

Sevenoaks District Council – Local Plan

Development Strategy Topic Paper

May 2019

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1. Introduction

1.1 The key purpose of this paper is to show how the following strategic policies within the Local Plan Chapter 1 – ‘A Balanced Strategy for Sustainable Growth in a Constrained District’ have been produced and evidenced:

- Policy ST1 – A Balanced Strategy for Growth in a Constrained District
- Policy ST2 – Housing and Mixed Use Site Allocations

1.2 This paper will:

- Set out the relevant current policy context both locally and nationally;
- Summarise the evidence base;
- Give a brief summary and analysis of the consultation responses and stakeholder and member involvement; and
- Set out how the policies were developed.

2. Background and Policy Context

National Policy Context

2.1 The overriding aim of the planning system is to ensure that development is sustainable, as set out in the National Planning Policy Framework (NPPF) 2019. At the heart of the NPPF is a presumption in favour of sustainable development (para. 11).

2.2 Local Plans should seek to meet the development needs of their area and should provide for objectively assessed needs for housing and other uses. However, the NPPF provides a caveat (para 11b) that needs should be met, unless:

'the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area'*

2.3 The footnote to the above paragraph was further clarified in the 2018 update of the NPPF, to outline explicitly which designations are covered by this caveat. It states (footnote 6)

**The policies referred to are those in this Framework relating to: habitats sites and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, a National Park or defined as Heritage Coast, irreplaceable habitats, designated heritage assets and areas at risk of flooding or coastal change. (SDC emphasis)*

2.4 Sevenoaks District is covered by 93% Green Belt, 60% Area of Outstanding Natural Beauty, 17 SSSIs and a large number of designated heritage assets. Therefore, the above list of restrictive designations is highly relevant for this authority.

2.5 Sustainable development encompasses a broad range of objectives, including ensuring sufficient land of the right type is available in the right places, making effective use of land and using natural resources prudently. The Government continues to attach 'great importance' to the Green Belt and states that '*the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open*' (NPPF para.133). From a development management perspective, the construction of new buildings in the Green Belt is considered inappropriate and is, by definition, harmful to the Green Belt.

2.6 National policy sets a very high bar in relation to the permanence of the Green Belt and makes it clear that '*Green Belt boundaries should only be altered where exceptional circumstances are fully evidenced and justified, through the preparation or updating of plans*' (para. 136). Furthermore, ministerial statements (Nick Boles, 2014) clarify that the amendment of Green Belt boundaries is a local authority choice.

2.7 The NPPF was updated in 2018 to provide further clarification on the circumstances in which Green Belt boundary amendment may be justified. It is understood that these NPPF revisions were intended to provide a clearer 'road map' for local authorities considering whether to make Green Belt amendments within their Plans. Para. 137 states that:

Before concluding that exceptional circumstances exist to justify changes to Green Belt boundaries, the strategic policy-making authority should be able to demonstrate that it has examined fully all other reasonable options for meeting its identified need for development...and whether the strategy:

- a) makes as much use as possible of suitable brownfield sites and underutilised land;*
- b) optimises the density of development...including whether policies promote a significant uplift in minimum density standards in town and city centres and other locations well served by public transport; and*
- c) has been informed by discussions with neighbouring authorities about whether they could accommodate some of the identified need for development, as demonstrated through the statement of common ground.*

2.8 The NPPF was also updated to highlight areas which should be first considered for Green Belt release, namely 'land which has been previously-developed and/or is well-served by public transport'. The NPPF also states that 'when...reviewing Green Belt boundaries, the need to promote sustainable patterns of development should be taken into account....' (para 138). The proposed growth strategy for the District has been developed in accordance with national policy.

Local Context

2.9 The general extent of the Green Belt in Sevenoaks District was defined in two principal plans in 1958 and 1967 and thus has endured for approximately 60 years. The extent of the Metropolitan Green Belt in Kent was first defined in the Kent Development Plan and County Map 1958. Then the Green Belt covered only the northern and central parts of Sevenoaks District but did not extend as far as Edenbridge or other southern and eastern parts of the District. The 1958 plan defined the inner Green Belt settlement boundary for Sevenoaks, Swanley and Hextable. When the Kent Development Plan and County Map was revised in 1967 the Green Belt boundary was extended to include all of Sevenoaks District. Inner Green Belt settlement boundaries for Hartley and West Kingsdown were defined for the first time and minor changes were made to the boundaries for Swanley, Sevenoaks and Hextable.

2.10 The Council's adopted Core Strategy (2011) states that 'The extent of the Green Belt will be maintained' (Policy LO8) and the Allocations and Development Management Plan (ADMP, 2015) made three small-scale boundary amendments. In summary, the permanence of the Green Belt has been maintained with only minor amendments to the boundary once defined.

2.11 Since the adoption of the Core Strategy and ADMP, the methodology for the calculation of housing need has changed significantly (see the Housing Topic Paper). The Core Strategy was drafted to be in conformity with the South East Plan (2009), which provided a housing target 165 homes per year, a figure which reflected the constraints of the District (Green Belt, AONB, heritage etc) and other growth areas within the wider region. The Core Strategy focuses growth within the built confines of existing settlements, the 7% of land which does not fall within the Green Belt. The submitted Local Plan includes a housing need figure of 707 homes per year, based on the government's standardised methodology for assessing housing need. Since this is more than quadruple the existing target, a different approach is proposed, to provide sustainable growth in a constrained District.

3. Evidence Base and Process

3.1 Sevenoaks District is 93% Green Belt. The vast majority of the District is covered by this designation, which is afforded the highest level of protection through national policy. Green Belt is one of the most well-established and long-enduring elements of planning policy, having been in place for over 60 years. From a public perspective, it is also one of the most cherished and emotive aspects of planning policy, and any potential review or amendment to Green Belt boundaries is considered highly controversial. Indeed, the Council's members were originally elected (in 2015) on a manifesto pledge to 'protect the Green Belt'.

3.2 Therefore, the decision to consider the amendment of Green Belt boundaries is not one that has been taken lightly. Indeed, it a reluctant decision, but nonetheless it is a choice that the Council has made, based on the essential need to provide somewhere for people to live. The proposed releases are of great concern to a large number of our residents and local organisations, but nevertheless, this challenging approach is considered justified based on the overriding needs for homes, particularly affordable homes.

Maximising Supply

3.3 Our starting point, before considering any amendment to the Green Belt, was to consider all potential sources of housing supply, in the 7% of the District that is outside the Green Belt. The Green Belt boundaries are drawn tightly around the 24 settlements in the District that have defined green belt boundaries, which naturally restricts settlement capacity. We have focused on 'maximising the supply' in existing settlements, including through an extensive 'call for sites' process, through optimising density in sustainable locations, through the contribution of brownfield or underutilised land and through urban regeneration. Please see the Delivery Topic Paper for more information.

Duty to Co-operate

3.4 Having established that our housing need could not be accommodated within our existing settlements, we have been consulting with our neighbouring authorities, in accordance with the NPPF, to understand whether they could accommodate some of the identified need for development, under the Duty to Co-operate. We have fully considered capacity within the West Kent housing market area (HMA) and adjacent housing market areas. Officers and members have been regularly meeting with neighbouring counterparts to establish a robust process of co-operation, in some instances supported by the Planning Advisory Service (PAS). We have produced a number of Statements of Common Ground with these authorities. To date, none of these discussions or processes have led to any authorities being able to assist Sevenoaks with unmet need. Please see the Duty to Co-operate statement for further information.

Green Belt Assessment

- 3.5 Having examined fully all other reasonable non Green-Belt options for meeting identified need for development, and having undertaken a rigorous Duty to Cooperate process, a Green Belt Assessment (Arup, 2017) was commissioned to consider the potential contribution of Green Belt land. A workshop was held with neighbouring authorities as part of the Assessment, to discuss the methodology and seek a level of consistency with neighbouring authorities, where relevant.
- 3.6 The robust Assessment, based on a methodology which Arup has used for numerous other local authorities including Runnymede, Buckinghamshire, Hertsmere, Uttlesford, Elmbridge, Hounslow, Dacorum, Barnsley and Cheshire East. It splits the district into parcels, based on permanent and defensible boundaries, such as roads, railway lines, rivers and physical features such as ridges and treelines. The parcels are then classified as either strong, moderate or weak performing Green Belt, based on the five purposes outlined in the NPPF. The Assessment finds that all areas continue to perform against at least one of the five purposes of Green Belt making its continued designation appropriate unless exceptional circumstances are clearly identified.
- 3.7 The Assessment then identifies 31 weak-performing 'Recommended Areas' (RA) for potential development. There are 3 areas where the whole parcel is considered to score weakly against the NPPF purposes and 28 sub-areas. The RA were identified based on their performance against NPPF purposes alone, rather than their suitability in terms of sustainability, infrastructure and wider planning considerations.
- 3.8 The Assessment then separately considered each of the 31 RA against 'local considerations' in the form of absolute (e.g. SSSI, Ancient Woodland) and non-absolute constraints (e.g. AONB, Conservation Areas), in order to identify areas of land 'which may be less constrained for possible future development'. A separate landscape assessment considered the sensitivity to change with regard to local landscape character of the 31 RA.
- 3.9 The results of the NPPF purposes assessment were then layered with the results of the separate constraints and landscape assessments, to identify the areas for further consideration, in terms of their suitability, sustainability and deliverability and to inform the site selection process for the Local Plan.
- 3.10 The Green Belt Assessment evidence base was considered by Planning Advisory Committee (PAC) in January 2017 and Cabinet in February 2017.
<https://cds.sevenoaks.gov.uk/mgAi.aspx?ID=7973&J=3>

4. Consultation and Stakeholder Analysis

4.1 Initial place-making workshops were held with local stakeholders, including town and parish councils and district ward members in 2016 and 2017 (please see the Consultation Statement for more information).

4.2 The key messages from these sessions related to infrastructure and the Green Belt. Local stakeholders were very concerned about the inability of infrastructure to cope with existing development, the cumulative impact of new development on infrastructure, and the need to build communities with associated supporting infrastructure, rather than just housing estates. In relation to Green Belt issues, there was local support for building at higher densities and on brownfield land in order to protect 'greenfield' Green Belt. There was a substantial level of concern expressed about the potential release of greenfield Green Belt land.

Issues and Options (Regulation 18) - summer 2017

4.3 In relation to the initial Regulation 18 consultation (Issues and Options) in summer 2017, a number of different spatial options to accommodate need were considered as part of the plan-making process:

| Approach | Description |
|---|---|
| Brownfield land (Option 1) | Delivering growth on brownfield land in the Green Belt in sustainable locations |
| Exceptional Circumstances (Option 2) | Delivering regeneration/growth initiatives using Green Belt where exceptional circumstances exist |
| Combination of 1 and 2 (Option 3) | Combination of Brownfield land in the Green Belt and land where 'Exceptional Circumstances' exist |
| New Settlement / urban extension (Option 4) | Single focus for growth in one new settlement |
| Transport Hubs (Option 5) | Delivering growth close to public transport hubs |

Our preferred approach (Option 3) is summarised below:

- Focus growth in existing settlements, at higher density (i.e. non Green Belt land)
- Redevelopment of previously developed 'brownfield' land in sustainable locations
- Development of greenfield Green Belt land only in 'exceptional circumstances', where social/community infrastructure is being proposed in addition to housing, which could help address evidenced infrastructure deficiencies in the area

4.4 Over 15,000 responses to Issues and Options consultation were received, which represents 30% of households in the District. This is the greatest response the Council has ever had to any public consultation event. Building on brownfield land received 92% support and building at higher density received 56% support as part of the Issues and Options consultation.

4.5 Two strategic Green Belt site options, which were submitted as part of the call for sites, were subject to consultation, and the results are shown on a District-wide basis and ward level basis. The Sevenoaks Quarry site (ST2-13) received more support locally (69%) than on a district-wide basis (66%) whereas Which Way Westerham (omission site) received 54% support on a district-wide basis, but 73% opposition locally.

| Town | Initiative | District-wide support | Local parish support |
|-----------|------------------------------------|-----------------------|----------------------|
| Sevenoaks | Draft Northern Masterplan (Quarry) | 66% | 69% |
| Westerham | Which Way Westerham | 54% | 22% (73% oppose) |

Draft Local Plan (Regulation 18) - summer 2018

4.6 The document contained a strategic vision for Sevenoaks District, policies to be used in the determination of planning applications and specific sites to meet identified needs, particularly those related to housing. In addition to sources such as outstanding planning applications, windfall sites and brownfield sites in the Green Belt, the Plan also included twelve Greenfield sites in the Green Belt, which had been submitted as part of the 'call for sites' process. These are referred to in the draft Local Plan as potential 'Exceptional Circumstances Greenfield' sites.

4.7 These sites were included in the Plan on the basis that they had the potential to meet the Council's identified housing requirement and deliver infrastructure to help meet an existing need. However, officers did not make a judgement as to their suitability for release from the Green Belt beyond this and sought views on the inclusion of the sites in the Plan as part of the consultation process.

4.8 In terms of the broad spatial distribution for potential Green Belt development, we used the settlement hierarchy, which ranks our settlements in terms of sustainability, with reference to their services and facilities. There are four towns in Sevenoaks District – Sevenoaks, Swanley, Edenbridge and Westerham, which form the top tiers of our settlement hierarchy. We looked broadly at these four settlements in terms of compass-point directions of growth, and the relative constraints and opportunities presented by each of these settlements. This assessment combined with land availability helped inform the site selection process for the Draft Local Plan.

4.9 The majority of comments received during the Draft Local Plan consultation related to housing and the 12 potential strategic "Exceptional Circumstances" development sites.

4.10 The top 5 'commented on' sites were:

- MX52 & MX53 (Corinthians/Banckside, Hartley) – 1,721 comments (omission site)
- MX41 (Broke Hill Golf Course) – 1,253 comments (omission site)

- MX54a&b (Land at Beechenlea Lane) – 1,167 comments (omission site)
- MX48 (Pedham Place) – 479 comments (broad location for growth ST2-28)
- HO371-374 (Which Way Westerham) – 405 comments (omission site)

4.11 The results of both Regulation 18 consultations informed the production of the Submission Version (Regulation 19) of the Local Plan.

5. The Policies

5.1 In developing the Regulation 19 Plan, officers took into account national policy and guidance, local evidence base documents and were informed by the consultation responses received during both Regulation 18 consultations.

5.2 The policies which generated the most representations during the Regulation 19 consultation were the two strategic policies:

- Policy ST1 – A Balanced Strategy for Growth in a Constrained District (445 Comments)
- Policy ST2 – Housing and Mixed Use Sites Allocations (1216 Comments)

5.3 In relation to the overall strategy, it remains largely unchanged from that presented at Issues and Options stage, namely focusing growth at higher density in existing settlements (7% non-Green Belt land), prioritising brownfield or previously developed land, and then only considering greenfield Green Belt land in ‘exceptional circumstances’.

5.4 Although there is no national definition of ‘exceptional circumstances’, our interpretation has developed through the Plan-making process. We consider that they need to be considered both at the strategic district-wide level and at the site specific level. Strategically, the District is unable to meet its housing need in the 7% of land in the District that is not classified as Green Belt and to date no other authority has been able to assist with this unmet need. Therefore, the scale of the need, including the need for affordable homes, is such that we would suggest that there are ‘exceptional circumstances’ for considering Green Belt amendment. Therefore we have identified the following considerations as being relevant in the determination of exceptional circumstances at the site-specific level:

- The extent to which land meets the purposes of inclusion in the Green Belt, as set out in the Green Belt Assessment (2017)
- Whether the release of land will result in the delivery of infrastructure to meet an existing evidenced-based need; and
- The overall sustainability of the proposals, as assessed by the Sustainability Appraisal of the Local Plan, including whether it is previously-developed or brownfield land.

5.5 In considering the contribution of Green Belt land, we have first looked at previously-developed or brownfield land, as directed by the NPPF, provided it is situated in a sustainable location, close to services and facilities. We have also taken a broader, more inclusive stance in relation to developed land, in order to maximise the potential of land that has been subject to some form of development, such as agricultural buildings, plant nurseries or minerals workings.

5.6 In terms of the selection of strategic Green Belt sites, they were assessed against the conclusions of the Council’s Green Belt Assessment, Sustainability Appraisal and other material considerations. In addition, the infrastructure offer was discussed with infrastructure providers to determine if the proposals met an existing need, and

consideration was given to the results of the draft Local Plan consultation process. The submission version of the Local Plan includes two of the twelve sites which were subject to consultation as part of the Draft Local Plan – Sevenoaks Quarry (ST2-13) and Land South of Four Elms Road, Edenbridge (ST2-33&34). For further more detailed information on these sites, please see the site appraisals. Both the proposed strategic sites meet the following considerations:

| Consideration | Sevenoaks Quarry (ST2-13) | Land South of Four Elms Road, Edenbridge (ST2-33&34) |
|--|--|--|
| Next to a town – i.e. a top tier settlements | Adjacent to Sevenoaks urban confines | Adjacent to Edenbridge urban confines |
| Fully/partially on weak-performing green belt (as assessed through Green Belt Assessment 2017) | Weak performing Green Belt RA18 | Partially weak performing Green Belt RA3 |
| Not in an Area of Outstanding Natural Beauty (AONB) | Outside AONB | Outside AONB |
| Provide infrastructure that is sought by the local community to meet an existing need | Recreation/leisure lake and open space Transport and connectivity improvements Social infrastructure | Integrated health facility Land for educational use Transport and connectivity improvements Social infrastructure |
| Provide compensatory environmental improvement | Provision of extensive green-blue infrastructure. Developed Land | Public open space, ecology enhancement and allotments |
| Considered deliverable or developable | Yes – Site promoted by Tarmac with supporting studies and phasing plan | Yes – Statement of collaboration from joint landowners |

5.7 The other potential Green Belt sites which were considered as part of the Draft Local Plan do not meet all of the above criteria. These are summarised below:

| Settlement | Site | Reason for omission summary |
|-------------------|---|---|
| Sevenoaks | Land off London Road, Dunton Green MX50 | Infrastructure proposals are not supported by the relevant provider / land availability |
| Edenbridge | Land west of Romani Way and Hever Road MX44 | Employment need met on other more suitable sites. Infrastructure proposals not supported by the relevant providers. |
| | Land at Breezehurst Farm MX10 | Infrastructure proposals are not supported by the relevant providers. |
| | Land at Crouch House Road MX51 | Infrastructure proposals are not supported by the relevant provider. Not weak performing Green Belt |
| Westerham | Land north and east of Westerham (Which | Infrastructure proposals are not supported by the relevant providers and it has not been |

| | | |
|---------------------------|--|--|
| | Way Westerham) HO271-4 | demonstrated that the benefits of the development outweigh the harm to the Green Belt & AONB. |
| Swanley | Land between Beechenlea Lane and Highlands Hill MX54 | Infrastructure proposals are not supported by the relevant providers and scheme would have an unacceptable impact on highways network. |
| Halstead/Pratts Bottom | Broke Hill Golf Course MX41 | Location remote from top tier settlements and infrastructure proposals do not outweigh the harm to strongly performing Green Belt. |
| Fawkham/Hartley | Corinthians Golf Club and land at Banckside MX52-3 | Infrastructure proposals are not supported by the relevant providers and the scheme would have an unacceptable impact on the highways network. |
| Chipstead | Land west of Chevening Road MX49 | Infrastructure proposals are not supported by the relevant providers, in AONB and not weak performing Green Belt. |

5.8 For further more detailed information on all the above sites, please see the site appraisals.

5.9 Pedham Place (ST2-28) has the potential to deliver a comprehensive infrastructure offer that could assist in the regeneration of Swanley and performs well against some aspects of the 'Exceptional Circumstances' test. However, limited information was provided by the site promoter in response to the Regulation 18 draft Local Plan consultation on a number of key areas, including development phasing, transportation and the visual impact of development. As such, the site is identified in the Regulation 19 Proposed Submission version of the Local Plan as a 'broad location for growth'.

6. Conclusion

- 6.1 This topic paper explains how the policies in Chapter 1 of the Local Plan (A Balanced Strategy for Sustainable Growth in a Constrained District) have been produced and evidenced. It sets out both national and local policy considerations, outlines the evidence base which has been developed, and provides a summary of the consultation responses, stakeholder and member involvement, which has all informed the development of these policies.
- 6.2 The development strategy represents a change in approach from that established in the adopted in the Core Strategy, mainly due to the level of housing need now facing the District. The Council has consulted widely with local stakeholders, members of the public and elected representatives to develop an evidence-based strategy which will provide an accelerated level of housing supply, deliver strategic infrastructure and continue to protect the vast majority of the Green Belt which serves a purpose.
- 6.3 It is acknowledged that the development strategy does not fully meet the identified need for housing. Meeting housing need is of crucial importance, but the overriding aim of national policy is to ensure that development is sustainable (Chapter 2 of the NPPF). The revised NPPF now explicitly refers to Green Belt and AONB (para.11 and footnote 6) and that needs should be met unless local constraints provide a strong reason for restricting the overall scale, of development.
- 6.4 In summary, the District is 93% Green Belt and 60% AONB and contains numerous SSSIs and heritage assets. The development strategy strikes a balance between meeting housing need and continuing to protect the strongly-performing Green Belt and the natural and historic environment. This is not a decision which has been taken lightly, and the implications in relation to the pressing need for homes, particularly affordable homes, is fully understood. This is not an issue which is unique to this local authority, although it is accentuated by the almost total Green Belt coverage of the District (only two authorities in England have a higher percentage coverage of Green Belt). Many South-East local authorities are grappling with the challenge of meeting housing need in a constrained environment. The Council is continuing to work with neighbouring authorities to develop a joint-strategy to address housing need on a sub-regional basis, to ensure that people continue to have a place to live. Please see the Duty to Co-operate Statement for further details.