

Planning Portfolio - Report to Scrutiny Committee

This paper updates the previous report which I brought to this Committee in July 2017.

Planning Applications and Appeals

The District Council's Planning Department continues to be the busiest in Kent, with 2170 applications received in the year to December 2017. The next highest was Canterbury with 1856, then Tunbridge Wells with 1810 and Maidstone with 1795. Gravesham received 795 and Dartford 762.

In percentage terms the District approves the fewest applications (81%) while Ashford, Tonbridge and Malling, Tunbridge Wells and Medway all grant 90% and upwards of the applications they receive.

Over 90% of applications classed as major (e.g. 10 residential units or more) and other (e.g. householder) are determined within the required timeframes which are some of the best results in the Country.

When tested at appeal around 70% of applications are dismissed.

Enforcement

Enforcement is still under the direct management of our Development Manager as there have now been three unsuccessful attempts to recruit an Enforcement team leader since the post became vacant in April 2017. This is unfortunate and continues to divert the Manager's attention away from other more corporate matters. With the resignation of the team leader south, the Development Manager with the Chief Planning Officer are considering options to secure appropriate staff.

On a positive note we have two new officers in the enforcement team:

Katie O'Driscoll - a new planning enforcement officer and Carlyn Kan as our compliance officer. This injection of staffing resource into the enforcement team is welcomed. Both officers are, however, on a training curve and so it will be some time until we are working positively rather than reacting to complaints.

I am also pleased to report that the new Enforcement Plan is on our website along with our searchable planning enforcement register.

Despite the lack of resources, in the last 6 months, we have served a number of enforcement notices, section 215 notices and taken out and defended an injunction in relation to a piece of land covered by an article 4 direction.

As a result of some recent cross service working, officers within the tree team, working closely with legal and community services colleagues, successfully prosecuted the manager of New Ash Green village centre for illegally cutting down ash trees that were protected by a Tree Preservation Order. These trees were located within the shopping centre and provided welcome soft landscaping relief. The manager pleaded guilty and was fined £5,000 and ordered to pay £3,600 in costs. The court also levied the compulsory £170 victim surcharge. The manager has also agreed to replant the trees that were removed.

Building Control

Our new Partnership Manager, Allan Taylor, started in late September, and the instability caused by a number of departures at Surveyor, Manager, and Head of Service levels has now ended.

The Partnership continues to perform very well. Market share, especially in Sevenoaks, is strong at over 70% and fee income is ahead of the profiled budget. The Partnership is also leading on a number of digital innovations to improve customer service and retain competitiveness.

The New Local Plan

Following the previous update to this Committee, the Local Development Scheme provides the timetable for how and when the Local Plan will be produced. Consultation on the draft Local Plan will continue through 2018, with examination and adoption in 2019. The Planning Advisory Committee and Cabinet will have to agree every stage and Full Council will agree the Local Plan prior to submission.

Housing numbers and their distribution around the District remain the key issue. The Strategic Housing Market Assessment has been completed and recommends an unconstrained figure of 620 dwellings per year, compared with the 165 dwellings under the current plan. This assumes 1% growth population per year for the next 20 years, but does not take into account the high level of constraints in the District, namely 93% Green Belt and 61% AONB, which clearly suggests that the final housing target for new homes will be significantly lower. But we can only go where the evidence leads.

The Government recently consulted on a standardised methodology for calculating a local authority's housing need, in the "Building the Right Homes, in the Right Places" consultation (September 2017). This consultation outlined the potential new housing need figures which increased the need in Sevenoaks District by 13%, from 620 per year to 698 dwellings per year. It is important to note that no decision has been made by Government to adopt this standardised methodology and any announcements are likely to be made when a revised draft of the National Planning Policy Framework (NPPF) is published in the Spring.

The Strategic Housing and Economic Land Availability Assessment (SHELAA) assesses the amount of land that could be available and suitable for development. This work has helped to establish how much of the identified need can be realistically delivered over the plan period. Since advertising a "call for sites" in Autumn 2015, over 350 sites across the District have been submitted to the Planning Policy team. The Call for Sites remains open.

Last year, the Planning Policy team undertook public consultation on the Local Plan "Issues and Options" which set out the Council's options for meeting the needs of the District and considered a number of issues and opportunities for the countryside, the Green Belt, our town and villages and the requirements for infrastructure. We sent out a household survey to each household in the District and received an outstanding 30% response from our residents. The results of the Issues and Options consultation were reported to the Planning Advisory Committee in November 2017. The key response was the 92% support for preserving the Green Belt.

As regards the potential exceptional circumstances cases:

- a. **Sevenoaks (Town) Northern Masterplan** - Led by Sevenoaks Town Council, this proposed masterplan has been subject to further public consultation in the Local

Plan “Issues and Options” since the Town Council’s own consultation. It focuses on community infrastructure and facilities at Bat and Ball in addition to housing and employment and could provide approximately 800 new homes on and around the quarry site to the north of Sevenoaks within the plan period. The “Issues and Options” consultation asked a specific question on this proposed Masterplan, with survey results detailed below:

Question 3a - Draft Northern Sevenoaks Masterplan results:

Area	Support/Strongly Support	Oppose/Strongly Oppose
District-wide	66%	13%
Sevenoaks North	67%	20%
Sevenoaks wards, Otford, Dunton Green, Kemsing, Seal	69%	18%

- b. **Westerham** - “Which Way Westerham” proposals are being progressed by the Squerryes Estate, which currently include a relief road to the north west of the settlement, approximately 600 new homes and environmental improvements. The Squerryes Estate team have been involved in continuous public engagement with the Westerham community and has submitted supporting material to the District Council. Again, a specific question was asked during the “Issues and Options” consultation, with the results detailed below:

Question 3b - Which Way Westerham:

	Support/Strongly Support	Oppose/Strongly Oppose
District-wide	54%	19%
Westerham and Crockham Hill	22%	73%

Since then, the Squerryes Estate has updated the proposals to include additional community benefits including outdoor recreation facilities, increased car parking in the town centre and the provision of common land.

- c. **Edenbridge** - A Neighbourhood Plan is being prepared including updated design statement, support for retention of employment land, rejuvenation of the High Street and in particular the Leathermarket. The Plan strongly favours the building of a new health centre and a secondary educational facility.

In relation to the Edenbridge Health hub proposals, a combined hospital and GP surgery in Edenbridge is being proposed by West Kent Clinical Commissioning Group. They undertook public consultation in 2017:

- 94 per cent of people responding to a survey carried out as part of a three-month public consultation backed a combined hospital/surgery
- 79 per cent supported the preferred option - for services to be provided in a new building, on a new site, with additional day services, such as intravenous drips, and no inpatient beds.

The sites under consideration for the facility lie to the east of Edenbridge along Four Elms Road (next to the Eden Community Centre). The land is owned by KCC and Cooper Estates.

In relation to a secondary school, Edenbridge Town Council resolved in December 2017 to support proposals for a Harris Academy to be sited on Green Belt land on Four Elms Road offered by Cooper Estates. Cooper Estates have themselves undertaken community consultation in 2017 'on initial draft proposals for development of approximately 265 new homes, a new secondary school and a new medical centre (including GP practice) off Four Elms Road'.

- d. **Swanley and Hextable** - In December 2017, the District Council jointly commissioned with KCC a Swanley Transport Study, which will continue the work which was done on the Swanley and Hextable Master Vision. The Study will look at transport issues for Swanley and the surrounding area (i.e. Hextable, Crockenhill and Swanley Village) and provide recommendations on how transport could be improved. A workshop with District Members and Parish/Town Councils will be taking place in early February.

Brownfield Land Register

As required by Government, the District Council published its brownfield land register in December 2017. The register sets out a number of brownfield sites that may be suitable for residential development. For the purposes of the register, the definition of 'brownfield' has been taken from the NPPF and therefore excludes agricultural, horticultural and forestry buildings. The register can be viewed on the website.

CIL

Following my last update to the Committee in July, the District Council has collected approximately £3.1 million (up to 31st December 2017), since we began charging CIL in August 2014. Approximately £817,000 has been paid to town and parish councils, as Cabinet in November 2014 agreed that all town and parish councils would receive 25% of CIL contributions, regardless on whether a Neighbourhood Plan is in place or not. There is approximately £2.1 million available for the CIL Spending Board to allocate to infrastructure projects. The remaining share (5%) is for the Council's recovery of administration costs, as laid out in the CIL regulations.

The CIL Spending Board has not met to date. This is due to the governance arrangements not being agreed by Cabinet until July 2017. Applications to the Board were invited from infrastructure providers and partners from 1st September 2017 to 1st December 2017. We received 20 applications from 16 organisations which included schools, parish councils, Environment Agency, KCC, and health and medical providers. Applications are being validated and discussions are ongoing with the Chair of the Spending Board to determine the date for the first meeting.

The next round of CIL payments to town and parish councils will be on 28th April 2018. This will cover the collection period 1st October 2017 to 31st March 2018. Currently, 9 town and parish councils will receive CIL payments, but it is expected that other town and parish councils will benefit from payments during this ongoing period.

The Council published its annual CIL report for 2016/2017 on 29th December 2017. The report, which sets out the income and expenditure for the period, can be viewed on the Council's website.

The Council has also been working on an online CIL tool which will show town and parish councils, members of the public and other interested parties where CIL contributions have been collected, and how the contributions are split between the parishes and the Spending Board pot. This interactive map is in the final stages of development and will be published on the Council's website by 31st March 2018.

The Local List

The SPD has been finalised and available on the Sevenoaks District Council website.

Public consultation on the 2nd Tranche concluded on the 10th January 2018. There were 19 responses, 7 of which will be returned to the Selection Panel for further consideration. The Article 4 Directions for Tranche 1 are progressing. 95 Dartford Rd, locally listed as part of Tranche 1, is the subject of a Planning Inspectorate Appeal which has yet to be decided. The owner appealed to the Ombudsman about the case for being included on the list and this is ongoing.

Consultations

Since the last update to this Committee, the Government issued a number of consultations building on the themes of the Housing White Paper. This was the "Building the Right Homes in the Right Places" consultation and looked at issues such as a standardised methodology to calculating housing needs, expanding Duty to Cooperate to include Statements of Common Ground, ensuring that a suitable mix of housing is being planned for (i.e. older people, affordable housing, care homes) and viability both in plan-making and decision taking. All proposals, if taken forward, are expected to form part of the revised NPPF which is expected to be released by the end of March 2018.

The Mayor of London is currently consulting on the draft London Plan which outlines the spatial framework for all development within the Greater London area. Proposals include developing brownfield sites, providing a greater proportion of affordable housing, recognising better links with the South East and potential growth corridors and protecting the metropolitan Green Belt. The consultation closes on the 2nd March 2018.

The Department for Transport have been working on the new South Eastern franchise, set to be in operation by April 2019. The incumbent, Govia, has the franchise until then. Three bidders have been successful to tender for the franchise; Govia, Abellio and Stagecoach Group. Bidders will submit their proposals to the DfT by March 2018, and an announcement on who will run the franchise is expected in November 2018.

Other consultations to be aware of are:

- Heathrow Airport Limited are currently consulting on its proposals for the design of a 3rd runway (deadline 28th March 2018);
- KCC Bus Services consultation, which was due to start in early January 2018, has now been withdrawn until further notice.

The Future

I have reviewed the themes of the past 2 years' reports to Scrutiny, and they remain constant:

- Preparing a Local Plan that can be agreed by an Inspector will be challenging - both for officers and members; and
- Recruiting and retaining professional staff in an expensive area like Sevenoaks is not easy.