

20 October 2020 at 5.00 pm

This meeting will be held virtually via Zoom,
and livestreamed here:

https://www.youtube.com/channel/UCIT1f_F50fvTzxjZk6Zqn6g

Despatched: 12.10.20



Development & Conservation Advisory Committee

Membership:

Chairman, Cllr. Hunter; Vice-Chairman, Cllr. Thornton
Cllrs. Barnett, Cheeseman, Clayton, Penny Cole, P. Darrington, Fothergill,
McGregor, Pett, Reay and Roy

Agenda

	Pages	Contact
Apologies for Absence		
1. Minutes To agree the minutes of the meeting of the Advisory Committee held on 7 July 2020, as a correct record.	(Pages 1 - 4)	
2. Declarations of interest Any interests not already registered.		
3. Actions from previous meeting (if any)		
4. Update from Portfolio Holder		
5. Referrals from Cabinet or the Audit Committee (if any)		
6. Budget 2021/22: Review of Service Dashboards and Service Change Impact Assessments (SCIAs)	(Pages 5 - 30)	Adrian Rowbotham Tel: 01732 227153
7. Infrastructure Funding Statement - Priorities	(Pages 31 - 82)	Claire Pamberi Tel: 01732227221
8. Planning White Paper	(Pages 83 - 122)	James Gleave Tel: 01732227326
9. Work plan	(Pages 123 - 124)	

EXEMPT INFORMATION

At the time of preparing this agenda there were no exempt items. During any such items which may arise the meeting is likely NOT to be open to the public.

If you wish to obtain further factual information on any of the agenda items listed above, please contact the named officer prior to the day of the meeting.

Should you need this agenda or any of the reports in a different format, or have any other queries concerning this agenda or the meeting please contact Democratic Services on 01732 227000 or democratic.services@sevenoaks.gov.uk.

DEVELOPMENT & CONSERVATION ADVISORY COMMITTEE

Minutes of the meeting held on 7 July 2020 commencing at 5.00 pm

Present: Cllr. Hunter (Chairman)

Cllr. Thornton (Vice Chairman)

Cllrs. Barnett, Cheeseman, Clayton, Penny Cole, P. Darrington,
Fothergill, McGregor, Pett and Roy

An apology for absence was received from Cllr. Reay

Cllrs. Dr. Canet, Perry Cole and Esler were also present.

40. Minutes

Resolved: That the Minutes of the meeting of the Development and Conservation Advisory Committee held on 10 March 2020, be approved and signed by the Chairman as a correct record.

41. Declarations of interest

No additional declarations of interest were made.

42. Actions from previous meeting

There were none.

43. Update from Portfolio Holder

The Portfolio Holder reported that much of what she had to report was available in her report to the [Scrutiny Committee](#), and the Community Infrastructure Levy Spending Board and Local Plan were later on the agenda.

Development Management and Building Control targets continued to be met and market share remained healthy with more planning applications determined than this time last year despite more staff remotely working, which was a noteworthy achievement.

The additional investment in Planning Enforcement had been well received and reductions in the number of historic cases continued, with more proactive action being taken across the District. Recently this had included the rapid serving of two Article 4 Directions which removed permitted development rights on sites in West Kingsdown and Edenbridge, for which the local communities were most appreciative.

Agenda Item 1

Development & Conservation Advisory Committee - 7 July 2020

She also reported on some of the many ways the services had adapted to the challenges of working in the current environment, including working virtually using MS teams, Zoom and Skype for Business for both internal and external meetings, including pre-application advice. She advised that the end to end process of most applications was now fully electronic, and Site notices were being issued to most applicants to display.

Recruitment had continued with interviews taking place via Zoom. Two Planning Officer posts had been filled and feedback had been really positive from all involved. The recruitment video released on social media and LinkedIn had been well received. She also reported on some other staffing changes.

She further advised that the Statement of Community Involvement (SCI) had been amended to temporarily reflect social-distancing measures, and Officers had been redeployed to assist pressures in other services areas, for example to help with the delivery of grants to businesses. There had also been an extra focus on staff wellbeing.

The Portfolio Holder asked the Chief Officer Planning & Regulatory Services to update the meeting on some of the recent planning function headlines from central government.

The Chief Officer Planning & Regulatory Services reported that a wider range of commercial buildings would be allowed to change to residential use without the need for a planning application. He assumed on some kind of prior approval process. Builders would no longer need a normal planning application to demolish and rebuild vacant and redundant residential and commercial buildings if they were rebuilt as homes. There would also be much more flexibility introduced on change of use classes but pubs, libraries, village shops and other facilities judged to be essential to communities would not be covered by the flexibilities.

Property owners would also be able to build additional space above their properties via a fast-track approval process, subject to consultation with neighbours. The new regulations were expected to come into effect by September, and as more information came available he would circulate it to the Portfolio Holder and share with the Committee.

44. Referral from Cabinet or the Audit Committee

There were none.

45. Community Infrastructure Levy (CIL) Spending Board - Review of Governance

The Planning Policy Team Leader (Infrastructure) presented a report on the annual review of governance arrangements of allocating Community Infrastructure Levy (CIL) funding to local and strategic infrastructure projects across Sevenoaks District. The current governance arrangements had been agreed by Members of the Development and Conservation Advisory Committee in July 2019. The report set out some suggested changes following feedback received from Officers and the

Chairman and Vice Chairman of the CIL Spending Board. The Planning Policy Team Leader (Infrastructure) advised that within the report Appendix G should be entitled "Process to 'Request a Review' rather than 'Appeal Process'. At the Chairman's discretion the Chairman of the Community Infrastructure Levy (CIL) Spending Board addressed the Committee on the points raised within the report and the value of the yearly governance review. Members noted that there would hopefully be Parish & Town Council training offered in the Autumn.

The Committee took the opportunity to welcome Carlyn Kan to the meeting as the new Infrastructure Delivery Officer.

In response to questions the Planning Policy Team Leader (Infrastructure) agreed that the reference to 'company' in Appendix A did need amending to 'organisation' for consistency.

In response to various questions she gave some examples of recent applications in order to illustrate how the current system had been working. Members were keen that no personal gain could be made at any time as a direct result of CIL funding. Officers were investigating how the council may be able to introduce a similar scheme they understood the NHS had, where they were able to claw back investment rather than there be any future personal financial gain e.g. from improving a privately owned building with a community use.

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

- a) the amendments to Appendix X1 of the Constitution, as set out in Appendices G and H of the report be agreed; and
- b) the report be noted.

46. Local Plan Update

The Strategic Planning Manager presented the report which updated Members on the progress to date.

It was noted that the Green Belt was still afforded protections under current Local Plan and under the National Planning Policy Framework (NPPF).

In response to questions concerning pursuing costs should the judicial review be successful, the Senior Solicitor advised that if successful the Council would pursue as much as it could but warned it would be subject to strict criteria of what could be claimed.

Resolved: That the report be noted.

Agenda Item 1

Development & Conservation Advisory Committee - 7 July 2020

47. Work plan

It was noted that the Arboriculture report would be amalgamated with the Innovation Update, and that the Budget 2020/21: Service Dashboards and Service Change Impact Assessments (SCIAs) should be on the work plan for October 2020.

THE MEETING WAS CONCLUDED AT 6.19 PM

CHAIRMAN

BUDGET 2021/22: SERVICE DASHBOARDS AND SERVICE CHANGE IMPACT ASSESSMENTS (SCIAS)

Development and Conservation Advisory Committee - 20 October 2020

Report of: Deputy Chief Executive and Chief Officer - Finance & Trading

Status: For Comment

Also considered by:

- Housing and Health Advisory Committee - 29 September 2020
- People and Places Advisory Committee - 6 October 2020
- Improvement and Innovation Advisory Committee - 8 October 2020
- Cleaner and Greener Advisory Committee - 13 October 2020
- Finance and Investment Advisory Committee - 21 October 2020

Key Decision: No

Executive Summary:

This report sets out updates to the 2021/22 budget within the existing framework of the 10-year budget and savings plan. The report presents growth and savings/additional income proposals that have been identified which need to be considered (if applicable to this Committee), and requests further suggestions from the Advisory Committees, before finalising the budget for 2021/22.

Informed by the latest information from Government and discussions with Cabinet, it is proposed that the Council continues to set a revenue budget that assumes no direct funding from Government through the Revenue Support Grant or New Homes Bonus. This will result in the Council continuing to be financially self-sufficient.

To achieve this aim and to ensure a balanced budget position over the next 10-year period will be more challenging this year due to the financial impact of the Covid-19 pandemic.

The budget process will be shorter this year so that the Council's budget is set at the November Council meeting instead of the February Council meeting. This should enable any changes to be implemented with effect from 1 April 2021 and the period of uncertainty for staff minimised.

Agenda Item 6

The annual budget gap included in this report is £826,000 which is largely due to Covid-19. The Advisory Committees will comment on the growth and savings/additional income proposals included in the reports, and their recommendations will be considered by Cabinet as part of the process to remove this gap. By addressing the issues this year, this Council will once again be in a strong financial position that other councils would aspire to.

Portfolio Holder: Cllr. Matthew Dickins

Contact Officers: Adrian Rowbotham, Ext 7153, Alan Mitchell, Ext 7483

Recommendation to each Advisory Committee:

a) Advise Cabinet with views on the growth and savings/additional income proposals identified in Appendix F applicable to this Advisory Committee.

(b) Advise Cabinet with further suggestions for growth and savings/additional income applicable to this Advisory Committee.

Reason for recommendation: It is important that the views of the Advisory Committees are taken into account in the budget process to ensure that the Council's resources are used in the most suitable manner.

Introduction and Background

- 1 The Council's financial strategy over the past sixteen years has worked towards increasing financial sustainability and it has been successful through the use of a number of strategies including:
 - implementing efficiency initiatives;
 - significantly reducing the back-office function;
 - improved value for money;
 - maximising external income;
 - the movement of resources away from low priority services; and
 - an emphasis on statutory rather than non-statutory services.
- 2 Over this period, the Council has focused on delivering high quality services based on Members' priorities and consultation with residents and stakeholders.
- 3 Using the data sources available to the Council, this report sets out a budget over the 10-year period but recognises that it is likely that more accurate data will become available and current assumptions may need to be updated.
- 4 In setting its budget for 2011/12 onwards, the Council recognised the need to address both the immediate reduction in Government funding as well as the longer-term need to reduce its reliance on reserves. The outcome was a 10-year budget, together with a four-year savings plan, that ensured the

Council's finances were placed on a stable footing but that also allowed for flexibility between budget years.

- 5 With the Revenue Support Grant provided by Government ceasing from 2017/18 it is important that the council remains financially self-sufficient by having a financial strategy that is focused on local solutions. These solutions include:
 - continuing to deliver financial savings and service efficiencies;
 - growing the council tax base; and
 - generating more income.
- 6 The intention of this report is to provide Members of each Advisory Committee an opportunity to give their views on potential growth and savings/additional income items that could be included in the updated 10-year budget that will be presented to Council on 17 November 2020.
- 7 The 'Financial Prospects and Budget Strategy 2021/22 and Beyond' report has been presented to Cabinet to start the budget setting process for 2021/22.

Financial Self-Sufficiency

- 8 The Council's Corporate Plan 2013-2018 set out an ambition for the Council to become financially self-sufficient which was achieved in 2016/17. The current Council Plan aims to continue with this approach. This means that the Council no longer requires direct funding from Government, through Revenue Support Grant or New Homes Bonus, to deliver its services.
- 9 This approach was adopted in response to the financial challenges the Country was faced with in bringing its public spending down to ensure it was able to live within its means. In practice this has seen Government funding to local authorities dramatically reduced since 2010/11 with Sevenoaks District Council receiving no Revenue Support Grant from 2017/18.
- 10 The decision to become financially self-sufficient is intended to give the Council greater control over its services, reducing the potential for decision making to be influenced by the level of funding provided by government to local authorities.
- 11 The Council's decision to seek to become financially self-sufficient was subject to scrutiny by the Local Government Associations Peer Challenge of the District Council during December 2013. In their closing letter to the Council they concluded that they 'fully support that aspiration and given the existing and anticipated squeeze upon public finances this makes much sense'.
- 12 With the Council receiving no Revenue Support Grant from 2017/18 and New Homes Bonus reducing from 2018/19, this approach remains appropriate. The attached 10-year budget assumes no Revenue Support Grant or New

Agenda Item 6

Homes Bonus. Any funding received from these sources will be put into the Financial Plan Reserve which can be used to support the 10-year budget by funding invest to save initiatives and support for the Property Investment Strategy. One of the aims of the Property Investment Strategy is to achieve an income yield of 3%+ above the Council's average treasury management return (currently 0.6%) when not borrowing or internally borrowing, and 3%+ above the borrowing rate (currently 2.6% for 30 years) when externally borrowing, based on an average over ten years. Therefore, using funding for this purpose will result in additional year on year income that is not impacted by Government decisions.

- 13 Cabinet are keen to remain financially self-sufficient which has served the Council well and ensured it is one of the most financially stable local authorities in the country. Last year a new target was set to replace reliance on Business Rates income over the coming years. However, due to the impact of Covid-19 and the greater uncertainty as Government reviews have been deferred, this will not be addressed during this budget process but remains a future aim. This ambition will allow this Council to move ahead in the knowledge that this council has the financial resources to provide the services that the district's residents need into the future.

Service Dashboards

- 14 The intention of service dashboards is to provide Members with improved information during the budget setting process to provide context and inform any growth and savings/additional income ideas that Members may put forward.
- 15 The Service Dashboards cover a summary of the services provided, objectives, achievements and opportunities, challenges and risks and performance.
- 16 **Appendix A** contains the Service Dashboard for this Advisory Committee and **Appendix B** contains the budget for those services.

Savings Plan

- 17 **Appendix C** to this report sets out a summary of the savings/additional income and growth items approved by Council since the 10-year budget strategy was first used in 2011/12, which have allowed the Council to deliver a 10-year balanced budget.
- 18 The savings plan requires a total of over £7.7 million to be saved between 2011/12 and 2020/21 which is an average saving of £770,000 per annum.
- 19 **Appendix D** contains changes since the last 10-year Budget was agreed by Council on 4 February 2020. These changes are largely due to the ongoing impact of Covid-19 and the 2020/21 pay award being higher than previously assumed. These changes were explained in the Financial Prospects report presented to FIAC and Cabinet in September.

- 20 These changes result in a budget gap of £826,000 per annum.
- 21 **Appendix E** contains an updated 10-year Budget to reflect these changes
- 22 In addition to the above budget gap, the 10-year budget attached shows a net saving or additional income requirement of £100,000 per annum in all years to deliver a long-term sustainable budget.
- 23 Other pressures may result in a requirement for further savings. Officers will continue to monitor these pressures and report the latest position to Cabinet in October.

Proposed Growth and Savings/Additional Income Items

- 24 Growth items are items that are in addition to non-service issues and risks, such as grant settlements, impacts of economic change and other pressures highlighted in the 'Financial Prospects and Budget Strategy 2021/22 and Beyond' report considered by Cabinet on 17 September 2020.
- 25 A number of growth and savings/additional income items will be proposed at the Advisory Committees with the aim of achieving the savings/additional income to bridge the £826,000 budget gap.
- 26 The proposed growth and savings/additional income items relating to this Advisory Committee are listed in **Appendix F** (if applicable).
- 27 Service Change Impact Assessments (SCIAs) contain further details for all proposed growth and savings/additional income items. SCIAs applicable to this Advisory Committee can be found in **Appendix G** (if applicable).

Financial Summary

- 28 The assumptions currently included take into account the latest information available, but a number of assumptions may change before the final budget meeting in November 2020.
- 29 The 10-year budget attached at **Appendix E** includes the changes that were included in the 'Financial Prospects and Budget Strategy 2020/21 and Beyond' report.

Role of the Advisory Committees

- 30 A training session on the budget process was provided to Members last year. If Members require any further training or require any additional details on the content of this report and appendices, please contact Adrian Rowbotham or Alan Mitchell prior to the meeting.
- 31 Views of the Advisory Committees on the growth and savings/additional income items proposed together with any additional suggestions will be considered by Cabinet at its meeting on 5 November 2020.

Agenda Item 6

Process and Timetable

- 32 This report is the second stage of the budget process as shown in the Budget Setting Timetable (**Appendix H**).
- 33 The budget process has been shortened this year so that this Council's budget is set at the November Council meeting instead of the February Council meeting. This should enable any changes to be implemented with effect from 1 April 2021 and the period of uncertainty for staff being reduced.
- 34 A Budget Update report will be presented to Cabinet on 15 October 2020 to provide details of progress made before the Budget Setting report is presented to Cabinet on 5 November 2020.
- 35 There will still be a Council Tax Setting report presented to Cabinet and Council in February as that will confirm the full Council Tax for the district in 2021/22 incorporating the Council Tax requirements of the preceptors (i.e. Kent County Council, Kent Fire, Kent Police, Town and Parish Councils).

Key Implications

Financial

All financial implications are covered elsewhere in this report.

Legal Implications and Risk Assessment Statement.

There are no legal implications.

For the effective management of our resources and in order to achieve a sustainable budget it is essential that all service cost changes and risks are identified and considered.

Challenges and risks are included in the Service Dashboards and each Service Change Impact Assessment (SCIA) includes the likely impacts including a risk analysis.

A separate Risks and Assumptions report will be presented to the Finance and Investment Advisory Committee and Cabinet.

Equality Assessment

Members are reminded of the requirement, under the Public Sector Equality Duty (section 149 of the Equality Act 2010) to have due regard to (i) eliminate unlawful

discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010, (ii) advance equality of opportunity between people from different groups, and (iii) foster good relations between people from different groups.

Individual equality impact assessments have been completed for all Service Change Impact Assessments (SCIAs) to ensure the decision-making process is fair and transparent.

Conclusions

The Strategic Financial and Business Planning process has ensured that the Council follows a logical and well considered process and approach in dealing with the many difficult financial challenges that it has faced. The 10-year budget has further improved this process and helped to ensure that the Council is well placed in dealing with more immediate and longer-term financial challenges.

By becoming financially self-sufficient at an early stage, this Council has become much more in control of its own destiny.

The attached 10-year budget shows that this Council is aiming to continue to be financially stable going into the future with a level of assurance that any council would aspire to.

This budget process will once again be a major challenge for a Council that already provides value for money services to a high standard. In making any budget proposals, Members will need to consider the impact on service quality and staff well-being, to ensure that these proposals lead to an achievable 10-year budget that supports the Council's aspirations for customer-focused services.

Members' consideration and scrutiny of the relevant services is an essential and key element in the business and financial planning process. If the net total of growth and savings/additional income proposals identified by the Advisory Committees and approved by Cabinet does not reach the £826,000 target, additional savings will be required that may result in service changes, to ensure a balanced budget position.

Agenda Item 6

Appendices

Appendix A - Service Dashboards relating to this Advisory Committee.

Appendix B - 2020/21 Budget by Service relating to this Advisory Committee.

Appendix C - Summary of the Council's agreed savings plan and growth items.

Appendix D - Summary of changes to the 10-year Budget

Appendix E - 10-year budget

Appendix F - New growth and savings/additional income items proposed relating to this Advisory Committee (if applicable)

Appendix G - Service Change Impact Assessment forms (SCIAs) for the new growth and savings/additional income items relating to this Advisory Committee (if applicable)

Appendix H - Budget Setting Timetable

Background Papers

Financial Prospects and Budget Strategy 2021/22 and Beyond - Cabinet 17
September 2020

Adrian Rowbotham

Deputy Chief Executive and Chief Officer - Finance & Trading

Service Dashboard Portfolio for Development & Conservation

The services we provide

Development control, Local Plan, planning policy, conservation, development services, building control, transport policy, planning enforcement, wellbeing

Service contribution

Statutory service



Income generating



Working in partnership



Council Plan

Wellbeing ✓

Environment ✓

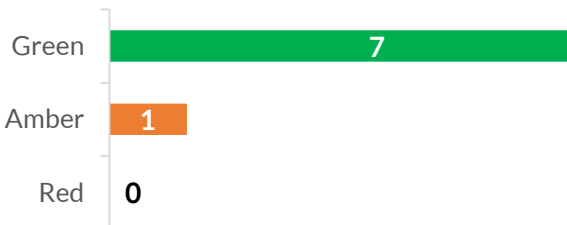
Economy ✓

Housing ✓

Community Safety ✓

Health ✓

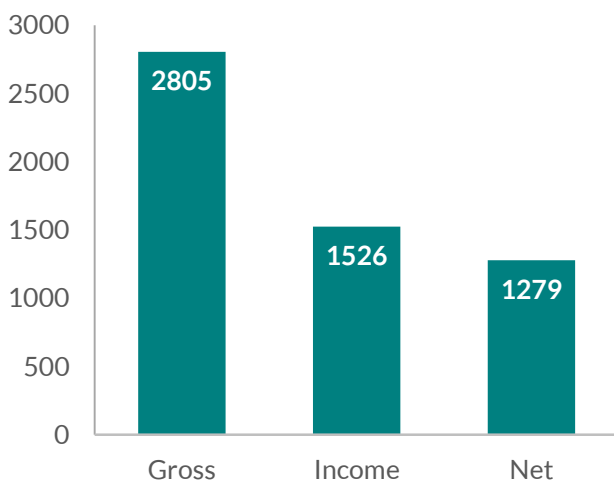
Performance



Achievements & Opportunities

- Consistently high performing development management function for speed and quality of decision making
- Continuing to protect the Green Belt through the Local Plan and planning decisions
- Building Control achieves over 70% of the market share in Sevenoaks
- Tremendous agility in adapting service delivery in response to COVID

Portfolio Budget (£000)



Challenges & Risks

- Adopting the proposals in the Planning for the future White Paper
- Responding to changes to the planning system
- Recruiting talented officers in a difficult market
- Making progress with the Local Plan
- Withdrawing from the BC Partnership whilst maintaining service standards and market share

This page is intentionally left blank

Development and Conservation Advisory Committee				Appendix B
Chief Officer		2020/21 Exp Budget	2020/21 Inc Budget	2020/21 Approved Net Budget
Revenue		£000	£000	£000
Planning & Regulatory Services	Administrative Expenses - Building Control	12	0	12
Planning & Regulatory Services	Administrative Expenses - Planning Services	48	0	48
Planning & Regulatory Services	Building Control	364	(491)	(127)
Planning & Regulatory Services	Conservation	118	0	118
Planning & Regulatory Services	Dangerous Structures	3	0	3
Planning & Regulatory Services	Planning - Appeals	212	0	212
Planning & Regulatory Services	Planning - CIL Administration	33	(100)	(67)
Planning & Regulatory Services	Planning - Counter	0	(6)	(6)
Planning & Regulatory Services	Planning - Development Management	1,176	(924)	252
Planning & Regulatory Services	Planning - Enforcement	299	0	299
Planning & Regulatory Services	Planning Policy	540	(5)	535
		2,805	(1,526)	1,279

This page is intentionally left blank

Summary of the Council's Agreed Savings/Additional Income and Growth Items

Appendix C

SCIA Year	No.	Description	2011/12 - 2020/21 £000	2021/22 £000	Later Years £000	Total £000
		Cleaner and Greener Advisory Committee				
2016/17	8	Playgrounds: reduction in asset maintenance (reversal of temporary saving item)		7		
2016/17	9	Public Conveniences: reduction in asset maintenance (reversal of temporary saving item)		8		
2019/20	7	Car Parking: Enforcement for Tandridge DC (reversal of temporary saving item)		30		
2020/21	8	Postal costs: changes to postal arrangements		(20)		
		Development and Conservation Advisory Committee				
2020/21	3	Development Management: additional income and cost recovery in Strategic Planning		(25)		
		Finance and Investment Advisory Committee				
2020/21	9	Finance Team restructure (reversal of temporary savings item)			87	
		Housing and Health Advisory Committee				
		No savings or growth agreed from 2021/22 onwards				
		Improvement and Innovation Advisory Committee				
2020/21	1	Apprenticeship Levy (reversal of temporary growth item)			(50)	
2020/21	13	Electric Car Project (reversal of temporary growth item)		(5)		
		People and Places Advisory Committee				
		No savings or growth agreed from 2021/22 onwards				
		Minor movements between years		(1)		
		Total Savings/additional income	(7,706)	(1)	87	(7,620)
		Total Growth	2,200	(5)	(50)	2,145
		Net Savings	(5,506)	(6)	37	(5,475)

This page is intentionally left blank

Summary of Changes to the 10-year Budget

Appendix D

Description	Year	Ongoing	2021/22 Impact £000	10-year Budget Impact £000
2021/22 savings target included in 10-year budget (savings not yet identified)			100	1,000
Covid-19 Impacts:				
Council Tax Collection Fund deficit in 20/21 spread over 21/22-23/24	2021/22		121	363
Council Tax Collection rate reductions: 21/22 from 99.4% to 97.9%, 22/23 from 99.4% to 98.4%, later years remain at 99.4%	2021/22		175	296
Reduced income - Car Parking: assumed 25% reduction in 21/22, 20% in 22/23, 15% in 23/24, 10% in 24/25, 5% in 25/26	2021/22		1,027	3,080
Reduced income - Licensing: 21/22 only	2021/22		15	15
Interest Receipts: 37.5% reduction as lower balances to invest due to use of reserves to fund Covid-19 deficit	2021/22		112	1,120
Increased expenditure - FM: cleaning and PPE for staff	2021/22		18	180
Increased expenditure - IT: costs relating to working from home	2021/22		5	35
Sub Total			1,473	5,089
Other Service Area Changes:				
Sub Total			0	0
Base Changes:				
Rolled on to 2030/31 and base figures updated to 2020/21 budget			12	711
Sub Total			12	711
Assumption Changes:				
Pay Award: 20/21 increased from 2% to 2.75%, later years remain at 2%			132	1,455
Sub Total			132	1,455
Total 10-year Budget change gap/(surplus)			1,717	8,255

i.e: £826,000 per annum

This page is intentionally left blank

Ten Year Budget - Revenue

Appendix E

	Budget 2020/21	Plan 2021/22	Plan 2022/23	Plan 2023/24	Plan 2024/25	Plan 2025/26	Plan 2026/27	Plan 2027/28	Plan 2028/29	Plan 2029/30	Plan 2030/31
	£000	£000	£000	£000	£000	£000	£000	£000	£000	£000	£000
Expenditure											
Net Service Expenditure c/f	15,251	15,581	17,156	17,332	17,666	17,870	18,079	18,342	18,872	19,411	19,957
Inflation	666	616	496	503	509	515	522	529	539	547	556
Superannuation Fund deficit	0	0	0	100	0	0	50	0	0	0	0
Net savings (approved in previous years)	(358)	(6)	0	37	0	(1)	0	1	0	(1)	(1)
New growth	160	1,065	(220)	(206)	(206)	(205)	(209)	100	100	100	100
New savings/Income	(138)	(100)	(100)	(100)	(100)	(100)	(100)	(100)	(100)	(100)	(100)
Net Service Expenditure b/f	15,581	17,156	17,332	17,666	17,870	18,079	18,342	18,872	19,411	19,957	20,512
Financing Sources											
Govt Support: Revenue Support Grant	0	0	0	0	0	0	0	0	0	0	0
New Homes Bonus	0	0	0	0	0	0	0	0	0	0	0
Council Tax	(11,264)	(11,443)	(11,862)	(12,357)	(12,741)	(13,136)	(13,542)	(13,933)	(14,335)	(14,747)	(15,170)
Business Rates Retention	(2,139)	(2,182)	(2,226)	(2,271)	(2,316)	(2,362)	(2,409)	(2,457)	(2,506)	(2,556)	(2,607)
Collection Fund Deficit/(Surplus)	0	121	121	121	0	0	0	0	0	0	0
Interest Receipts	(300)	(188)	(188)	(188)	(188)	(188)	(188)	(188)	(188)	(188)	(188)
Property Investment Strategy Income	(1,428)	(1,468)	(1,508)	(1,558)	(1,558)	(1,558)	(1,655)	(1,655)	(1,655)	(1,696)	(1,696)
Contributions to/(from) Reserves	(378)	(365)	(175)	(161)	(604)	194	208	221	236	249	148
Total Financing	(15,509)	(15,525)	(15,838)	(16,414)	(17,407)	(17,050)	(17,586)	(18,012)	(18,448)	(18,938)	(19,513)
Budget Gap (surplus)/deficit	72	1,631	1,494	1,252	463	1,029	756	860	963	1,019	999
Contribution to/(from) Stabilisation Reserve	(72)	(1,631)	(1,494)	(1,252)	(463)	(1,029)	(756)	(860)	(963)	(1,019)	(999)
Unfunded Budget Gap (surplus)/deficit	0	0	0	0	0	0	0	0	0	0	0

Assumptions

Revenue Support Grant:	nil all years
Business Rates Retention:	Business Rates Retention safety-net in 20/21 plus 2% in later years
Council Tax:	2% in 21/22 onwards
Council Tax Base:	Increase of 580 Band D equivalent properties from 21/22, 480 from 27/28
Interest Receipts:	£188,000 in 21/22 onwards
Property Investment Strategy:	£1.468m in 21/22, £1.508m in 22/23, £1.558m from 23/24, £1.655m from 26/27, £1.696m from 29/30
Pay award:	2% in 21/22 onwards
Other costs:	2.25% in all years
Income:	2.5% in all years except for off-street car parks which are an average of 3.5% per annum from 19/20 - 23/24

This page is intentionally left blank

New Growth and Savings/Additional Income Proposals: Development and Conservation Advisory Committee

SCIA Year	No.	Description	Year	Ongoing	2021/22 Impact £000	Budget Impact £000
Growth						
		None				
		Sub Total			0	0
Savings/Additional Income						
2021/22	11	Development Mgt: Additional planning income	2021/22	yes	(36)	(360)
2021/22	12	Planning Policy: Deletion of (vacant) Monitoring Technician post	2021/22	yes	(18)	(180)
		Sub Total			(54)	(540)
		Net (Savings)/Growth Total			(54)	(540)

This page is intentionally left blank

SERVICE CHANGE IMPACT ASSESSMENT

SCIA 11 (21/22)

Chief Officer:	Richard Morris	Service:	Planning
Activity	Development Management	No. of Staff:	25.49 FTE

Activity Budget Change	Year: 2021/22 Growth / (Saving) £000	Later Years Comments (ongoing, one-off, etc.)
Additional income	(36)	Ongoing

Reasons for and explanation of proposed change in service

Development Management activity is likely to increase still further given recent changes to the planning system, proposals that are subject to consultation in the White Paper, and the emerging Local Plan.

Key Stakeholders Affected

None

Likely impacts and implications of the change in service (include Risk Analysis)

Additional income would come from additional work so the impact on the service needs to be carefully monitored.

SERVICE CHANGE IMPACT ASSESSMENT

Risk to Service Objectives (High / Medium / Low)

Medium

2020/21 Budget	£'000	Performance Indicators		
Operational Cost	1,176	Description	Actual	Target
Income	(924)	% of planning applications processed in target time:		
Net Cost	252	Major (13 weeks)	83%	80%
		Minor (8 weeks)	79%	80%
		Other (8 weeks)	93%	90%

Equality Impacts

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.

SERVICE CHANGE IMPACT ASSESSMENT

SCIA 12 (21/22)

Chief Officer:	Richard Morris	Service:	Planning
Activity	Strategic Planning	No. of Staff:	9.29 FTE

Activity Budget Change	Year: 2021/22 Growth / (Saving) £000	Later Years Comments (ongoing, one-off, etc.)
Deletion of (vacant) monitoring technician post	(18)	Ongoing

Reasons for and explanation of proposed change in service

It is anticipated that the work of this post can largely be digitised and automated, and any residual elements can be absorbed within the wider team.

Key Stakeholders Affected

None

Likely impacts and implications of the change in service (include Risk Analysis)

The SCIA links to our digitisation agenda and will enable greater access to and processing of information and data.

SERVICE CHANGE IMPACT ASSESSMENT

Risk to Service Objectives (High / Medium / Low)

Low

2020/21 Budget	£'000	Performance Indicators		
Operational Cost	540	Code & Description	Actual	Target
Income	(5)	n/a		
Net Cost	535			

Equality Impacts

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.

2021/22 Budget Setting Timetable

Stage 1: Financial Prospects and Budget Strategy 2021/22 and Beyond	
8 September	Finance & Investment AC
17 September	Cabinet

Stage 2a: Review of Service Dashboards and Service change Impact Assessments (SCIAs)	
29 September	Housing & Health AC
6 October	People & Places AC
8 October	Improvement & Innovation AC
13 October	Cleaner & Greener AC
20 October	Development & Conservation AC
21 October	Finance & Investment AC

Stage 2b: Budget Update	
15 October	Cabinet

Stage 3: Budget Setting Meeting (Recommendations to Council)	
5 November	Cabinet

Stage 4: Budget Setting Meeting	
17 November	Council

Stage 5: Council Tax Setting	
11 February	Cabinet

Stage 6: Council Tax Setting	
23 February	Council

Note: The Scrutiny Committee may 'call in' items concerning the budget setting process.

This page is intentionally left blank

INFRASTRUCTURE FUNDING STATEMENT - PRIORITIES

Development and Conservation Advisory Committee - 20 October 2020

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

Status: For Decision

Also considered by: Cabinet - 5 November 2020

Key Decision: Yes

Executive Summary: This report looks at the proposed priorities for the Council's new Infrastructure Funding Statement (IFS) which we are required to report to the Govt by the end of this year. The requirement for an IFS was laid out in the new Community Infrastructure Levy (CIL) legislation which was introduced in September 2019.

The new legislation requires us to report on our CIL and Section 106 income and expenditure and also on the infrastructure projects or types of infrastructure that we intend to fund wholly or partly by the levy (CIL). This will cover the period for the next year (2020/21) and will exclude the neighbourhood portion sent to Parish and Town Councils. This encourages local authorities to consider their priority for spending over the next year. This does not mean that local authorities are bound by the priorities laid out in the IFS but that it is hoped that it will provide transparency to developers and the community as to what our intentions are.

To assist members this report, firstly, considers the types of projects that can be included in the priority for spending CIL, it then looks at what we have spent money on through Section 106 and CIL over the last few years. It will then consider the priorities we already have for spending section 106 and CIL. It then importantly considers the evidence of infrastructure needs through reviewing our Infrastructure Delivery Plan which supports our Local Plan. It will then conclude by making recommendations for our funding priorities.

This reports support the Key Aim of: of ensuring that Sevenoaks District remains a great place to live, work and visit and that development is supported by the most appropriate infrastructure.

Portfolio Holder: Cllr. Julia Thornton

Contact Officer: Claire Pamberi ex 7221

Recommendation to Development and Conservation Advisory Committee:

That the recommendations to Cabinet are supported.

Recommendation to Cabinet:

To agree and adopt the following:

1. The criteria for prioritising infrastructure projects for funding in the Infrastructure Funding Statement.
2. That the specific projects and types of Infrastructure recommended in the conclusion of this report are identified in the IFS as having a priority for full or partial funding.

Reason for recommendation:

For the Council to agree on spending priorities for the Section 106 and the Community Infrastructure Levy for the next year.

Introduction and Background

- 1 As Members are aware, Sevenoaks District Council has been a CIL (Community Infrastructure Levy) charging authority since 4th August 2014. From this date until middle of September 2020, the Council have collected just over £9.3 million of CIL contributions.
- 2 Since 2014 and up until the end of last year, the Government asked us to report on our CIL income and expenditure, by producing a report for each financial year, which laid out CIL income and expenditure. This document had to be displayed on our website annually.
- 3 As you may be aware, new CIL Regulations came into force on 1st September 2019. As mentioned previously to you in the CIL Governance Report which came to this committee in July, these changes included:
 - removing the requirement to consult on a preliminary draft CIL charging schedule;
 - applying indexation when planning permissions are amended;
 - removing the restriction on the number of planning obligations that can be used to fund a single project;
 - allowing authorities to spend up to 5% of levy receipts on administrative expenses; and
 - most importantly (in relation to this report) the new legislation introduced new reporting requirements through Infrastructure Funding Statements.
- 4 This new way of reporting is required for all Local Planning Authorities and is expected to be issued on or before 31st December this year.

- 5 One of the new requirements that the legislation has introduced, is a new element to our reporting which asks each Local Authority to report *“on the infrastructure projects or types of infrastructure that the authority intends to fund wholly or partly by the levy.”*
- 6 This report is therefore seeking this committee’s views, after considering the evidence, as to the infrastructure projects that it sees as being a priority and should therefore be listed in the Infrastructure Funding Statement as being intended to be either funded or part funded by CIL.

Infrastructure funding Statements (Background)

- 7 Firstly it is considered important to lay out what Infrastructure Funding Statements (IFS) are and what is required from Local Planning Authorities:
- 8 The Infrastructure Funding Statement will impact upon the way we report on our CIL income and expenditure. Looking at the guidance provided from the Ministry of Housing, Communities and Local Government in September 2019, Infrastructure funding statements must set out the following in Paragraph: 176 Reference ID: 25-176-20190901:
 - *“A report relating to the previous financial year on the Community Infrastructure Levy;*
 - *A report relating to the previous financial year on section 106 planning obligations;*
 - *A report on the infrastructure projects or types of infrastructure that the authority intends to fund wholly or partly by the levy (excluding the neighbourhood portion).”*
- 9 This report focuses on the third bullet point and considers what infrastructure projects or types of infrastructure that this authority intends to fund, either wholly or partly, by the levy or planning obligations. This will not dictate how funds must be spent but will set out the local authority’s intentions and ambitions.
- 10 This is expected to be in the form of a written narrative that demonstrates how developer contributions will be used to deliver relevant strategic policies in the plan, including any infrastructure projects or types of infrastructure that will be delivered, when, and where.
- 11 The main reason that the Government has introduced this new element into reporting is to ensure that there is more transparency over receipts and projected spend of CIL and Section 106s. The aim is to:
 - simplify requests for FOIs
 - Improve stakeholder visibility and understanding
 - Promote infrastructure delivered by our Authority
 - Use it throughout the planning system to help inform and provide evidence.

Agenda Item 7

- 12 It is important to note that this new way of reporting will not impact the process of the CIL Spending Board or how it is run. It is, however, likely to influence the Spending Board when deciding where to allocate money. When the bids are assessed as part of the Spending Board process, if a project meets one of the priorities laid out in this report (IFS), it will be given more weight than projects that are not identified in the IFS.

Discussion

- 13 In considering what Sevenoaks District Councils priorities should be for allocating CIL and Section 106 monies, it is proposed to lay the report out in the following way:
- Firstly, it is considered important to understand what infrastructure is and the types of projects that can be included in the IFS;
 - The report will then consider what Sevenoaks District Council have spent CIL and 106 monies on in the past;
 - It will consider the priorities we have already put in place for CIL and 106 spending;
 - It will then consider the evidence in the Local Plan and the Infrastructure Delivery Plan as to what infrastructure should be prioritised; and then,
 - In light of all the above evidence, it will then propose what the priorities and projects for spending should be.

What is infrastructure?

- 14 Firstly, it is important to identify what infrastructure is and what types of infrastructure there are. This ensures that when we prioritise spending, we are clear as to what we can propose to fund and also that we are aware of what all our options for spending are.
- 15 Infrastructure can be defined as the following:
- “The basic systems, facilities and services which support development in an area. These can include highways and other transport facilities, flood defences, energy, educational facilities, health and social care facilities, community facilities, green blue infrastructure etc”.* (Appendix X1 of the Councils Constitution).

16 Government Guidance states that for any information reported on developer contributions, infrastructure should be categorised as follows:

- Affordable housing
- Education
 - Primary
 - Secondary
 - Post-16
 - Other
- Health
- Highways
- Transport and travel
- Open space and leisure
- Community facilities
- Digital infrastructure
- Green infrastructure
- Flood and water management
- Economic development
- Land
- Section 106 monitoring fees
- Bonds (held or repaid to developers)
- Other
 - Neighbourhood CIL
 - Mayoral CIL
 - Community Infrastructure Levy administration costs

17 Looking at our Infrastructure Delivery Plan, in addition to the above, the main types of infrastructure that we have identified include the following:

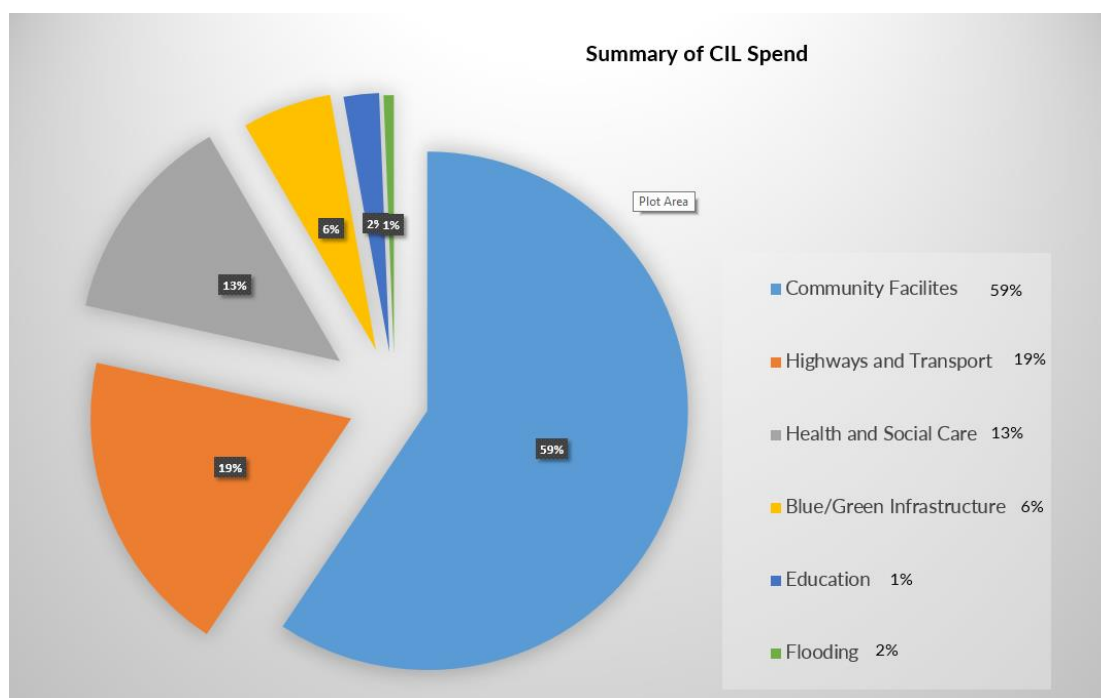
- Highways and Transport
- Flooding
- Utilities
- Communications
- Community facilities (including Tourism)
- Education
- Health and Social Care
- Police and Emergency Services
- Blue/Green Infrastructure

(Please see **Appendix A** for the full list of the types of projects identified through work towards our Infrastructure Delivery Plan).

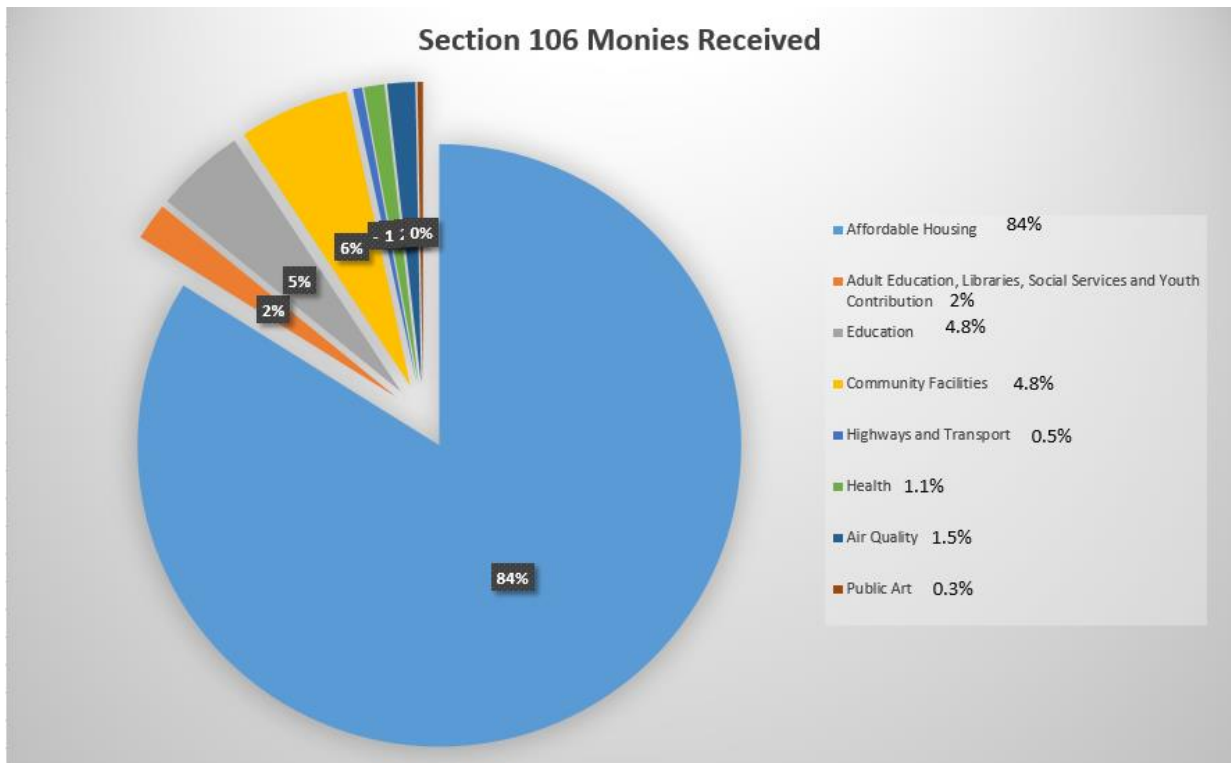
18 When considering what projects we should prioritise for CIL funding in the future, we need to ensure that the infrastructure we fund falls within the categories above (paragraphs 16 and 17), and clearly supports, and is related to, development in an area. Priority should be given to projects which clearly do this.

What have we funded so far?

- 19 As the types and categories of infrastructure have now been identified, it is considered that it may be helpful to show you what has been funded through CIL and 106 over the years. Full details of this can be found at **Appendix B**.
- 20 For CIL since 2014 we have awarded the following different categories of infrastructure projects through the CIL Spending Board:



- 21 The pie chart shows that the greatest amount has been spent on Community Facilities (59%), which has included the White Oak Leisure Centre, village halls, public toilets and play areas. The next largest amount falls under Highways and Transport (19%) which has included train station and footpath improvements. The next is Health and Social care (13%) where money has been awarded to a medical centre/hub and a health pod. These projects have all been awarded funding by following the Councils Constitution regarding CIL Governance (Appendix X1) of the Constitution, which lays out the criteria as to how the bids should be assessed.
- 22 For Section 106s, looking at a period between 2011 and 2016 (as we have the best data over this period) we have secured the following:



23 It is interesting to note here that the money received and spent is different to that allocated through CIL with Affordable Housing being the majority (84%) and with Community Facilities (5.9%) and Education (4.8%) being the next amount. The last two would have been secured before CIL was introduced.

24 If we are now deciding what projects should be prioritised, one issue that needs to be considered is whether we follow the patterns of CIL and 106 and ensure that Affordable Housing and Community facilities continue to be a priority for funding or whether we focus on other types of infrastructure which have not seen so much funding.

CIL Spending Board Priorities

25 As laid out in Appendix A the CIL Spending Board’s key considerations for awarding CIL money are as follows:

26 Firstly, there needs to be a clear public and overall community benefit of the proposed scheme for residents in Sevenoaks District. In determining each project put forward, the Spending Board therefore need to consider the following issues in making its recommendation:

27 (Note - In assessing priorities, it is considered important to include some of these criteria into our priorities for funding identified in the IFS. These are

Agenda Item 7

underlined. The criteria that are not underlined are considered to relate to individual projects and will still be considered by the Spending Board).

- Whether sufficient evidence has been provided to demonstrate a strong social, environmental or economic justification for the scheme.
- Whether sufficient evidence has been provided to demonstrate a strong link between new development and the scheme.
- Whether sufficient evidence has been submitted to show that the project involves partnership working.
- Whether the scheme forms part of a planned, local, economic or community strategy to address the need for local or strategic infrastructure. This includes information in the Infrastructure Delivery Plan.
- Whether sufficient evidence has been provided to show that other sources of funding have been maximised.
- Whether there is sufficient certainty that the scheme will be delivered, including considering whether the project has all the necessary permissions in place and evidence has been provided to demonstrate that there are sufficient maintenance arrangements in place.
- Whether the scheme has local support.
- Whether the project has already benefited from CIL funding through the CIL Spending Board or the Parish and Town Councils.
- Whether the bid provides a benefit to the community as a whole

28 The board may also take into account other factors that it considers relevant, but I think this is a helpful guide to help us assess what our priorities for CIL funding should be in the future.

29 As you are aware, limited CIL funding is available to support all projects that are put forward. Therefore, it is important to note that when we make a decision to prioritise projects, it does not mean that we fund all of the scheme, it just means that these projects will be a priority when considering funding. The inclusion of a project in the IFS will be a consideration that is material to the assessment of bids to the CIL Spending Board, but does not necessarily mean that all of these projects will be funded. This is because the allocations in the Infrastructure Funding

Statement are not binding and also there are other criteria that the Spending Board will consider, as listed above, when allocating the money.

Infrastructure Delivery Plan (IDP)

- 30 A review of the IDP is also helpful as it lays out the priorities for infrastructure spending and also identifies projects that have been put forward by Infrastructure providers to support the Local Plan.
- 31 It has been demonstrated, through the IDP, that a number of infrastructure improvements will be required over the course of the plan period to facilitate development and meet future needs. Furthermore, it also makes it clear that there are no large-scale infrastructure requirements which would inhibit development coming forward or be required to unlock development in the Local Plan.
- 32 In collecting evidence of the infrastructure as part of the IDP and also to assist in considering the needs for the Local Plan, infrastructure providers and delivery partners were contacted and provided with details of the potential development sites that could be taken forward within the Draft Local Plan. Any responses received as part of the Draft Local Plan consultation were assessed and categorised to provide a full infrastructure Schedule to support the Local Plan. (The full schedule is available in full in Appendix C)
- 33 The responses were categorised as follows:
- *Timescale - infrastructure providers giving an estimate to when an infrastructure project would be delivered over the Plan period:*
 - *1-5 years (expected to be delivered between 2015-2020)*
 - *6-10 years (expected to be delivered between 2021-2025)*
 - *11-15 years (expected to be delivered between 2026-2030)*
 - *16-20 years (expected to be delivered between 2031-2035)*
 - *Priority - infrastructure providers giving an indication on how likely the infrastructure project would be delivered to support development.*
 - *Critical - the infrastructure project would have to be delivered prior to any development in order to support it*

Agenda Item 7

- *High - the infrastructure project would have to be delivered in tandem with the development in order to support it*
- *Medium - the infrastructure project would support the delivery of development but there are no plans to bring it forward in the immediate future (1 - 10 years)*
- *Low - the infrastructure project would support the delivery of development but there are no plans to bring it forward within the Plan period.*
- *Risk to Delivery - while infrastructure providers may have the statutory right to carry out the infrastructure project, there could be a potential risk to delivering it. This could include landownership issues, uncertainty over funding streams and other factors.*
 - *High - based on the information submitted, it is highly unlikely that the infrastructure project will be delivered within the Plan period due to the uncertainty of funding / landownership issues etc.*
 - *Medium - based on the information submitted there is a possibility that the infrastructure project may be delivered by the provider.*
 - *Low - it is highly likely that the infrastructure project will be delivered within the Plan period as there are little or no issues with funding or landownership*
- *Funding Position - a summary of how the infrastructure would be funded. The statement also includes whether any funding has been secured or sought through capital investment.*

34 Therefore, based on the above criteria it is considered that priority should be given to infrastructure projects for the following:

- The project needs or will be expected to be delivered within the next 5 years.
- That there is a critical or high infrastructure need where the project has to be delivered prior to or in tandem with any development to support it.

- That there is a Low risk to the project, meaning that the project is likely to be delivered, as there are little or no issues with funding or landownership.
- Where there is a clear plan as to how the project would be funded.

Conclusion

35 Looking at the evidence above and the existing criteria we have put in place it is suggested that infrastructure projects should be prioritised for funding if they meet the following criteria:

- The projects fall within the infrastructure types/projects identified above.
- The projects have been identified in our Infrastructure Delivery Plan. This ensures that the infrastructure prioritised supports the Local Plan.
- The projects clearly relate to proposed or allocated development in the Local Plan. There is therefore a strong link between development and the proposed project.
- That there is a strong social, environmental or economic justification for the scheme.
- Whether the scheme addresses a clear local need for infrastructure.
- That the specific projects have not received CIL previously.
- The scheme has support from infrastructure providers
- That it will be expected to be delivered within the next 5 years.
- That it is identified as having a critical or high need where the project has to be delivered prior to any development to support it.
- Where it is likely that the infrastructure project can be delivered within the plan period as there are little or no issues with funding or landownership.
- Where there is a clear plan as to how the project would be funded.

36 With this in mind, this report will now consider the projects put forward in the IDP (**Appendix C**) under each category:

Highways and Transport

37 There are a number of projects identified as a high priority for Highways or Transport. Whilst ideally, in light of the above, we would require timescales for their implementation, it is clear that they are a high priority, that they fall within the definition of infrastructure and that they would support

Agenda Item 7

development proposed in the Local Plan. Therefore, it is considered appropriate to provide timescales of 1-5 years and the need for these projects and their progress will be monitored annually.

38 In light of the evidence in the IDP and the criteria above, it is considered that the following projects are considered as a priority for funding in the Councils IFS:

1. Swanley Transport Improvement Measures
2. Junction 3 M25 Swanley - improvements required to address increased capacity and accessibility for pedestrians
3. Improvements to bus services in and around Swanley
4. Junction improvements to Bat & Ball
5. Edenbridge Junction improvements
6. Edenbridge - sustainable transport improvements

This supports the preferred development strategy laid out in the Local Plan which seeks to focus growth in existing settlements, including at higher densities.

39 The following are identified as high need in the IDP, however as they are linked to sites still to come forward in the local plan they are not considered to be a priority at the current time:

1. Access roads between A25 and Sevenoaks Quarry site
2. Sustainable transport accessibility improvements to Quarry Site

40 Projects identified as high need, but support sites that were not taken forward in the Local Plan have not been included.

Utilities

41 In light of the evidence in the IDP and the criteria above, it is considered that the following projects are considered as a priority for funding in the Councils IFS:

- Badgers Mount water supply upgrades
- Swanley supply water upgrades

42 Again looking at timescales for this, none have been provided by the Infrastructure providers, so it is proposed that these be made a priority and implemented for the next 1-5 years. A consideration of their progress and need will be reviewed annually.

Education

- 43 Looking at the projects put forward for Educational infrastructure, they do not fall within the priority timescales above. Most are proposed for a time scale of 11-15 or 16-20 years, and have been given a medium to low priority. A number also relate to sites that have not yet come through the Local Plan process.
- 44 It is therefore proposed that the provision of CIL towards education facilities or infrastructure projects is not a priority for the Sevenoaks District Council in this year's IFS.

Community Facilities

- 45 As stated above all the infrastructure projects proposed for community facilities within the IDP do not fall within the priority timescales above. Most are proposed for a time scale of 16-20 years, and been given a medium to low priority. In addition to this, a large amount of CIL has been provided to community projects through the CIL Spending Board for example towards new village halls, and the White Oak Leisure Centre.
- 46 It is therefore proposed that the provision of CIL towards large scale or general community facilities is not a priority for the Sevenoaks District Council in this year's IFS as insufficient evidence has been provided to show that this form of development is currently a priority.

Flooding

- 47 The Upper Darent Flood alleviation scheme is identified as a high priority through the IDP. This project has already been allocated funding through the CIL Spending Board, but the money has not been transferred to the Environment Agency as there appears to be some issues in regard to land ownership and whether the entire project can be implemented. We are however still in discussion regarding this.
- 48 As CIL money had already been allocated to this project which has the highest priority and all the other schemes are either for 16-20 years or their timescales are unknown and are of medium to low priority, it is my view that there are no further schemes where CIL is required as a priority. It is therefore proposed that whether the Upper Darent Flood alleviation scheme can go ahead or not, as no other priority projects have been put forward, that the provision of CIL towards flooding facilities or infrastructure is not a priority for the Sevenoaks District Council in this year's IFS.

Health and Social Care

- 49 The IDP has identified a number of Health and Social Care projects that are of a high priority. Whilst some of these are not required immediately, they have been identified as high priority projects and the expansion of GP practices and increased health care services are vital to support the increase of development in the District and they provide a clear benefit.

Agenda Item 7

50 Taking into account the criteria above it is considered that Health and Social care be identified as a priority for CIL Spending over the next year. In particular, the following projects have been identified:

1. CIL funding is provided to deliver the additional capacity required in the next 6 - 10 years to health services in the following areas:

- Northern Sevenoaks Health
- Swanley,
- Hextable,
- Farningham,
- New Ash Green,
- Hartley,
- Fawkham,
- South Darenth

2. Expansion of GP Practices in the Sevenoaks Urban Area (Time scale 11-15 years).

3. To increase the capacity of Otford Health Services (related to Fort Halstead) (Timescale 6 - 10 years).

This again supports the preferred development strategy laid out in the Local Plan which seeks to focus growth in existing settlements, including at higher densities and provides infrastructure to support allocated sites.

51 Whilst Edenbridge Health Services are also mentioned as a high priority, partial funding towards this project has already been approved through the CIL Spending Board in December last year towards the Edenbridge Health hub. It is therefore proposed that this is not identified as a priority for this year's IFS.

Affordable Housing

52 This is proposed to follow our current planning policies and Supplementary Planning Document. See update to Affordable Housing Policy in **Appendix D**. The income will be spent in light of the portfolio holder's decision as to how we spend the money allocated to affordable housing.

52 The first priority should always be for developers to provide affordable units on site and to work with Housing Providers to identify the right number, size and tenure. However, when a financial contribution is sought through a section 106 agreement, it will be ring fenced and the priority will be to use the money to meet the Council's affordable housing objectives. This money will therefore be spent using the following criteria (as laid out in the Council's Supplementary Planning Guidance: Affordable Housing):

- Provision of new affordable housing in the District via a Registered Provider of social housing (including adding to provision on development sites, new standalone schemes and existing property purchase);

- Initiatives to make better use of the existing stock (including tackling under occupation and fuel poverty where it enables better use to be made of the stock);
- Managing future needs for affordable housing, including homelessness prevention and benefit advisory services;
- Assisting those in housing need to access low cost home ownership;
- Supporting the development of rural exception sites to meet rural housing needs (for fully or partially exempted Parishes only as set out in Section 17 Housing Act 1996, Housing (Right to Acquire or Enfranchise) (Designated Rural Areas in the South East) 1997 Order.

53 Apart from the provision of rural housing, funds will be used to meet affordable housing in a flexible way where it can be used most effectively across the District.

Local Infrastructure Projects

54 Looking at the criteria that have been agreed to assess the bids put to the CIL Spending Board, as well as the large strategic projects, there is a clear aim by the Council to support local community projects. These local projects include those submitted by infrastructure bodies and also those submitted by Parish and Town Councils or local community groups who put forward projects to benefit their local community.

55 Whilst not listing any specific projects, in addition to the above, it is suggested that one of the Council's priorities for infrastructure, for the next year, should be to partially fund local community or infrastructure projects that show a clear public benefit or support a clear local need. Therefore, this means that CIL priorities will not only be made with reference to the Local Plan. If a local body comes forward with a worthy CIL application the Board must be free to consider it as long as it is of community or local benefit, it supports new development in their area and is infrastructure.

56 Whilst community projects or infrastructure to address flooding issues have not been identified above as being a priority, any local project that provides evidence to show that it addresses a clear community need or provides a clear community benefit will be considered a priority. This could include the provision of community, flood or education (inc. nurseries etc.) infrastructure.

Net Zero 2030

57 The leader of the Council brought a report to Full Council on 19th November 2019. The report set out a clear ambition for the Council to achieve net zero greenhouse gas emissions by 2030. The Cabinet working group which was set up to oversee and lead on this ambition agreed that the Council

Agenda Item 7

would be a “community leader” and encourage low carbon measures across the District through education, best practice, incentives, policy and opportunities.

- 58 It is therefore suggested, following on from this Council’s clear ambition and the desire to be community leaders, that over the next year any infrastructure projects which clearly support our ambition to achieve net zero greenhouse emissions should be considered as a priority to receive CIL funding.

Broadband

- 59 In looking at the requirements in the Local Plan, and also in light of the current Covid situation, there is a clear need in this District for improvements to our rural broadband. It is recognised that some areas have poor connection.
- 60 Currently there is a clear switch in the community to people working from home, therefore, increasing the need for an improvement in broadband services. In addition, this is expected to lead to a reduction in car journeys and encourage job growth in rural areas. Therefore, any infrastructure proposals that seek to improve existing rural broadband services or propose new broadband infrastructure in rural areas will be also considered as a priority.

Notes

- 61 It should be noted that whilst the proposals above have been given a high priority, an application to the CIL Spending Board for funding will still need to be made and therefore this does not guarantee the schemes will be fully or partly funded. However, the fact that they have been identified as priority projects in the IFS will mean that this will give weight to the consideration of these bids at the Board.
- 62 Members will also be aware of the new Government White Paper, currently out for consultation, which sets out the Governments vision for a new planning process. Pillar 3 of this legislation looks particularly at Infrastructure, CIL and Section 106s. The vision of the Government is to remove CIL and Section 106 and bring together all payments through one contribution “The Infrastructure Levy.” This will mean that all income will be brought under the Levy and therefore this will change how we report and prioritise in the future.

Other options Considered and/or rejected

- 63 Officers have based their decision on the evidence before them and through discussion with officers and Members across the Council and therefore consider that there is no alternative to those put forward.
- 64 The Committee could determine that these priorities or projects put forward are not acceptable. This could result in an incomplete IFS being

produced by the Council or the committee could recommend other priorities that they consider others are more suitable.

Key Implications

Financial

There are no financial implications regarding this report.

Legal Implications and Risk Assessment Statement.

There are no legal implications regarding this report.

Equality Assessment (Compulsory heading - do not delete)

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.

Net Zero

This has been addressed in the main report.

Conclusions

It is requested that the Committee agree to the following:

1. The criteria for prioritising infrastructure projects for funding in the Infrastructure Funding Statement.
2. That the specific projects and types of infrastructure recommended in the conclusion are identified in the IFS as having a priority for full or partial funding.

Appendices

Appendix A - Categories and projects identified as infrastructure

Appendix B - Full details of CIL expenditure and Section 106 monies received

Appendix C - Infrastructure requirements assessed in the Sevenoaks Infrastructure Delivery Plan.

Appendix D - Updates to affordable housing Policy December 2019.

Background Papers

[Governance of the Community Infrastructure Levy \(CIL\) \(Cabinet - July 2020\)](#)

(Appendix X1) of the Council's Constitution.

Infrastructure Delivery Plan March 2019

Sevenoaks District Council's Supplementary Planning Document; Affordable Housing.

Richard Morris

Deputy Chief Executive, Chief Officer - Planning & Regulatory Services

Appendix A

List of types of Infrastructure

Infrastructure Category	Type of Infrastructure / Project
Highways & Transport	Road networks Rail networks Bus services Cycling and walking routes Public Rights of Way (PROWs) Car parking facilities (including electric vehicle charging points)
Flooding	Flood defences - Blue Green Infrastructure can also provide solutions to mitigate any effects.
Utilities	Water Supply Wastewater Water quality Waste management and facilities (including recycling facilities)
Communications	Telecommunications High speed broadband
SOCIAL INFRASTRUCTURE	
Community facilities	Places of worship Sport venues Leisure Centres Playing pitches Meeting places Libraries Cultural buildings or infrastructure
Education	Pre-school and nursery schools Primary education Secondary education Post 18 / higher education Adult education Special educational needs
Health and social care facilities	GP surgeries Dental services Hospitals and community trusts Mental health services Adult social care services Children’s social services

Agenda Item 7

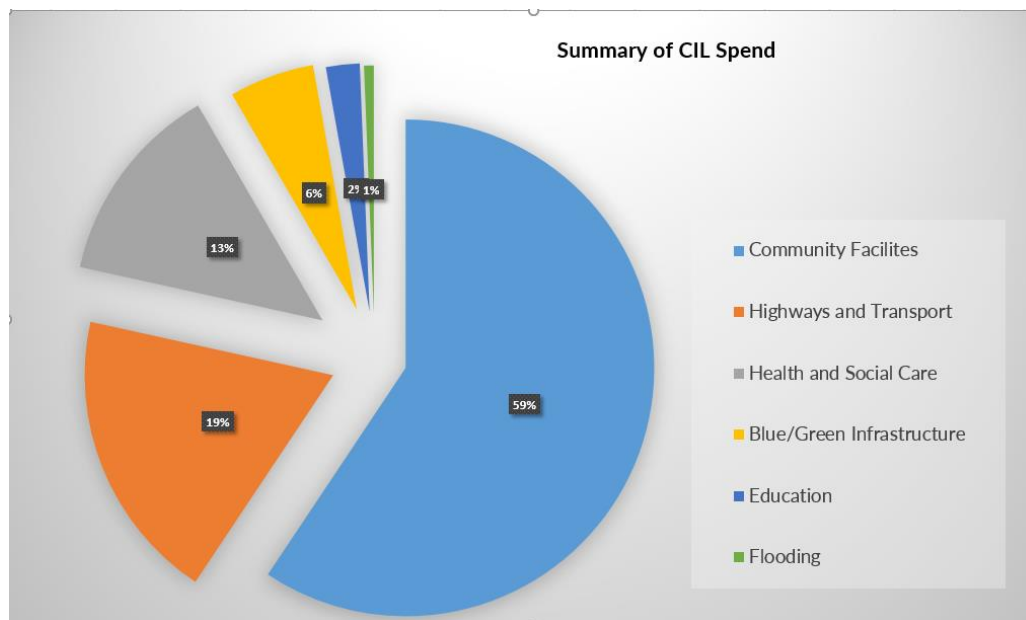
Police and emergency services facilities	Schemes involving physical infrastructure for the police, fire and rescue services, and ambulance services.
OTHER INFRASTRUCTURE	
Blue-Green infrastructure	<ul style="list-style-type: none"> Natural / semi-natural open space Maintenance or improvement of bodies of water Biodiversity Parks / country parks Local Wildlife Sites Local Nature Reserves Areas of Outstanding Natural Beauty
Other	<ul style="list-style-type: none"> Minerals Energy

DRAFT

Appendix B

Projects awarded CIL since 2014 to date

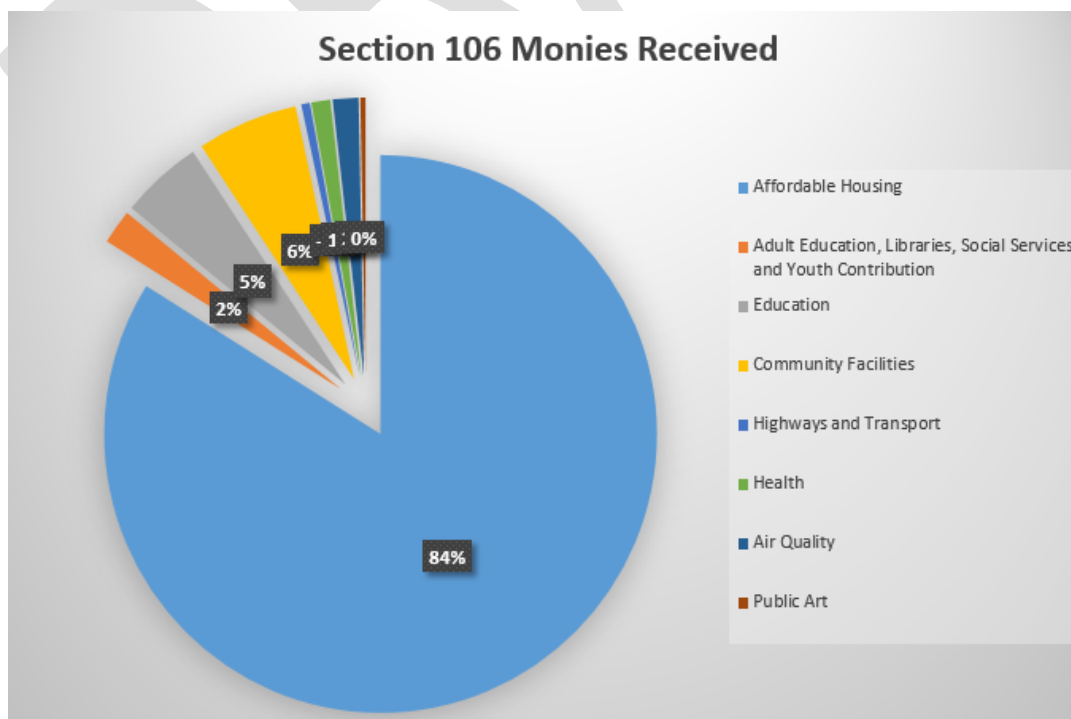
Type of Infrastructure	CIL Funds Awarded	Percentage of overall amount
Community Facilities	£ 2,710,324.00	59%
Highways and Transport	£ 871,936.98	19%
Health and Social Care	£ 602,500.00	13%
Blue/Green Infrastructure	£ 252,400.00	6%
Education	£ 100,000.00	2%
Flooding	£ 29,000.00	1%
Total	£ 4,566,160.98	



Agenda Item 7

Section 106 funds received between 2011 and 2016

Type of Infrastructure/facilities	Section 106 funds Received	Percentage of overall amount
Affordable Housing	£8,302,629.33	83.9%
Community Facilities	£583, 866.00	5.9%
Education	£477,694.00	4.8%
Adult Education, Libraries, Social Services and Youth Contribution	£197,345.99	2%
Air Quality	£145,021.00	1.5%
Health and Social Care	£108, 068.00	1.1%
Highways and Transport	£53,622.00	0.5%
Public Art	£25, 055.80	0.3%
Total	£9,893,302.00	



Appendix C – Schedule of Infrastructure Requirements

The following schedule is a result of information that is currently available. The schedule will be updated accordingly where new information is provided or there is an update to the existing scheme. The criteria used to determine the priority, timescale, risk to delivery and funding position can be found in Section 3 “Infrastructure Planning Context”.

Infrastructure Type	Project Title	Project Justification	Priority	Timescale	Delivery Body	Risk to Delivery	Estimated Associated Costs (if known)	Funding Mechanism
Community Facilities (CF)								
CF	New Library Provision at Pedham Place	The development at Pedham Place would justify new on-site provision through the delivery of health and community facilities. This could be achieved by direct provision by the developer or through a contribution of around £1.1m (total) for KCC to provide the requisite facilities. This includes Community Learning and Skills, Youth Services and Families & Social Care.	Low	16-20 years	KCC Libraries	Medium	Unknown	Site-specific Section 106 or Community Infrastructure Levy.
CF	Enhancement of Swanley Library	The additional demand could be accommodated through the enhancement of facilities at Swanley Library and the provision of additional Book stock.	Medium	16-20 years	KCC Libraries	Medium	£214,800	Community Infrastructure Levy and other funding sources.
CF	New Library Provision in the Halstead/ Knockholt area	The nearest existing library is Riverhead, but this would be incapable of meeting the expected demand from this development. Funding could be used to enhance facilities and book stock at Sevenoaks Library, but this is some distance from the proposed development. Alternatively, it may be possible that additional provision could be made	Low	11-15 years	KCC Libraries	Medium	£106,900	Community Infrastructure Levy and other funding sources.

		through the delivery of community facilities on-site.						
CF	Enhancements of Libraries in Sevenoaks area	The nearest libraries are Riverhead and Seal. On their own, these libraries may not be capable of meeting the expected demand from development. Whilst some enhancement of facilities and book stock might be possible at Riverhead and Seal libraries, the alternative would be to enhance the facilities and book stock at Sevenoaks Library.	Medium	11-15 years	KCC Libraries	Medium	£264,000	Community Infrastructure Levy and other funding sources.
CF	Enhancement of Edenbridge Library	Facilities and book stock at Edenbridge Library could be delivered to meet the demand generated by development.	Medium	11-15 years	KCC Libraries	Medium	£85,500	Community Infrastructure Levy and other funding sources.
CF	Enhancements of libraries in the New Ash Green/Hartley area	Facilities and book stock at New Ash Green and Hartley libraries could be delivered to meet the demand generated by development.	Medium	11-15 years	KCC Libraries	Medium	£33,000	Community Infrastructure Levy and other funding sources.
CF	Provision of New Youth Service Facilities - Pedham Place	The development at Pedham Place would justify new on-site provision through the delivery of health and community facilities. This could be achieved by direct provision by the developer or through a contribution of around £1.1m (total) for KCC to provide the requisite facilities. This includes Library Services, Community Learning & Skills and Families & Social Care.	Low	16-20 years	KCC Youth Services	Medium	Unknown	Community Infrastructure Levy and other funding sources.
CF	Youth Services - Swanley/Hextable area	Enhancement of existing facilities to accommodate demand generated by development.	Low	16-20 years	KCC Youth Services	Medium	£51,600	Community Infrastructure Levy and other funding sources.

CF	Youth Services - Hartley/New Ash Green area	Enhancement of existing facilities to accommodate demand generated by development.	Low	16-20 years	KCC Youth Services	Medium	£7,500	Community Infrastructure Levy and other funding sources.
CF	Youth Service Provision - Halstead/ Knockholt area	Provision of new facilities on site through any community facilities that are delivered, or as stand-alone building located centrally to the development.	Low	16-20 years	KCC Youth Services	Medium	£18,500	Community Infrastructure Levy and other funding sources.
CF	Youth Service Facilities - Sevenoaks area	Enhancement of existing facilities to accommodate demand generated by development.	Low	16-20 years	KCC Youth Services	Medium	£72,000	Community Infrastructure Levy and other funding sources.
CF	Youth Service Facilities - Edenbridge area	Enhancement of existing facilities to accommodate demand generated by development.	Low	16-20 years	KCC Youth Services	Medium	£17,700	Community Infrastructure Levy and other funding sources.
Education (E)								
E	Primary Education - Edenbridge	Number of dwellings proposed in Edenbridge planning area is 442, resulting in a generated demand of up to 118 pupils. The Commissioning Plan for Education in Kent 2018-22 currently shows that the requirement for up to 0.6 FE additional provision to meet the demand generated by this planned development could be accommodated within the Sevenoaks Rural South West planning group for primary schools.	Medium	11-15 years	KCC Education	Medium	Unknown	Community Infrastructure Levy and other funding sources.

E	Primary Education - New Ash Green/Hartley	Up to 164 new dwellings in the Hartley/Fawkham/New Ash Green, area would generate up to 46 primary pupils. The Commissioning Plan for Education in Kent 2018-22 currently shows that the requirement for up to 0.2 FE additional provision to meet the demand generated by this planned development could be accommodated within the West Kingsdown, Hartley & New Ash Green planning group for primary schools.	Low	16-20 years	KCC Education	Medium	Unknown	Community Infrastructure Levy and other funding sources.
	Primary Education - Sevenoaks Urban Area	Up to 1,287 new dwellings would generate up to 360 primary pupils. Requirement for up to 1.7FE additional provision to meet the demand generated by planned development. Suggestion that a new primary school could be provided within any future development of the Sevenoaks Quarry site (ST2-13)	Medium	11-15 years	KCC Education	Medium	Unknown	Community Infrastructure Levy and other funding sources.
E	Primary Education - Swanley/Hextable	Up to 1,021 new dwellings would generate up to 286 primary pupils. Requirement for up to 1.4FE additional provision to meet the demand generated by planned development. Development in the Swanley & Hextable area has the potential to impact on both primary and secondary schools within the Dartford area. There are 3 primary and 3 secondary schools within the Wilmington and Joydens Wood areas closest to Swanley and Hextable whilst slightly further afield there are an additional 6 primary and 3 secondary schools.	Medium	11-15 years	KCC Education	Medium	Unknown	Community Infrastructure Levy and other funding sources.

E	Primary Education - Pedham Place (Broad location for growth)	Number of dwellings proposed at Pedham Place is 2500 units, resulting in a generated demand of up to 700 pupils. The development would require the provision of up to 3.3FE. It is also of a sufficient scale and size to be capable of on-site provision of 2 new 2FE schools which could some of the demand generated by allocated development within the Swanley & Hextable Area.	Low	16-20 years	KCC Education	Medium	Unknown	Site-specific Section 106 or Community Infrastructure Levy.
E	Primary Education - Halstead / Knockholt area	Up to 563 new dwellings would generate 158 primary pupils. The Commissioning Plan for Education in Kent 2018-22 currently shows that there is some spare capacity within the Halstead & Knockholt planning group for primary schools. However, the requirement for up to 0.75 FE additional provision to meet the demand generated by this planned development would, in conjunction with the consented development for DRA Fort Halstead, would exceed this capacity requiring up 1.5FE new provision within the area.	Low	16-20 years	KCC Education	Medium	Unknown	Community Infrastructure Levy and other funding sources.
E	Secondary Education - Sevenoaks Urban Area	Up to 563 new dwellings would generate up to 257 secondary pupils. Requirement for up to 1.7FE additional provision to meet the demand generated by planned development. Existing secondary schools would reach over capacity during the Plan Period requiring new provision to accommodate demand from planned development.	Medium	16-20 years	KCC Education	Medium	Unknown	Site-specific Section 106 or Community Infrastructure Levy.

E	Secondary Education - Pedham Place (Broad location for growth)	Number of dwellings proposed at Pedham Place is 2500 units, resulting in a generated demand of up to 500 pupils. The development would require the provision of up to 3.3FE and justify the provision of a new 4FE school. However, It is of a sufficient scale and size to be capable of delivering a 6FE school on-site provision that would provide additional capacity to accommodate demand from allocated development across the wider North Sevenoaks area.	Low	16-20 years	KCC Education	Medium	Unknown	Site-specific Section 106 or Community Infrastructure Levy.
E	Secondary Education - Edenbridge	Number of dwellings proposed in Edenbridge planning area is 442, resulting in a generated demand of up to 84 pupils. Requirement for up to 0.6FE additional provision to meet the demand generated by planned development. Existing secondary schools would reach over capacity during the Plan Period requiring new provision to accommodate demand from planned development.	Medium	16-20 years	KCC Education	Medium	Unknown	Site-specific Section 106 or Community Infrastructure Levy.
E	Secondary Education - Swanley/Hextable	Up to 1,021 new dwellings would generate up to 204 secondary pupils. Requirement for up to 1.4FE additional provision to meet the demand generated by planned development. Existing secondary schools would reach over capacity during the Plan Period requiring new provision to accommodate demand from planned development. Development in the Swanley & Hextable area has the potential to impact on both primary and secondary schools within the Dartford area. There are 3 primary and 3 secondary schools within the Wilmington and Joydens	Medium	16-20 years	KCC Education	Medium	Unknown	Community Infrastructure Levy and other funding sources.

		Wood areas closest to Swanley and Hextable whilst slightly further afield there are an additional 6 primary and 3 secondary schools.						
E	Secondary Education - New Ash Green/Hartley	Up to 164 new dwellings would generate up to 33 secondary pupils. Requirement for up to 0.2FE additional provision to meet the demand generated by planned development. Existing secondary schools would reach over capacity during the Plan Period requiring new provision to accommodate demand from planned development.	Medium	16-20 years	16-20 years	KCC Education	Medium	Community Infrastructure Levy and other funding sources.
E	Secondary Education - Knockholt/Halstead	Up to 563 new dwellings would generate up to 113 secondary pupils. Requirement for up to 0.75FE additional provision to meet the demand generated by planned development along with a further 0.55FE to meet the demand generated by the consented development for DRA Fort Halstead. Existing secondary schools would reach over capacity during the Plan Period requiring new provision to accommodate demand from planned development.	Medium	16-20 years	16-20 years	KCC Education	Medium	Community Infrastructure Levy and other funding sources.
E	New Community Learning Facility at Pedham Place	The development at Pedham Place would justify new on-site provision through the delivery of health and community facilities. This could be achieved by direct provision by the developer or through a contribution of around £1.1m (total) for KCC to provide the requisite facilities. This includes Library Services, Youth Services and Families & Social Care.	Low	16-20 years	KCC Community Learning & Skills	Medium	Unknown	Site-specific Section 106 or Community Infrastructure Levy.

E	Community Learning Facilities - Hartley/New Ash Green area	Enhancement of existing facilities to accommodate demand generated by development.	Low	16-20 years	KCC Community Learning & Skills	Medium	£5,100	Community Infrastructure Levy and other funding sources.
E	Community Learning Facilities - Swanley/Hextable area	Enhancement of existing facilities to accommodate demand generated by development.	Low	16-20 years	KCC Community Learning & Skills	Medium	£32,500	Community Infrastructure Levy and other funding sources.
E	Community Learning Facility - Halstead/Knockholt area	Provision of new facilities on site through any community facilities that are delivered or as stand-alone building located centrally to the development.	Low	16-20 years	KCC Community Learning & Skills	Medium	£17,100	Community Infrastructure Levy and other funding sources.
E	Community Learning Facilities - Sevenoaks Urban Area	Enhancement of existing facilities to accommodate demand generated by development.	Medium	16-20 years	KCC Community Learning & Skills	Medium	£38,400	Community Infrastructure Levy and other funding sources.
E	Community Learning Facilities - Edenbridge	Enhancement of existing facilities to accommodate demand generated by development.	Medium	16-20 years	KCC Community Learning & Skills	Medium	£13,100	Community Infrastructure Levy and other funding sources.
Flooding (F)								
F	Upper Darent Flood Alleviation Scheme	The communities of Westerham, Brasted and Sundridge are all at risk of flooding from the River Darent. A suite of local, low cost interventions are the most cost effective way of reducing flood risk to these communities. Some works have already successfully been implemented in partnership with Kent County Council and local communities but further works are required to reduce the risk further.	High	6-10 years	Environment Agency	Low	£330,000	Granted CIL funding from the CIL spending Board to complete the scheme.

		Works proposed as part of the scheme include the following improvements: New channels and watercourses; Improved drainage; Enhanced flood embankments; and natural flood management measures at a number of locations						
F	Brasted Floodplain Storage	Investigation and modelling into increasing floodplain storage using low level floodplain embankments	Medium	Unknown	Environment Agency	Medium	Unknown	Community Infrastructure Levy and other funding sources.
F	Chipstead flood remedial works	Investigation into remedial works to the flood relief channel in Chipstead to revert to the original 'dry channel' design if this is shown to have a significant flood risk benefit.	Medium	Unknown	Environment Agency	Medium	Unknown	Community Infrastructure Levy and other funding sources.
F	Dunton Green/Riverhead Flood Protection Measures	Investigation of a flood wall in Dunton Green/River Head to protect businesses and the care home as well or property level protection of business units and care home.	Medium	Unknown	Environment Agency	Medium	Unknown	Community Infrastructure Levy and other funding sources.
F	Otford/Greatness Flood Protection Measures	Investigation of the feasibility of de-culverting the Watercress Stream. Additional work in investigating flood storage on the Watercress and Honeypot Streams.	Medium	Unknown	Environment Agency	Medium	Unknown	Community Infrastructure Levy and other funding sources.
F	Sevenoaks Flood Capacity Upgrade	Investigation of working with Kent Wildlife Trust to add storage to the West Lake in the Sevenoaks Wildlife Reserve	Medium	Unknown	Environment Agency	Medium	Unknown	Community Infrastructure Levy and other funding sources.
F	Eynsford Flood Defence Scheme	Investigation of a bypass channel at Old Mill Close in Eynsford	Medium	Unknown	Environment Agency	Medium	Unknown	Community Infrastructure Levy and other funding sources.

Health & Social Care (HSC)								
HSC	Family & Social Care - Pedham Place	The development at Pedham Place would justify new on-site provision through the delivery of health and community facilities. This could be achieved by direct provision by the developer or through a contribution of around £1.1m (total) for KCC to provide the requisite facilities. This includes Library Services, Youth Services and Community Learning & Skills	Low	16-20 years	KCC Social Care	Medium	Unknown	Site-specific Section 106 or Community Infrastructure Levy.
HSC	Family & Social Care – Swanley /Hextable area	Enhancement of existing facilities to accommodate demand generated by development.	Low	16-20 years	KCC Social Care	Medium	£81,800	Community Infrastructure Levy and other funding sources.
HSC	Family & Social Care - Hartley/ New Ash Green area	Enhancement of existing facilities to accommodate demand generated by development.	Low	16-20 years	KCC Social Care	Medium	£14,200	Community Infrastructure Levy and other funding sources.
HSC	Family & Social Care – Halstead /Knockholt area	Provision of new facilities on site in conjunction with any GP practice or Health Clinic delivered and utilising any multi-agency space provided as part of any new Primary Schools	Low	16-20 years	KCC Social Care	Medium	£48,700	Community Infrastructure Levy and other funding sources.
HSC	Family & Social Care – Sevenoaks Urban Area	Enhancement of existing facilities to accommodate demand generated by development	Low	16-20 years	KCC Social Care	Medium	£93,300	Community Infrastructure Levy and other funding sources.
HSC	Family & Social Care - Edenbridge area	Enhancement of existing facilities to accommodate demand generated by development	Low	16-20 years	KCC Social Care	Medium	£32,400	Community Infrastructure Levy and other

								funding sources.
--	--	--	--	--	--	--	--	------------------

<p>HSC</p>	<p>Northern Sevenoaks Health Services – Swanley, Hextable, Farningham, New Ash Green, Hartley, Fawkham, South Darenth</p>	<p>Overall there is a slight reduction in the total number of homes for our area in this plan (from 4,220 to 4,017 homes), however over the life time of the plan there will be 9,641 new population (based on 2.4 persons per dwelling). It is also noted that in years one to five, 979 Homes will be built equating to a population increase of 2,350. This will require an additional GP workforce of 5.4WTE (based on a GP to patient ratio of 1,800 patients) and in the next 5 years the 2,350 new population will require an additional 1.3WTE GP workforce. In terms of impact on General Practice, the significant difference in this plan is an increase of 471 homes in the Swanley area. This area will see an increase of 3,516 homes and therefore 8,438 new population over the life of the local plan. It is noted that only 722 homes (equating to 1,733 new population) will be built in the first five years. I have attached an updated table that identifies the proposed settlement sites linked to GP practices.</p> <p>However, it must be noted that the current GP medical facilities within the Swanley area and across the other main areas of Hextable, Farningham, New Ash Green, Hartley, Fawkham and South Darenth, do not have capacity to support the growth in the population expected. Therefore, if the public consultation and Council determine support for these proposed housing developments, the CCG would only be able to support delivery of associated increases to healthcare services if sufficient CIL funding is provided to deliver the additional capacity required in these areas.</p>	<p>High</p>	<p>6-10 years</p>	<p>Dartford, Gravesham & Swanley CCG</p>	<p>Medium</p>	<p>Unknown</p>	<p>Community Infrastructure Levy and other funding sources.</p>
------------	---	--	-------------	-------------------	--	---------------	----------------	---

<p>HSC</p>	<p>Expansion of GP Practices in Sevenoaks Urban Area</p>	<p>The proposed development at the Sevenoaks Quarry site is in years 10-15 of the plan period. Whilst additional capacity will need to be created it is not possible at this stage to detail a specific project as specific impacts and needs will have to be assessed and planned for at the appropriate time in the plan period. The expected need will be for c 1400 patients arising from the 600 dwellings (based on average occupancy of 2.34).</p> <p>Please note that general practice premises plans will be kept under review and may be subject to change as the CCG must ensure appropriate general medical service capacity is available as part of our commissioning responsibilities.</p>	<p>High</p>	<p>11-15 years</p>	<p>West Kent Clinical Commissioning Group</p>	<p>Medium</p>	<p>Unknown</p>	<p>Community Infrastructure Levy and other funding sources.</p>
<p>HSC</p>	<p>Otford Health Services</p>	<p>Using average occupancy of 2.34 per dwelling, Otford Medical Practice would also take a large proportion of the growth To put this into context this would be an additional c.3260 new patient registrations during the plan period; an increase of 30.7% increase on the current registered patient list.</p> <p>There is an existing pressure on services and Otford Medical Practice have plans to reconfigure the main surgery at Otford (\$106 funding will be contributing to this work) and have developed plans to extend the branch surgery at Kemsing for which capital is currently being explored. A bid may be put forward through the next CIL bidding round to support this development. This will allow the workforce to be expanded and will go some</p>	<p>High</p>	<p>6-10 years</p>	<p>West Kent Clinical Commissioning Group</p>	<p>Medium</p>	<p>Unknown</p>	<p>Community Infrastructure Levy and other funding sources.</p>

		way to supporting some of the future growth but will not support all of the growth outlined above; it is expected that at a point in the future a further extension to the Kensing surgery would be required. The critical aspect for Otford and any other premises development is that the infrastructure and workforce is in place prior to or in parallel to the new population registering for general practice services.						
HSC	Edenbridge Health Services	<p>There is an existing need in Edenbridge and the combined hospital/ GP surgery project is progressing and is recognised as a requirement in the draft Local Plan. Using the average occupancy figure of 2.34 per dwelling the growth in Edenbridge is expected to be c. 3000 new patient registrations; the project would allow for the proposed growth arising from the local plan to be accommodated. To put this into context this is a 25% increase on the current registered patient list. The CCG, KCHFT and Edenbridge Medical Practice have indicated that developer contributions will be sought through CIL as a contribution towards the new infrastructure (plan to submit in next CIL round).</p> <p>Please note that general practice premises</p>	Critical	1-5 years	West Kent Clinical Commissioning Group / Kent Community Health NHS Foundation Trust (KCHFT)	Medium	£13.2 million	Partial application for CIL funding has been secured from the District Council's CIL Spending Board in December 2018 (£600k). Further funding streams identified but currently unconfirmed.

		plans will be kept under review and may be subject to change as the CCG must ensure appropriate general medical service capacity is available as part of our commissioning responsibilities.						
HSC	Westerham Health Services	Whilst the patient pressure indicator from the premises survey is 'high' there is not an existing need leading the general practice exploring options for new premises at this time. More detailed discussions would be required to develop detailed plans for a new practice. . Any new premises developments regardless of funding source, are required to be submitted for consideration through CCG governance due to the revenue implications.	Low	11-15 years	West Kent Clinical Commissioning Group	Medium	Unknown	Community Infrastructure Levy and other funding sources.
Highways & Transport (HT)								
HT	Swanley Transport Improvement Measures	Measures as identified in the Swanley Transport Study. To include localised widening, ghosted right turn lanes on London Road, where appropriate - to improve pedestrian and cycling accessibility and access congestion issues.	High	Unknown	KCC/Developer	Low	Unknown	Section S278/CIL
HT	Junction 3 M25 Swanley	Improvements required to address increased capacity and accessibility for pedestrians, cyclists and buses.	High	Unknown	Highways England/KCC/D eveloper	Medium	Unknown	Section 106/S278/CIL
HT	Crockenhill Lane / Wested Lane	Provision of bus route and emergency access between Pedham Place and Swanley	High	Unknown	KCC/Developer	Medium	Unknown	Section 278

HT	Improvements to bus services in and around Swanley	Increased sustainable transport and associated reduction in congestion.	High	Unknown	KCC/Developer /Bus Operator/CIL	Medium	Unknown	CIL/Section 106
HT	Swanley Station improvements	Bus terminal and parking improvements to improve access to train stations.	Medium	Unknown	Network Rail/KCC/Developer	High	Unknown	CIL/Section 106
HT	Improvements to junction of London Road B2173 with Hockenden Lane and Birchwood Road	Existing safety crash cluster site. Accommodation of additional movements.	High	Unknown	KCC/Developer	Low	Unknown	Section 106/CIL/S278
HT	Localised widening of roads south of New Ash Green and junction improvements of A20/South Ash Road	Existing roads are constrained in terms of width and forward visibility. Additional capacity and safety features are required.	High	Unknown	KCC/Developer	High	Unknown	Section 278
HT	Bus improvements between New Ash Green and Longfield railway station	Improved sustainable transport.	High	Unknown	KCC/Bus operator/Developer	Medium	Unknown	Community Infrastructure Levy and other funding sources.
HT	Kemsing - localised highway widening / passing places /visibility improvements	Accommodate additional traffic by increasing capacity and safety.	High	Unknown	KCC/Developer	Medium	Unknown	Section 278/38

	and junction improvements along the rural road network							
HT	Kemsing - Sustainable transport improvements	Improvements to bus services, pedestrians, and accessibility at train station	High	Unknown	KCC/Developer /Bus Operator/Network Rail	High	Unknown	Community Infrastructure Levy and other funding sources.
HT	Junction improvements to Bat & Ball	Bat & Ball junction is already over capacity, and any additional development will add to congestion, queues and delays.	High	Unknown	KCC/Developer	High	Unknown	Section 278
HT	Cycle route - Otford to Sevenoaks	Included in Sevenoaks Cycle Strategy and provides a useful link between the two communities.	Medium	Unknown	KCC/Developer	High	Unknown	Section 106/CIL
HT	Access roads between A25 and Sevenoaks Quarry site	Junction improvements and traffic/parking management to Greatness Lane and Mill Lane.	High	Unknown	KCC/Developer	High	Unknown	Section 106/CIL
HT	Sustainable transport accessibility improvements	Footbridge at Watercress Drive requires improved safety and accessibility. Access to the station to be improved. Bus services required between Sevenoaks Quarry and Sevenoaks town centre. Cycle improvements between Seal School, Knole Academy and Trinity School.	High	Unknown	KCC/Developer /Bus Operator	High	Unknown	Section 106/CIL
HT	Capacity improvements to mini roundabouts at Riverhead	Existing congestion and additional traffic flows will add to congestion, queues and delays.	Medium	Unknown	KCC/Developer	Medium	Unknown	Community Infrastructure Levy and other funding sources.

HT	Edenbridge - junction improvements	Increased capacity required due to additional traffic movements	High	Unknown	KCC/Developer	Medium	Unknown	Section 278/CIL
HT	Edenbridge - sustainable transport improvements	Improvements to sustainable transport accessibility - walking, cycling, buses and trains	High	Unknown	KCC/Developer /Bus Operator/Network Rail	High	Unknown	Section 106/Section 278/ CIL
HT	Northern District Transport Improvements - North West of District / boundary to Greater London Authority & TfL area	Enhancement to rail and bus services	Low	Unknown	Transport for London	Low	Unknown	Community Infrastructure Levy and other funding sources.
Utilities (U)								
U	Sewerage network reinforcements in Edenbridge	To increase capacity in the sewerage network in order to accommodate additional foul flows from the above developments. Provision of the infrastructure should be phased with development occupation in order to limit the risk of foul flooding. Projects will commence once Southern Water receive a firm commitment to commence construction from the relevant developers, provided planning approval has been granted.	Medium	6-10 years	Southern Water	Medium	Unknown	Community Infrastructure Levy and other funding sources.
U	Badgers Mount - Water Supply Upgrades	Local upgrades to the existing water network infrastructure may be required to ensure sufficient capacity is brought forward ahead of development.	High	Unknown	Thames Water	Medium	Unknown	Community Infrastructure Levy and other funding sources.

<p>U</p>	<p>Swanley - Water Supply Upgrades</p>	<p>The supply required for the proposed scale of development is a significant additional demand in the Water Resource area. Currently the mains that feed the Water Resource area are running close to capacity. Consequently it is likely that the developer will be required to provide an impact study of the existing infrastructure for the brownfield sites and smaller infill development in order to determine the magnitude of spare capacity and a suitable connection point. The developer will be required to fund this.</p>	<p>High</p>	<p>Unknown</p>	<p>Thames Water</p>	<p>Medium</p>	<p>Unknown</p>	<p>Community Infrastructure Levy and other funding sources.</p>
<p>U</p>	<p>Pedham Place - Water and Wastewater Network Upgrade</p>	<p>The water network capacity in this area is unlikely to be able to support the demand anticipated from this development. Strategic water supply infrastructure upgrades are likely to be required to ensure sufficient capacity is brought forward ahead of the development. The developer is encouraged to work Thames Water early on in the planning process to understand what water infrastructure is required, where, when and how it will be delivered. The scale of development/s in this catchment is likely to require upgrades of the water supply network. It is recommended that the Developer and the Local Planning Authority liaise with Thames Water at the earliest opportunity to agree a housing phasing plan. Failure to liaise with Thames Water will increase the risk of planning conditions being sought at the application stage to control the phasing of development in order to ensure that any necessary infrastructure upgrades are delivered ahead of the occupation of development. The housing phasing plan should determine what phasing may be required to</p>	<p>Low</p>	<p>Unknown</p>	<p>Thames Water</p>	<p>Medium</p>	<p>Unknown</p>	<p>Community Infrastructure Levy and other funding sources. Possible consideration of S106 agreement but will need to be justified.</p>

		ensure development does not outpace delivery of essential network upgrades to accommodate future development/s in this catchment. The developer can request information on network infrastructure by visiting the Thames Water website https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development .						
Water Quality (WQ)								
WQ	River Eden Catchment Improvements	Opportunities exist to improve the River Eden catchment that runs through the Borough, in particular with regards to water quality, geomorphology and ecology. The Environment Agency are supporting plans to improve/restore Bay Pond in Godstone Surrey, which is connected to the Eden catchment and lies adjacent to it.	Medium	Unknown	Environment Agency	Medium	Unknown	Community Infrastructure Levy and other funding sources.

Appendix D

Updates to affordable housing policy – December 2019

Changes to the National Planning Policy Framework - NPPF (February 2019) and the national Planning Practice Guidance - PPG (July 2018), have led to changes in how the District Council's affordable housing policy should be considered. Affordable housing policy is set out in the Core Strategy Policy SP3 and accompanying Affordable Housing Supplementary Planning Document (SPD) 2011. Policy should now be considered in the context of the following changes.

What is the level of affordable housing now sought?

SP3 seeks the provision of affordable housing on new residential developments. The levels are as set out below.

Exemptions will be made where the site or proposed development comprise ("exemption sites"):

- a) Solely Build to Rent homes
- b) specialist accommodation for a group of people with specific needs (such as purpose-built accommodation for the elderly or students);
- c) propose to be developed by people who wish to build or commission their own homes; or
- d) is exclusively for an entry-level exception site or a rural exceptions housing site.

Number of new homes in the development/size of site	Development is within an Area of Outstanding Natural Beauty (AONB) - % affordable housing	Development is not within an AONB - % affordable housing
0-5 homes or site is less than 0.5 hectares	0	0
0-5 homes and site is 0.5 hectares or more	10*	10*
6-9 homes and site is less than 0.5 hectares	20*	0
6-9 homes and site is 0.5 hectares or more	20*	20*
10-14 homes irrespective of size of site	30**	30**
15-24 homes irrespective of size of site	40**	40**
25+ homes irrespective of size of site	40***	40***

Agenda Item 7

Key:

* The affordable housing is provided in the form of a financial contribution payable on completion of the development.

** This triggers a small number of affordable homes, which may not provide a viable proposition for our delivery partners. A financial contribution in lieu of any affordable housing on site, payable on commencement of development, may be sought. The Housing Policy Manager will advise the planning officer in all such cases.

*** In exceptional circumstances, e.g. particular forms of development or the application site is considered to be in a remote location, it may not be suitable or economic for the provision of affordable housing on the development site. The Housing Policy Manager will advise the planning officer in all such cases, based on the following options:

- A reduced level of affordable housing provision on site plus a financial contribution in lieu of the shortfall, payable on commencement of development;
- A financial contribution in lieu of any affordable housing on site, payable on commencement of development;
- The affordable housing to be provided on an agreed, alternative site within the District, which has been secured by the applicant. This is as per Housing Strategy, which was adopted at Full Council on 18 July 2017.

The SPD provides the method for calculating a financial contribution

If affordable housing is provided on site, what should the tenure mix be?

SP3 specifies 65% of the affordable housing to be provided on site should be for Social/Affordable Rent and 35% for intermediate housing. This tenure split does not apply to exemption sites.

Paragraph 64 of NPPF, expects that on major developments, at least 10% of the homes are to be made available for affordable home ownership, unless this would exceed the level of affordable housing required in the area, or significantly prejudice the ability to meet the identified affordable housing needs of specific groups, or the proposed development is an exemption site.

It is recognised in certain circumstances (such as flatted developments or high local house prices), a policy compliant mix may not be suitable. Also, in some areas of the District where there is already a substantial number of homes for Social Rent, it may not be appropriate to seek a policy compliant mix. This position is recognised in Housing Strategy. The Housing Policy Manager will advise the planning officer regarding the preferred tenure mix in all cases.

What developments trigger affordable housing?

Paragraph 63 of the NPPF stipulates affordable housing should not be not be sought for residential developments that are not “major developments”, other than in “designated rural areas”. Major developments are defined as developments comprising 10 homes or more or where the site has an area of 0.5 hectares or more. The District Council has approved the implementation of a lower threshold in designated rural areas (Cabinet, March 2015) where affordable housing is triggered on developments comprising 6 homes or more. Designated rural areas include Areas of Outstanding Natural Beauty (AONB). For details of which Parishes are within an AONB, please see **Appendices A and B**.

Paragraph 63 also confirms the concept of "vacant building credit, requiring the District Council to off-set affordable housing contributions when vacant buildings are brought back into use. Please see **Appendix C**.

What is affordable housing?

The NPPF defines affordable housing as follows:

Affordable housing: housing for sale or rent, for those whose needs are not met by the market (including housing that provides a subsidised route to home ownership and/or is for essential local workers); and which complies with one or more of the following definitions:

a) **Affordable housing for rent:** meets all of the following conditions: (a) the rent is set in accordance with the Government’s rent policy for Social Rent or Affordable Rent, or is at least 20% below local market rents (including service charges where applicable); (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); and (c) it includes provisions to remain at an affordable price for future eligible households, or for the subsidy to be recycled for alternative affordable housing provision. For Build to Rent schemes affordable housing for rent is expected to be the normal form of affordable housing provision (and, in this context, is known as Affordable Private Rent).

b) **Starter homes:** is as specified in Sections 2 and 3 of the Housing and Planning Act 2016 and any secondary legislation made under these sections. The definition of a starter home should reflect the meaning set out in statute and any such secondary legislation at the time of plan-preparation or decision-making. Where secondary legislation has the effect of limiting a household’s eligibility to purchase a starter home to those with a particular maximum level of household income, those restrictions should be used.

c) **Discounted market sales housing:** is that sold at a discount of at least 20% below local market value. Eligibility is determined with regard to local incomes and local house prices. Provisions should be in place to ensure housing remains at a discount for future eligible households.

Agenda Item 7

d) **Other affordable routes to home ownership:** is housing provided for sale that provides a route to ownership for those who could not achieve home ownership through the market. It includes shared ownership, relevant equity loans, other low cost homes for sale (at a price equivalent to at least 20% below local market value) and rent to buy (which includes a period of intermediate rent). Where public grant funding is provided, there should be provisions for the homes to remain at an affordable price for future eligible households, or for any receipts to be recycled for alternative affordable housing provision, or refunded to Government or the relevant authority specified in the funding agreement.

Local definitions of affordable housing

Affordable Rent. Homes are expected to be provided at rents which do not exceed 80% of the local open market rent or the relevant Local Housing Allowance, inclusive of service charges, whichever is the lower amount. This is to ensure homes are affordable to those reliant on Universal Credit/housing benefit.

Build to Rent. Developments are expected to:

- Be secured in single ownership providing solely for the rental market for a minimum 15 year term but where viable, up to a 30 year term, with provision for clawback of affordable housing contributions should this covenant not be met;
- The Council will look for tenancies for private renters to be up to three years' duration, with a six month break clause in the tenant's favour;
- Structured and limited in-tenancy rent increases, agreed with the Housing Policy Manager in advance;
- Provide a high standard of professional on-site management and control of the accommodation;
- Provide 30% on-site affordable housing in the form of Affordable Private Rent Housing;
- Affordable Private Rent Housing to be provided as one and two bedroom accommodation only, unless otherwise agreed by the Housing Policy Manager;
- Affordable Private Rent Housing is provided on an Assured Shorthold Tenancy with rents capped at 80% of the open market rent, including any service charges.

Intermediate Housing. This includes the following tenures – shared ownership, shared equity, starter homes, discounted market sales housing and intermediate rented housing.

Intermediate rented housing. Homes will be provided on an Assured Shorthold Tenancy at rents which do not exceed 80% of the local open market rent (including any service charges).

Development Viability

Planning Practice Guidance makes clear it is the responsibility of land owners and planning applicants to take into account any costs, including their own profit expectations and risks, and ensure that proposals for development are compliant with local policy (Core Strategy). The price paid for land is not a relevant justification for failing to accord with relevant policies in the Core Strategy. It is important for developers and other parties buying (or interested in buying) land to have regard to the total cumulative cost of all relevant Core Strategy policies when agreeing a price for the land. Under no circumstances will the price paid for land be a relevant justification for failing to accord with relevant policies in the Core Strategy.

The Guidance sets out that the role for viability assessment is primarily at the Plan making stage. Viability assessment should not compromise sustainable development but should be used to ensure that policies are realistic, and that the total cumulative cost of all relevant policies will not undermine deliverability of the Plan. The District Council commissioned a viability appraisal of its Core Strategy policies, including the provision of affordable housing (the Affordable Housing Viability Assessment). The appraisal supports the affordable housing policies contained in the Core Strategy and accompanying SPD. On this basis, the affordable housing policies set out in the Core Strategy are considered viable. Therefore all planning applications are expected to be Core Strategy compliant.

It will be up to the planning applicant to demonstrate whether “particular circumstances” (as set out in PPG, para. 007) apply in their view, and justify the need for a site specific viability assessment at application stage. If the District Council is not satisfied an assessment is justified, the planning application will be progressed in accordance with the Core Strategy. If the District Council agrees an assessment is justified, the planning applicant will be required to pay for the District Council to have an independent analysis of the site viability assessment. The District Council will commission its own choice of independent expert and the expert’s fees will be agreed with the applicant. If the applicant refuses to pay, or fails to pay for the District Council’s commission, it will result in the planning application being refused.

On Build to Rent schemes, it is anticipated a site specific viability assessment will be provided to inform clawback clauses in the S106 Agreement. The clawback clauses will specify an amount payable to the District Council in the event that homes are sold within the S106 covenant period. The clawback sum would be used to fund affordable housing delivery, as set out in the SPD

Agenda Item 7

How is affordable housing secured?

We provide a range of template legal agreements which we recommend are used to secure affordable housing. Please see the District Council's website for further details.

Who are the District Council's affordable housing delivery partners?

A list of preferred delivery partners is maintained. Please see the District Council's website for the current list. The list includes a range of Registered Providers and Quercus Housing, the District Council's stand-alone affordable housing company

How are financial contributions used?

Contributions are used in the way set out in the SPD. New affordable housing in the District may also be provided/delivered by Quercus Housing or any other body approved by the District Council. Approval is dependent on qualifying standards being met, including the ability of the organisation to provide and manage affordable housing on terms which, are comparable to those of a Registered Provider.

Rural Exceptions Housing

In line with paragraph 77 of the NPPF, proposals for housing in rural areas to meet a specific local need (known as rural exceptions housing schemes) will be permitted as an exception to other Core Strategy policies.

The Council expects rural exception housing schemes to provide 100% local needs housing to meet identified needs. However, on rare occasions, proposals may include a small element of market housing to facilitate delivery. In these circumstances, the applicant will need to demonstrate to the satisfaction of the Council that a scheme that does not rely on market housing has been fully considered and why it has been discounted or considered to be unviable.

Where the Council is satisfied that an element of market housing is required, it will be expected, in the first instance, to be used to meet identified needs including housing for local essential workers, older people and plots for self build.

Appendix A: List of NPPF “Designated Rural Areas” – Areas of Outstanding Natural Beauty (AONB)

The list below is intended as a helpful guide. For a definitive position on whether a site falls within an AONB, please contact the Planning Policy Team.

Parishes wholly inside an AONB:

Cowden, Penshurst, Sundridge with Ide Hill

Parishes wholly outside an AONB:

Ash Cum Ridley, Fawkham, Hartley, Hextable, Horton Kirby and South Darent

Parishes partly within an AONB:

Badgers Mount (except for the land between Old London Road and the Orpington by-pass) Brasted (except a very small area in the south)	Chevening (except most of the developed area and some land south of the M26)
Chiddingstone (only the southern half and a small strip in the north)	Crockenhill (only the rural south east)
Dunton Green (only the rural north)	Edenbridge (only the rural south)
Eynsford (except a very small area near the M25)	Farningham (only south of the A20)
Halstead (only a small area in the south east) Kemsing (only the rural north and east)	Hever (only the southern half) Knockholt (only a strip of land in the south)
Leigh (only the rural south west and a very small area in the north)	Otford (only the northern half)
Riverhead (only the rural south)	Seal (except an area in the west near to Sevenoaks and a small rural area in the south)
Sevenoaks (only the rural south east and south west)	Sevenoaks Weald (except a small area in the south)
Shoreham (except two very small areas in the extreme west)	Swanley (only a very small rural area near the M25)
West Kingsdown (only the rural west and south)	Westerham (except the extreme south)

Appendix B: Map of Areas of Outstanding Natural Beauty



Appendix C: Vacant Building

What is Vacant Building Credit?

Vacant building credit only applies in the following circumstances:

- There is a building in existence at the time the decision is made on the application. Buildings already demolished cannot count.
- The building must be vacant at the time of the decision. Occupied or partly occupied buildings cannot count, neither can occupied buildings that are expected to become vacant.
- The building must be brought back into use or demolished as part of the development. Vacant buildings on a site that do not form part of the development proposal cannot count.

How is it calculated?

The NPPG states that the vacant building credit should be calculated by deducting the gross vacant building floorspace from the gross floorspace of the new development. Council policy calculates affordable housing requirement in numbers of units rather than floorspace and it will apply the vacant building credit as follows:

1. Subtract the qualifying gross vacant floorspace from the gross proposed floorspace to obtain the net increase in floorspace of the development.
2. Divide the net change in floorspace by the proposed floorspace to establish the net floorspace change as a proportion.
3. Establish the affordable housing requirement in units for the development based on Core Strategy policy, the SPD and updated context to policy set out above.
4. Multiply the affordable housing requirement by the net floorspace proportion to establish a revised requirement in terms of numbers of units.

For example if the development is for 90 units with a gross floorspace of 8,000 sq m and the existing qualifying vacant floorspace is 2,000 sq m then the calculation is as follows:

1. The net change in floorspace is 6,000 sq m (8,000 – 2,000)
2. The net change is 75% of the gross floorspace proposed (6,000/8,000)
3. The original affordable housing requirement is 36 units (40% of 90)
4. The new requirement is 27 units (75% of 36)

In developments where the affordable housing is in the form of a financial contribution, the contribution is calculated following the methodology in the SPD and updated context to policy set out above, using the net floorspace proportion.

In all cases where vacant building credit is sought, the applicant will need to provide evidence that the building meets the vacancy test, provide details of the floorspace of the proposed development and the vacant building and a calculation of the revised requirement following the approach above.

This page is intentionally left blank

PLANNING WHITE PAPER

Development and Conservation Advisory Committee - 20 October 2020

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

Status: For Decision

Also considered by: Special Cabinet - 27 October 2020

Key Decision: No

Executive Summary: This report summarises the key content of the Government's Planning White Paper and includes the Council's proposed response to the document.

This report supports the Key Aim of: Protecting the Green Belt and Supporting and developing the local economy

Portfolio Holder: Cllr. Julia Thornton

Contact Officer: James Gleave, Ext. 7326

Recommendation to Development and Conservation Advisory Committee:

That the Development and Conservation Advisory Committee notes the content of the report and recommends to Cabinet that the proposed response to the Planning White Paper should be approved and submitted to the Government, in advance of the submission deadline of 29 of October 2020.

Recommendation to Cabinet:

That Cabinet approves that the proposed response to the Planning White Paper be submitted to the government, in advance of the submission deadline of 29 October 2020.

Reason for recommendation:

To ensure that the Council's views on this important emerging national policy document are passed on to the Government, so they can be taken into consideration.

Background and introduction

- 1 Planning for the Future, the Government's Planning White Paper was published for a 12-week period of consultation on 6th August 2020. The document sets out a series of proposed reforms to the planning system

Agenda Item 8

which, in the Government's view, will help to build the homes the country needs, bridge the generational divide and recreate an ownership society in which more people have the dignity and security of a home of their own. The proposals are described as being at the centre of multiple national challenges, including the shortage of high quality homes and places, combating climate change, rebalancing the economy and supporting the construction sector.

- 2 The proposed reforms to the system are presented as three pillars of:
 - **Planning for Development:** related to changes in the preparation of Local Plans and the Development Management system;
 - **Planning for Beautiful Places:** to improve design and placemaking; and
 - **Planning for Infrastructure and Connected Places:** which seeks to meet the demands for public services and infrastructure generated by new development.

- 3 Fundamentally, the proposals are presented in the light of the Prime Minister's foreword to the White Paper:

'Thanks to our planning system, we have nowhere near enough homes in the right places. People cannot afford to move to where their talents can be matched with opportunity. Businesses cannot afford to grow and create jobs. The whole thing is beginning to crumble and the time has come to do what too many have for too long lacked the courage to do - tear it down and start again.'

- 4 This report explains the key content of the White Paper, the implications for Sevenoaks and introduces the Council's proposed response, which is attached at Appendix 1.

Summary of Proposals

- 5 The White Paper contains a far from concise preamble of four separate sections, comprising an introduction to the problems with current planning system, a vision for England's new planning system, a summary of the proposals and a description of the changes that will emerge, should the proposals be implemented. The key points are:
 - A more streamlined, democratic planning process and the replacement of all plan making law in England. Key aspects of the proposals include a simplified and standardised structure for Local Plans, which should identify areas for growth, renewal and protection. Other aspects of the proposals include a single, sustainable development test for plans and a statutory 30-month timescale for their production. The duty to co-operate and sustainability appraisals will be abolished.

- A ‘digital first’ approach to the planning process. Local authorities will be encouraged to use digital technology in the process of plan making and decision taking.
- An increased focus on design and sustainability. In particular, the establishment of design codes will be central to the delivery of beautiful places.
- The need to improve infrastructure delivery in all parts of the country, including a reformed system of infrastructure charging.
- A new nationally determined housing requirement for each local authority, which is proposed to speed up construction

Content of the White Paper

- 6 A summary of each of the three pillars and the implications for Sevenoaks, are set out in the following paragraphs. Many of the proposals are high level and remain undefined.

Pillar 1: Planning For Development

- 7 Proposals to simplify the production and content of Local Plans and the Development Management system lie at the heart of the White Paper. Land use plans, including Local Plans, will be expected to identify only three types of land:
- **Growth Areas:** These are areas of substantial growth, including land for comprehensive redevelopment. The term ‘substantial’ appears to refer to former industrial sites, potential urban regeneration opportunities, growth around Universities and clusters of employment uses. The concept of growth is focussed primarily on the delivery of residential uses.
 - **Renewal Areas:** Are identified as being suitable for ‘gentle densification’ and would be subject to a presumption in favour of sustainable development.
 - **Protected Areas:** Relate to significant environmental or cultural designations. In particular, the Green Belt and Areas of Outstanding Natural Beauty (AONB) would continue to be subject to existing levels of protection.
- 8 New style Local Plans are expected to be predominantly web-based with supporting text to identify the types of uses that will be suitable in growth and renewal areas.
- 9 A further key proposal under this pillar is the establishment of a national system of development management policies in the National Planning Policy Framework (NPPF). Whilst locally specific policies will be permissible, there is no provision for the generic repetition of national requirements. Policies should be presented in ‘machine-readable’ format, so that planning applications can be automatically screened to determine acceptability.

Agenda Item 8

- 10 Streamlining of the development management process would occur by automatically granting outline planning consent for the principle of development in growth areas, with subsequent planning applications focusing only on the resolution of detailed outstanding matters. A faster, more streamlined development management process is also proposed through the use of digital technology and more standardised planning applications. The requirements for supporting information with planning applications will be shortened.
- 11 Local authorities will be expected to determine planning applications within statutory timeframes. Application fees may be returned to applicants, where these targets are not met.
- 12 Local Plans will be subject to a single, as yet undefined, statutory sustainable development test. The current requirement to prepare sustainability appraisals and discharge the duty to co-operate will be removed from the system.
- 13 The number of new homes that each local authority is required to deliver each year (the housing requirement) will be calculated centrally, using a standard algorithm-based method. This new approach, which takes account of the proportion of 'protected land', will be a statutory obligation.
- 14 Local Plans are proposed to be visual and map based, with a reduced requirement for local authorities to prepare supporting evidence. The government proposes a statutory 30-month timescale for production and local authorities that fail to meet this requirement will be at risk of Government intervention.
- 15 In essence, many of these proposals reflect the Government's shift away from 'documents to data'. Whilst the system of Neighbourhood Plans is proposed to be retained, they too will move to a digital format. New provisions are proposed to be introduced to allow detailed street level development criteria.
- 16 As a parting shot for pillar 1 proposals, the White Paper acknowledges the need to speed up the delivery of development, following the findings of the 'Letwin Review', that build out rates on large residential developments can be slow. Further options to speed up build out rates are proposed to be explored.

Implications for Sevenoaks

- 17 More detail is needed on many of the proposals to assess their impact on Sevenoaks. However, key implications emerging from the pillar one are:
 - The outcome of the proposed binding housing requirement remains unclear, however it could result in a higher housing target for the District.
 - Reduced scope to take account of local circumstances in planning decisions.

- Whilst it is agreed that the plan making process could be improved, a ‘one size fits all’ 30-month timescale will be difficult to achieve. The Council has sought to produce its plan in the shortest possible order, however effective policies should be guided by robust evidence and community engagement. There are no short cuts in either of these processes.
- The Council will need to reclassify all proposed allocations as either growth or renewal areas or areas of protection.
- Digital technology has already been embraced to publicise emerging plans and engage with local communities. However, the use of algorithms is unlikely to deliver effective planning decisions.

Pillar 2 - Planning for beautiful and sustainable places

- 18 A key proposal emerging from pillar 2 is the increased use of local design codes to deliver greater certainty regarding design expectations. The Government has proposed to investigate an appropriate organisational structure to assist in the production of local codes, including their relationship with the National Design Code. Overall, greater weight will be given to all aspects of design and the subjective concept of beauty in the planning process.
- 19 The White Paper proposes three ways of embedding the already established ‘fast track to beauty’ into local and national policy. Firstly, the NPPF will make clear that schemes which comply with the local design code have a ‘positive advantage and greater certainty of swift approval’. Secondly, growth areas will require a masterplan and site-specific codes as a condition of a permission in principle. Thirdly, popular and replicable forms of development will be subject to permitted development procedures, to support the intensification of areas of renewal.
- 20 In essence, this final suggestion signals the revival of a ‘pattern book’ principle, where a series of form-based development types would benefit from permitted development. The nature and scale of these proposals are currently unclear.
- 21 A further key aspect in relation to the creation of beautiful places is to ensure that places and spaces reflect to Government’s commitment to mitigating climate change. In addition to encouraging sustainable forms of transport, the document suggests more detailed measures, such as ensuring that all new streets are tree lined. It is interesting to note that an alternative to the current mechanisms of sustainability appraisal and Strategic Environmental Impact Assessment, which are governed by European Law, will be introduced when the UK leaves the European Union.
- 22 In addition to these measures, the Government is seeking to introduce changes that will make buildings more energy efficient. From 2025 onwards, there will be an expectation for all new homes to produce 75-80% lower CO2 emissions.

Agenda Item 8

Implications for Sevenoaks

- 23 The key implications emerging from the pillar 2 proposals are:
- An increased focus on the production of local design guidance.
 - The efficiency of buildings and spaces will be given much greater priority.

Pillar 3 - Planning for infrastructure and connected places

- 24 Notwithstanding the certainties surrounding the current CIL process, the Government refers to the financial pressures created by the requirement for payments to be made before new homes are delivered on site. It is also noted that local authorities are generally slow to spend receipts.
25. A key aspect of the White Paper is the replacement of current CIL and Section 106 regimes with a single consolidated infrastructure levy. This will be based on a flat rate charge set nationally, as either a single or area specific rate. A further significant change from the current system is that the levy would be applicable to permitted development changes. In addition, the charge would be used to fund affordable housing provision, which is currently delivered through the Section 106 mechanism.
- 26 A further aspect of the proposals is increased flexibility for how receipts are spent, once infrastructure needs are met. Views are sought on whether receipts could be used to fund non-infrastructure items currently financed through Council tax.
- 27 Further details of these proposals and the potential risks to the Council will be outlined to members at the meeting.

Implications for Sevenoaks

- 28 The key implications for Sevenoaks emerging from the pillar 3 proposals are:
- Depending on the level of the proposed national charge, there may be an increase or decrease in the Council's income.
 - The Council may be able to buy affordable housing and borrow money against the levy.
 - A more simplified infrastructure charging regime and greater flexibility in spending contributions.
 - Greater flexibility in determining the nature and form of affordable housing in the District.

Consultation and feedback

- 29 Officers circulated a series of briefing videos to members on 9 September 2020, setting out the key content of the White Paper, the implications for

Sevenoaks and initial responses to the consultation questions. Follow up online question and answer sessions were held on 13 and 15 September. Key issues raised by members during these sessions were:

- The response to the consultation should highlight the unique nature of development constraints in Sevenoaks.
- Emphasis on striking a balance between the protection of the Green Belt and meeting housing need.
- Concerns expressed regarding affordable housing delivery in Sevenoaks
- Digital methods of plan making, decision taking and consultation are not always appropriate.
- Housing delivery is not entirely dependent on local authorities and requires developers to build out consents.
- Queries were raised regarding how neighbourhood plans will fit into the process.
- No mention of locally listed buildings.
- How do the proposals for design and beauty fit with the increased scope of permitted development?
- Very little on how local authorities will secure infrastructure through the levy.
- Further detail needed on whether there is scope for area specific rates. The removal of CIL and S106 is not necessarily welcomed.
- The proposed affordable housing threshold of 40 units is not supported and will reduce the delivery of affordable homes in Sevenoaks.

Council's Response to the White Paper

- 30 The Council's proposed response to the White Paper, which takes account of the points raised by Councillors during the Q&A sessions, is attached at Appendix 1 of this report.

Next Steps

- 31 Subject to approval, the Council's response will be submitted to the Government in advance of the close of the consultation period on 29 October 2020.

Agenda Item 8

Key Implications

Financial

There are no financial implications regarding this report.

Legal Implications and Risk Assessment Statement.

There are no legal implications regarding this report.

Equality Assessment (Compulsory heading - do not delete)

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.

Net Zero

This has been addressed in the main report.

Conclusion

Officers will be happy to take any questions regarding the content of the White Paper and the Council's proposed response to the consultation at the meeting.

Appendices

The Council's Proposed Response to:

Pillar 1: Planning for development

Pillar 2: Planning for beautiful places

Pillar 3: Planning for Infrastructure and Connected Places

Background Papers

Link to the White Paper document.

<https://www.gov.uk/government/consultations/planning-for-the-future>

Richard Morris

Deputy Chief Executive, Chief Officer - Planning & Regulatory Services

RESPONSES FROM SEVENOAKS DISTRICT COUNCIL TO THE PLANNING WHITE PAPER

PILLAR 1- PLANNING FOR DEVELOPMENT

1. What top three words do you associate most with the planning system?

Fair Open Transparent

2a. Do you get involved with planning decisions in your local area.

Yes

b. If not, why not?

n/a

3. Our proposals will make it easier to access plans and contribute your views to planning decisions. How would you like to find out about plans and planning proposals in the future?

Sevenoaks District Council (The Council) believes a variety of consultation methods are required to reach as many members of the community as possible. Whilst we welcome the increased digitalisation of the planning process, it is important to recognise the barriers that some residents may face with digital consultation methods, in particular new technologies and interactive tools.

Community involvement and engagement is at the heart of the plan-making process. The Council goes above and beyond what is required and as set out in the Council's 'Statement of Community Involvement', we have been actively seeking new and innovative ways to communicate and engage with the community for some time. In recent consultations, we have successfully used new technologies to reach more of the community. Methods include social media, interactive maps, videos and text notifications.

Everyone should have the opportunity to participate in the planning process if they wish to do so. It is important to recognise that for some members of the community, a more traditional approach to consultation may be required. Some consultation methods may not be accessible to residents, due to their age, location, ethnicity, a disability, or access to broadband. In particular, Site Notices are considered to be a particularly important mechanism for drawing attention to a planning application and should be retained.

Residents may not have access to technology and interactive consultation methods and hard copies of documents are sometimes more appropriate. Indeed, accessing large planning documents in electronic format is a particular challenge in the more rural parts of Sevenoaks District, both because of the large file sizes and intermittent broadband quality and availability. It is also not always possible to view large plans on a small phone or tablet. Over a third of households in Sevenoaks District commented on the Issues and Options version of our Local Plan

Agenda Item 8

RESPONSES FROM SEVENOAKS DISTRICT COUNCIL TO THE PLANNING WHITE PAPER

PILLAR 1- PLANNING FOR DEVELOPMENT

and a variety of consultation methods is needed to maintain this level of community participation.

The Council recognises the invaluable input and local knowledge that Town and Parish Councils bring as consultees on planning proposals and wishes for this to be retained as part of the digitalising the planning process.

Notwithstanding the importance of ensuring the planning system should remain accessible to all members of the community, we welcome the digitalisation of some aspects of the planning process and recognise the need to change and adapt consultation methods to meet the needs of the ever-changing community, which we are already doing.

4. What are your top three priorities for planning in your local area?

Sevenoaks District Council's top three priorities for planning are: protecting the Green Belt; delivering the right homes in the right places, including genuinely affordable housing; and addressing climate change.

The Metropolitan Green Belt covers 93% of Sevenoaks District's 142 square miles. 60% of this is AONB. The Green Belt coverage is the third highest in England and the particular function of the Green Belt in Kent is to form a buffer to the outward growth of London. Through community involvement, we know that open countryside is appreciated by the majority as a reason for living and working in, or visiting the District. National guidelines are clear that we should protect open land, discourage urban sprawl and prevent the coalesce of built up areas. In accordance with Government policy, protecting the Green Belt is a key priority for this Council.

Very high average house prices in the District present clear challenges to those wishing to own a home and the delivery of genuinely affordable housing is therefore also a top priority.

The Council has committed to meeting its target of net zero carbon by 2030, to work towards the international goal of reaching carbon neutral by 2050. In addition, we recognise the importance of the many different aspects of adapting to and mitigating the effects of climate change, including:

- Provision of blue/green infrastructure;
- High quality design;
- Flooding prevention;
- Energy consumption;
- Water efficiency;

RESPONSES FROM SEVENOAKS DISTRICT COUNCIL TO THE PLANNING WHITE PAPER

PILLAR 1- PLANNING FOR DEVELOPMENT

- Development in sustainable locations;
- Open space;
- Air quality; and
- Sustainable travel.

Therefore, given the wide ranging impact on residents in the District, adapting to and mitigating the effects of climate change is a top priority.

5. Do you agree that Local Plans should be simplified in line with our proposals?

The Council does not believe that a simplified, less regulated system of Local Plans will lead to a faster, more efficient planning process. Indeed the Government acknowledges on page 40 of the White Paper the length of time taken to produce a Local Plan has doubled since 2009. This suggests that the introduction of measures by successive governments, such as the revocation of Regional Plans and the National Planning Policy Framework (NPPF), have made things worse. The White Paper does not provide an analysis of the reasons behind this increased timescale, however in the Council's experience, less guidance results in reduced certainty for all participants in the system and increases the scope for conflict.

The Council considers that Local Plans should do more than simply identify land for growth, renewal and protection. The plan making process works best when it brings stakeholders together to develop a locally specific spatial vision and we are concerned that the objectives of pre-NPPF policies in Planning Policy Statement 12 (which focussed on joint working between strategic partners) have been lost over recent years. We would support the renewed focus on a 'bottom up' approach to plan making, based on joint working with partners to develop a locally specific spatial vision.

The Council is concerned that as currently worded, the White Paper places a simple and disproportionate focus on the delivery of residential development to meet the Government's target of 300,000 homes each year. The document is largely silent on other aspects of growth, particularly the need to address employment needs and the role and function of town centres. In the light of current circumstances, these issues are particularly pressing for Sevenoaks.

Overall, there is a general failure to recognise or address the fundamental changes in lifestyles and working patterns that have taken place over the last seven months. Further consideration is needed on the land use implications of trends emerging from the Coronavirus pandemic and the types of development that will be needed to support economic recovery.

RESPONSES FROM SEVENOAKS DISTRICT COUNCIL TO THE PLANNING WHITE PAPER

PILLAR 1- PLANNING FOR DEVELOPMENT

It is becoming increasingly apparent that remote working practices established during lockdown will be with us for many months to come, if not permanently. Early indications suggest that office-based businesses will be adopting permanent flexible working arrangements, such as staggered start and finish times and working from home for part or all of the week. Furthermore, there is increasing evidence of migration out of city centres to suburban and rural location locations. The Council is concerned that the White Paper is largely silent on the spatial implications of these fundamental cultural shifts. At this critical time, we need more than a simple housing delivery mechanism. A broader conversation is required on matters such as the provision of flexible workspaces as part of development schemes to accommodate these emerging requirements and the implications of changing living and working patterns.

The Council would also like to see further measures to support town centre businesses. We would support a renewed focus on vitality and viability to increase footfall, through measures such as encouraging social infrastructure provision and cultural places and spaces in these areas. In addition, local authorities should continue to work with town centre partners such as Chambers of Commerce and town centre management teams to deliver locally specific solutions.

Finally, there is an urgent need to rediscover the link between public health and spatial planning. Local planning authorities should be encouraged to work collaboratively with public health colleagues to bring forward policies that deliver improved mental and physical health, through measures such as the increased use of Health Impact Assessments, communal spaces within developments that encourage safe social interaction and green urban environments.

The Council suggests that the White Paper should acknowledge the current uncertainties surrounding the impact of COVID on property markets, working practices and travel patterns. A review of the document is required when the implications of these changes become clear.

Growth, Renewal and Protection

It is unclear how the proposed categorisation of growth, renewal and protected areas will deliver improvements over and above the current system of allocations and designations. As noted above, previous attempts to simplify the planning system have increased the timescale for the production of Local Plans and further detail is required on exactly how these areas are to be identified, before detailed comments can be provided. In particular, it would be helpful to have further clarity on the aspects of the current system that would no longer be permitted. For example, the supporting text to proposed allocations currently provides scope to expand the specific factors that are relevant to policy proposals. The extent to which this provision will continue to apply is unclear.

RESPONSES FROM SEVENOAKS DISTRICT COUNCIL TO THE PLANNING WHITE PAPER

PILLAR 1- PLANNING FOR DEVELOPMENT

The identification of these areas should continue to be based on locally specific evidence. Notwithstanding the proposal for outline planning consent to be granted by default in growth areas, Local Plans should retain the ability to set specific development criteria and if necessary, requirements for the production of more detailed Supplementary Planning Guidance to minimise impacts on the local area.

6. Do you agree with our proposals for streamlining the development management content of Local Plans and setting out general development management policies nationally?

The Council is broadly supportive of the established principle to prepare locally specific development management policies that avoid the repetition of national guidelines. These proposals offer nothing new in this regard. The Council does however, have concerns regarding the introduction of 'machine readable' planning applications as part of the Government's wider proposal to remove professional judgement from the planning process. Firstly, there is no evidence to suggest that algorithm technology is sufficiently advanced to deliver decisions that take account of an infinitely variable set of local circumstances. We are concerned that the proposals will encourage a 'one size fits all' approach and a 'computer says yes/no' culture.

The use of algorithm-based technology also has wider implications for local democracy and the customer service experience for users of the planning system. The proposal is not supported.

7a. Do you agree with our policies to replace legal and policy tests with a consolidated test for sustainable development, which would include consideration of environmental impact?

The practical application of the current legal compliance and soundness tests are dependent on the interpretation of the appointed Local Plan Inspector, which remains largely unclear until the start of the examination hearing sessions. Any replacement test should provide a greater degree of certainty for local authorities, to avoid abortive work for all who are involved in the production of a plan. Further detail on the nature of the proposed sustainable development test, including how it differs from the current mechanism of sustainability appraisal, is needed before further comment can be provided.

7b. How could strategic cross boundary issues be planned for in the absence of a formal Duty to Co-operate?

Whilst the removal of the duty to co-operate as a solution to address cross-boundary needs is supported, the search for an effective alternative mechanism to deal with this issue has been on-going for many years. The Government will be

Agenda Item 8

RESPONSES FROM SEVENOAKS DISTRICT COUNCIL TO THE PLANNING WHITE PAPER

PILLAR 1- PLANNING FOR DEVELOPMENT

aware that solutions have included both Structure Plans and Regional Planning Guidance and the latest attempt, in the form of the duty to co-operate. All of these approaches have proved an unsuccessful means of addressing cross-boundary matters and it is unclear if further viable alternatives exist.

We note that further consideration will be given to an appropriate mechanism for cross- boundary planning and additional comments will be sought at the appropriate time. At this stage, it is suggested that the use of vague and subjective terminology, such as ‘constructive engagement’, should be avoided. We would also encourage the Government to consider the aspects of previous policies that have worked well, rather than seeking to reinvent the wheel on this issue.

There is no escaping the fact that many strategic priorities are regional in nature and the average time taken to prepare a Local Plan has doubled since Regional Plans were revoked. Whilst the previous system of regional governance - which comprised Regional Planning Authorities, Regional Development Agencies and a regional Government Office, was overly complex, a simplified, light touch version of this structure could assist in the delivery of cross-boundary matters. There may also be scope for regionally significant planning issues to be translated to a local level through the production of sub-regional plans between groups of authorities.

8a. Do you agree that a standard method for establishing housing requirements (that takes account of constraints) should be introduced?

Yes. We are supportive of a local housing requirement that genuinely takes account of the District’s constraints and practical limitations.

Sevenoaks District is exceptionally constrained, with 93% Green Belt, 60% AONB and 41 Conservation Areas across many of the District’s settlements (See Table 1 on page 8 of this response). The proportions of land in each local authority area constrained by Green Belt, National Park, an AONB or an SSSI were published in September 2017 by MHCLG, in conjunction with a Housing Need consultation. This data shows that Sevenoaks District is the tied top most constrained Local Authority with 94% of the land covered by these constraints. In the notes for this data it is stated this “...provides an indication of land that is not generally available for development, to illustrate the point in the consultation document that not all authorities will be able to meet their need in full within their own area.” (Housing need consultation data table, Planning for the right homes in the right places consultation, published September 2017:

<https://www.gov.uk/government/consultations/planning-for-the-right-homes-in-the-right-places-consultation-proposals>)

We have concerns that the proposed binding local housing requirement for the District would be beyond what can reasonably be planned for in an area with

RESPONSES FROM SEVENOAKS DISTRICT COUNCIL TO THE PLANNING WHITE PAPER

PILLAR 1- PLANNING FOR DEVELOPMENT

significant constraints and a sensitive landscape. Therefore, it is important that constraints are given proper consideration when a binding housing requirement is set.

In addition, in order to achieve sustainable places for people to live, housing must be accompanied by the required infrastructure, facilities, services and resources. Therefore, capacity of existing settlements should also be factored in when determining the resultant housing requirement.

The Council's emerging Local Plan (currently subject to Judicial Review proceedings) already sets out a housing requirement for the District, which uses the current standard method as a baseline and takes constraints into appropriate consideration. The proposed housing requirement is below the current standard method figure despite increased densification, maximising the potential of urban areas, efficient reuse of brownfield land and proposals to release 221 hectares of land from Green Belt for housing and mixed-use site allocations under exceptional circumstances. We have done all we reasonably can to deliver the right homes in the right places supported by infrastructure and conserving and enhancing the character and sensitive landscape of the District. This approach has been endorsed through the Local Plan consultation process. Therefore, we expect that the prescribed housing requirement would be significantly lower than the baseline standard method housing need.

Unfortunately, the emerging Local Plan has been stalled and is currently subject to Judicial Review proceedings. Permission was granted for the Judicial Review proceeding to go ahead on all grounds and the hearings took place early in September; we await the outcome. At the time the examination halted, the Proposed Submission Version of the Plan proposed almost 9,500 dwellings in the District until 2035. This is approximately 3 times the number of dwellings set out in the adopted Core Strategy (2011). This delay has severely reduced our ability to increase housing in the District, however, we are committed to adopting a Local Plan that provides the right housing in the right places and protects the Green Belt and AONB.

8b. Do you agree that affordability and the extent of existing urban areas are appropriate indicators of the quantity of development to be accommodated?

No, whilst the affordability of housing is a factor in determining local housing requirements, there are other factors that should be considered.

Affordability is affected by more than just supply and demand. It is a complex amalgamation of issues including land availability and social and economic factors. The District is a desirable place to live due to its location, proximity and transport links to London, heritage assets and high quality natural environment. On the other

Agenda Item 8

RESPONSES FROM SEVENOAKS DISTRICT COUNCIL TO THE PLANNING WHITE PAPER

PILLAR 1- PLANNING FOR DEVELOPMENT

hand, the District is highly constrained with little available land for new development and therefore high land values. These factors all have an impact on affordability. In addition, access to money & borrowing has significant impact on affordability as well as matters of demand and supply.

The “Changes to the current planning system” consultation states that the proposed standard method has relevance to the changes set out in this White Paper. This proposed standard method calculation uses the latest available affordability ratio as well as the change in affordability over 10 years. It is found that areas with significant constraints have correspondingly high affordability ratios as shown in Table 1. The affordability ratios of Local Authorities, outside of London, which are the top most constrained are particularly high. Therefore, affordability ratios should not be given disproportionate weighting in the calculation of a binding housing requirement in relation to other factors including settlement capacity, land values and constraints.

Table 1: Affordability Ratios of Neighbouring Local Authorities and Top Most Constrained Local Authorities

Area	Affordability Ratio	Proportion of Local Authority land area covered by Green Belt, National Parks, Areas of Outstanding Natural Beauty or Sites of Special Scientific Interest
Tandridge*	14.98	94%
Epping Forest*	13.68	94%
Sevenoaks*	13.12	94%
Tunbridge Wells	12.48	75%
Tonbridge & Malling	11.79	77%
Wealden	11.55	65%
Dartford	9.23	56%
Gravesham	8.62	78%

* indicates the tied top three most constrained Local Authorities in England

Housing must be accompanied by the required infrastructure, facilities, services and resources. Therefore, as set out in response to question 8a, the extent of existing settlements should be accounted for in order to achieve sustainable places for people to live.

Finally, as set out above the District is highly constrained, and therefore, the availability of land suitable to be developed for housing is limited. It is very important that constraints are given fair weighting in the calculation of the quantity of development that can reasonably be delivered in the District.

RESPONSES FROM SEVENOAKS DISTRICT COUNCIL TO THE PLANNING WHITE PAPER

PILLAR 1- PLANNING FOR DEVELOPMENT

9a. Do you agree that there should be automatic outline permission for areas for substantial growth (Growth areas) with faster routes for detailed consent?

It is unclear how the “automatic outline permission” proposed differs from the current approach of allocating sites, as both are methods for determining the principle of development. A site allocation primarily consists of a site location/boundary, a proposed use and quantum of development and any site-specific details required to make the principle of development acceptable. An outline permission has the same requirements, but also has an expiry date. The White Paper does not comment on whether the “automatic outline permission” will include an expiry date or whether the permission remains for the length of the Plan period, as per an allocation.

In addition, as outline permissions do not necessarily consider any additional detail beyond a site allocation, it is not clear how the process of assessing the reserved matters would be faster. The same information would be needed for the reserved matters application as for a full application following a Local Plan allocation to ensure the proposal is sustainable and high quality.

However, if additional information, beyond what is currently provided for an allocation, is required for proposals in growth areas at the Local Plan stage, then we have concerns as to how the additional technical information will be funded and produced in the proposed shortened Local Plan timetable. In our experience, the amount of information required to support Outline applications is substantial. Sevenoaks District is highly constrained and new development comes from a large number of smaller sites. Producing detailed information for each site would be extremely time consuming and potentially costly.

9b. Do you agree with our proposals for the consent arrangements for Renewal and Protected areas?

In areas identified for “renewal” there will be a “presumption in favour of sustainable development”. Parts of Sevenoaks District are already subject to the “presumption”, in accordance with Para 11 of the NPPF. Renewal areas will allow Local Authorities to identify specific areas where the “presumption” should apply. This is supported, as it will allow planned and strategic development in sustainable and suitable locations, such as town centres and transport hubs. Development in renewal areas, in combination with local design codes, has the potential to ensure that the right kind of development is delivered in the right places. Although the White Paper also states that development must meet “other prior approval requirements”, it is not clear what these requirements will be. However, any development in renewal areas must take account of local character, be of high

Agenda Item 8

RESPONSES FROM SEVENOAKS DISTRICT COUNCIL TO THE PLANNING WHITE PAPER

PILLAR 1- PLANNING FOR DEVELOPMENT

quality, consider all aspects of sustainability, and contribute to affordable housing and other local infrastructure requirements.

The identification of “protected” areas is supported, as is the requirement for proposals to be subject to planning applications. However, the removal of local development management policies is of concern. It is likely that “windfall” development will continue to be delivered in these areas and it is essential that this development takes account of local circumstances such as affordable housing, local character, housing size and type and the importance of employment land.

9c. Do you think there is a case for allowing new settlements to be brought forward under the Nationally Significant Infrastructure Projects regime?

In the absence of further detail, the Council does not believe that the NSIP process is the right mechanism to bring forward new settlements. The process is fundamentally undemocratic and is not suited to the consideration of either the strategic or detailed planning issues that are associated with these proposals.

10. Do you agree with our proposals to make decision making faster and more certain?

Whilst the Council supports the general principle of increased use of technology in the publication of planning applications, its views on the use of algorithm technology to determine proposals are set out in response to question 6 of this document. In essence, an algorithm should not be substituted for human judgements to determine whether development proposals are appropriate in the local context. The Council has an exemplary record of deciding planning applications within the required timescales and has sought to use technology wherever possible to assist with this process. From our perspective, the proposed additional measures are not necessary

Notwithstanding the Government’s objective to speed up the planning process, the supporting information submitted with a planning application must be sufficient to allow the determination of social, economic and environmental impacts. The absence of such information inevitably results in ambiguity and delay.

The Council does not support the proposal to refund planning application fees where proposals are not determined within the statutory time limit. Delays in the determination of planning applications can arise for multiple reasons, but are usually connected to the quality of submission information and/or the nature of discussions between the Council and the applicant. The Council would urge the Government to consider the factors that lie behind delays before apportioning blame and penalty.

RESPONSES FROM SEVENOAKS DISTRICT COUNCIL TO THE PLANNING WHITE PAPER

PILLAR 1- PLANNING FOR DEVELOPMENT

11. Do you agree with our proposals for accessible, web-based local plans?

The Council is generally supportive of the proposals for accessible, web-based Local Plans, however it is important to recognise the barriers that some residents may have with web-based technologies.

As set out in the Council's 'Statement of Community Involvement', we are actively seeking new and innovative ways to communicate and engage with the community. In recent Local Plan consultations, we have successfully used new technologies in order to reach more of the community, including social media, interactive maps, videos and text notifications.

Everyone should have the opportunity to participate in the planning process, if they wish to do so. It is important to recognise that for some members of the community, a more traditional approach to consultation may be required. Some consultation methods may not be accessible to residents, due to their age, location, ethnicity, a disability, or access to broadband. Therefore, a variety of methods should be used to ensure that Local Plans are accessible to everyone.

The Council recognises the invaluable input and local knowledge that Town and Parish Councils bring as consultees on planning proposals and wishes for this to be retained as part of the digitalising the planning process. As noted in response to question 3, the Council believes that face to face consultations continue to add value to the planning process, alongside the use of technology to access hard to reach groups.

Notwithstanding the importance of ensuring the planning system should remain accessible to all members of the community, we welcome the proposals for accessible, web-based Local Plans.

12. Do you agree with our proposals for a 30 month statutory timescale for the production of a local plan?

Whilst the Council agrees there is scope for greater efficiencies in the plan making process, it is not supportive of a 'one size fits all' statutory timescale, which fails to take account of local circumstances. We suggest that local authorities should be given a 'margin of appreciation' to formulate a timescale that reflects the complexity of the plan area, for agreement with the Government at the outset of the process.

The process outlined on page 40 of the White Paper does not provide an opportunity for members of the public or other key stakeholders to comment on an emerging Local Plan until after the document has been submitted to the Secretary of State. This approach represents a fundamental departure from the current

Agenda Item 8

RESPONSES FROM SEVENOAKS DISTRICT COUNCIL TO THE PLANNING WHITE PAPER

PILLAR 1- PLANNING FOR DEVELOPMENT

arrangements, which seek to ‘front load’ consultation at the start of the process. The Council is concerned the proposed approach will damage local democracy and risks alienating local communities.

13a. Do you agree that Neighbourhood Plans should be retained in the reformed planning system?

Community involvement within the planning system is becoming increasingly important and Neighbourhood Plans offer the opportunity for a community-led plan, setting out policies on the development and use of land in a parish or neighbourhood area. Neighbourhood Plans can also be used to promote much needed local housing and infrastructure.

Whilst promoting community involvement in the planning process, Neighbourhood Plans simultaneously encourage beneficial communication between Local Stakeholder Groups, Town and Parish Councils and the District Council. We have found that, as well as strengthening working relationships between neighbourhood planning groups and local authority planners, this can have a positive impact on community understanding and collaboration on the future of local areas.

There are currently no adopted Neighbourhood Plans in Sevenoaks District. However, there have been 11 neighbourhood area designations of which 7 are currently making progress.

13b. How can the neighbourhood planning process be developed to meet our objectives, such as in the use of digital tools and reflecting community preferences about design?

A Neighbourhood Plan is developed to support and build upon local planning policies. The Plans add “local flavour” and allow communities to directly influence how the local area is developed. With the proposed removal of local Development Management policies, it is unclear what role a Neighbourhood Plan would play in shaping the development of an area. The Council’s views on the use of digital tools in neighbourhood planning reflect those provided in response to question 3 of the White Paper. Finally, it is unclear how the proposed Design Codes referred to in Pillar 3 of the White Paper would relate to the Neighbourhood Planning process.

14. Do you agree there should be a stronger emphasis on the build out of development? And if so, what further measures would you support?

Yes. Whilst the Council makes every effort to ensure that sites allocated for development are genuinely deliverable, there are situations where sites do not come forward as planned, which has a negative impact on the Council’s housing delivery against its housing requirement. This also negatively impacts the Council’s Housing Delivery Test result, leading to additional sanctions on housing

RESPONSES FROM SEVENOAKS DISTRICT COUNCIL TO THE PLANNING WHITE PAPER

PILLAR 1- PLANNING FOR DEVELOPMENT

requirements. A stronger focus on build out (and commitment from developers) will help ensure non-implementation is kept to a minimum.

The Council has a responsibility to process and determine planning applications within a given timeframe, however what happens following the granting of planning permission is outside of the Council's control. Currently, planning permissions expire if work has not started within a given timeframe. Unfortunately, this can lead to partially built out sites or building sites, for a number of years with the development never being completed.

The Council is aware that in London and across the UK, there is a sufficient 'pipeline supply' of homes with planning consent to make a significant contribution to meeting housing needs. This indicates that the planning system is 'doing its bit' to address the issues and the challenge for the Government in this White Paper is to ensure that the pipeline comes forward, rather than using the planning system and those who work within it as a scapegoat.

In order to place a stronger emphasis on the build out of development and to ensure development is completed, it is suggested that the expiry date of a planning permission should be linked to the completion of the development, rather than the start.

This page is intentionally left blank

RESPONSES FROM SEVENOAKS DISTRICT COUNCIL TO THE PLANNING WHITE PAPER

PILLAR 2- PLANNING FOR BEAUTIFUL AND SUSTAINABLE PLACES

15. What do you think about the design of new development in your area?

Making well designed buildings and places a priority within the planning system and giving LPAs the opportunity to be proactive is welcomed. Development in Sevenoaks reflects the reactive nature of development within LPAs and developers' priorities. Elevating the expectation of well-designed buildings and spaces within the system and supporting this through policy will give Developers and communities more certainty about the quality of development that should be delivered.

16. Sustainability is at the heart of our proposals. What is your priority for sustainability in your area?

Sustainability is commonly understood to be made up of three elements, economic, social and environmental. Our local polices reflect all three of these but the White Paper only focuses on the environmental factors. We are very supportive of conserving and enhancing our high quality natural environment, and tackling the causes and effects of climate change, but the sustainability of the District also includes economic viability and strong, vibrant communities. It is important that Government policy reflects all three of these elements as well.

17. Do you agree with our proposals for improving the production and use of design guides and codes?

Front loading the development process so that the priorities and standards of development is established and published should make it clearer and easier for all stakeholders. However, we would not want to see innovation stifled, both in terms of technical advances and evolving tastes. Design Guides and Codes would need to be updated on a relatively regular basis and further information and timeframes on this should be provided.

In a District with a wide range of urban and rural characters and 41 conservation areas we would not want this to be lost or diluted with the potential uniformity of the requirements of a Local Design Code. Local design details are extensive and varied in the district and this must be remain the highest priority. We would still expect applications to demonstrate a rigorous attention to the immediate context.

Further information on the content and extent of the proposed Design Guides is required.

RESPONSES FROM SEVENOAKS DISTRICT COUNCIL TO THE PLANNING WHITE PAPER

PILLAR 2- PLANNING FOR BEAUTIFUL AND SUSTAINABLE PLACES

18. Do you agree we should establish a new body to support design coding and building better places, and that each authority should have a Chief Officer for design and place-making?

Yes, it is appropriate to support the development of design codes to ensure consistency of quality of content nationwide and that good practice and innovation is shared and disseminated.

A national specialist organization would do this best, rather than a new part of Homes England or within Design South East because it has a new radical agenda. Extensive design guidance and code production needs senior management support and responsibility

19. Do you agree with our proposal to consider how design might be given greater emphasis in the strategic objectives for Homes England?

Yes. It is important that all stakeholders involved in delivering development have the same objectives to ensure clarity and avoid conflict within the process that can cause delay (which is contrary to the purpose of the White Paper)

20. Do you agree with our proposals for implementing a fast-track for beauty?

The word 'beauty' could be misleading and doesn't easily represent all the elements that contribute to well-designed buildings and spaces.

The principle of a fast-track system where the local planning authority is proactive in setting out development and design principles that have been developed with community engagement could make the Development Management process clearer. However, widening permitted development to create 'pattern book' development could see a uniformity of design and stifling of innovation, unlike the proposed intention.

Design encompasses more than just aesthetics but supports other agendas (like health for example) New policy must ensure that these elements are acknowledged.

Proposal 17 - Conserving and enhancing our historic buildings and areas in the 21st century

There is concern over the determination of listed building consent outside of the LPA. The specific proposal outlined is the 'earned autonomy' from listed building consents for suitably experienced architectural specialist for 'routine' listed building consent. Clarity would be needed as to what 'routine' means because the NPPF directs local planning authorities to make decisions based on the special

**RESPONSES FROM SEVENOAKS DISTRICT COUNCIL TO THE PLANNING
WHITE PAPER**

PILLAR 2- PLANNING FOR BEAUTIFUL AND SUSTAINABLE PLACES

interest of each building. A small 'routine' replacement in one building could, in a different building result in serious harm.

This page is intentionally left blank

RESPONSES FROM SEVENOAKS DISTRICT COUNCIL TO THE PLANNING WHITE PAPER

PILLAR 3 - PLANNING FOR INFRASTRUCTURE AND CONNECTED PLACES

21. When new development happens in your area, what is your priority for what comes with it?

[More affordable housing / More or better infrastructure (such as transport, schools, health provision) / Design of new buildings / More shops and/or employment space / Green space / Don't know / Other - please specify]

The main priority for Sevenoaks District Council (SDC), with any new development in an area, is that it meets the requirements of the Local Plan, unless material considerations indicate otherwise. In drafting the Local Plan, a local authority considers a large amount of evidence, they also consider the input of the community as well as infrastructure providers, which leads them to determine the planning priorities for District through its policies. A Local Plan covers a wide range of planning issues.

SDC would therefore expect any development that happens in our District to meet our affordable housing requirements, addresses a local need (e.g. employment space), that the design enhances the site and surrounding area and that there is sufficient green space for example. On the larger sites, in addition to the above, SDC would expect that adequate and appropriate infrastructure is provided on site or off site including education or health. This creates a successful development and we would therefore not see one element as more important than another.

Our Local Plan has undergone a viability assessment to ensure that developers can provide all that is required in our policies and that the developments will remain viable.

It is worrying that the Government should look to prioritise a particular area of a development, as this could mean that whilst the design of a scheme is prioritised or the correct amount of infrastructure is provided, that other very important issues are compromised such as employment land, green spaces, ecology, sustainable building materials, infrastructure or biodiversity, which would be unacceptable.

In particular, SDC would be concerned if the Govt decided to encourage developers/local authorities with the clear focus on Affordable housing, as whilst this will provide for one need, this would not work for the community, as it would mean that roads, schools, employment or health care etc. that are also needed to support a development would not be prioritised. We do not want to end up with large amounts of housing with nothing to support it.

Sevenoaks District Council would therefore ask that when assessing a development or allocating the levy that Local Authorities are given the authority to assess each

RESPONSES FROM SEVENOAKS DISTRICT COUNCIL TO THE PLANNING WHITE PAPER

PILLAR 3 - PLANNING FOR INFRASTRUCTURE AND CONNECTED PLACES

development on its own merits, on a site by site basis to ensure that it has the correct design and facilities for that specific area and that it is supported by the appropriate infrastructure for that development.

Q22(a). Should the Government replace the Community Infrastructure Levy and Section 106 planning obligations with a new consolidated Infrastructure Levy, which is charged as a fixed proportion of development value above a set threshold?

[Yes / No / Not sure. Please provide supporting statement.]

Not sure.

The role of CIL and Section 106s are different. They have clear distinct roles. SDC would support allowing local authorities to capture a greater proportion of the development value, but would be concerned with the loss of 106's (Legal Agreements) completely as they do a lot more than just secure money for affordable housing.

We would therefore suggest, if a new Levy were introduced that there still be an option to create a legal agreement to control ownership, landscaping, ecology and also the tenure of affordable housing units as this is the most secure way to provide all the elements which would make a scheme that would normally be unacceptable, acceptable. Completely taking away the ability to agree a 106 agreement would remove a much needed element of the planning system and would mean that a lot of planning applications would become unacceptable without these in place.

SDC would also welcome the proposal to have a fixed proportion of development value set as a low threshold as this would mean that Local Authorities would benefit from more income, as we would be able to capture the up lift on the sales value of each development rather than have a set charge across the District. This seems sensible.

SDC would however be concerned as to how the threshold is set. SDC would ask that the threshold should be set very low. A significant proportion (approximately 30%) of new homes in or District are on sites of 9 units or less. This is due to the constrained nature of the District having over 93% Green Belt and large areas covered by AONB, which reduces the ability for larger sites to come forward. If the threshold was set at 10 houses or above this would considerably reduce the amount of Levy and affordable housing that could come forward. This would be, and has already proven to be, damaging to the District and community.

RESPONSES FROM SEVENOAKS DISTRICT COUNCIL TO THE PLANNING WHITE PAPER

PILLAR 3 - PLANNING FOR INFRASTRUCTURE AND CONNECTED PLACES

In addition to this SDC, is extremely concerned that if a threshold is set for 10 units and above for example, that we would receive a high number of applications for 9 units to exclude them from paying the Levy. What legislation could the Government put in place to ensure that developers maximise development on a site and also ensure that developers do not apply in stages or submit a number of applications to keep the amount of each application under the threshold.

If the Govt decides to set the levy based on an increase in value, SDC would like further information as to how the value would be sought and assessed. If the onus is to be put on the Local Authorities to understand the value and uplift, officers would need significant training or would need to be provided with money to employ someone who is qualified to assess the value of developments. If it is for a developer to provide this financial information, this would be quite onerous if it is a small firm and Local Authorities would still need to employ a qualified person to check the information. Planning/Council Officers for example would not be qualified to understand if a developer has artificially raised the costs of development, which would mean that there was less of an uplift in value at the sale stage. So SDC would welcome further advice as to how this uplift is to be understood, monitored and enforced.

Q22(b). Should the Infrastructure Levy rates be set nationally at a single rate, set nationally at an area-specific rate, or set locally?

[Nationally at a single rate / Nationally at an area-specific rate / Locally]

It is SDC's view that the new Infrastructure Levy rates should be set locally.

Infrastructure requirements and the amount of value that can be gained from each development differ between areas and also between sites. It is considered that setting the levy at a national level is too broad and will not allow Local Authorities the freedom to consider local and on site issues. Locally setting the rate would also enable the policies laid out in the Local Plan to be taken into consideration. It is considered that setting a levy charge, taking into account all local issues and considering the potential levy value for development are better understood and implemented locally, scheme by scheme.

It is SDC's view that guidance for setting rates could be set nationally. For example, to define the types of development, and how it should be applied to each development, but the actual threshold above which the new levy would be implemented and the amount of uplift that should be applied and how it should be applied to each development should be determined locally.

RESPONSES FROM SEVENOAKS DISTRICT COUNCIL TO THE PLANNING WHITE PAPER

PILLAR 3 - PLANNING FOR INFRASTRUCTURE AND CONNECTED PLACES

In addition to the above, SDC would also like to better understand what the Govt mean by area specific rates and how they will be worked out. But the main concern of SDC is that we would like to flexibility and authority to set rates and decide how and where the Levy is spent at a local level. SDC would also support the setting of a threshold locally. This means that the threshold could be set to ensure that the maximum amount of the levy could be sought and also ensure that development would remain viable as the viability would depend not just in the Levy but also all the other requirements in our Local Plan.

Q22(c). Should the Infrastructure Levy aim to capture the same amount of value overall, or more value, to support greater investment in infrastructure, affordable housing and local communities?

[Same amount overall / More value / Less value / Not sure. Please provide supporting statement.]

More value to enable Local Authorities to invest in infrastructure, affordable housing and local communities.

Currently due to the set CIL charge there is no flexibility in the CIL charge as this is set through the CIL Charging Schedule and cannot be amended if development increases in value. In addition to this, the fact that a number of CIL exemptions have been introduced, has meant that the amount of CIL income is not enough to enable SDC to make large investments towards the infrastructure in the District. Most of the CIL contributions that SDC have made have been top ups and towards small scale infrastructure projects. This means it has reduced the amount of CIL that has been made available to support some of the larger more strategic projects in the District or cross boundary initiatives. We have also had to reject a number of bids that have come forward, due to insufficient funds.

SDC would welcome a greater income to better support much needed infrastructure in the area. SDC also considers that this money should be for Infrastructure only (with the exception of the neighbourhood payments) to ensure that all the income goes towards supporting development in the area. Any flexibility to cover the costs of service provision or reducing Council tax would reduce the amount of money being spent where it is needed.

Whilst SDC supports the increase in income, we would however require more information in regard to our role in delivering and securing infrastructure. Whilst SDC would be happy to have authority over setting the charges and deciding where the levy will be spent, we would not want to have play a greater role in actually implementing the infrastructure. SDC would therefore like clarification as to their

RESPONSES FROM SEVENOAKS DISTRICT COUNCIL TO THE PLANNING WHITE PAPER

PILLAR 3 - PLANNING FOR INFRASTRUCTURE AND CONNECTED PLACES

role in this new structure. Whilst SDC are happy to work with infrastructure providers they would not wish to overtake that role.

SDC would also question whether the Government would consider is looking at how the different values across different types of land would be considered. For example, considering how the levy would address the difference between land value increases for greenbelt release land versus prime real estate near highly sustainable locations. There is considerably more potential for an uplift in developer profitability for projects based on land purchased at agricultural values but these developments would also require significant infrastructure (of all types) to make them liveable in. It is also much cheaper to develop on virgin land. SDC would therefore recommend that any exceptional circumstances greenbelt sites should have a much higher levy contribution as they would require more infrastructure to be put in place to support it.

22(d). Should we allow local authorities to borrow against the Infrastructure Levy, to support infrastructure delivery in their area?

[Yes / No / Not sure. Please provide supporting statement.]

Not sure

SDC is very concerned that borrowing against the Levy would put SDC and local authorities at a very high risk of being unable to pay the money back. As the 'levy' is proposed to be paid much later in the process than CIL, it increases the risk that sites will not be built out and payments not forthcoming, therefore reducing the ability to pay the money back. The Govt should not put local authorities in this position.

Linked to this, Sevenoaks District Council are also concerned, with the proposals that the 'levy' will be paid later and yet we are required to ensure that the appropriate infrastructure is in place before development commences. This appears to encourage Local Authorities to borrow against the Levy. This considerably increases the risk to Sevenoaks District Council which is of a concern. Local Authorities could end up with borrowing money, securing infrastructure and then the developer decides not to complete the development or occupy units, leading to no income. Sevenoaks District Council therefore ask that help is given to Local Authorities to reduce their risk.

In light of these concerns, it would therefore be helpful for the Government to clarify what they expect Local Authorities to do, their role and the level of risk they expect them to take. If for example the Govt expect Local Authorities to borrow, to provide infrastructure for every project this would involve then

RESPONSES FROM SEVENOAKS DISTRICT COUNCIL TO THE PLANNING WHITE PAPER

PILLAR 3 - PLANNING FOR INFRASTRUCTURE AND CONNECTED PLACES

spending large sums of money which would clearly put them at great risk which would be unacceptable.

Due to the fact that Local Authorities have no control over when development commences or money through the levy will come forward, it should be recognised that this will also increase the risk in being able to pay the loan back. SDC would therefore ask that these loans at the very least are long term and also allow flexibility if the situation changes.

In addition to this, whilst it is understood that Local Authorities would be expected to assure themselves that this borrowing is affordable and suitable, SDC would ask that clear guidelines are put in place by the Govt, to help understand what a suitable project would be. Also guidance on what they consider to be affordable, for example Local Authorities could look at past 5 years income of CIL and how much they could borrow against that etc.

It would also be helpful to understand if the Govt plan to draft any consequences where Local Authorities cannot pay or need to defer payments so the risks can be fully understood.

SDC also consider that whilst it may be helpful to be allowed to borrow against the infrastructure levy, rather than this being an option (as described in the white paper) we are concerned that this will be expected to ensure infrastructure is provided. We would therefore seek clarification as to whether borrowing would be an option or required.

As Local Authorities are not the party that would deliver the Infrastructure Levy one suggestion would be whether the infrastructure providers themselves could borrow against the Levy, reducing the risk to Local Authorities.

Question 23. Do you agree that the scope of the reformed Infrastructure Levy should capture changes of use through permitted development rights?

[Yes / No / Not sure. Please provide supporting statement.]

Yes.

SDC consider that it is essential that the reformed Infrastructure Levy captures the changes of use permitted through permitted development rights. New development allowed through permitted development rights, for example new dwellings, would generate a need for new or improved infrastructure to support it. The only way that infrastructure can be funded to support new development allowed as permitted development is to allow the levy to capture uplift in value from these

RESPONSES FROM SEVENOAKS DISTRICT COUNCIL TO THE PLANNING WHITE PAPER

PILLAR 3 - PLANNING FOR INFRASTRUCTURE AND CONNECTED PLACES

developments. Some of the developments in our District, where there has been a change of use from offices to residential under permitted development, have resulted in considerable profits to developers, with no requirement to pay CIL or contribute to the infrastructure required to support the new housing. It is SDCs view that it would not be unreasonable to expect some of that profit to be paid back through the 'levy' to support the infrastructure requirements for these permitted developments.

SDC would however ask for more details as to how this could be implemented as currently the CIL payments/liability are triggered by planning applications so it would be helpful to know how and when Local Authorities would apply the levy for permitted development for example. This advice should also include how Local Authorities can take enforcement action and what interest if any could be charged if the levy is not paid.

24(a). Do you agree that we should aim to secure at least the same amount of affordable housing under the Infrastructure Levy, and as much on-site affordable provision, as at present?

[Yes / No / Not sure. Please provide supporting statement.]

Yes.

Through evidence produced by SDC, through their Local Plan process, there is a clear shortfall in the amount of affordable housing that is being provided, so any legislation that ensures that the same amount or more affordable housing is being provided, particularly on site would be welcomed.

To ensure that the same amount or more affordable housing is provided on site SDC would ask that the 'threshold' for levy payments is set very low. Recent changes to legislation in regard to affordable housing, has meant that the Council has lost a considerable of funding and on site provision of affordable housing. If the Govt set the threshold high, this would follow the previous change and result in a loss of a significant amount of income to SDC. As explained before, we have a large amount of smaller sites coming forward where if the 'threshold' was set high, it would result in no levy being paid and no affordable housing being provided for over 305 of sites in our District. The Levy and threshold really needs to be set a local level to reflect local circumstances. SDC has a clear Housing Strategy, which includes precise information to inform us as to the type and tenure of housing that we require in the district at a local/ward level. SDC would therefore ask that the Govt introduce flexibility into this system to allow for us to be able to deliver against these identified needs at such a micro level.

Any proposal to allow the affordable housing to be less or lost in time, would however be strongly objected to by SDC. It would appear that the Govt is keen to

RESPONSES FROM SEVENOAKS DISTRICT COUNCIL TO THE PLANNING WHITE PAPER

PILLAR 3 - PLANNING FOR INFRASTRUCTURE AND CONNECTED PLACES

provide an increased number of affordable units on site, and yet also give the developers flexibility to revert these units back to market properties as soon as the market changes. This would lead to a number of affordable housing units being lost at a time when they are most needed. SDC therefore strongly object to this proposal.

It is SDCs view that allowing any flexibility with affordable housing would defeat the aims of securing more on site at the outset and the aims of getting more affordable housing on site. The affordable housing that is provided by each development needs to be retained in perpetuity.

SDC would also request that clear definitions are provided as to the types of affordable housing that could be provided through the Levy. They would also request that Local Authorities have the authority and flexibility to request and ensure that the types of affordable housing that is needed in each area is provided. It is also suggested that the Govt provide an appropriate means of securing the housing for the purpose needed e.g. legal agreement.

Whilst it would appear that we can still work with local housing providers to ensure that the right tenure of affordable housing is put in place, SDC would be keen to know exactly how the Govt, with this new process, would control the tenure of each unit, ensure that a nomination procedure is followed and most importantly that it remains in perpetuity and affordable. Any proposal to allow the affordable housing to be lost either at the initial stage or through time would be strongly objected to by SDC.

24(b). Should affordable housing be secured as in-kind payment towards the Infrastructure Levy, or as a 'right to purchase' at discounted rates for local authorities?

[Yes / No / Not sure. Please provide supporting statement.]

Not sure.

Securing payment in kind would mean that affordable housing takes priority over other forms of infrastructure. As the provision of affordable housing in kind would mean that less money would be available for other forms of infrastructure needed to support the development. This may not be appropriate for every development. SDC would therefore suggest that flexibility is brought into this proposal, to ensure that the amount of affordable housing is appropriate for a particular development and that other options can be considered if it is not.

SDC would ask that the amount of 'in kind' payment be implemented on a case by case basis, allowing the Local Authority to determine what the most appropriate form of infrastructure is for each site.

RESPONSES FROM SEVENOAKS DISTRICT COUNCIL TO THE PLANNING WHITE PAPER

PILLAR 3 - PLANNING FOR INFRASTRUCTURE AND CONNECTED PLACES

As part of the changes, the Govt has suggested that development without infrastructure in place cannot go ahead, surely it must be part of the Local Authorities responsibility to determine what must be in place for each site. If for example, a large amount of money from the levy is required to support transport improvements/access improvements then the provision of affordable housing may not be the priority for this site.

In addition to this, if the amount of levy is off set (reduced) due to affordable housing being provided on site and the market changes and these units are lost. We have lost the benefit of affordable housing and also the Levy income that we would have got for a site. In the long term this would result in a reduction in income and the amount of affordable housing, which would be unacceptable.

24(c). If an in-kind delivery approach is taken, should we mitigate against local authority overpayment risk?

[Yes / No / Not sure. Please provide supporting statement.]

Not sure.

It is assumed that you refer to a situation where value secured through in kind units becomes greater than the value of the levy that should be paid at the end of the development and whether a developer can re-claim payments.

SDC would support a proposal where the developer would have no right to claim over payments. They would however appreciate the Govt drafting legislation that prevents over payments from occurring in the first place.

SDC would welcome standardised agreements to show how risk sharing would work in this way. We would also welcome advice as to how this risk could be reduced through policy design. More information is needed as to how this would work before we could comment fully.

24(d). If an in-kind delivery approach is taken, are there additional steps that would need to be taken to support affordable housing quality?

[Yes / No / Not sure. Please provide supporting statement.]

Yes.

SDC consider that working with Housing Associations, an appropriate step would be to set up design codes/policy to ensure that the properties that are being provided

RESPONSES FROM SEVENOAKS DISTRICT COUNCIL TO THE PLANNING WHITE PAPER

PILLAR 3 - PLANNING FOR INFRASTRUCTURE AND CONNECTED PLACES

are of an appropriate size, design and quality. Properties would only be accepted 'in kind' if they met all the criteria laid out.

In addition, SDC also consider that clear and strong enforcement procedures are put in place if the design codes/policies are not met. Whilst the Govt suggest financial implications if standards are not met, it would also be helpful to have enforcement procedures in place to ensure that any units built, that do not meet the required standard, can use enforcement procedures to ensure that they are amended to meet the standards. Just providing financial consequences or allowing the Local Authorities the opportunity to buy these properties will not achieve the aim of bringing them up to standard and being able to be occupied. There needs to be strong enforcement procedures in place for this to work.

25. Should local authorities have fewer restrictions over how they spend the Infrastructure Levy?

[Yes / No / Not sure. Please provide supporting statement.]

No.

SDC are extremely concerned with this proposal, as there is currently insufficient funding to cover all the infrastructure project currently required.

If there were fewer restrictions, which allowed the 'levy' to be spent on projects and services that were not infrastructure, it is likely that not all levy would be spent on Infrastructure or could be frittered away on smaller vanity projects, improving other services or reducing Council tax. In particular, SDC would support any legislation that sought to ensure that the majority of the levy money was spent on larger infrastructure projects e.g. roads and schools to support development allocated in the Local Plan. If, however, smaller infrastructure projects were to come forward that clearly provided a strong local or community benefit and supported new development, SDC would like the flexibility to be able to contribute to these projects through the Levy.

SDC supports the fact that Parish and Town Councils would still receive the neighbourhood share of the Levy as it is important that some of the levy is spent to mitigate the clear local impact that any development will have.

The Government needs to ensure that the money is spent of infrastructure only and that it supports the impact that development would have on an area as that was what generated the money and that is what will benefit the community the most. If there is fewer restrictions SDC is concerned that the money will not be spent where it is most needed.

RESPONSES FROM SEVENOAKS DISTRICT COUNCIL TO THE PLANNING WHITE PAPER

PILLAR 3 - PLANNING FOR INFRASTRUCTURE AND CONNECTED PLACES

If the Government does decide that it wants to be more flexible over how Local Authorities could spend their CIL money, then Sevenoaks District Council request that authority be given to each Local Authority to determine how they spend that money and they decide on the priorities for spending.

In addition, as part of this new structure SDC would also still require the ability to part fund projects as there is not enough money currently in CIL to fully fund projects and cover all the infrastructure needs.

25(a). If yes, should an affordable housing 'ring-fence' be developed?

[Yes / No / Not sure. Please provide supporting statement.]

Not sure.

There is such a need for affordable housing and in many Local Authorities there is an under provision. Any legislation that helps to protect the amount or provide an increase in affordable housing and retain it in perpetuity would be welcomed. However, this should not be at the expense of other infrastructure. SDC would not want to see affordable housing set as a priority as this would mean that the majority of the levy would be spent on this, without ensuring that other necessary infrastructure would be provided. Developers should understand that in providing affordable housing they will still be required to contribute to other forms of infrastructure that the site needs. SDC would ask that Local Authorities have the flexibility to determine what is appropriate for each site.

Other comments

1. Sevenoaks District Council is very concerned with the following statement:

"in the event of a market fall, we could allow Local Planning Authorities to 'flip' a proportion of units back to market units which the developer could sell, if Levy liabilities are insufficient to cover the value secured through in kind contributions"

Sevenoaks District Council would not support the possibility of 'flipping' units from affordable to market, as the affordable units would then be lost. Affordable housing units are much needed in our District as we have over 800 families on our housing register and a great need for socially rented units. Therefore, any proposal to reduce the amount provided especially on site would not be supported. Even if the levy is insufficient to cover the provision of affordable housing, on site other options should be considered first such as providing payment in kind or providing options for Affordable Housing providers to buy the stock or amending the type or size of the

RESPONSES FROM SEVENOAKS DISTRICT COUNCIL TO THE PLANNING WHITE PAPER

PILLAR 3 - PLANNING FOR INFRASTRUCTURE AND CONNECTED PLACES

housing should all be considered before the housing is lost to market housing.

If the Govt were to implement this option, they would need to define what they consider to be a Market Fall and at what level they would consider that the developer could sell them at market level. It would also be appropriate that to determine when the 'flip' could occur. SDC would suggest that this occurs before the properties are sold or occupied, as this would put Local Authorities and Housing providers in a difficult position. SDC consider the option to revert back to market housing can only occur once much more detail has been provided in regard to definitions and stages at which this can occur. The Govt should provide clear restrictions to ensure this only happens in extreme circumstances and not on every site.

2. Sevenoaks District Council would also ask that clear definitions should be provided in this context as to what affordable housing is. What types the Govt consider there are and provide clearer guidelines as to how these can be retained.
3. SDC also note the comments made in regard to publically owned land and the Government strategy on how land owned by Government can be managed and released more effectively.

It is understood that much of this type of government and publically owned land is likely to be highly valued open spaces or recreational land which need to be protected. SDC would therefore request that these areas need to be protected in any policy that is drafted in regard to publically owned land.

Whilst SDC supports this proposal in principle, we are concerned that this strategy could lead to publically owned land just be taken over. It would be helpful if the Govt could provide more details in regard to these initiatives and their intentions as SDC would not want to use well used and profitable land, nor would they want to jump through a number of hoops to keep it. SDC would welcome more clarification to confirm that local authorities will still have authority to determine how these sites are used.

4. SDC are also concerned that in the Government's insistence that the SME builders are being disproportionately penalised by the current CIL system. No evidence has been provided to support this claim. In this highly restricted District (93% Greenbelt), where many of the developments are on the small side and where we therefore probably have a higher than average proportion of SME builders, we also have no evidence that this is preventing them from developing sites or that they are being unfairly penalised against

**RESPONSES FROM SEVENOAKS DISTRICT COUNCIL TO THE PLANNING
WHITE PAPER**

PILLAR 3 - PLANNING FOR INFRASTRUCTURE AND CONNECTED PLACES

larger developers. SDC would therefore like to see clearer evidence to support this claim and if this is provided how these new proposals specifically address this issue.

This page is intentionally left blank

Development & Conservation Advisory Committee 2019/21 (as at 22/09/20)

20 October 2020	3 December 2020	4 March 2021	Summer 2021
<p>Design Review Panel Supplementary Planning Document</p> <p>Budget 2021/22: Review of Service Dashboards and Service Change Impact Assessments (SCIAs)</p> <p>Infrastructure Funding Statement Priorities</p> <p>Planning for the Future White Paper</p>	<p>Adoption of Edenbridge Character Area Assessment SPD</p> <p>Performance Indicators</p> <p>Innovation Update (to include Agriculture Update)</p>		<p>CIL Governance Annual Review</p>

This page is intentionally left blank