

Levelling-up and Regeneration Bill: reforms to national planning policy

Sevenoaks District Council Response

February 2023

Introduction

Below are the 58 questions posed in the consultation document. Below each question are the responses provided by Sevenoaks District Council.

1 Do you agree that local planning authorities should not have to continually demonstrate a deliverable 5-year housing land supply (5YHLS) as long as the housing requirement set out in its strategic policies is less than 5 years old?

Yes

Sevenoaks District is exceptionally constrained with, 93% of the District's area is affected by Green Belt, AONBs (Area of Outstanding Natural Beauty) or Sites of Special Scientific Interest (SSSI) designation, and this land is not generally available for development. Inevitably, therefore, the ability to demonstrate a five-year housing land supply for Sevenoaks District is almost entirely dependent on the adoption of the emerging Local Plan (Plan 2040).

Sevenoaks District Council's most up to date Five Year Housing Land Supply (September 2021) identifies a supply of specific deliverable sites in Sevenoaks District that have the capacity to deliver 2,479 residential units in the five years from 2021. This represents 2.9 years of the five-year supply requirement of 4,284 units (including the required 20% buffer) for the same period. Accordingly, SDC (Sevenoaks District Council) cannot currently demonstrate five years' worth of deliverable housing land supply.

Taking the above into account, Sevenoaks District Council welcomes the proposal that a Local Planning Authority would need to demonstrate a five-year supply of deliverable housing sites only when the housing requirement was more than five years old. For a District as constrained as Sevenoaks, the proposed changes to the 5YHLS would give greater scope to recognising the difficulty there is in meeting development needs whilst continuing to protect the constrained areas of the District. Should any strategic Green Belt sites be released through the adoption of a new Local Plan process, it is recognised that these sites will not always contribute to the first five years of the housing supply therefore this proposal would allow for this situation without prejudicing the Councils 5 year housing land supply.

However, further clarification is required on how this will work in conjunction with other aspects of the draft NPPF (National Planning Policy Framework) update, and in particular the suggestion that Green Belt boundaries will not need to be reviewed or altered where this is the only means of meeting the objectively assessed need (OAN) for housing over the plan period.

It is the Council's understanding that, should it be the only means of meeting the housing requirement, the Local Planning Authority is not required to consider reviewing Green Belt boundaries. Therefore, an adopted plan, which does not consider Green Belt release would have an agreement from the Planning Inspectorate that there is no ability to meet the housing requirement. Clarification is required as to whether this adopted Local Plan position will be carried forward and

relevant in future five-year housing land supply calculations and potential sanctions (once the adopted Local Plan is more than five years old).

The Council recognises that much of the detail on these NPPF reforms is still to be determined and we would welcome the opportunity to work closely with the Department for Levelling Up, Housing and Communities (DLUHC) in order to ensure that these reforms are clear and deliverable.

2 Do you agree that buffers should not be required as part of 5YHLS calculations (this includes the 20% buffer as applied by the Housing Delivery Test)?

Yes.

As identified in our answer to Question 1, using the 2021 data, Sevenoaks District Council can currently demonstrate a supply of 2.9 years of the 5-year housing land supply requirement (which includes the current 20% buffer). Under the proposed removal of the buffer, the Council would be able to demonstrate an increased supply of 3.5 years.

Although it is recognised that this would not demonstrate a 5-year housing land supply, this allows for greater scope to balance housing provision in the District, whilst protecting our natural environment, as well as removing the nationally implied penalties for protecting our constrained land and in particular the Green Belt. For this reason, Sevenoaks District Council welcomes the proposed reforms to the 5-Year Housing Land Supply calculations and the removal of the buffer.

3 Should an oversupply of homes early in a plan period be taken into consideration when calculating a 5YHLS later on or is there an alternative approach that is preferable?

Yes

Sevenoaks District Council would welcome the ability to consider historic oversupply of housing in its 5-year housing land supply calculations because this would help to alleviate the pressure on our constrained areas of land, including the Green Belt (93%) and AONBs (60%). However, it should be noted that it is unlikely that Sevenoaks District will be in a position to consider oversupply when calculating the five-year housing land supply, due to the heavily constrained nature of the District, as set out in our answer to Question 1.

As is addressed in Chapter 4 Paragraph 4 of the Consultation document, delivering more homes than expected in the early stages of the plan period can create a “ratchet effect” as local authorities are required to find further land for homes, despite having overall met housing delivery expectations.

4 What should any planning guidance dealing with oversupply and undersupply say?

Planning guidance should be clear on the processes for calculating the 5 year housing land supply when dealing with any historic undersupply or oversupply. It would also be helpful for guidance to define what would be considered ‘historic’ in this calculation.

It should be noted that it is highly unlikely that Sevenoaks District will be in a position to consider oversupply when calculating the Council’s five-year housing land supply, due to the heavily constrained nature of the District, as set out in our answer to Question 1.

5 Do you have any views about the potential changes to paragraph 14 of the existing Framework and increasing the protection given to neighbourhood plans?

Sevenoaks District Council is supportive of the proposed change to protect neighbourhood plans for 5 years (rather than the current 2 years), where the adverse impact of allowing development which

conflicts with the neighbourhood plan is likely to outweigh the benefits. Sevenoaks District Council is supportive of neighbourhood planning, allowing communities to engage with planning their local areas, and the Council has recently agreed its first neighbourhood plan for referendum.

6 Do you agree that the opening chapters of the Framework should be revised to be clearer about the importance of planning for the homes and other development our communities need?

Yes, it is understood these changes are intended to signal that providing necessary development, particularly housing, that is supported by strategic infrastructure, is a core purpose of the planning system. The reference to infrastructure is important, as new housing needs to be developed in conjunction with supporting infrastructure, which is planned and delivered in a timely manner, and is expected by our residents.

7 What are your views on the implications these changes may have on plan-making and housing supply?

Sevenoaks District Council welcomes these changes, which would provide clarity on how housing need and constraints such as the Green Belt should be realistically balanced. This would give greater confidence for constrained LPAs, as well as providing clarity for Planning Inspectors, at Examination. The changes would also ensure that, in calculating local housing need, the latest available population projections are taken into account, rather than relying on those that are almost ten years old.

8 Do you agree that policy and guidance should be clearer on what may constitute an exceptional circumstance for the use of an alternative approach for assessing local housing needs? Are there other issues we should consider alongside those set out above?

Sevenoaks District Council would welcome additional and clearer planning guidance on what constitutes 'Exceptional Circumstances' when assessing housing need. Not only would this help the Council with evidence gathering, but this would also provide more assurance going forward throughout the emerging Local Plan process, and in particular at Examination.

9 Do you agree that national policy should make clear that Green Belt does not need to be reviewed or altered when making plans, that building at densities significantly out of character with an existing area may be considered in assessing whether housing need can be met, and that past over-supply may be taken into account?

Yes.

For a district as constrained as Sevenoaks (93% Green Belt), these proposals are welcomed as they would give greater scope to recognising the difficulty there is in meeting development needs while continuing to protect the Green Belt. The proposals regarding Green Belt reviews and building density are very relevant to our recent Regulation 18 consultation, which proposed a range of uplifted development densities in our urban areas. Sevenoaks District Council is seeking to meet housing need as far as possible, whilst protecting strongly performing Green Belt and the individual character of our settlements. The proposed amendments will allow the Council to continue to protect strongly performing Green Belt and the individual character and heritage of our settlements.

10 Do you have views on what evidence local planning authorities should be expected to provide when making the case that need could only be met by building at densities significantly out of character with the existing area?

LPAs should be considering how to sympathetically optimise the density of sites. A characterisation study of the area will create a baseline of existing development styles, density and building types. A

development brief that explores the constraints of the site and suggests how optimal density could be achieved would provide clarity to communities, developers and the LPA. The Brief could also include a Design Code.

11 Do you agree with removing the explicit requirement for plans to be 'justified', on the basis of delivering a more proportionate approach to examination?

It is understood that the intention is ensure that Plans are subject to 'proportionate assessment' when they are examined, particularly in the approach adopted to meeting housing need, which is welcomed. The tests of soundness are to be revised to assess whether the authority has tried to meet needs as far as possible, whilst taking into account other policies in the NPPF, and whether the strategy is effective and deliverable. Recent challenging experience in the assessment of our Local Plan suggests this more proportionate approach to examination will assist government in their aim of getting Plans in place more swiftly across the country.

12 Do you agree with our proposal to not apply revised tests of soundness to plans at more advanced stages of preparation? If no, which if any, plans should the revised tests apply to?

(n/a – Sevenoaks District Council is currently at Regulation 18 stage)

13 Do you agree that we should make a change to the Framework on the application of the urban uplift?

(n/a – re urban uplift in 20 largest towns/cities)

14 What, if any, additional policy or guidance could the department provide which could help support authorities plan for more homes in urban areas where the uplift applies?

(n/a)

15 How, if at all, should neighbouring authorities consider the urban uplift applying, where part of those neighbouring authorities also functions as part of the wider economic, transport or housing market for the core town/city?

(n/a)

16 Do you agree with the proposed 4-year rolling land supply requirement for emerging plans, where work is needed to revise the plan to take account of revised national policy on addressing constraints and reflecting any past over-supply? If no, what approach should be taken, if any?

The Council has recently concluded its first Regulation 18 Consultation for the Plan 2040 emerging Local Plan process. This initial consultation focussed on making the best and most efficient use of land within the District's eight most sustainable settlements, as defined in the updated Settlement Hierarchy 2022. These are the Principal Town, Towns, Local Service Centres and Service Villages.

The Council's adopted Local Development Scheme (LDS) details a second Regulation 18 in autumn 2023, which will consider sites within the District's remaining settlements, as well as considering the potential for Green Belt release. A regulation 19 is scheduled for spring 2024, with submission to the Planning Inspectorate (PINs) expected in summer 2024.

Sevenoaks District Council is unable to meet its housing requirement without considering potential Green Belt release. The changes proposed in this consultation, should they be implemented, will have a significant impact on the emerging Local Plan. Therefore, the flexibility to be able to demonstrate a 4 year housing land supply, rather than 5, is welcomed.

17 Do you consider that the additional guidance on constraints should apply to plans continuing to be prepared under the transitional arrangements set out in the existing Framework paragraph 220?

This is not relevant for Sevenoaks District Council as it relates to the ongoing examination of Plans which were submitted on or before 24 January 2019 and are being considered in relation to the NPPF (2012).

18 Do you support adding an additional permissions-based test that will 'switch off' the application of the presumption in favour of sustainable development where an authority can demonstrate sufficient permissions to meet its housing requirement?

Yes, Sevenoaks District Council supports the proposal to add an additional permissions-based test to the Housing Delivery Test. This shift in focus towards permissions is welcome as local authorities have very limited control over what is built out in terms of completions.

Currently the Housing Delivery Test is only concerned with completions, because it looks backwards at recent delivery. The proposal to consider permissions looks forward at future delivery. By looking forward at permissions, Local Planning Authorities, such as Sevenoaks District Council, who are facing a substantial increase in their housing requirement (fourfold) and who are planning for a step change in housing delivery through their emerging Local Plan, would be recognised for bringing forward this step change in delivery prior to the Local Plan being adopted, rather than being penalised for historic under delivery.

This addition to the Housing Delivery Test calculations would allow the consideration of 'sufficient' deliverable permissions to meet local housing need, plus 15% contingency, therefore having more potential to be able to 'switch off' the Presumption in Favour of Sustainable Development.

In a District as constrained as Sevenoaks, this additional flexibility to the Housing Delivery Test calculations is welcomed. However, further details and clarification is required as to how this would be put in place - for example, confirmation of how many years of requirement would 'deliverable permissions' be measured against.

19 Do you consider that the 115% 'switch-off' figure (required to turn off the presumption in favour of sustainable development Housing Delivery Test consequence) is appropriate?

We would welcome a 'switch-off' figure as part of the Housing Delivery Test calculations, for the reasons we have set out in our answer to Question 18.

The principle of including a contingency on top of the local housing need is considered sensible, in order to reflect the small proportion of permissions that do not get built out. However, Sevenoaks District Council considers that 15% is very high. Based on historic delivery within the District, our evidence shows that the non-implementation rate consistently sits at around 3-5% annually and therefore the "switch-off" figure should reflect this local evidence.

20 Do you have views on a robust method for counting deliverable homes permissioned for these purposes?

Whatever the method taken forward, it needs to be clearly set out, in Government guidance, for all Local Planning Authorities to use consistently. Guidance needs to be comprehensive enough to give weight to calculations and to resist misinterpretation.

21 What are your views on the right approach to applying Housing Delivery Test consequences pending the 2022 results?

Sevenoaks District Council considers that the Housing Delivery Test consequences should be amended to reflect the latest methodology as soon as it comes into force.

Further guidance would be welcomed to outline how the suggested changes to the HDT calculations and consequences, if adopted, fit with other proposed changes to the NPPF outlined through this consultation. In particular, clarification is needed on how the suggestion that Local Authorities are not required to review Green Belt boundaries, if this is the only means of meeting the Local Planning Authorities housing requirements, would be considered in the Housing Delivery Test results and consequences.

22 Do you agree that the government should revise national planning policy to attach more weight to Social Rent in planning policies and decisions? If yes, do you have any specific suggestions on the best mechanisms for doing this?

Yes, because this is the type of affordable housing that is most needed within Sevenoaks District. However, it is often the hardest type of affordable housing to deliver in the District, being outweighed by viability and other considerations. In Sevenoaks, land values are very high in many areas of the district, and therefore viability and our ability to deliver this form of housing are serious issues.

Social rent is the most affordable housing option and is the optimum tenure for the majority of applicants on our Housing Register. Our Targeted Review of Local Housing Need (TRHLN) 2022 identified 65% of new affordable housing is required as social housing (58% Social Rent and 7% Affordable Rent). However against this background, the viability of new development is also an important consideration. The requirement to provide 25% of affordable housing as First Homes has had an impact. In the high value area of Sevenoaks District First Homes are sought at a 50% discount to open market value and this, coupled with our ongoing overriding need for social housing, has adversely impacted the viability of developments.

The provision of First Homes has also had a detrimental impact on the delivery of Shared Ownership housing. Shared Ownership homes are a more affordable form of low cost home ownership than First Homes, meaning they can be accessed by a wider range of households in housing need. Registered Providers also historically used Shared Ownership to cross subsidise the provision of social housing. A reduction in the quantum of Shared Ownership homes on new developments means this ability has been greatly diminished, making new development sites less attractive for our Registered Provider partners.

Local Planning Authority's should be given the flexibility to determine the level of First Homes required on major development sites (10 homes or more) rather than requiring a blanket 25%. This measure should deliver more shared ownership homes and give capacity for greater delivery of Social Rent homes.

23 Do you agree that we should amend existing paragraph 62 of the Framework to support the supply of specialist older people's housing?

Yes, the Council agrees that the provision of suitable housing for this specialist group is a priority, and therefore paragraph 62 of the NPPF should be amended to further support the supply

Sevenoaks District has an ageing population. Those aged over 65 make up nearly 22% of the District's current population and will make up 26% of the total population by the end of the Plan period, representing a significant growth in this age group. Based on the ONS 2018-based population projections, it is expected that there will be an additional 6,394 residents aged 65 and over, in the District, by 2040.

The Targeted Review of Local Housing Need (SDC, 2022) identifies a need for 1,044 additional units of specialist older persons accommodation over the emerging plan period 2022-2040, of which 720 units should be provided as retirement housing e.g. sheltered and extra care housing (C3 units) and 324 units should be provided in the form of bedspaces in registered care homes (C2 units).

We would welcome further clarification on the specific typologies to help support our ageing population.

24 Do you have views on the effectiveness of the existing small sites policy in the National Planning Policy Framework (set out in paragraph 69 of the existing Framework)?

Currently, the NPPF requires us to identify land to accommodate at least 10% of our housing requirement on sites no larger than 1 hectare. In Sevenoaks District, this equates to 1,356 new homes over the next 18 years coming forward from smaller sites.

In a district that is heavily constrained, Sevenoaks is well accustomed to bringing smaller sites forward and relying on them to contribute to our housing supply. Small sites have been crucial to housing delivery and they continue to offer opportunities to grow the housing stock. Over the last 5 years, small sites in our built up areas have provided over 20% of built homes district-wide.

The Council considers that, whilst in principle there is merit in a blanket 20 percent requirement for small site contributions, such as diversifying housing stock, there are undisputable drawbacks, such as affordable housing contributions not being triggered.

The Council would also welcome more specific policy around working with developers to encourage the subdivision of large sites, as is mentioned in paragraph 69d of the NPPF.

In relation to affordable housing, the Council continues to believe that there should not be a threshold for provision, and contributions should be sought from sites of a single unit upwards.

25 How, if at all, do you think the policy could be strengthened to encourage greater use of small sites, especially those that will deliver high levels of affordable housing?

This question appears contradictory. Small sites, by their very nature, will not deliver substantial affordable housing, unless the affordable housing threshold set out in the NPPF is reduced.

26 Should the definition of "affordable housing for rent" in the Framework glossary be amended to make it easier for organisations that are not Registered Providers – in particular, community-led developers and almshouses – to develop new affordable homes?

Yes, this would be helpful for local housing companies. Suggest sub clause (b), *the landlord is a registered provider, except where it is included as part of a Build to Rent scheme (in which case the landlord need not be a registered provider)*, is deleted, but for the remainder of the definition to remain in place (rent levels and provision in perpetuity).

27 Are there any changes that could be made to exception site policy that would make it easier for community groups to bring forward affordable housing?

In terms of NPPF, we suggest paragraph 78 in the existing Framework, is amended to allow for both affordable housing and housing suitable for older people, on rural exception sites, subject to local identified housing needs. The provision of, *allowing some market housing on these sites... to facilitate* delivery, should be explained in more detail as including cross subsidy to secure the financial viability of schemes or as providing the necessary incentive for a landowner to release their land for development. This may include the provision of open market housing for the landowner's family members and/or homes to be rented out by the landowner to their own nominees (e.g. farm workers).

It is essential that the NPPF acknowledges and supports the fact that most rural exception site developments involve high levels of community involvement, even when the community does not take on ownership and management of the affordable homes. Whilst some communities will choose the community-led development route, most do not have the skills, capacity or time to take on development and long-term management of affordable homes. Community-led development should be recognised as one means of delivery but certainly not the only form of delivering rural exception sites.

Broadening the definition of affordable rented housing to include provision by non-Registered Providers could be helpful and encourage others such as Community Led Housing group and landowners to provide this tenure. However, this should not compromise the quality of social housing or providing transparent and fair services to residents, including the allocation and management of these homes. See suggestion re. Glossary definition in Question 26.

28 Is there anything else that you think would help community groups in delivering affordable housing on exception sites?

A critical aspect of successful rural exception site delivery is constructive community involvement and partnership working. Rural Housing Enablers/Community-Led Housing Enablers have a track record in supporting and ensuring these are in place. However, their funding is precarious and their numbers are declining. Government could help communities bring forward rural exception sites and other urban sites, whether through a Registered Provider or community-led development by funding a national programme to establish these posts on a financially sustainable footing. Complementing, but not instead of such enabler funding, Government could also provide revenue funding so those communities interested in community-led development can access the additional technical and project management support required for community-led development schemes, i.e. as previously provided by the Community Housing Fund.

29 Is there anything else national planning policy could do to support community-led developments?

Recognition and implementation of more specific requirements surrounding the importance of establishing relationships between the community level, local government and housing association level. The Community Empowerment Act (Scotland 2015) sets out best practise for district/town councils to engage with communities via the National Standards for Community Engagement. Therefore, equipping local government with the tools necessary to engage with the community on community led development.

30 Do you agree in principle that an applicant's past behaviour should be taken into account into decision making?

Yes, the Council is supportive where this is relevant to unlocking stalled development. It is queried how this will work in practice. Whilst the details of how these sanctions could be applied are still to be developed, any mechanisms which bring forward long vacant sites are to be welcomed.

31 Of the two options above, what would be the most effective mechanism? Are there any alternative mechanisms?

Option 1 relates to considering past behaviour as a material consideration and Option 2 would allow authorities to decline application from those who have a track record of irresponsible behaviour. Both these options could work in practice, but the important detail regarding how applicants are assessed and then recorded as 'demonstrating irresponsible behaviour' needs to be developed and could be challenging to implement and keep under review.

The Council is trying pro-actively to unlock a number of stalled sites, and would therefore be supportive of these measures to bring forward development on sites which have stood vacant with planning permission for too long.

32 Do you agree that the 3 build out policy measures that we propose to introduce through policy will help incentivise developers to build out more quickly? Do you have any comments on the design of these policy measures?

The three measures are – publishing data on developers who fail to build out, developers being required to explain how their mix of tenures will help scheme's absorption rate (rate at which homes sold) and making delivery a material consideration in planning applications. Again, these measures are all supported (subject to a threshold to focus on larger-scale developers). Developers should also be required to consider the phasing of infrastructure requirements related to development and held to account where infrastructure is not forthcoming in a timely manner.

It is also noted that planning permission is regularly sought in order to establish the price for a site, which is then sold on to an alternate developer, who may re-submit for revised planning permission. This process is unlikely to change, but perhaps there is a mechanism to provide greater understanding that the original developer is not intending to build out the permission.

33 Do you agree with making changes to emphasise the role of beauty and placemaking in strategic policies and to further encourage well-designed and beautiful development?

Well-designed places incorporate a broad spectrum of considerations (10 Characteristics of Place) and it is important that the principle of good design (beauty) is therefore woven throughout national planning policy.

34 Do you agree to the proposed changes to the title of Chapter 12, existing paragraphs 84a and 124c to include the word 'beautiful' when referring to 'well-designed places', to further encourage well-designed and beautiful development?

The word 'beautiful' poorly describes 'well-designed places'. Beautiful is subjective and implies to the lay-person that good design is primarily concerned with the aesthetic. Clear language ensures that our communities can appreciate and engage with all considerations and opportunities in creating a well-designed place/space.

35 Do you agree greater visual clarity on design requirements set out in planning conditions should be encouraged to support effective enforcement action?

It is already a national requirement that LPAs approve clear and accurate plans. Brand specified materials could be approved as part of the application but this causes delays and amendments if the specified materials are no longer available. It would be more appropriate to specify the qualities of the chosen material as part of the Design and Access statement so that developers, LPA and communities are clear about what is being agreed. For example – “A mix of creased red bricks of three varying hues with a tumbled finish and a mortar in a light yellow sand tone to match the picture”

36 Do you agree that a specific reference to mansard roofs in relation to upward extensions in Chapter 11, paragraph 122e of the existing framework is helpful in encouraging LPAs to consider these as a means of increasing densification/creation of new homes? If no, how else might we achieve this objective?

Specifically referencing mansard roof extensions is unnecessary and is likely to limit innovation with regards to upward extensions. To achieve this objective, paragraph 122e could be extended to also include ‘They should also support opportunities for sympathetic and appropriate upward extensions if they will maximise density in a sustainable location and utilise embodied carbon of existing structures.

37 How do you think national policy on small scale nature interventions could be strengthened? For example, in relation to the use of artificial grass by developers in new development?

In Sevenoaks District Council’s experience, artificial grass is more often an issue as a result of Class F of the PDR. However, policy could require the incorporation of small scale nature interventions through hard and soft landscaping schemes. In particular policy could require SUDs for a greater range of schemes (not just Majors or those that require a FRA) and taking more of a catchment approach. It should also be a requirement that NBS style SUDs are used first, with technical solutions e.g. underground tanks a last resort, and only when it has been demonstrated that no other form of SUDs is feasible.

Sevenoaks District Council considers that Government needs to go beyond just planning policy and consider amending PDR so that householders no longer have the right set out under Class F to lay hardstanding (including artificial grass) to the rear/side of a dwellinghouse. It also needs to ensure that small-scale NBS are secured across the public realm, including on public highways.

38 Do you agree that this is the right approach making sure that the food production value of high value farm land is adequately weighted in the planning process, in addition to current references in the Framework on best most versatile agricultural land?

Current policy references (paras 174 (b) and 175 and footnote 58) already steer LPAs to consider BMV agricultural land and to weight lower quality agricultural land in preference to higher quality. The change to footnote 58 will require LPAs to consider the 'availability of agricultural land used for food production'. It is unclear how LPAs will be expected to undertake this consideration i.e. What geographic scope (presumably just within the LPA's admin area) and what data is available for LPAs to check whether and what land is available for agricultural food production.

39 What method or measure could provide a proportionate and effective means of undertaking a carbon impact assessment that would incorporate all measurable carbon demand created from plan-making and planning decisions?

Sevenoaks District Council has committed to working towards achieving net zero carbon emissions by 2030 for the Council and its assets. We also have an ambition to assist the District to become net

zero. We are doing this through a number of actions, including by aligning our plans and strategies with our commitment. As such our emerging local plan will include policies to ensure development has a minimal impact on the climate and we will be aiming for development to be designed to be as low carbon as possible. Whilst we measure the amount of carbon emitted by the Council each year, we are not undertaking any carbon impact assessments of our LP but would be supportive of any such assessment coming forward.

40 Do you have any views on how planning policy could support climate change adaptation further, specifically through the use of nature-based solutions that provide multi-functional benefits?

Sevenoaks District Council is seeking to improve the resilience of our District to a changing climate through our Net Zero 2030 commitment. Our emerging Local Plan is a key driver, which will seek to ensure developments implement measures to support climate resilience and adaptation. As such we will be seeking all developments to achieve a mains water consumption target of 110 litres per head per day; they should be designed to promote water efficiency and they should use appropriate water harvesting measures.

However, it should be made a requirement that all new developments in areas of serious water stress achieve these standards. More explicit consideration should be given to how proposals address the changing climate and what measures they've incorporated accordingly e.g. Soleil brise; this should include the built form and associated landscaping. Both hard and soft landscaping can contribute, with more consideration given to adaptive soft landscaping using planting which will be more suited to hotter, drier summers and which provide shade etc. A greater use of nature based SUDs and use of grey and rainwater harvesting should be also requirement.

Ch.8 - Energy

41 Do you agree with the changes proposed to Paragraph 155 of the existing National Planning Policy Framework?

Yes. The Council has made a commitment to work towards achieving net zero carbon emissions for the Council and its assets by 2030 (Council emissions). This is alongside an ambition to assist the District in becoming net zero, by working closely with local communities (District emissions) and to improve the resilience of the District to a changing climate (Climate resilience). Net Zero is a key consideration throughout the Local Plan Regulation 18, which finished its public consultation in January 2023.

The Council is supportive of encouraging renewable technologies to help towards Net Zero. The amendment elaborates on the existing text and so The Council agree with the changes proposed.

42 Do you agree with the changes proposed to Paragraph 158 of the existing National Planning Policy Framework?

Yes. The above answers sets out Sevenoaks District Council's stance on renewable energy and working towards Net Zero. Similarly, The Council is supportive of provisions to extend renewable energy sources and agree with the proposed amendment.

43 Do you agree with the changes proposed to footnote 54 of the existing National Planning Policy Framework? Do you have any views on specific wording for new footnote 62?

Whilst there is no issue with the overall support of wind energy developments, it is questionable how the affected local community and a proposal having community support will be assessed and

defined. It is noted that there will be forthcoming guidance will be issued on this point. In regards to community support, whilst noted public views are an important consideration, community support is not a mandatory pre-requisite for other forms of development in England. Major proposals may be granted despite community opposition so there is some concern this imposes additional requirements for these types of developments.

44 Do you agree with our proposed Paragraph 161 in the National Planning Policy Framework to give significant weight to proposals which allow the adaptation of existing buildings to improve their energy performance?

The Council agrees significant weight should be given to proposals allowing the adaption of existing buildings to improve their energy performance. An emphasis on supporting energy efficiency improvements in existing buildings is welcomed and a good contribution towards Net Zero. However, there is no mention of improving standards for new buildings which is also an important consideration. It is noted this may be addressed under the remit of building regulations.

45 Do you agree with the proposed timeline for finalising local plans, minerals and waste plans and spatial development strategies being prepared under the current system? If no, what alternative timeline would you propose?

The consultation sets out that plans would need to be submitted by 30 June 2025 to be considered under the current system. Since this allows more than two years before submission, this is considered justified. The consultation then states that examinations must be concluded by 31 December 2026, which may provide 1.5 years for examination – it is queried what is the current average length of examination, and this should be reflected in this timing.

46 Do you agree with the proposed transitional arrangements for plans under the future system? If no, what alternative arrangements would you propose?

It is understood that authorities which have a plan which is more than 5 years old (and who are not proactively working towards the June 2025 submission under the existing system), will need to start work on a new style plan immediately when the new system goes live in late 2024, and this plan will need to be adopted within 30 months. Again, this 30 month timetable seems rather unrealistic for plan preparation and examination combined, and it is queried what is the average length of this process, and this should be reflected in the timescales.

47 Do you agree with the proposed timeline for preparing neighbourhood plans under the future system? If no, what alternative timeline would you propose?

Neighbourhood Plans submitted for examination after June 2025 will be examined under the new system and adopted or 'made' plans will continue to apply until they are replaced, which is supported, taking into account the considerable community effort which is required to produce such plans.

48 Do you agree with the proposed transitional arrangements for supplementary planning documents? If no, what alternative arrangements would you propose?

It is suggested that SPDs will become 'Supplementary Plans' which will have the same weight as Local Plans. It is therefore queried whether they will have to go through the same level of consultation and examination as Local Plans, and therefore they will take some time to produce, which is not helpful. SPDs do not contain policy but rather help to explain existing policies with

further detail and example and guidance and the loss of these useful and relatively quick to produce documents is not supported

49 Do you agree with the suggested scope and principles for guiding National Development Management Policies?

Yes, the proposal to have a set of specific DM policies covering national issues, which are clear, concise and consistent is sensible and is supported, whilst ensuring that local character is maintained. The national policies can be developed and supported by national evidence, which is more straightforward and cost-effective than having to produce locally specific evidence. It will also assist DM officers in ensuring what weight to give these policies and balancing weight on different issues.

50 What other principles, if any, do you believe should inform the scope of National Development Management Policies?

There is a need to ensure that both documents (the remaining NPPF and the DM document) are consistent – it is suggested within one folder, so inconsistencies do not develop between the documents.

51 Do you agree that selective additions should be considered for proposals to complement existing national policies for guiding decisions?

- Net zero / carbon reduction in development –yes, this is supported and is a corporate priority for Sevenoaks District Council. There would need flexibility for local circumstances. Clarity on how this area interacts with Building Regulations would be useful.
- Allotments – this should be widened to protection of green spaces. In relation to allotments, how does this fit with other legislation – Allotment Act?
- Housing in town centres – this addition is considered sensible
- Flooding, climate change, Green Belt – yes, carrying policy across from the existing NPPF on these strategic issues is supported and the weight to be attached to these issues.
- It is important to ensure that local character is maintained and local density levels are respected.

52 Are there other issues which apply across all or most of England that you think should be considered as possible options for National Development Management Policies?

- Developer contributions / infrastructure – the proposed new document on the Infrastructure Levy (IL) should be included with the scope of the national DM policies – to set out how infrastructure should be provided and how this links to viability
- Active travel – sustainable movement – support for public transport, walking and cycling.
- Parking standards – qualitative explanation of where different standards should apply
- Density levels in different locations – qualitative guide – setting out generic locations in a sequential order (rather than quantitative policy)
- Utilities – clarity of how this fits into planning process and who is responsible, particularly in relation to water/SuDs/electricity.

53 What, if any, planning policies do you think could be included in a new framework to help achieve the 12 levelling up missions in the Levelling Up White Paper?

Focus outside of the 'Greater South East' so not largely applicable to Sevenoaks District Council. However, within the District, there are wards which feature in the indices of multiple deprivation,

highlighting the disparities within the District, and the need for support and investment also in the South East, which is not universally prosperous. There needs to be a holistic approaches to building communities, and not just building houses.

54 How do you think that the framework could better support development that will drive economic growth and productivity in every part of the country, in support of the Levelling Up agenda?

Focus outside of the 'Greater South East' so not largely applicable to Sevenoaks District Council.

55 Do you think that the government could go further in national policy, to increase development on brownfield land within city and town centres, with a view to facilitating gentle densification of our urban cores?

Gentle densification needs a definition.

Supportive of focus on brownfield land and focus on densification of the urban core of our towns. If Green Belt development is to be restricted as proposed, then densification of these areas is necessary to get anywhere close to meeting housing need. Contaminated land issues may need to be addressed.

56 Do you think that the government should bring forward proposals to update the framework as part of next year's wider review to place more emphasis on making sure that women, girls and other vulnerable groups in society feel safe in our public spaces, including for example policies on lighting/street lighting?

Yes, supportive of these changes to focus on health, well-being and public safety, particularly for women, girls and other vulnerable groups. These could relate for example, to street lighting and public realm design, to ensure spaces are overlooked and subject to passive surveillance, to improve public safety and perception.

57 Are there any specific approaches or examples of best practice which you think we should consider to improve the way that national planning policy is presented and accessed?

We feel it would be of benefit to publish responses to these consultations and provide the ability to filter by region for example, this would allow councils to build a picture of the issues/approach/stance of other local authorities.

Due to the nature of the NPPF, supporting quality public engagement is paramount. Visioning Outcomes in Community Engagement or VOiCE developed and supported by the Scottish Government supports users to facilitate well-constructed, managed and evaluated engagement. Helping provide quality engagement with the NPPF will lead to a document that better responds to an ever-evolving climate in which we are planning.

VOiCE accounts are currently free of charge for any organisations that are working or based in Scotland's communities. Providing an equivalent service in England would improve access and promote meaningful interaction with the NPPF.

58 We continue to keep the impacts of these proposals under review and would be grateful for your comments on any potential impacts that might arise under the Public Sector Equality Duty as a result of the proposals in this document.

No comment.