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BY EMAIL ONLY

Dear James

Re: Sevenoaks District Council - "Proposed Submission Version" Regulation 19 Consultation December 2018

Thank you for inviting Kent County Council (KCC) to comment on the Proposed Submission Version of the Local Plan for Sevenoaks.

The County Council remains supportive of the Sevenoaks District Council's Local Plan approach, which looks at prioritising growth in existing settlements and then redeveloping previously developed land in sustainable locations. The County Council continues to recognise the challenge in meeting the identified housing need in the highly constrained District. KCC appreciates that, even with promoting high density development in such sites (where appropriate), this strategy could only deliver a proportion of the identified housing need for the District, triggering the need to assess the growth potential of Green Belt 'Exceptional Circumstances' sites.

The County Council notes that twelve 'Exceptional Circumstances' sites were included in the previous Regulation 18 consultation, which would have contributed approximately 6,800 new homes to the housing land supply, enabling the assessed local need figure to be met. However, it is recognised that whilst the sites were included in the Draft Local Plan, they were still being tested at that stage, and their inclusion in the Proposed Submission Version of the Local Plan was not guaranteed. As a result of consultation and assessment, it is acknowledged that four strategic sites are now put forward for allocation and inclusion in the Proposed Submission Version of the Local Plan.

In the context of the growth and development planned within the emerging Local Plan, the County Council will continue to examine its own priorities in respect of calls on CIL revenue and section 106 contributions, to ensure that future requirements for KCC services and infrastructure relating to highways, education facilities, adult social

care, community learning, youth service and libraries are met. Furthermore, the County Council recognises the important role of the Infrastructure Delivery Plan as an evidence base to the Local Plan and a live document throughout the Plan period, and as such, KCC will value continued engagement with Sevenoaks District Council on its formulation and updating. This collaborative relationship will be essential in identifying the timing and costs associated with the delivery of infrastructure and how it will be funded, to ensure that future development will be serviced by adequate infrastructure to meet the existing and future needs of the community that it serves.

In response to this consultation, the County Council has provided detailed, technical comments on the Proposed Submission Version of the Local Plan policies and site allocations. For ease of reference, these are set out in a comprehensive schedule accompanying this letter (Appendix 2). The County Council previously submitted a response to the Regulation 18 Draft Local Plan consultation on the 18 September 2018, providing commentary on the draft policies and the proposed site allocations (Appendix 1). The County Council requests that, where referenced, the two responses are read in conjunction to ensure all matters raised are considered, whilst avoiding unnecessary repetition in this letter and the associated appendix.

Separately, the County Council has provided an initial assessment on the identified additional strategic development sites in the Green Belt also subject to consultation. KCC would like to continue to work with the District Council to ensure that growth is properly supported by the necessary services and infrastructure.

Highways and Transportation

The County Council has been working closely with Sevenoaks District Council throughout the progression of the emerging Local Plan to help to ensure that it is supported by a robust evidence base. The County Council has provided evidence in support of the Proposed Submission Version of the Local Plan, including the Swanley Transport Study and the Sevenoaks District Transport Study. Together, these studies provide evidence that identifies the transport related issues and opportunities that are predicted to arise from the delivery of the Plan, identifying appropriate transport mitigation measures where necessary.

However, the County Council recognises that there are currently several sites that have been included within the Proposed Submission Version of the Local Plan that have only had limited assessment of the highway infrastructure and required mitigation measures. For instance, the site at Sevenoaks Quarry would generate traffic at a level that would significantly add to existing capacity issues on an already congested Bat and Ball junction, and a Transport Assessment is required to assess the impact of the development and the mitigation required. Full details are provided in appendix 2, which sets out the range of sites for which KCC has requested that Transport Assessments/Transport Statements are provided. Once this information has been received, the County Council, as Local Highway Authority, will be able to fully assess whether the impact of the development is acceptable in highway terms, and be in a position to provide more detailed commentary on the proposed site allocations.

Provision and Delivery of County Council Community Services

The County Council supports the objective of the Proposed Submission Version of the Local Plan to seek to support lively communities with well performing town and village centres that provide a range of services, facilities and infrastructure. The County Council agrees that this can be best achieved by allocating sites that support or enhance local community facilities. The County Council therefore welcomes the identification within the document of education, health and social care and community facilities as necessary infrastructure to support sustainable growth. The County Council will look to work closely with the District Council during the Examination process and throughout the Plan period to ensure that the necessary KCC services and infrastructure continue to be factored into the growth proposals of the emerging Local Plan and are delivered as necessary.

The County Council requests that where improvements are required to infrastructure as a direct result of development, such improvements are funded, where possible, either through planning obligations, legal agreements or CIL, as appropriate.

The County Council recognises that, of the proposed allocated sites put forward in the Proposed Submission Version of the Local Plan, just a few would class as strategic sites that would be capable of supporting new community infrastructure. As a result, there may be the need to identify land for the provision of any new community facilities necessary to support growth and KCC would welcome discussions with the District Council on this.

The County Council has also provided an assessment of the education requirements resulting from the proposed growth in Sevenoaks. A number of new primary schools will be required to be provided under S106 agreements, and CIL contributions may be requested towards enhancements to current educational facilities. The proposed development at Pedham Place would necessitate a new 6FE secondary school to be built within the development. An additional secondary school is also required and would ideally be located in Sevenoaks town to support the growth in the south of the District.

A full Impact Assessment of proposed allocated sites on KCC service provision is provided in Appendix 3.

Minerals and Waste

As the Minerals and Waste Planning Authority, the County Council is responsible for ensuring that mineral resources are not needlessly sterilised by other forms of development, thus ensuring that a steady and adequate supply of minerals is maintained into the future to facilitate sustainable development. This safeguarding approach is supported by the National Planning Policy Framework (NPPF) and locally in the adopted Kent Minerals and Waste Local Plan 2013-30 (KMWLP). The NPPF requires that development proposals should not be permitted within mineral safeguarding areas where they might constrain potential future use of the economic

mineral resource. As such, the policies within the KMWLP aim to prevent the sterilisation of Kent's potentially economic mineral assets.

Minerals are essential to the delivery of sustainable development and mineral planning considerations are key to ensuring that there is a sufficient supply of minerals to provide the infrastructure, buildings and goods that the country needs. Mineral planning considerations are a strategic matter that cross administrative boundaries and as required by the NPPF require effective communication between local authorities.

There is a requirement to address the safeguarding of economic minerals and existing permitted waste management facilities present within the District, with particular reference to the relevant policies of the adopted KMWLP. You will be aware that in previous responses to the Sevenoaks Local Plan Issues and Options consultation and Regulation 18 consultation that the County Council drew attention to mineral and waste safeguarding matters that needed to be addressed. These matters do not appear to have been fully addressed. Separately, workshops have been hosted by the County Council for local planning authorities to discuss Mineral and Waste Safeguarding matters, to aid local understanding of this matter.

As Minerals and Waste Planning Authority, the County Council notes that a number of the proposed allocations in the consultation have mineral and waste management safeguarding implications that need to be examined before the sites are allocated. This was raised in the County Council's response to the Regulation 18 consultation and attention was drawn to the need for Mineral Assessments to inform the plan making process.

The County Council has not seen Mineral Site Assessments for any of the affected sites (the sites are listed in appendix 2). If the assessments have been undertaken, it is requested that copies are provided to the County Council. However, in the absence of Mineral Assessments for these sites, it is not possible to assess the mineral safeguarding implications or to consider whether an exemption to the safeguarding policy DM7 of the KMWLP applies and as such, the County Council currently raises a holding objection.

Sevenoaks Quarry

Notwithstanding the above, the proposed allocation ST2 – 13 (Sevenoaks Quarry) would have significant consequences for mineral planning in the County and the wider South East in the event that the site were to be developed prior to the mineral reserve being worked out. The site currently benefits from an extant planning permission for mineral extraction until 2032 (reference SE/08/675) and forms a significant part of the County Council's landbank for soft sand, which is a key indicator for the need for further soft sand releases in the County.

The County Council's current Mineral Sites Plan (currently at Regulation 19 stage) is predicated on the permitted reserve at Sevenoaks Quarry. The site is safeguarded under Policy CSM 5 of the KMWLP and is strategically important in maintaining a

steady and adequate supply of construction sand. It currently makes a significant contribution to supply not only in Kent, but also the wider South East region. Its continued and effective working is therefore crucial to the delivery of the strategy of the KMWLP, as well as the emerging Kent Mineral Sites Plan.

In the absence of evidence to demonstrate that the permitted mineral reserves can be worked prior to any housing development taking place, the County Council strongly objects to the allocation of the site. This is on the basis that it would prejudice the full and effective working of all mineral reserves and would sterilise permitted mineral resources, which would be contrary to the NPPF and to KMWLP policies. The County Council considers that in order to ensure that this policy is sound, KCC, as Mineral Planning Authority considers it necessary that provisions are incorporated into the Local Plan to require the permitted reserves to be worked in advance of housing development taking place.

There is no evidence in the Proposed Submission Version of the Local Plan that the mineral reserves are intended to be worked prior to non-mineral work taking place, although it is noted that there is some information in respect of phasing. In respect of this phasing, the Proposed Submission Version of the Local Plan indicates, within the description of the allocation, that:

“Some extraction is still taking place on the site. The Council is satisfied that there is a reasonable prospect that it will become available. As such, it is considered ‘developable’. Phase 1: years 6-10 and phase 2: 11-15, subject to confirmation of mineral extraction programme”.

The commencement of construction under this phasing plan is considered to be premature to ensure that mineral planning matters are addressed. In light of previous consultation responses, the County Council was expecting the Proposed Submission Version of the Local Plan to include evidence to demonstrate that mineral extraction could be reliably completed before non-mineral development takes place – but no such evidence appears to have been published as part of this consultation process. The Plan, as it currently stands, lacks assurance that the effective working of the mineral reserve will take place and that this important economic mineral will not be sterilised. Further evidence is requested to demonstrate that this phasing will not prejudice the permitted reserves and undermine mineral planning in the South East. The site cannot be considered as “developable” until such a time that the permitted mineral reserves have been exhausted, in order to prevent their unnecessary sterilisation. It is suggested that an approach could be to identify the site as a broad location of growth.

Furthermore, it is noted that part of the rationale for allocating the site is that the “land has been subject to previous development”. However, unlike other types of development, mineral development is a temporary land use with an approved restoration scheme. It is not a brownfield site for planning purposes, which appears to have been part of the rationale used to support allocation.

Finally, attention is drawn to the adjacent landfill activity at Greatness Quarry and the need to consider the implications of this land use activity on any future housing allocation. This would also apply for residents of phase 1, in respect of their proximity to both Sevenoaks Quarry and Greatness Quarry.

Other Mineral and Waste Safeguarding Matters

In the absence of evidence to demonstrate that mineral and waste safeguarding issues have been satisfactorily considered to address safeguarding policies (DM7 and DM8) in the adopted KMWLP, the County Council as Mineral Planning Authority raises a holding objection.

Full technical comments are set out in appendix 2.

The County Council, as Minerals and Waste Planning Authority for Kent wishes to remain involved in the plan making process for the Sevenoaks District Local Plan and would be happy to discuss the above matters. Should you require any further information regarding the above or wish to discuss it further, please contact a member of the Minerals and Waste Planning Policy Team at mwlp@kent.gov.uk or on 03000 422370.

The County Council recognises the importance of the Local Plan in identifying sites suitable for development within the Sevenoaks District to enable the delivery of new housing, employment and required infrastructure in response to local needs.

As a key infrastructure and service provider, the County Council looks forward to building upon the established and collaborative working arrangements in place between the two authorities and welcomes continued engagement with Sevenoaks District Council throughout the progression of the Local Plan to Examination. We would look to this continuing beyond adoption of the Plan to implementation; to ensure that as each of the proposed development sites are assessed and brought forward, they will deliver the necessary infrastructure to support sustainable growth.

If you require any further information or clarification on any matter raised in the County Council's response, please do not hesitate to contact me.

Yours sincerely



Barbara Cooper

Corporate Director – Growth, Environment and Transport

Encs:

Appendix 1: KCC Response to Draft Local Plan (Regulation 18) dated 18 September 2018

Appendix 2: Schedule of KCC's Technical Responses to Policies

Appendix 3: Impact Assessment of Allocated Sites on KCC Service Provision