

Maidstone Borough Council Local Plan (2011-2031) Examination

Inspector: Mr. Robert Mellor BSC DIPTRP DIPDBE DMS MRICS MRTPI

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Mr. Rob Jarman,
Head of Planning & Development,
Maidstone Borough Council,
Maidstone House,
King Street,
Maidstone ME15 6JQ

13th November, 2016

By email:

Dear Mr. Jarman,

Preparation of Main Modifications to the Local Plan

The Council has requested that, should I find the Local Plan unsound, but capable of being made sound by means of modification to the plan, then I should recommend the necessary modifications. Those would be described as 'Main Modifications' and they would need to be subject to sustainability appraisal and to public consultation in draft form before they could be recommended in my report.

To address matters raised in representations or my questions the Council has already submitted several schedules of 'Proposed Changes' to the Local Plan as follows:

- Document SUB 010 - Schedule of Proposed Minor Changes (2016) [PC/1-PC/59] (Submitted with the Local Plan)
- Document ED 010 – Schedule of Proposed Additional Changes [PC/60 – PC/83] – (21 September 2016)
- Document ED 012 – Proposed disaggregation of strategic and non-strategic policies – 30 September 2016
- Document ED 025 – Proposed revisions to Policy SP17 (11 October 2016)
- Document ED 026 – Proposed revisions to Policy DM34 (11 October 2016)
- Document ED 027 - Proposed revisions to Policy DM3 (11 October 2016)
- Document ED 045 - Further Schedule of Proposed Addition Changes [PC/84 – PC/122] – (1 November 2016)

Other possible changes have also been raised at hearing sessions. Some of the proposed changes amend or replace earlier proposals. There are further hearings still programmed which may also give rise to proposed changes.

The above proposed changes include a mixture of potential main modifications and also other changes to the Plan that would not be necessary for soundness but which may be needed for example to correct errors or for other similar reasons that do not bear on the soundness of the plan.

Another important point is that I am required to examine the plan and its policies for soundness. The policies map is not itself a development plan document and so I do not have the power to recommend main modifications to it. However where a published main modification to the plan would require corresponding changes to the policies map, then those changes should be published for consultation alongside the main modifications

I therefore request that the Council prepares a draft Schedule of Main Modifications, which only includes those changes that would be necessary for soundness and which includes a suggested reason for each modification as to why they are needed to make the plan sound.

There is an opportunity to combine several proposed changes into a single Main Modification where for example they relate to a single policy or a block of text.

It is likely to that I will propose changes to the individual Main Modifications and that I will also propose additional Main Modifications.

Because of these likely changes and because not every Modification may have been fully addressed in previous hearings it will be necessary to hold an additional hearing to work through the full draft schedule. This would be a hearing held in public but only involving myself and the Council. There would be an opportunity for other persons to comment on the draft modifications when they are published for public consultation.

I propose that the hearing be held on Thursday 1 December 2016 and that the Implementation, Monitoring and Closing Session be postponed until Tuesday 13 December 2016.

I am aware that the Council wishes to refer the draft Modifications to Committee on 10 January 2016 and I hope that this can be achieved. However the Council will be aware that there remain a number of key issues to resolve. Please also be aware that I will not be available between 17 December 2016 and 15 January 2017 inclusive. It would therefore be necessary to finalise any draft modifications before 17 December if they are to be ready for that committee meeting.

The Council may also wish to prepare a separate schedule of the other minor changes that would not qualify as main modification as they are not required for soundness and do not themselves affect soundness. If these are published for consultation then it should be made clear that I will not be considering representations on them or referring to them in my report. It would then be for the Council itself to consider any such representations.

Yours sincerely,

Robert Mellor

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c.c. Ms. Cheryl Parks, MBC