

## LOCAL PLAN WORK PROGRAMME

### Planning Advisory Committee - 7 July 2015

Report of Chief Planning Officer

Status: For Consideration

Key Decision: No

---

**This report supports the Key Aim of** Protecting the Green Belt

**Portfolio Holder** Cllr. Robert Piper

**Contact Officer(s)** Antony Lancaster, Strategic Planning Manager Ext.7326

---

**Recommendation to:** Planning Advisory Committee

To consider a work programme summary for preparing a Local Plan.

---

**Reason for recommendation:** In order to enable discussion and advice on a work programme for the preparation of a Local Plan.

---

### Introduction and Background

- 1 Sevenoaks District Council currently has two development plan documents (DPD) providing statutory planning policy to guide consideration of development proposals in the District; these are a Core Strategy (adopted February 2011) and an Allocations and Development Management Plan (ADMP) (adopted February 2015). A third DPD, a Gypsy and Traveller Plan, is currently being prepared.
- 2 This report is concerned with a work programme to guide the preparation of a Local Plan to update and replace the first two of these documents in order to be in compliance with new Government policy. Since adoption of the Core Strategy, a National Planning Policy Framework (NPPF) has been introduced, amending and consolidating former policy and further policy changes have been made since then via ministerial statements.
- 3 In forming a new Local Plan there are a number of important constituent parts which must be addressed satisfactorily in order to ensure a sound plan. They include:
  - preparation of a proportionate and robust evidence base;
  - effective co-operation with other authorities;
  - development and refinement of options;
  - strategy formulation (including a vision, objectives and policy);
  - submission, examination in public and adoption;

- monitoring and review of delivery.
- 4 Public consultation will be required at all key stages. This is particularly true in the earlier stages of plan making when public involvement and debate should be actively encouraged in order to minimise concerns later in the process. It will also be helpful to gain wider Member input at an early stage, perhaps via themed workshops, in order to benefit from the views on planning policy implementation drawing on the practical experience expressed by the District's constituents. Similar workshops for Parish and Town Council representatives may also prove useful.
  - 5 An additional early step, already being progressed, is to gain an independent view on the existing Core Strategy and ADMP and the extent to which local policy is no longer in conformity with national policy. This will be carried out as a 'critical friend' peer review by Planning Officer Society enterprises (POSe) facilitated via the Planning Advisory Service (PAS).
  - 6 Early work, estimated to be substantially complete by late 2016, (but with supplemental work as required beyond this date) will focus on the preparation of a substantial evidence base. Much of this work will be produced, or led using consultants, by the Planning Policy team. The scale of this undertaking (as currently known) is summarised in appendix A. This work will need to be supplemented by other aspects of evidence obtained from other authorities and agencies, in particular Kent County Council.
  - 7 Alongside the preparation of an evidence base it should be possible to commence development of options once early findings are known. In particular, it will be important to begin consideration of sustainable options for meeting housing needs at an early stage. The work programme in appendix A is structured to sequence the evidence for housing from understanding the need, fully assessing non-Green Belt supply options and only then, undertaking a full review of the Green Belt to assess parcels of land in terms of how well they currently meet the purposes of Green Belt designation and protection. This will not only help to identify if there are any areas of land that could be considered further for potential development as part of a new Local Plan but just as importantly, will provide strong evidence for justifying the retention of well performing Green Belt in the longer term. Appendix B sets out a step by step process for considering this important aspect of evidence.
  - 8 Since the adoption of the Core Strategy in 2011, the Government has introduced a 'Duty to Co-operate'. This presents a particular challenge whereby authorities are expected to explore difficult strategic issues (such as meeting housing need and ensuring provision of cross boundary infrastructure) together and to do so over an extended period of time. This can be an extremely time consuming process entailing comprehensive record keeping. Ultimately whilst it is a Duty to Co-operate and not necessarily to agree, it is both a legal test and test of the Plan's soundness in examination and must be taken seriously if a plan is to have any chance of being adopted. Cross boundary officer meetings aimed at exploring shared or strategic issues have already begun.
  - 9 One particular issue, the regeneration of Swanley, is considered to be of sufficient scale to warrant consideration being given to the preparation of an Area Action

Plan (AAP). Such a Plan would provide vision and cohesion to a number of initiatives coming forward through the Council's economic development function. Equally an AAP could provide the framework for any development growth linked to meeting an element of the District's identified housing needs in the Swanley area. An AAP does not have to be a free standing plan and could form a distinct section within a Local Plan. Whilst an AAP can make use of the evidence base for the Local Plan more widely, there may be a need to undertake some additional, more detailed, area specific evidence base work.

- 10 Preparation of a Gypsy and Traveller Plan has progressed through two stages of public consultation but has now stalled awaiting a response to a recent Government consultation on how accommodation needs should be met in the future. Members may wish to consider the merits of absorbing the identification of sites for Gypsies and Travellers into the work plan for the Local Plan rather than having a separate document.
- 11 The scale of Local Plan preparation as summarised in paragraphs 5 to 9 suggests that the current timetable for Local Plan Review as set out in the adopted Local Development Scheme (LDS) is likely to be ambitious. The LDS identifies an initial consultation on the Plan in November 2016. In reality this is more likely to be no earlier than mid 2017 (allowing limited contingency time for unforeseen circumstances). It would be appropriate to update the Local Development Scheme during late 2016/early 2017 to reflect the position more accurately at that stage.
- 12 Following a consultation on options, any feedback can be used to set out and refine the strategy itself and to structure a draft Local Plan. Once prepared, there are further consultation options for a draft Local Plan. It can either be submitted for examination (restricting the Council's ability to make further amendment), or alternatively made available for a further consultation prior to submission. The advantage of the second approach is that it allows any further public concerns to be addressed in the Plan prior to the examination process.
- 13 When considered ready for examination the Plan is submitted to the Secretary of State and a Government Inspector appointed to examine the Plan usually in public hearing sessions. In order to be found sound by an inspector most Plans will require further consultation on modifications deemed by the Inspector to be required in order to find the Plan sound. In some cases inspectors may require further evidence to be gathered to fully address identified issues before the Council can adopt.
- 14 Consideration needs to be given to the monitoring and review of policies in the Local Plan. Demonstrating effective plan delivery will form part of the Local Plan examination and the Plan will need to set out the indicators to be used when monitoring its implementation.
- 15 The full process from commencement (June 2015) to adoption is anticipated to take four years meaning adoption is likely to be achieved no earlier than mid 2019.

**Other Options Considered and/or Rejected**

Preparation of a Local Plan is required by Government. Not preparing a local plan will leave the Council vulnerable to unwanted planning applications and appeal decisions.

**Key Implications**

Financial

Production of the Local Plan will be funded from the LDF 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 Local Plan making are set out in the Local Development Scheme.

Equality Assessment.

Members are reminded of the requirement, under the Public Sector Equality Duty (section 149 of the Equality Act 2010) to have due regard to (i) eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010, (ii) advance equality of opportunity between people from different groups, and (iii) foster good relations between people from different groups. The preparation and adoption of a Local Plan will directly impact on end users. The impacts will be analysed via an Equalities Impact Assessment (EqIA) to be prepared alongside each key stage of plan making.

**Conclusions**

Preparation of a Local Plan is required by Government. The current Core Strategy and Allocations and Development Management Plan are to be updated and combined in a new Local Plan for Sevenoaks District ensuring compliance of policy with any changes in national planning policy since their adoption. This report provides a summary project plan for the work needed to achieve an adopted Local Plan.

Not preparing a local plan will leave the Council vulnerable to unwanted planning applications and appeal decisions.

**Appendices**

Appendix A – Local Plan Work Programme – Evidence Base studies

Appendix B – Proposed process for addressing housing need in the Local Plan

**Background Papers:**

None

**Richard Morris  
Chief Planning Officer**

## Appendix A

### Local Plan Work Programme – Evidence Base

Task	Month>	5/15	6/15	7/15	8/15	9/15	10/15	11/15	12/15	1/16	2/16	3/16	4/16	5/16	6/16	7/16	8/16	9/16
Strategic Housing Market Assessment (SHMA) (consultants study)		Red	Red	Red	Red													
Strategic Housing Land Availability Assessment (SHLAA) (in house)					Green	Blue	Red	Red	Red	Red								
Appraisal of non Green Belt land options								Red	Red	Red								
Economic Needs Study (consultants)			Green	Green	Green	Red	Red	Red	Red	Red	Red							
Employment Land Availability Assessment (ELAA) (in house)											Green	Blue	Red	Red	Red	Red		
Affordable Housing Viability update (consultants)															Green	Red	Red	Red
Commercial Development Viability update (consultants)															Green	Red	Red	Red
Green Belt Review (consultants)											Green	Green	Red	Red	Red	Red	Red	Red
Housing for older people (consultants)							Red	Red	Red	Red								
Landscape Character Assessment (consultants)												Green	Red	Red	Red	Red		
Retail Study (consultants)									Green	Green	Red	Red	Red	Red				
Hotel Study (consultants)		Red	Red	Red														
Offices Study (consultants)											Green	Red	Red	Red				
Settlement Hierarchy (in house)		Red	Red															
Sports Facilities/Open Space/Green Infrastructure (consultants)						Green	Green	Red	Red	Red	Red							
Strategic Flood Risk Assessment and consideration of Water Cycle Study/Surface Water Management Plan (consultants)				Green	Red	Red	Red											
Climate Change/Renewables (in house)				Green	Red	Red	Red											
Conservation evidence (in house)				Red	Red	Red	Red	Red	Red	Red	Red	Red	Red	Red	Red	Red	Red	Red
Justification for planning standards (in house)												Red	Red	Red				
Infrastructure Plan		Green	Green	Red	Red													
Duty to Cooperate Statement		Red	Red	Red	Red	Red	Red	Red	Red	Red	Red	Red	Red	Red	Red	Red	Red	Red

Green Preparation of brief/appointment of consultant where relevant Red Carrying out of study/evidence base work Blue Call for sites

## **Appendix B**

### **Proposed process for addressing housing need in the Local Plan**

#### **Step 1 Understanding Need**

Undertake Strategic Housing Market Assessment with Tunbridge Wells BC (SHMA)

Understand other adjacent authorities need via Duty to Cooperate discussions

#### **Step 2 Maximising supply**

Undertake Strategic Housing Land Availability Assessment (SHLAA) including a call for Sites\*

Explore potential for increased site densities

Explore potential for focussed increased site densities such as near railway stations

Assess quantum of under-utilised employment land

Assess potential contribution of windfalls

Assess potential contribution of empty properties

Assess potential contribution of office conversions

Discuss supply options in other authority areas under the Duty to Cooperate

#### **Step 3 Understanding shortfall**

Match steps 1 and 2 findings for need and supply to understand level of any shortfall

#### **Step 4 Assessment of Green Belt Options**

Undertake full Green Belt Review of the District– assess parcels of land against the five purposes of Green Belt designation. Undertake detailed assessment at settlement boundaries and broad level assessment elsewhere

#### **Step 5 Other considerations**

Assess potential land options against other criteria, including:

Category 1 constraints (national/international)

Category 2 constraints (county/district)

Landscape Character

Assessments undertaken in neighbouring authorities

#### **Step 6 Identification of land options for further consideration**

\*note at 1 April 2014 total housing supply for the current Core Strategy plan period 2006-26 was 4,732 (including 450 at Fort Halstead)