

# Fawkham Neighbourhood Plan

## Summary of responses to the Regulation 16 Consultation

The Regulation 16 consultation ran between Friday 7 June and Friday 19 July 2024.

72 responses were received during this time, as set out below.

No.	Name	Organisation	Date Submitted
1	Cllr Emily Bulford	District Councillor (SDC)	7 June 2024
2	G Champion	General member of Public	8 June 2024
3	R Champion	General member of Public	8 June 2024
4	D Mansfield	General member of Public	8 June 2024
5	R Mansfield	General member of Public	8 June 2024
6	J Laker	Historic England	14 June 2024
7	C Adamson	Southern Water	14 June 2024
8	R Carr	Transport for London	14 June 2024
9	TWBC	Tunbridge Wells Borough Council	14 June 2024
10	D Bedford	DHA Planning on behalf of Billings Group	20 June 2024
11	D Harker	General member of Public	27 June 2024
12	L Harker	General member of Public	27 June 2024
13	R Wheeldon	General member of Public	27 June 2024
14	A Wheelden	General member of Public	27 June 2024
15	L Moss	General member of Public	30 June 2024
16	G Adams	General member of Public	3 July 2024
17	T Adams	General member of Public	3 July 2024
18	H Adams	General member of Public	3 July 2024
19	M Biggs	General member of Public	3 July 2024
20	N Biggs	General member of Public	3 July 2024
21	Cllr Lynda Harrison	District Councillor (SDC)	4 July 2024
22	C and W Vaughan	General member of Public	8 July 2024
23	M Ireland	General member of Public	9 July 2024
24	C Ireland	General member of Public	9 July 2024
25	National Gas Transmission	Avison Young on behalf of National Gas Transmission	9 July 2024
26	National Grid Electricity Transmission	National Grid Electricity Transmission	9 July 2024
27	Hartley Parish Council	Hartley Parish Council	9 July 2024
28	Hartley Neighbourhood Plan Steering Group	Hartley Neighbourhood Plan Steering Group	9 July 2024
29	J Russell	General member of Public	9 July 2024
30	R Everitt	General member of Public	9 July 2024
31	M Fothergill	General member of Public	10 July 2024
32	P Blacker	General member of Public	10 July 2024
33	M Watson	General member of Public	10 July 2024
34	L Prideaux	Café Owner – The Kitchen Speedgate Farm	10 July 2024

No.	Name	Organisation	Date Submitted
35	A Taylor	General member of Public	10 July 2024
36	K Wilkes	General member of Public	10 July 2024
37	S Smith	General member of Public	10 July 2024
38	J Holmes	General member of Public	10 July 2024
39	C MacBride	General member of Public	11 July 2024
40	G Rixon	General member of Public	11 July 2024
41	M Hewish	General member of Public	12 July 2024
42	Environment Agency	KSL Planning on behalf of Environment Agency	12 July 2024
43	K Paterson	General member of Public	12 July 2024
44	N Fox	General member of Public	12 July 2024
45	T Fox	General member of Public	12 July 2024
46	C Proudfoot	General member of Public	12 July 2024
47	L Marchant	General member of Public	13 July 2024
48	S and C Preston	General member of Public	14 July 2024
49	K Proudfoot	General member of Public	15 July 2024
50	M Heeley	General member of Public	16 July 2024
51	D Hollands	General member of Public	16 July 2024
52	National Highways	National Highways	16 July 2024
53	Cllr Sean Malone	District Council (SDC)	16 July 2024
54	E Russell	General member of Public	17 July 2024
55	E Taylor	General member of Public	17 July 2024
56	K Taylor	General member of Public	17 July 2024
57	L Johnson	Horton Kirby & South Darenth Parish Council	18 July 2024
58	Natural England	Natural England	18 July 2024
59	Sevenoaks District Council	Sevenoaks District Council	19 July 2024
60	J Roll	General member of Public	19 July 2024
61	C Roll	General member of Public	19 July 2024
62	S Wyles	General member of Public	19 July 2024
63	R Wyles	General member of Public	19 July 2024
64	A Farrow	General member of Public	19 July 2024
65	R Farrow	General member of Public	19 July 2024
66	Mrs Holland	General member of Public	19 July 2024
67	G Cramp	Fawkham and District Historical Society	19 July 2024
68	D Johnson	General member of Public	19 July 2024
69	R Wise	General member of Public	19 July 2024
70	M Johnson	General member of Public	19 July 2024
71	Sport England	Sport England	19 July 2024
72	Kent County Council	Kent County Council	22 July 2024 (Extension Agreed)

## Summary of responses

No.	Name / Organisation	Support / Object	Further comments
1	Cllr Emily Bulford	Support	No further comments
2	G Champion	Support	No further comments
3	R Champion	Support	No further comments
4	D Mansfield	Support	No further comments
5	R Mansfield	Support	No further comments
6	Historic England	Not Answered	<p>Thank you for inviting Historic England to comment on the Regulation 16 Submission version of this Neighbourhood Plan.</p> <p>We do not consider it necessary for Historic England to provide detailed comments at this time. We would refer you if appropriate to any previous comments submitted at Regulation 14 stage, and for any further information to our detailed advice on successfully incorporating historic environment considerations into a neighbourhood plan, which can be found here: <a href="https://historicengland.org.uk/advice/planning/planmaking/improve-your-neighbourhood/">https://historicengland.org.uk/advice/planning/planmaking/improve-your-neighbourhood/</a>.</p> <p>We would be grateful if you would notify us on <a href="mailto:seast@HistoricEngland.org.uk">e-seast@HistoricEngland.org.uk</a> if and when the Neighbourhood Plan is made by the council. To avoid any doubt, this letter does not reflect our obligation to provide further advice on or, potentially, object to specific proposals which may subsequently arise as a result of the proposed plan, where we consider these would have an adverse effect on the historic environment.</p>
7	Southern Water	Not Answered	I have checked our service area and confirm that Southern Water does not provide water supply or wastewater collection services to Fawkham. We therefore have no comments to make on the Fawkham Parish Neighbourhood Plan.
8	Transport for London	Not Answered	Thank you for consulting Transport for London (TfL). I can confirm that we do not wish to comment on the Fawkham Parish Neighbourhood Development Plan.

No.	Name / Organisation	Support / Object	Further comments
9	Tunbridge Wells Borough Council	Not Answered	<p>Thank you for consulting Tunbridge Wells Borough Council (TWBC) on the Regulation 16 Fawkham Neighbourhood Development Plan (NDP).</p> <p>TWBC has no specific comments to make on the Plan but generally welcomes the Vision, Strategy and Policies set out in the Plan.</p>
10	DHA Planning	Object	<p>Overview</p> <p>We write on behalf of the Billings Group in respect of the Submission Version Fawkham Neighbourhood Plan (hereafter referred to as the 'FNP'). The FNP is understood to have been developed in consultation with the local community and provides a vision for the future of the parish. It sets out a vision, site specific policies and topic policies, which will be used to help determine planning applications within the Neighbourhood Area for the Plan period to 2040.</p> <p>The submission version of the FNP was submitted to Sevenoaks District Council ('SDC') in April 2024. As the Local Planning Authority, SDC is now required to consult on the Neighbourhood Plan, under Regulation 16 of the Neighbourhood Planning (General) Regulations 2012. The Submission Version of the Plan has been published for public consultation for a period of 6 weeks. The consultation is due to close on 19th July 2024.</p> <p>As part of the examination of the Neighbourhood Plan, the examiner will be required to consider (amongst other requirements) whether the Plan meets the basic conditions set out in legislation (Town &amp; Country Planning 1990 Schedule 4B Paragraph 8 (2)) stated below:</p> <p>(2) "A draft order meets the basic conditions if:</p> <ul style="list-style-type: none"> <li>a) having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the order,</li> <li>b) having special regard to the desirability of preserving any listed building or its setting or any features of special architectural or historic interest that it possesses, it is appropriate to make the order,</li> </ul>

No.	Name / Organisation	Support / Object	Further comments
			<p>c) having special regard to the desirability of preserving or enhancing the character or appearance of any conservation area, it is appropriate to make the order,</p> <p>d) the making of the order contributes to the achievement of sustainable development,</p> <p>e) the making of the order is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area),</p> <p>f) the making of the order does not breach, and is otherwise compatible with, obligations, and</p> <p>g) prescribed conditions are met in relation to the order and prescribed matters have been complied with in connection with the proposal for the order.”</p> <p>The Billings Group is currently one of the largest private landowners in Sevenoaks district with over of circa 3,700 acres of land. The group have been investing in property and property related businesses in the South East for over 85 years. The group personally develops and actively invests in a variety of property types, this includes a significant private portfolio that encompasses residential, commercial, leisure, agricultural and industrial uses.</p> <p>Specifically, the group have been key players in sports provision in Sevenoaks District, with Corinthian Sports Club, Corinthian Golf Club and Redlibbets Golf Club all falling within the Fawkham NDP area. The group have also been a forerunner of a unique non-profit elderly housing solution via its site at Bramblefields Close. The 210 unit scheme enables people to pay a license fee to live in a property for as long as they wish and when they move out have the license fee refunded. This has provided an immeasurable benefit to a large number of elderly people in the area.</p> <p>As a key landowner, our client supports the principle of bringing forward a Neighbourhood Plan and recognises the continued benefit to the local community of both bring forward new homes, leisure and employment opportunities whilst also safeguarding the environment. However, the purpose of the Neighbourhood Plan system is to encourage and manage</p>

No.	Name / Organisation	Support / Object	Further comments
			<p>development in a positive manner and neighbourhood Plans should not make development harder to achieve or to sterilise land.</p> <p>This context in mind, our client has concerns about the extent to which the Neighbourhood Plan meets the basic conditions, particularly given it has been prepared without engagement with our client and neither addresses the up-to-date future housing and economic needs of Fawkham, nor seeks to support the existing employment and leisure facilities within the parish.</p> <p>As such the Plan as drafted does not contribute to the achievement of sustainable development such that it fails the basic conditions and may result in significant long-term consequence for sustainable future growth in Fawkham parish to 2040</p> <p><i>SDC Note: Please see full response at <a href="http://www.sevenoaks.gov.uk/fawkhamnp">www.sevenoaks.gov.uk/fawkhamnp</a></i></p>
11	D Harker	Support	No further comments
12	L Harker	Support	No further comments
13	R Wheeldon	Support	No further comments
14	A Wheeldon	Support	No further comments
15	L Moss	Support	I believe that the Fawkham Neighbourhood Plan is a truthful and balanced document for the benefit of all. It is full of facts and evidence to support its findings.
16	G Adams	Support	No further comments
17	T Adams	Support	No further comments
18	H Adams	Support	No further comments
19	M Biggs	Support	No further comments
20	N Biggs	Support	No further comments
21	Cllr Lynda Harrison	Support	I have read the neighbourhood plan prepared by Fawkham Parish Council (along with the steering group) and fully support the aims and objectives of the plan. I congratulate the council on this thorough and excellent comprehensive piece plan to protect the future of Fawkham.

No.	Name / Organisation	Support / Object	Further comments
			As a District ward Councillor for Fawkham I would recommend adoption of the neighbourhood plan 2023-2040.
22	C and W Vaughan	Support	No further comments
23	M Ireland	Support	No further comments
24	C Ireland	Support	No further comments
25	National Gas Transmission	Not Answered	<p>An assessment has been carried out with respect to National Gas Transmission's assets which include high-pressure gas pipelines and other infrastructure.</p> <p>National Gas Transmission has identified that no assets are current affected by proposed allocations within the Neighbourhood Plan area.</p> <p>National Gas Transmission provides information in relation to its assets at the website below  <a href="https://www.nationalgas.com/land-and-assets/network-route-maps">https://www.nationalgas.com/land-and-assets/network-route-maps</a></p> <p>Please also see attached information outlining guidance on development close to National Gas Transmission Infrastructure.</p>
26	National Grid Electricity Transmission	Not Answered	<p>An assessment has been carried out with respect to NGET assets which include high voltage electricity assets and other electricity infrastructure.</p> <p>NGET has identified that no assets are currently affected by proposed allocations within the Neighbourhood Plan area.</p> <p>NGET provides information in relation to its assets at the website below.  <a href="http://www.nationalgrid.com/uk/services/land-and-development/planning-authority/shapefiles/">www.nationalgrid.com/uk/services/land-and-development/planning-authority/shapefiles/</a></p> <p>Please also see attached information outlining guidance on development close to NGET infrastructure.</p>

No.	Name / Organisation	Support / Object	Further comments
27	Hartley Parish Council	Support	Our Neighbourhood Plan Steering Group has worked closely on their and our Neighbourhood Plans and shared Local Landscape Character and Green Belt Assessments. We strongly support their Neighbourhood Plan.
28	Hartley Neighbourhood Plan Steering Group	Support	We have worked closely with Fawkhams Parish Council on their and our Neighbourhood Plans and shared Local Landscape Character and Green Belt Assessments. We strongly support their Neighbourhood Plan.
29	J Russell	Support	No further comments
30	R Everitt	Support	No further comments
31	M Fothergill	Support	No further comments
32	P Blacker	Support	<p>I am broadly in favour of the plan, I do though wish to make it clearly understood that further development of areas for housing are not appropriate due to the enormous lack of infrastructure which is currently unable to support the exiting community. This primarily being;</p> <p>The roads, we exist on c and d roads which are in desperate need of repair and upgrade.</p> <p>The power network ( we regularly suffer power cuts )</p> <p>Telecom, (many properties do not have functional broadband) the network is an ancient being copper and aluminium cabling and failing,</p> <p>Schools, the school currently does not have sufficient green space to support its intake</p> <p>No go surgery, the local ones being hugely over stretched</p> <p>There is no existing safe pedestrian access from Fawkhams to any of the surrounding villages or sustainable transport.</p> <p>We have no sustainable transport as it is and are reliant on cars to safely commute to either work or to get a train in Longfield.</p>
33	M Watson	Support	No further comments
34	L Prideaux	Support	As the owner of The Kitchen Café at Speedgate Farm, I am in support of continuing small business usage of buildings in the borough. I think that an introduction of a village shop and post office would greatly benefit the residents. I have employed mostly local people over our 18months of being open, and have used local suppliers as much as possible. The café has, I think, become a beneficial part of the village life, our supper clubs one a month are



No.	Name / Organisation	Support / Object	Further comments
			very popular. I would like to see more support for other facilities as outlined above in my comments and would be happy to discuss this further if possible. Thankyou
35	A Taylor	Support	No further comments
36	K Wilkes	Support	No further comments
37	S Smith	Support	No further comments
38	J Holmes	Support	No further comments
39	C MacBride	Support	No further comments
40	G Rixon	Support	No further comments
41	M Hewish	Support	No further comments
42	Environment Agency	Not Answered	<p>Dear Sevenoaks Strategic Planning Team, Thank you for consulting us on the draft Fawkham Neighbourhood Development Plan. We have the following comments, which we hope you will find useful.</p> <p>Groundwater and Contaminated Land The area of Fawkham is located within Source Protection Zones (SPZ) 1, 2 and 3 of a public water supply. Therefore, it is important to prevent pollution of groundwater in the underlying principal and secondary A aquifers.</p> <p>We are pleased to note that there is a specific policy for groundwater protection within the draft Neighbourhood Plan (Policy FNP5 – Groundwater Source Protection Zone). This section identifies the need to protect controlled waters within SPZs the requirement to have mains sewerage connections where possible (or seek permitting advice).</p> <p>Any proposed development site will be considered individually through planning.</p> <p>However, where necessary, preliminary desk top studies should be undertaken (in accordance with Land Contamination Risk Management etc.) to better understand the risk to controlled waters from potentially contaminative historic land uses. Our Environment Agency's approach to</p>

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			<p>groundwater protection states what types of development will be acceptable in different locations from the point of view of protection of groundwater quality. Any site proposed for development should be screened using this document for acceptability.</p> <p>We have no further comments with regards to the proposed development plan and invite you to refer to our standard Neighbourhood Plan advice note attached.</p>
43	K Paterson	Support	No further comments
44	N Fox	Support	No further comments
45	T Fox	Support	No further comments
46	C Proudfoot	Support	No further comments
47	L Marchant	Support	No further comments
48	S & C Preston	Support	We strongly support the Neighbourhood Plan in its current format and thank you all the people involved for their hard work in putting it together.
49	K Proudfoot	Support	No further comments
50	M Heeley	Support	I think the Plan is well presented and sets out clearly the aspirations of the residents of Fawkham. I would fully support the Policies set out in the Plan.
51	D Hollands	Support	<p>I believe the proposed Fawkham neighbourhood plan should be adopted for the following reasons:</p> <p>This is a well written neighbourhood plan that presents the vision for the neighbourhood area. The plan contains well written policies covering a wide range of topic areas to reflect their local importance.</p>
52	National Highways	Not Answered	On behalf of the Secretary of State for Transport, National Highways is responsible for managing and operating a safe and efficient Strategic Road Network (SRN), i.e. the Trunk Road and Motorway Network in England, as laid down in Department for Transport (DfT) Circular 01/2022 (Strategic road network and the delivery of sustainable development).

No.	Name / Organisation	Support / Object	Further comments
			<p>We are a key delivery partner for sustainable development promoted through the plan-led system, and as a statutory consultee we have a duty to cooperate with local authorities to support the preparation and implementation of development plan documents. National Highways is aware of the relationship between development planning and the transport network, and we are mindful of the effects that planning decisions may have on the operation of the SRN and associated junctions. We cannot cater for unconstrained traffic growth generated by new developments, and we therefore encourage policies and proposals which incorporate measures to reduce traffic generation at source and encourage more sustainable travel behaviour.</p> <p>In this instance, we would specifically be concerned with any proposals which have the potential to impact the M25 and M2-, which are in close proximity to the Fawkham Neighbourhood Area.</p> <p>In response to your Regulation 16 Consultation, I would like to draw your attention to the National Highways document 'The Strategic Road Network, Planning for the Future: A guide to working with National Highways on planning matters' (October 2023). This document sets out how National Highways intends to work with local planning authorities and developers to support the preparation of sound documents which enable the delivery of sustainable development. The document indicates that National Highways will review and provide comments on local plans proposed by local planning authorities that have the potential to affect any part of the SRN.</p> <p>Our views are focused on the potential impacts of allocated sites on the SRN and parts of the SRN which may experience significant increases in traffic and our interest in the plan-led system is focused on the council's approach to highway and transport matters in relation to regeneration and new development. We welcome proposals to improve access and take up of sustainable transport and will be supportive of any policies which may off-set strategic car journeys that could otherwise travel on the SRN.</p>

No.	Name / Organisation	Support / Object	Further comments
			We understand that development allocations are not within the remit of the Neighbourhood Development Plan and the Plan does not currently reference any proposed development allocations within the Neighbourhood Area, and therefore, in response to this consultation, there is unlikely to be any potential for significant impacts to the SRN at present. We would expect to be part of early discussions with both developers and the council for any proposed future development which is likely to have a significant impact on the SRN.
53	Cllr Sean Malone	Support	I wholeheartedly support the Fawkham Neighbourhood Plan I think it represents a comprehensive piece of work, through which Fawkham Parish Council have successfully sought to reflect the views and needs of their Parishioners. Hopefully, if adopted, it will prove to be a useful in influencing how Fawkham develops over the coming years.
54	E Russell	Support	No further comments
55	E Taylor	Support	No further comments
56	K Taylor	Support	No further comments
57	L Johnson	Support	No further comments
58	Natural England	Not Answered	<p>Natural England does not have any specific comments on this draft neighbourhood plan.</p> <p>However, we refer you to the attached annex which covers the issues and opportunities that should be considered when preparing a Neighbourhood Plan and to the following information.</p> <p>Natural England does not hold information on the location of significant populations of protected species, so is unable to advise whether this plan is likely to affect protected species to such an extent as to require a Strategic Environmental Assessment. Further information on protected species and development is included in Natural England's Standing Advice on protected species.</p> <p>Furthermore, Natural England does not routinely maintain locally specific data on all environmental assets.</p>

No.	Name / Organisation	Support / Object	Further comments
			<p>The plan may have environmental impacts on priority species/or habitats, local wildlife sites, soils and best and most versatile agricultural land, or on local landscape character that may be sufficient to warrant a Strategic Environmental Assessment. Information on ancient woodland, ancient and veteran trees is set out in Natural England/Forestry Commission standing advice.</p> <p>We therefore recommend that advice is sought from your ecological, landscape and soils advisors, local record centre, recording society or wildlife body on the local soils, best and most versatile agricultural land, landscape, geodiversity and biodiversity receptors that may be affected by the plan before determining whether a Strategic Environmental Assessment is necessary.</p>
59	Sevenoaks District Council	Not Answered	See copy of SDC comments following this table at Appendix A.
60	J Roll	Support	No further comments
61	C Roll	Support	No further comments
62	S Wyles	Support	No further comments
63	R Wyles	Support	No further comments
64	A Farrow	Support	No further comments
65	R Farrow	Support	No further comments
66	Mrs Holland	Support	No further comments
67	G Cramp	Support	No further comments
68	D Johnson	Support	No further comments
69	R Wise	Support	No further comments
70	M Johnson	Support	Too much building going on
71	Sport England	Not Answered	<p>Thank you for consulting Sport England on the above neighbourhood plan.</p> <p>Government planning policy, within the National Planning Policy Framework (NPPF), identifies how the planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. Encouraging communities to become more physically active through walking,</p>

No.	Name / Organisation	Support / Object	Further comments
			<p>cycling, informal recreation and formal sport plays and important part in this process. Providing enough sports facilities of the right quality and type in the right places is vital to achieving this aim. This means that positive planning for sport, protection from the unnecessary loss of sports facilities, along with an integrated approach to providing new housing and employment land with community facilities is important.</p> <p>Therefore, it is essential that the neighbourhood plan reflects and complies with national planning policy for sport as set out in the NPPF with particular references to Pars 102 and 103. It is also important to be aware of Sport England's statutory consultee role in protecting playing fields and the presumption against the loss of playing field land. Sport England's playing fields policy is set out in our Playing Fields Policy and Guidance document. <a href="https://www.sportengland.org/how-we-can-help/facilities-and-planning/planning-for-sport#planning_applications">https://www.sportengland.org/how-we-can-help/facilities-and-planning/planning-for-sport#planning_applications</a></p> <p>Sport England works with local authorities to ensure their Local Plan is underpinned by robust and up to date evidence. In line with Par 103 of the NPPF, this takes the form of assessments of need and strategies for indoor and outdoor sports facilities. A neighbourhood planning body should look to see if the relevant local authority has prepared a playing pitch strategy or other indoor/outdoor sports facility strategy. If it has then this could provide useful evidence for the neighbourhood plan and save the neighbourhood plan body time and resources gathering their own evidence. It is important that a neighbourhood plan reflects the recommendations and actions set out in any such strategies, including those which may specifically relate to the neighbourhood area, and that any local investment opportunities, such as the Community Infrastructure Levy, are utilised to support their delivery.</p> <p>Where such evidence does not already exist then relevant planning policies in a neighbourhood plan should be based on a proportionate assessment of the need for sporting provision in its area. Developed in consultation with the local sporting and wider community any assessment should be used to provide key recommendations and deliverable actions. These should set out what provision is required to ensure the current and future needs of the</p>

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			<p>community for sport can be met and, in turn, be able to support the development and implementation of planning policies. Sport England's guidance on assessing needs may help with such work.  <a href="http://www.sportengland.org/planningtoolsandguidance">http://www.sportengland.org/planningtoolsandguidance</a></p> <p>If new or improved sports facilities are proposed Sport England recommend you ensure they are fit for purpose and designed in accordance with our design guidance notes.  <a href="http://www.sportengland.org/facilities-planning/tools-guidance/design-and-cost-guidance/">http://www.sportengland.org/facilities-planning/tools-guidance/design-and-cost-guidance/</a></p> <p>Any new housing developments will generate additional demand for sport. If existing sports facilities do not have the capacity to absorb the additional demand, then planning policies should look to ensure that new sports facilities, or improvements to existing sports facilities, are secured and delivered. Proposed actions to meet the demand should accord with any approved local plan or neighbourhood plan policy for social infrastructure, along with priorities resulting from any assessment of need, or set out in any playing pitch or other indoor and/or outdoor sports facility strategy that the local authority has in place.</p> <p>In line with the Government's NPPF (including Section 8) and its Planning Practice Guidance (Health and wellbeing section), links below, consideration should also be given to how any new development, especially for new housing, will provide opportunities for people to lead healthy lifestyles and create healthy communities. Sport England's Active Design guidance can be used to help with this when developing planning policies and developing or assessing individual proposals.</p> <p>Active Design, which includes a model planning policy, provides ten principles to help ensure the design and layout of development encourages and promotes participation in sport and physical activity. The guidance, and its accompanying checklist, could also be used at the evidence gathering stage of developing a neighbourhood plan to help undertake an assessment</p>

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			<p>of how the design and layout of the area currently enables people to lead active lifestyles and what could be improved.</p> <p>NPPF Section 8: <a href="https://www.gov.uk/guidance/national-planning-policy-framework/8-promoting-healthy-communities">https://www.gov.uk/guidance/national-planning-policy-framework/8-promoting-healthy-communities</a></p> <p>PPG Health and wellbeing section: <a href="https://www.gov.uk/guidance/health-and-wellbeing">https://www.gov.uk/guidance/health-and-wellbeing</a></p> <p>Sport England's Active Design Guidance: <a href="https://www.sportengland.org/activedesign">https://www.sportengland.org/activedesign</a></p> <p>(Please note: this response relates to Sport England's planning function only. It is not associated with our funding role or any grant application/award that may relate to the site.)</p> <p>If you need any further advice, please do not hesitate to contact Sport England using the contact details below.</p>
72	Kent County Council	Not Answered	<p>Thank you for consulting Kent County Council (the County Council) on the Fawkham Neighbourhood Plan in accordance with the Neighbourhood Planning (General) Regulations 2012.</p> <p>The County Council has reviewed the Neighbourhood Plan and for ease of reference, has provided general comments on the Plan itself, as well as commentary structured under the chapter headings and policies used within the document.</p> <p><i>SDC Note: Please see full response at <a href="http://www.sevenoaks.gov.uk/fawkhamnp">www.sevenoaks.gov.uk/fawkhamnp</a></i></p>



## Appendix A – Sevenoaks District Council response to Fawkham Neighbourhood Plan (Regulation 16 Consultation)

Laura Evans  
Chair of Fawkham Parish Council

By email to [fawkhampc@gmail.com](mailto:fawkhampc@gmail.com) and [planning.policy@sevenoaks.gov.uk](mailto:planning.policy@sevenoaks.gov.uk)

**Friday 19<sup>th</sup> July 2024**

Dear Fawkham Parish Council

**RE: Fawkham Neighbourhood Plan – Regulation 16 Consultation, Representation from Sevenoaks District Council**

Sevenoaks District Council (SDC) welcomes the opportunity to comment on the Fawkham Neighbourhood Plan Regulation 16 consultation, as prepared by Fawkham Parish Council (FPC). Fawkham Parish contains the hamlet of Fawkham and is entirely washed over by the Metropolitan Green Belt (MGB). The parish was designated as a Neighbourhood Area on 18 May 2021, following the application by FPC.

**Contact between SDC and FPC**

The Local Authority (SDC) is only required to consider whether the Neighbourhood Plan meets the basic conditions after the Examination. However, it is important to recognise that there has been regular contact between SDC and FPC and we have been providing advice to the Parish Council up to this point, as an informal part of the plan making process.

The Parish Council and associated Neighbourhood Plan clearly recognise the relationship between the National Planning Policy Framework (NPPF), Local Development Plan and Neighbourhood Plans. For Sevenoaks District, this consists of the Core Strategy (2011) and the Allocations and Development Management Plan (ADMP) (2015). FPC are also cognisant of the emerging Local Plan (Plan 2040) and engaged with the recent Regulation 18 Part 2 consultation, which ran from November 2023 – January 2024.

As well as the test of 'general conformity' with the Local Plan strategic policies as a whole, it is also required that Neighbourhood Plan policies 'do not undermine strategic policies' for the local area. It is considered that this Regulation 16 Neighbourhood Plan for Fawkham broadly conforms with the strategic aims and policies of the District's existing policy framework.

**Emerging Local Plan (Plan 2040)**

SDC is currently preparing the Local Plan (Plan 2040) for Sevenoaks District. The first Regulation 18 consultation took place between November 2022 and January 2023 and explored the opportunities to accommodate strategic development needs within existing settlements, including testing different density scenarios.

The second Regulation 18 consultation ran between November 2023 and January 2024. This Part 2 consultation takes a district-wide approach, including the consideration of potential Green Belt release in suitable and sustainable locations, adjacent to our top tier settlements, as defined by the Settlement Hierarchy 2022. These sites, along with suitable sites within the built-up areas of the top tier settlements, were proposed for allocation as baseline sites.

The Regulation 18 Part 2 consultation also considered three growth options for potential allocation. Option 1 consulted upon a number of smaller sites on the edge of the eight top tier settlements, in the Green Belt and National Landscapes (previously AONB). Option 2 consulted upon a potential standalone settlement at Pedham Place near Swanley, Farningham and Eynford, also within the Green Belt and National Landscapes. Option 3 considered a mix of both options.

A Regulation 19 Pre-Submission consultation is scheduled to run later in 2024, with submission (Regulation 22) to the Planning Inspectorate for Examination envisaged in early 2025.

### **Policy FNP15 – Provision of Small Grains Residents Parking**

SDC's response to the Regulation 14 consultation for Fawkham Neighbourhood Plan highlighted concerns that site assessment work had not been undertaken for the proposed allocation at Small Grains. As such, FPC were unable to demonstrate site suitability, availability and deliverability and therefore the proposed allocation had not been fully evidenced or justified.

This continues to be the case at Regulation 16, and in discussion with SDC's Property Team, we have identified that the site proposed consists of SDC owned land. The Property team have confirmed that the use and allocation of this land for car parking is NOT supported by the District Council, as landowner.

Additionally, the Neighbourhood Plan highlights the need to 'regularise' parking and avoid the erosion of amenity land. Firstly, it is important to highlight that the informal parking area has been created on SDC land without consent of the landowner, or as the local planning authority. Whilst SDC is in agreement that amenity land should be protected, it should be highlighted that the matter of regularisation is the responsibility of the landowner. It is therefore suggested that the Neighbourhood Plan instead refers to the wider need for on or off-street parking in the Parish.

This demonstrates that the site is not available for allocation, or the proposed use for car parking. Accordingly, SDC cannot support Policy FNP15 or the associated

appendices and notes that the proposed allocation on SDC land should be removed from the proposed Neighbourhood Plan.

### **Detailed comments**

Detailed comments from SDC on the Fawkham Neighbourhood Plan Regulation 16 consultation document are attached as Appendix A.

### **Other comments**

A copy of SDC's comments at Regulation 14 consultation stage of the Fawkham Neighbourhood Plan is included at Appendix B.

### **Conclusion**

This representation, along with all other representations received during the Regulation 16 public consultation period, will be sent to the Independent Examiner.

Yours sincerely

### **The Strategic Planning Team**

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## **Appendix A – Detailed Comments on the Fawkham Neighbourhood Plan (Submission Version)**

The following comments have been prepared by officers in the SDC Planning Policy, with input from colleagues in Development Management, Design and Conservation, Property and Housing.

For ease of reference, comments have been presented in the order of the Fawkham NP consultation document.

### **General Comments**

- The policies tend to use the phrase “development will only be permitted where...”. Almost all planning decisions are a balancing exercise, where the decision-makers consider what weight is appropriate to attach to different issues, guided by national and local planning policies. In the majority of cases, there is a presumption in favour of sustainable development and this can apply even in rural/Green Belt areas, and so the phrasing of the policies as drafted is problematic. Policies should also be framed in a positive manner. Even if a development is inappropriate in the Green Belt and there is a presumption against (and similar for other policy tests), there is normally a caveat that must be considered (for example: are there any very special circumstances to clearly outweigh the harm identified).
- Incorrectly references Regulation 18 Part 2 consultation as ‘Regulation 14 second version’ at page 8, 40 and 50.
- Suggestion to include paragraph numbers for ease of referencing in planning decisions, reports etc.

### **Section 1: Introduction**

- Paragraph 3 – it is important to reiterate that in order to realise the Neighbourhood Plan vision and objectives, FPC should ensure that each is supported by at least one policy. This will assist in monitoring and review of the Neighbourhood Plan. For example, there are currently objectives relating to housing, however there are no policies to support this.
- Paragraph 6 – suggestion to clarify that this will be read in conjunction with the current Local Plan for Sevenoaks District (Core Strategy and ADMP) as well as the emerging Local Plan (Plan 2040) once adopted.

### **Section 2: Fawkham Now**

- Suggestion to clarify that the Local Housing Needs Survey for Fawkham Parish provides an assessment of current housing need arising from residents within the parish. It does not, however, take account of future housing need or for those looking to move into the Parish. Therefore, although a useful tool to

demonstrate parish-specific need, it should not form the sole evidence base or consideration for housing need.

### **Section 3: The Vision for Fawkham Parish**

- Suggestion to include objectives in Section 3, as an extension of the Vision. Consider also providing suffixes / numbering of objectives for ease of referencing.

### **Section 4: Fawkham Parish Neighbourhood Plan Strategy**

- Paragraph 3 – suggestion to amend “...as a basis for...” to read “as part of the evidence base for”, to clarify that this document is one of many documents considered in preparing the emerging Local Plan.

### **Section 5: Neighbourhood Plan Policies**

#### ***Natural and Built Environment***

#### **FNP1 – Protection and Enhancement of Landscape Character**

- States that priority will be given to protecting the landscape from inappropriate development – there is no definition of inappropriate development. Does this mean inappropriate development in the Green Belt as defined by the NPPF? If not, what does this mean?
- There is a list that development must comply with, and only then will it be permitted. There is no planning presumption against a development for the criteria in that list. They are factors that are relevant considerations to be taken into account.
- Not all proposals for lighting require planning permission
- Not all development requires planning permission and where proposals are permitted development (PD), the Local Planning Authority (LPA) would not consider the proposals in the same way as they would a normal planning application. The government have recently amended PD rights to allow more development to be carried out with the submission of a planning application, including large schemes in rural Green Belt areas.

#### **FNP2 – Woodland, trees and hedgerows**

- As above, not all development needs planning permission
- National policy does allow some harm to trees and woodlands etc in some circumstances, if there is evidence to justify this and meet the tests within the NPPF. Rather than ‘development will only be permitted where’ perhaps this could be amended to ‘proposals for development will be expected to...’
- Consider clarifying that the ‘Important Hedgerows’ assessment has been undertaken by the Parish Council. Note that this has not been agreed by SDC

at this stage, and therefore dependent on the outcome of these hedgerows, the map may not be accurate.

- Also note that the purpose of the Hedgerow Regulations is for hedgerows in the countryside, and their removal, to be dealt with outside of the planning system. Therefore, is it appropriate that this included within the planning policy wording of Policy FNP2, considering also that conserving and enhancing hedgerows is already mentioned in this policy.

#### FNP3 – Rural Lanes

- Valued views – could the map showing these views be made clearer, perhaps an appendix that is zoomed in to show where the points are and which direction they are looking in.
- Including images of each view would further benefit this section of the Neighbourhood Plan.

#### FNP4 – Conserve and Enhance Biodiversity

- How does this relate to Biodiversity Net Gain (BNG) legislation? – there are many exemptions for BNG that this policy does not allow for. Is this policy meant for this to apply for ALL proposals for development e.g. fences / extensions to houses etc. or could this be something that applies only to a scale of development?
- BNG allows for off site compensation which may be some distance away whereas this policy appears to be expecting enhancements to be in Fawkham?
- Have KCC Ecology been consulted on this policy?

#### FNP5 – Groundwater Source Protection Zone

- Consider adding 'in consultation with the Environment Agency' to the policy wording, to confirm the fact that we will rely on the professional advice of the EA to assess identified risks

#### FNP6 – Surface Water Flooding

- Current wording refers to surface water flooding risk but does not specify that this applies both onsite and elsewhere. I.e. consider amending wording to reflect the fact that flood risk should not be increased both onsite and elsewhere
- Consider adding wording to state that surface water should be dealt with as close to the source as possible

#### Built Character

- There continues to be confusion between Designated and Non-Designated Heritage assets. The explanation and definition of a heritage asset is currently included under the heading 'Designated Heritage Asset'.

- Additionally, whilst the statement that SDC has not recognised any non-designated heritage assets in the Parish is true, this is also misleading. Outside of the Local Listing scheme, SDC do not officially recognise non-designated heritage assets anywhere in the District, unless considered as part of the Development Management process.
- Reiterate comments from Regulation 14 that a subheading of 'Character and Identity' after 'High Quality Design' could be beneficial here. This section could briefly outline the build character areas across the parish and describe the key characteristics of the public realm and buildings. This could refer to valuable attributes and distinctiveness in a similar manner to the landscape character areas.
- Also reiterate comments from Regulation 14 that a separate policy referring to protecting and enhancing the local character and identity of the area could help to deliver high quality design for areas other than heritage assets.

### ***Housing***

- It is positive to see that Housing is a focus for the Fawkham Neighbourhood Plan and is allocated specific objectives. However, the Neighbourhood Plan continues to omit any policies with respect to housing and therefore it is unclear how the Neighbourhood Plan objectives for housing would be monitored or how the Neighbourhood Plan would play a role in these objectives.
- It is important to reiterate that the Local Housing Need Survey presents findings of housing need generated from within the Parish and does not reflect those moving into the Parish generating wider housing need.
- Suggestion to commission an independent assessment of Local Housing Needs in January 2027 and every 5 years thereafter, since Local Housing Needs Assessments have an accepted validity of 5 years' duration. Should the Parish Council seek to develop new affordable housing under rural exceptions site policy (Core Strategy Policy H4 and emerging Plan 2040 Policy H4), evidence of unmet need identified through an independent assessment of local housing need is a prerequisite.
- Page 52 – The policy states that as structures are not readily suited for conversion, that permitted development would not apply. Note that the legislation has no such criteria. If an applicant can convert a building that meets the criteria, then it would be permitted development.

### ***Local Economy***

#### **FNP9 – Business Development**

- Contrary to local and national policy – see comments on FNP10 at Regulation 14 stage. Note that development can cause harm to openness and be acceptable – e.g. if residential development with affordable housing is



proposed on previously developed land (PDL) and there is less than substantial harm (NPPF Paragraph 54(g))

- PD Rights would allow for most of these criteria to be breached – national and local policies and legislation would rarely give priority to business/tourist uses for proposed conversions.
- Consider being more specific on the types of evidence that would be expected to demonstrate ‘...no reasonable prospect of their take up or continued use...’.

### ***Leisure and Wellbeing***

FNP12 – Protection of open space, sport and recreation facilities

- Consider the consistency of the policy wording with paragraph 103 of the NPPF, which sets out three exceptions to this protection.

### ***Local Infrastructure***

It is considered that the Neighbourhood Plan is limited in the consideration of wider infrastructure matters, such as electricity and power generation, including renewable energy, electric vehicle charging points, water, sewer and drainage issues and systems. The Plan is also silent on telecoms, which is an important consideration given the emphasis the Plan places on homes working and the growth of local businesses. A policy supporting of appropriate infrastructure to this effect would be encouraged.

FNP14 – Securing Infrastructure

- In addition to comments at Regulation 14 stage, note that viability tests in local and national policy may impact on the infrastructure that comes forward and it may be less than considered ‘necessary’

FNP15 – Provision of Small Grains Residents Parking

- Please refer to main comments on Policy FNP15 set out above in the SDC correspondence. It is recommended that this Policy is deleted.

## **Section 6: Monitoring and Review**

- It is important to reiterate that some objectives (i.e. Housing) do not have an associated policy and therefore it is unclear how these objectives would be achieved and monitored.
- Paragraph 4. Suggested rewording of paragraph regarding emerging Local Plan timetable

“The emerging Local Plan for Sevenoaks District (Plan 2040) is currently being prepared and a Regulation 19 consultation is scheduled to take place later in 2024. It is intended that the emerging Plan will be submitted to examination by 30 June 2025, with adoption envisaged by the end of 2026. It is hoped that ongoing liaison with the District

Council will continue to ensure that the emerging Local Plan and Fawkham Neighbourhood Plan are in general conformity”.

Laura Evans  
Chair of Fawkham Parish Council

By email to [fawkhampc@gmail.com](mailto:fawkhampc@gmail.com)

Dear Fawkham Parish Council

**RE: Sevenoaks District Council Response to the Fawkham Neighbourhood Plan Regulation 14 Version Consultation**

Sevenoaks District Council (SDC) welcomes the opportunity to comment on the Regulation 14 Version of the Fawkham Neighbourhood Plan (FNP), prepared by the Neighbourhood Plan Steering Group on behalf of Fawkham Parish Council.

Fawkham Parish is entirely washed over by the Metropolitan Green Belt (MGB) and includes the hamlet of Fawkham, as identified in the Sevenoaks District Settlement Hierarchy 2022. The Parish was designated as a Neighbourhood Area on 18 May 2021, following the application by Fawkham Parish Council (FPC).

**Contact between SDC and the Fawkham Neighbourhood Plan Steering Group**

SDC welcomes the ongoing contact between the Parish Council, Neighbourhood Plan Steering Group and the District Council. To date, we have been in contact informally regarding assistance with the Fawkham Neighbourhood Plan, in particular with mapping requests and technical advice.

SDC also provided informal comments by email, ahead of the Regulation 14 consultation which consisted of non-technical suggestions. These are attached at Appendix A for completeness.

In response to this Regulation 14 consultation, SDC would like to make the following comments:

**SDC Planning Policy**

The Parish Council are aware that the Neighbourhood Plan is required to be in general conformity with the strategic policies in the existing Local Plan. For Sevenoaks District, this consists of the Core Strategy (2011) and the Allocations and Development Management Plan (ADMP, 2015).

The Regulation 14 version of the FNP broadly conforms with the strategic aims and policies of the District's existing policy framework.

SDC are currently preparing a new Local Plan for Sevenoaks District, to cover the plan period up to 2040. It is suggested that the Neighbourhood Plan steering group are aware of the contents of the emerging Plan, and that the FNP should also reflect the strategic aims and policies included. This will ensure that the FNP avoids becoming outdated at the adoption of the emerging Local Plan.

A second Regulation 18 consultation on the emerging Local Plan is scheduled for Autumn 2023, and a Regulation 19 in Spring 2024. SDC would encourage Fawkham Parish Council and the Neighbourhood Plan Steering Group to continue engaging with the emerging Local Plan process.

#### **General comments:**

- It is recommended that the timespan for the FNP is stated, either on the document cover, or as footers at the base of each page.
- Objectives would benefit from their own referencing system.
- It would be useful at the start of each Policy 'section' (i.e. Natural Environment, Housing etc.) that there is an additional box highlighting the relevant supporting evidence for the Chapter, as included in the FNP Evidence Base.
- In some instances, the NPPF is referred to as 'the Framework'. Recommend referencing NPPF throughout document for consistency and to avoid confusion.
- Throughout the document, the heading 'Policy' is used before supporting text. Suggestion to replace this with different headings to avoid confusion between supporting text and policy text.
- It is recommended that it is highlighted which version of the NPPF is being referred to throughout the document, in light of proposed planning reforms.
- Policies tend to refer to all development types – is this the intention? E.g. reading Soil Conservation requirement in Policy FNP8 – to demonstrate sustainable on-site soil management etc. would also apply to householder applications, which seems excessive.
- Need to ensure that all maps are to scale in relation to their scale bar.
- There are a couple of text boxes throughout the document which are in the same colour as the Policies – suggestion to change the colour of these to avoid confusion.

#### **Other comments:**

##### Fawkham Now

- It would be useful to include a Location summary for Fawkham Parish here, including its position in relation to the District boundary, neighbouring authorities and town/parishes and its location in the North-east of the District and in the North-east Placemaking Area.
- Housing (2<sup>nd</sup> Paragraph) – suggestion to reword to clarify the Monitoring Process: "Since the 2011 Census was undertaken, SDC have undertaken further Monitoring of Housing completions, with the latest figures published by SDC for the 21-22 monitoring year (covering April 2021-March 2022). SDC are currently in the process of carrying out status work on the 22-23 monitoring year".
- Housing (3<sup>rd</sup> Paragraph) – small clarification to add "At March 2022, monitoring shows..."

## Vision

- As mentioned in our informal comments at Appendix A, suggestion to include the Objectives alongside the Vision for Fawkham Parish, so as to show how the Vision will be met.

## Neighbourhood Plan Strategy

- Third paragraph – reword to highlight that the Settlement Hierarchy 2022 “forms part of the evidence base for the emerging Local Plan”, removing “as a basis for”.
- Would be useful throughout this section to refer to specific policies where relevant. I.e. page 15, second paragraph – “affordable housing required to meet local community needs under Policy SP3 of the Core Strategy and emerging Local Plan Policy H3.

## Policies

### **Environment**

- Page 17 – noted that the Sevenoaks Countryside Assessment 2011 is referred to here but there does not appear to be any reference to the Sevenoaks Landscape Character Assessment January 2017, which may be worth mentioning.

### **Policy FNP1 – Protection and Enhancement of Landscape Character**

- The first sentence is currently confusing as written and suggest this is reworded.
- It is not currently clear how some forms of development e.g. householder applications, could contribute to landscape character, nor how some proposals could enhance features such as hedgerows. This policy could do with a bit more work and perhaps the inclusion of ‘where possible’ and/or ‘where applicable’.

### **Policy FNP2 – Woodland, trees and hedgerows**

- C. relates to protecting important hedgerows. There is a legal definition of important hedgerows under legislation that is very complex, and is unlikely to match the hedgerows identified. We only classify them on an individual basis when we receive an application to remove a hedge. Even though they are defined on a map, to avoid any unintended consequences and confusion, please could these be renamed ‘valued hedgerows’?

### **Important Public Views**

- The Views Evidence Report would benefit from an additional section for each view titled ‘Valued Qualities’, which directly lists the valued attributes which should be protected.

#### Policy FNP3 – Protect important Public Views

- Could also directly reference the Views Evidence Report. This would ensure that the valuable attributes are clearly identifiable when considering the effect of development.

#### Policy FNP5 – Conserve and Enhance Biodiversity

- This seems to be a repetition of local and national policy.
- Suggestion to reword c. as it is confusing as is currently written.
- When referring to Biodiversity Net Gain (BNG), the policy talks about species – however, BNG is based on habitats as a proxy for species.
- Seems to be suggesting that improved management of habitats could count as BNG and this is not the case.
- Should there be a separate requirement/point where it refers to an appropriate depth of buffer. In terms of this, the policy refers to 'protected habitat'? Does this mean 'Local Wildlife Sites'? If so, have KCC's Ecological Services responded to the consultation, and if not suggest their advice is sought here.

#### Policy FNP6 – Groundwater Source Protection Zone

- This policy does not seem to make sense. Could it read that development will be permitted if there is a risk to contamination, but it cannot be adequately mitigated?
- How will this be assessed? We do not consult based on this constraint and do not require this information to be submitted for all development proposals. Where we do receive comments from water companies / Environment Agency / Environmental Health re water and contamination, we will take these into account.

#### Policy FNP7 – Surface Water Flooding

- How does this relate to the requirements of the Local Lead Flood Authority (LLFA), KCC? We only consult on major applications and if KCC agreed to engineering solutions for Sustainable Drainage Systems (SuDS), we would have no basis on which to disagree/object.

#### Policy FNP8 – Soil Conservation

- This is dealt with via the Environment Agency if there are waste/contamination issues. No planning policies would allow us to control this unless related to contamination or ecology requirements. Considered that this goes beyond what can be achieved via the planning process in some cases and beyond the information we can require from applicants.

### ***Character, Heritage and Identity***

- To align with the previous section on Natural Environment, the title *Built Environment* instead of *Character, Heritage and Identity* could be a more appropriate title for this section. The landscape character is a large section within the previous Natural Environment section and therefore it would be helpful to be clear that this section is referring to the character of the built environment.
- A subheading of *Character and Identity* after *High Quality Design* could then be beneficial. This section could briefly outline the Built Character Areas across the parish and describe key characteristics of the public realm and buildings. This could refer to valuable attributes and distinctiveness in a similar manner to the landscape character areas.
- A separate policy referring to protecting and enhancing the local character and identity of the area could help to deliver high quality design for areas other than heritage assets, which are covered by Policy FNP9.
- It would be clearer to include a brief explanation in this chapter explaining the difference between Designated and Non-Designated Heritage Assets. At the moment, the explanation/definition of a heritage asset is included under the heading Designated Heritage Asset. The difference between designated and non-designated is set out in the NPPF. This would then be clearer that a Listed Building and Conservation Area are designated.
- Page 41 mention of 'Area of Archaeological Potential' – Is this a reference to the term/constraint which is used by Kent County Council (KCC)? If so, an additional clarification would be useful here.
- The 10 buildings are identified on the Historic Environment Record, which is a form of recognition and therefore have already been 'recognised'.
- We would encourage the Parish Council and Neighbourhood Plan steering group to liaise with SDC Conservation Officers regarding the proposed project for a Local List.

### ***Housing***

- As part of the emerging Local Plan evidence base, SDC undertook a 'Targeted Review of Local Housing Needs 2022'. It is recommended that this is reviewed for the placemaking area of 'North-East' (which incorporates Fawkham parish) and reference made to the study in this section.
- It may be useful to incorporate some tables into this section, setting out the housing data in a more accessible format (in particular, the findings from the Local Housing Needs Survey at page 43 paragraph 4).
- There is no Policy here – is this section needed, if there is no Policy requirement?
- Housing Objective – how will the Housing Objective be met without a policy? The objective sets out consideration of windfall sites and the caveat: 'where justified' but there is no policy setting out justifications? If this relates back to local and national policy justifications, then should this be an objective under the Neighbourhood Plan?

## Local Economy

### Policy FNP10 – Business Development

- This policy goes beyond Policy EMP5 (ADMP) and appears to be contrary to the NPPF – the plan period is a very long time and unlikely to be able to be demonstrated.
- Point 1: It is unclear how this part of the policy adds to existing local policy in the ADMP. As highlighted in the FNP supporting text above, the ADMP Policy EMP5 goes further than Policy FNP10 in setting parameters for considering the loss of non-allocated business sites, stating:

*“The Council will permit the loss of a non-allocated lawful business premises and sites to other uses provided it can be demonstrated, to the satisfaction of the Council, that the site has been unsuccessfully marketed for re-use in employment for a period of at least 6 months and that there is no reasonable prospect of their take up or continued use for business use at the site/premises in the longer term.”*

- Point 2: Would suggest some of the requirements under point 2 could be removed and replaced with ‘in line with other relevant local and neighbourhood policies’.
- Item E – contrary to NPPF – harm to highway safety has to be ‘sever’ – perhaps the wording can be about what will be expected rather than required?
- Point 3: This part of the policy goes further than national and local policy and therefore needs to be sufficiently justified by evidence base. At present, there is no mention of tourism in the ‘Local Economy Evidence Report’.
- There is no planning policy to support us giving priority to business or tourist facilities above e.g. housing, noting the housing need.

## Leisure and Wellbeing

### Policy FNP11 – Protection of Fawkham Village Hall

- It is unclear how this policy adds to existing local policy in the Core Strategy and therefore it is considered that this policy is an unnecessary repeat. Core Strategy Policy LO7 (Development in Rural Settlements) states:  
*“The loss from rural settlements of services and facilities that serve the local community will be resisted where possible. Exceptions will be made where equivalent replacement facilities are provided equally accessible to the population served, or where it is demonstrated, through evidence submitted to the Council that the continued operation of the service or facility is no longer financially viable”.*

### Policy FNP12 – Protection of Public House

- As above, it is considered that this policy is an unnecessary repeat of Policies LO7 of the Core Strategy and the tests for loss of business uses at ADMP Policy EMP5.

### Policy FNP13 – Protection of open space, sport and recreation facilities

- The protection of the identified sites, beyond local policy, needs to be clearly justified through evidence.



- Recommend to maintain flexibility with this policy – consideration to an alternative to re-provision – e.g. where it is demonstrated that there is no reasonable prospect of future take up.
- SDC are currently undertaking a Playing Pitch and Outdoor Sports Strategy and an Indoor Built Facilities Strategy which will look at different types of sports provision across the District.

#### Policy FNP14 – Protection of existing Public Rights of Way and historic routeways

- If the KCC Public Rights of Way team have not already commented on this policy, advice will need to be sought as to whether this is deliverable.
- If deliverable, this policy will need to be made more flexible to include circumstances where alignment can be modified (e.g. for safety or privacy reasons). At the moment this goes beyond PRow policy in restricting all amendments to routes.

#### **Local Infrastructure**

#### Policy FNP15 – Securing Infrastructure

- Recommended to add the term ‘appropriate infrastructure’ here, as the infrastructure required, if any, will depend on the development type.

#### Policy FNP16 – Provision of Small Grains Residents Parking

- Has a site assessment been undertaken to demonstrate the need for a car park in this location and to demonstrate site suitability (including an assessment of land use constraints), availability and deliverability. This allocation will need to be fully justified.

#### Monitoring and Review

- There is currently no mention of frequency of review – it is good practice to write into the Neighbourhood Plan how it will be monitored and reviewed, including the frequency. Preparation of an annual monitoring report may be a useful approach. Suggest the formation of a monitoring group to be established, perhaps involving a few key stakeholders and those involved in the FNP preparation. SDC will be happy to receive updates on this process and to be consulted throughout.
- The NPPF indicates that *‘spatial development strategies should be reviewed to assess whether they need updating at least once every 5 years, and should then be updated as necessary’*.
- Suggestion to add: “A monitoring group will be established including key stakeholders and those involved in the Neighbourhood Plan preparation. It is the intention of the Parish Council to review the FNP every 5 years”.

#### Appendix A – Boundary Treatment Good Practice Guide

- Many of the features included to avoid would be considered permitted development and could not be controlled. Some works such as some CCTV, lighting etc. may not even be considered development.
- Agree with what this is trying to achieve and this could be good guidance for residents, however this is not something to control. For example, of the final two

photos – the image on the left and possibly the one on the right would not require planning permission.

- Recommended to annotate photos to clearly describe what is being shown – are they positive or negative examples?

## **Conclusion**

To conclude, it is considered that the Fawkham Regulation 14 Neighbourhood Plan is in general conformity with adopted and emerging planning policies. Sevenoaks District Council will continue to work with and support Fawkham Parish Council and the Neighbourhood Plan Steering Group in the continued development and adoption of their Neighbourhood Plan.

If you have any queries on the above, please do not hesitate to contact us.

Yours sincerely

### **The Strategic Planning Team**

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