

LOCAL PLAN UPDATE

Planning Advisory Committee - 22 September 2016

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 Piper

Contact Officer Hannah Gooden, Planning Policy Team Leader, Ext.7178

Recommendation to Planning Advisory Committee:

To consider progress with the work programme for preparing a Local Plan

Reason for recommendation: In order to enable discussion and advise on progress with the work programme for the preparation of a Local Plan, including the transition from the evidence gathering phase to the ‘issues and options’ consultation phase.

Introduction and Background

- 1 This report provides an update on the Local Plan work programme agreed by the Planning Advisory Committee in July 2015. The work plan focused on the preparation of a proportionate and robust evidence base and effective co-operation with other authorities.
- 2 The report then outlines the transition from this evidence gathering phase towards the ‘issues and options’ consultation phase, which is scheduled to take place late spring/summer 2017. This is also known as the ‘informal consultation’ stage of Local Plan production or ‘Regulation 18’ consultation (of the Town and Country Planning (Local Planning) (England) Regulations).
- 3 The Local Development Scheme (LDS) provides the timetable for the production of the new Local Plan 2015-2035 and was agreed by Cabinet in July. In summary, it outlines:
 - Issues and Options consultation - late Spring / Summer 2017
 - Draft Local Plan consultation - Spring 2018
 - Pre-submission Publication - Summer 2018

- Submission - Autumn 2018
- Adoption - Summer 2019

Evidence Gathering

Key areas of recent progress are as follows:

- 4 **Strategic Housing Land Availability Assessment and Employment Land Availability Assessment (SHLAA and ELAA).** Reported to PAC in June. Over 250 sites submitted, visited, mapped and constraints analysis undertaken (6 have since been withdrawn). The call for sites remains open and since the initial call for sites deadline in November 2015, 58 additional sites have been received. In addition, 51 sites have been identified through the 'maximising supply' exercise (including 2008/09 SHLAA sites and sites with planning applications that were refused or withdrawn). Site visits have commenced this month.
- 5 **Swanley and Hextable Masterplan.** Reported to PAC in July and public and stakeholder consultation launched on 7 September for 8 weeks until 2 November. Drop-in sessions currently being held in Swanley and Hextable and newsletter and questionnaire sent to all households in the area. Targeted consultation with key stakeholders and hard-to-reach groups. Results of the consultation to be reported back to PAC in the new year.
- 6 **Green Belt Assessment** - Arup were appointed in August to undertake the study, splitting the whole district into land parcels and assessing them against the five NPPF green belt 'purposes' outlined below, to identify the performance of different areas.
 - To check the unrestricted sprawl of large built-up areas;
 - To prevent neighbouring towns merging into one another;
 - To assist in safeguarding the countryside from encroachment;
 - To preserve the setting and special character of historic towns; and
 - To assist in urban regeneration, by encouraging the recycling of derelict / other urban land.

The study will provide strong evidence for justifying the retention of well performing Green Belt. Where it is demonstrated that the Green Belt continues to perform an important function, these areas are highly unlikely to be subject to any further consideration for release. The Study will also help to identify if there are any areas of more weakly performing Green Belt land that could be considered further for potential development as part of a new Local Plan. A productive duty to co-operate workshop was held with neighbouring authorities to discuss the draft methodology and land parcels. Findings will be reported to PAC in January 2017.

Following on from the assessment of parcels of land against the NPPF purposes, the parcels will then be assessed against statutory natural and historic environmental constraints ('local considerations'). For example, absolute constraints to potential future land use change, regardless of fulfilment of green belt purposes, could include Sites of Special Scientific Interest (SSSIs), Ancient Woodland and Flood Plain (3b). Non-absolute constraints, which would make a change of land-use less preferable, but would not preclude it completely, could include Conservation Areas, Local Wildlife Sites and Agricultural Land Classification (1,2,3a).

- 7 **Landscape Character and Sensitivity Assessment** - Land Use Consultants (LUC) were appointed in August to update the existing landscape character assessment and consider sensitivity of the landscape to change. An inception meeting was held to agree the programme and deliverables and findings will be reported to PAC in January 2017.
- 8 **Economic Needs Study and Retail Study.** Reports provided at this committee meeting.
- 9 **Housing.** Housing Policy are commissioning a Local Housing Needs Study (Interviews 12 September) to drill down and understand housing need at ward level. The programme outlines a final report in February 2017.
- 10 **Open Space, Sport and Leisure Study.** Working in conjunction with the Communities and Business team, the study is progressing well. Assessment work for football and rugby pitches is about to start, during the playing season. Findings to be reported to PAC in spring 2017.
- 11 **Strategic Flood Risk Assessment (SFRA).** Study progressing and work will link to a wider Catchment Study for the Darent and update work on the Medway (including the Eden) being undertaken by the Environment Agency. Findings to be reported to PAC in spring 2017.
- 12 **Duty to Cooperate.** Regular/quarterly officer meetings continue with neighbouring local planning authorities and with other key stakeholders regarding cross-boundary issues. An updated visitor survey was recently undertaken for Ashdown Forest (site designated under the European Habitats Regulations) and officers are working closely with neighbouring authorities to understand any implications of this new evidence.

Transition to Issue and Options consultation

- 13 The Local Plan will need to make clear **what** is intended to happen in the area over the life of the plan, **where** and **when** this will occur and **how** it will be delivered. This can be done by setting out broad locations and specific allocations of land for different purposes; through designations showing areas where particular opportunities or considerations apply (such as protected habitats); and through criteria-based policies to be taken into account when considering development.

- 14 The planning policy team are now starting to pull together the emerging findings from the above evidence base documents to consider the content and format of the issues and options consultation, programmed for late spring/summer 2017. This will be the first opportunity for stakeholders and the public to comment on options for the new Local Plan 2015-2035.
- 15 In addition to the evidence-base documents, a series of place-making workshops were held at the beginning of the year, at which invited representatives of all the Town and Parish Councils in the District provided initial input into the Local Plan process. Discussions focussed around what participants liked about their areas, what could be improved and what challenges could be identified. Comments will help to inform the issues and options stage of Local Plan making.
- 16 There are some elements of the existing Core Strategy (2011) and Allocations and Development Management Plan (2015) that will be able to be retained, as these are relatively recent documents. However, as national planning policy changed (in 2012 with the introduction of the NPPF), there are other elements which will need to be updated. A 'critical friend' peer review of our existing plan has been undertaken by the Planning Officer's Society (POS) / Planning Advisory Service (PAS), which outlined the steps to be taken to ensure a NPPF-compliant plan.
- 17 The new Local Plan will set out a vision and a framework for the future development of the District, addressing needs and opportunities in relation to housing, the economy, community facilities and infrastructure - as well as a basis for safeguarding the environment, adapting to climate change and securing good design. The Local Plan is also a critical tool in guiding decisions about individual development proposals, as it is the starting-point for considering whether applications can be approved.

Potential structure of the consultation

- 18 The issues and options consultation document may take the following structure:
 - A District Profile
 - B Sub-regional / Cross Boundary issues
 - C Vision for the District
 - D Aims / Objectives
 - E Strategic Spatial Options
 - F Policies by Area
 - G Policies by Topic
 - H Delivery Targets and Monitoring

- 19 The **District Profile** will provide context and a summary of the current state of the District, for example, using updated Census information and local data. It will outline the key Issues arising for the District, as identified by local stakeholders and the evidence base, which could relate to:
- Population (aging)
 - Health and Education
 - Community wellbeing and security
 - Housing - numbers, choice and density
 - Employment - numbers and balanced/prosperous economy
 - Town Centres and Shopping
 - Transport and Infrastructure
 - Environment - built and natural
 - Countryside and Green Belt
 - Climate Change
- 20 The profile is also likely to identify key Issues arising by area, for example:
- North - including Swanley and New Ash Green
 - Central - including Sevenoaks and Otford
 - South/West - including Edenbridge and Westerham
- 21 The assessment of **Sub-regional Issues** is likely to include topics such as:
- Ebbsfleet
 - Paramount
 - Bluewater
 - Housing provision and London's growth
 - Employment provision (including links to Bromley)
 - Transport infrastructure
 - Lower Thames crossing
 - Gatwick
 - Rail devolution
 - Health
 - Flood Risk
 - Ashdown Forest
- 22 The **Vision** will respond to the key issues identified in the District and will be aspirational, locally-specific and concise. It will be informed and shaped by local stakeholders.
- 23 The **Aims and Objectives** of the Plan will reflect the three strands of sustainable development (environmental, social and economic aspirations) as set out in the NPPF, with a local focus, to align with other corporate strategies and policies, such as the Economic Development Strategy and the Community Plan prepared by the Local Strategic Partnership. The Local Plan should represent the spatial expression of the Community Plan.

- 24 The **Strategic Spatial Options** will set out a series of options to meet, or partially meet the needs of the District, including land for housing, employment, community facilities and infrastructure. Potential options might include:
- Development distribution proportional across the whole settlement hierarchy
 - Development distribution focussed on and proportional to the three main centres (Sevenoaks, Swanley and Edenbridge)
 - Development distribution skewed to reflect ambitions for urban renewal
 - Rural ambition - growth in smaller settlements and villages / rural exception sites
- 25 The consultation is likely to consider **Policies by Area**, grouped in line with the settlement hierarchy as set out below:
- Sevenoaks
 - Swanley
 - Edenbridge
 - Otford, New Ash Green, Westerham
 - Lower tier settlements
 - The rural area
- 26 The consultation is also likely to consider **Policies by Topic**, which could cover issues such as
- Housing (Need/Supply/Sectors)
 - Employment (Need/Supply/Sectors) including Retail / Town Centres
 - Environment and Heritage
 - Countryside and Green Belt
 - Leisure, Open Space and Healthy Living
 - Transport and Infrastructure
 - Climate Change and Flood Risk
- 27 The Local Plan will need to be supported by information on **delivery, targets and monitoring**. This will help ensure that the policies are deliverable and that we can monitor how the policy is working (through the annual Authority Monitoring Report AMR).
- 28 A **Sustainability Appraisal** is also in preparation, starting with a scoping report, to support and inform the production of the Local Plan. This will be used to evaluate alternatives and select preferred options. It enables plans and policies to be tested to see how well they perform against economic, social and environmental objectives.
- 29 Progress reports on the development of this issues and options consultation draft will be brought regularly to Planning Advisory Committee in conjunction with updates on the remaining evidence base documents.

Other Options Considered and/or Rejected

Preparation of a Local Plan is required by Government. The Council provided a commitment in 2014 (as part of the ADMP public examination) to review the Local Plan within five years. Not preparing a local plan will leave the Council vulnerable to unwanted planning applications and appeal decisions. Recent Government announcements also indicate that the Government will intervene to prepare plans where they are not being prepared in a timely manner locally.

Key Implications

Financial

Production of the Local Plan will be 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 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.

Conclusion

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 an update on the project plan for the work needed to achieve an adopted Local Plan, including an update on the evidence base and the transition from the evidence gathering phase to the 'issues and options' consultation phase.

Background Papers: None

Richard Morris
Chief Planning Officer