

LOCAL PLAN AND NEIGHBOURHOOD PLAN UPDATE

Development and Conservation Advisory Committee - 11 July 2023

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

Status: For Consideration

Key Decision: No

Executive Summary: The report provides an update on Strategic Planning activities, including the Local Plan, Neighbourhood Plans, Active Travel and Infrastructure

This report supports the Key Aim of:

Protecting the Green Belt

Supporting and developing the local economy

Supporting the wellbeing of residents, businesses and visitors

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

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Recommendation to Development and Conservation Advisory Committee:

To note the contents of the report.

Reason for recommendation: To provide an update on Strategic Planning activities.

Introduction and Background

- 1 This report provides an update on:
 - a. Neighbouring Planning
 - b. National Planning Reforms
 - c. Local Plan Update
 - d. Active Travel

Neighbourhood Planning

- 2 SDC is supporting a number of towns and parishes who are at various stages of developing neighbourhood plans. The Sevenoaks Town Neighbourhood Plan has recently been 'made' (adopted) and there are 13 other 'designated areas', which is the first stage of producing a neighbourhood plan.
- 3 As of spring 2023 (Planning Resource), there were 1439 'made' Neighbourhood Plans in the UK. For context, there are 25 'made' Neighbourhood Plans in Kent
 - Maidstone - 7
 - Ashford and Tunbridge Wells - 5
 - Dover and Swale - 2
 - Dartford, Folkestone & Hythe, Thanet and now Sevenoaks - 1 each
- 4 Neighbourhood Plans set out policies on the development and use of land within a neighbourhood area and importantly, once adopted, they become part of the development plan for the council, against which planning applications will be judged. They help communities play a greater roles in the development of the local area, and can promote more (but not less) development than is proposed in the Local Plan. Neighbourhood Plan need to be in 'general conformity' with strategic policies in the Local Plan.
- 5 SDC offers all town/parish councils support in developing Neighbourhood Plans. This includes:
 - Named contact officer within SDC
 - Advice on national and local planning policies
 - Review of draft documents
 - Mapping / GIS support
 - Provision of contacts for external partners, including statutory consultees
 - Advice on assessments and evidence base
- 6 Once a draft plan is submitted to SDC, the Council undertakes Regulation 16 'publication', which is a minimum 6 week consultation. We then organise the appointment of an Independent Examiner and an Independent Examination takes place, which takes on average 8 weeks for written representations and 11 weeks when a public hearing is held. Modifications to the plan are often recommended by the Examiner, before the Plan proceeds to referendum. SDC organises the referendum and Full Council formally adopts or 'makes' the Plan, if it has received over 50% of votes in support at referendum.

Sevenoaks Neighbourhood Plan

- 7 The Sevenoaks Town Neighbourhood Plan was formally adopted by Full Council in May. It had been through consultation, examination and referendum, where 73% voted for it to be adopted:
Yes - 4294 (73%)

No - 1292 (22%)

Void/Rejected 285 (5%)

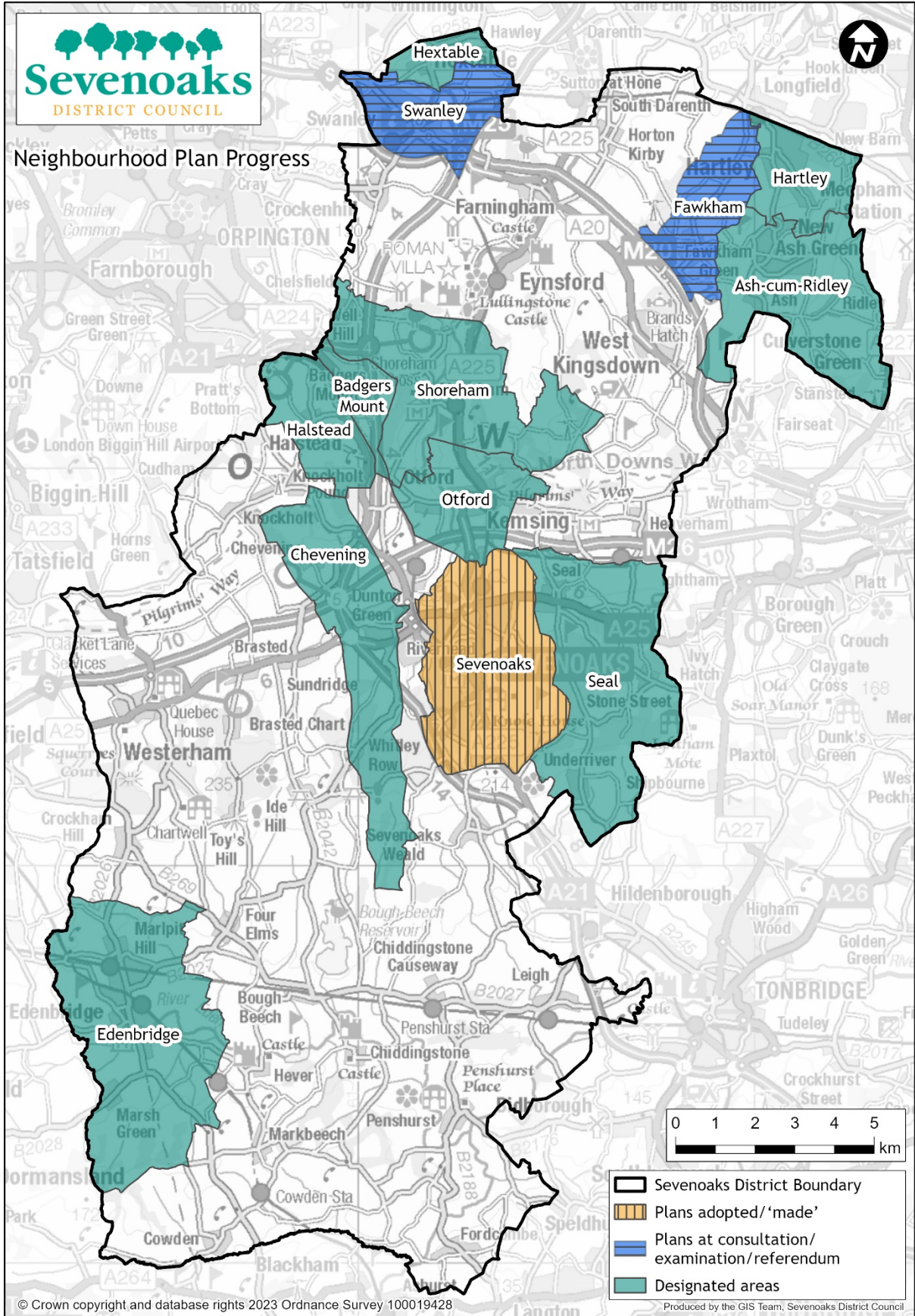
Turnout: 38.66% (Electorate: 15,185 / Issued: 5,871)

- 8 The Sevenoaks Town Neighbourhood Plan is structured around 6 key themes and focuses on enhancing gateway points to the town, creating new open spaces and community facilities, promoting active travel and developing a cultural quarter in the town. The Plan does not allocate any land for development, but offers support and guidance for 13 sites, including Sevenoaks Quarry (Tarmac) which was granted outline planning permission in June.

Progress on other Neighbourhood Plans

- 9 Swanley has undertaken consultation on a draft plan (Regulation 14) in January - February this year and are currently reviewing the comments from the consultation and finalising the draft Plan. They hope to submit the Plan to SDC in the next few months, for publication and examination. The plan sets out that change will be accommodated in the town, to retain and improve the environment of the 'semi-rural settlement' and benefit its community. It seeks to do so by setting out policies allowing higher densities and guiding proposals for taller buildings, particularly within the Town Centre, and through support for a health and wellbeing centre, employment sites, and active travel measures, whilst including additional design guidance for Swanley Village.
- 10 Fawkham are proposing to undertake consultation on a draft Plan (Regulation 14) in July -August.
- 11 There are a number of Neighbourhood Plans which are at policy writing stage:
 - Edenbridge
 - Ash-cum-Ridley
 - Otford
 - Badgers Mount
 - Halstead
 - Hartley
- 12 And there are a number of parishes which have a Designated Area:
 - Seal
 - Hextable
 - Halstead
 - Chevening
 - Shoreham

Neighbourhood Plan Progress



Reforms to National Planning Policy

- 13 A consultation on the ‘Levelling-up and Regeneration Bill (LURB): reforms to national planning policy’, which included changes to the National Planning Policy Framework (NPPF) and national development management policies ended in March. A portfolio-holder level response was submitted. Government intended to respond to this consultation in ‘spring 2023’, but this has not yet been forthcoming. An update will be brought to a subsequent meeting.
- 14 A number of other national policy consultations have also recently taken place, and SDC has provided responses:
- Increasing planning fees and performance: technical consultation
 - Technical consultation on the Infrastructure Levy
 - Environmental Outcomes Reports: a new approach to environmental assessment

Local Plan Update

- 15 The results of the recent Regulation 18 consultation are covered in the accompanying report.
- 16 The Local Development Scheme (LDS, July 2022) outlines the timetable and the next steps for the Local Plan:
- Reg.18 (Draft Local Plan consultation) - autumn 2023
 - Reg.19 (Plan publication) - spring 2024
 - Reg.22 (Submission) - summer 2024
- 17 There may need to be some flexibility in this programme, to reflect national planning reforms, but in any event, the plan will need to be submitted before 30 June 2025 to be examined under the existing national planning regime.

Development Strategy

- 18 The previous Local Plan consultation (Regulation 18) focused on optimising densities and maximising opportunities in existing settlements, including on brownfield land. However, the District is unable to meet needs (712 dwellings pa) with the existing urban areas, and there is a severe shortage of housing and particularly affordable housing.
- 19 The next Regulation 18 consultation in the late autumn will therefore take a more district-wide approach. SDC will continue to focus on optimising development opportunities in our existing towns and service settlements, but will also consider the potential contribution of Green Belt land, in exceptional circumstances. To this end, a Stage 2 Green Belt Assessment has

been undertaken, focusing in more finer-grain detail on the areas adjacent to our eight higher-tier settlements, which will assist in the site selection process. Where land is considered to be underperforming Green Belt, and where it is sustainably located next to a town or service settlement, and where there are no other over-riding constraints, these sites will be included as options within the next Local Plan consultation. We will also continue to liaise with our neighbouring authorities under the Duty to Co-operate, to understand if they are able to assist in meeting development needs.

Density

- 20 In relation to local character and density, further design work is being undertaken to ensure that the development/design guidance for each site promotes appropriate densities, which take into account local character whilst also making the most efficient use of land in order to protect the natural environment. The development of Design Codes will also assist this process.
- 21 The responses to the Regulation 18 consultation highlighted the diverging opinions in relation to density, but it is apparent that in all options, the need to retain local character was raised and that although the efficient use of land is supported, a blanket-approach is not appropriate, as there will be areas (such as town centres and transport hubs) which are more suitable for higher density development than others (such as conservation areas). The consultation offered three density options and the fact that the middle or 'balanced' option was most popular suggests there is recognition of the challenging balance which needs to be struck between building at higher density in towns versus building in the Green Belt.

Evidence

We are finalising supporting evidence-base studies, including in relation to:

- 22 Transport - this work has been undertaken in conjunction with KCC and TMBC to assess the impact of proposed development on key roads and junctions, including the Strategic Road Network, as managed by Highways England. The Stage 1 baseline work, which establishes the current state of congestion on the highways network, and the state of congestion at 2040 with existing growth, is now complete. The next stage is to use the model to test potential growth options/scenarios, to understand their impact on the road network and consider potential mitigations. The model has been developed by Jacobs, who have produced a county-wide model for KCC.
- 23 Strategic Flood Risk Assessment (SFRA) - We intend on carrying out the Level 2 SFRA work once we have considered which sites to take forward in the

Plan. This will also include required updates to reflect the PPG update from August 2022.

- 24 Sports Facility/Leisure Strategy - existing evidence on recreation and leisure facilities was produced in 2016/2017 and is some of our oldest pieces of evidence to support the emerging local plan. Given the changes in leisure provision in the District in recent years, we need to update the baseline in terms of current provision and identify any areas of deficit / gaps in provision. Sport England commented on the recent Local Plan consultation, stating that this evidence is out of date and recommended that updates are undertaken in accordance with Sport England's 'Assessing Needs and Opportunities' guidance. This work will also help the Council to develop a leisure strategy for the District, setting out priorities (to be included within the emerging Local Plan) for future sports and leisure provision.
- 25 Biodiversity - the new policy requirement for Biodiversity Net Gain (BNG) will be introduced (for major development) in November and for all development in spring 2024. We are working closely with the Ecological Advice Service and the newly appointed Kent BNG Officer (who we have helped resource through grant-funding) to develop local BNG policy.
- 26 Infrastructure Delivery Plan (IDP) - the IDP identifies the infrastructure required to support planned growth over the period of the Local Plan. The document performs a dual function, in that it will also inform any changes to the CIL Charging Schedule and the associated Infrastructure Funding Statement. It will sit as a live document, to be developed alongside the emerging Local Plan. We are now beginning to engage with the infrastructure providers to understand what infrastructure improvements will be needed to support the planned growth in the Local Plan. A robust assessment of infrastructure requirements is an essential piece of evidence for the emerging Local Plan to ensure sustainable growth. Members will be updated as the document progresses.

Local Plan Next Steps

- 27 The main activities for the next period of plan-making include:
 - Finalising the above evidence
 - Finalising site assessment of the Stage 2 (Green Belt) call for sites submissions to inform the Stage 2 SHELAA (Strategic Housing and Employment Land Available Assessment)
 - Developing detailed site development/design guidance, including presenting an ambitious vision for each site and exploring optimum densities

- Developing a Design Code strategy for the district, including how design codes will be developed at various scales and for various area types in accordance with the NPPF
- Progressing supporting assessments, including the Sustainability Assessment (SA), Viability, Habitats Regulations Assessment (HRA), Equality Impact Assessment (EQIA) and health impact assessment (HIA)
- Ongoing Duty to Co-operate (DTC) meeting with neighbouring authorities and stakeholder organisations
- Seeking input and advice as necessary from legal, DLUHC and PAS/PINS
- Reviewing any changes in national planning policy resultant from the current consultation
- Preparing the Stage 2 Regulation 18 Draft Plan for consultation in autumn 2023 (Advisory Committee 31 October).

Active Travel

- 28 The Sevenoaks Urban Area Local Cycling and Walking Infrastructure Plan (LCWIP) was completed in January 2023. It identifies a number of routes and improvements to encourage people to move more sustainably. The Plan also forms the basis for funding bids and negotiations with developers to provide better walking, wheeling and cycling infrastructure.
- 29 We are working, in partnership with KCC, to deliver a new route across Sevenoaks Town. Public consultation on the ‘Sevenoaks Town East to West walking, wheeling and cycling route’ recently opened and seeks views on the design of the route. Once delivered, it will connect six schools with the communities they serve. Further details can be found at www.sevenoaks.gov.uk/walkwheelcycle. The consultation closes on Friday 14 July 2023.
- 30 We have secured further funding from Active Travel England, also in partnership with KCC, to undertake a Local Cycling and Walking Infrastructure Plan (LCWIP) for Swanley urban area, and have appointed Sustrans to complete this work. We also have funding to undertake a feasibility study for route 6 (Otford to Sevenoaks via Seal), and detailed design work for route 1 (Otford to Sevenoaks). We are in the process of commissioning consultants to undertake these two studies.

Conclusion

- 31 This report provides an update on recent Strategic Planning activities.

Other options considered and/or rejected

The option not to progress a new Local Plan would leave the Council open to reputational damage and likely Government intervention to produce a Local Plan for the District Council.

Key Implications

Financial

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

In relation to Neighbourhood Planning, Biodiversity Net Gain and Active Travel, SDC receives funding from central government to support these activities.

Legal Implications and Risk Assessment Statement.

Preparation of a Local Plan is a statutory requirement. There are defined legal requirements that must be met in plan making, which are considered when the Plan is examined by a Government Planning Inspector. Risks associated with the Local Plan are set out in the Local Development Scheme.

Equality Assessment

The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no perceived impact on end users.

Net Zero Implications

This is a 'for information' report, and therefore there are no decisions recommended through this paper related to the council's ambition to be Net Zero by 2030. However, the adoption of the Local Plan and Neighbourhood Plans, which include policies in relation to climate change and the environment, are likely to have a positive impact to help decrease carbon emissions in the district, and support the resilience of the natural environment.

Appendices

None

Background Papers

None

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