

Decision Maker: **DEVELOPMENT CONTROL COMMITTEE**

Date: **Wednesday 6 February 2019**

Decision Type: Non-Urgent Non-Executive Non-Key

Title: **PROPOSED RESPONSE TO SEVENOAKS' PROPOSED
SUBMISSION LOCAL PLAN**

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Chief Officer: Chief Planner

Ward: (All Wards);

1. Reason for report

Sevenoaks District Council (SDC) is consulting on its Proposed Submission Local Plan which, when adopted, will guide future development in their area. We have an opportunity to comment on proposals before the Plan is submitted by SDC to the Secretary of State for Examination. A suggested response to SDC is attached at Appendix 1. Under the "Duty to Cooperate" local planning authorities are required to identify cross-boundary issues and engage positively with their neighbours in preparing their Local Plans. Bromley Council previously forwarded its comments to SDC on their draft Local Plan in a letter of 12 September 2018 and a copy of that letter is attached as Appendix 2. This report sets out outstanding and new issues arising from the Sevenoaks Local Plan which could impact upon Bromley and includes a suggested response to the consultation.

Broke Hill Golf Course and Land North and East of Westerham, both of which caused concern to LB Bromley, are no longer included as site allocations.

2. **RECOMMENDATION(S)**

That the Development Control Committee:

a) Agree the suggested response to Sevenoaks District Council's Draft Local Plan (Regulation 19) consultation as set out in Appendix 1.

Impact on Vulnerable Adults and Children

1. Summary of Impact:
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Corporate Policy

1. Policy Status:: [N/A](#)
 2. BBB Priority: Quality Environment:
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Financial

1. Cost of proposal: Not Applicable:
 2. Ongoing costs: Not Applicable:
 3. Budget head/performance centre: Planning
 4. Total current budget for this head: £32.4k
 5. Source of funding: Existing Revenue Budget for 2018/19
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Personnel

1. Number of staff (current and additional): 64fte
 2. If from existing staff resources, number of staff hours:
-

Legal

1. Legal Requirement: Not Applicable
 2. Call-in: Not Applicable:
-

Procurement

1. Summary of Procurement Implications: None
-

Customer Impact

1. Estimated number of users/beneficiaries (current and projected):
-

Ward Councillor Views

1. Have Ward Councillors been asked for comments? Not Applicable
2. Summary of Ward Councillors comments:

3. COMMENTARY

Background

- 3.1 Sevenoaks is now consulting on its Proposed Submission Local Plan. This is Bromley Council's last opportunity to comment on Sevenoaks' emerging Local Plan before it is submitted to the Secretary of State for Examination. The District Council request that responses answer the specific questions it sets out in their "*Regulation 19 Consultation Representation Form*" having regards to the "Test of Soundness" as defined under para 35 of the adopted NPPF 2018 under which their Local Plan is being examined. Respondents are requested to indicate the topic area policy and para to which their representations relate, and to provide details of whether they consider that the plan is legally compliant (prepared in accordance with the requirements set out in the relevant Acts and Regulations, or "*Sound*", In summary 'sound' means that it provides a strategy which demonstrably meets growth requirements and is consistent with national policy, is demonstrably deliverable and has been developed taking the Duty to Cooperate into consideration.

Bromley's response to Sevenoaks' previous consultation

- 3.2 On 12 September 2018, Bromley Council responded to Sevenoaks District Council's Draft Local Plan Consultation. This expressed particular concerns about transport and Infrastructure impacts and construction phase disruption that could result from the development of Broke Hill Golf Club and Land North and East of Westerham and cumulatively from other sites. Elements of the housing supply strategy were queried and concern raised about inadequate provision for gypsies and travellers. We will now update these comments. The suggested response to the current consultation is at Appendix 1.

Sevenoaks's Proposed Submission Local Plan

Updated comments on Broke Hill Golf Club site

- 3.3 Broke Hill Golf Club, close to the Borough boundary near Knockholt, had been suggested as a site allocation. Sevenoaks were investigating whether exceptional circumstances existed to remove the site from the Green Belt and allocate for 800 homes and infrastructure. This proposal is no longer being pursued.

Updated comments on Land North and East of Westerham

- 3.4 Land North and East of Westerham (aka Which Way Westerham) had also been suggested as a site allocation. It had been put forward for possible Green Belt release and allocation for 600 homes and employment space. This proposal is no longer being pursued.

Updated comments on transport & Infrastructure and construction phase impacts.

- 3.5 Although the two large site allocations above are no longer proposed, some new concerns are raised about the potential for additional development at Fort Halstead (see below).

Revised Approach to Housing Need and Supply

- 3.6 Sevenoaks now identifies that, despite having explored a range of options, it is still unable to meet its needs in full (13,960 units). It identifies components of housing supply to deliver 10,568 units during the plan period, including the release of two Green Belt parcels at Four Elms Road and Sevenoaks Quarry (to provide 940 units in total). A second tranche of the supply is to come from "brownfield" land, i.e. existing permissions, windfall sites, sites within existing settlements and sites in the Green Belt which it considers can be delivered *without* Green Belt

release. The final addition is Pedham Place, a golf course between Swanley and Farningham. The latter is not proposed for Green Belt release yet, but it is suggested it will be investigated when the plan is reviewed in five years.

Fort Halstead

- 3.7 Fort Halstead was granted planning permission for mixed use redevelopment in 2015. It is proposed to increase the amount of development on the site and allocate it for a total of 750 residential units (i.e. 300 more than the 450 already permitted) and 27,000m² of employment floorspace. Comments from the Council's highways team are that as it is not within walking distance of Knockholt Station it is likely that commuters will drive further into lower fare zones within Bromley to take advantage of lower fares. This rail heading effect would have a detrimental impact on residential areas in the Borough already under stress as a result of commuter parking. The mixed use nature of the development is welcomed but the shift based nature of the hotel and limited public transport is likely to lead to more car borne trips from and through Bromley, in contrast to the aspirations of the Borough's draft LIP.

Gypsies and traveller provision – previous objections

- 3.8 In its Draft Local Plan, Sevenoaks identified the need for a further 50 pitches to accommodate traveller needs over the plan period and displayed information relating to the sites considered as having additional capacity in its policy H4 through intensification, the alteration of boundaries and by making temporary pitches permanent. The policy also set out the criteria which proposals for sites for additional Gypsy and Traveller pitches should take into account.
- 3.9 Bromley responded by expressing concern over this hybrid approach which pre-empts the outcome of planning applications which under the provisions of NPPF para 145g should only be allowed if Very Special Circumstances are able to be demonstrated on a case by case basis, as these sites are not proposed to be removed from the Green Belt as enabled by national policy. There was also concern that the figure of 50 pitches to meet need did not adequately reflect recent traveller's displacement from Sevenoaks due to a lack of sites.

Gypsies and traveller provision in the Proposed Submission Local Plan

- 3.10 The need identified in the 2017 Gypsy and Traveller Accommodation Assessment (GTAA) has subsequently been revised downwards to 40 due to the granting of planning permission since the GTAA.
- 3.11 Bromley notes that some of the additional pitches are on sites within the Green Belt. There are concerns about the soundness of this approach which pre-empts the outcome of planning applications required to demonstrate Very Special Circumstances for 'inappropriate development' in the Green Belt.
- 3.12 Bromley is concerned that failure of this approach to meet the identified need will result in additional pressures on Bromley's own Gypsy and Traveller sites and may result in unauthorized encampments in Bromley.

4. POLICY IMPLICATIONS

- 4.1 The revised NPPF 2018 para 60 states that, in addition to the local housing need figure, any needs that cannot be met within neighbouring authorities should also be taken into account establishing the amount of housing to be planned for. Bromley is part of the London housing market area as defined by the London Plan and therefore neighbouring districts outside London would need to engage with the Mayor of London in order to discuss meeting any unmet need.

5. LEGAL IMPLICATIONS

- 5.1 The Duty to Co-Operate, created in the Localism Act 2011, places a legal duty on local planning authorities, county councils and public bodies to engage constructively, actively and on an ongoing basis to maximise the effectiveness of Local Plan preparation in the context of cross boundary matters.

Non-Applicable Sections:	Impact on Vulnerable Adults and Children Financial Implications Personnel Implications Procurement Implications
Background Documents: (Access via Contact Officer)	<p>Sevenoaks' Proposed Submission Local Plan Consultation (2019) https://www.sevenoaks.gov.uk/info/20069128/new_local_plan/412/proposed_submission_version_of_the_local_plan</p> <p>Sevenoaks' Draft Local Plan Consultation (2018) https://www.sevenoaks.gov.uk/info/20069128/new_local_plan/389/draft_local_plan_consultation</p> <p>Consideration of Bromley's Response to Sevenoaks' Draft Local Plan. Item 27, Development Control Committee (11 September 2018) https://cds.bromley.gov.uk/ieListDocuments.aspx?CId=133&MID=6359</p>