

Sevenoaks Local Plan Regulation 18 Consultation Response

Planning Policy Committee, Thursday, 19 January 2023

Report of: Lidia Harrison (Head of Legal)
Katya Fox (Consultant)

Purpose: To note

Publication status: Open

Wards affected: All

Executive summary:

Sevenoaks District Council (SDC) has been consulting on its Regulation 18 emerging Local Plan, "Plan 2040 Sevenoaks Local Plan Consultation." The consultation ran for eight weeks from 16 November 2022 until 11 January 2023. SDC requested a response from the Council about whether it would be able to assist SDC with meeting its housing need.

This report supports the Council's priority of:

Creating the homes, infrastructure and environment we need.

Contact officer Lidia Harrison - email: lharrison@tandridge.gov.uk

Recommendation to Committee:

That the report be noted.

1. Introduction and background

- 1.1 On 16 November 2022, neighbouring SDC began an eight-week consultation on its emerging Local Plan. The consultation document can be read on this link: https://engagement.sevenoaks.gov.uk/strategic-planning/e38e51a7/user_uploads/plan-2040_web.pdf
- 1.2 SDC state that their "Plan 2040" Development Strategy focuses on making the best and most efficient use of land in their existing settlements and, at this stage, the Council are not considering any green belt release.

- 1.3 The SDC consultation highlights that all density options in Plan 2040 result in a shortfall in meeting SDC's identified housing need, ranging from 4,500 to 6,000 units.
- 1.4 Paragraph 141 of the National Planning Policy Framework requires the full investigation of all reasonable alternatives, including discussions with neighbouring authorities about whether they could accommodate some of the identified need for development, before considering whether exceptional circumstances exist to justify the release of green belt land.
- 1.5 On 21 November 2022, representatives of SDC held a duty to cooperate meeting with the Chair of Planning Policy to discuss the Plan and request a response from the Council to the consultation.
- 1.6 SDC subsequently wrote to the Council (5/12/22) requesting a response to their Local Plan consultation and asking Council to explain in writing if, and the extent to which, it is in a position to assist SDC with housing need which cannot be accommodated in their existing settlements, before they consider any green belt release. They further requested that, in doing so, could the Council provide reasons fully explaining their position, in order that SDC can understand its position and if appropriate engage in further discussions on an informed basis.
- 1.7 In considering our response, the Council has borne in mind the high level of protection which national policy gives to green belt land (which comprises 93% of land within Sevenoaks District), including the need to show exceptional circumstances to justify changes to green belt boundaries.
- 1.8 The Council's response states that Tandridge District is subject to major environmental and infrastructure constraints. Green belt covers 94% of the District and there are two Areas of Outstanding Natural Beauty, one of which is being considered for expansion.
- 1.9 As a result of all the constraints, the District is facing significant difficulties meeting its own future housing need. Therefore, in these circumstances, the Council can offer no capacity to Sevenoaks District to accommodate their unmet housing need. The full response is attached at Appendix A.

Key implications

Comments of the Chief Finance Officer

There are no financial implications associated with this report.

Comments of the Head of Legal Services

There are no legal issues associated with this report. For SDC's Local Plan to be legally compliant, it must be prepared to fully comply with national legislation and regulations, including the Duty to Co-operate.

SDC has therefore a legal Duty to Co-operate with named public bodies including adjoining local authorities and national agencies. A failure to comply with the Duty to Co-operate can be fatal to the legal compliance of the Local Plan and could require SDC's Local Plan to be withdrawn.

Equality

Duty under the Equalities Act 2010

In assessing this proposal, the following impacts have been identified upon those people with the following protected characteristics (age, disability, gender re-assignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation).

The proposal would have a neutral impact on the protected characteristics.

Appendices

Appendix A - Plan 2040 Sevenoaks Local Plan consultation response