

## PORTFOLIO HOLDER DECISION

**Subject:** Sevenoaks District Countryside Assessment Supplementary Planning Document

**Taken by:** Cllr. Jill Davison

**Date of decision:** 04.10.2011

**Details of Decision:**

That the Sevenoaks District Countryside Assessment be adopted as a Supplementary Planning Document.

**Documents considered:**

Sevenoaks District Countryside Assessment Draft 2011

Sevenoaks District Countryside Assessment Oct 2004

Cabinet Report 29<sup>th</sup> July 2004

Environment Select 6<sup>th</sup> Sept 2004

**Reasons for Decision:**

To allow the Sevenoaks Countryside Assessment be adopted as a SPD for Development Management purposes.

**Local Member(s), other Portfolio Holders and/or Directors/Heads of Service consulted.**

**Signed by Portfolio Holder:**

**Record made by:** V ETHERIDGE

**Date:** 05.10.2011

by e-mail and a signed copy by internal mail

## Sevenoaks District Countryside Assessment - Consultation

### Introduction

- 1 The Sevenoaks District Countryside Assessment was undertaken by Babbie and adopted by the Council as Supplementary Planning Guidance in October 2004 and since then it has been successfully used in the Development Management process. In order for this Assessment to be adopted as a Supplementary Planning Document (SPD), within the Local Development Framework (LDF), it has to be subject to a further public consultation exercise as specified under Regulation 17 of the Town and Country (Local Development) (England) Regulations 2004 (as amended 2008 and 2009).

### The Consultation and Responses

- 2 A 10 week public consultation exercise was carried out from 26<sup>th</sup> June to 4<sup>th</sup> August 2011. 20 comments were received from 8 organisations and individuals.
- 3 The majority of the comments received support the document, but some request minor wording changes. These amendments seek to clarify the text or add to the descriptions of the landscapes. The District Council has no objections to the majority of the amendments and where appropriate these have been incorporated. Details of the proposed amendments are shown in italics, in the schedule appended.
- 4 The only remaining objection relates to the area around Well Hill Shoreham. The representations seek the identification of an additional landscape character area for Well Hill, Shoreham and/or amendments to the Crockenhill Fringe and Badgers Mount Landscape Areas. They also wish amendments to the areas to make them follow the boundary of the Local Character Areas set out in the AONB management plan and design guidance.
- 5 When the original assessment was carried out it was subject to public consultation which included parish councils and at that time no objection was raised regarding Well Hill. The definition of the landscape character areas was a judgement made by the consultants based on their experience and expertise. Therefore it is not considered that a change can be made to this document in this respect. Please see response in the schedule appended.

### Other Options Considered and/or Rejected

The document is considered to be key to protect and enhance the quality of the countryside throughout the district. The alternative option is not to adopt the document as SPD. The consequences of this would be to weaken the Council's ability to protect and enhance the landscape in the future through the Development Management Process.

## **Key Implications**

### Financial

The costs of the consultation and publication will be met from the existing LDF Budget. Consultation will be carried out in parallel with consultation on Development Management policies and other SPDs, which will reduce additional costs.

### Legal, Human Rights etc.

The document provides guidance on the application of existing policy. It will not have an adverse impact or discriminate against different groups in the community.

### Equality Impacts

There are no direct impacts. The adoption of planning policies potentially narrows a person's ability to develop property in the way they might wish. However, the way in which such policies or controls are introduced and subsequently applied is subject to planning legislation (which is the only mechanism open to the Council for introducing such policies/controls). Their imposition by the Council therefore occurs with the provision laid down by the law. The availability of rights of appeal against decision the Council takes in reliance on those policies or controls further ensures that such measures are proportionate. The recommendations in this report, if agreed, would not unlawfully infringe the human rights of property owners or occupiers.

### Sustainability Checklist

The Countryside Assessment is consistent with the Core Strategy which itself has been subject to sustainability appraisal.

## **Conclusions**

The adoption of the Sevenoaks District Countryside Assessment as SPD is required for the reasons set out above.

## **Risk Assessment Statement**

The document has been developed in accordance with the national, regional and local policies. If the document is rejected and policy guidance is not updated, and the risk would be that there would be a reduction in the ability to protect/enhance the quality of landscape.