedback from the consultation would inform which developments came forward.

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The council were not partners in the development, which was a private enterprise, and did not own the land associated with the development, meaning there was no financial risk associated.

Officers outlined the approach to design management within the Local Plan, in response to questions. The strategic policies for design were set out within the Plan, and provision was made for a Design Review Panel to assess and help shape the designs of proposed developments. The site-specific development briefs would further feed into this process. Work was also ongoing on the creation of a Design Code for the district, including 3-D modelling work to allow for greater public engagement with the designs of developments.

### Public Sector Equality Duty

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

Resolved: That

- A) The report be noted; and that
- B) It be recommended to Cabinet that Cabinet:
  - a) Approves the content of the 'Plan 2040 Regulation 18 Part 2' at Appendix 2 for public consultation purposes;
  - b) Agrees the presentation and formatting style, of the consultation document, as reflected in the indicative formatted chapter at Appendix 4, and;
  - c) Delegates authority to the Chief Officer – Planning and Regulatory Services and the Development and Conservation Portfolio Holder, to approve the final formatting and presentation of the Regulation 18 (Part 2) Consultation Draft Local Plan and any minor pre-consultation text changes.

### 20. Work plan

The Work Plan was noted with the following addition:

#### **12 December 2023**

- Local Plan Update

THE MEETING WAS CONCLUDED AT 8:35PM

CHAIRMAN