

11 July 2023 at 7.00 pm

Council Chamber, Argyle Road, Sevenoaks

Published: 03.07.23



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# Development & Conservation Advisory Committee

## Membership:

Chairman, TBD, Vice-Chairman, TBD

Cllrs. Barker, Barnett, Camp, P. Darrington, Malone, Purves, Reay, Roy, Varley, Waterton, White 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. <b>Appointment of Chairman</b>		
2. <b>Appointment of Vice Chairman</b>		
3. <b>Minutes</b> To agree the minutes of the meeting of the Advisory Committee held on 2 March 2023, as a correct record.	(Pages 1 - 4)	
4. <b>Declarations of interest</b> Any interests not already registered.		
5. <b>Actions from previous meeting (if any)</b>		
6. <b>Update from Portfolio Holder</b>		
7. <b>Referral from Cabinet or the Audit Committee (if any)</b>		
8. <b>Role of the Advisory Committee and Key Challenges</b>	(Pages 5 - 6)	Richard Morris Tel: 01732 227430
9. <b>Conservation Area Appraisal Updates</b>	(Pages 7 - 18)	Rebecca Lamb Tel: 01732 227334

- |   |                 |                                    |
|---|-----------------|------------------------------------|
| 10. <b>Local Plan Reg. 18 Consultation Update</b>   | (Pages 19 - 32) | Emma Coffin<br>Tel: 01732 227315   |
| 11. <b>Neighbourhood Plan and Local Plan Update</b> | (Pages 33 - 42) | Hannah Gooden<br>Tel: 01732 227178 |
| 12. <b>Work plan</b>                                | (Pages 43 - 44) |                                    |

### **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](mailto:democratic.services@sevenoaks.gov.uk).

**DEVELOPMENT & CONSERVATION ADVISORY COMMITTEE**

Minutes of the meeting held on 2 March 2023 commencing at 7.00 pm

Present: Cllr. Reay (Chairman)

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

Apologies for absence were received from Cllrs. McGregor and Thornton

Cllrs. Dr. Canet, Perry Cole and Hunter were also present.

29. Minutes

Resolved: That the Minutes of the Development & Conservation Advisory Committee held on 1 December 2022, be approved and signed by the Chairman as a correct record.

30. Declarations of interest

There were none.

31. Actions from previous meeting

There were none.

32. Update from Portfolio Holder

The Chairman on behalf of the Portfolio Holder gave the update on services within the Portfolio. Development Management performance remained really strong with 97% of Major applications, 87% of Minor applications, and 92% of all other applications being determined within target times, demonstrating how well customers were served. When decisions were challenged at appeal, 72% were dismissed which showed overwhelmingly that the council could be confident in its decision making.

Since the publication of the agenda, even more Government consultations had been launched. This included one on planning fees and performance. Should a more robust performance regime be introduced, the Council was very well placed to report on the ongoing successes of the service. Whilst a revised fee structure would not result in a cost neutral development management function, proposed increases of 35% on major applications and 25% on all other applications were welcomed. Other proposals include a 'double fee' for retrospective applications, and removing the 'free second go'. The consultation runs until 25 April 2023.

## Agenda Item 3

### Development & Conservation Advisory Committee - 2 March 2023

Finally, Building Control continued to perform very well, with a strong market share being maintained, which was excellent news.

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

There were none.

#### 34. Local Plan Consultation Update

The Senior Planning Officer (Policy) presented the report which provided 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.

Members were advised that a total of 598 responses were received, and this included responses to the full survey, short survey and responses from Schools. The response rate was comparable with Neighbouring Authorities at the same stage. It was anticipated that there would be a greater response to the second Regulation 18 in Autumn 2023 which would consider sites across the District and potential Green Belt sites. It was highlighted to Members that initial analysis had indicated that 83% of respondents who answered the question had said that the right strategic issues had been identified, and further initial findings were detailed within paragraph 24 of the report.

In response to questions Members were advised that in regards to the last Local Plan, the Regulation 18 consultation was sent to every household within the District and would provide the exact figure. Discussion took place on the density figures.

Resolved: That the report be noted.

#### 35. Local Plan and Neighbourhood Plan Update

The Planning Policy Team Leader presented the report which provided an update on Strategic Planning activities, including the Local Plan, Neighbourhood Plans and the national planning policy consultation.

Members were advised that there were a number of towns and parishes who were at various stages of developing Neighbourhood Plans. There were 13 'designated areas' which was the first stage of producing a neighbourhood plan. The Sevenoaks Town Neighbourhood Plan was the most advanced, and had been subject to examination and Cabinet had recommended it proceed to referendum on 4 May 2023. If more than 50% of voters support the plan then it would go to Council and be 'made' (approved.) Swanley Town Neighbourhood Plan was at an earlier stage of preparation and was supported by Locality, a non-profit organisation which supported community development. The Plan had recently been issued for Regulation 14 Consultation.

Agenda Item 3

**Development & Conservation Advisory Committee - 2 March 2023**

In regards to National Planning Policy Members were advised that a consultation on 'Levelling-up and Regeneration Bill (LURB): reforms to national planning policy was published in December and the Portfolio Holder responded to the 58 questions. The response was published on the Council's website. A response to the consultation was expected by spring 2023. The Planning Policy Team Leader advised that the consultation covered a wide range of issues including Housing, Green Belt, Development Management, and Plan making and Transition. She advised that that Plans needed 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. The Council's current LDS outlined submission in Summer 2024 and would be examined under the existing system.

Further updates included securing further funding from the Capability Fund 2023 via, KCC for the development of a Swanley Local Cycling and Walking Infrastructure Plan (LCWIP) and feasibility studies for two routes in the Sevenoaks Urban Area LCWIP route 1 and 6, Otford to Sevenoaks and Otford to Sevenoaks via Wildernesse. The Conservation and Design team were progressing with current Conservation Area reviews and would report back at the next meeting of the Committee.

Members discussed the report and asked questions of clarification. Members were advised that once a Neighbourhood Plan was 'made' it became part of the planning framework and would have the same weighting to the Local Plan. A further update on the status of other Neighbourhood Plans would be brought to a future meeting. In response to further questions Members were advised that evidence base research and consultation on neighbourhood plans should not be postponed as, even with a new system after June 2025, any plans made before then would still be supported until it became necessary for the plans to be replaced which would be every 5 years.

Members thanked the Planning Officers for their comprehensive reports.

Resolved: That the report be noted.

36. Work plan

The work plan was noted with the following additions:

6 July 2023

- Local Plan Update, including progress on Neighbourhood Plans
- National Planning Update
- Conservation Area Appraisals
- Building Control update

31 October 2023

- Regulation 18 Consultation

Agenda Item 3  
Development & Conservation Advisory Committee - 2 March 2023

THE MEETING WAS CONCLUDED AT 7.50 PM

CHAIRMAN

## ROLE OF THE ADVISORY COMMITTEE AND KEY CHALLENGES

### Development & Conservation Advisory Committee - 11 July 2023

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

**Status:** For Information

**Key Decision:** No

**Portfolio Holder:** Cllr. Simon Reay

**Contact Officers:** Richard Morris, Ext. 7139

**Recommendation to Development & Conservation Advisory Committee:**

That the report be noted.

### Introduction and Background

- 1 The purpose of this report is to provide details of the role of the Committee and the areas of responsibility including the key issues and challenges facing those areas.
- 2 The Terms of Reference are listed below and there will be a short presentation explaining the relevant service areas.

### Terms of Reference

- 3 The following terms of reference are taken from Appendix R of the Council's Constitution.
- 4 Each Cabinet Advisory Committee shall:
  - (a) undertake policy initiation and development;
  - (b) consider such other matters as are referred to it by the Portfolio Holder;
  - (c) at the request of either Cabinet or the Audit Committee carry out specific research and development projects and to submit recommendations to Cabinet; and
  - (d) develop and approve its annual work plan ensuring that there is efficient use of the Committee's time.

## Agenda Item 8

- (e) The Cabinet Member be requested to provide a report to each meeting outlining their activities since the previous meeting and any decisions they intend to take in the following three months.
- 5 Within the areas of responsibility of: Development Control, Local Plan, Planning Policy, Conservation, Development Services, Building Control, Transport Policy, Planning Enforcement, Wellbeing.
- 6 The Cabinet Advisory Committees are to ensure that there is mutual respect and co-operation with all other Committees within the Council.

### **Key Implications**

#### Financial

None.

#### Legal Implications and Risk Assessment Statement

None.

#### 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**

None

**Richard Morris**

**Deputy Chief Executive and Chief Officer - Planning & Regulatory Services**



**ADOPTION OF CONSERVATION AREA APPRAISAL UPDATES AND EXTENSIONS TO  
CONSERVATION AREAS**

**Development and Conservation Advisory Committee - 11 July 2023**

**Report of:** Chief Officer Planning and Regulatory Services

**Status:** For Consideration

**Also considered by:**

- Cabinet 13 July 2023
- Council 18 July 2023

**Key Decision:** Yes

**Executive Summary:** This report presents the updated conservation area appraisals for Eynsford, Farningham and Kemsing Conservation Areas, and provides a summary of the public consultation undertaken for this project. It recommends the adoption of the updated conservation area appraisals, including changes to the conservation areas' boundaries and the making of a focussed Article 4 direction to remove permitted development rights in Kemsing Conservation Area.

**This report supports the Key Aim of:** Ensuring that Sevenoaks District remains a great place to live, work and visit.

**Portfolio Holder:** Cllr. Simon Reay

**Contact Officers:** Susannah Homer, Ext. 7138 and Rebecca Lamb, Ext. 7334

**Recommendation to Development and Conservation Advisory Committee:**

Take note of the report and agrees to recommend to Cabinet the recommendations below

**Recommendations to Cabinet:**

- a) Adopts the three updated conservation area appraisals for Eynsford, Farningham and Kemsing;
- b) Designates the proposed boundary amendments to each of the above conservation areas; and,
- c) Agrees to the making of a focused Article 4 direction to remove limited permitted development rights that protects boundary treatments and front gardens in the Kemsing Conservation Area.

**Reason for recommendation:** To fulfil our statutory duty to review the district's conservation areas. To help preserve and enhance the character and appearance of Kemsing Conservation Area by making a focused Article 4 direction that brings specified works under planning control.

## Introduction and Background

- 1 Legislation (Planning (Listed Building and Conservation Areas) Act 1990) requires the local planning authority to review its conservation areas. The Conservation Team is undertaking a rolling programme of review of the district's conservation areas. Eynsford, Farningham and Kemsing Conservation Areas have been reviewed, and updated appraisals been produced.
- 2 All 41 of the district's conservation areas have an appraisal, but most need updating. The above conservation areas were chosen based on the date of their last review/appraisal and the number of applications received in recent years.
- 3 Conservation area appraisals are adopted as supplementary planning documents (SPDs) and are a material consideration in assessing applications for development in the conservation areas. Therefore, it is important that the special interest of the conservation area is clearly and accurately articulated. The appraisals also serve as evidence base for the Local Plan.
- 4 Sevenoaks District Council (SDC) appointed the consultants Alan Baxter Ltd to re-survey the areas and draft new appraisal documents. This work follows on from the re-surveying and updating of six conservation areas and their appraisals in 2019 (Brasted High Street, Leigh, Seal, Shoreham High Street and Church Street, Shoreham Mill Lane and Swanley Village) and is part of a rolling programme. The revised appraisals are based on the new concise and more accessible format that was introduced in 2019. They incorporate management recommendations to help support the Council's functions, as well as those of other bodies and stakeholders involved in the areas. An Open Space Assessment has been included to highlight the contribution of open spaces within and in the setting to the character and appearance of the conservation areas. As part of the review process, the draft appraisals were put out to public consultation from January to March 2023.
- 5 The review established that all of the three conservation areas fully merit their status and are of special interest, and that they are generally in a good condition.
- 6 Key findings include recommendations for limited changes to all of the three conservation area boundaries (Appendix F) and for the making of a focused Article 4 direction to remove permitted development rights in the Kemsing Conservation Area to protect boundary treatments and front gardens.

## Policy Context

- 7 The Planning (Listed Building and Conservation Areas) Act 1990 imposes a duty on local authorities to review from time to time their areas and to determine whether any further parts should be designated as conservation areas. Section 71 of the Planning (Listed Building and Conservation Areas) Act 1990 also places a duty on local planning authorities to draw up and publish proposals for the preservation and enhancement of the conservation areas in their district.

## Agenda Item 9

8 The National Planning Policy Framework (NPPF) advises that ‘when considering the designation of conservation areas, local planning authorities should ensure that an areas justifies such status because of its special architectural or historic interest, and that the concept of conservation is not devalued through the designation of areas that lack special interest’ (para 191).

9 NPPF para 195 states that:

*Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset’s conservation and any aspect of the proposal.*

10 SDC Core Strategy 2011 addresses the protection of the District’s key historic assets. Para 5.1.1 states:

*At a local level Conservation Area Appraisals and Management Plans will be used to provide guidance on distinguishing features of the historic environment that should be protected, together with identifying opportunities for enhancement.*

11 Policy SP1 Design of New Development and Conservation stipulates:

*All new development should be designed to a high quality and should respond to the distinctive local character of the area in which it is situated. Account should be taken of guidance adopted by the Council in the form of ... Conservation Area Appraisals...*

12 SDC Core Strategy (delivery mechanism for SP1) highlights that conservation area appraisals are in place for all conservation areas and that some of them have been updated to include management plans. It states that these will be kept under regular review and that remaining appraisals will be updated with management plans, and adopted as SPDs.

13 Policy HEN2 of Chapter 7 in the Regulation 18 Consultation emerging Local Plan 2040 seeks to protect and enhance the historic environment. This policy advises that development proposals are required to take into account conservation area appraisals, amongst other guidance.

14 In terms of Article 4 directions, para 53 of the NPPF states that:

*The use of Article 4 directions to remove national permitted development rights should [...]*

- *In other case, be limited to situations where an Article 4 direction is necessary to protect local amenity or the well-being of the area ...*
- *In all case, be based on robust evidence, and apply to the smallest geographical area possible.*

- 15 The Article 4 direction would bring certain proposals under planning control and thus the application of para 199 of the NPPF:

*When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.*

### **Public Consultation**

- 16 There is no statutory duty to carry out public consultation when preparing conservation area appraisals and management plans, but it is good practice to do so and it is a pre-requisite for the adoption of the appraisals as SPDs.
- 17 The public consultation period was undertaken 16 January to 3 March 2023. Public engagement consisted of:
- An SDC digital engagement platform which hosted the draft appraisals and a questionnaire;
  - An SDC webpage which provided advice and information about the project;
  - An information leaflet to all addresses within the conservation areas (this also advertised the public engagement events);
  - Three public engagement drop-in events in local venues; and
  - Three walkabouts for local stakeholders including parish and district councillors and other local amenity groups.
- 18 The Council issued a press release and the consultation was advertised on the website and social media channels.
- 19 Hard copies of the appraisals were available in the SDC Office, Sevenoaks Library and locally within each conservation area.
- 20 The public engagement drop-in events were attended by a total of 76 people and the Council received 37 written responses. The great majority of respondents felt that the appraisals accurately captured what is special about each of the reviewed conservation areas and that the appraisals were easy to use and understand.

### **Eynsford Conservation Area**

- 21 The revised appraisal (Appendix B) provides a survey of townscape, contextual and scenic views within and of the conservation from outside its boundaries. It also provides an open space assessment which evaluate the contribution of open space within and around the conservation area.
- 22 Limited boundary changes are proposed to the conservation area:
- Extension to include more of the meadows and pasture upstream from the bridge;

## Agenda Item 9

- Removal of the front lawn of two houses on the east side of Station Road: 4 Saddlers Park and Bluebell Bank; and
  - Corrections and clarifications. In a number of locations the boundary of the conservation area has been drawn cutting across plots of land and through structures so to create a more logical boundary that removes confusion and irregularity whilst maintaining the intent of designation, boundaries have been amended to follow physical land boundaries where possible.
- 23 The walkabout with key local stakeholders was held on 9 November 2022 and the public engagement drop-in event was held at Eynsford Village Hall on 4 February 2023. At both events, they found the appraisal easy to use and understand and that it accurately captures what makes the area special.
- 24 A summary of the issues raised as well as a schedule of public consultation responses received is appended to this report (Appendix G and Appendix H).
- 25 Following the public consultation the proposed changes to the conservation area boundary now includes the back gardens of the houses along Riverside.

### **Farningham Conservation Area**

- 26 The revised appraisal (Appendix C) provides a survey of townscape, contextual and scenic views within and of the conservation from outside its boundaries. It also provides an open space assessment which evaluate the contribution of open space within and around the conservation area.
- 27 Limited boundary changes are proposed to the conservation area:
- Southern extension to include Cottage on the Hill, on Sparepenny Lane;
  - Southern extension to include the whole of Mill Island;
  - The removal of small plot of land to the south of South Hall;
  - The removal of two houses on Oliver Crescent; and
  - Corrections and clarifications. In a number of locations the boundary of the conservation area has been drawn cutting across plots of land and through structures so to create a more logical boundary that removes confusion and irregularity whilst maintaining the intent of designation, boundaries have been amended to follow physical land boundaries where possible.
- 28 The walkabout with key local stakeholders was held on 10 November 2022 and the public engagement drop-in event was held at Farningham Village Hall on 28 January 2023. At both events, they found the appraisal easy to use and understand and that it accurately captures what makes the area special.
- 29 A summary of the issues raised as well as a schedule of public consultation responses received is appended to this report (Appendix G and Appendix I).
- 30 Following the public consultation the following changes were made to the appraisal:

- Boundary change to incorporate the whole of the historic Mill complex in the conservation area; and
- The two plots of land to the south of London Road are no longer proposed to be removed from the conservation area.

### **Kemsing Conservation Area**

- 31 The revised appraisal (Appendix D) provides a survey of townscape, contextual and scenic views within and of the conservation from outside its boundaries. It also provides an open space assessment which evaluate the contribution of open space within and around the conservation area.
- 32 Limited boundary changes are proposed to the conservation area:
- Extension to include 1920s social housing on the north side of West End;
  - Extension to include the Common Field Recreation Ground;
  - Removal of the field of agricultural land south of the High Street and east of Chart View; and
  - Corrections and clarifications. In a number of locations the boundary of the conservation area has been drawn cutting across plots of land and through structures so to create a more logical boundary that removes confusion and irregularity whilst maintaining the intent of designation, boundaries have been amended to follow physical land boundaries where possible.
- 33 It is proposed to make focused use of an Article 4 direction to remove limited permitted development rights for protecting boundary treatments and front gardens in the Kemsing Conservation Area. As set out in the appraisal, an important part of the character of the Kemsing Conservation Area is the way that many building are set back behind small front gardens, enclosed by low boundary fences, walls or hedges. Piecemeal loss or erosion of either front boundary treatment and/or front gardens would weaken the enclosure of the street and have an urbanising effect. This would be harmful to the character and appearance of the conservation area.
- 34 The walkabout with key local stakeholders was held on 8 November 2022 and the public engagement drop-in event was held at the Small Hall at St Edith's Hall on 21 January 2023. At both events, they found the appraisal easy to use and understand and that it accurately captures what makes the area special.
- 35 A summary of the issues raised as well as a schedule of public consultation responses received is appended to this report (Appendix G and Appendix J).
- 36 Following the public consultation the following changes were made to the appraisal:
- In the Open Space Assessment, the fields south-east of the village are no marked as strong contributors;
  - A view of the village from south of the land east of Chart View is included; and

## Agenda Item 9

- Proposed removal of a field east of Chart View from the conservation area.

### Consequences of extending conservation areas

- 37 The local planning authority is under a statutory duty to ensure the preservation and enhancement of these areas, and a duty to prepare proposals to manage this area. Inclusion of properties into a conservation area has the following principal effects:
- Planning permission is required for the demolition of an unlisted building with volume under 115 cubic metres and any gate, fence, wall or other means of enclosure less than 1m high where abutting a highway, waterway or open space, or less than 2m high in any other case;
  - Restriction of a limited number of permitted development rights for owners in conservation area. These include, for example, the need for planning permission for roof extension or for the cladding of external elevations;
  - Advertisement consent is required for illuminated signage within a conservation area;
  - Notice must be given to the local planning authority before any works are carried out to any tree within the conservation area; and
  - Extra publicity is given to planning applications affecting conservation areas.
- 38 The local planning authority is under a duty to take account of the desirability of preserving and enhancing the character and appearance of the area when determining such planning applications

### Article 4 directions

- 39 An Article 4 direction is a provision that can be introduced to better protect and manage an area's character by withdrawing permitted development rights for certain types of development and requiring that an application for planning permission is made. Making an Article 4 direction does not conclude that something is unacceptable in principle or that no changes can be made, but instead simply brings proposals for such development under the control of the local planning authority so that their impact can be fully considered
- 40 The use of Article 4 directions has to be carefully justified, because they limit rights that would otherwise exist to property owners. A fee will be payable in respect of any planning application made as a result of the Article 4 direction. The fee is the same as those for other planning applications.
- 41 To protect the character of Kemsing Conservation area, it is recommended that permitted development rights are removed for only two classes within Schedule 2 the Town & Country Planning (General Permitted Development) (England) Order 2015 (as amended) (the 'GDPO'):



- The construction or replacement of a hard surface (Schedule 2 Part 2 - Class F, Part 1);
  - The erection or alteration of boundary treatments of a gate, fence, wall or other means of enclosure (Schedule 2 Part 2 - Class A, Part 2);
- 42 When an Article 4 direction is made a public consultation exercise is carried out. Following statutory notification, residents are invited to make representations concerning the direction during a period of at least 21 days. The Council then has to consider the representations received before deciding whether to confirm the direction.
- 43 The direction comes into force when statutory notification of it is given. It cannot be applied retrospectively to development which has already been carried out prior to the making of the direction. The Council is required to confirm the direction within six months, or it lapses.

### **Reviews and Appeals**

- 44 There is no formal right of appeal to an Article 4 direction. Similarly, there is no statutory right of appeal against a building being included in a conservation area.
- 45 Should a planning application be refused because it cites the impact on the significance or character and appearance of the conservation area, which is a designated heritage asset, there is the right of appeal to the Planning Inspectorate who will make an independent judgement on the impact of the proposed development on the heritage asset.
- 46 The conservation areas will be kept under review in order to monitor their condition and to establish whether existing planning controls are successful in preserving the areas' character and appearance or whether further proposals for avoiding harmful change or for measures for enhancement need to be considered.

### **Other Options Considered and/or Rejected**

The Core Strategy is specific about the documents necessary to support Policy SP1. Not pursuing the update of the existing appraisals would not accord with SDC policy, and the Council would fail in its statutory duties in relation to conservation areas, as set out in the Planning (Listed Building and Conservation areas) Act 1990.

### **Key Implications**

#### Financial

The production of the appraisals and management plans has been accommodated within existing budgets.

The processing of additional planning applications that would result from the proposed extensions to the conservation areas and the application of the recommended Article 4 direction to Kemsing Conservation Area will be accommodated within the departmental budgets.

## Agenda Item 9

Section 108 of the Town and Country Planning Act 1990 makes provision for compensation to be paid by the local planning authority either if an application for development is refused, which would normally have been permitted development before an Article 4 direction was introduced, or grant planning permission subject to more limiting conditions than the General Permitted Development Order 2015 would normally allow. An application for compensation must be made within 12 months of the planning decision and compensation is only payable if the applicant has an interest in the land.

Section 107 sets out the method for assessing such compensation, which is strictly limited to the abortive costs associated with the planning application and any other loss, which is directly attributable to the Article 4 direction being made. In relation to Class F, Part 1 (construction or replacement of a hard surface), the Council is only liable to pay compensation on planning decisions made within 12 months of the Article 4 direction being introduced. In relation to Class A, Part 2 (erection or alteration of any means of enclosure) and Class C, Part 11 (demolition of boundaries), the Council is liable to pay compensation even if an application is made 12 months or more after the Article 4 direction has taken effect. The making of a direction creates this right. Such payments are made from the departmental budget.

### Legal Implications and Risk Assessment Statement.

The Council has a statutory duty under the provisions of section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to designate and review conservation areas and is required to produce Appraisals and Management Plans for each area.

The documents are based on best practice and involve local engagement. It is therefore considered that once finalised, they will provide a sound basis for the future conservation and management of the areas.

Legal input will be required for advising on the procedure for making extensions to the three conservation areas and the use of Article 4 directions.

### 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.

## Conclusions

In adopting the revised appraisals, Cabinet will see the completion of the latest part of the rolling programme to review and update the district's conservation areas. This fulfils the Council's statutory duties in relation to conservation areas, and the making of the Article 4 direction to Kemsing Conservation Area will have a positive impact on its management. The appraisals will help planning officers, the local community and other stakeholders in the conservation and enhancement of the conservation areas and secure the long term preservation of their character and value as important heritage assets.

### Appendices

Appendix A - Sevenoaks District Conservation Areas: An introduction to conservation area appraisals (revised 2023)

Appendix B - Eynsford Conservation Area Appraisal (2023)

Appendix C - Farningham Conservation Area Appraisal (2023)

Appendix D - Kemsing Conservation Area Appraisal (2023)

Appendix E - Sevenoaks District Conservation Areas: Conservation area design guidance (revised 2023)

Appendix F - Eynsford, Farningham, Kemsing Conservation Area maps - 2023 boundaries

Appendix G - Public Consultation Report

Appendix H - Eynsford Consultation Response Schedule

Appendix I - Farningham Consultation Response Schedule

Appendix J - Kemsing Consultation Response Schedule

### Background Papers

National Planning Policy Framework (updated 2021)

Sevenoaks District Council Core Strategy (2011)

Historic England, *Conservation Area Appraisal, Designation and Management: Historic England Advice Note 1* (2<sup>nd</sup> edn, 2019)

**Richard Morris**

**Chief Planning Officer**

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**PLAN 2040 - REGULATION 18 CONSULTATION (November 2022)  
UPDATE**

**Development and Conservation Advisory Committee - 11 July 2023**

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

**Status:** For information

**Key Decision:** No

**Executive Summary:** This report provides a full analysis of the responses to the Plan 2040 Regulation 18 Consultation (November 2022).

**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. Simon Reay

**Contact Officer(s):** Emma Coffin ext. 7315 and 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 full analysis of responses to the Plan 2040 initial Regulation 18 Consultation.

## Agenda Item 10

### **Introduction and Background**

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). It was 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. A previous report was bought to Development and Conservation Advisory Committee (DCAC) on Thursday 2<sup>nd</sup> March 2023, which provided initial high-level summaries and statistics of responses received and the key themes identified. The report looked initially at the key, quantitative questions included in the Short Survey
5. This report provides a full analysis of all responses to the Policies included in the initial Regulation 18 consultation document.

### **Plan 2040 Regulation 18 Consultation Responses**

6. 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.
7. 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.
8. We anticipate a greater response rate to our second Regulation 18 in autumn 2023, which will take a District-wide approach (including considering 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.

9. Below is a breakdown of responses received:

<b>Citizen Space</b>	<b>Short Survey</b>	526
	<b>Full Survey</b>	72

10. 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.
11. Appendix B sets out responses made by other organisations, including a list of landowners and developers.

### Consultation Findings

12. Through analysis of the survey responses, we are also able to determine that 63% of respondents live within the District. Of these respondents, the top 5 ‘commented from’ towns/parishes were:
- Sevenoaks Town - 32.3% (167 responses)
  - Swanley - 7.9% (34 responses)
  - Otford - 6.3% (27 responses)
  - Hartley - 5.3% (23 responses)
  - Edenbridge - 4.9% (21 responses)
13. The remaining 37% of respondents mainly consists of students who live outside of the District boundary, as well as developers and other organisations.
14. The consultation also included an ‘Age Range’ question. Across both surveys, 73% provided an age range in their answer. Of these respondents, we can see that 68% of respondents are aged 17 and under, followed by 10.5% aged 65 and over.
15. The full analysis of the responses to the policies within the initial Plan 2040 Regulation 18 consultation are set out at Appendix C to this report.
16. As highlighted above, the Council received 598 responses to on the Regulation 18 consultation. The majority of these responses were on the key questions included in the Short Survey.

## Agenda Item 10

17. Across the two surveys, the top 5 ‘commented on’ chapters were:
- Vision and Objectives - 199 responses
  - Chapter 1 - Development Strategy - 197 responses
  - Chapter 4 - Climate Change - 186 responses
  - Chapter 8 - Natural Environment - 182 responses
  - Chapter 10 - Transport - 171 responses
18. Across the two surveys, the top 5 ‘commented on’ policies were:
- Policy ST1 - A Balanced Strategy for Growth (197 responses)
  - Policy CC1 - Climate Change (186 responses)
  - Policy BW1 - Safeguarding Places for Wildlife and Nature (174 responses)
  - Policy T3 - Vehicle Parking (172 responses)
  - Policy H2 - Provision of Affordable Housing (171 responses)
19. Both surveys also included a ‘free text’ response questions and 79.1% of respondents made comments here. Across both surveys, the top 5 ‘most mentioned topic areas’ were:
- Town Centres / Retail / Shops - 193 responses
  - Transport - 130 responses
  - Green Belt - 101 responses
  - Parks and Local Nature Reserves - 75 responses
  - Affordable Housing - 69 responses
20. Going forwards, as part of the preparation of the second Regulation 18 Consultation in Autumn 2023, Officers have taken account of the consultation responses received to this initial consultation and these will feed into the further development of the emerging Local Plan.

### Conclusion

21. This report provides a full analysis of all responses to the Plan 2040 initial Regulation 18 Consultation, which ran for 8 weeks from 16 November 2022 to 11 January 2023. Officers will be happy to take any questions on the content of this report at the meeting.



## Other options considered and/or rejected

The option not to progress a new Local Plan would leave the Council open to reputational damage and likely Government intervention to produce a Local Plan for the District Council.

## 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

This is a 'for information' report, and therefore there are no decisions recommended through this paper related to the council's ambition to be Net Zero by 2030. However, the adoption of the Local Plan, which includes policies in relation to climate change and the environment, is likely to have a positive impact to help decrease carbon emissions in the district, and support the resilience of the natural environment.

## **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 Plan 2040 consultation

Appendix C - Full Analysis of Regulation 18 Consultation (November 2022) Responses

**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**

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

## Agenda Item 10

### 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

## Agenda Item 10

<b>Consultee</b>	<b>Key Matters</b>
<b>Sundridge with Ide Hill Parish Council</b>	Potential Development Village Hall Density
<b>Swanley Town Council</b>	Housing Mix Density Affordable Housing Design
<b>West Kingsdown Parish Council</b>	Affordable Housing Parking
<b>Westerham Town Council</b>	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

## Agenda Item 10

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

## Agenda Item 10

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 - 11 July 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, Active Travel and Infrastructure

**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. Simon Reay

**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.

### Introduction and Background

- 1 This report provides an update on:
  - a. Neighbouring Planning
  - b. National Planning Reforms
  - c. Local Plan Update
  - d. Active Travel

## Agenda Item 11

### Neighbourhood Planning

- 2 SDC is supporting a number of towns and parishes who are at various stages of developing neighbourhood plans. The Sevenoaks Town Neighbourhood Plan has recently been ‘made’ (adopted) and there are 13 other ‘designated areas’, which is the first stage of producing a neighbourhood plan.
- 3 As of spring 2023 (Planning Resource), there were 1439 ‘made’ Neighbourhood Plans in the UK. For context, there are 25 ‘made’ Neighbourhood Plans in Kent
  - Maidstone - 7
  - Ashford and Tunbridge Wells - 5
  - Dover and Swale - 2
  - Dartford, Folkestone & Hythe, Thanet and now Sevenoaks - 1 each
- 4 Neighbourhood Plans set out policies on the development and use of land within a neighbourhood area and importantly, once adopted, they become part of the development plan for the council, against which planning applications will be judged. They help communities play a greater roles in the development of the local area, and can promote more (but not less) development than is proposed in the Local Plan. Neighbourhood Plan need to be in ‘general conformity’ with strategic policies in the Local Plan.
- 5 SDC offers all town/parish councils support in developing Neighbourhood Plans. This includes:
  - Named contact officer within SDC
  - Advice on national and local planning policies
  - Review of draft documents
  - Mapping / GIS support
  - Provision of contacts for external partners, including statutory consultees
  - Advice on assessments and evidence base
- 6 Once a draft plan is submitted to SDC, the Council undertakes Regulation 16 ‘publication’, which is a minimum 6 week consultation. We then organise the appointment of an Independent Examiner and an Independent Examination takes place, which takes on average 8 weeks for written representations and 11 weeks when a public hearing is held. Modifications to the plan are often recommended by the Examiner, before the Plan proceeds to referendum. SDC organises the referendum and Full Council formally adopts or ‘makes’ the Plan, if it has received over 50% of votes in support at referendum.

### Sevenoaks Neighbourhood Plan

- 7 The Sevenoaks Town Neighbourhood Plan was formally adopted by Full Council in May. It had been through consultation, examination and referendum, where 73% voted for it to be adopted:  
Yes - 4294 (73%)

No - 1292 (22%)

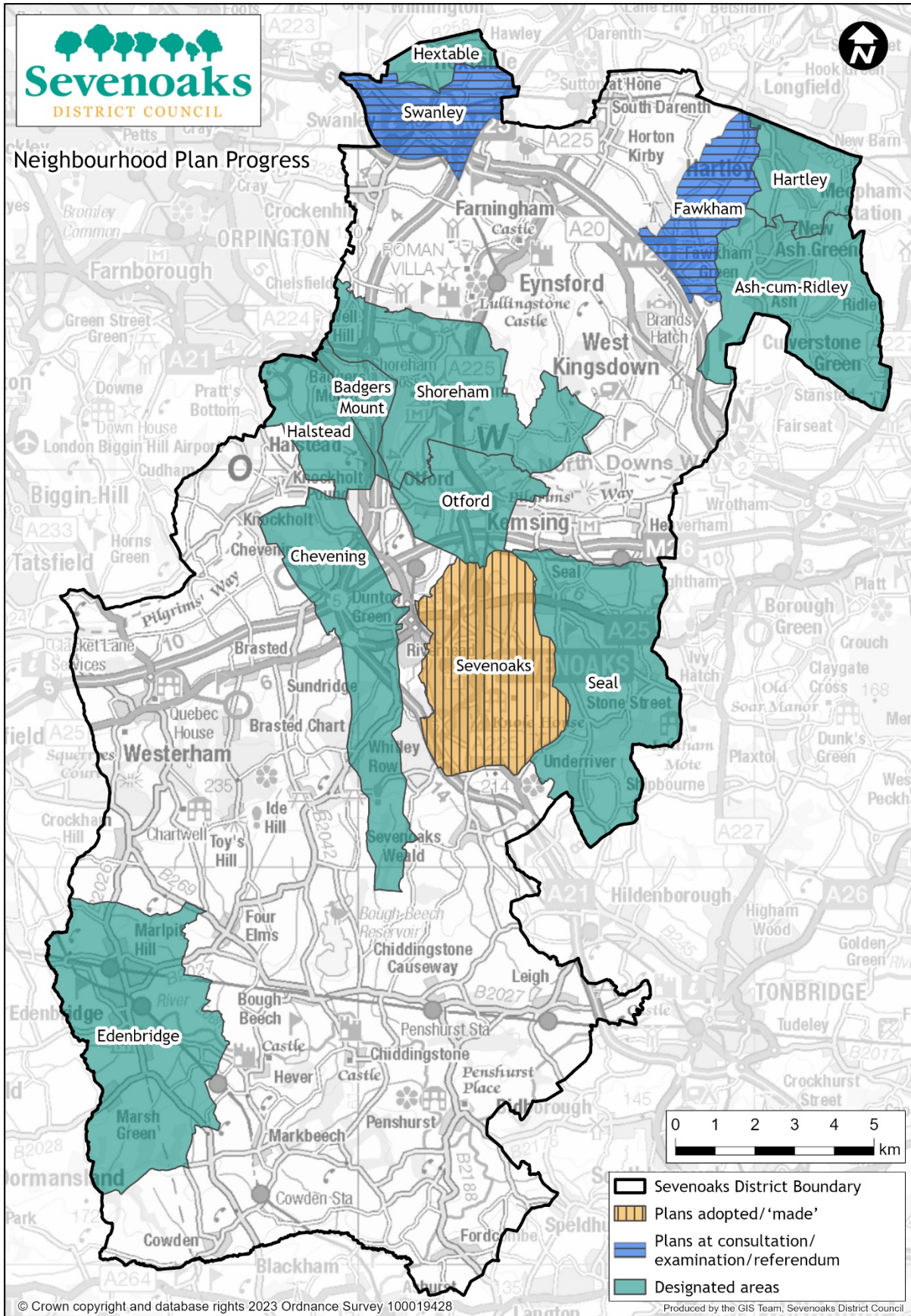
Void/Rejected 285 (5%)

Turnout: 38.66% (Electorate: 15,185 / Issued: 5,871)

- 8 The Sevenoaks Town Neighbourhood Plan is structured around 6 key themes and focuses on enhancing gateway points to the town, creating new open spaces and community facilities, promoting active travel and developing a cultural quarter in the town. The Plan does not allocate any land for development, but offers support and guidance for 13 sites, including Sevenoaks Quarry (Tarmac) which was granted outline planning permission in June.

#### Progress on other Neighbourhood Plans

- 9 Swanley has undertaken consultation on a draft plan (Regulation 14) in January - February this year and are currently reviewing the comments from the consultation and finalising the draft Plan. They hope to submit the Plan to SDC in the next few months, for publication and examination. The plan sets out that change will be accommodated in the town, to retain and improve the environment of the 'semi-rural settlement' and benefit its community. It seeks to do so by setting out policies allowing higher densities and guiding proposals for taller buildings, particularly within the Town Centre, and through support for a health and wellbeing centre, employment sites, and active travel measures, whilst including additional design guidance for Swanley Village.
- 10 Fawkham are proposing to undertake consultation on a draft Plan (Regulation 14) in July -August.
- 11 There are a number of Neighbourhood Plans which are at policy writing stage:
  - Edenbridge
  - Ash-cum-Ridley
  - Otford
  - Badgers Mount
  - Halstead
  - Hartley
- 12 And there are a number of parishes which have a Designated Area:
  - Seal
  - Hextable
  - Halstead
  - Chevening
  - Shoreham



### Reforms to National Planning Policy

- 13 A consultation on the ‘Levelling-up and Regeneration Bill (LURB): reforms to national planning policy’, which included changes to the National Planning Policy Framework (NPPF) and national development management policies ended in March. A portfolio-holder level response was submitted. Government intended to respond to this consultation in ‘spring 2023’, but this has not yet been forthcoming. An update will be brought to a subsequent meeting.
- 14 A number of other national policy consultations have also recently taken place, and SDC has provided responses:
  - Increasing planning fees and performance: technical consultation
  - Technical consultation on the Infrastructure Levy
  - Environmental Outcomes Reports: a new approach to environmental assessment

### Local Plan Update

- 15 The results of the recent Regulation 18 consultation are covered in the accompanying report.
- 16 The Local Development Scheme (LDS, July 2022) outlines the timetable and 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
- 17 There may need to be some flexibility in this programme, to reflect national planning reforms, but in any event, the plan will need to be submitted before 30 June 2025 to be examined under the existing national planning regime.

### Development Strategy

- 18 The previous Local Plan consultation (Regulation 18) focused on optimising densities and maximising opportunities in existing settlements, including on brownfield land. However, the District is unable to meet needs (712 dwellings pa) with the existing urban areas, and there is a severe shortage of housing and particularly affordable housing.
- 19 The next Regulation 18 consultation in the late autumn will therefore take a more district-wide approach. SDC will continue to focus on optimising development opportunities in our existing towns and service settlements, but will also consider the potential contribution of Green Belt land, in exceptional circumstances. To this end, a Stage 2 Green Belt Assessment has

## Agenda Item 11

been undertaken, focusing in more finer-grain detail on the areas adjacent to our eight higher-tier settlements, which will assist in the site selection process. Where land is considered to be underperforming Green Belt, and where it is sustainably located next to a town or service settlement, and where there are no other over-riding constraints, these sites will be included as options within the next Local Plan consultation. We will also continue to liaise with our neighbouring authorities under the Duty to Co-operate, to understand if they are able to assist in meeting development needs.

### Density

- 20 In relation to local character and density, further design work is being undertaken to ensure that the development/design guidance for each site promotes appropriate densities, which take into account local character whilst also making the most efficient use of land in order to protect the natural environment. The development of Design Codes will also assist this process.
- 21 The responses to the Regulation 18 consultation highlighted the diverging opinions in relation to density, but it is apparent that in all options, the need to retain local character was raised and that although the efficient use of land is supported, a blanket-approach is not appropriate, as there will be areas (such as town centres and transport hubs) which are more suitable for higher density development than others (such as conservation areas). The consultation offered three density options and the fact that the middle or 'balanced' option was most popular suggests there is recognition of the challenging balance which needs to be struck between building at higher density in towns versus building in the Green Belt.

### Evidence

We are finalising supporting evidence-base studies, including in relation to:

- 22 Transport - this work has been undertaken in conjunction with KCC and TMBC to assess the impact of proposed development on key roads and junctions, including the Strategic Road Network, as managed by Highways England. The Stage 1 baseline work, which establishes the current state of congestion on the highways network, and the state of congestion at 2040 with existing growth, is now complete. The next stage is to use the model to test potential growth options/scenarios, to understand their impact on the road network and consider potential mitigations. The model has been developed by Jacobs, who have produced a county-wide model for KCC.
- 23 Strategic Flood Risk Assessment (SFRA) - We intend on carrying out the Level 2 SFRA work once we have considered which sites to take forward in the



Plan. This will also include required updates to reflect the PPG update from August 2022.

- 24 Sports Facility/Leisure Strategy - existing evidence on recreation and leisure facilities was produced in 2016/2017 and is some of our oldest pieces of evidence to support the emerging local plan. Given the changes in leisure provision in the District in recent years, we need to update the baseline in terms of current provision and identify any areas of deficit / gaps in provision. Sport England commented on the recent Local Plan consultation, stating that this evidence is out of date and recommended that updates are undertaken in accordance with Sport England's 'Assessing Needs and Opportunities' guidance. This work will also help the Council to develop a leisure strategy for the District, setting out priorities (to be included within the emerging Local Plan) for future sports and leisure provision.
- 25 Biodiversity - the new policy requirement for Biodiversity Net Gain (BNG) will be introduced (for major development) in November and for all development in spring 2024. We are working closely with the Ecological Advice Service and the newly appointed Kent BNG Officer (who we have helped resource through grant-funding) to develop local BNG policy.
- 26 Infrastructure Delivery Plan (IDP) - the IDP identifies the 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. It will sit as a live document, to be developed alongside the emerging Local Plan. We are now beginning to engage with the infrastructure providers to understand what infrastructure improvements will be needed to support the planned growth in the Local Plan. 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.

#### Local Plan Next Steps

- 27 The main activities for the next period of plan-making include:
  - Finalising the above evidence
  - Finalising site assessment of the Stage 2 (Green Belt) call for sites submissions to inform the Stage 2 SHELAA (Strategic Housing and Employment Land Available Assessment)
  - Developing detailed site development/design guidance, including presenting an ambitious vision for each site and exploring optimum densities

## Agenda Item 11

- Developing a Design Code strategy for the district, including how design codes will be developed at various scales and for various area types in accordance with the NPPF
- Progressing supporting assessments, including the Sustainability Assessment (SA), Viability, Habitats Regulations Assessment (HRA), Equality Impact Assessment (EQIA) and health impact assessment (HIA)
- Ongoing Duty to Co-operate (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
- Preparing the Stage 2 Regulation 18 Draft Plan for consultation in autumn 2023 (Advisory Committee 31 October).

### Active Travel

- 28 The Sevenoaks Urban Area Local Cycling and Walking Infrastructure Plan (LCWIP) was completed in January 2023. It identifies a number of routes and improvements to encourage people to move more sustainably. The Plan also forms the basis for funding bids and negotiations with developers to provide better walking, wheeling and cycling infrastructure.
- 29 We are working, in partnership with KCC, to deliver a new route across Sevenoaks Town. Public consultation on the 'Sevenoaks Town East to West walking, wheeling and cycling route' recently opened and seeks views on the design of the route. Once delivered, it will connect six schools with the communities they serve. Further details can be found at [www.sevenoaks.gov.uk/walkwheelcycle](http://www.sevenoaks.gov.uk/walkwheelcycle). The consultation closes on Friday 14 July 2023.
- 30 We have secured further funding from Active Travel England, also in partnership with KCC, to undertake a Local Cycling and Walking Infrastructure Plan (LCWIP) for Swanley urban area, and have appointed Sustrans to complete this work. We also have funding to undertake a feasibility study for route 6 (Otford to Sevenoaks via Seal), and detailed design work for route 1 (Otford to Sevenoaks). We are in the process of commissioning consultants to undertake these two studies.

### Conclusion

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

Other options considered and/or rejected

The option not to progress a new Local Plan would leave the Council open to reputational damage and likely Government intervention to produce a Local Plan for the District Council.

Key Implications

Financial

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

In relation to Neighbourhood Planning, Biodiversity Net Gain and Active Travel, SDC receives funding from central government to support these activities.

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

This is a 'for information' report, and therefore there are no decisions recommended through this paper related to the council's ambition to be Net Zero by 2030. However, the adoption of the Local Plan and Neighbourhood Plans, which include policies in relation to climate change and the environment, are likely to have a positive impact to help decrease carbon emissions in the district, and support the resilience of the natural environment.

**Appendices**

None

**Background Papers**

None

**Richard Morris**

**Deputy Chief Executive, Chief Officer - Planning & Regulatory Services**

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**Development and Conservation Advisory Committee Work Plan (as at 27/06/23)**

**31 October 2023**

- Regulation 18 Consultation
- Building Control Update

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