

## DEVELOPMENT & CONSERVATION ADVISORY COMMITTEE

Minutes of the meeting held on 26 March 2024 commencing at 7.00 pm

Present: Cllr. Williams (Chairman)

Cllr. Reay (Vice Chairman)

Cllrs. Barker, Barnett, Camp, P. Darrington, Malone, Purves, Reay, Roy, Varley, Waterton, and White

Cllrs. Clayton, Esler and Robinson were also present.

### 31. Minutes

Resolved: That the Minutes of the Development & Conservation Advisory Committee held on 12 December 2023, be approved and signed by the Chairman as a correct record.

### 32. Declarations of interest

There were none.

### 33. Actions from previous meeting

There were none.

### 34. Update from Portfolio Holder

The Portfolio Holder advised that planning application performance in Development Management was on course to be the best ever recorded, and it was fantastic effort by all officers who endeavour to provide excellent service for all customers. Within the council's own measured performance indicators 100% of major development applications had been determined and all others within 95%. SDC had the busiest planning department in Kent and he expressed his thanks to the officers. He also expressed his thanks to Andy Byard, from Building Control who was retiring for all his work and dedication to the service, in particular with bringing the building control partnership back in house.

### 35. Referral from Cabinet or the Audit Committee

There were none.

36. Local Plan Update

The Chairman welcomed everyone to the meeting and invited Mr Dobson and Su Hewitt to address the Committee.

The Planning Policy Team Leader presented the report which provided an update on the recent Local Plan Regulation 18 consultation which ran for seven weeks, national planning policy changes and the next steps.

Approximately 5,300 respondents had provided around 11,000 comments however, it was highlighted to Members that although it was useful to see the number of responses on different sites and options, the key issues, themes and topics raised were more important to the analysis. Therefore smaller communities were not penalised due to their size, as it was not a 'numbers game.' In relation to three growth options, the responses were fairly equally split between the first two options. There was little support for option 3 (the combined approach.) Some of the key themes and issues, included:

- The need for infrastructure/services to support new housing, GPs, schools, public transport
- Careful consideration of the Green Belt, particularly given recent updates to national policy
- Concerns about the impacts of traffic and congestion
- The need to provide homes and services for older people
- Concerns about flooding and climate change
- Comments relating to protection of AONB/National Landscapes, and also ecology/wildlife

Appendix A set out a high level analysis of some of the themes and topics consultees raised.

The Senior Planning Policy Officer, further advised on the key policy findings. The top commented policy was Policy SL1 (Sport and Leisure Facilities), which received 87 responses. She highlighted that many of the responses related specifically to opposition to site specific proposals, including the site at Pedham Place, and were not in response to the content and wider role of Policy SL1.

A mix of Housing, Transport and Infrastructure policies completed the top 5 most commented on policies with:

- Policy H2 (Provision of Affordable Housing) - 54 responses
- Policy IN1 (Infrastructure Delivery) - 46 responses
- Policy H7 (Housing Density and Intensification) - 37 responses
- Policy T1 (Sustainable Movement Network) - 34 responses

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The top 5 were closely followed by Policies H3 (Housing in Rural Areas) and H6 (Smaller Sites) with 33 and 31 responses.

Overall, the most commented on chapter was Chapter 2 - Housing Choice for All, which received 251 comments across 9 policies, which included the two policies for Gypsy and Traveller provision. A key theme in Chapter 2 was the compliance with the December 2023 National Planning Policy Framework and simultaneous update to the Planning Policy for Traveller Sites (PPTS).

In the majority of cases, these comments were made by general members of the public and analysis showed that statutory consultees, town and parish councils and other consultation bodies were generally supportive of these policies. However, further work would be undertaken to consider all comments made in relation to policies and these would feed into updates ahead of the Regulation 19 consultation later this year.

The most commented on sites consisted of those which were situated within the Green Belt and National Landscapes. Some of the key topics which were raised in relation to many sites proposed in this iteration of Plan 2040 were:

- Transport and infrastructure, including education and healthcare provision.
- Environmental protection and the impact of development on the Green Belt and National Landscapes
- The provision of affordable housing.

The Planning Policy Team Leader further advised that all these consultation responses would help inform the final draft of the Plan, which would also be informed by various strands of evidence base work which is being finalised. Members were informed of the other evidence base strands which were being looked into, which included Transport, Strategic Flood Risk Assessment (SFRA), Strategic Housing & Economic Land Availability Assessment (SHELAA), Sport Facility/Leisure Strategy, Infrastructure Delivery Plan (IDP) and Community Infrastructure Levy (CIL).

Members were informed that meetings regularly took place with the Council's eight neighbouring authorities under the Duty to Co-operate. Regular meetings also took place with the Department for Levelling up, Housing and Communities.

In relation to national planning policy changes, Members were advised that a new NPPF was published on 19 December 2024, which advised that the plan-making timetable could continue, as many of the changes were limited amounting to more of a change in emphasis, rather than policy.

In relation to the standard method for calculating housing need, the NPPF clarified that this was an advisory starting point, but this had always been the case. The NPPF sets out of para 61 that there may be exceptional circumstances such as particular demographic characteristics which could warrant a departure

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from using this method, but the intention appeared for this to be used to calculate housing need, other than in very unique demographic circumstances.

In relation to the Green Belt, the new NPPF states that there is no requirement for Green Belt boundaries to be reviewed or changed. The Council had already undertaken and published a Green Belt assessment, and this evidence should be taken into account in the plan-making process.

In terms of Exceptional Circumstances, as well as knowing where Green Belt performs less strongly, it was generally accepted that there was an acute need for housing, especially affordable housing and older persons housing, and that there was significant unaffordability in the District. The combination of less-well performing green belt, in sustainable locations, on the edge of existing higher-tier settlements, that could be put to more beneficial use to deliver much needed housing and infrastructure and protect the remainder of the Green Belt was likely to be considered compelling.

The Senior Planning Officer (Policy) advised that the Swanley Neighbourhood Plan was progressing. The final report would be published shortly, which recommended that the plan proceed to referendum, subject to a limited number of modifications.

The Principal Infrastructure Delivery Officer advised that £25,000 had of funding had been received to support the cycling and walking improvements in Swanley with early stakeholder engagement. CIL funding had been agreed to assist with route 6 for the Otford and Seal improvements.

Members took the opportunity to ask questions and discuss the report with a focus on proportionality of responses.

In response to questions regarding baseline sites development briefs, Members were advised that development briefs for Green Belt sites were being prepared and would be available through the regulation 19 consultation. The baseline sites were in regards to being found suitable in the SHELAA document, which looked at all the sites and assessed, and was being in the process of being updated. In regards to the baseline sites, these were urban sites and others were Green Belt which were on the edge of the higher tier settlements which the Green Belt assessment had recommended for potential inclusion within the plan. It would be a combination of exceptional circumstances which would consider green belt sites for inclusion. All responses were being looked at and ongoing conversations and evidence work was continuing.

Members were advised that regulation 19 consultation was the draft of the plan for examination and so there would not be options set out but rather development strategy that would be taken to consultation. In response to further questions, Members were advised that a 'popular site' could be ruled out because of being in a strategic flood zone and so unacceptable or in terms of highways. It was stressed that it was not down to popularity, all sites have been analysed via various evidence based layers and site specific considerations taken into account and then

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it will be determined whether they are credible and suitable or whether they need to be omitted.

In response to further questions Members were advised that plan making was not a short process as every comment was looked at in detail and if there was challenge to an evidence base, it needed to be resolved at the point of pre-submission. All Town and Parishes had at least 1 response but the responses detailed in the report showed those with response rates of over 100. Members were advised that there was the evidence-based page on the website, and modelling the options for transport would be also be shown on the website. Some sites could have fallen within the baseline but then come out because of the other constraints coming forward which could not be mitigated..

Members were advised that regarding the question raised on the sports strategy, a written response would be provided.

*Action: For a written response to be provided regarding the Sports Strategy and future facilities.*

In response to a point raised regarding the interpretation of the NPPF, Members were advised that a response had been circulated previously and was as follows: "The ink is barely dry on the December 2023 iteration of the National Planning Policy Framework, and as such the revisions are as yet untested at Examination. That being the case it is entirely understandable why interpretations of the impact of the amendments may quite reasonably vary.

My take is that paragraph 61 is fairly clear in setting out expectations. It says.

To determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance. The outcome of the standard method is an advisory starting-point for establishing a housing requirement for the area (see paragraph 67 below). There may be exceptional circumstances, including relating to the particular demographic characteristics of an area (25) which justify an alternative approach to assessing housing need; in which case the alternative approach should also reflect current and future demographic trends and market signals.

Whilst we may well have liked footnote 25, identified in brackets, to explicitly mention the planning constraints that are familiar to us here in Sevenoaks, in particular the Green Belt and AoNB - now referred to as National Landscapes - it has stopped some way adrift of that, as copied below.

(25) Such particular demographic characteristics could, for example, include areas that are islands with no land bridge that have a significant proportion of elderly residents.

It remains to be seen what other instances might be considered acceptable to an examining Inspector to deviate from the standard methodology for calculating housing need, but what I believe we all agree on is the need to have a Plan in

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place, to deliver the growth and infrastructure that we know we need, and to ensure the protection of our high quality natural and built environment.”

Resolved: That the report be noted.

### 37. Adoption of High Weald AONB Management Plan 2024-2029

The Senior Planning Officer (Policy) presented the report which advised that the Council was legally required to prepare and publish a management plan for the High Weald Area of Outstanding Natural Beauty. In the High Weald, this requirement was delivered through the High Weald Joint Advisory Committee. A draft management plan had been prepared, after public consultation and with input from the Council, setting out key character components of the High Weald’s natural beauty. It was an important guidance document for functions affecting the AONB and its setting.

The document was due to be approved by the High Weald Joint Advisory Committee on 27 March 2024.

#### Public Sector Equality Duty

Members noted that consideration had been given to impacts under the Public Sector Equality Duty.

Resolved: That it be recommended to Cabinet, that subject to its approval by the High Weald Joint Advisory Committee on 27 March 2024, it be recommended to Council to adopt the High Weald AONB Management Plan.

### 38. Report Of The Chairman Of The Community Infrastructure Levy (CIL) Spending Board - Projects Update

The Chairman of the Community Infrastructure Levy (CIL) Spending Board gave a presentation to Members which showcased the infrastructure projects that had benefitted from CIL Funding, awarded by the CIL Spending Board. Since the Board’s first meeting in 2018, over £9.2 million had been awarded to infrastructure projects in the District. Many of the projects had social, economic and/or environmental benefits that had significantly benefitted local communities. The Chairman highlighted to Members that the funding had been spread throughout the district enabling all areas to benefit.

Resolved: That the report be noted.

### 39. Work plan

Members noted the work plan with the inclusion of the Local Plan update and Regulation 19 Consultation. A report or training on Enforcement would also be brought to a future meeting.

THE MEETING WAS CONCLUDED AT 8.35 PM

CHAIRMAN