

Sevenoaks District Council

Core Strategy Examination

Response to Inspector's Note 1: Initial Questions to the Council

1. Pre Hearing Meeting and 2. Hearing Sessions

Arrangements have now been put in place for the Pre Hearing Meeting on 11 August and the Hearing Sessions to commence on 5 October.

The Council Chamber has been booked for the Pre Hearing Meeting and the Conference Room for the hearings.

3. Submission of documents and information

All the documents and information required under Regulation 30 have been submitted. There are no outstanding documents to be submitted.

4. Representations

The only late representation received was an email from GOSE that arrived after the closing date. The Council has not accepted this as a duly made representation as it was out of time and the Council wanted to ensure that it adopted a consistent approach to late representations, particularly where as in this case no request for an extension of time was received during the statutory period. The GOSE response has been included for information with the submitted documents and, as no other late representations have been received, the Council would be willing to make an exception in view of GOSE's status and treat it as duly made if the Inspector wishes.

5. Council responses to representations

The Council does not intend to produce a formal response to each individual representation.

6. Database

The Council has provided the Programme Officer with the information requested.

7. Proposed changes to the submitted DPD

The schedule of minor amendments was circulated to all general and specific consultees, including all respondents, at the time notice was given of submission. As these are minor amendments the Council did not formally publicise and invite representations on them and the Council does not consider they require any further work on sustainability appraisal.

Following the announcement by the Secretary of State on July 6 abolishing regional strategies, there will be a need for further amendments relating to references to the South East Plan in the Core Strategy (see also response to Q.9). The Council considers these can be dealt with by minor amendments and a second schedule is in the process of being finalised and will be available in advance of the Pre Hearing Meeting. The Council does not propose any major changes that, in the Council's view, would require further public consultation or sustainability appraisal.

A track changes version of the Core Strategy is being produced which will incorporate both schedules of changes.

8. Self Assessment of Soundness

The legal compliance self assessment has now been completed and is attached (Appendix A). It consist of a document with appendices. The Council considers that the submitted Core Strategy is both legally compliant and sound.

9. Conformity with Regional Guidance

The response from the South East Partnership Board confirms that the Core Strategy is in general conformity with the South East Plan.

Following the announcement by the Secretary of State on July 6 abolishing regional strategies (see Core Document CD/431), there will be a need for further amendments regarding references to the South East Plan in the Core Strategy. Most of these will be factual and involve either updating or deleting references to the South East Plan in the supporting text. The Council is not proposing any major change to policy as a result of the revocation of the South East Plan. The guidance for local authorities that forms part of the letter of 6 July states under Q.10 that:

“Some authorities may decide to retain their existing housing targets that were set out in the revoked regional strategies.”

The Council is following this approach and will retain its housing figure from that in the South East Plan. There will be a change to the second paragraph of the Spatial Vision to commit the Core Strategy to deliver the quantity of housing that was allocated to the District in the former South East Plan rather than committing it to deliver the South East Plan requirement.

The only amendment required to a Core Strategy policy is to SP6 on gypsies and travellers where the reference to meeting the requirement in the Partial Review needs to be deleted. It is proposed to defer setting a provision figure to the Allocations DPD.

10. Any Showstoppers

The Council has reviewed the representations received and does not consider there are any “showstoppers” that could lead to the Core Strategy as a whole being found unsound. The Council recognises that some other parties may have a different view.

11. PPS 3 and the definition of previously developed land

The Council sees the amendments to PPS 3 in relation to housing density and private residential gardens as giving local authorities more flexibility in developing local policy rather than imposing a change in policy direction.

The policy on housing density in the Core Strategy (SP 7) has been developed from an assessment of local issues. It delivers part of the vision which refers to making effective use of urban land and the objective which include focussing higher density development on the most accessible locations (see Core Strategy paras 3.2.18, 3.3.1 and 3.4.1). The Council therefore considers Policy SP7 to be justified on the basis of local factors and does not see a need to amend it in the light of the recent announcements.

The Council does not see a need to change the Core Strategy housing policies as a result of the change in the status of private residential gardens.

12. Meetings with other representors

The Council is willing to meet with other parties to address issues of concern. The Council can supply the Programme Officer with details of meetings that have taken place. The examination will be informed of any relevant matters arising from such meetings.

13. Appropriate Assessment under the Habitats Assessment

A Screening Report was produced and can be supplied as a separate document if the Inspector considers it necessary. However, Chapter two of the Appropriate Assessment does incorporate the findings of the earlier Screening Report. Appendix 4 of the Appropriate Assessment contains Natural England’s response which accepts the conclusions and there are no outstanding issues.

14. Strategic Flood Risk Assessment

The Council did not have a formal response from the Environment Agency at the time that the SFRA was completed, although it had received informal indications that there were no outstanding issues which are reflected in the Agency’s response to the Draft for Submission. For the avoidance of doubt the Agency has been contacted and has supplied the attached letter (Appendix B), which will be added to the documents list. It confirms that the Agency agrees with the approach of the SFRA and there are no outstanding issues.

15. Economic viability of affordable housing targets and thresholds

Some respondents objected to the affordable housing policy on viability grounds (see p28-29 of the Summary of Issues under Regulation 30(1)(e)) but none of the representations as submitted contain detailed comments on the published Affordable Housing Viability Assessment. This suggests that the Assessment will not need to be debated in detail at the hearing sessions, but the consultants who carried out the study can be made available to attend the examination if required.

16. Topic/Background Papers

The Council does not intend to produce any further topic or background papers.

17. Advisory Visit

The Council was not offered an advisory visit.

18. Core Evidence Base

The Council considers that the evidence submitted meets the requirement for a full and complete evidence base. A technical note is being prepared on housing land supply that responds to issues raised in representations. It will be published in advance of the pre hearing Meeting. Apart from this note the Council does not intend to produce any further technical reports unless requested to do so by the Inspector.

All the submission documents including those that form the evidence base are available on the Council's web site.

19. Web Site

The web page for the examination is set up and is available via the following link: www.sevenoaks.gov.uk/csexamination

20. Hearings

The Council will have access to legal advice up to and during the hearings but does not intend to be legally represented at the hearings. However, the Council may opt to have legal representation for specific topics if other major parties appearing for those topics are legally represented.

Details of the Council's lead officers will be made available in time for the Pre hearing meeting.

21. Future programme

The Inspector's comments are noted.

22. Key issues

The Inspector may find the attached document (Appendix C) helpful in identifying key issues. It provides a shorter summary of the key issues raised by respondents than in the formal statement of issues, limited to those the Council considers to be most significant and also links these to the main respondents.

The Council does not consider there are any other key issues that the examination needs to consider other than those covered in this note. The Inspector may wish to consider whether the implications of the abolition of the South East Plan should be considered as a separate issue though it could be considered in the context of individual topics.

Regarding main players, the largest and most complex representation is that relating to the development of Fort Halstead and the Inspector may wish to allocate a separate slot for this proposal. Other main players, based on representations made, are identified in the summary of issues referred to above. The Programme Officer now has information on parties wishing to participate in the hearings.

The Inspector may wish to consider the following as a broad list of matters for the hearings:

1. Spatial Strategy/Distribution of development
2. Housing Land supply
3. Sevenoaks
4. Swanley
5. Edenbridge
6. Rural Areas (including proposals for new Major Developed Sites)
7. Fort Halstead
8. Design and Sustainable Construction
9. Affordable housing and other housing policies (incl gypsies and travellers)
10. Economy and Employment Land (including existing Major Developed Sites in employment use)
11. Infrastructure (incl Green infrastructure)

23. Note-taking

The Council can provide a note-taker. The note-taker will need further guidance from the Inspector on the matters to be included in the notes and the level of detail required, together with the Inspector's requirements on the timetable for writing up the notes.

24. Guidance

The Council confirms that it is familiar with the relevant guidance.