

## LOCAL PLAN UPDATE

Development and Conservation Advisory Committee – 5 December 2024

**Report of:** Deputy Chief Executive, Chief Officer - Planning & Regulatory Services

**Status:** For Consideration

**Also considered by:**

**Key Decision:** No

**Executive Summary:** This report provides an update on the Local Plan, the supporting evidence base and next steps.

**This report supports the Key Aim of:**

Protecting the Green Belt

Supporting and developing the local economy

Supporting the wellbeing of residents, businesses and visitors

Ensuring that Sevenoaks remains a great place to live, work and visit

**Portfolio Holder:** Cllr. Thornton

**Contact Officer:** Hannah Gooden, Ext. 7178

**Recommendation to Development and Conservation Advisory Committee:**

Notes the report.

**Reason for recommendation:** To provide an update on the Local Plan.

## Introduction and Background

- 1 This report provides an update on progress on Plan 2040 – a new Local Plan for Sevenoaks District, including evidence base documents and next steps.
- 2 The government consultation on planning reforms to the National Planning Policy Framework (NPPF) and Local Housing Need figures closed on 24 September. Government has indicated that it received a high level of response and it will review comments and publish the revised NPPF ‘by the end of the year’.

## Sevenoaks Local Plan and Evidence Base Updates

- 3 The government consultation presents some wide-ranging potential changes to the national planning policy regime, which will need to be incorporated into the Local Plan, once the new NPPF is finalised.
- 4 In the interim, evidence base work is taking place to ensure that the Council is well-positioned to move forward once the NPPF is confirmed.
- 5 All evidence base documents, once published, are available on our website: [https://www.sevenoaks.gov.uk/info/20069131/plan\\_2040/691/plan\\_2040\\_%E2%80%93\\_evidence\\_base\\_documents](https://www.sevenoaks.gov.uk/info/20069131/plan_2040/691/plan_2040_%E2%80%93_evidence_base_documents)

## Green Belt / Grey Belt

- 6 The NPPF consultation sets out a sequential approach to the release of Green Belt:
  - First, consideration to PDL (previously developed land or ‘brownfield’) within in the Green Belt,
  - Second, consideration to other ‘grey belt’ sites,
  - Third, consideration to higher performing Green Belt sites ‘where these can be made sustainable’.
- 7 Work is ongoing to understand the potential contribution of both PDL and ‘grey-belt’ land in the District, using this proposed sequential approach to Green Belt release, as set out in the consultation. The Council has received PropTech funding from government and has used ‘Landclan’ software to interrogate spatial data to proactively identify potential Green Belt sites for development. For example, in relation to PDL, the system looks for vacant/disused land, with either low or absent EPCs, which is in a sustainable location, close to existing settlements and transport connections.

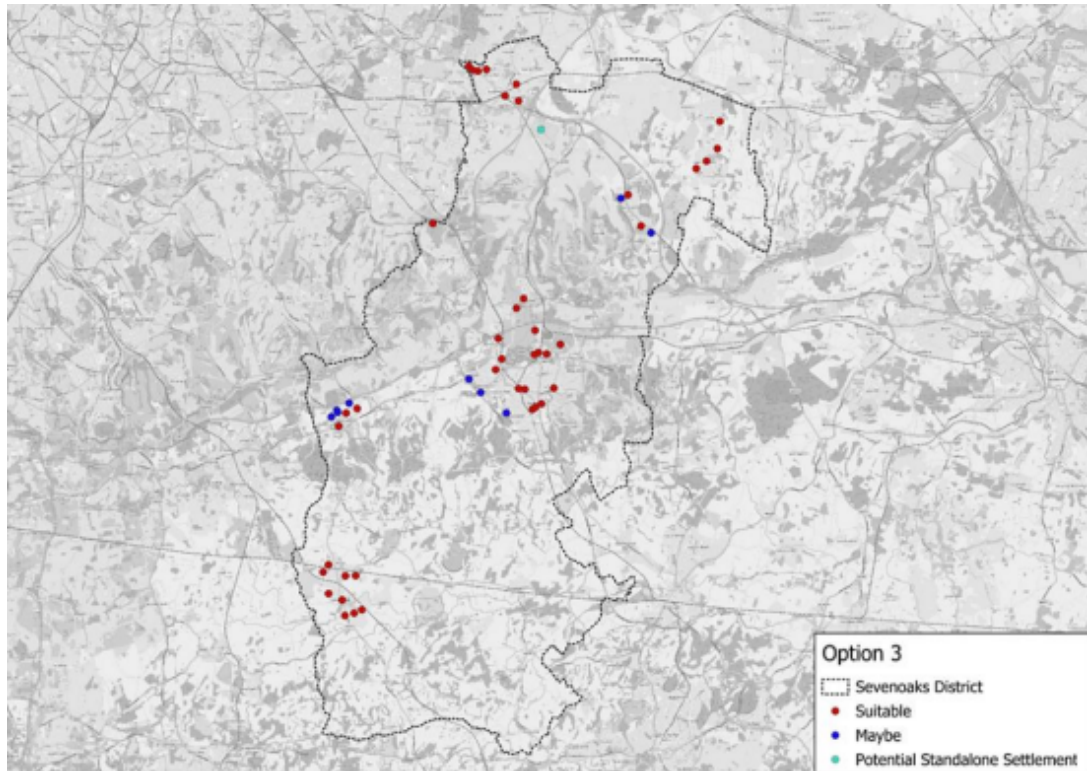
- 8 In addition, we have commissioned an extension to our Stage 2 **Green Belt Assessment**, to help us with the identification of 'grey belt' land, once the final definition has been confirmed by government. The existing assessment looked at the Green Belt performance of *available* sites immediately adjacent to our eight top tier settlements (towns and service settlements). This assessment will be extended to consider all land adjacent to these settlements (not just that which has come forward through the call for sites). It will also be extended to consider 'grey belt' around the next tier down in the settlement hierarchy, villages, where these are situated outside of protected areas, such as the National Landscape (AONB), as these areas are excluded from the definition of 'grey belt'.

### Settlement Hierarchy

- 9 We are also currently beginning the process of updating our Settlement Hierarchy. Members may have already had recent involvement in this process as part of the settlement identification stage of the work. The Settlement Hierarchy is a key technical study, forming part of the Local Plan evidence base, which helps assess each of the District's settlements, taking account of criteria such as population, availability of key services and facilities and public transport options.
- 10 Our current Settlement Hierarchy was published in July 2022, though much of the audit work took place in mid-to-late 2021, during and closely following the period of Covid-19 restrictions. Given the potential impact that lockdowns may have had on this iteration, and the timescales for the emerging Local Plan, it is important that we review and update this document to ensure its accuracy and reliability.

### Transport

- 11 Additional transport evidence has been published:  
[https://www.sevenoaks.gov.uk/downloads/file/4155/stage\\_2\\_sevenoaks\\_2040\\_local\\_plan\\_tests\\_august\\_2024](https://www.sevenoaks.gov.uk/downloads/file/4155/stage_2_sevenoaks_2040_local_plan_tests_august_2024)
- 12 This work assesses the cumulative impact of proposed development on key roads and junctions, including the Strategic Road Network, as managed by Highways England.
- 13 The model has been used to test the three potential growth options (which were consulted on at Regulation 18), to understand their impact on the road network. This has been tested via a county-wide KCC transport model and the results have been shared with National Highways.



#### Assessed sites

14 In summary, the options testing indicates that the baseline sites ('Scenario A' in the report) would result in some significant traffic increases in Edenbridge, which would require mitigation. Junction hotspots included:

- B2026 Station Road and High Street (Edenbridge)
- A25/B2019 Seal Hollow Road (Sevenoaks Town)
- Bartholomew Way, High Street (Swanley)
- M25 J3 / J4

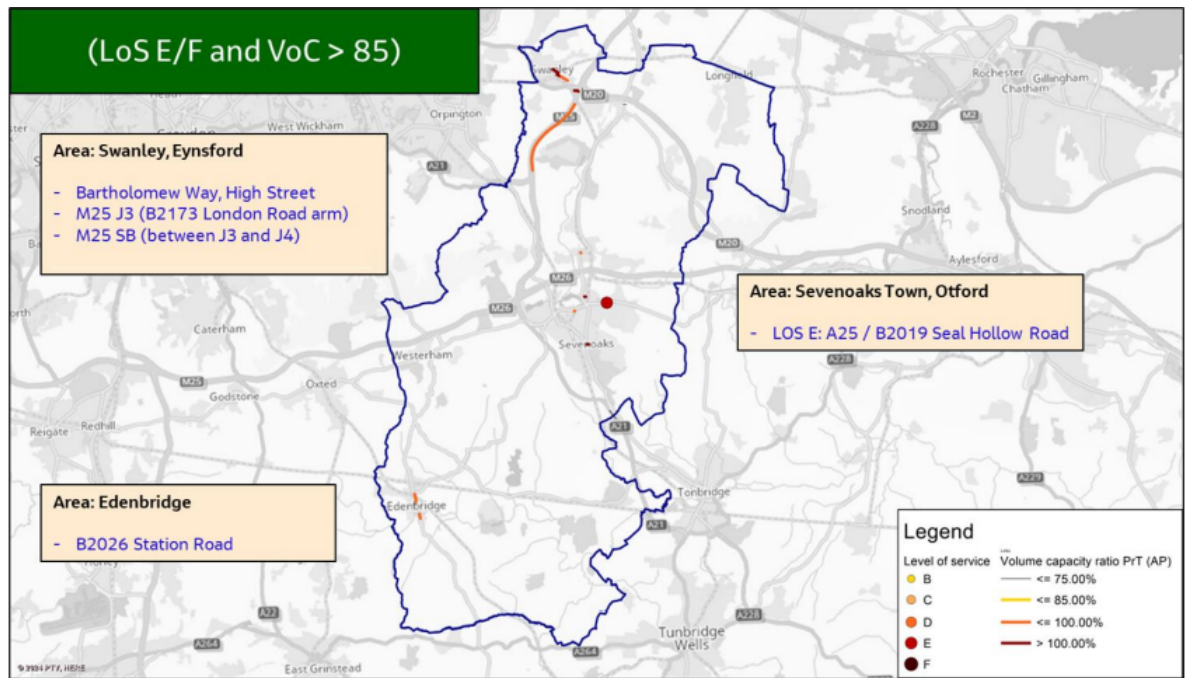


Figure 32 LP Option 3 Junction and Links "Hotspots" – AM Peak Period

- 15 For Option 1, the model showed slight increases in the A25 corridor, around Westerham and Brasted, near where the 'option 1' developments were located. For Option 2 and 3, the road corridors surrounding Pedham Place (M25, A20, A225, Button Street, B2173) showed significant traffic increases. Site developers are required to mitigate the impacts of their development, and the developer-proposed improvements at M25 J3 would help accommodate the additional flows related to the Pedham Place development, but with some capacity issues on the B2173 and A20 London Road.
- 16 In terms of journey time comparison, the modelling shows increases in travel time on routes closest to larger site allocations:
- Route 4 along A20 London Road and Main Road (near Pedham)
  - Route 14 along B2026 Hartfield Road/Main Road (Edenbridge)
  - Route 15 along Crouch House Road /Route 16 along Hilders Lane (Edenbridge)

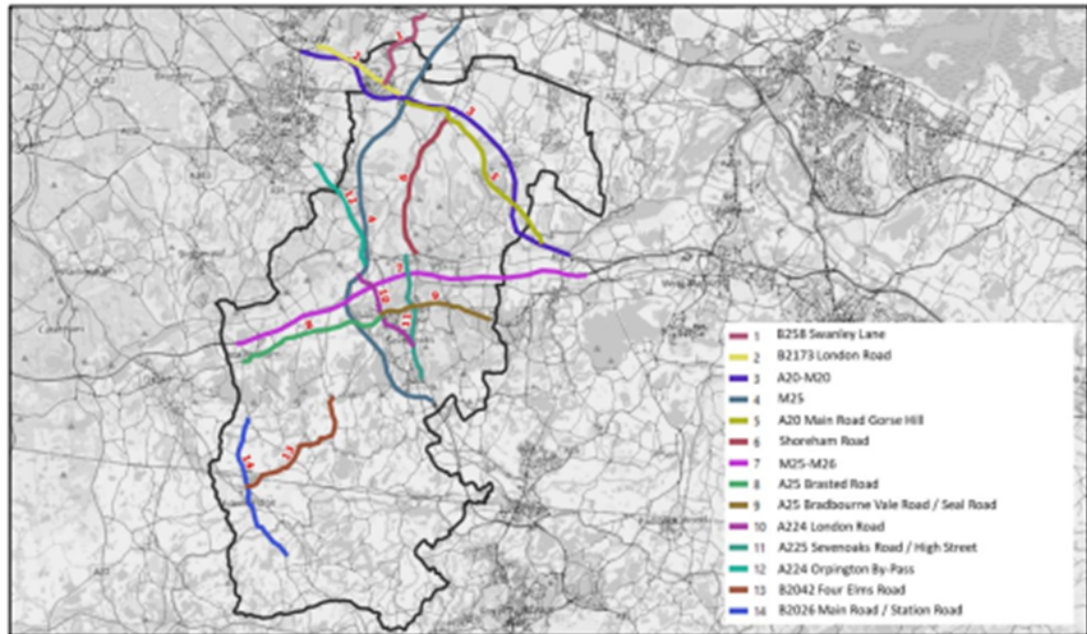


Figure 15 Journey Times Routes in Sevenoaks

- 17 The next stage of work is to test a ‘preferred scenario’ (once known) and consider detailed junction modelling and mitigation. It should be noted that although the local plan option tests provide a high-level summary of network impacts, these will be further refined as work on the local plan progresses and site location and development proposals are finalised.

### Sports Facility/Leisure Strategy

- 18 Both the Sports Facility Strategy and the Playing Pitch and Outdoor Sports Strategy are now complete, having received sign off from Sport England and the National Governing Bodies. They each comprise a Needs Assessment Report and a Strategy Report. The Needs Assessment Reports audit the existing provision of facilities and compare this to demand (including an assessment of future demand), highlighting areas of quantitative and qualitative deficits. The Strategy Reports take these findings and make recommendations, both strategic and site specific, as to how to address these deficits through, for example, the more efficient use of existing provision and funding from, and/or provision on, new development.
- 19 The Strategies now form up to date pieces of evidence in accordance with Paragraph 102 of the NPPF and must be used to inform both decision-making and plan-making, including the requirements of our eventual growth strategy. These are not just Planning documents but must also be used by the whole Council in the carrying out of any relevant functions, for example, when considering the offering of any of its own leisure facilities.

20 Below are some examples of the outputs:

Quality of 20m+ pools in Sevenoaks – Sports Facility Strategy (Needs Assessment Report)

ID	Site name	Lanes/ length	Area (m <sup>2</sup> )	Pool condition	Changing condition
16	Edenbridge Leisure Centre	5 x 25m	250	Below average	Below average
43	Radnor House Sevenoaks	5 x 25m	200	Not assessed	Not assessed
48	Sevenoaks Leisure Centre	6 x 25m	325	Below average	Below average
50	Sevenoaks School	6 x 25m	325	Above average	Below average
54	St Michaels School	4 x 25m	250	Above average	Above average
57	The Granville School	0 x 20m	140	Not assessed	Not assessed
63	Walthamstow Hall	6 x 25m	313	Above average	Below average
65	West Heath School	4 x 20m	160	Above average	Below average
69	White Oak Leisure Centre	6 x 25m	313	Good	Good

Strategic recommendations – Playing Pitch and Outdoor Sports Strategy (Strategy Report)

Sport	Priority recommendations
Football	<ul style="list-style-type: none"> <li>◀ Protect provision.</li> <li>◀ Improve pitch quality especially at key, poor quality and/or overplayed sites such as Common Field Kemsing, Otford Recreation Ground and Shoreham Village School.</li> <li>◀ Consider asset transfer of sites to clubs if appropriate.</li> <li>◀ Enable use of currently unavailable sites such as St Michaels School.</li> <li>◀ Look to improve the ancillary provision at relevant sites such as Harrow Meadow.</li> </ul>
3G pitches	<ul style="list-style-type: none"> <li>◀ Look to increase the total supply of provision to reduce the shortfall of one 11v11 sized pitch, with a priority placed on Russell House School or Antony Roper Primary School.</li> <li>◀ Ensure all future pitches have a sinking fund in place.</li> <li>◀ Ensure all future pitches look to be placed on the FA register to host competitive matches.</li> </ul>

21 Well-attended member training on the sport and leisure evidence base took place on 16 October and the evidence base was shared as requested.

### National Landscape

22 The Landscape and Visual Impact Assessment (LVIA) has been completed, in relation to Local Plan options. It has assessed the potential site allocations in the Kent Downs National Landscape/AONB, put forward at the last Regulation 18 consultation, providing an indication of their likely sensitivity and the potential effect of development with respect to landscape and views. It also assesses the cumulative impact of development within Option 1 and provides an overall recommendation on Option 1 or 2.

- 23 The key conclusions are that there would be potential significant effects on landscape and views from all three options; that they would all directly affect the Kent Downs National Landscape and its setting and that there would be cumulative effects if all of the Option 1 sites were to be developed. In terms of which option is the least harmful, Option 2 (Pedham Place) is identified on the grounds that it is more able to accommodate development of the type proposed due to its land use, character, context and larger size. Furthermore, it provides more opportunity to incorporate extensive mitigation, provide benefits to landscapes and visual amenity and provides more potential to incorporate enhancements.
- 24 The purpose of this evidence was to help guide our consideration of the options (Options 1, 2 or 3). However, the Government's consultation on revisions to the NPPF, which included wide ranging changes, means that we are reviewing our strategic development approach, including with respect to the proposed sequential approach to the release of Green Belt. Until we have done so, we will not know if we will need to consider site allocations in the National Landscape/AONB. If we do, this evidence work may still feed into our decision-making process.
- 25 As noted previously, the statutory duty set out in the Countryside and Rights of Way Act 2000 was strengthened as of 26 December 2023 and now requires relevant authorities, which includes district councils, to 'seek to further the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty'. Guidance on how to apply this new duty from DEFRA is outstanding but organisations, such as the National Landscape Association, are providing their own guidance.

### **Biodiversity Net Gain (BNG)**

- 26 Biodiversity Net Gain (BNG) - the requirement has now been in place for approximately 9 months for majors and 7 months for small-sites (non-majors). Since our last update, the number of applications which have gone through to determination, has remained small in number, as there are many exemptions e.g. householder applications. One of the requirements of Biodiversity Net Gain is that it is secured for a period of 30 years. This can be achieved via condition, section 106 legal agreement or conservation covenant. Section 106 legal agreements or conservation covenants are required for biodiversity gain sites (sites from which biodiversity units can be sold to developers/ applicants), off-site land owned by the developer/applicant and they may be used for significant on-site BNG. The main tool available is currently section 106 legal agreements, due to the low number of designated responsible bodies available to enter into conservation covenants (17 as of 13 November). Where legally secured, there is a requirement that monitoring is undertaken (by or on behalf of the



landowner) over a 30 year period. This is then submitted for review by us, where it is secured by a section 106 agreement. As this is something we can charge a monitoring fee for, on a cost-recovery basis, work is underway which is considering our approach in relation to both planning applications and biodiversity gain sites.

### **Strategic Flood Risk Assessment (SFRA)**

- 27 The SFRA considers the impacts of climate change and assesses the impact that land use changes and development in the area will have on flood risk. The Level 1 SFRA has been updated to reflect changes following a change in Planning Practice Guidance in August 2022. The Level 2 SFRA considers any flood related implications of the proposed site allocations, and is nearing completion. It is likely to need to be updated to reflect any additional sites, once the revised NPPF is confirmed. This evidence will be integral in determining development sites in the emerging Local Plan.

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

- 28 The Infrastructure Delivery Plan is a live document and will continue to develop in conjunction with the emerging Local Plan in consultation with infrastructure providers to identify the strategic infrastructure requirements, to support planned growth. We are continuing to engage with infrastructure providers to understand the extent of infrastructure improvements needed to support growth. The final version of the Infrastructure Delivery Plan will contain more detailed information on projects such as time horizons and indicative costs. As with the SFRA, the IDP is likely to need to be updated to reflect any additional sites, once the revised NPPF is confirmed.

### **Active Travel**

- 29 Local Walking and Cycling Infrastructure Plans (LCWIPs) have been completed for both Sevenoaks and Swanley urban areas, and work has started on a LCWIP for Edenbridge. LCWIPs are a strategic approach to identifying cycling and walking improvements needed at the local level. They provide key evidence to support future funding bids, with any improvements encouraging sustainable movement in the area.
- 30 Construction of the Sevenoaks East to West Walking, Wheeling and Cycling Route has commenced and will be complete by Spring 2025. Feasibility studies and outline designs are almost complete for routes 1 and 6 which connect Sevenoaks with Otford, and route 1 will progress to detailed design, taking it to construction ready status in Spring 2025. Work

has also begun on a feasibility study for walking route 4 connecting Swanley and Hextable.

### **Timetable and Next Steps**

- 31 Cabinet agreed a new Local Development Scheme (LDS) or Local Plan timetable in early July. This indicated Regulation 19 publication in winter 2024 and submission in summer 2025. However, this timetable will need to be adjusted, once the revised NPPF is published
- 32 Additional evidence-base work and consultation will be required in order to update the Local Plan in line with the new NPPF, once published. Our current Local Plan approach is broadly aligned with the likely direction of the changes proposed by the government to the NPPF (i.e. brownfield first, consideration of poorly performing Green Belt etc), but none of the Local Plan growth options contained within the last Regulation 18 consultation meet the proposed local housing need figure.
- 33 Interim work is taking place to start to identify potential areas which could contribute towards our housing supply. Once the revised NPPF is confirmed, this will be followed by targeted consultation with relevant landowners. It is likely that an additional Regulation 18 consultation will take place in 2025, Regulation 19 publication in early 2026, with submission for examination to take place before the end of 2026, for the plan to be considered within the existing national planning regime.
- 34 Duty-to-cooperate meetings continue with neighbouring authorities to explore cross-boundary strategic matters, such as green belt, housing need, transport and the natural environment. The West Kent authorities (Sevenoaks, Tonbridge and Malling and Tunbridge Wells), also meet as a sub-regional grouping to facilitate strategic planning on a wider geographical basis.
- 35 Although the evidence base is now largely complete, specific further updates will be required to assess the impact of any additional sites, for example in relation to transport, flooding, infrastructure and natural environment. There is likely to be financial support from government to support this.
- 36 The revised Local Plan timetable and work programme will be brought to the next advisory meeting in 2025, assuming the NPPF has been published.

### **Other options Considered and/or rejected**

- 37 The option not to progress a new Local Plan would leave the Council open to reputational damage and a high likelihood of the government intervening to produce a local plan for the District over which the District Council would have limited input. The Council would also be exposed to

speculative, un-coordinated development proposals, and with no up-to-date policies to defend decisions at appeal, the Council would lose the ability to shape the future development of the District.

- 38 Given the Council's current housing position, the titled balance of paragraph 11(d) of the NPPF applies, that there is a presumption that the Council should grant planning permission unless the proposal would lead to adverse impacts that would significantly and demonstrably outweigh the benefits, when assessed against the NPPF policies as whole. Once a new Local Plan is in place and the Council's housing supply position improves, the titled balance will no longer be engaged, and the Council will therefore be able to have greater influence over development in the District.

## **Conclusion**

- 39 This report provides an overview of progress on the Local Plan, for information.

## Key Implications

### Financial

The production of the Local Plan will be funded from the Local Plan reserve.

Given the significant uplift in housing numbers proposed for the District, more work is likely to be required, including further evidence gathering and additional consultation with residents and other stakeholders. A SCIA will be considered at Development and Conservation Advisory Committee to reflect that, which suggests that an additional £540,000 could be required over the next three years. The NPPF consultation suggested that transitional arrangements would enable Authorities that have reached an advance stage in their plan preparation prior to the NPPF changes coming into effect to recover any additional costs.

### 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 the Local Plan are set out in the Local Development Scheme.

### Equality Assessment

The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no perceived impact on end users. An Equality Impact Assessment (EQIA) has been prepared alongside the Local Plan.

### Climate Change Implications

The decisions recommended in this paper directly impact our climate change ambition. The impact has been reviewed and there will be a decrease on carbon

emissions produced in the district as a result of this decision. The adoption of the Local Plan, which includes policies in relation to climate change and the environment, is likely to have a positive impact to help decrease carbon emissions in the district, and support the resilience of the natural environment.

#### **Appendices & Background Papers**

All Local Plan consultation documents and supporting evidence are available on the dedicated webpage: <https://www.sevenoaks.gov.uk/plan2040>

**Richard Morris**

**Deputy Chief Executive and Chief Officer – Planning & Regulatory Services**