

MATTER 2

‘SOUNDNESS OF THE LOCAL PLAN’

SEVENOAKS DISTRICT COUNCIL
STAGE 1 - LOCAL PLAN EXAMINATION

STATEMENT PREPARED BY QUOD
(RESPONDENT REFERENCE: ID-5156)

Matter 2: Soundness of the Local Plan

Issue 3: Is the Plan based on a sound process of Sustainability Appraisal?

Question 16. Has the Sustainability Appraisal been undertaken at each stage of the Plan's preparation to clearly justify the Council's policy choices?

Question 17. Does the Sustainability Appraisal process represent the only site selection methodology or has the Council used any other process?

Question 18. Does it test reasonable alternatives?

Question 19. Has the Sustainability Appraisal been robustly prepared with a comparative and equal assessment undertaken of each reasonable alternative?

Question 20. Is the Sustainability Appraisal decision making and scoring robust, justified and transparent?

Question 21. Does it represent the most appropriate strategy in the circumstances?

Question 22. Does the final report set out the reasons for rejecting earlier options?

- 1.1 In addition to the Sustainability Appraisal (SA) (SDC003; SDC003a; and SDC003b) prepared in support of the SDLP (SDC001), the site selection process has been informed by the SHELAA (July 2018) (HOU002) and the Sevenoaks District Green Belt Assessment (January 2017) (ENV001 and ENV002).
- 1.2 Our concerns with regard to the robustness of this evidence is outlined within our initial representations. We have substantial concern that the evidence (referred to above) is largely superficial and fails to provide a sound basis to justify the strategy outlined within the SDLP.
- 1.3 Whilst the SA assesses a number of options, it fails to consider options that seek to deliver the full objectively assessed need (OAN) for the District or the consideration of meeting some of the unmet needs of neighbouring authorities. The NPPF¹ is clear in requiring strategic policies to, as a minimum, provide for objectively assessed needs as well as any needs that cannot be met within neighbouring areas.
- 1.4 Instead, the highest option assessed in terms of housing numbers within the SA ('Spatial Strategy Option 4') is based on the delivery of 13,904 dwellings over the plan period (at the time) of 2015 to 2035. Notwithstanding the fact that this is marginally below the full OAN for the District, without any clear justification being provided for such an approach, we would question why an additional option(s) is not assessed that considers a higher housing figure. This should not only consider the full OAN but also consider the documented unmet needs of neighbouring authorities. National policy is clear that in addition to meeting the housing needs of the district consideration must be given to the unmet needs of neighbouring authorities. This is unless the adverse impacts of meeting needs in

¹ Paras. 11 and 35

full would significantly and demonstrably outweigh the benefits. Without such an option being tested it is not possible to understand whether the benefits outweigh the adverse impacts. The SA therefore fails to test all reasonable alternatives and fails to provide the required evidence to inform the spatial strategy contained within the SDLP.

1.5 This represents a notable shortcoming with the findings of SA. Such an approach has been undertaken despite the SA outlining several clear objectives that the spatial options considered are intending to meet². These include, *inter alia*:

- Providing everyone with the opportunity to live in good quality, affordable housing, and ensure an appropriate mix of dwelling sizes, types and tenures.
- Catering for existing and future residents' needs as well as the needs of different groups in the community.
- Reducing deprivation and promoting more inclusive and self-contained communities.

1.6 The approach of the SA means that these important objectives will not be realised and have not been fully tested. Critically, the delivery of more housing will assist in meeting these objectives, and the more housing allocated also equates to more affordable housing given the 40% policy requirement.

1.7 Paragraph 11 of the NPPF is clear in stating that:

“plans should positively seek opportunities to meet the development needs of their area, and be sufficiently flexible to adapt to rapid change.”

1.8 The need for plans to be positively prepared is reflected elsewhere in the NPPF³.

1.9 A positive approach has not been undertaken within the SA when testing reasonable alternatives. All reasonable alternatives have not been considered and the SA fails to provide robust justification as to why a higher housing supply figures (that at least meets the OAN of the District) are not tested.

1.10 Nevertheless, in reviewing the options that have been tested, it is evident that in dismissing Spatial Strategy Option 4, which considers the highest housing figure assessed, one of the principal reasons for this identified within the SA (Para. 5.26) is that:

“...given that sites taken forward under Option 4 are likely to be more limited in size, and are dispersed, they will offer fewer opportunities to bring community benefits through enhancements to infrastructure.”

1.11 Such a suggestion has not been based on any robust justification. It is also not a true reflection of the benefits from the sites that could come forward. Such a generalisation would not apply to all sites and additional opportunities do exist that can deliver more housing and will also lead to substantial benefits, both environmental and social.

1.12 This reasoning fails to provide Sevenoaks District Council (SDC) the necessary justification to support Spatial Strategy Option 3 as the most appropriate strategy, which seeks to only deliver 10,568 dwellings against an objectively assessed need of 13,960 dwellings.

² Table 2.1

³ Paragraph 16b; Paragraph 35

- 1.13 When considering the environmental impact resulting from the loss of Green Belt from delivering Option 3 over Option 4 this is minimal (c. 0.2% of additional Green Belt land lost through Option 4). Such a limited additional impact will be far outweighed by the positive benefits associated of delivering more housing. This would also be the case if a higher housing target had been assessed.
- 1.14 Overall, there is no clear distinction provided within the SDC's evidence between the environmental impacts of the preferred option (Option 3) and delivering more housing, as identified under Option 4.
- 1.15 Notwithstanding the fact that the SA fails to test all reasonable alternatives, the assessment that has been undertaken applies a simplistic approach.
- 1.16 For example, in assessing both the preferred Option (Option 3) and the higher housing figure outlined in Option 4 against each SA theme, these are both identified to lead to significant effects. The SA fails to provide any clear, robust or reasonable justification in distinguishing one option over another and ultimately concluding that Option 3 is the most appropriate approach taking into account all the evidence. No scoring mechanism is used that are commonly used within SAs. Instead, it is a simple 'yes' or 'no' response together with some superficial commentary. The SA therefore lacks the necessary analysis that allows for a comparative and equal assessment to be undertaken to fully understand the reasoning for the approach of the SDLP. The SA assessment lacks transparency and fails to provide any objective robust evidence necessary to help make informed judgements on the merits of the different options considered – a fundamental and underlying purpose of the SA process.
- 1.17 Likewise, when considering the evaluation of each site and potential opportunities (Volume 2 of the SA) (SDC003a), the approach is again largely superficial and inconsistent. As outlined in our initial representations, the same concerns are also raised in respect of the SHELAA (July 2018) (HOU002), and its consideration of the sites.
- 1.18 The SDLP (para. 1.6) states that:
- “This is a highly constrained District with 93% Green Belt and 60% AONB and therefore, despite exploring a range of different options including Green Belt release, we have been unable to meet our housing need in full.”*
- 1.19 This failure to deliver the housing need in full has been one of choice for SDC rather than due to a lack of sites. This is demonstrated by the fact the 2018 SHELAA identifies more than sufficient sites to meet the housing needs of the District, but also assist in meeting some of the unmet needs of neighbouring authorities.
- 1.20 Instead, the preferred approach of SDC is one that curtails housing delivery through dismissing potential sites where there is clear justification for them to be allocated for housing delivery. SDC accept that 'exceptional circumstances' do exist for Green Belt release within the District but have not undertaken a consistent or justified approach when assessing and dismissing potential sites. Such an approach by SDC is contrary to the thrust of plan making policies contained within the NPPF of planning positively and seeking to boost the supply of homes. The SDLP adopts an overly constrained approach to the identification of housing sites and further Green Belt releases on the edge of sustainable settlements. As a result, very few sites have been recommended for removal

from the Green Belt a concern raised by the neighbouring authority of Tonbridge & Malling Borough Council⁴.

- 1.21 Against this background it cannot be considered that the preferred strategy reflected in the SDLP represents the most appropriate strategy. The circumstances are such (as acknowledged in the SDC's own evidence) that there is a pressing need to deliver more housing (including affordable) that the strategy adopted in the SDLP is not the most appropriate given the circumstances. The SDLP does not plan to enable sufficient homes to meet objectively assessed needs.
- 1.22 This lack of provision is a fundamental failing of the plan that will exacerbate housing shortages and worsen the problems of meeting its provisions for affordability. There is no robust evidence that the adverse effects of planning to meet objectively assessed needs would significantly outweigh the benefits. SDC has no basis on which it should not promote a higher level of housing through the Plan.
- 1.23 Instead, the SDLP must seek to meet as a minimum the housing needs of the District through allocating further sites for housing.
- 1.24 In this context, the strategy of the SDLP, as currently prepared, cannot be considered positive, justified or consistent with national policy.

Issue 4: *Is the strategy for growth in the Local Plan justified and effective? [Policy ST1]*

Question 23. Is the strategy for growth, which focusses growth in existing settlements, including building at a higher density on non-Green Belt land; encourages the redevelopment of previously developed 'brownfield' land, including land in the Green Belt, in sustainable locations; and promotes sustainable patterns of development by permitting development in the Green Belt only in exceptional circumstances, particularly where social and community infrastructure is being proposed, justified in a District which is 93% Green Belt and 60% AONB?

Question 26. Is the balance between meeting housing need and Green Belt protection consistent with national policy?

- 1.25 The strategy for growth must be considered in the context that there is an acute housing need in the District and that exceptional circumstances exist (as acknowledged by SDC) for the release of Green Belt land. Despite this, rather than maximising housing deliver where appropriate and sustainable to do so, the proposed approach of SDC is one that artificially constrains development and thus fails to adopt a positive approach to plan making in line with the requirements of national policy.
- 1.26 The approach of SDC is one where the presence and protection of the Green Belt is given disproportionately greater weight than the actual resulting environmental impact, despite the acknowledgement of a pressing housing need. This means that the SDLP fails to provide an appropriate balance between meeting housing need and Green Belt protection. This is reflected by the fact that a very small proportion of Green Belt land is proposed to be released to meet housing needs through strategic allocations – 121 hectares through proposed allocations at Edenbridge and Sevenoaks Quarry.

⁴ Representations submitted to the Regulation 19 Consultation

- 1.27 118 hectares of Green Belt land has also been identified within the ‘broad location of growth’ at land at Pedham Place but there is no certainty that this site will be released until the SDLP is to be reviewed in five years time. Should this site not come forward, the identified shortfall against the full OAN of the District will increase and the housing issues in the area will be further exacerbated. In addition, given the current policy position of the Pedham Place site, this will make no contribution to SDC’s 5 year land supply.
- 1.28 Even if the Pedham Place site does come forward, the total release of Green Belt land identified through the spatial strategy of the SDLP is extremely limited. In a District that extends to more than 37,000 hectares⁵, of which 93% (or c. 34,000 hectares) is designated Green Belt, the SDLP proposes to release just 239 hectares. This equates to releasing less than 0.7% of total Green Belt within the District.
- 1.29 Such few sites are proposed to be released despite SDC accepting that there are exceptional circumstances for Green Belt release, there being a pressing housing (including affordable) need in the District, and there being limited difference in terms of environmental impact of delivering more housing – as evidenced by the lack of material difference between Option 3 and Option 4 of the SA. The delivery of the higher housing figure outlined under Option 4 increases the release of Green Belt by only 0.2%. SDC’s evidence⁶ fails to provide the robust evidence for only a limited release of Green Belt land and why, as a minimum, strategic policies do not seek to provide for full objectively assessed needs for housing.
- 1.30 When considering the Green Belt, and SDC’s approach of not releasing further sites, great weight is given to the Sevenoaks District Green Belt Assessment (ENV0001) published in January 2017. However, as outlined in our initial representations, the findings of this assessment, when considered against the five purposes that the Green Belt should serve, are too generalised. As such the assessment fails to provide a reliable and therefore robust basis to underpin the local plan strategy.
- 1.31 The NPPF (2019) continues to outline the same five purposes that the Green Belt designation should serve. As such our fundamental concerns previously identified remain valid. We therefore continue to have significant reservations regarding the robustness of the 2017 assessment undertaken by SDC and its consistency with national policy.
- 1.32 Instead, if the relevant criteria are assessed correctly and more appropriate Green Belt parcels are considered, additional sites do exist. Such sites will not only maintain the integrity of the Green Belt but can be released for housing and deliver a number of environmental and / or social benefits.
- 1.33 The failure to meet the identified housing needs without robust justification means that the SDLP is not positively prepared, justified and effective. The balance between meeting housing need and Green Belt protection is not consistent with national policy and additional Green Belt release beyond the level proposed is necessary or in order to make the SDLP sound.

⁵ Page 12, SDLP identifies that the District covers almost 134 square miles

⁶ ENV001 and ENV002

Question 24. Does Policy ST1 offer sufficient flexibility to support growth in the District?

Question 25. Is the focus for development in the four towns of Sevenoaks, Swanley, Edenbridge and Westerham, with more moderate development within the settlements further down the Settlement Hierarchy, justified and effective?

Question 29. Is the distribution of development within the District appropriate?

- 1.34 Policy ST1 of the SDLP seeks to focus new growth at the District's four principal settlements with more moderate development within the lower tier settlements.
- 1.35 Such a spatial approach is unsound. The proposed approach derives from an underestimate of the scale of development for which it is necessary to plan – an approach that is positive and seeks to meet the identified needs would have driven a different spatial strategy.
- 1.36 Such an approach also fails to fully recognise the potential that lower tier settlements have to meet needs in a sustainable location. This includes settlements such as Otford that benefit from its own railway station and provide a sustainable location for growth⁷. Despite this, Policy ST2 seeks to deliver just seven units in Otford. By way of comparison, smaller settlements within the hierarchy are identified to deliver a substantial higher level of development. This includes 193 units being proposed at Badgers Mount and 63 units for Fawkham. Both these settlements are defined as 'hamlets' at the bottom of the defined settlement hierarchy. We would question the appropriateness of such development in lower order settlements. Such an approach is also at odds with that outlined under Policy ST1 to focus development in existing settlements that are close to services and facilities and / or well connected by public transport, walking and cycling.
- 1.37 In terms of the distribution of future development, it is important to note that a significant proportion of the District's population (c. 48%⁸) live outside the four main settlements which are the focus for development.
- 1.38 Against this background greater recognition is required within the wording of Policy ST1 to support growth elsewhere in the District to reflect where housing needs exist, and the sustainability of other settlements (such as Otford).

Issue 5: Is the approach to the Green Belt justified, effective and consistent with national policy? [Policies ST1 and GB1]

Question 30. Has the assessment of the Green Belt been undertaken in a robust manner?

Question 31. Should a full Green Belt Review be undertaken?

- 1.39 For the reasons outlined above and within our initial representations, the assessment of the Green Belt by and on behalf of SDC has not been undertaken in a robust manner.

⁷ As outlined within Sevenoaks District Settlement Hierarchy document (ECO003) prepared by SDC

⁸ Taken from Tab1, of the Sevenoaks District Settlement Hierarchy (April 2018) (ECO003)

- 1.40 In particular, the assessment against the purpose of the Green Belt and the very broad parcels of land assessed together with the interpretation of the criteria means that the findings of SDC's evidence are fundamentally flawed and fail to provide credible evidence to underpin the SDLP and to not seek to deliver a greater Green Belt release.
- 1.41 The large parcels of Green Belt assessed means that it is inevitable that the bulk of Green Belt parcels will fulfil the core purposes of the Green Belt. Such an approach therefore has limited value when considering refined proposals that seek to develop small elements of existing Green Belt land.
- 1.42 Given that the release of appropriate Green Belt land is needed and recognised by SDC to provide further housing in the District, it is essential that an appropriate Green Belt assessment is undertaken to support the SDLP. Unfortunately, this is not the case in this instance.
- 1.43 The current assessment underpinning the SDLP fails to provide the required justification to support the approach being undertaken by SDC. Instead, there is a need for a full Green Belt Review to be undertaken. As a minimum this should:
- A reappraisal of the extent of the parcels identified, with smaller more refined and thus appropriate parcels being identified;
 - Greater consideration for the potential for mitigation measures to be provided following the release of Green Belt land;
 - A reappraisal of the assessment criteria to ensure that this is consistent with the NPPF and accompanying Planning Practice Guidance.
- 1.44 Without such evidence, the SDLP is not justified and is unsound.

Question 32. Where the Local Plan proposes to alter Green Belt boundaries, in accordance with paragraph 136 of the NPPF, what are the exceptional circumstances for doing this?

Question 33. Is the Council's definition of 'exceptional circumstances' justified?

- 1.45 SDC's response to the Inspector's Initial Questions (ED3) confirms the scope of the exceptional circumstances that have been considered in justifying the release of Green Belt land. We agree that there are exceptional circumstances for the release of Green Belt land, linked principally to the acute housing need.
- 1.46 However, we question why SDC has chosen to cap the housing target to a figure well below the full housing needs of the District. As demonstrated, no robust evidence has been provided to reach this figure.
- 1.47 We also believe that the exceptional circumstances identified are not unique to the two Green Belt sites that have been allocated for development within the SDLP and identified as a broad location for growth. Further opportunities exist for Green Belt release. Applying the exceptional circumstances correctly and consistently, further strategic Green Belt sites can be identified within the SDLP.

Issue 6: *Is the Local Plan positively prepared, justified and effective in respect of housing? Housing Need [Policy ST1]*

Question 35. Does the Local Plan clearly set out the Council’s objectively assessed housing need for the Plan period having regard to the NPPF and Planning Practice Guidance [PPG] which require that a local housing needs assessment using the standard method in national planning guidance should be used to determine the minimum number of homes needed, with the baseline set using the 2014-based household projections?

Question 36. The Local Plan, as submitted, refers to the housing need as 13,960 dwellings over the period 2015-2035, or 698dpa. Should this be updated from 698dpa (in the submitted Plan) to 707dpa (in the Schedule of Amendments) or 11,312 dwellings over the period 2019-2035, based on the projected household growth for 2019-2029 rather than 2018-2028?

Question 37. Does the Local Plan make it clear that the housing need cannot be met within the Plan period and the reasons for this? Does the Plan propose how this unmet need should be dealt with?

1.48 Despite the acknowledged unmet need, the SDLP fails to provide a mechanism and / or commitment to work to address those needs. Without this, it is very difficult to see how the SDLP can meet the tests of the NPPF and be found sound. This is particularly the case given that the SDLP has not been positively prepared and is not supported by evidence that further development cannot be accepted without conflict with the policy approach set out in the NPPF (para. 11).

Housing Requirement [Policy ST1]

Question 38. Does the Plan provide for the objectively assessed need for housing to be met in full, as a minimum, in accordance with Paragraph 11.b) of the revised NPPF? If not, would either paragraph 11.b) i. or ii. apply in this case? If so, what is the evidence of factors which prevent the full housing need from being met within the Plan area and should the housing requirement (as opposed to the housing need) set out in the Local Plan reflect this?

1.49 The NPPF (para. 35) states that local plans should be ‘positively prepared’. This means that as a minimum, local plans should seek to meet the area’s objectively assessed need. However, the strategy of the SDLP is one that means the full objectively assessed housing needs of the District will not be met, and no consideration is given to the wider acknowledged unmet needs of neighbouring authorities.

1.50 Such a strategy is not justified. As we have demonstrated, no clear or robust evidence has been provided as to why SDC cannot meet their full housing needs. Opportunities exist for the release of further Green Belt land that will not undermine its integrity and where the social and economic benefits of delivering more housing outweigh any adverse impacts. In these circumstances neither paragraph 11 b) criterion i nor criterion ii apply in this instance.

1.51 SDC has accepted that some release of Green Belt land is acceptable but have chosen to artificially restrict development in their preferred strategy without robust evidence to do so. There is no robust justification provided by SDC for the SDLP not meeting the NPPF requirement of the minimum housing needs for the District.

Question 39. As the Plan does not propose to meet the objectively assessed need for housing in full, should the Plan set out clearly the housing requirement and the level of unmet need?

Question 40. Should the Plan set out the housing requirement in a policy such as Policy ST1?

- 1.52 Whilst we believe that the housing requirements can be met within the Plan period through the allocation of additional sites, the Plan should set out clearly the housing requirement in full and should also set out the level of unmet needed. This should be included in Policy ST1 and not just within the supporting text. This provides the necessary clarity as it is this figure that the performance indicators will need to be assessed against.
- 1.53 As part of revised wording to Policy ST1, as outlined in our initial representations, it needs to be explicit that the proposed future review of the Local Plan will specifically address needs within the District and identified within neighbouring authorities and provide a clear timetable for any future review. This again provides the necessary clarity and will provide the basis against which the SDLP will be monitored including any assessment of the five-year housing land supply and housing delivery test.

Question 41. Can any neighbouring authorities assist with meeting the unmet housing need in the District? Can the Council demonstrate that it has undertaken effective and on-going joint working with other strategic policy making authorities in order to determine where additional housing could be accommodated to address the unmet housing need that cannot be met within the District?

- 1.54 Whilst neighbouring authorities have confirmed that they are unable to assist in meeting the unmet needs of SDC, there is no evidence that any discussions that have taken place have had any practical effect on the policies of the plan. Instead, what is clear is that there is no effective provision for the identified needs to be met and no mechanism proposed and committed to which provides a realistic prospect that the needs will be seriously addressed elsewhere.
- 1.55 Against this background, it cannot be considered that every effort has been made in seeking to address the unmet needs of neighbouring authorities.
- 1.56 National policy is clear, the NPPF requires positive planning that is 'effective' in order to meet growth requirements now. As currently prepared, the SDLP cannot be considered sound. There is an opportunity and an obligation to plan now to meet and deliver housing potential. Whilst it is acknowledged that there is limited brownfield land in the District, sustainable opportunities do exist that could deliver additional housing.

Housing Distribution

Question 43. Does the distribution of housing in the Local Plan reflect the spatial strategy of focussing growth in existing settlements, including at higher density; redevelopment of previously developed 'brownfield' land in sustainable locations; and development of Green Belt land only in 'exceptional circumstances'?

Question 44. Should the spatial strategy and distribution of development allow for more development in the Green Belt to meet the objectively assessed housing need?

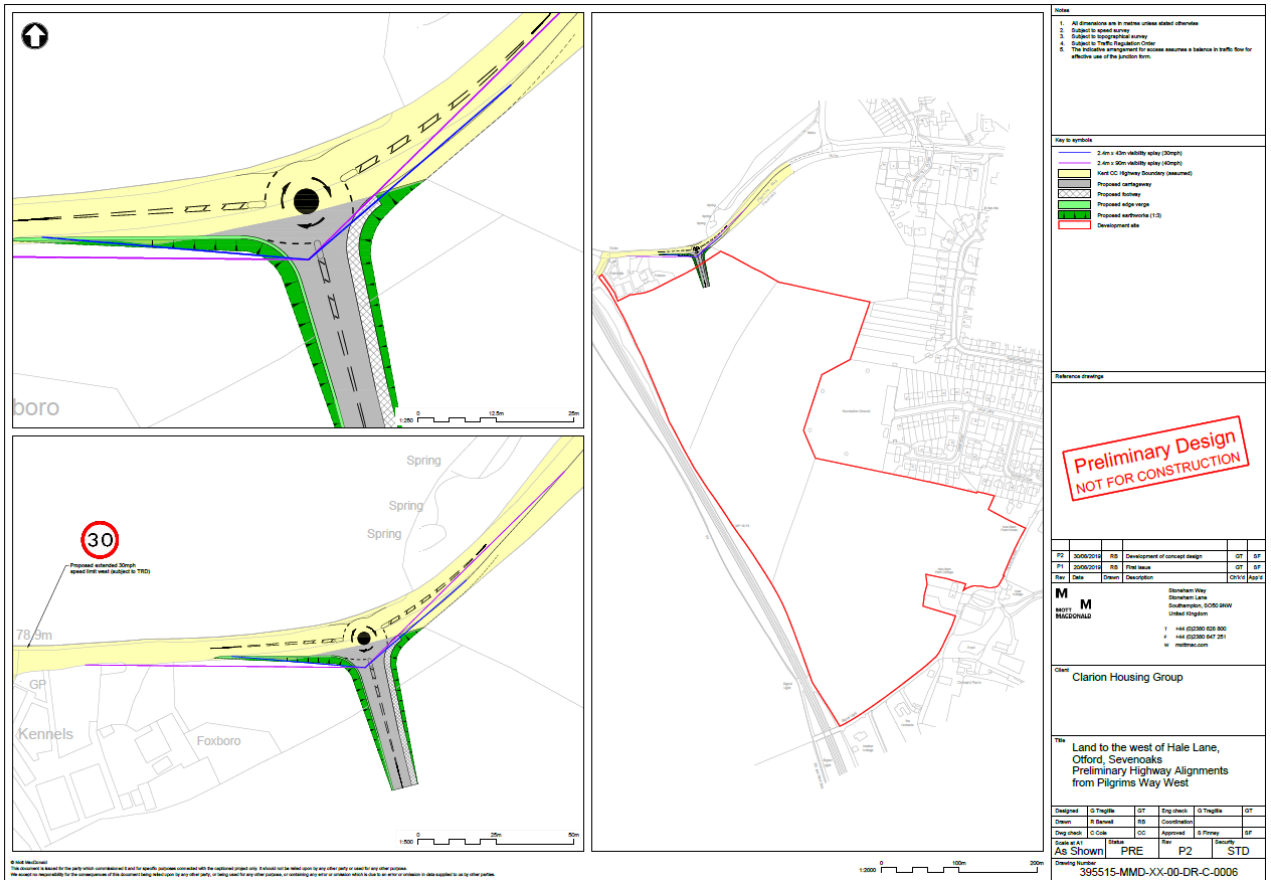
- 1.57 Yes, the spatial strategy should allow for more development in the Green Belt to meet the objectively assessed housing need.
- 1.58 As we have demonstrated, the SDLP fails to meet the housing needs in full and makes no allowance (or even genuine recognition) for the unmet need of neighbouring authorities. This approach has been undertaken not due to a lack of sites being available but by SDC seeking to constrain development. The SDLP must identify additional sites that will have minimal impact on the provisions of the Green Belt to be allocated in the plan in order to be considered sound.

Housing Supply during the Plan period [Policy ST2]

Question 45. Have sufficient sites been allocated in the Local Plan to meet the housing requirement? If not, why not?

- 1.59 No. As previously highlighted, the SDLP fails to address the identified housing requirement for District and neighbouring authorities have confirmed that they are unable to assist in meeting the identified unmet need.
- 1.60 As a result, additional sites need to be allocated. Contrary to national policy there is nothing in the SDC's evidence base to support the identified housing target or not releasing further land from the Green Belt. Further sites can and should be released from the Green Belt.
- 1.61 Land west of Hale Lane, Otford provides an appropriate and sustainable opportunity to deliver more housing that would bring community benefits. Latimer Homes (which form part of the Clarion Housing Group) continues to be fully committed to bringing forward this site and deliver at least 40% affordable housing as part of this scheme. Full details of the benefits associated with this proposal are outlined within our initial representations.
- 1.62 Discussions continue to take place between Latimer Homes and the relevant landowners and key stakeholders. These discussions have led to a changed access, with this now proposed to be taken directly from Pilgrims Way West. This revised access avoids the need to access adjacent to the recreation ground via Telston Lane / Hale Lane, which was the access arrangement previously proposed. A technical assessment of this access has been undertaken by transport consultants Mott MacDonald. This confirms that the revised access point off Pilgrims Way West (through the land of Otford Boarding Kennels) and into the Site is a viable option to provide the main access into the development site.
- 1.63 A concept design drawing showing the revised access is provided below with a copy also attached to this statement.

Figure 1: Concept Design Drawing of Revised Access to Land to the west of Hale Lane, Otford



- 1.64 This has been designed to accord with the relevant highway design standards (including The Kent Design Guide) and provides for a new two-way carriageway and a footway on the eastern side for pedestrian use.
- 1.65 Whilst further work will be undertaken to refine the design to support a future planning application, it can be confirmed that an access in that location is entirely achievable.
- 1.66 Providing more housing, including affordable, will lead to significant benefits for a District that is facing acknowledged affordability issues. This is having a real impact on the social and economic well-being in the sub-region. The 2017 Housing Strategy published by SDC (HOU015) identified a net annual affordable housing shortfall across the District of 604 dwellings. This shortfall in affordable housing will not be met by delivering just 707 dwellings per annum (dpa) as now outlined within SDC’s Schedule of Amendments (ED3a). Indeed, the SA itself (para. 7.62) recognises that the annual affordable housing requirement cannot be met without increasing the overall housing figure. Accordingly, the associated benefits of releasing more land for housing will far outweigh any adverse impacts – as supported by the Council’s own evidence (Option 4 of the SA).
- 1.67 The need for additional sites being allocated is even more pressing due to the clear uncertainty regarding the delivery of the sites that are proposed to be allocated in the SDLP.

Question 47. Has the housing site selection process been based on a sound process of SA and the testing of reasonable alternatives?

1.68 For the reasons outlined above and within our initial representations, the housing site selection process has not been based on a sound process of the SA testing all reasonable alternatives.

Question 48. Does the Local Plan include a Housing Trajectory which illustrates the expected rate of housing delivery over the Plan period in accordance with paragraph 73 of the NPPF? Does it accurately reflect the likely start dates, build out rates and completions of the allocated sites?

Question 49. On what basis have the likely start dates, build out rates and completions been assumed?

Question 50. Will each of the allocated sites come forward as expected?

Question 51. Are the housing sites allocated in the Local Plan deliverable and/or developable having regard to the definitions of these terms in the Glossary of the NPPF and what evidence is there to support this?

Question 52. Is Policy ST2 sound – is it effective? Should it be explicit in terms of referring to the level of housing supply proposed to meet the requirement?

Question 53. Should Policy ST2 include reference to the site areas and design guidance in Appendix 2

1.69 A housing trajectory was not contained within the Regulation 19 SDLP. In the absence of this trajectory, SDC's response to the Inspector's Initial Questions (ED3) states that the Local Plan Housing Trajectory (SDC009) was prepared and submitted alongside rather than as part of the SDLP. The justification for such an approach is unclear.

1.70 In reviewing the housing trajectory, we have a number of significant concerns with regard to the assumptions made. SDC assumes that Local Plan allocations will commence delivery from Year 2 (2020/21) at a rate of 201 dwellings, rising to a peak of 720 dwellings by Year 4 (2022/23).

1.71 Such delivery, particularly in a short period is highly optimistic and is unlikely to reflect the likely start dates. A substantial number of proposed allocations do not yet benefit from planning permission. Policy ST2 also includes sites that were allocated in previous iterations of the development plan that have simply not come forward – despite being allocated for over four years. There are fundamental deliverability questions over a number of sites currently included within the SDLP.

1.72 In addition, a substantial element (c. 2,500 homes) of the proposed housing delivery is identified to be achieved through land at Pedham Place. At this stage this site is simply identified as a 'broad location for growth' and is not confirmed to be released from the Green Belt. As reflected by the SDLP (para. 1.16) there is no certainty that this land will be released from the Green Belt. Instead it is to be considered when the Plan is next reviewed in five years time.

1.73 Furthermore, the scale of delivery c. 2,500 dwellings means that the completion of all this site would simply not be fully achievable in this Plan period. We would therefore seriously question SDC's

assumption that housing on this site will commence from 2025/26 – as suggested within SDC’s 5 Year Supply of Deliverable Housing Sites document (SDC008).

- 1.74 Furthermore, in reviewing SDC’s Housing Trajectory, it is highly likely that the proposed housing target will not be met. Not only does the SDLP housing target propose a substantial shortfall provision against identified needs, in our view, SDC has overestimated the quantum of development likely to be delivered on allocated and windfall sites within the Plan period. On that basis, the SDLP is also unsound.
- 1.75 It is essential for further sites to be identified now if the requisite five-year land supply and overall housing target over the plan period is to be met.
- 1.76 As outlined within our initial representations, the delivery of housing on land west of Hale Lane, Otford provides an opportunity to positively contribute towards the District’s housing land supply. This Site does not rely on major strategic infrastructure to come forward for its delivery and it can start to come forward immediately upon allocation. The early delivery of the Site is important in the context of housing supply.

Question 54. Is Policy ST2 consistent with national policy given that it refers to sites being included from the previous Plan?

Question 56. Is there compelling evidence that windfall sites would provide a reliable source of supply to support the inclusion of a windfall/small sites allowance of 1,266 units in the Local Plan?

- 1.77 In allocating sites for development, Policy ST2 of the SDLP includes a number of unimplemented housing and mixed-use site allocations from the Allocations and Development Management Plan (ADMP) adopted in February 2015. We would question whether these sites are deliverable or should be included. This includes the Bus Garage / Kingdom Hall site on London Road in Swanley, which was allocated for housing in the ADMP for 30 units. Despite this site being allocated over four years ago this has not yet come forward and no robust evidence has been provided by SDC to suggest why this site will now come forward. Indeed, the evidence referred to by SDC within their 5 Year Supply of Deliverable Housing Sites document (SDC008) for its inclusion simply refers to ‘landowner intention’. This fails to provide the necessary evidence for the site to continue to be allocated for development within a new local plan.
- 1.78 It is also unclear (in the absence of a planning consent) why the approximate number of units that will be delivered by this site has increased from 30, as identified in the ADMP, to 74, as assumed in the SDLP. Similar concerns are also noted with regard to other allocations from the ADMP that are proposed to be rolled forward within the SDLP.
- 1.79 In this context, we question whether the sites previously allocated represent deliverable or developable sites for the purposes of housing supply for plan making purposes – as required by national policy.
- 1.80 Paragraph 70 of the NPPF states that:

“Where an allowance is to be made for windfall sites as part of anticipated supply, there should be compelling evidence that they will provide a reliable source of supply. Any allowance should be

realistic having regard to the strategic housing land availability assessment, historic windfall delivery rates and expected future trends.” (our emphasis)

- 1.81 Likewise, SDC’s Housing Trajectory makes an allowance 1,092 homes to be delivered through windfalls and rural exception sites over the plan period. This assumes that this source of housing will be delivered at an annual rate of 84 dwellings per annum from 2022/23. No compelling evidence has been published by SDC to demonstrate that the delivery of 1,092 homes through windfall sites is achievable.
- 1.82 Overall, there is clear uncertainty that sources of housing supply outlined within the SDLP can be relied upon as coming forward.

5 Year Housing Land Supply

Question 57. With regards to paragraph 73c) of the revised NPPF, does the evidence base on the 5 year housing land requirement and supply reflect the Government’s HDT results and the revised definition of ‘deliverable’ included in the glossary of the revised NPPF?

Question 58. Can the Local Plan demonstrate a 5 year supply of deliverable housing land against the requirement upon adoption of the Plan?

Question 59. Is it robustly demonstrated that the Local Plan can deliver a 5 year housing land supply throughout the Plan period?

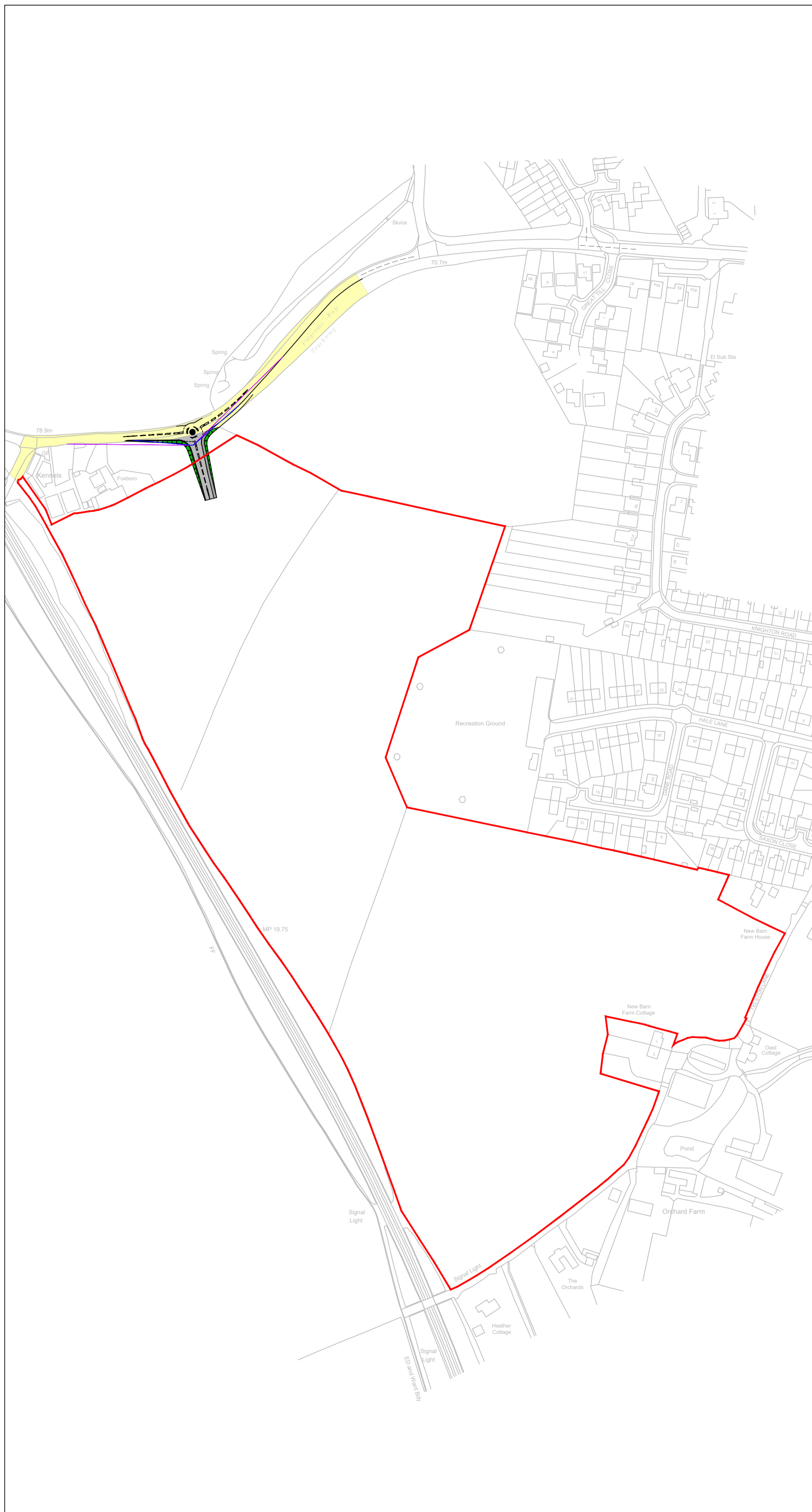
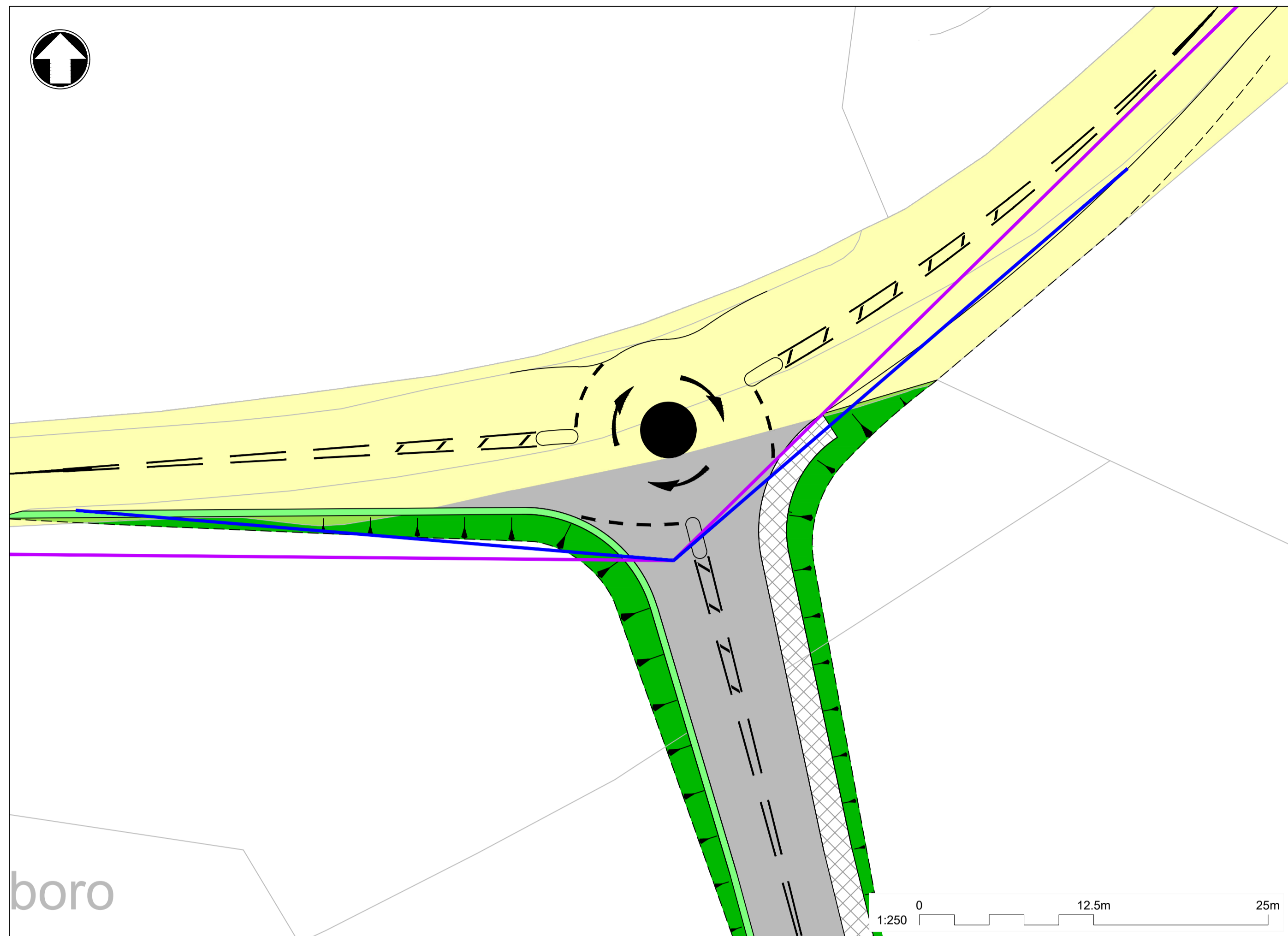
Question 60. What evidence is there to show that those sites included in the 5 year housing land supply are deliverable?

- 1.83 Notwithstanding the fact that the housing target needs to increase, the evidence provided by SDC (including SDC008 and SDC009) fails to provide robust evidence that a 5 year supply of deliverable housing land can be delivered throughout the Plan period. The Housing Trajectory now published by SDC applies unrealistic scenarios in relation to start dates of allocated sites and the rate of delivery. A number of sites identified to come forward in Year 2 (2020/21) do not yet benefit from planning permission.
- 1.84 Referring to the definition of deliverable contained within Annex 2 to the NPPF, SDC has failed to provide robust evidence to show that the sites included in the 5 year housing land supply are deliverable. References to ‘land availability’ as evidence to support phasing of the Local Plan housing supply (SDC008) is not sufficient to justify the very optimistic assumptions put forward by SDC in suggesting that sites are deliverable and that a 5 year land supply can be demonstrated.
- 1.85 SDC has a history of allocating sites within local plans that have still not yet come forward (as reflected by the fact that a number of allocations from the ADMP have not been delivered but are to be allocated within the SDLP). Indeed, of the 16 sites allocated within the ADMP for housing, the majority have not come forward, and eight of sites previously identified by the ADMP continue to be allocated within the SDLP.

- 1.86 It is not clear what work SDC has done to confirm that the landowners' 'intentions' (the evidence referred to in SDC008) to confirm that these sites will now come forward by being allocated in the SDLP. There is nothing in either the SDLP or supporting evidence to demonstrate that any barriers stopping those sites coming forward have been adequately addressed. It remains that planning permission is still not in place, and there is no robust evidence of developers (rather than landowners) seeking to bring forward these sites.
- 1.87 Furthermore, the quantum of housing that are expected to be delivered by the sites allocated within the ADMP that continue to be allocated in the SDLP has increased significantly – from 246 units to 563 units (an increase of 129%). Again, no clear evidence has been presented why these allocations should now deliver a substantially greater quantum of housing, other than referring to the 'potential' to deliver housing at a significantly greater density than previously envisaged. This however is again not supported by planning permissions.
- 1.88 Against this background there is clearly uncertainty with regard to the delivery of housing in the District, and there is a need to allocate additional sites that are deliverable to ensure that the housing supply to ensure that the SDLP can deliver a 5 year land supply throughout the plan period. This would include land to the west of Hale Lane, Otford.
- 1.89 In terms of being able to deliver a 5 year housing land supply throughout the Plan period, the approach of SDC is one that is underpinned by land at Pedham Place (which will deliver almost 25% of the identified housing target) being released from the Green Belt and AONB. It is also assumed that all housing delivery for that site will come forward in 2025/26. As previously noted, given that the release of this land is clearly uncertain and not going to be considered until the next Plan is reviewed in at least five years time, such an assumption is highly questionable. By way of comparison, SDC took approximately 7 years to prepare and get adopted the current Sevenoaks Core Strategy⁹. Over 5 years was required to deliver the existing Allocations and Development Management Plan¹⁰. Given these precedents it is likely that a review of the SDLP will be delivered by the anticipated first year of housing delivery at the Pedham Place site (assuming adoption in 2020), particularly given the lack of clarity on timescale and the purpose of the review within the proposed wording for a review under Policy ST1. These concerns were outlined within our initial representations and have not been addressed by the Proposed Modifications.
- 1.90 Notwithstanding the fact that the housing numbers need to increase, based on the current figure SDC is not able to demonstrate a 5 year land supply. Consequently, the allocation of additional smaller sites that can come forward without major infrastructure requirements is needed for the plan to be found sound.

⁹ Consultation on Issues and Options commenced in 2004 – as outlined in the current Core Strategy (para. 1.0.6)

¹⁰ As summarised at page 7 of the Sevenoaks District Council - Allocations and Development Management Plan



Notes

- All dimensions are in metres unless stated otherwise
- Subject to speed survey
- Subject to topographical survey
- Subject to Traffic Regulation Order
- The indicative arrangement for access assumes a balance in traffic flow for affective use of the junction form.

Key to symbols

- 2.4m x 43m visibility splay (30mph)
- 2.4m x 90m visibility splay (40mph)
- Kent CC Highway Boundary (assumed)
- Proposed carriageway
- Proposed footway
- Proposed edge verge
- Proposed earthworks (1:3)
- Development site

Reference drawings

Preliminary Design
 NOT FOR CONSTRUCTION

P2	30/08/2019	RB	Development of concept design	GT	SF
P1	20/08/2019	RB	First issue	GT	SF
Rev	Date	Drawn	Description	Ch'k'd	App'd

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Client
 Clarion Housing Group

Title
 Land to the west of Hale Lane,
 Otford, Sevenoaks
 Preliminary Highway Alignments
 from Pilgrims Way West

Designed	G Tregillis	GT	Eng check	G Tregillis	GT
Drawn	R Barwell	RB	Coordination		
Dwg check	C Cole	CC	Approved	S Finney	SF

Scale at A1: As Shown | Status: PRE | Rev: P2 | Security: STD

Drawing Number: 395515-MMD-XX-00-DR-C-0006

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