

General information statement as to Town and Country Planning (including Neighbourhood Planning) and the Fawkham Neighbourhood Plan Referendum

The Planning System

The UK has a plan-led system of Town and Country Planning. Local Planning Authorities (Borough, District and Unitary Councils) and other decision makers, such as Planning Inspectors, make planning decisions in accordance with policies within their development plan, unless material considerations indicate otherwise.

Material considerations include national policy, which is primarily contained in the National Planning Policy Framework (NPPF) (December 2024). As such, the development plan is the starting point for determining any planning application within the Local Planning Authority area. The Development Plan policies help decide how much, where and what type of development takes place.

The Development Plan for Sevenoaks District comprises:

- Core Strategy (2011)
- Allocations and Development Management Plan (ADMP) (2015)
- Waste and Minerals Plans (produced by Kent County Council); and
- Any Neighbourhood Plans that have been made, following a successful referendum.

Neighbourhood Development Plans

A Neighbourhood Development Plan (also known as a Neighbourhood Plan) sets out policies in relation to the development and use of land in the whole, or any part of, a particular neighbourhood area. Neighbourhood Plans are produced in consultation with local communities, by Parish or Town Councils, or, in areas without a parish, by forums of residents or businesses. There are known as the 'qualifying body'.

There is a statutory process which must be followed when producing Neighbourhood Plans. This includes:

- Designation of the Neighbourhood Area
- A 6-week consultation undertaken by the qualifying body, followed by a 6-week consultation undertaken by the Local Planning Authority.
- Independent Examination
- Referendum

A Referendum is required to be held if the Local Planning Authority is satisfied that the Neighbourhood Plan meets, or would meet if modifications are made, the basic conditions, is compatible with Convention Rights and complies with the relevant provisions. The Referendum relates to the area which is covered by the proposed Neighbourhood Plan. Those who live within the Neighbourhood Area, and who meet the eligibility criteria to vote in a local election for the area, are entitled to vote. The question that is asked is as follows:

Do you want (insert name of local planning authority) to use the neighbourhood plan for (insert name of neighbourhood area) to help it decide planning applications in the neighbourhood area?

The Referendum will ask voters to vote 'Yes' or 'No' to this question.

If more than half of those voting, vote in favour of the Neighbourhood Plan then it becomes part of the Development Plan, and will be used when determining planning applications in that neighbourhood area. Where the vote is in favour, the Local Planning Authority make (adopt) the Neighbourhood Plan within 8 weeks following the Referendum.

Fawkham Neighbourhood Plan

The Fawkham Neighbourhood Area was designated in May 2021. The Neighbourhood Area comprises the whole parish covered by Fawkham Parish Council. Fawkham Parish Council, as the qualifying body, has produced the Fawkham Neighbourhood Plan in consultation with residents of Fawkham and other stakeholders.

The Parish Council held a consultation on the draft Neighbourhood Plan from 3 July to 15 August 2023 prior to submitting the draft Plan to Sevenoaks District Council in April 2024. The District Council then held a further consultation between 7 June to 19 July 2024, before submitting the draft Plan, alongside the representations received in response to this consultation, to an independent examiner on 22 July 2024. The Independent Examiner, Derek Stebbing BA (Hons) DipEP MRTPI of Intelligent Plans and Examinations Ltd, was appointed by the District Council in mutual agreement with Fawkham Parish Council.

The Examination took place in the form of written representations, with the Examiner issuing his final report on 24 October 2024. The Examiner recommended modifications to a number of policies, to ensure the Plan complies with the basic conditions and any other legislative requirements, and that the Fawkham Neighbourhood Plan, once modified, proceed to Referendum.

The District Council, in conjunction with Fawkham Parish Council, has accepted the Examiner's modifications and decided to proceed to Referendum, to be held in Fawkham Parish Council area.

A Decision Statement has been published in accordance with Regulation 18(2) of the Neighbourhood Planning (General) Regulations 2012, setting a date of Thursday 13 February 2025 for the Referendum.

The Referendum version of the Fawkham Neighbourhood Plan, including the Examiner's modifications and other minor modifications, is the final version. Should it be successful at Referendum, the Fawkham Neighbourhood Plan will become part of the Development Plan for Sevenoaks District and will be formally 'made' (adopted) at the earliest opportunity.