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10th December 2025

Dear Sir, Madam,

Re: Sevenoaks Local Plan Regulation 18– Formal Consultation

Thank you for consulting Kent County Council (hereafter referred to as the County Council) on the Sevenoaks Local Plan Regulation 18 document.

The County Council has reviewed the Local Plan and for ease of reference, has provided comments structured under the chapters and policies used within the document.

General Commentary:

Highways and Transportation

The County Council as the Highway Authority welcomes the plan's intention to support the delivery of strategic infrastructure and to meet development needs in sustainable locations within or adjacent to existing towns and service settlements in order to facilitate journeys by public transport or on foot/by bicycle and reduce the potential for additional car trips.

Careful consideration should be given to each development site location being chosen as part of any future local plan. A case-by-case site assessment will need to be undertaken over the existing infrastructure to determine the suitability of the site as 'sustainable.' Each site needs to be within close proximity of good continuous footway provision, including street lighting, frequent bus services, rail stations, and offer opportunities for trips by bicycle to local, nearby amenities and transport hubs.

Public Rights of Way and Access (PROW)

It is the County Council's view that PROW are relevant to the Plan's 'Strategic Issues' 1, I2, I4, and I7 (pp. 26-27) and that they will also help to contribute to meeting the Vision statements V1-V7 (excluding V5) (on p. 29).

The County Council also welcomes the accompanying Objectives (pp. 30-31), particularly OB3, where it will expect Sevenoaks District Council (SDC) to support the Authority's ambitions to enhance the PROW network as a means to combat climate change, and Strategic Objective OB10, to ensure infrastructure supports developing communities and is delivered in a timely fashion.

The County Council notes the level of housing within the Plan and considers that meeting such targets will place considerable pressure on the PROW network. Many paths, whether designated PROW or not, exist on the fringes of existing settlements, providing vital opportunities for existing residents to remove themselves from developed environments and enter open countryside. Increasing development, however, will likely expand existing settlements and so subsume many of these routes. To meet the objectives of this plan, it will be vital to retain public access opportunities, whether retaining these paths on their existing lines or through diversion onto new alignments. The County Council will, therefore, look to SDC to support arising proposals to upgrade the status and facility of various PROWs.

Given the Plan's Strategic Issues, Vision, and Objectives, the support of SDC is expected to ensure these and other enhancements are delivered for the public's wider enjoyment.

Planning for Health

In the view of the County Council, the Sevenoaks Local Plan demonstrates a strong and consistent commitment to health, which it fully supports. The breadth of content within the health and wellbeing section is particularly encouraging.

The County Council fully supports the references through the document aimed at reducing the reliance on private car use and believes that the clear active travel ambitions through the Local Plan could be better supported by the right infrastructure (e.g. bike storage or shower provision) particularly at employment and new development sections.

The County Council recognises the environment as a vital asset in shaping a strong sense of place. We advocate strengthening requirements for active design principles, inclusive

public spaces, and environments that support mental health and social cohesion and recommend Making Space for Nature as a helpful document to refer to. Highlighting the benefits of both natural and historic environments in promoting mental and physical health, fostering community identity, and ensuring equitable access for all is supported. This approach is essential to reducing health inequalities and fostering inclusive, healthy communities.

The County Council would be pleased to work with SDC to ensure it has the relevant data, evidence and any other relevant guide/information in order to strengthen the Local Plan and overall policies moving forward.

Please see below for further specific comments on the policies with the Regulation 18 Consultation:

Strategic Sites

Development Investment

Strategic Issues (Page 26) - The County Council would ask that SDC considers reference to the Kent Design Guide here, which should be fully updated and available online by the time the SDC Local Plan is in place.

The County Council would also seek to ensure the inclusion of references to the Kent Design Guide at section 05 from Page 180, although do note that it is included on Page 191 under Policy DE3.

The County Council would also suggest that, on page 180, reference OB6 may need updating soon because it is understood that the National Design Guidance 2021 is itself to be updated.

Vision and Objectives

Development Investment

Supporting the delivery of strategic infrastructure – The County Council would request that this be expanded (or another OB added) to formalise the verbal statements received so far from SDC officers that infrastructure such as education, community learning and skills, libraries, adult social care, integrated children's services (youth), and waste will formally sit outside of SDC's CIL governance and be subject to S106 instead.

Highways and Transport

Paragraph 1.23 - The testing of Option 1, including sites considered suitable, and Option 2, adding the strategic site at Pedham Place in order to meet the Government's assessment of housing need, is supported where the inclusion of sites in sustainable locations provides the opportunity to extend existing footways and cycle routes as space permits and to extend and enhance existing public transport services. The inclusion of strategic sites, such as Pedham Place, increases the potential for the delivery of strategic highways and transportation infrastructure by a single developer.

Paragraph 1.32 - The 1,500-home site to the north of Sevenoaks, west of Otford Road, has the potential to facilitate sustainable journeys due to its proximity to Dunton Green Station and via cycle/pedestrian route improvements to Bat & Ball Station. The intention to prioritise public transport and active travel is welcomed. The site boundary to the west/the railway line may preclude the introduction of a link road through the site between London Road in Dunton Green and Otford Road, which would have the potential to relieve east-west traffic movements along A225 Bradbourne Vale Road. The County Council would ask whether there is potential for development on sites beyond the western boundary to enable this objective.

Paragraph 1.33 - The inclusion of the site at Sevenoaks Railway Station is supported given its excellent existing accessibility and the potential for the developer to improve the station and interchange between services and modes.

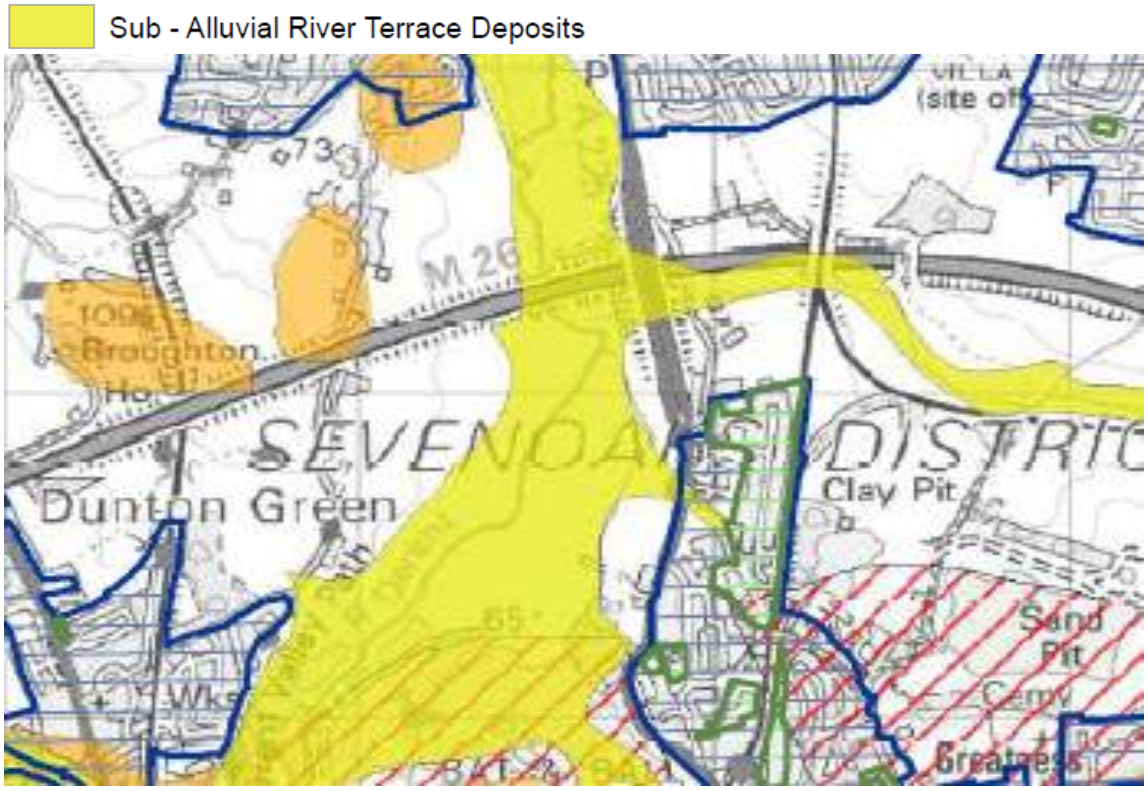
Paragraph 1.39 - The Wasps Stadium proposal provides an opportunity to deliver improvements to Wested Lane and to create sustainable links to the Pedham Place strategic site. An exemplar travel plan, to support travel to and from events, would be required to mitigate the potential for highway impacts.

Paragraph 1.40 - The Pedham Place development has the potential to create a mixed community, enabling people to live and work in proximity. Its location adjacent to the M25 and M20 and the severance effect of the M25 in terms of creating sustainable links to Swanley are drawbacks in terms of the plan's sustainable intentions. However, the inclusion of the site enables the delivery by the developer of potential strategic infrastructure improvements, such as at M25 junction 3.

Minerals and Waste

It is the view of the County Council that only one of the four strategic sites proposed for the delivery of housing as detailed in the Development Strategy in Chapter 1, has a coincidence with a land-won safeguarded mineral. This being land north of Sevenoaks, west of Otford Road (1,599 homes). The mineral deposit potentially threatened with sterilisation is a sub-alluvial river terrace deposit (sands and gravel). The strategic site and the relevant area of the Sevenoaks District Council Area Mineral Safeguarding Areas Proposal Map from the Kent Minerals and Waste Local Plan 2014-39 (KMWLP): (https://www.kent.gov.uk/__data/assets/pdf_file/0019/205507/Kent-minerals-and-waste-local-plan-2024-to-2039.pdf?) In progressing the Local Plan work, the County Council considers that this strategic site requires assessment against the Mineral Safeguarding policy provisions of the adopted Kent Minerals and Waste Local Plan 2024-39.

Extracts are reproduced below:



In addition, it is unclear from the available information of all potential allocations in the emerging plan as to whether the mineral and waste safeguarding implications have been considered. Clarification is sought on this matter.

Waste

The County Council, as the Waste Disposal Authority (WDA), is responsible for providing a Household Waste Recycling Centre (HWRC) service to residents in accordance with the Environmental Provisions Act 1990. Development within the Sevenoaks area will put additional pressure on Swanley HWRC.

Swanley HWRC is a small site, accepting a 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 then impacts on the local highway network. There is an opportunity for the County Council to utilise its existing owned land within the neighbouring Highways Depot to extend Swanley HWRC, increasing site capacity and incorporating a traffic management system which will alleviate pressures on the local road network.

In particular, developments at Pedham Place, Swanley, Halstead/Pratts Bottom, New Ash Green, Hextable and South Darenth will place additional pressure on Swanley HWRC capacity. The County Council is pleased to see these comments included in the IDP.

The proposed site north of Sevenoaks, west of Otford Road, is promoted for 1,500 units. A significant portion of this site overlays the Otford Road Closed Landfill Site (CLS). This CLS is actively gassing, and therefore hazards associated with CLS are present at this site. This may make development at this site unviable. Based on the information provided, it is unclear whether the presence of the closed landfill site and the impact upon development potential were considered in the Strategic Housing and Economic Land Availability Assessment (SHELAA). The County Council would like to have further dialogue with Sevenoaks to understand the implications for this site.

The included image shows the location of the closed landfill within the suggested development area:

Policy ST1 – A Balanced Strategy for Growth

Highways and Transportation

Strategic Policy ST1 is supported. It is requested that the word 'or' be replaced with 'are' in the following sentence in the 2nd paragraph: *"There will be a particular focus on sites that are close to services and facilities and/~~or~~ are well-connected by public transport, walking and cycling. Some sites may be adjacent to existing settlements but then may be connected by routes which are unsuitable for sustainable travel modes and have no potential to improve these or provide alternatives".*

Public Rights of Way and Access

The County Council supports development within the National Landscape only for *'that which can be accommodated whilst still conserving and enhancing its key characteristics, this being mostly small-scale, only promoting larger proposals where exceptional circumstances and public interest are demonstrated.'* Preserving and enhancing the National Landscape and its visual amenity is not only advantageous for Kent residents who choose to access that land for their health and wellbeing, but it also supports protection of the county's wildlife and underpins a vital pillar of the county's visitor economy, protecting in part a reason why many choose Kent as their tourism destination.

Development Investment

The County Council would ask that a reference is made here for an expectation for applicants to make best endeavours through s106 agreements to secure alternative funding to make development sustainable where financial viability is questioned.

Policy ST2 – Housing and Mixed Use Site Allocations

Highways and Transport

As well as the strategic sites (mentioned above), the housing and mixed-use site allocations listed in Policy ST2 will need to be considered against the policy and be incorporated within further transport modelling to understand the impact of the draft local plan as well as further work to develop a sustainable transport strategy and highway measures where impacts need to be mitigated. The County Council, as the Local Highway Authority, will continue to work closely with SDC to support this process but reserves the right to recommend objection to any of these sites subject to receiving the more detailed information required in a planning application and accompanying transport assessment. The same also applies to those locations being promoted as employment sites (only).

Minerals and Waste

It is the view of the County Council that the Regulation 18 documentation does not detail that the mineral deposit around adjacent to Otford Road could be a constraint on the future development of the site. The KMWLP policy is in place to ensure that such safeguarded mineral deposits are fully assessed before allocation of the site, to determine if a prior extraction is possible and/or viable. If not, the matter is objectively set out in a Mineral Assessment (MA) that demonstrates which exemption criterion of Policy DM 7: Safeguarding Mineral Resources can be invoked. This ideally should be done at the local plan formulation stage. Thereby ensuring that the development strategy of the local plan is robust and deliverable.

It is noted in Policy ST2 of the proposed local plan details a significant number of housing and mixed-use sites (111 in total) in list form in the Sevenoaks, Swanley, Edenbridge, Westerham, Hartley and Otford areas. The sites are listed, though not detailed. Therefore, it is not possible to be definitive in determining if these sites have any land-won safeguarded mineral or waste management/mineral processing facility implications that again would require to be assessed for any exemption from the adopted KMWLP policy resumption to safeguard in accordance with Policy DM 7: Safeguarding Mineral Resources and Policy DM

8: Safeguarding Minerals Management, Transportation, Production & Waste Management Facilities. The County Council would be happy to work with you once sites are formalised.

In light of the above, SDC may wish to consider the issues raised before moving to a Regulation 19 public consultation, given the constraining potential of mineral and waste safeguarding policies in the determination of any Sevenoaks Local Plan's robust deliverability based on a consideration of all material considerations.

Policy H2 – Provision of Affordable Housing

Development Investment

It is the view of the County Council that this Regulation 18 document makes several useful comments regarding viability, particularly towards affordable housing. It would, however, be helpful if the Local Plan could include clear information as to how development would be expected to approach Section 106 (s106) planning obligations. Although it is referenced in this policy under Point 9 regarding Grey Belt land, the County Council have seen a growing number of financial viability assessments (FVAs) submitted with planning applications in the district. In light of this it would welcome a joined-up approach to be facilitated with SDC on critique and analysis of applicant FVAs where there is concern.

Policy H4 – Housing for Older people

Developer Investment

SDC will have received some district profile information from the County Council recently regarding adult social care infrastructure and we would welcome your acknowledgement to remain engaged with the County Council's adult social care (ASC) team. As the Local Plan progresses, there may need to be more inclusive and precise information around future ASC needs as provided previously i.e. currently there is an over-supply of standard residential care and a notable under-provision of dementia and nursing care, which are increasingly needed as the population ages and care needs become more complex.

Policy EMP1: Delivering Economic Success

Public Rights of Way and Access

The County Council strongly supports measures to diversify the rural economy and to grow the visitor economy. This will support comments above but also recognise the rural economy is a vital contributor to the economic health of the county. As an example, there are a considerable number of horses in the county serving as a popular recreation and tourism activity, and with the consequent needs not just for stabling but for feed, tack, shoes, and much more. Equestrians spend many millions of pounds each year, mostly supporting small rural businesses.

Planning for Health

Although there are references to the health and wellbeing of all and adaptation to climate change, the County Council would request that the mental and physical health of employees and those needing extra support in Sevenoaks be included in these policies.

EMP2 - New Employment Land

Planning for Health

The County Council fully supports the references to reduce the reliance on private car use but believes that active travel and supporting the active travel infrastructure (provision for bicycle storage or shower provision, for example) could be strengthened, especially at employment and new development sections. The County Council also recommends using Sport England, Active Design and Healthy Local Plans to ensure full coverage:

- Active Design | Sport England
- Healthy local plans and policies - Town and Country Planning Association

Policy EMP4: Rural Diversification

Public Rights of Way and Access

The recognition of increased user demand on PROW and the need for sustainable and active modes of travel arising from rural diversification is welcomed. It is suggested, however, under section g the wording is amended as follows: "~~Seek opportunities~~ Deliver Opportunities (where reasonably practicable to) enable better access to sustainable and active modes of travel". This would better comply with the Plan's Strategic Issues and Vision.

Policy EMP5: Tourism and the Visitor Economy

Public Rights of Way and Access

This policy is welcomed, particularly in regard for first and last-mile connectivity. It is also welcomed in regard to protecting the visual amenity within landscapes, subject to comments already stated regarding Policies ST1, EMP1, and EMP4 above.

Policy TLC1: Resilient Town and Local Centres

Public Rights of Way and Access

Many PROWs are recorded within developed environments, most of which provide important local communication routes between a mixture of residences, services, commercial operations, and transport links. The County Council will require future development to protect existing access routes and to enhance these for future users' convenience, enjoyment, and safety where considered appropriate.

The County Council recommends this Policy is revised to protect PROW from development except where it can be demonstrated there is benefit in alternative provision for public access, so ensuring the issue is clearly highlighted to potential developers and so aligning closely with the current National Planning Policy Framework (NPPF) paragraph 105.

Policy CC1: Mitigating and Adapting to the Impacts of Climate Change

Public Rights of Way and Access

The County Council notes this policy and suggests it supports the wider comments to protect and enhance the PROW network as a valuable alternative access network to trafficking of roads.

Policy DE2 – Design Advisory Panel

Developer Investment

The County Council welcomes this inclusion and requirement.

Planning for Health

The County Council recommends when forming panels that the District Council ensures they include a wide-ranging and representative group that brings together people of different ages, sexes, abilities, ethnicities, and perspectives—particularly for new communities and developments. This will help guarantee that decisions reflect diverse experiences and promote inclusivity. As the District Council is aware, doing so will strengthen community trust, improve the quality of decisions, and align with equality and diversity best practice.

Policy DE3 – Ensuring Quality Design

Planning for Health

The County Council endorses using the following:

- National Design Guide (https://www.gov.uk/government/publications/national-design-guide)
- Active Design Guidance: (https://www.sportengland.org/guidance-and-support/facilities-and-planning/design-and-cost-guidance/active-design)

These should be incorporated in the Local Plan. The County Council would also recommend using other guidelines that are relevant to health in planning that offer useful context for assessing human health potential impacts:

iema-eia-guide-to-effective-scoping-of-human-health-nov-2022.pdf

Building for a Healthy Life is a toolkit for designing healthy neighbourhoods, streets, homes and public spaces and may provide some insight. BFL-2020-Brochure.pdf

Policy DE5 – Outlining Planning Applications

Planning for Health

The County Council would suggest that the consideration of Health Impact Assessments are also included here.

Strategic Objective OB1 - Wellbeing

Heritage

The County Council supports this strategic objective. 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.

Strategic Objective – OB2 - Wellbeing

Planning for Health

The County Council suggests considering including other stakeholders as well as healthcare professionals, such as public health specialists and officers and healthy places advocates. The role of services delivering 'wider determinants' is well recognised, and evidenced, and their input must be fully encompassed.

Policy HW1: Health and Wellbeing

Public Rights of Way and Access

The County Council supports the intent for new development to enhance active travel opportunities, which supports NPPF paragraph 96. For comment on Active Travel, please refer to comments made to Policy T1.

Planning for Health

When considering Point 2, the County Council values the references already included in this section and strongly recommends placing greater emphasis on initiatives that encourage residents to be more physically active.

Policy HW2 – Hot Food Takeaway and Fast Food and Evening Economy

Planning for Health

It is the view of the County Council that the inclusion of a hot food takeaway policy is a positive step forward in reducing obesity and health inequalities. However, it is noted that the policy has increased the distance that the NPPF guidance suggests.

The County Council does, therefore recommend repeating the stated restricted distance within the national guidance around schools within this paragraph and expanding on the data provided to include Sevenoaks obesity levels in Year 6.

The County Council recognises that this is a comprehensive list within the Hot/Fast Food policy and strongly recommends adding a clear trigger point, for example, when obesity prevalence reaches 10% or more in Year 6, to ensure timely and targeted action.

The County Council would be pleased to work with you to ensure Sevenoaks has the relevant data, evidence and any other guide/information in order for this policy.

07 – Historic Environment

Figure 7.1

Heritage

The County Council would ask that it be noted, that in addition to the nationally and locally designated heritage assets shown, there are also numerous non-designated heritage assets in Sevenoaks. These local sites – archaeological sites, historic buildings and landscape features – are often what give areas their distinct historic character and also need to be conserved and enhanced where possible during development management.

Strategic Objection – OB16 – Historic Environment

Planning for Health

The County Council recognises the environment as a vital asset in shaping a strong sense of place and advocates for highlighting the benefits of both natural and historic environments in promoting mental and physical health, strengthening community identity, and ensuring equitable access for all. This approach is essential to reducing health inequalities and fostering inclusive, healthy communities.

Heritage

The County Council considers that 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 National Landscapes 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 Kent_Downs_AONB_Farmstead_Guidance.pdf 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.

In 2017 SDC published its Historic Environment Review document. Section 6.3.3 states, *"6.3.3 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."* As far as the County Council is aware, the Sevenoaks Heritage Strategy has never 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, etc. It is therefore recommended that SDC develop the Heritage Strategy that SDC's own Historic Environment Review recommended at the earliest opportunity.

The County Council supports the Strategic Objective as if successfully achieved, it allows Sevenoaks to grow while preserving its distinct historic character.

Paragraph 7.7

Heritagee County Council would suggest amending the wording as follows: *"The Kent Historic Environment Record is an invaluable ~~useful~~ source of information."* The HER is the only place where information on the wide diversity of heritage sites and features is brought together and in fact includes data from all the other resources identified in this section. It is also described as the prime repository of heritage information in the NPPF, and in the Levelling Up and Regeneration Act 2023 the Government committed to making HERs a statutory service.

Policy HEN1 – Protecting and Enhancing the Historic Environment

Heritage

This policy has the County Council's support, as it is pleased to see the full range of heritage features included in the policy.

Policy HEN2 – Sensitively Managing Change in the Historic Environment

Heritage

While the current text is correct, the County Council would ask that it is noted that where the asset affected is an archaeological asset, the Heritage Statement may need to incorporate a desk-based assessment (DBA) or even the results of archaeological fieldwork. The County Council's Heritage Conservation can advise on the need for a DBA/fieldwork on a case-by-case basis.

Policy HEN3 Archaeology

Heritage

The County Council consider that the wording of the first sentence should be amended to the following: *"Where an application is located within an Archaeological Notification Area~~s…~~"*

It is the view of the County Council that the second sentence suggests that recording is an equal alternative to preservation in situ. In fact, it should only be carried out where preservation in situ is not appropriate. The County Council would suggest that the second sentence be replaced by the following:

"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".

Policy HEN4 – Locally Listed Buildings and Assets

Heritage

The County Council is pleased to see that the policy requires applicants to demonstrate that the significance of the assets has influenced the design of the proposals.

It is also suggested 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.

Policy HEN5 – Responding to Climate Change in the Historic Environment

Heritage

The County Council are pleased to see this policy included in the draft Local Plan. Climate change will significantly impact the district's heritage, and it is encouraging to see this reflected in the policy.

It is the view of the County Council that the current text focuses on adapting historic buildings to make them more efficient. Historic England has produced a range of guidance on the role that heritage can play in mitigating climate change (e.g. Our Climate Change Strategy | Historic England 2022) and in particular has provided advice on climate change and historic buildings (Adapting Historic Buildings for Energy and Carbon Efficiency | Historic England). 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 HE report, 'There's no Place Like Old Homes: Reuse and Recycle to Reduce Carbon' (Historic England 2019). (historicengland.org.uk/content/heritage-counts/pub/2019/hc2019-re-use-recycle-to-reduce-carbon/) The County Council consider that this could usefully be highlighted in the text as an encouragement to retain old buildings where possible.

A second issue of relevance that should be mentioned, is the role that Sustainable Drainage Systems (SuDS) can have on buried archaeological remains, as SuDS 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, the County Council considers that SuDS may directly impact 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 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.

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 HER and by taking relevant expert advice. Kent County Council has recently produced advice for SuDS and the historic environment. 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.

Policy HEN7 – Historic Parks and Gardens

Heritage

Under Clause (b), the County Council considers that 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. Kent Historic Landscape Characterisation: Downloads (HLC) is an important resource for understanding the landscape of Kent and its development through time.

It should be noted however that the HLC is a strategic, not local, assessment. It allows us to 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 done this for its borough, and we would recommend that SDC do the same. The County Council would be happy to discuss this further.

Chapter 8 – The Natural Environment

Paragraph 8.8

Heritage

The historic landscape embodies centuries of human activity, shaping the character and identity of places through features like field boundaries, roads, and settlement patterns. It offers a tangible connection to the past, enriching our understanding of cultural heritage and informing sustainable development. Recognising its value supports thoughtful planning, ensuring that change respects historical context and enhances local distinctiveness. Historic landscape characterisation provides an objective framework for assessing significance, guiding decisions in land use, conservation, and infrastructure. Integrating this perspective into planning fosters continuity, resilience, and a deeper sense of place for communities today and in the future.

Policy NE1: Landscape and National Landscapes

Public Rights of Way and Access

The County Council welcomes the ambition to protect the district's countryside, both in and outside of a National Landscape; as advised above, this will protect the county's visitor economy as well as retain attractive local places for recreation and well-being.

Blue-Green Infrastructure (p. 243) - The County Council welcomes recognition of PROW, Access Land, Commons, and cycle routes as important components of green infrastructure.

Policy BW1 – Safeguarding Places for Wildlife and Nature

Biodiversity

The County Council considers that there is no specific consideration within this section, nor Policy BW2 for protected and priority species, apart from a reference to 'features for species, e.g., bird boxes or nests, swift bricks and hedgehog holes.

The County Council also considers that this requirement of Paragraph 192 of the NPPF could be emphasised within the new Local Plan.

In addition, sufficient survey data to accepted professional standards would be required to demonstrate the importance of ecological receptors on a development site and guide the

protection and recovery of priority species and habitats of importance on a site where such features may be impacted.

Circular 06/2005 is referenced in the NPPF and the County Council would welcome a reference in the new Local Plan to the requirement for ecological survey data to an acceptable standard to support relevant planning applications as per paragraph 99 of the Office of the Deputy Prime Minister (ODPM) Circular 06/2005.

Policy BW2 – Biodiversity in Development

Biodiversity

The County Council would suggest that the paragraph at the end of this policy on ancient woodland should end with *"and a suitable mitigation strategy exists".* This would bring it in line with the NPPF wording.

Paragraph 193(c) of the NPPF 2024 states: *"Development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists."*

It is the view of the County Council that the Biodiversity Net Gain policy includes some good detail on off-site compensation requirements, but nothing on on-site significance. On-site significant habitat creation and enhancement also needs to be secured and maintained for 30 years. Central government has not provided a clear definition of on-site significance, but much discretion on its definition has been left to Local Planning Authorities (LPAs).

Significant on-site gains are areas of habitat creation or enhancement which contribute significantly to the proposed development's biodiversity net gain relative to the biodiversity value before development. Retention of existing habitat cannot count as an on-site significant gain.

Non-significant enhancements are those whose loss will not significantly decrease the development's biodiversity value e.g. private gardens or container planting. These types of enhancements do not normally require maintenance provisions, and so no Habitat Management and Monitoring Plan, legal agreement or commitment to maintain them is required.

The County Council has a definition of on-site significant gains that is currently under revision and will be kept under revision going forward. If SDC agrees with the definition provided by the County Council (please contact our team biodiversity@kent.gov.uk directly for the latest definition, as this is not yet available online), reference to this definition could be included within the SDC's Local Plan.

In instances where significant on-site gains need to be monitored, it is the County Council's view that they should be subject to an S106 agreement or conservation covenant to secure a monitoring fee and ensure enforceability over a 30-year period. It is also the County Council's view that monitoring fees should be secured for these significant on-site gains, as these gains will need to be statutorily subject to monitoring reports across 30 years, which will need to be reviewed (and acted upon as necessary) by the LPA at their own cost.

We provide details of suggested monitoring fees in our March 2025 advice note, *'KCC Ecological Advice Service suggested BNG Monitoring Fees',* which has been distributed to all Local Planning Authorities (LPAs) in Kent.

LPAs may also require legal agreements for wider planning policy reasons for other on-site enhancements or retained habitats which do not fall into the 'significant enhancements' category. For example, where these are expected to contribute to locally important species or ecological networks.

Policy IN1 – Infrastructure Delivery

Public Rights of Way and Access

The County Council would ask that SDC reviews its practice by reviewing its Infrastructure Delivery Plan (IDP) annually to allow the County Council and other stakeholders to work with SDC in being given the opportunity to provide feedback and discuss issues. This will ensure that it remains relevant to changing needs, promotes opportunities to enhance active travel, and prioritises projects to maximise active travel benefits. This will in part recognise NPPF paragraph 111.

The County Council notes future infrastructure contributions may be subject to a development viability appraisal. To have development without complementary infrastructure, particularly off-site, risks existing infrastructure being overwhelmed or potentially avoided or misused by future development occupiers, a situation that would be

contrary to the Plan's ambitions and which would also put inappropriate pressure on public funds to remedy a situation made by the development.

It is the view of the County Council that the policy as proposed fails to recognise the need for infrastructure to be delivered on occasions ahead of development. The County Council strongly supports timely, often early delivery of infrastructure and encourages SDC to require this. Experience has shown the late delivery of infrastructure causes unnecessary disruption and fails to embed new or changed behaviours. Ensuring infrastructure exists from the outset for a development beginning to be occupied helps establish positive behaviours, particularly avoidance of using cars for local journeys.

The County Council welcomes recognition that infrastructure delivery will require a partnership approach between SDC and various other parties. The County Council wishes to be actively involved as future development proposals come forward so as to ensure the best possible infrastructure for people living, working, and visiting Sevenoaks and Kent.

Development Investment

The County Council is aware that on brownfield sites, government funding schemes are available (e.g., BILF) to make sites viable, including the payments of s106 for essential infrastructure. The County Council would like to encourage SDC to ask developers to investigate such schemes before resorting to essential infrastructure funding being foregone**.** Policy IN1 looks like a pertinent place to communicate this requirement.

Point 3a - The County Council would ask that you please consider adding at the end of a) *"... and the county council where their infrastructure needs are potentially affected by an applicant's viability claims."*

Point 4 -The County Council respectfully contends that priorities a. and b. should in fact be on the same footing and equally important and therefore both be recorded as Priority a.

To address the challenges raised in regard to Policy H, the County Council recommends the following should be included in Policy IN1 for inclusion in the Local Plan:

Rebalancing Residential Provision:

Rather than additional standard residential care, future provision should focus on:

- Dementia care
- Nursing care

- Extra Care Housing – there is significant need for at least one extra care housing scheme in the district.

Accessibility Standards:

All new housing developments should meet:

- Part M4(2) of the Building Regulations (accessible and adaptable dwellings)
- A proportion should meet Part M4(3) (wheelchair user dwellings), based on local evidence of need.

Supported Living:

- There is a need to increase the supply of modern, fit-for-purpose supported living schemes for working-age adults, particularly for people with learning disabilities, mental health needs, and complex care requirements.

Modernisation and Cost-Effectiveness:

Residential and nursing homes must be:

- Modern and fit for purpose
- Financially sustainable, including consideration of long-term affordability for local authority placements.

Assistive Technology:

- All new specialist housing schemes should embed assistive technology from the outset, supporting independence and reducing long-term care costs.

These comments below are drawn from the (draft) Kent Adult Social Care Accommodation Market Position Statement (MPS) and the AECOM Accommodation Evidence Base (2025).

Policy ED1 – Education

Development Investment

The provision of high-quality education is identified in the NPPF as a fundamental social objective of sustainable development to foster *"strong, vibrant and healthy communities"* and ensure the needs of *"present and future generations"* are met (NPPF, Paragraph 8(b) and that it is *"important that a sufficient choice of early years, school and post-16 places are*

available to meet the needs of existing and new communities". (NPPF paragraph 100). Without adequate school capacity, the new residents will face significant challenges, impacting the overall sustainability and liveability of the new community created by the proposed development. The social costs of insufficient school places (e.g. increased travel distances, overcrowded classrooms, and potential negative impacts on educational outcomes) are profound and can be viewed as a failure to provide a sustainable community. The County Council would ask that this be secured through this policy.

The County Council understands that SDC has been considering the removal of all county infrastructure requirements from its CIL governance process and going back to s106 planning obligations, which we would wholly support. CIL has proven to be a challenging funding mechanism for essential and often very expensive county infrastructure, the costs of which are inordinately higher than the CIL funding pot that is held by SDC at any time.

Consider ways to maximise the flexibility of uses of secured S106 planning obligations - The County Council would like to encourage SDC to support more flexible wording in the descriptions that are submitted with requests for s106 planning obligations. For example:

Schools' infrastructure - Currently, planning obligations for school infrastructure are confined to providing 'additional capacity' (school places) where school expansions are considered. The County Council would like to encourage the use of obligations for school enhancements also, for example, installation of solar PV to assist energy costs, or installation of synthetic sports pitches to enhance sporting options and help to leverage in third-party funding also. These are just two examples. We would also like to encourage SDC to support more flexible use of secured funding between infrastructure types so that funding is used at times of particularly acute need.

Typically, we would like to suggest phrasing in County Council's consultation responses as follows: *"Towards expansion and/or enhancement of schools in the XYZ primary/secondary education planning group to serve the development, including, but not limited to, ABC School"*

Use of s106 planning obligations where approved applications are not policy compliant - In some instances, planning applications may not be policy compliant (for example, financial viability reporting may conclude affordable housing cannot be sustained within a scheme). If a need for secured infrastructure falls away at a later point in time e.g.

primary education need falls away on evidence of reassessment, any secured planning obligations should be suitably linked to other infrastructure needs where the development was not policy compliant at point of original approval, or where there is another proven need (e.g. towards affordable housing or school transport costs)

Education land - Where land for education is identified through the new Local Plan, the County Council would ask SDC to require a standard transfer time period of 15 years from occupation of the last dwelling on the development site offering the land to ensure as much flexibility is afforded to the County Council in order to deal with ever more fluctuating patterns in need between primary and secondary education places.

Consider resisting developer proposals for split school sites where these may arise - On relatively rare occasions, developers have promoted developments with schools' infrastructure on split sites. This presents quite difficult logistical challenges for the County Council and for subsequent academy trusts that may look to operate new schools. Attracting interest from academies is also more difficult to achieve, and the number of interested parties is often lower. Costs to operate such sites safely and securely are inevitably increased, and there is also often a need for additional staffing and security requirements associated with split school sites to ensure appropriate safety and safeguarding. In addition to this, they are not considered to be best practice as they can also increase operational and staffing costs, reducing resources available for teaching, complicate curriculum delivery and timetabling, limiting flexibility and enrichment opportunities and create challenges for safeguarding, pastoral care, and maintaining a consistent school ethos. The County Council would like to encourage SDC in policy terms to prevent split school sites from being offered for the reasons set out above.

Transport section (from page 282) - The County Council would welcome the provision of policy requirements for school provision to be located within 400 m of a bus stop, as well as new housing.

Policy W1 - Flood Risk

Flood, Water Management & Sustainable drainage systems (SuDS)

The County Council would recommend that SDC includes direct reference to the Environment Agency's Guidance on 'Flood risk assessments: climate change allowances' (**Flood risk assessments: climate change allowances - GOV.UK**), which includes links

to the peak rainfall allowances map, which is used to determine the required climate change uplift allowances.

Figure 4.2: Flood Zones in Sevenoaks District - Whilst understanding the reason for the plan shown, it is the view of the County Council that the plan only shows flood zones associated with fluvial flood risk, although it is accepted that it is later stated in para 3.34, *"proposals in areas at risk from flooding from any source",* and so surface water should be considered. It may be useful to include an advisory with this policy stating that surface water flood risk should also be considered.

Paragraph 4.34 - Whilst understanding that the Level 1 Strategic Flood Risk Assessment (SFRA) should form the basis for the application of the sequential test, the County Council would ask that SBC should satisfy themselves that the SFRA referred to, utilises the latest surface flood maps as released by the Environment Agency earlier this year in order to comply with paragraph 172 of the NPPF.

Paragraph 4.36 - Although referenced later in the document, it may be useful to include here a mention relating to the latest National standards for sustainable drainage systems (SuDS) - GOV.UK as any development would be expected to meet with the technical requirements therein relative to rate and volumes of surface water runoff.

Whilst generally agreeing with the content of policy W1, the County Council considers that the policy could go further. Whereby SDC requires that sites proposed within catchments that are known to contribute to existing flood issues within the district (e.g. upstream of Swanley can only discharge at a rate equivalent to association with the enabling works associated with development sites i.e. from construction activities.

Chapter 10 - Transport

Highways and Transport

Paragraph 10.2 - A 'Vison and Validate' approach to the local plan is in line with national government policy and Local Transport Plan 5 (LTP5). Along with this, it will be necessary to adopt a Monitor and Manage Policy to support the delivery of

measures, ensure travel patterns are monitored, and interventions are modified accordingly to ensure delivery remains on track and in line with the vision.

Paragraph 10.8 - The County Council supports SDC's ambition set out in the Movement Strategy for Sevenoaks, as these apply to new developments, including priorities to reduce the need to travel and promote public transport and active travel, as well as addressing any safety implications in the first instance with highway mitigations to mitigate any residual impacts as part of an integrated package of policies, measures and schemes in line with Policy T1 and T2.

Paragraph 10.19 - The County Council notes SDC's intention to adopt a minor variation of the County Council's Parking Standards of three parking spaces for a dwelling with five or more bedrooms resulting from a study of local census data and its settlement hierarchy. The vehicle parking principles set out in **Policy T3** accord with the County Council's policies.

Paragraph 10.25 - The intention to adopt the County Council's guidance on Transport Assessments and Travel Plans (2025) is welcomed (Note the correct working of the title: Transport Assessment and Travel Plan Guidance 2025).

Policy T1: Sustainable Movement Network

Public Rights of Way and Access

The County Council welcomes the recognition given to active travel and linking development to the wider transport network. Active travel is a priority for the County Council and it encourages all councils and development within the county to adopt it. However, for clarity of future readers of the Plan and consistency of interpretation, a definition should be included in the Glossary. The definition used by the County Council for its :Active Travel Strategy - Kent County Council is encouraged.

The County Council welcomes the ambition to enhance the existing PROW network, whether by creation of new routes and/or public access rights or through enhancing existing path surfaces and widths and increasing opportunities for 'Access for All'. Much of the District PROW network is disjointed, as identified in the latest County Council's Rights-of-Way-Improvement-Plan-2018-2028.pdf (ROWIP), whether severed by roads or having no continuity of public rights.

The Plan omits reference to the County Council's ROWIP, as mentioned above, which is a statutory strategic document that enables successful partnership working to deliver improvements to the PROW network and helps avoid loss of access to funding opportunities; this should be referenced within the Plan, possibly Policy T2, as with Local Cycling and Walking Infrastructure Plans.

Further, most PROW in the District are public footpaths, where lawful public use is limited to pedestrian and mobility vehicle access – upgrading the status of suitable public footpaths to public bridleways, as already advocated in Policy T1, would allow more paths to be used lawfully by cyclists. Requiring enhancements to remedy these shortcomings could, in themselves, make a significant contribution to the Plan's ambitions and will often be achieved at a comparatively small cost compared to road network enhancements.

Policy T2: Sustainable Movement

Public Rights of Way and Access

It is welcomed that major development proposals must consider their potential impact on local transport infrastructure and specifically regard various local transport plans; also, that all development excepting minor proposals (as defined) must prioritise Active Travel modes.

The County Council is also encouraged to note the regard given to walking, wheeling and cycling, and the prioritisation of movement, which supports NPPF paragraph 117. It suggests the definition of 'wheeling', noted in paragraph 10.5 (p. 283) is included in the Glossary for ease of future readers. One measure the County Council encourages, for the benefit of all users and not just wheelers, is to ensure all kerbs sited at junctions of paths, whether PROW, highway footway, or privately maintained routes, are dropped in order that steps are avoided.

Policy T4 – Transport Statements, Assessments and Plans

Highways and Transport

Paragraph 3 of Policy T4 should be amended as follows, *"Where Transport Statements, Assessments or Plans identify the need for mitigation measures, t~~hese may be secured through planning conditions or legal agreements, including Section 106 obligations.~~ the delivery of mitigation will, in the first instance, be expected to be via the developer following the relevant highway authority's ~~ie's'~~ approvals process."*

This is to minimise delivery risk and ensure mitigation comes forward as the associated development(s) progresses. It is not acceptable to rely on infrastructure providers to bid for CIL funding to deliver schemes which have been demonstrated to be necessary to mitigate the impact of developments.

The congestion hotspots identified in the baseline and the Local Plan scenario transport assessments are noted. The County Council appreciates the close working undertaken to date with SDC utilising the Kent Transport Model and looks forward to further updates of the modelling, junction assessment work and identifying the mitigation package as part of the evidence base for the Regulation 19 version of the Local Plan. Any measures identified by this process need to be incorporated in further updates to the Infrastructure Delivery Plan. As highlighted previously, it will be expected that the developer or developers causing the impact are responsible for delivering the mitigation, either individually or via a consortium or a lead developer. With this in mind, the deliverer needs to be identified against each infrastructure measure, possibly through the proportionality of trips using the junction or corridor.

Local Plan Tests Report:

Highways and Transportation

The Crouch House Farm developer has provided revised, anticipated trip generation from the expected site use class make-up; this was due to lower commercial proposals. This has been fed into the revised model and has lessened the impact between this report and the previous version.

The County Council, as the Local Highway Authority, would ask that SDC further investigates the junction impact at both B2026 / Station Road and Station Road / Four Elms Road B2027 to ensure that mitigation is not required at either junction, as they are not currently showing as hotspots, whereas adjacent junctions are included. The County Council wants to ensure that the whole corridor is considered.

A further exercise prior to the Regulation 19 Publication version of the Local Plan should be undertaken to ensure the TRICS trip rates are reflective of the site location and surrounding amenities.

Glossary

Development Investment

There does not appear to be a specific definition for educational facilities/infrastructure. The County Council would ask that current references to education might be replaced with 'educational facilities/infrastructure' and then referenced as a definition. It would be useful to include a definition that encompasses all education facility types (primary, secondary, and adult) and also includes early years nursery and special educational needs and disabilities (SEND). The County Council would be happy to work with you to draft up a definition.

Public Rights of Way and Access

The County Council would raise the following in regard to pages 295-317:

The definition of the NPPF refers to the latest iteration as July 2021 – the latest iteration is December 2024.

Given reference variously to public footpaths and public bridleways, the definition of PROW should be amended to ensure consistency of understanding – a suggested definition is 'the generic term for public footpaths, public bridleways, restricted byways, and byways open to all traffic, the overwhelming majority of which are public maintainable highways statutorily managed by the County Council as the local highway authority'.

In addition to the comments above, aside from consideration of mental health and wellbeing, the proposed policies omit positive recognition of many in society needing greater assistance due to disability of some form. Paragraph 6.8, bullet five (p. 202), states *'Provision of active travel infrastructure, provision of public transport, prioritisation of active travel, road safety and mobility for all ages and activities'*; however, this does not appear to

have transferred into any specific policy. Whilst wellbeing is recognised, which will assist many who have a physical disability, there are many other forms of disability that prevent or limit people from enjoying experiences in society and particularly when accessing land and facilities. It is strongly recommended the plan is reviewed and revised to ensure future development delivers for all.

Within the Plan (e.g. Policy IN1 and Policy T1) there is recognition of the need for a partnership approach between SDC and various other parties, including the County Council, to ensure delivery of appropriate development and infrastructure. This is welcomed by the County Council, as it will ensure consistency with standards around the county-wide PROW network and the various applicable statutory procedures, such as when upgrading the status of a public footpath to a public bridleway to establish public access rights for cyclists and horse riders. The County Council requests to be actively involved as future development proposals come forward so as to ensure the best possible access infrastructure for people living, working, and visiting Kent, and expects to be actively involved by SDC throughout the period of the Plan. As a minimum, and as commented above, the County Council expects to be invited routinely to review the IDP and to be offered the opportunity to comment on individual development proposals.

The County Council would take this opportunity to highlight the need to create a walking, cycling, and equestrian route along the Darent Valley. Whilst walkers can follow the existing Darent Valley Path, there is particular demand for safer cycle access between Dartford and Sevenoaks, also with connections to many settlements along the valley. Policy WST1 supports this, in part, when stating the need to connect Westerham Town Centre with the valley; however, the plan should encourage a wider ambition so as to support individuals' health and well-being, sustainable transport, the reduction of carbon emissions, and more. This ambition should be a key project within the IDP, and the service will look to future development to fund and/or deliver this.

The County Council 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 faithfully,

Simon Jones

Corporate Director – Growth, Environment and Transport