

14 December 2023 at 7.00 pm

Council Chamber, Argyle Road, Sevenoaks

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Cabinet

Supplementary Agenda

	Pages	Contact
7. Swanley Neighbourhood Plan Regulation 16 Consultation Appendix marked To Follow	(Pages 1 - 12)	Vivienne Riddle Tel: 01732 227375

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Dear Swanley Town Council

Swanley Neighbourhood Plan – Regulation 16 Consultation. Representation from Sevenoaks District Council.

Sevenoaks District Council (SDC) welcomes the opportunity to comment on the Swanley Neighbourhood Plan Regulation 16 Consultation, as prepared by Swanley Town Council (STC). Swanley parish contains the District's second town, one of our higher-tier settlements, as well as Swanley Village, one of our hamlets. It was designated as a Neighbourhood Area in November 2014.

Contact between SDC and STC

The Local Authority is only required to consider whether the Neighbourhood Plan meets the basic conditions after the Examination. However, it is important to recognise that there has been regular contact between SDC and STC and we have been providing advice to the Town Council up to this point, as an informal part of the plan making process.

The Town Council and the associated neighbourhood plan clearly recognise the relationship between the National Planning Policy Framework (NPPF), Local Development Plan and Neighbourhood Plans. For Sevenoaks District, this consists of the Core Strategy (2011) and the Allocations and Development Management Plan (ADMP) (2015). They are also cognisant of the emerging Local Plan (Plan 2040), referencing the Regulation 18 consultation undertaken over the autumn/winter period last year and into this year.

As well as the test of 'general conformity' with the Local Plan strategic policies as a whole, it is also required that Neighbourhood Plan policies 'do not undermine strategic policies' for the local area. It is considered that this Regulation 16 Neighbourhood Plan for Swanley broadly conforms with the strategic aims and policies of the District's existing policy framework.

The emerging Local Plan

SDC is currently preparing the Local Plan for Sevenoaks District. We undertook an informal Regulation 18 consultation between November 2022 and January 2023. It explored the opportunities to accommodate our strategic development needs in existing settlements and the potential that exists within them, including different density scenarios.

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Agenda Item 7

We are now running our second Regulation 18 consultation, which started on 23 November 2023 and which will finish on 11 January 2024; it closes on the same day as that of the Regulation 16 Consultation for this Neighbourhood Plan. This takes a more district-wide approach, including consideration of the potential contribution of Green Belt land, and focuses development in and around our 8 higher-tier settlements, including Swanley, as these are considered more sustainable locations, in line with our Settlement hierarchy. Sites within and adjacent to the built-up areas of Swanley are proposed for allocation. In addition, a stand-alone settlement, known as Pedham Place, located to the south/south-east of Swanley is being consulted upon as a potential growth scenario.

A Regulation 19 Pre-Submission Consultation is to follow in spring/summer 2024, with submission (Regulation 22) to the Planning Inspectorate envisaged in summer/autumn 2024.

Detailed comments

The Planning Policy team's comments are attached as an appendix.

Representations from other sections of Sevenoaks District Council are attached

Other Comments

Our previous communications with the Town Council at Regulation 14 stage of the plan are also attached for the Examiner's information.

Conclusion

This representation, along with all other representations received during the Regulation 16 public consultation period, will be sent to the Independent Examiner, once appointed.

Kind regards

The Planning Policy Team
Sevenoaks District Council

Policy	Planning Policy team comments
<p>SwSD1 The Neighbourhood Plan recognises that there are Green Belt sites in the Neighbourhood Plan area that are poorly performing against the purposes set out in the National Planning Policy Framework. Such sites may come forward for development, through allocation in the new Sevenoaks Local Plan. These may have potential to deliver benefits that should be secured through the design, layout, and use of each site. In these cases, they will be supported only where they meet all the policies in the Swanley Neighbourhood Plan and are supported by public transport infrastructure.</p> <p>Development proposals on Green Belt sites other than those identified as poorly performing will not be supported.</p>	No further comments.
<p>SwSD2 Development proposals that result in a net loss of commercial, business and service uses (use class E) on sites in Swanley Town Centre (see Swanley Town Centre MAP 4), other than those which are permitted development will not be supported.</p> <p>Proposed changes of use from Class E will need to be justified with evidence of their non viability and demonstrate that every effort has been made to market them in their current use.</p>	There remains some concerns around including the word 'net' in this policy as it may be difficult to assess.
<p>SwSD3 Development proposals which result in the physical or visual merging of Swanley Village with Swanley Town will not be supported.</p>	No further comments.
<p>SwC1 Development proposals for health facilities in Swanley will be supported where they are:</p> <p>a) Located in the Swanley Town Centre (See MAP 4)</p> <p>Have adequate parking for visitors, patients, and staff.</p>	No further comments.
<p>SwC2 Development proposals that result in any loss of existing green spaces as shown on MAP 7, across all types within the Neighbourhood Plan area will be supported only where replacement green spaces are provided for public use which are suitably located and equal or superior in terms of size and quality.</p>	This policy would be clearer if it employed the same terminology as used on the map i.e. 'open space'.

<p>All development proposals must demonstrate a measurable biodiversity net gain in alignment with the Environment Act 2021.</p>	<p>In relation to the BNG requirement, it may be beneficial to reference that it is only non-exempt development that requires BNG.</p>
<p>SwC3 Proposals that result in the loss of existing community buildings will not be supported unless there is clear evidence that the following two criteria have been met.</p> <p>a) There is no need for the facility (in terms of the current capacity of existing provision, its opening times, location, accessibility, and range of facilities available to local people and businesses) or suitable alternative facilities of a similar size and quality are re-provided as part of the proposal.</p> <p>b) Proposals offer alternative benefits to the community in terms of access to space to assemble, worship, participate in educational activities and personal or civic celebrations.</p>	<p>It is suggested that this policy is amended to reference that these are either/or criteria.</p>
<p>SwC4 The surface water discharge rate for new development proposals (including hard landscaping) in the Neighbourhood Plan area should match or be less than the Existing Greenfield run off rate.</p>	<p>Leave to the LLFA.</p>
<p>SwCD&H1 Development proposals for tall buildings (A tall building for the Swanley Neighbourhood Plan area is defined as a building that is over 4 storeys or 12 metres in height) should take account of the definitions provided in the Neighbourhood Plan for the different character areas of Swanley (See TABLE 7 and MAP 8). Such proposals should take account of their impact on the different character areas of Swanley, and proposals should:</p> <ul style="list-style-type: none"> • Have good access to public transport. • Contribute to improving the permeability of the site and wider area, wherever possible 	<p>It may be better to write the fifth criteria as an example of how additional green space could be provided.</p> <p>As the Green Belt is not a landscape designation and given its fundamental aim is to prevent urban sprawl by keeping land permanently open, the impact upon views from the Green</p>

<ul style="list-style-type: none"> • Relate well to the form, proportion, composition, scale and character of surrounding buildings, urban grain, and public realm (including landscape features), particularly at street level. • Incorporate publicly accessible amenity and play space within the site area. • Where appropriate, provide additional green spaces in the form of roof gardens for residents of the development. • Have ground floor activities that provide a positive relationship to the surrounding streets. • Incorporate the highest standards of architecture and materials, including sustainable design and construction practices. • Should not affect their surroundings adversely in terms of microclimate, wind turbulence, overshadowing, noise, reflected glare, aviation, navigation, and telecommunication interference. • The impact of tall buildings proposed should be given specific consideration in relation to their impact on local or strategic views both from the designated Green Belt land which surrounds Swanley and from Swanley to designated Green Belt land. 	<p>Belt is not considered a relevant consideration.</p>
<p>SwCD&H2 Development proposals for Swanley Village, should demonstrate how the overarching design and architectural design principles in the Design Guide have been applied to proposals within the areas defined in the Guide of both the New Swanley Village area and the Conservation area.</p>	<p>It is recommended that this refers to the full title of the Design Guide for clarity and the map showing the area covered by the Design Guide.</p>
<p>SwCD&H3 The following have been identified as non-designated heritage assets to ensure their protection into the future:</p> <ul style="list-style-type: none"> • The gates to the former White Oak Hospital. • The Keston – a detached house of character on Swanley Lane • The William Mitchell exterior panels • St Marys the Virgin Church 	<p>Leave to Conservation and Design team.</p>
<p>SwH1 All new homes should as far as possible, be designed to meet a minimum Energy Performance Certificate rating of B to reduce costs in use</p>	<p>No further comments, aside to note that our emerging LP is seeking low</p>

<p>and contribute to reducing climate change impacts associated with the use of energy.</p>	<p>carbon and climate resilient development.</p>										
<p>SwH2 Homes should meet the Government’s nationally described space standards (NDSS) guidelines as a minimum. Designs should be inclusive for all members of society and cater for those with disabilities and the infirm wherever feasible.</p> <p>Housing layouts must demonstrate how homes meet the storage requirements in the NDSS without being impacted by plant for mechanical ventilation and heating kit.</p>	<p>Our current policy doesn’t require new homes to meet the NDSS. However, our emerging LP is requiring this and it is being tested through our Viability Assessment of the emerging LP.</p>										
<p>SwH3 All new homes where feasible should have access to outdoor space in the form of a private garden, balcony, or patio. These should be additional to the Gross Internal Floor Area minimum spaces sizes provided in the NDSS.</p>	<p>No further comment, aside to note that as mentioned previously, the second line does not seem relevant.</p>										
<p>SwH4 All homes should, where feasible, have dedicated working space with natural light</p>	<p>This policy could do with clarifying what type of working space is required e.g. office/study space.</p>										
<p>SwH5</p> <table border="1" data-bbox="210 874 1167 1289"> <tr> <td colspan="2" data-bbox="210 874 1167 1018"> <p>Housing developments in the Neighbourhood Plan area are expected to deliver the following densities where feasible, subject to meeting the other policies in the Neighbourhood Plan and ensuring that the distinctive character of the area is not compromised.</p> </td> </tr> <tr> <td data-bbox="210 1018 976 1086"> <p>Location</p> </td> <td data-bbox="976 1018 1167 1086"> <p>Density</p> </td> </tr> <tr> <td data-bbox="210 1086 976 1155"> <p>Swanley Town centre (see MAP 4)</p> </td> <td data-bbox="976 1086 1167 1155"> <p>100 DPH</p> </td> </tr> <tr> <td data-bbox="210 1155 976 1224"> <p>Rest of Swanley</p> </td> <td data-bbox="976 1155 1167 1224"> <p>50 DPH</p> </td> </tr> <tr> <td data-bbox="210 1224 976 1289"> <p>Edge of Swanley (sites adjacent to the Green Belt Boundary) and Swanley Village</p> </td> <td data-bbox="976 1224 1167 1289"> <p>30 DPH</p> </td> </tr> </table>	<p>Housing developments in the Neighbourhood Plan area are expected to deliver the following densities where feasible, subject to meeting the other policies in the Neighbourhood Plan and ensuring that the distinctive character of the area is not compromised.</p>		<p>Location</p>	<p>Density</p>	<p>Swanley Town centre (see MAP 4)</p>	<p>100 DPH</p>	<p>Rest of Swanley</p>	<p>50 DPH</p>	<p>Edge of Swanley (sites adjacent to the Green Belt Boundary) and Swanley Village</p>	<p>30 DPH</p>	<p>It is recognised that this policy supports higher density in the town centre than current policy SP 7 in our town centres (75dph) and higher levels within the urban area but with lower densities on the edge of urban areas. Moving forward, our emerging Local Plan will be seeking to make best and most efficient of land proposed for development, making use of optimum densities (100 dph on the edge of built up areas), including land which is released from the Green Belt. As such the proposed lower density on the edge of the settlement</p>
<p>Housing developments in the Neighbourhood Plan area are expected to deliver the following densities where feasible, subject to meeting the other policies in the Neighbourhood Plan and ensuring that the distinctive character of the area is not compromised.</p>											
<p>Location</p>	<p>Density</p>										
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<p>Edge of Swanley (sites adjacent to the Green Belt Boundary) and Swanley Village</p>	<p>30 DPH</p>										

	is likely to be out of step with emerging policy.
SwH6 New housing developments of ten dwellings or more should, wherever feasible, include public Amenity Green Spaces based on 0.60 Ha of area per 1000 new residents to be accommodated within the development. Amenity green spaces/roofs should be provided for wherever possible in developments of commercial and community infrastructure.	No further comment.
SwH7 All new developments of 10 dwellings or more which are not within 400m of an existing play space should, where feasible, include a Play area for children of at least 100 sq. m within the site.	Our emerging LP policy is requiring LAPs for schemes of 5 dwellings and above.
SwEE1 Proposals to upgrade, intensify or extend the employment sites on MAP 11 are supported	It is noted that one of these sites is within the Green Belt (TE9), and as such it is considered that this policy needs to be amended to address that or the site removed. Extension of this site into the Green Belt (and potentially its intensification) would be contrary to the NPPF.
SwEE2 Proposals for the redevelopment or change of use of land or buildings in employment use shown on MAPs 11 and 12 to non-employment uses, other than those which are permitted development, will only be permitted when: a) The site has been registered with an agent, including notices on site. b) Marketing of the site over a period of a minimum of 12 months demonstrates that there is no realistic prospect of the use of the site for employment purposes; or c) The strategic need for the proposed use clearly exceeds the need for continued use for employment purposes.	It is noted that this policy requires 12 months marketing for all employment sites shown on the two maps. Our policies (both current and emerging) ask for 6 months for non allocated sites and 12 months for allocated. We remain of the opinion that this greater length of time needs to be adequately justified. Also suggest that there needs to be consideration as to how the policy is constructed i.e. is it a and b or c and it is also very specific and limited in terms of what it's requiring in relation to marketing.

<p>SwEE3 Proposals for other smaller employment sites will be permitted where they do not conflict with other policies in this Plan and provided that all the following criteria are met so that proposals:</p> <ul style="list-style-type: none"> a) Do not involve the loss of dwellings. b) Contribute to the character and vitality of the local area. c) Are well integrated into and complement existing clusters of activity, particularly in Swanley Town Centre (see MAP 4). d) Protect any neighbouring residential amenity. e) Do not adversely impact upon road safety. f) Enhance the overall development and provision of employment, including self-employment space. g) Do not adversely affect the attractiveness of the local countryside. 	<p>This policy could do with being clarified. It is presumably aimed at allowing new employment sites but this isn't entirely clear.</p>
<p>SwEE4 Proposals for hotel accommodation and visitor facilities within the Neighbourhood Plan area will be supported where they do not conflict with other policies in this Plan and provided that all the following criteria are met so that proposals:</p> <ul style="list-style-type: none"> a) Do not involve the loss of dwellings. b) Contribute to the character and vitality of the local area. c) Are well integrated into and complement existing clusters of business activity. d) Are well provided with parking and located close to public transport connections. e) Protect any neighbouring residential amenity. f) Do not adversely impact upon road safety. g) Enhance the development and provision of employment and self-employment 	<p>Our Core Strategy supports the provision of a hotel in the town however it remains unclear how a hotel or visitor facilities can contribute to self-employment. As previously, it is considered that it could be clearer where within the Neighbourhood Area a hotel or visitor facilities would be supported. Also to be noted that the standalone settlement to the south/south-east of Swanley includes a hotel as one of the uses promoted as part of the settlement.</p>
<p>SwT1 All new developments close to the A20 and M25 corridors, and associated routes connected to them (Beechenlea Lane, Swanley Lane,</p>	<p>This policy could do with being made more precise as it is unclear what</p>

<p>B2173, B258) should provide tree planting along those routes to act as noise buffers, pollution, mitigation and provide visual amenity.</p>	<p>'close to' A20 and M25 corridors and associated routes means. It is also unclear how it could be delivered, as it appears to suggest that new tree planting should be provided along the A20 and M25 corridors and the associated routes, for sites which do not include land adjacent to those areas.</p>
<p>SwT2 Cycling is encouraged as an alternative mode of transport to the motor car on safe, designated cycle routes whenever possible to reduce pollution and traffic congestion.</p> <p>All new developments <i>should</i> incorporate <i>segregated</i> cycle access ways and adequate storage for bicycles in accordance with Policy SwT4</p>	<p>Leave to CHA.</p>
<p>SwT3 Development proposals should incorporate safe pedestrian footpaths throughout the development and link with other existing pedestrian routes where appropriate and relevant.</p>	<p>Leave to CHA.</p>
<p>SwT4</p> <p>Development proposals for new residential development that require their parking needs to be met on street are not appropriate in Swanley. Car and cycle parking for residential development in Swanley should as far as possible provide:</p> <p>a) Off street vehicle parking to be contiguous with and part of each property rather than as part of a shared arrangement</p> <p>b) Shared parking areas are to be designed to Secure by Design standards and each space clearly visible from the property is serves wherever possible.</p> <p>c) Parking provision will be required to meet the standards set out below unless there is a clear justification for the application of a lower standard to achieve sustainable development:</p>	<p>Leave to CHA.</p>

Home Size	Car Spaces*	Cycle Spaces*	
1 bed house or apartment	1.5 +	1	
2 bed house or apartment	2	2	
3 bed house or apartment	2	2	
4 bed house or apartment	3	2	
* Off road + Rounded down. Space dimensions should be 4.8 m x 2.4 m for cars, and 2 m x 0.75 m for cycles.			
d) Car and cycle spaces for visitors should be provided at a rate of 1 space per 8 homes			
e) All car parking spaces should have access to electric vehicle charging points			
f) A garage will be acceptable as a parking space provided that its internal dimensions are at least 3 m wide and 6 metres long.			
g) Tandem parking should only be permitted where there is no suitable alternative			
SwT5 Development proposals should provide adequate width roadways to cater for domestic traffic as well as emergency vehicles such as ambulances, fire engines and refuse collection vehicles. <ul style="list-style-type: none"> a) Residential developments of 50 or more dwellings shall have a minimum of two access roads onto the main carriageways. b) All developments shall be well-lit with artificial lighting to roads and footpaths using energy efficient LED lighting. 			Leave to CHA.

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| <ul style="list-style-type: none">c) Combined road and footpaths are only acceptable in smaller developments of not more than 10 dwellings.d) All developments should have dedicated cycle ways. | |
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