

## LOCAL PLAN UPDATE

### Planning Advisory Committee - 25 April 2018

Report of Chief Planning Officer

Status For information

Key Decision No

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

Portfolio Holder Cllr. Robert Piper

Contact Officer Hannah Gooden, Ext.7178

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#### **Recommendation:**

To note progress on the draft Local Plan

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#### **Reason for recommendation:**

To enable progression of the draft Local Plan

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#### **Executive Summary**

This report provides an update on progress on the draft Local Plan. It covers joint working with neighbouring authorities and stakeholders organisations, under the 'Duty to Co-operate', including the development of two 'Statements of Common Ground' (SoCG). The report also provides an update on the Swanley Transport Study which is currently underway and the wider strategic transport evidence base. It also provides an overview of the Viability work which has recently been commissioned and the Infrastructure evidence base, including the Infrastructure Delivery Plan (IDP).

#### **Duty to Co-operate**

- 1 The Council is required to cooperate with bodies prescribed under the Localism Act on matters of strategic cross boundary importance. This replaces the consideration of such strategic matters at the former regional level of planning. In response officers have held regular quarterly Duty to Co-operate meetings with neighbouring planning authorities and meetings have also been held with all other prescribed Duty to Cooperate bodies such as Network Rail and Highways England. A summary of actions taken so far and issues arising accompanied the Issues and options consultation. As work continues, the areas of cooperation have become more focussed

(predominantly around the issue of housing) and undertaken at a political level.

- 2 A priority is to understand how development needs are being planned for in West Kent. A Statement of Common Ground is being developed with Tunbridge Wells Borough Council and Tonbridge and Malling Borough Council. It should help demonstrate co-operation on strategic plan-making across West Kent, including capacity to accommodate housing and employment needs in shared housing market areas and functioning economic market areas. The draft statement identifies the key strategic cross-boundary issues facing West Kent, including any potential unmet housing and/or employment needs, any infrastructure improvements that require joined-up thinking, and environmental issues that cross administrative boundaries.
- 3 As the requirement to prepare statements of common ground is relatively new, we have been successful in receiving support from the Planning Advisory Service (PAS) as part of a national pilot scheme. PAS has facilitated the process, providing advice and guidance as necessary. Officers have found this helpful. PAS has returned their report on the process to the Ministry of Housing, Communities and Local Government (MHCLG).
- 4 It is anticipated that the draft Statement will be completed prior to the forthcoming Local Plan consultation in the summer. It will be a working document that is updated as each authority's Local Plan progresses. When we reach examination the Inspector will need to be satisfied that all relevant strategic cross-boundary issues have been identified and measures have been put in place to address them.
- 5 A Statement of Common Ground is also being prepared on Ashdown Forest, with Wealden DC and other neighbouring authorities. This relates to the internationally important heathland habitat (designated under the European Habitats Regulations) and the effect that new development being brought forward through nearby Local Plans may have on its potential degradation as a result of increased visitor numbers and emissions from traffic. PAS is also facilitating this process. The SoCG has now been finalised although Wealden DC has declined to sign it and therefore it will become a SoCG between the neighbouring authorities.
- 6 We have also recently met with the following adjoining Local Authorities to discuss Duty to Co-operate issues and the possibility of Statements of Common Ground:
  - London Borough of Bexley (March)
  - London Borough of Bromley (March)
  - Tandridge District Council (March)
  - Dartford Borough Council (February and March)
  - Gravesham Borough Council (February and March)

- 7 We have also met with other key stakeholders and partners to discuss Local Plan issues, these include:
- All Kent Local Authorities to discuss Gypsy and Traveller Issues (March)
  - Kent County Council Gypsy and Traveller Service (March)
  - Kent Downs AONB Unit (March)
  - Highways England (March)
  - Kent County Council Highways (March)
  - Network Rail (March)
  - Kent Nature Partnership (January)
  - Kent County Council Strategic Planning and Infrastructure Team (March)
- 8 We are planning to meet with the following key stakeholders and partners:
- Dartford and Gravesham Clinical Commissioning Group (April)
  - NHS West Kent Clinical Commissioning Group (April)
  - Kent County Council Education (April)
  - Greater London Authority (May)
  - High Weald AONB Unit (May)
- 9 We remain in contact with Natural England, the Environment Agency and Historic England and hope to meet with them in the forthcoming Draft Local Plan consultation.

## **Evidence Base**

### **Swanley Transport Study**

- 10 The Local Plan is supported by a variety of evidence base documents, including the Swanley and Hextable Master Vision. Following the recommendations from Cabinet in January 2017, further work has been undertaken in relation to the Master Vision. The recommendations which were agreed included:
- To carry out a full and comprehensive transport strategy plan to highlight how road infrastructure could be improved to reduce congestion,
  - To undertake detailed feasibility work relating to the main elements of infrastructure; and
  - To provide a financial assessment to better understand the scale of development required to deliver the improvements local people have said are necessary.
- 11 SDC and Kent County Council (KCC) jointly commissioned SWECO to produce a Transport Study to provide further context to compliment the Master Vision as an evidence base for the Local Plan. Stage 1 of the Swanley Transport Study is attached at Appendix A. For clarity, the study area for this piece of work included Swanley, Crockenhill, Hextable and Swanley Village.

- 12 The scope of the Study was to; establish a base line of current transport trends, to identify the current transport issues and constraints within the study area, before setting out a series of recommendations and outputs that could be explored further. The Study does not provide a Transport Model for the recommendations. This will be carried out, where required, once a list of draft allocations has been agreed for the draft Local Plan consultation.
- 13 SDC and KCC held an inception meeting with SWECO on 4th January 2018 to discuss the scope of the work, to agree the methodology and to provide background information for the study.
- 14 A stakeholder workshop was held on Wednesday 7th February, at the Swanley Town Council offices, to discuss the issues identified by SWECO in their initial assessment and to gain local knowledge to develop potential options to address the issues identified. The following were invited to take part in the workshop:
  - Local Ward Members for
    - Swanley Christchurch and Swanley Village;
    - Swanley St Marys;
    - Swanley White Oak;
    - Hextable
    - Crockenhill and Well Hill
  - Swanley Town Council
  - Hextable Parish Council
  - Crockenhill Parish Council
  - Kent County Member for Swanley
- 15 SDC and KCC met with SWECO on Friday 23rd March to discuss their initial findings and potential options. The final version of the document will provide an evidence base to support the Local Plan, and will be discussed by members of Sevenoaks Joint Transportation Board and Planning Advisory Committee at a members briefing before being discussed by Cabinet.

### **District-wide Strategic Transport Assessment**

- 16 In addition to the above Swanley Transport Study, a Strategic Transport Assessment will also be required to support the Local Plan. This evidence base will provide information on any transport implications that need to be considered when allocating strategic sites. Liaison with KCC regarding this work is ongoing and it is anticipated that this work will be commissioned in April/May and take place over the next few months.

### **Infrastructure Delivery Plan (IDP)**

- 17 The Local Plan Issues and Options consultation recognised the importance of delivering required infrastructure alongside the delivery of the District's housing needs. Many respondents to the consultation stated that there should be adequate infrastructure in place before development occurs.

- 18 National policy states that local authorities should ensure that infrastructure is planned in accordance with the scale of development proposed in the Local Plan. This should include an assessment of the quality and capacity of existing infrastructure with other authorities and providers (NPPF paragraph 162) and that any infrastructure improvements should be delivered in a timely fashion (NPPF paragraph 177).
- 19 Officers will be engaging with infrastructure providers and partners to understand the condition of existing infrastructure and determining what future requirements are needed in relation the District's housing and employment needs. This will include (but not limited to) health and social care, education, utilities, telecommunications, flood risk, waste and transport.
- 20 As infrastructure providers require a degree of certainty to model where there are deficiencies in relation to the spatial distribution of development, evidence will be gathered during the draft Local Plan consultation. The completed Infrastructure Delivery Plan (IDP) evidence base will be presented to Members at the October Committee.

### **Viability**

- 21 We are in the process of commissioning a comprehensive Local Plan Viability Assessment. The study will fully replace the Council's existing viability evidence base in order to inform the Council's newly emerging Local Plan. It will form a key piece of work in the understanding of viability issues for new development when seeking to meet the future needs of Sevenoaks district. It will also form the basis for the first review of the Council's Community Infrastructure Levy (CIL) Charging Schedule.
- 22 The viability work will include consideration of whole plan viability, affordable housing and commercial viability as well as CIL economic viability
- 23 The study will be consistent with the newly updated NPPF (currently in draft form but understood to be fully updated before summer 2018) and the Government's latest advice contained within the National Planning Practice Guidance (NPPG) including the specific new guidance on viability.
- 24 The study will address changes in development costs and revenue assumptions that have occurred since previous viability studies. It is anticipated that the study will analyse and test a wide range of development scenarios around the District. This is likely to include scheme type and location (both urban and rural), development costs, infrastructure costs, sales values (and residual values) and accompanying trial rates for both affordable housing and CIL. Scenarios will also consider enhanced standards of accessibility.

### **Next Steps**

- 25 We are currently drafting the new Local Plan, reflecting our wide-ranging evidence base, and intend to bring a Draft Plan to PAC in June and Cabinet in July for public consultation in the summer and examination in spring 2019.

## **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

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**

The Sevenoaks District Local Plan 2015 - 2035 will replace the adopted Core Strategy 2011 and Allocations and Development Management Plan 2015. The document will reflect other strategic documents of the Council in particular the Corporate Plan, Community Plan and the Housing and Economic Development strategies. It is backed by a substantial evidence base and extensive public consultation and engagement, which will inform the draft Local Plan, which will be prepared for a further round of public consultation this summer.

## Appendices

## Appendix A: Swanley Transport Study - Stage 1

### Background Papers

#### PAC key progress reports

[7 July 2015](#) [Local Plan Work Programme](#)

[19 April 2016](#) [Local Plan Work Programme](#)

[21 June 2016](#) [Local Plan Update](#)

[22 September 2016](#) [Local Plan Update](#)

[16 May 2017](#) [Local Plan Update](#)

[22 June 2017](#) [Local Plan - for consultation](#)

[23 Nov 2017](#) [Consultation update](#)

[14 March 2018](#) [Local Plan Update](#)

**Richard Morris**  
**Chief Planning Officer**