

LOCAL PLAN – REGULATION 18 CONSULTATION – PART 2

Cabinet – 9 November 2023

Report of: Deputy Chief Executive, Chief Officer – Planning and Regulatory Services

Status: For Decision

Also considered by:

- Development and Conservation Advisory Committee (DCAC) - 31 October

Key Decision: Yes

Executive Summary: This report presents the Regulation 18 (Part 2) Consultation Draft Local Plan to members for approval

This report supports the key aim of:

Protecting the Green Belt

Supporting and developing the local economy

Supporting the wellbeing of residents, businesses and visitors

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

Portfolio Holder: Cllr. Simon Reay

Contact Officer: Hannah Gooden, Ext 7178.

Recommendation to Cabinet: That Cabinet

- a) Approves the content of the 'Plan 2040 Regulation 18 Part 2' at Appendix 2 for public consultation purposes;
- b) Agrees the presentation and formatting style, of the consultation document, as reflected in the indicative formatted chapter at Appendix 4, and;
- c) Delegates authority to the Chief Officer – Planning and Regulatory Services and the Development and Conservation Portfolio Holder, to approve the final formatting and presentation of the Regulation 18 (Part 2) Consultation Draft Local Plan and any minor pre-consultation text changes.

Introduction and Background

- 1 This report seeks approval to launch the next stage of consultation on the Local Plan. This is known as a Regulation 18 (Part 2) consultation.
- 2 The consultation is scheduled to take place from 23 November – 11 January. This consultation period has been extended to seven weeks to reflect that this will include the Christmas holiday period.
- 3 The Local Development Scheme (LDS, July 2022) outlines the timetable and the next steps for the Local Plan:
 - Reg.18 (Draft Local Plan consultation – Part 2) – autumn/winter 2023
 - Reg.19 (Plan publication) – spring 2024
 - Reg.22 (Submission) – summer 2024
- 4 There may need to be some flexibility or agility in this programme to reflect national planning reforms, but it is important to progress this plan, to address development needs (e.g. for housing, affordable housing, older persons accommodation, strategic infrastructure for education and health). This plan will also allow the Council to be able to co-ordinate future development and shape the future of the District (and resist speculative, un-coordinated development proposals as seen recently at appeal). We also now have an up-to-date evidence base.
- 5 The Council has responded (via portfolio holder decision) to the recent government consultation on the implementation of plan-making reforms, which result from the Levelling Up and Regeneration Bill (LURB). It is important to note that we intend to submit our Plan in 2024, for examination and adoption in 2024/25, and therefore our plan will be examined under the existing planning system. Our plan will need to be submitted before 30 June 2025 and adopted by the end of 2026, to be considered under the existing national planning regime.

Development Strategy

- 6 The previous Local Plan consultation (Nov 22-Jan 23) focused on optimising densities and maximising opportunities in existing settlements, including on brownfield land. Stakeholders responded with a preference for the middle density option, potentially recognising that if more is built within these settlements, less development is needed elsewhere in the District in the Green Belt. However, the District is unable to meet development needs (including 712 dwellings per annum) within the existing urban areas, and there is a severe shortage of housing, particularly affordable housing.
- 7 This Regulation 18 (Part 2) consultation in the late autumn takes 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 has assisted 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, these sites are included as options within the 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.

8 The headline needs which this Plan seeks to address are:

Homes	712 units per annum 712 x 15 yrs= 10,680 units over plan period
Employment land	5.7 hectares
Gypsy and Traveller pitches	43 pitches
Retail floorspace	Maintaining existing provision

9 A plan should be submitted which aims to meet full needs. The previous iteration of the Plan, which was subject to examination in 2019, did not meet full need, and was unsuccessful.

Site Options

10 The Plan sets out three development scenarios or growth options. All of the options include, as a baseline, the sites which were found to be suitable through the Strategic Housing and Employment Land Availability Assessment (SHELAA) process, including sites within settlements and on the edge of higher-tier settlements, in the Green Belt.

	Baseline	Option 1 'Multiple sites'	Option 2 'Settlement'	Option 3 'Combined'
Suitable sites – within existing settlements / edge of higher-tier settlements, in the Green Belt	ü	ü	ü	ü
AONB and Green Belt sites on the edge of higher-tier settlements		ü		ü
Standalone settlement in AONB and Green Belt (Pedham Place)			ü	ü
Approximate total	8,500	9,500	11,000	12,000
Summary	Does not meet need	Approx. Meets need	Meets need	Exceeds need

11 The options revolve around sites which are located in both the Green Belt and Areas of Outstanding Natural Beauty (AONB), and whether it is preferable to allocate a number of smaller sites, or one large site, or a combination of the two.

Baseline: Sites which were found to be suitable through the Strategic Housing and Employment Land Availability Assessment (SHELAA) process. This includes sites within settlements and in the Green Belt on the edge of the eight higher-tier settlements (towns and service settlements), which have the services, facilities and connections, to promote a sustainable pattern of development.

Option 1: Baseline sites plus **Multiple Sites** on the edge of higher tier settlements (Sevenoaks, Westerham and West Kingsdown) which are located in both the Green Belt and AONB.

Option 2: Baseline sites plus **Stand-alone Settlement** in a single location, mindful that there are wide ranging benefits to strategic growth, as set out at NPPF paragraph 73, including co-ordinated infrastructure investment.

Option 3: Baseline sites plus **Combined** AONB/GB sites on the edge of higher tier settlements (Sevenoaks, Westerham and West Kingsdown) plus stand-alone settlement.

- 12 As set out in the chart above, the baseline in isolation does not meet identified need. Option 1 approximately meets need, Option 2 meets need and Option 3 exceeds need.
- 13 It is acknowledged these options would all have an impact on both the Green Belt and the AONB. All options include Green Belt release. Option one disperses growth across the AONB on medium-sized sites on the edge of three settlements (Sevenoaks, Westerham and West Kingsdown), whereas Option two concentrates growth in one location within the AONB (Pedham Place) and Option three is a combination of all the above elements. Comments are sought on all these options in terms of which is considered the most sustainable and least impactful approach to accommodating development needs.
- 14 Sites will need to demonstrate 'Exceptional Circumstances' to justify a change in the Green Belt boundary. The Plan suggests the combination of the following circumstances may justify exceptional circumstances:
- District-wide acute housing need, including need for affordable housing, and
 - Identification of available sites in sustainable locations (on the edge of our eight highest tier settlements), and
 - Where this land has been identified that if it is removed from the Green Belt, these areas are unlikely to result in harm to the wider Green Belt ('weakly performing Green Belt')
- 15 Pedham Place has been identified as a potential standalone settlement. It featured in the previous plan as a 'broad location for growth', which was agreed by full council prior to submission of the plan for examination. The site currently includes an area used for car boot sales and a golf course complex and floodlit driving range, part of which was artificially transformed in the 1990s by a landfill tipping of inert aggregates onto the site (generated from Canary Wharf and the construction of the M25) to create a links-style golf course. This was the only site submitted which has the potential scale to accommodate a sustainable settlement, providing a range of facilities and services in addition to housing (2,500 units). These uses could potentially include education (primary and secondary), leisure, recreation, employment and community uses. The government's garden community programme, which sets an entry threshold of 1,500 units, was used as a guide determine the scale of a sustainable settlement.

- 16 In addition, we are aware that the site is also being considered as part of a wider mixed-use masterplan, to provide a new multipurpose stadium complex (24-28,000 seats) that could host sport, concerts, conferences and events, training ground facilities and a supporting hotel (for Wasps Rugby Football Club) and a new indoor and outdoor tennis facility (developed and managed in conjunction with the Lawn Tennis Association (LTA)). This site will need to demonstrate Exceptional Circumstances related to the scale, range and significance of proposed uses and will need to demonstrate that the development is in the public interest, in relation to major development in the AONB.
- 17 Detailed site development guidance is being prepared, including presenting clear priorities and an ambitious vision for each site and exploring optimum densities. Development guidance for urban sites will be available for the forthcoming consultation and development guidance for Green Belt sites will be available for the Regulation 19 consultation next year. This includes development guidance for the area around Sevenoaks train station, which is seen as a key opportunity area, due to its connectivity, sustainability and potential to optimise density and provide strategic infrastructure improvements at this gateway site.
- 18 Appendix 1 outlines the proposed sites, which will be included in the Regulation 18 consultation. These are split into:
- Sites proposed for allocation
 - Sites identified for consultation

Evidence

- 19 We are finalising supporting evidence-base studies, including in relation to:
- 20 **Transport** - this work has been undertaken in conjunction with Kent County Council (KCC) and Tonbridge and Malling Borough Council 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. We are now using 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. This work will inform the next stage consultation (Reg. 19) next year.
- 21 **Strategic Flood Risk Assessment (SFRA)** – the Level 2 SFRA is underway, considering any flood related implications of the proposed site allocations. This work also includes required updates to reflect the Planning Practice Guidance (PPG) update from August 2022.

- 22 **Sports Facility/Leisure Strategy** – KKP (Knight Kavanagh & Page) have been appointed to produce an updates Playing Pitch and Sports Facilities Strategy. This work is ongoing. Our 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.
- 23 **Biodiversity** – the new policy requirement for Biodiversity Net Gain (BNG) will be introduced (for major development) in January and for all development in April 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.
- 24 **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 currently engaging with 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.
- 25 **Supporting studies** – a number of supporting studies including a Sustainability Assessment (SA), Habitats Regulation Assessment (HRA), Viability Assessment, Equalities Impact Assessment (EQIA) and Health Impact Assessment (HIA) are underway to support the development of the Plan.

Local Plan Next Steps

- 26 The main activities for the next period of plan-making include:
- Preparing for the launch of the consultation, which is scheduled to take place from 23 November – 11 January. A word version ‘Plan 2040 Regulation 18 Part 2’ is attached at [Appendix 2](#).
 - Preparing the consultation documents, questionnaires/surveys non-technical summary, information boards and consultation material/video/posts. Organising the consultation events, pop-up sessions and engagement with hard to reach groups. A Consultation Plan is attached at [Appendix 3](#).
 - Desk-top publishing via Urban Graphics to prepare a fully formatted and accessible consultation version of the Plan, mirroring the visual appearance

and style of the Part 1 document. An indicative formatted chapter is attached at Appendix 4.

- 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.

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. The Council would also be exposed to speculative, un-coordinated development proposals, and would not be able to shape the future development of the District.

Key Implications

Financial

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

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

Members are reminded of the Council's stated ambition to be Net Zero with regards to carbon emissions by 2030. The decisions recommended in this paper directly impact on this ambition. The impact has been reviewed and there will be a decrease on carbon emissions produced in the district as a result of this decision. The adoption of the Local Plan, which include policies in relation to climate change and the environment, is likely to have a positive impact to help decrease carbon emissions in the district, and support the resilience of the natural environment.

Appendices

Appendix 1 – Sites proposed in the forthcoming Regulation 18 consultation

Appendix 2 - Plan 2040 Regulation 18 Part 2 – word version

Appendix 3 – Consultation Plan

Appendix 4 – Indicative formatted chapter

Appendix 5 – Sites by Settlement (supplementary agenda for D&CAC)

Background Papers

Local Plan supporting evidence is available on the Plan 2040 evidence base page:

https://www.sevenoaks.gov.uk/info/20069131/plan_2040

Richard Morris

Deputy Chief Executive and Chief Officer – Planning & Regulatory Services

Appendix 1 – Housing and Mixed use sites proposed in the forthcoming Regulation 18 consultation

Policy ST2

Housing and Mixed Use Site Allocations

The following new housing and mixed use sites are included as potential allocations for development.

The sites will provide a range of housing types, density, mix and tenure and are subject to the site areas and development guidance.

Unimplemented housing and mixed use site allocations from the ADMP (2015) have been carried forward into this Local Plan and are also listed in the table.

Site Ref	Site Address	Urban / Green Belt	Use	No. of units
SEVENOAKS URBAN AREA – BASELINE SITES				
HO1	Pinetops, 5 Crownfields	Urban	HO	20
HO2	Abacus Furniture, Farm Road Garages, Greatness Lane	Urban	HO	10
HO3	Land rear of Bowerwood House, 15 St Botolphs Road	Urban	HO	7
HO4	42-44 Bullfinch Lane, Riverhead	Urban	HO	5
HO5	Land at Cramptons Road	Urban	HO	50
MX1	Sevenoaks Station and Car Park, Morewood Close	Urban	MX	184 (potential capacity up to 400)

Policy ST2

Housing and Mixed Use Site Allocations

MX2	Land east of High Street, Sevenoaks	Urban	MX	300
HO6	School House, Oak Lane & Hopgarden Lane	Urban	HO ADMP Allocation	56
HO7	Johnsons, Oak Lane & Hopgarden Lane	Urban	HO ADMP Allocation	54
MX3	Delivery & Post Office / BT Exchange, South Park	Urban	MX ADMP Allocation	100
HO8	Pounsley House, Pounsley Road, Dunton Green	Green Belt	HO	7
HO9	Land adjacent to Seal Hollow Road	Green Belt	HO	16
HO10	Land east of London Road, Dunton Green	Green Belt	HO	235
MX4	Sevenoaks Quarry, Bat and Ball Road	Green Belt	MX	950
SWANLEY - BASELINE SITES				
HO11	Garages, Conifer Way	Urban	HO	8
HO12	Bus Garage, Kingdom Hall, Swanley	Urban	HO ADMP Allocation	30
HO13	Bevan Place, Swanley	Urban	HO	100

Policy ST2

Housing and Mixed Use Site Allocations

			ADMP Allocation	
MX5	Swanley Centre	Urban	MX	TBC
HO14	Land at Lullingstone Avenue, Swanley	Green Belt	HO	110
MX6	Land North and South of Maidstone Road, Swanley	Green Belt	MX	140
EDENBRIDGE - BASELINE SITES				
MX7	Edenbridge War Memorial Hospital	Urban	MX	34
MX8	78-80 - 82-84 High Street and 1-2 Leathermarket, Edenbridge	Urban	MX	14
MX9	Open Space, Community Hall and Shop, Farmstead Drive	Urban	MX	43
HO15	Land west of Ashcombe Drive and Meadow Lane, Edenbridge	Green Belt	HO	80
HO16	Land at Crouch House Road, Edenbridge	Green Belt	HO	91
HO17	Land north of Skinners Lane, Edenbridge	Green Belt	HO	150

Policy ST2

Housing and Mixed Use Site Allocations

MX10	Land at Breezehurst Farm, Crouch House Road	Green Belt	MX	450
MX11	Land east of Mead Road, Edenbridge	Green Belt	MX	120
WESTERHAM- BASELINE SITES				
HO18	Falcon House and grounds, Black Eagle Close, Westerham	Urban	HO	9
HO19	Land north-east of Bloomfield Terrace, Westerham	Urban	HO	10
HO20	Currant Hill Allotments, Westerham	Urban	HO ADMP Allocation	26
NEW ASH GREEN - BASELINE SITES				
HO21	The Forge, Ash	Urban	HO	10
MX12	New Ash Green Village Centre	Urban	MX ADMP Allocation	70
HO22	Grosvenor, Church Road, Hartley	Green Belt	HO	8 Specialist Units
OTFORD - BASELINE SITES				
HO23	Otford Builders Merchants, High Street	Urban	HO	14

Policy ST2

Housing and Mixed Use Site Allocations

HO24	Ryecroft, Ryecroft Road, Otford	Urban	HO	7
HARTLEY - BASELINE SITE				
HO25	Land to the west of Manor Lane, Hartley	Green Belt	HO	25
WEST KINGSDOWN - BASELINE SITES				
HO26	Land on the east side of London Road, West Kingsdown	Green Belt	HO	15
HO27	Land at London Road, West Kingsdown	Green Belt	HO	189

The following new housing and mixed-use sites are included for further consultation and consideration.

Site Ref	Site Address	Urban / Green Belt	Use	No. of units
SEVENOAKS URBAN AREA (OPTION 1 SITES)				
HO28	Land between Back Lane and the A21, Bessels Green	Green Belt (and AONB)	HO	183
HO29	Brittains Lane, Kippington, Sevenoaks	Green Belt (and AONB)	HO	300
MX13	Land at Moat Farm, off Homedean Road, Chipstead	Green Belt (and AONB)	MX	70

Policy ST2

Housing and Mixed Use Site Allocations

WESTERHAM (OPTION 1 SITES)				
HO30	Land south of Farley Lane, Westerham	Green Belt (and AONB)	HO	10
HO31	Land east of Croydon Road (Southern Parcel), Westerham	Green Belt (and AONB)	HO	82
HO32	Land east of Croydon Road (Northern Parcel), Westerham	Green Belt (and AONB)	HO	76
MX14	Land at Wolfe Westerham, 190 London Road, Westerham	Green Belt (and AONB)	MX	10
WEST KINGSDOWN (OPTION 1 SITES)				
HO33	Land at Mill Farm, West Kingsdown	Green Belt (and AONB)	HO	115
HO34	Land at Millfield Road, West Kingsdown	Green Belt (and AONB)	HO	30
STANDALONE SETTLEMENT (OPTION 2 SITE)				
MX15	Pedham Place, London Road, Swanley	Green Belt (and AONB)	MX	2500

STRATEGIC POLICY