

Development & Conservation Advisory Committee

Minutes of the meeting held on 24 September 2024 commencing at 7.00 pm

Present: Cllr. Williams (Chairman)

Cllr. Edwards-Winser (Vice-Chairman)

Cllrs. Barker, P. Darrington, Kitchener, Purves, Reay, Shea, Thornton and White

Apologies for absence were received from Cllrs. Barnett and Camp

Cllr. Varley was also present.

11. Minutes

Resolved: that the minutes of the meeting held on 11 July 2024 be approved and signed by the Chairman as a correct record.

12. Declarations of interest

There were none.

13. Actions from previous meeting (if any)

There were none.

14. Update from Portfolio Holder

The Portfolio Holder gave an update on the services within her portfolio. The Council had responded to the national consultation on revisions to the National Planning Policy Framework (NPPF). The response had been examined by Cabinet and a number of Council departments, and had been published as Portfolio Holder Decision 08 (2024/25).

The Portfolio Holder outlined some of the key elements of the consultation and the Council's response. It was proposed to make the standard method for calculating housing need mandatory, rather than an advisory starting point. The Council's response emphasised that establishing and maintaining the character of an area was important, and the need for a mechanism for councils to pressure developers to build out permissions that had been granted.

The council opposed the proposed move from household projections to a "stock" base approach in the calculation of housing need, as it was a static measure that did

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not account for demographic variation and local context. The proposed new method would result in a 58% increase in Local Housing Need for the district – this would require building 1,113 houses per year.

The council supported the proposed definition of “grey belt” land, but noted that not all “grey belt” land would be in sustainable locations and therefore may not be suitable for development. The council therefore suggested that a sustainability criteria be added to the definition of “grey belt”, and that it should be designated as such by the local authority.

It was further proposed in the consultation that planning application fees be uplifted to allow for full cost recovery for all planning applications, with fair apportionment for fees for cross-boundary applications, which the council supported. The council further supported funding for additional work for updates to local plans which the changes to the NPPF would require. The response also called for the proposed 200-unit cut-off between existing and proposed housing need to instead be a percentage of proposed housing need.

Kent County Council were consulting on the draft Local Transport Plan 5, which was designed to balance between economic and environmental demands. Road, rail, and active travel improvements for Edenbridge, Sevenoaks, Swanley, and improvements to the bus plan and EV charging infrastructure in the district were included in the plan.

The Development Management team processed 93% of major applications, and 98% of all other applications, within their target time. Planning applications had declined across the country, due to uncertainty regarding a new government, but the council’s service remained the busiest in Kent. The Planning Enforcement team had introduced new case monitoring procedures, and changes to its performance monitoring, metrics, and communications to help customers understand the limits on the service.

Members of the Development Management Committee had visited the Council’s built-out schemes in a planning design tour earlier in September. The Portfolio Holder explained that for future tours all members would be invited and encouraged committee members to attend.

In response to questions, the Portfolio Holder advised that the consultation did not clarify whether highly-performing Green Belt would ever be considered for development. Sites in National Landscapes could not be classified as “grey belt”, as defined in the consultation. The sequential approach to Green Belt release within the consultation prioritised previously-developed Green Belt land, then “grey belt” land, followed by highly-performing and sustainable green belt land. The consultation did not address Neighbourhood Plans, and maintained that they should be in conformity with adopted Local Plans.

15. Referral from Cabinet or the Audit Committee (if any)

There were none.

16. Local Plan Update including National Planning Policy Update

At the discretion of the Chairman, two members of the public addressed the Committee. They spoke regarding the proposed new housing target for the district, and echoed the Council's concern that it did not adequately consider the local situation. They expressed concern that further large scale developments in Farningham would contribute to pollution at Junction 3 of the M25, and desired for Pedham Place to be excluded from the Local Plan in the future. They further expressed concern regarding the provision of affordable housing and sustainability at the site, and felt that it did not meet the specific housing needs as identified in the Local Plan. They made reference to sites that had been suggested to the Council by Dartford Borough Council and members of the public, and hoped that these sites were explored as the plan was redeveloped.

The Planning Policy Team Leader presented the report, which updated the committee on the Local Plan following the government consultation on proposed changes to the NPPF. The consultation set out a significant change in the calculation of local housing need, which would result in a need of 1,113 homes/year; the council currently delivered ~250-300 homes/year. These results would be mandatory. The method utilised current housing stock, rather than household projections, and the Council felt this did not reflect demographic variation, local trends, and affordability. The Council had already undertaken two Green Belt reviews, in line with the proposed changes. The consultation also sought to define exceptional circumstances in which green belt could be released, which included where authorities could not meet their needs through other means. The Council suggested that Grey Belt should be defined by the local authority and have sustainability criteria within its definition. The response also requested a transitional period before the changes were introduced to allow local authorities to assess grey belt land before planning applications could be submitted.

The officer set out the transitional arrangements included in the proposal. Where local plans had a significant gap, defined as more than 200 homes, between the current and the proposed new housing need figure, plans had to be revised in line with the emerging NPPF. The government had advised that funding would be available to support these revisions, but it was currently proposed that this only be made available to plans which were already at the Regulation 19 stage. The Council felt that this funding be made available to plans that had been out to consultation. The government stated that they wanted to publish the revised NPPF by the end of 2024, but it was felt that this was unlikely given the number of responses to the consultation.

The officer updated the committee on the progress of the evidence base for the Local Plan. The council had received funding from central government which would be used to help identify potential Grey Belt sites. The cumulative transport assessment had been completed, but further work would be required to test the impact of any changes required by the revised NPPF. The district-wide Strategic Flood Risk Assessment (SFRA) had been completed, with work ongoing on SFRA's for proposed site allocations. The Sports and Leisure Facility work was nearly completed, with only the playing pitch and outdoor strategy work outstanding. The Landscape Visual

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Impact Assessment for the Kent Downs National Landscape had been completed, with further consideration of its place in the Local Plan required following the exclusion of National Landscapes sites from the proposed definition of grey belt land. Work was ongoing regarding securing off-site biodiversity units for developments that were unable to provide appropriate biodiversity net gain on-site. Local Walking and Cycling Infrastructure Plans had been completed in Sevenoaks and Swanley, with a further plan to follow in Edenbridge. The Sevenoaks Town East-West Walking, Wheeling, and Cycling route would begin construction in October 2024.

The officer advised that it was highly likely that another Regulation 18 consultation would be needed to adjust the plan, and thus the submission of the plan for examination would need to be moved from 2025 to 2026. The plan would need to be progressed to ensure the council could coordinate strategic development. Members discussed the importance of effectively facilitating feedback from the public, and encouraged learning from the previous consultation to ensure any future one was as effective as possible.

In response to questions, the officer explained that the proposed new planning system would remove the duty to cooperate, but that the council intended to submit the plan before this and would thus still need to demonstrate it had worked with neighbouring authorities. Talks were ongoing with Dartford Borough Council regarding the potential reduction in their housing need should the proposed changes be implemented. Joint evidence base documents were also being discussed with other authorities in West Kent. The officer explained that the council had assessed the performance of Green Belt in the district, and thus had a solid starting point for Grey Belt assessments. Officers emphasised the need for transparency regarding this evidence base in any future call for sites, to ensure the sites brought forward were appropriate. The Council sought to take a proactive approach in the identification of potential sites.

It was clarified that sites that had been omitted for being unsuitable may need to be reinvestigated once the revised NPPF was published. Similarly, sites that had been brought forward for consideration may become less suitable under any revisions, and other sites may become prioritised. Members expressed concerns regarding CIL, biodiversity, and pollution at larger developments within the district, and supported further investigation into these issues once the revised NPPF was published. Members raised queries regarding the death rate in certain rural areas of the district and the possible link to proximity to motorways. Officers agreed that health and wellbeing considerations were crucial to the Local Plan, and explained that this was being investigated.

Members discussed whether the evidence base sufficiently accounted for the population uplift the proposed new housing targets would cause. The officer explained that infrastructure providers would be approached as the Infrastructure Development Plan was reinvestigated, but noted that it was significantly easier for providers to give feedback once sites had been identified. "Soft" infrastructure elements, such as leisure and sports, would also be reviewed should the 58% increase in housing targets be introduced in the revised NPPF. The officers emphasised the

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importance of place-creation in the Plan, and how the design-lead approach for developments brought forward in the plan facilitated this. The committee expressed concern regarding the 50% affordable housing provision requirement proposed in the consultation. They noted that this, coupled with other stringent requirements such as biodiversity net gain, may negatively impact the quality of developments. Members emphasised the importance of fair land valuation in the district to facilitate the provision of affordable housing.

Resolved: That the report be noted.

17. Work plan

The Work Plan was noted with the following changes:

5 December 2024

- Local Plan Update
- Fawkham Neighbourhood Plan Publication
- Infrastructure Funding Statement – Priorities
- CIL Governance & Social Value review
- Budget

THE MEETING WAS CONCLUDED AT 8:33PM

CHAIRMAN