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11 January 2023

Dear Sir/Madam

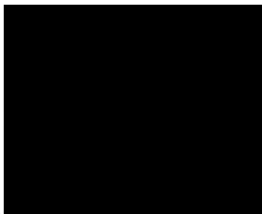
**Re: Sevenoaks District Council Plan 2040**

Thank you for consulting Kent County Council (KCC) on Sevenoaks District Council's Regulation 18 Local Plan consultation.

The County Council has reviewed the document and we have provided our comments in full in the document attached.

I trust this provides our initial views on the Local Plan and KCC would welcome continued engagement as the Local Plan progresses. If you require any further information or clarification on any matters raised above, please do not hesitate to contact me.

Yours sincerely



Simon Jones  
Corporate Director  
Growth, Environment & Transport

**Sevenoaks Local Plan Regulation 18 Consultation.**  
**Kent County Council Response (January 2023)**

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	<p>The County Council notes that the Regulation 18 consultation represents an early stage consultation in the Local Plan process. It is recognised that a two stage Regulation 18 process is being progressed, initially focused on sites outside the Greenbelt, then a second will consider sites within the Greenbelt. The County Council appreciates that challenges that exist within Sevenoaks in respect of the Greenbelt in terms of meeting the housing requirement, and the significant increase in delivery of homes required compared with the adopted Local Plan – and the necessary infrastructure that will be required to support this growth. For the avoidance of doubt, KCC considers that it is highly likely that a new secondary school to serve the Sevenoaks town area will be required irrespective as to the extent (if any) of green belt releases around the town and that the land for it will almost certainly have to be the subject of a green belt release given the lack of any other suitable sites and the extremely limited and logistically challenging options for expanding existing secondary schools in the area. This should be taken as a fundamental element in devising stage 2 of the regulation 18 process in respect of the green belt – because it will either need to be a component of a large green belt housing allocation in the area or will need to be a standalone green belt site allocation.</p> <p>The County Council is committed to working with the District Council and other key stakeholders to ensure that sustainable growth is delivered to meet the identified housing need, supported by necessary infrastructure – that is planned for, funded and delivered in a timely manner, ahead of housing / commercial growth where required – ensuring an ‘Infrastructure First’ approach to development. An “Infrastructure First” approach is embedded in the Kent and Medway Infrastructure Proposition, a proposal that seeks to enable accelerated housing delivery, which is focussed on building the right homes in the right places and providing the public services, transport infrastructure, jobs and homes that residents will need now and in the future. To deliver sustainable development, close working and a collaborative approach with all key stakeholders will be crucial – taking in to account all necessary infrastructure and services required to deliver robust and resilient communities during the plan period and beyond within the District – whilst also considering any cross boundary, strategic implications of growth. The County Council therefore welcomes the recognition within the Local Plan to the need for infrastructure to be delivered ahead of development commencement and would welcome continued joint working to secure this.</p> <p>The County Council recognises that the District Council has adopted the CIL, however, as set out in this response, the County Council wishes to work with the District Council to ensure that infrastructure is funded appropriately and adequately. The County Council continues to engage with the District Council regarding the challenges with securing the necessary levels of contributions towards critical infrastructure through the CIL funding arrangement.</p> <p>As the Local Plan progresses, the County Council would value timely engagement in the shaping and inputting, as appropriate, into the draft Statement of Common Ground to ensure that all cross-boundary and strategic matters are properly and clearly addressed.</p>
<b>Introduction</b>	
<b>Strategic Issues</b>	<p>The County Council remains concerned that the current Community Infrastructure Levy process operated by the District Council whereby infrastructure providers have to bid for schemes which have previously been assessed as necessary to facilitate sustainable growth is not fit for purpose – including where required to mitigate a severe highways impact and ensure adequate primary school and as raised above, secondary education provision. The County Council would request that infrastructure and mitigation be provided by developers themselves or funded via S106 contributions as appropriate.</p>
<b>General Commentary</b>	<p><u>Development Investment:</u></p> <p>The County Council met with the District Council on 24 November 2022 where the adoption for the emerging Local Plan was put forward by the District Council. Given the expected timeframe to have the Local Plan adopted, the County Council requests that there is an interim position set out by the District Council stating that the required levels of infrastructure will be delivered to meet the needs of current and predicted growth, prior to the adoption of the new Local Plan. The County Council is concerned regarding the reliance on outdated assessments which were relied upon for the adopted Local Plan (2011) policies as these do not provide sufficient mitigation to secure sustainable growth in the district given the changed context which growth is not being delivered in.</p> <p><u>Minerals and Waste:</u></p> <p>The County Council notes at this initial stage, Sevenoaks District Council (SDC) are not identifying any allocations for development at this stage. The District Council is required to demonstrate that landwon minerals, alongside waste and mineral infrastructure safeguarding matters are satisfactorily addressed during the plan making process, i.e. once potential sites are identified. The County Council would be happy to assist with this process. It should be noted that the Sevenoaks District has significant deposits of safeguarded landwon minerals. The presence of the Folkestone Formation (a strategic construction aggregate bearing geology in Kent and the wider South East) is of particular importance in this regard.</p> <p>It is noted that the Plan’s Spatial Vision identifies Sevenoaks Quarry as an ‘Emerging Development Site’, although there is no reference to the important permitted reserves this site has and the role it plays in regional soft sand supply. The site plays a key role in underpinning the County Council’s adopted and emerging landwon mineral planning strategy. The release of the site for non-mineral development will need to ensure that the mineral reserves are satisfactorily worked in advance of other development coming forward and that the mineral is not sterilised. The County Council</p>

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	<p>understands from prior discussions that this is to be the case and that this fed into Statement of Common Ground.</p> <p>The County Council recommends that for any emerging development allocations in future plans for the area, these are fully assessment against mineral and waste management capacity safeguarding policy requirements of the <a href="#">Kent Minerals and Waste Local Plan 2013-30</a> (Early Partial Review 2020).</p> <p><u>Waste Management:</u></p> <p>The County Council, as Waste Disposal Authority recognises that any significant development within the Sevenoaks District will undoubtedly put pressure on the waste services provided by KCC in this area. KCC as the Waste Disposal Authority (WDA) provides a Waste Transfer Station (WTS) at Dunbrik, Sevenoaks for the receipt of kerbside waste collected by Sevenoaks as the WCA. There is also a co-located HWRC for residents to dispose of household waste. Sevenoaks also benefits from a small standalone HWRC in Swanley. Both of these facilities are strategic, serving not only the whole of Sevenoaks District but also parts of adjoining Districts.</p> <p>The County Council is extremely disappointed to see that waste is not mentioned in detail in the document. Considering the significant amount of development that is proposed, KCC would like to see mention of waste and in particular the demand that this growth will place on waste infrastructure recognised. Taking the above forward, KCC considers this could be reported in a positive way as KCC already has a project in progress and another identified to address this projected demand, as set out below.</p> <p>KCC has undertaken an Infrastructure Review and identified an immediate need for a replacement Waste Transfer Station and future expansion of the Swanley HWRC to meet housing demand as set out in the Local Plan document.</p> <ul style="list-style-type: none"> <li>• The Waste Transfer Station is operating at capacity and will not be able to accommodate all the waste arisings collected by Sevenoaks DC as the Waste Collection Authority without redevelopment. A project to construct a replacement WTS on land adjacent to the existing WTS is currently being progressed.</li> <li>• The Swanley HWRC is a small site which accepts a wide range of household delivered materials and has a growing population catchment. As the site does not have enough space for a separate HGV area, it has to be closed when the bins need to be changed. This results in queues of householder vehicles building up on the approach road, which also impacts upon the local highway network. Bin changes are also more frequent than on larger sites, as a lack of space means that there is only storage for a limited number of empty bins. Due largely to the HWRC booking system, The County Council is currently forecasting sufficient capacity for the short term (up to 5 years) with the potential need to expand in the medium term (5-10 years).</li> </ul> <p>In addition to the above, it is also noted that the management of waste can also assist in Sevenoaks District Council meeting its Net Zero targets and KCC would therefore ask that this issue is considered further in relation to the formation of policies.</p>
<b>Chapter 1: Development Strategy</b>	
<b>Strategic Objectives</b>	<p><u>Highways and Transportation:</u></p> <p><i>Paragraph 1.4</i></p> <p>In respect of the achievement of the Council's vision for net zero and delivery of sustainable and equitable infrastructure, in transport terms, it is important to identify development sites in locations where it is possible to walk and cycle to key facilities and where public transport services are commercially viable or have the prospect of becoming commercially viable with 'up front' developer contributions. KCC's Local Transport Plan 5 is currently being developed in accordance with Government policy and this offers an opportunity for policies in this and the Local Plan to reinforce each other to deliver better outcomes and address challenges such as how to prioritise improved active travel provision within constrained highway networks.</p>
<b>Development Strategy – Existing Settlements</b>	<p><u>Highways and Transportation:</u></p> <p>KCC supports the focus of the Local Plan on development in existing settlements in respect of reasons set out in paragraph 1.4. The County Council as Local Highway Authority looks forward to working with SDC to address the challenges of promoting sustainable transport choices in these locations in line with emerging national and local transport policies.</p>
<b>Density Scenarios</b>	<p><u>Highways and Transportation:</u></p> <p>KCC supports SDC's approach to increase the density of housing provision where these will meet housing need and lead to properly planned for provision within the borough supported by the</p>

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	capacity studies. The Kent Transport Model (KTM) which is being utilised by SDC will provide a transport evidence base to inform decisions over housing quantities and locations.
<b>Sevenoaks Railway Station</b>	<u>Highways and Transportation:</u>  Sevenoaks Railway Station is a key sustainable transport hub and as such is considered a good location for growth and increased densities with appropriate parking standards and investment in enhancing public transport and walking and cycling infrastructure provision. The extent of the development area can be informed by the KTM.
<b>Chapter 3: Employment and Economy</b>	
<b>Policy TLC1 Town and Local Centres / TLC2 Town Centre Development Management / TO1 Tourism and the Visitor Economy</b>	<p>The County Council would suggest that achieving the right balance of quality, quantity and distribution of retail is vital in supporting and protecting local centres. To support local centres, the County Council supports a strategy that promotes enhanced accessibility and offers a holistic environment for retail, cultural leisure, social and community uses. Walking, cycling and accessibility to town centres, local centres and rural facilities must be ensured, in order to encourage modal shift away from short car journeys for local needs.</p> <p><u>PRoW:</u> The County Council welcomes Policy TLC1 and the promotion of walking and cycling; and Policy TLC2, which encourages access via sustainable modes of transport. It also appreciates the various references to promote sustainable access in town centres - whilst access within towns will often not be specifically use PRoW, the Plan's support for sustainable access will contribute to changing cultures and, over time, should see more people adopt these modes for local journeys, which is a goal of the County Council.</p> <p>Tourism and the visitor economy is an important economic driver for the District. Paragraph 3.24 recognises the contribution of PRoW and Figure 3.6 recognises National Trails (though the district has only one, the North Downs Way; there is also a Regional Trail, the Greensand Way). Policy TO1 seeks to encourage access to tourism sites 'by a range of means of transport including walking, cycling and by public transport' but acknowledges the limitation that existing infrastructure does not always exist. The County Council would request that proposals for new or enhanced visitor activities provide or contribute to sustainable access infrastructure so that, in time, these options are available.</p>
<b>Chapter 4 Climate Change</b>	
<b>General Commentary</b>	<p><a href="#">Kent and Medway Energy and Low Emissions Strategy</a> seeks to ensure that the decisions and plans embrace clean growth and allow the development of a clean, affordable and secure energy future – the County Council would recommend consideration of this strategy and the <a href="#">County Council's Environment Strategy</a> during the development of the Local Plan for the District.</p> <p><u>PRoW:</u></p> <p>The chapter's opening statement makes clear sustainable transport and active travel have a part to play to achieve this policy goal within the District and this is supported by Objective OB5. The County Council notes that this is dependent on there being suitable sustainable infrastructure available.</p> <p><u>Sustainable Urban Drainage Systems (SuDS):</u></p> <p>The County Council, as Lead Local Flood Authority notes that there appears to be no mention of brownfield sites when considering flooding / SuDS. The County Council would normally expect an approach for developments on brownfield sites which to seeks to reduce existing discharge rates to the equivalent Green Field Run off rate, thus freeing up capacity in existing surface water 'networks' and generally assisting with reducing flood risk. Further advice can be found in in the County Council Drainage and Planning Policy document (Appendix 1).</p>
<b>Policy CC1 Climate Change</b>	<p><u>PRoW:</u></p> <p>Policy CC1 is welcomed by the County Council in respect of PRoW, seeking to 'Minimise carbon emissions where possible through effective spatial planning by promoting sustainable development, supporting local services and facilities, and sustainable movement'.</p> <p><u>SuDS:</u></p> <p>The County Council is pleased to note that policy CC1 actively encourages the incorporation of sustainable drainage systems and avoiding areas at risk of flooding. It is noted that a Supplementary Planning Document (SPD) in regard to Climate Change will be available to support this policy - KCC as Lead Local Flood Authority would be willing to provide advice and assistance in its</p>

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	preparation.
<b>Policy W1 Flood Risk</b>	<p><u>SuDS:</u></p> <p>The policy defines the requirements for when a Flood Risk Assessment is required with regards to fluvial flood risk. The County Council notes that this fails to mention the requirement for sites which are “less than 1 ha in flood zone 1, including a change of use in development type to a more vulnerable class (for example from commercial to residential), where they could be affected by sources of flooding other than rivers and the sea (for example surface water drains, reservoirs)”<sup>1</sup>. The issue is that this refers to all risks of flooding not just purely fluvial – therefore if a site was to shown to be at risk from surface water flooding and less than 1Ha - KCC would expect for an FRA to be produced. This is also relevant for Policy W2.</p> <p>The County Council also request that this policy section also includes the requirements of the sequential / exception test.</p>
<b>Policy W2 Sustainable Drainage</b>	<p><u>SuDS:</u></p> <p>The policy requires that “All developments must incorporate natural flood alleviation measures and sustainable drainage provision which mimics natural flows and drainage pathways and ensures that surface water run-off is managed as close to its source as possible.”</p> <p>Further to this, KCC would add that ‘Drainage schemes should be designed to follow existing drainage flow paths and catchments and retain where possible existing watercourses and features’. By mimicking the natural drainage flow paths and working within the landscape, more effective and cost-efficient design can be developed. It would be beneficial to the aspirations of the policy if this could be included.</p> <p>In association with this KCC would further state that by working with existing natural gradients the reliance on pumped drainage can be avoided, with its associated energy use and failure risk. SDC may wish to consider this with regards to their climate change policies.</p> <p>Whilst appreciative that the policy requires for all developments to “incorporate natural flood alleviation measures” it would be useful if further consideration/encouragement is given to the use of public open space for the management of surface water and the multiple benefits (for example amenity, biodiversity, water quality) that this can provide.</p> <p>In association with this it would be useful if SDC could confirm categorically if the use of open space for surface water management can be utilised and that the space taken is not done so at the preclusion of the open space allocation. Alternatively, SDC may wish to consider if there would be specific requirements in order to maintain the open space allocation e.g. to only be used for surface water management of events over the 1:30 year rainfall event. The County Council as Lead Local Flood Authority would be happy to have further discussions with SDC regarding this matter.</p>
<b>Chapter 5: Design</b>	
<b>General Commentary</b>	The County Council supports the objective of promoting quality design in the built environment and actively encourages well designed places that consider and prioritise local context; distinctive identity; coherent built form; high-quality placemaking; intelligent movement and connectivity; sustainable homes and buildings; lifetime use; and preserves natural resources.
<b>Policy DE1 Delivering Design Excellence</b>	<p><u>PRoW:</u></p> <p>Policy DE1 seeks to require all new development to create well-designed places that promote sustainable and healthy communities. The proven benefits of safe and secure space, having green space in close proximity, and convenient walking and cycling access, is widely documented. In developing new Design Codes (Objective OB7), the County Council would ask that access for non-motorised users to be given considerable regard.</p>
<b>Chapter 7: Historic Environment</b>	
<b>Strategic Objective OB16</b>	<u>Historic Conservation:</u>

<sup>1</sup> <https://www.gov.uk/guidance/flood-risk-assessment-for-planning-applications#when-you-need-an-assessment>

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	<p>The County Council supports this strategic objective. However, it is the County Council’s view that the accompanying text underestimates the role that the historic environment can play. In addition to the benefits listed, the historic environment also contributes to social cohesion and public health. Heritage assets can act as a mechanism for bringing groups and communities together. People want to be proud of where they live, and the historic environment can act as a catalyst for engendering and reawakening local pride by strengthening and celebrating the self-image of communities. The heritage of a place is an identifying link that brings people together. Heritage-led regeneration also has a role to play in helping to reduce social exclusion in modern developments. Historic buildings come in all shapes and sizes. Just as they can break up the sometimes monotonous shape of a modern development, so they can help to break up the monotony of the social structures.</p> <p>The historic environment also has a role to play in public health. The current and substantial pressures faced by health and social care demand a search for innovative solutions to continue meeting the demands of a modern population over the coming years. Besides funding, the greatest challenges to health and social care systems come from an ageing population and the prevalence of long-term and complex conditions. There is presently an ongoing shift from an acute and hospital-centred, illness-based system to a person-centric, health-based system that will rely upon individual and community assets. As such, heritage can play an important role in the contribution of the arts to person-centred, place-based care through means such as arts-on-prescription activities, cultural venues and community programmes. The historic environment, archaeology and heritage form part of our experience of being human and can provide individual as well as collective opportunities to engage with arts and culture whilst having positive effects on our physical and mental health and wellbeing in the process.</p> <p>In 2017, SDC published its Historic Environment Review document. Section 6.3.3 states “6.3.3 <i>The District’s legacy has been handed down through the generations, but it cannot be taken for granted. Some of that inheritance is under greater threat than ever before, and its future cannot be taken for granted. There is an important story to tell, and it is strongly recommended that the Council prepare an overarching heritage strategy which articulates the historic character and evolution alongside reference to the spectrum of strategies and potential projects which would enable more effective protection, celebration and enhancement of the historic environment.</i>” The County Council is not aware of the Sevenoaks Heritage Strategy having been developed and this is reflected in the draft Local Plan policies which do not fully describe the role that the District’s heritage can play in life in the area and explain how it can contribute to health and wellbeing, the economy, social inclusion, education for example. KCC would ask that SDC develop the Heritage Strategy as the SDC Historic Environment Review recommended at the earliest opportunity.</p> <p>In addition, the final section of the Historic Environment Review summarises the range of vulnerabilities and opportunities offered by the District’s historic environment and emphasises that the Local Plan must do more than simply underline the need for conservation and enhancement. Paragraph 6.1.5 of the Historic Environment Review states “<i>It is recommended that the thematic framework and individual themes and sub-themes form a reference tool for policy purposes in the emerging Local Plan and other corporate strategies. Section 6.3 makes specific recommendations from a planning perspective, and it is clear that the Local Plan should make deeper, more nuanced reference to the historic environment. This will embed a more holistic and positive attitude to the value of the historic environment, and help to facilitate an earlier, more proactive incorporation of heritage in the planning process with respect to place-making, design work and planning decisions.</i>”</p> <p>At present the policies in the draft Local Plan do not make this “<i>deeper, more nuanced reference to the historic environment</i>” and are focused on broad categories of heritage asset. This limits the positive role that heritage can play in life in the District, and KCC would encourage SDC to ensure that the historic environment is more deeply integrated into Local Plan and its policies.</p>
<p><b>Policy HEN1 Historic Environment / HEN2 Protecting and enhancing the historic environment</b></p>	<p><u>Historic Conservation:</u> The County Council considers that it is currently unclear how the goals of these two policies differ from one another and KCC suggest that the two could be amalgamated unless the intention is to make HEN1 relate to the wider historic environment and HEN2 to heritage assets - If so, keeping them distinct is considered agreeable.</p> <p>The text correctly identifies several relevant policies and sources of supporting information, including the Historic Environment Review and the Historic Environment Record, but it does not say what SDC wishes to achieve by these policies except for the general conservation and enhancement of the historic environment.</p> <p>The Local Plan should identify what makes the heritage of the District special and explain how the District Council will use the policies in the Local Plan to conserve and enhance this significance. It should explain how other policies e.g. on rural development, green space, the natural environment and sustainable design will respect and take advantage of the historic environment to improve the quality of development in the District. The NPPF states that:</p> <p><i>“Plans should set out a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats. This strategy should take into account:</i></p> <p><i>a) the desirability of sustaining and enhancing the significance of heritage assets, and putting them to viable uses consistent with their conservation;</i></p> <p><i>b) the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring;</i></p>

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	<p><i>c) the desirability of new development making a positive contribution to local character and distinctiveness; and</i></p> <p><i>d) opportunities to draw on the contribution made by the historic environment to the character of a place. “</i></p> <p>At present the range of policies proposed for the Local Plan addresses some, but not all, of these needs. Policies are proposed for managing change, archaeology, locally listed buildings, responding to climate change, shop fronts and historic parks and gardens. There are, however, no policies on Conservation Areas or built heritage generally, development in rural areas or historic landscape issues, except in as much as they may be included in the catch-all Policy HEN2. There doesn't seem to be a recognition of <i>“the wider social, cultural and environmental benefits that conservation of the historic environment can bring”</i>. If there are not to be specific policies for these issues in the Historic Environment section, then it is imperative that they are fully included in the Design, Health and Well-being and Natural Environment policies. Again, some of these could be more fully addressed by the full Heritage Strategy. KCC would recommend that the policy includes a clause:</p> <p><i>“Implement the recommendations of the emerging Sevenoaks Heritage Strategy”</i></p>
<p><b>Policy HEN3</b> <b>Sensitively managing change in the historic environment</b></p>	<p><u>Historic Conservation:</u></p> <p>The County Council is supportive of the general goals of this policy. Key to its success will be ensuring that the policy includes all aspects of the historic environment, not just designated assets but non-designated assets and the historic landscape more generally.</p> <p>Change in rural areas should certainly be managed sensitively. It should be noted that much of Kent has historically had a dispersed settlement pattern. Development between villages and hamlets and among farm buildings would in many places be consistent with the historic character of those areas. Historic England, the County Council and Kent Downs AONB Unit have published guidance on historic farmsteads in Kent that considers how rural development proposals can be assessed for whether they are consistent with existing character. The <a href="#">Kent Farmsteads Guidance</a> has been endorsed by the County Council and it is recommended that SDC considers adopting the guidance as SPD, as part of the Local Plan process. The County Council would be happy to discuss this further.</p> <p>The landscape that is visible today is the result of many centuries of evolution and the pattern of roads, tracks, field boundaries and hedgerows that gives the modern landscape its character is firmly rooted in the past. The Kent Historic Landscape Characterisation Survey (2001) is an important resource for understanding the landscape of Kent and its development through time. The County Council would emphasise, however, that the HLC is a strategic, not local, assessment. It allows a look at the landscape of Kent and draw conclusions about the development of the landscape in different parts of the county and the county as a whole. It is not detailed enough to use at a small scale. It is not appropriate, therefore, to use the HLC data alone to inform specific development proposals or to identify potential development sites. To assess the historic landscape in a detailed way it is necessary to refine the existing HLC further. Tunbridge Wells Borough Council has recently undertaken this exercise. The County Council would willing to discuss this matter further.</p> <p>In addition, it should be reinforced that features within the historic landscape may also be heritage assets in their own right.</p>
<p><b>Policy HEN4</b> <b>Archaeology</b></p>	<p><u>Historic Conservation:</u> The County Council welcomes inclusion of a policy on Archaeology which will help explain why archaeology is important and the Council's approach to the conservation and enhancement of its historic environment. Archaeological policies can be difficult to write for organisations – the County Council has therefore provided some example wording below and would be willing to discuss this further with SDC accordingly.</p> <p><i>“The Council will promote the enjoyment of Sevenoaks’ archaeological resource through the protection and enhancement of archaeological sites, monuments and historic landscape features, and will seek to encourage and develop their educational, recreational and tourist potential through research, public access, management and interpretation.</i></p> <p><i>Where possible developers should seek to use Sevenoaks’ archaeological assets to shape their development proposals, provide interest and character and protect the assets.</i></p> <p><i>The framework for the management and enjoyment of Sevenoaks’ archaeological heritage will be is the Sevenoaks Heritage Strategy (to be forthcoming early in the plan period).</i></p> <p><i>Development proposals affecting heritage assets with an archaeological interest must be accompanied by a desk-based assessment, and if necessary by archaeological fieldwork, that :</i></p> <ul style="list-style-type: none"> <li><i>• Characterises the nature, extent and condition of the archaeological deposits in the development area</i></li> </ul>

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	<ul style="list-style-type: none"> <li>• <i>Assesses the significance of the deposits and the contribution made by their setting</i></li> <li>• <i>Describes and assesses the impact of the development proposals on the archaeological deposits, their significance, and their setting</i></li> <li>• <i>Describes how the archaeological deposits will be protected during development. Where this is not possible the assessment should clearly justify why this is not possible and should describe the proposals for mitigating any impacts</i></li> </ul> <p><i>Development proposals leading to substantial harm to the archaeological interest of designated heritage assets such as Scheduled Monuments, Registered Parks and Gardens, Protected Military Remains or heritage assets of comparable significance will normally be refused.</i></p> <p><i>Where development proposals affect non-designated heritage assets with an archaeological interest, the District Council would expect the archaeological deposits to be preserved in-situ. Where this is not possible clear justification will be required. Where the justification is accepted a programme of archaeological recording may be required to be carried out. The fieldwork will be appropriate to the significance of the archaeological deposits and must be carried out by an appropriately qualified contractor following a written specification agreed by the District Council. The programme will include all phases of desk-based and fieldwork, post-excavation analysis, publication of the results and deposition of the site archive in an appropriate repository.”</i></p>
<p><b>Policy HEN5 Locally listed buildings</b></p>	<p><u>Historic Conservation:</u> The County Council supports this policy goal but would emphasise that it should include all aspects of the historic environment such as historic buildings, urban features, archaeological sites, green spaces and the historic landscape, not just buildings as it currently suggests. All have the potential to contribute to local distinctiveness and character and must be regarded as eligible for locally listed status. This would also make the policy compliant with SDC’s own Local List SPD. The Local List SPD makes it clear that the creation of the local list derives from Policy SP1. Policy SP1 specifically lists ‘archaeological remains’ among the heritage assets to be conserved by the local plan but archaeological remains have somehow been excluded from the Local List SPD. KCC would suggest that this be rectified so that locally valued archaeological sites can be protected in the same way as locally valued historic buildings.</p> <p>The County Council would also suggest that the Historic Environment Record be identified as the appropriate repository of information about locally listed assets so that it is available to all those preparing development proposals in the District.</p>
<p><b>Policy HEN6 Responding to climate change in the historic environment</b></p>	<p><u>Historic Conservation:</u> The County Council welcomes a policy on this issue. The historic environment has a significant role to play in the conservation of resources required for development, and also in energy efficiency. Old buildings can often be more energy efficient than newer ones and of course have already been built. Thus, at times, it may take fewer overall resources to adapt an old building than to demolish it and build a completely new one. Historic England has produced a range of guidance on the role that heritage can play in mitigating climate change and historic building adaptation (<a href="#">‘Climate Change Adaptation Report’</a> (Historic England, 2016)). The guidance demonstrates that historic structures, settlements and landscapes can in fact be more resilient in the face of climate change, and more energy efficient than more modern structures and settlements. This has also been updated in the Historic England report <a href="#">‘There’s no Place Like Old Homes : re-use and Recycle to Reduce Carbon’</a> (Historic England 2019). This could usefully be highlighted in the accompanying text. The County Council is also preparing a project to consider the heritage of Kent in light of climate change. This will complete in 2023/4 and KCC would be happy to share the results with the District Council when ready.</p> <p>A second issue of relevance that should be mentioned here is the role that Sustainable Drainage Systems can have on buried archaeological remains as these are an important response to climate change. SuDS may have both direct and indirect impacts on the historic environment. Direct impacts could include damage to known heritage assets – for example if a historic drainage ditch is widened and deepened as part of SuDS works. Alternatively, they may directly impact on unknown assets such as when SuDS works damage buried archaeological remains. Indirect impacts are when the ground conditions are changed by SuDS works, thereby impacting on heritage assets. For example, using an area for water storage, or improving an area’s drainage can change the moisture level in the local environment. Archaeological remains in particular are highly vulnerable to changing moisture levels which can accelerate the decay of organic remains and alter the chemical constituency of the soils. Historic buildings are often more vulnerable than modern buildings to flood damage to their foundations.</p> <p>When SuDS are planned it is important that the potential impact on the historic environment is fully considered and any unavoidable damage is mitigated. This is best secured by early consideration of the local historic environment following consultation with the Kent Historic Environment Record (HER) and by taking relevant expert advice. The County Council has recently produced guidance for SuDS and the historic environment, which can be provided upon request. It provides information about the potential impact of SuDS on the historic environment, the range of mitigation measures available and how developers should proceed if their schemes are believed likely to impact on heritage assets.</p>
<p><b>Policy HEN8 Historic Parks and Gardens</b></p>	<p><u>Historic Conservation:</u></p> <p>The County Council welcomes a policy on this matter.</p>



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Policy/Paragraph	Commentary
<b>Chapter 8: The Natural Environment</b>	
<b>General Commentary</b>	<p>The County Council recommends reference to <a href="#">Kent's Plan Bee</a>, a pollinator action plan developed by the County Council that seeks to improve the food sources and general habitat for pollinators.</p> <p><b>P</b></p> <p><u>PRoW:</u></p> <p>The County Council welcomes the recognition within paragraph 8.11 that PRoW and cycle routes are part of the District's Blue Green Infrastructure Network.</p>
<b>Policy BW1 Safeguarding Places for Wildlife and Nature</b>	<p><u>Biodiversity:</u></p> <p>The County Council agrees that locally designated sites should be protected from development. Where locally designated sites are within the red or blue line boundary, they should be enhanced as part of any development. This should be over and above any mitigation which may be required.</p>
<b>Policy BW2 Biodiversity in New Development</b>	<p><u>Biodiversity:</u></p> <p>The County Council is supportive of the 20% Biodiversity Net Gain (BNG) target, where viability assessments demonstrate that it achievable.</p> <p>In addition to BNG, developments must demonstrate that they are incorporating enhancement features into the site. The proposed policy must ensure that the on site BNG requirement will be appropriately managed and retained for the lifetime of the development. Off-site BNG must not be restricted to the SDC area. Benefits to the district can be implemented through the creation/enhancement /management of areas outside of the district.</p> <p>The County Council would encourage SDC to include a policy requiring a minimum number of enhancement features to be included within the buildings and the sites. The number must be associated by the size of the site/number of dwellings - Brighton and Hove are proposing something similar and the District Council is encouraged to have consideration of this<sup>2</sup></p>
<b>Chapter 9: Infrastructure and Community</b>	
<b>General Commentary</b>	<p><u>Development Investment:</u></p> <p><u>CIL and S106</u></p> <p>The County Council seeks continued engagement with the District Council to ensure that Section 106 Planning Obligations secure essential county infrastructure alongside the CIL to mitigate the impacts of development. The County Council notes the reference made in respect of Policy ED1 on this matter but would draw the District's attention to the other key infrastructure and services also provided by the County Council which contribute to sustainable growth. The County Council seeks further collaboration with the District Council to ensure that necessary infrastructure is planned for, funded and delivered in a timely manner and draws attention to the current discussions regarding the use of the CIL / Section 106 agreements within the District.</p> <p><u>Ring fencing of CIL</u></p> <p>KCC is concerned that a large proportion of CIL money is set aside for all Parish and Town Councils (25%) whether there is a neighbourhood plan in place or not, as this means less CIL is likely to be available to support strategic infrastructure projects. To date, CIL monies has been mainly supported community projects in Sevenoaks. KCC's concern is that by adopting a higher percentage to be paid to Parishes and Community projects that the amount available to strategic projects is reduced. With repeated references throughout SDC's Plan 2040 documentation towards sustainability, the County Council would encourage the percentage split between community and essential infrastructure projects to be realigned so that sustainability can be achieved and much needed infrastructure projects be funded.</p> <p>The County Council would encourage SDC to consider the following:</p>

<sup>2</sup> : [https://consultations.brighton-hove.gov.uk/planning/draft-bnc-spd-consultation/supporting\\_documents/BNC%20SPD%20FINAL.pdf](https://consultations.brighton-hove.gov.uk/planning/draft-bnc-spd-consultation/supporting_documents/BNC%20SPD%20FINAL.pdf) See 6.3 and 6.5 for examples.

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	<p>1. In line with most CIL authorities, ring fence 75 – 85% of CIL to meet the infrastructure requirements of statutory service providers including infrastructure necessary to facilitate new developments;</p> <p>2. Provide a mechanism for accruing CIL to enable very large contributions to major infrastructure projects; and</p> <p>3. State through their Infrastructure Delivery Plan where there is a funding gap. KCC suggests that this may have to be met by s.106 obligations (subject to heavily scrutinised developer viability claims) pending the SPD and the new local plan.</p> <p><u>Education:</u></p> <p>The County Council, as Local Education Authority has reviewed the information provided to date and would raise the following commentary. The County Council would encourage joint working through the Local Plan process to ensure the provision of necessary education is planned for, funded and delivered in a timely manner. Based on the number cited by SDC in the Reg 18 consultation, there will be a clear need for new secondary schools in Sevenoaks District (with one likely to be required in or near Sevenoaks town). The focus on housing provision in the Sevenoaks District urban areas and fringes, suggest that any new Secondary school would have to be sited on green belt land in view of the required land take.</p> <p><i>Primary Capacity</i></p> <p>Across Sevenoaks District, KCC currently has surplus capacity. The table below shows the forecasted surpluses over the next ten years but <b>does not take into account</b> any new demand from any new housing (agreed planning or awaiting planning). The amount of surplus will therefore reduce rapidly with any new housing.</p> <p>The table below indicates the forecasted spare capacity numbers for Years R to 6 (whole school) for all primary schools in Sevenoaks District.</p> <table border="1"> <thead> <tr> <th>Planning Group name</th> <th>2023-24</th> <th>2024-25</th> <th>2025-26</th> <th>2026-27</th> <th>2027-28</th> <th>2028-29</th> <th>2029-30</th> <th>2030-31</th> <th>2031-32</th> </tr> </thead> <tbody> <tr> <td>Swanley</td> <td>130</td> <td>161</td> <td>157</td> <td>158</td> <td>170</td> <td>167</td> <td>159</td> <td>168</td> <td>139</td> </tr> <tr> <td>Sevenoaks Rural North</td> <td>157</td> <td>159</td> <td>110</td> <td>94</td> <td>69</td> <td>46</td> <td>33</td> <td>20</td> <td>9</td> </tr> <tr> <td>Hartley and New Ash Green</td> <td>18</td> <td>45</td> <td>28</td> <td>32</td> <td>41</td> <td>53</td> <td>73</td> <td>73</td> <td>72</td> </tr> <tr> <td>Sevenoaks Northern Villages</td> <td>234</td> <td>234</td> <td>238</td> <td>237</td> <td>234</td> <td>231</td> <td>239</td> <td>243</td> <td>246</td> </tr> <tr> <td>Sevenoaks East</td> <td>102</td> <td>122</td> <td>111</td> <td>105</td> <td>97</td> <td>83</td> <td>78</td> <td>66</td> <td>48</td> </tr> <tr> <td>Sevenoaks</td> <td>257</td> <td>344</td> <td>392</td> <td>471</td> <td>529</td> <td>544</td> <td>579</td> <td>590</td> <td>551</td> </tr> <tr> <td>Westerham</td> <td>239</td> <td>236</td> <td>231</td> <td>236</td> <td>233</td> <td>225</td> <td>229</td> <td>232</td> <td>232</td> </tr> <tr> <td>Edenbridge</td> <td>192</td> <td>168</td> <td>104</td> <td>50</td> <td>15</td> <td>-36</td> <td>-35</td> <td>-34</td> <td>-59</td> </tr> <tr> <td>Sevenoaks Rural South East</td> <td>71</td> <td>74</td> <td>88</td> <td>106</td> <td>122</td> <td>128</td> <td>124</td> <td>131</td> <td>139</td> </tr> <tr> <td><b>Sevenoaks District</b></td> <td><b>1,402</b></td> <td><b>1,543</b></td> <td><b>1,459</b></td> <td><b>1,490</b></td> <td><b>1,509</b></td> <td><b>1,439</b></td> <td><b>1,479</b></td> <td><b>1,489</b></td> <td><b>1,377</b></td> </tr> </tbody> </table> <p>A map of Sevenoaks Primary Planning Groups is at Appendix 2.</p> <p>The issue for Sevenoaks District primary provision is that despite their being significant surplus capacity, it is not concentrated in any single planning group and is spread across the District. Some areas may need additional provision after the addition of only a small number of new dwellings, while others could absorb more, before the pinch is felt.</p> <p><i>Secondary Capacity</i></p> <p>The primary situation above is not replicated at secondary level. There are three non-selective secondary schools in Sevenoaks District and two annexes of Grammar provision. All are full and there is currently no realistic opportunity for significant expansion of any of them. Therefore, any new housing will create demand which cannot be absorbed in existing provision thereby requiring new secondary provision.</p> <p>The table below indicates the forecasted numbers for Years 7 to 11 (whole school, not including sixth form) for all secondary schools in the planning groups that affect Sevenoaks District without any</p>	Planning Group name	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30	2030-31	2031-32	Swanley	130	161	157	158	170	167	159	168	139	Sevenoaks Rural North	157	159	110	94	69	46	33	20	9	Hartley and New Ash Green	18	45	28	32	41	53	73	73	72	Sevenoaks Northern Villages	234	234	238	237	234	231	239	243	246	Sevenoaks East	102	122	111	105	97	83	78	66	48	Sevenoaks	257	344	392	471	529	544	579	590	551	Westerham	239	236	231	236	233	225	229	232	232	Edenbridge	192	168	104	50	15	-36	-35	-34	-59	Sevenoaks Rural South East	71	74	88	106	122	128	124	131	139	<b>Sevenoaks District</b>	<b>1,402</b>	<b>1,543</b>	<b>1,459</b>	<b>1,490</b>	<b>1,509</b>	<b>1,439</b>	<b>1,479</b>	<b>1,489</b>	<b>1,377</b>
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	4,000	1,120	5	3	800	5	1 x 6FE															
	3,000	840	4	2	600	4	1 x 6FE															
	<p><i>Type of Dwellings</i></p> <p>Following on from an explanation of PPR, KCC would point out that the types and size of homes will also affect demand.</p> <p>For example, a hundred dwellings with a high percentage of one or two bedrooms flats would likely generate fewer pupils/students than a hundred 3, 4 or 5 bedroomed homes.</p> <p>KCC would therefore seek early sight of any masterplans to enable robust planning for education.</p> <p><i>Cost of New Build and Land Requirement</i></p> <p>The current costs and land requirement for the delivery of education provision is set out below. This is subject to change and SDC should engage with the County Council accordingly.</p> <table border="1"> <thead> <tr> <th>Build</th> <th>Cost Range</th> <th>Land Required circa</th> </tr> </thead> <tbody> <tr> <td>New 1FE primary school</td> <td>£7m to £8m</td> <td>1.05ha</td> </tr> <tr> <td>New 2FE primary school</td> <td>£8m to £9.5m</td> <td>1.7ha to 2.05ha</td> </tr> <tr> <td>New 6 FE secondary school</td> <td>£30m to £35m</td> <td>5.5ha to 7ha</td> </tr> <tr> <td>New 8FE secondary school</td> <td>£35m to £40m</td> <td>7ha to 8ha</td> </tr> </tbody> </table> <p><i>Special School Provision (SEND)</i></p> <p>The c.13,000 new homes proposed through this Local Plan would also indicate a significant new demand for Special School places. SEND forecasting is calculated differently from mainstream forecasting, but KCC would expect to see a requirement for approximately 400 new Special School places, or two new special schools. The estimated cost of 2 x 200 place Special School would be expected to be in the region of about £50m – engagement is again requested on this point.</p> <p><i>Early Years Provision</i></p> <p>KCC would also seek to flag up Early Years provision. The delivery of c.13,000 new homes would create a huge demand for Nursery and Early Years provision. KCC would advise that SDC and/or developers seek advice from the KCC Early Years Sufficiency Team<sup>3</sup>.</p> <p><i>Net Zero Ambition</i></p> <p>KCC supports SDCs ambition towards Net Zero Carbon, by making fewer journeys by motor transport. One way of achieving this is to ensure that for the movement of school children to and from their school, is to site any new schools very close to the community they serve.</p> <p>Where feasible, KCC would recommend that primary school aged children do not travel more than two miles to their primary schools. The distance for secondary is less of a constraint, although it would not be ideal for secondary students to be travelling long distances to and from school.</p> <p>The County Council would recommend this matter is considered as part of the Local Plan process.</p>							Build	Cost Range	Land Required circa	New 1FE primary school	£7m to £8m	1.05ha	New 2FE primary school	£8m to £9.5m	1.7ha to 2.05ha	New 6 FE secondary school	£30m to £35m	5.5ha to 7ha	New 8FE secondary school	£35m to £40m	7ha to 8ha
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<sup>3</sup> KCC Early Years Sufficiency Team - [Marilyn.Okoli@theeducationpeople.org](mailto:Marilyn.Okoli@theeducationpeople.org) and [Jenny.Stickens@theeducationpeople.org](mailto:Jenny.Stickens@theeducationpeople.org)

**Sevenoaks Local Plan Regulation 18 Consultation.**  
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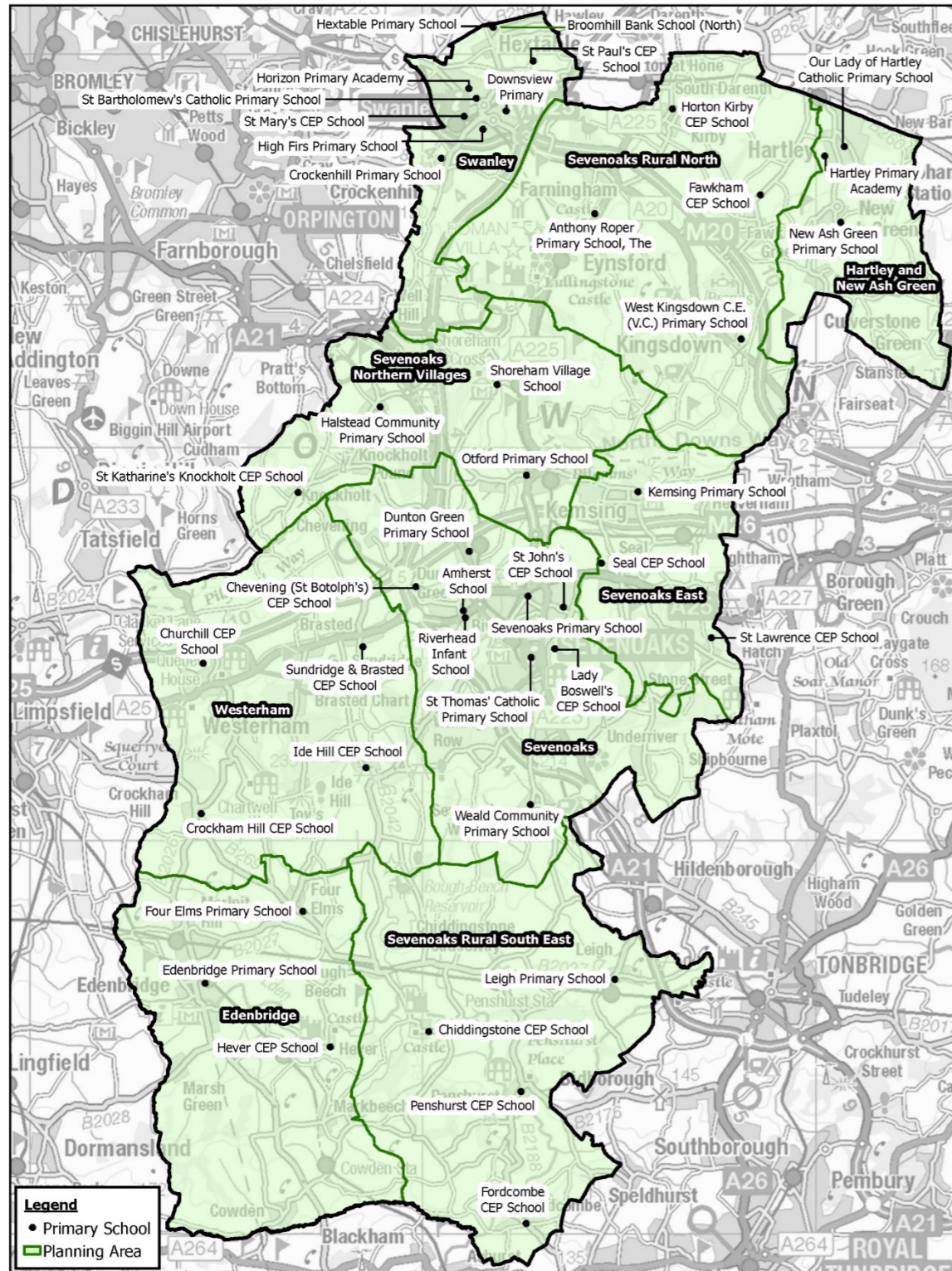
Policy/Paragraph	Commentary
	<p><i>Developer Viability</i></p> <p>The County Council seeks to ensure that the sustainability of a site is balanced appropriately against viability. The County Council would urge the District Council to ensure that development allocations are sustainable, and do not require a reduction in the level of infrastructure provision to make them so at planning application stages.</p> <p><i>CIL and Section 106 Agreements</i></p> <p>The County Council has advised the District Council that the CIL is not sufficient to cover the cost of new schools – section 106 agreements are the only (current) effective way of securing the delivery of education infrastructure. The County Council would therefore request that education infrastructure is secured through section 106 agreements as opposed to the CIL.</p>
<p><b>Strategic Objective OB19</b></p>	<p><u>Development Investment:</u></p> <p>The County Council notes the bullet points on page 110 which outline the different types of infrastructure. The County Council would request confirmation that these have not been listed in order of priority.</p> <p>Within this Strategic Objective, the District Council should recognise that Section 106 agreements must be used alongside the CIL to secure necessary infrastructure to support sustainable development.</p> <p>The County Council would also welcome further engagement and be a part of the commitment of the District Council to work with stakeholders in the addressing of barriers that prevent necessary infrastructure being delivered.</p>
<p><b>Policy Infrastructure Delivery IN1</b></p>	<p><u>Development Investment:</u></p> <p>The County Council recommends that the District Council should also explore central Government funding streams to deliver the infrastructure necessary to support growth within the Local Plan.</p> <p>To deliver infrastructure, the County Council would also request that the Local Plan allows for a more vigorous examination of an applicant's financial viability reporting should be carried out. A financial viability statement that claims that neither affordable housing or education infrastructure is unaffordable within a development scheme should raise a fundamental question as to whether the development is sustainable. The applicant viability claim should not lead to permissions to grant approval that subsequently pushes the cost of infrastructure mitigation onto the statutory deliverer. Developers must accept responsibility for their developments impact on infrastructure need.</p> <p>In the balancing of infrastructure requirements, the District Council is urged to have consideration of those infrastructure requirements which are considered to be critical to the needs of communities to function sustainably – this includes consideration of services and infrastructure provided by the County Council which impact both people and the environment.</p> <p><u>PRoW:</u></p> <p>Policy IN1: Infrastructure Delivery states '<i>new development makes a contribution towards infrastructure needs arising from development, facilitating necessary infrastructure on or off site</i>'. Recognition of the need to deliver infrastructure 'off site' is vital as access between destinations is rarely limited to a single environment. The County Council will expect to secure commitments from developments through the Community Infrastructure Levy and Section 106 legal agreements to fund and/ or deliver improvements to the PRoW network.</p> <p>Paragraph 9.5 recognises the need for infrastructure to be delivered on occasions ahead of development. The County Council is strong advocate of the infrastructure first approach which can promote positive transport choices from the occupation of new developments where sustainable transport modes are offered from the outset.</p>
<p><b>Policy OS1 Open Space and Recreation</b></p>	<p><u>Biodiversity:</u></p> <p>The County Council considers that there a need to ensure that open space and Biodiversity Net Gain are considered in conjunction with each other. Open space can provide opportunities for BNG</p>

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Policy/Paragraph	Commentary
	but there is a need to be realistic about how much BNG can be achieved within areas that have heavy recreation.
<b>Policy ED1 Education</b>	<p><u>Development Investment:</u></p> <p>The County Council would encourage early, meaningful and constructive engagement regarding education provision to ensure it is identified and secured through Local Plan policy accordingly. Explicit reference to SEND provision also recommended within this section.</p>
<b>Policy SL1 Sports and Leisure Facilities</b>	<p><u>Sports and Leisure (Active Kent):</u></p> <p>A question is raised as to whether the District Council is planning on revising their Playing Pitch Strategy (PPS) – which would be well received. Multi sport polices, as well as a focus on engaging the underrepresented groups, tackling inequalities, and equal access for women &amp; girls would be supported alongside a Local Football Facility Plan (LFFP) refresh which could support local priorities around sport, physical activity, health and wellbeing. The District Council is recommended to consider the following:</p> <ul style="list-style-type: none"> <li>• Football: Investment from Football Foundation and F.A. driven through LFFP <a href="https://localplans.footballfoundation.org.uk/local-authorities-index/sevenoaks/sevenoaks-executive-summary/">https://localplans.footballfoundation.org.uk/local-authorities-index/sevenoaks/sevenoaks-executive-summary/</a>. Sevenoaks is short of five 3g pitches the largest demand in the County.</li> <li>• Cricket: Sevenoaks currently only has access to a softball indoor cricket league due to a lack of suitable indoor space for hardball match play. There is potential for a solution with a combination of community usage agreements and upgrades to existing facilities. Cricket clubs in the area are growing at junior and senior level and both male and female. This is mirrored in neighbouring authorities (Bromley, Tunbridge Wells and Tonbridge) which is placing greater demand on existing facilities.</li> <li>• Tennis: Pay and play opportunities have increased in the Sevenoaks area in park venues such as Hollybush Park and Swanley Rec Park however still opportunity to increase pay and play/community use/access within education establishments.</li> </ul>
<b>Chapter 10: Transport</b>	
<b>Policy T1 Sustainable Movement Network / Policy T2 Cycling and Walking</b>	<p><u>PRoW:</u></p> <p>This policy is welcomed for supporting the incorporation, enhancement and creation of cycling and walking routes and provisions within a new development that is connected to the wider transport network'; as is Policy T2: Cycling and Walking for its ambition to enhance cycling and walking routes, including Public Rights of Way. However, it is considered an omission that there is no specific statement of protecting PRoW paths - the County Council expects SDC to both protect and enhance the District's PRoW network and this should be considered within the policy.</p>

Appendix 2: Map of Sevenoaks District Primary Education Planning Areas

**Sevenoaks District Primary Planning Areas**



Management Information, KCC  
06/07/2018

Map 10.4  
Source - Management Information Schools Database

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