

Neighbourhood Plan Steering Group Response to Regulation 16 comments dated 28th February 2024.

1. Where does the 'recognition' referred to in Policy SwSD1 (page 26), regarding Green Belt sites in the SNP area, manifest itself in the SNP?

NP Steering Group Reply:

The NP recognises housing need so, the steering group understood that SDC may have to look at the underperforming sites recommended by Ove Arup for reappraisal shown on Map 6, which shows current green belt too, but could not commit to designating sites due to the strength of feeling about developing Green Belt land. It did however try to help increase the potential numbers of homes by proposing increased densities to that in the current Local Plan. SDC did not suggest at the Regulation 14 Consultation that they were considering higher densities.

2. Can the group respond to the Regulation 16 comments of the SDC Development Manager Officer on the following policies:

- (a) Policy SwSD1 (page 26): sixth bullet point;
- (b) Policy SwSD2 (page 26): seventh bullet point;
- (c) Policy SwSD3 (page 26): eighth bullet point;
- (d) Policy SwC4 (page 39): tenth bullet point;
- (e) Policy SwCD&H1 (page 49): eleventh bullet. I would also like the comments on the SDC Planning Policy Team's response with regard to this policy.
- (f) Policy SwCD&H3 (page 50): twelfth bullet point;
- (g) Policy SwH2 (page 64): thirteenth bullet point;
- (h) Policy SwEE2 (page 75): fourteenth bullet point; and
- (i) Policy SwT4 (page 93): fifteenth bullet point?

NP Steering Group Reply:

- (a) Policy SwSD1: This policy relates to the First Stage, Ove Arup, Green Belt Assessment where they indicate in Table 5.2 a Summary of Recommended Areas for further assessment that they considered were poorly performing green belt land within otherwise strongly performing green belt parcels. They designated these as RA-1 to RA-31. The areas within Swanley are shown on Map 6. Table 5.2 indicates a total of 635 hectares and if half the area was developed at 40 dwellings per hectare a total of 12,700 homes could be built. This formed the basis for our policy. In our 2018 Questionnaire 81% of respondents felt that the green belt should be protected from development. The Steering Group acknowledges the need for revision of this policy as it is possible that one of three strategies outlined in the SDC emerging LP 2040, Regulation 18 Consultation, may be adopted, which will involve the removal of some strongly and poorly performing land from the green belt to meet any of the strategies proposed. The NPPF, dated December 2023, Chapter 13, clause 145, states "Authorities may choose to review and alter Green Belt boundaries where exceptional circumstances are fully evidenced and justified" and "Strategic policies should establish the need for any changes to Green Belt boundaries, having regard to their intended permanence in the long term, so they can endure beyond the plan period". The Steering Group would support the following policy change:

SwSD1: The Neighbourhood Plan recognises that there are Green Belt sites in the Neighbourhood Plan area which may be removed from the Green Belt by

Sevenoaks District Council to meet their Strategic Policy, which will alter the green belt boundaries. The NPPF requires these new boundaries to be permanent in the long term to endure beyond the Local Plan period and, therefore any further removal of strongly performing Green Belt and during the LP period is not supported. The Neighbourhood Plan supports developments on brownfield sites within the Green Belt.

- (b) Policy SwSD2: Our 2018 NP questionnaire indicated that 74% would like to see more shops in the town centre and our public consultation in 2020 showed strong support for this policy. We have stated in the policy “other than permitted development”. We consider it should be possible to monitor the “net loss” refer to answer to Q11.
- (c) Policy SwSD3: The Harringtons Nursery development was only supported by Swanley Town Council because it was a brownfield site within the Green Belt. Swanley Village is to a large part a Conservation Area with listed buildings and ancient field boundaries located upon high ground. We are surprised that it is being referred to as a Hamlet, as has been suggested, as it is more than a few houses and has a church. The Village was known as Swanley before the coming of the railways. The first stage Green Belt assessment for land parcel 95, shown on Map 6 and in tabular form on page 25, shows that the land scored a maximum of 5 against Purpose 2 -To prevent neighbouring towns from merging and 3+ against purpose 1- To check the unrestricted sprawl of large built-up areas. It is for these reasons we have Policy SwSD3. Arup’s have now carried out a fine grain Green Belt Assessment and this land is scheduled as SA-14 in table 5-8. Its overall NPPF purpose is strongly, strategic role important and not recommended for inclusion in the emerging LP.
- (d) Policy SwC4: This wording was suggested by KCC in their Regulation 14 response, (KCC response dated 24th Feb 2023) to make it in line with the KCC Drainage and Planning Policy Document (Appendix A).
- (e) Policy SwCD&H1: Regarding bullet point 4, Amenity Green Space, we can add “wherever possible”. Regarding bullet point 8 these requirements are generally covered by the existing Local Plan. The tilted balance argument can always be used when other policy requirements are met. One of the reasons that the town centre development was granted on appeal, was the lack of a Neighbourhood Plan. The planning approval on appeal has now lapsed for that development.
- (f) Policy SwCD&H3: Details of the Non-Designated Heritage Assets can be found in the Evidence Documents in Folder NDHAs where there are Microsoft word documents including text and photographs for each asset. We have received a response from Dr. Susan Pitman, Response reference 204983946, who has put forward a good case for including the bus depot in London Road which the group consider should be included. One of the steering group members has mentioned that we should include Parkwood Hall, which is the sole surviving London Hospital building from the 19c.) It is important to appreciate that Keston is a twin to the Beeches which is included on the SDC Heritage schedule.
- (g) Policy SwH2: All house ventilation systems using heat recovery ventilation equipment often end up in storage cupboards due to their on-going maintenance requirements with changing air filters. We are saying that this type of plant should not reduce the home owners required storage space, which should be in addition to the plant space required.

- (h) Policy SwEE2: SDC's Allocations & Development Management Plan 2015 Policy EMP5 is not a lot different to our policy SwEE2 except for the 12-month marketing requirement. The Steering Group would support reducing the notice period to 6 months as per policy EMP5.
- (i) Policy SwT4: This policy regarding residential parking requirements is based upon the levels of car ownership in Swanley taken from the 2021 Census and local knowledge. The Kent Design Guide, Parking Standards V1.0 dated 17th September 2021 is an excellent document covering both residential and non-residential parking. This document covers the whole of Kent and makes no allowance for local variation. Our residential parking standards are not a lot different to Table 1 in the KCC document and we also have a qualification in our policy c) which allows for situations where there is a clear justification for the application of a lower standard. For example, recent small flat developments have taken place in the town centre which would otherwise not have taken place if a reduced level of parking was not allowed. We are not suggesting refusing planning applications because of a lack of on-street parking, we are pointing out that there are a lot of on-street parking restrictions in Swanley, which means developments need to accommodate parking requirements on-site. Refer to map of Swanley parking restrictions which is in the evidence base folder file reference SNP-Parking A3 Reduced.
- As an example, the development in Goldsel Road consisting of 20 flats, planning reference 21/03298, the developer had allowed for 16 car parking spaces in discussions with KCC. There was a lot of local opposition as there is restricted parking all around the development. The developer decided to increase the parking spaces to 20 which was very much supported. The KCC Parking Standards V1.0, page 1, makes it clear "More recently, national government parking policy has sought to end 'unrealistic' restrictions on an individual's right to park".
- We do not think that reductions in the level of parking provisions in Sevenoaks District, for car clubs and sustainable transport modes, are relevant in the district's small rural towns. Reductions in car parking for these reasons work very well in inner city boroughs where the direction of travel, interlinks between transport modes and frequency of operation is outstanding. Swanley has a very good train service but is very limited in direction of travel compared to London. The bus service in Swanley has been severely curtailed and is very limited in direction of travel, frequency, and times of operation. This directly affects patients and visitors attending the local hospital in Dartford.
- We have received no comments from KCC regarding our parking policy at both regulation 14 and 16 consultations.

7. How does the group respond to the Regulation 16 comments made by the SDS Planning Policy Team regarding:

- (a) Policy SwH5 (page 64); and
(b) Policy SwEE1 (page 74)?

NP Steering Group Reply:

- (a) We based our density figures on the NPPF requirement for a significant increase in housing density. The figures we have specified are more than a significant increase in current densities in the SDC Core strategy 2011 and Allocations & Development Management plan 2015. We are now aware that our density figures are less than is being put forward in the emerging LP 2040 regulation 18 consultation, however, we have

evidence to show that recent developments in Swanley have not been able to achieve anywhere near SDC's proposed figures. These are:

Harringtons Nursery development, planning reference 20/00624, located on the edge of Swanley, currently under construction, for 60 dwellings, only achieves 27 dwellings per hectare. This development also has a significant amount of shared roadway and footpaths.

Downs View, off Goldsel Road, planning reference 16/00253, in an existing built-up area, for 185 dwellings only achieves 50 dwellings per hectare with the four storey flats and only 33 DPH excluding the flats. These densities were only achieved by the development having no footpaths throughout!

Cherry Avenue Swanley, planning reference 19/02135, for 56 dwellings, only achieves 35 dwellings per hectare and includes a block of 11 flats.

The above examples show that the only way to provide densities, as suggested by SDC, would be row upon row of terraced houses or high-rise developments which would ruin the character of Swanley.

(b) TE9 shown on Map 11 is an existing business brownfield site within the green belt and we consider that any upgrade, intensification, and extension within the existing site boundary would be welcome. We feel that adding the words "within the site boundaries" between the words 'sites' and 'on' may be sufficient. Alternatively remove the word 'extend' as we would not support the extension of any sites beyond their boundaries as this would impact on existing housing. Site TE9 is also part of the land North & South of London Road which SDC are proposing to include in the LP 2040 strategy.

8. Can the group respond to the Regulation 16 comments of the SDC's Conservation and Design Team?

NP Steering Group Reply:

We welcome the Conservation & Design Teams suggestion and will add "and should be assessed against relevant local and national policies in planning applications that affect their significance".

9. Can the group respond to the matters raised by in the Regulation 16 response from Crockenhill Parish Council, particularly points 1 to 5 inclusive?

NP Steering Group Reply:

We welcome Crockenhill Parish council's comments. Crockenhill Parish is outside the Neighbourhood Plan area as is the Pedham Place site which is in Farningham & Eynsford Parish. The SNP applies only to the NP area defined in the Plan.

Point 1 - The site in question is named Petham Court Farm and allotments. The space was under lease to a local farmer until it recently expired, the current farm tenant has expressed his plans to vacate the site by August 2024, Swanley Town Council have accepted this. The allotments are also out of lease, but the Town Council have been working towards a 99-year lease for a number of years with the Allotment Society. Both of

these sites are within the Parish of Crockenhill and the future proposals around cemetery, solar or alternative uses will involve engagement with the neighbouring parish.

Point 2 – Accepted.

Point 3 – We are in total agreement with the comments made by Crockenhill Parish Council regarding housing density and our policies SwCD&H1 and SwH5 should address the issues raised.

Point 4 – We agree that the Art Deco Bus depot should be included as a non-designated Heritage Asset. We also consider that Parkwood Hall, which is the only remaining Swanley hospital building, dated 1893, should also be included.

Point 5 – H19 was a recommendation in the Swanley Transport Study. This was included to make the lanes safe for current use, not to make them more accessible for use when the M25 is blocked, a frequent occurrence. From the Swanley NP area point of view this is Beechenlea Lane leading through to Swanley Village. We totally agree with CPC's comments and concerns and that they should be consulted upon any Transport Study.

10. Can the group briefly respond to the Regulation 16 comments submitted by Kent County Council?

NP Steering Group Reply:

There seems to be a duplication on comments so we are replying to the main issues raised as follows:

Education

The Steering Group would support, under our heading of Education in the NP, adding the following "Kent County Council as Local Education Authority must be consulted on any new planning applications, assessing the education needs". We carried out research of the current education provisions in the town and hope that our findings will be useful when KCC reviews education provision for the town as development comes forward.

Bus Public Transport

Public transport, with respect to buses, will only help to reduce traffic congestion if it becomes a reliable alternative to the motor car, especially in terms of direction of travel and frequency of operation. We have outlined the deficiencies in the Public Transport provision in the NP. We have a very good train service and a lot of people walk to the station because the distance involved is acceptable, even from the periphery of the town.

Public Rights of Way (PRoW)

The Steering Group would support adding the following to the walking section in the NP:

"Public Rights of Way (ProW)

Kent County Council has a statutory duty to protect and Improve public rights of way in the county. Swanley Town council will work in conjunction with KCC to improve PRoW. Attention is drawn to KCC's Rights of Way Improvement Plan 2018 – 2028 and the emerging Kent Cycling and Walking Improvement Plan (KCWIP) and emerging Sevenoaks District Council Local Cycling and Walking Improvement Plan (LCWIP).

There is a local walking group called Eynsford & Crockenhill Rights of Way Group (ECROW) that covers Swanley. The aims of the group are to walk all the footpaths in the area during the year to ensure that they are kept open and in a good state of repair. Defects found are reported to KCC. ECROW should be kept informed of any changes or improvements to public rights of way.

The NP strongly supports Active Travel, which, by definition, is the active use of the human body as a transport machine. Examples of Active Travel include walking, cycling, scooting and wheelchairs.”

Cycling

The Steering Group would support adding the following to the cycling section in the NP:

“Attention is drawn to the emerging Sevenoaks District Council Local Cycling and Walking Improvement Plan (LCWIP).”

Road Improvements

All the road improvements that we are suggesting as desirable were taken from The Swanley Transport Study prepared by SWECO including HI1 which was indicated as a long-term aspiration. We have only indicated in the NP those recommendations from the report that were considered by Swanley residents as very desirable.

NP Policy SwT5

We feel that the policy requirement for two access roads for developments over 50 dwellings is a sensible requirement for emergency vehicle access. We also consider that shared access for pedestrians and vehicles should be limited to 10 dwellings on the grounds of safety for pedestrians. We feel these requirements are even more important with the higher densities of new development. We have had a recent development of 185 dwellings at Downs View, off Goldsel Road, planning reference 16/00253 where there are no footpaths or street lighting throughout, so there is a definite need for a policy.

The KCC Design Guide, Design for Movement, page 126 for Minor Access Roads states “The road should either be a through road or if a cul-de-sac, serve no more than 50 dwellings.”

The Harringtons Nursery Site, Highlands Hill, planning reference 20/00624 is a good example, currently under construction, where roads with footpaths are provided to a point where roads off are shared access ways with pedestrians and serve no more than 10 dwellings. This is a 60 dwelling development which would be a good yardstick to use in the policy. We agree that dedicated cycle paths would not be practical for this development and would be happy to either remove this requirement or say “where possible”.

11. With reference to Policy SwSD2 (page 26), how will the ‘net loss’ of class E uses be monitored and assessed?

NP Steering Group Reply:

Section 12 of the NP outlines that all applications will be monitored to check compliance with NP policy – we envisage that this data will be collected as part of this process and

that the Sevenoaks Annual Monitoring reports will also track employment space data as they do currently.

12. What is the justification for the height of 'over 4 storeys' in Policy SwCD&H1 (page 49)?

NP Steering Group Reply:

The Character Assessment, see evidence base, is the main reason for the justification of the height of "over 4 storeys in the policy.

Swanley is predominantly a two/three storey town within both the town centre and wider area. The 2018 Questionnaire sent to residents asked the question as to what height of development they thought was appropriate. The results are shown under Item 7 of the Questionnaire in the evidence base. Basically, the results for the town centre were 41% 3-storey, 35% 4-storey and 10% 5-storeys. For the wider area the results were 58% 3-storey and 30% 4-storey. We would have preferred a policy on appropriate heights in the town but SDC thought this would not be acceptable. Our policy therefore has a different approach to tall buildings, with bullet point 3 stating that tall buildings should "Relate well to the form, proportion, composition, scale and character of surrounding buildings, urban grain, and public realm (including landscape features), particularly at street level."

13. What is the definition of 'working space' in Policy SwH4 (page 64)?

NP Steering Group Reply:

Working space is defined as an area that can be used for home working, for working from home as an employee, or studying by a school or college student. Space for work or study should have enough free space to allow people to get to and from workstations and to move within the room, with ease.

14. How is a 'smaller employment site' defined (see Policy SwEE3 on page 75)?

NP Steering Group Reply:

We would suggest using the definition for non-major development related to non-residential – Sites less than 1 ha in area or less than 1,000 square metres of employment space (The Town and Country Planning (Development Management Procedure) (England) Order 2015).

15. In Policy SwT1 (page 92), how would a decision maker know what is meant by 'close to'? And how will the policy be delivered?

NP Steering Group Reply:

We would suggest "close to" be changed to "abutting". We would assume that proposals for development in these locations would apply the policy and submit applications that reflected the requirement of the policy. It would be enforced by appropriate planning conditions.

16. Are there any issues raised in the Regulation 16 submissions from Icenl which the group considers justify making modifications to the SNP?

NP Steering Group Reply:

The issues raised by Icenl are for sites in strongly performing Green Belt. As consultation for the NP did not support site allocation or development in strongly performing Green Belt the focus of all NP policies is to ensure good quality development.

The emerging Local Plan 2040 Regulation 18 Consultation will require some modifications to the Neighbourhood Plan. Three strategies have been put forward and all involve the removal of some strongly and poorly performing land from the Green Belt.

The issues raised by Icenl are listed below:

1. The Green Belt. Refer to our reply to Q2 (a)
2. Housing Density. Refer to our reply to Q7 (a)
3. Car Parking. Refer to our reply to Q2 (i)
4. Access for Vehicles. Refer to our reply to Q10 NP Policy SwT5

17. A number of Regulation 16 respondents raised concerns regarding infrastructure capacity, traffic levels and car parking. Is the group satisfied that these issues are appropriately addressed, either within the SNP itself, or in other relevant planning policy documentation?

NP Steering Group Reply:

The Neighbourhood Plan and planning generally has limited influence over infrastructure provision, particularly transport. We have, as far as we can, produced policies which aim to improve infrastructure in relation to health, community facilities, open space and so on. In particular section 11 of the plan shows support for a variety of improvements that would improve infrastructure provision. Initially, these were included as policies in the Regulation 14 version of the plan to commit these projects for investment of Community Infrastructure Levy as a priority. SDC did however make it clear that this was not something they could support.

We are of the opinion that we have covered all the issues that Regulation 16 respondents have raised. Indeed, the views of residents throughout the whole NP process have been considered. In terms of infrastructure, we have raised the issue of the need for better health facilities and the problems of having to travel outside of the area for choice in Secondary Education. We have considered the problems of traffic congestion in Swanley and have included recommendations to improve the flow of traffic. The level of residential car parking is a big issue for Swanley residents.