

MAIDSTONE BOROUGH COUNCIL
RECORD OF DECISION OF THE CABINET

Decision Made: 13 March 2013

LOCAL DEVELOPMENT SCHEME 2013

Issue for Decision

A review of the Local Development Scheme following the 21 November 2012 Cabinet decision to re-schedule the Core Strategy programme.

Decision Made

1. That the amalgamation of the Core Strategy Local Plan and the Development Delivery Local Plan, to be called the Maidstone Borough Local Plan ("MBLP"), be approved;
2. That the plan period for the Maidstone Borough Local Plan be 2011 to 2031; and
3. That, subject to the following amendment, the Local Development Scheme 2013-2015 (as set out at Appendix A to the report of the Director of Change, Planning and the Environment) be adopted and that the Scheme comes into effect from the date of adoption:-

"That the final sentence of paragraph 3.6 of the Scheme be amended to read "The Council will undertake an additional stage of public consultation on the MBLP for ~~the new~~ **all** policies and land allocations (called "participation" or regulation 18) in 2013, as set out in the LDS, before proceeding to formal public consultation stage (called "publication" or regulation 19) in 2014 on the ~~entire~~ Local Plan."

Reasons for Decision

The Council is required to produce a Local Development Scheme (LDS), which sets out the range of local plans it is proposing to prepare over a minimum three year period. There is no requirement to include a programme for the production of Supplementary Planning Documents (SPD) but, historically, the Council has identified the key SPDs needed to deliver the detail of higher tier policies. There is no longer a duty to submit an LDS to the Secretary of State for approval, but local authorities are charged with keeping their LDS up-to-date and to review its progress through annual monitoring reports.

The Council's current scheme was adopted in 2012 and the target date for public consultation on Core Strategy strategic site allocations was successfully met in August/September 2012. However, for the reasons

set out in the Cabinet report of 21 November 2012, Cabinet resolved to delay the Core Strategy programme so that officers could undertake further work on the evidence base to ensure the Core Strategy would be found sound at examination. It was agreed to update demographic and economic demand data, to commission a new Strategic Housing Market Assessment (SHMA), and to produce new Strategic Housing and Economic Development Land Availability Assessments (SHLAA and SEDLAA). This additional work delays the Core Strategy programme by 19 months, moving its adoption date from December 2013 to July 2015.

The LDS sets out the work programme for two local plans: the Core Strategy and Development Delivery. The timetable for Development Delivery currently leads to its adoption in December 2015, but this plan's timetable will be affected by changes to the Core Strategy programme. Development Delivery would contain policies for the regeneration of the town centre; the identification of borough wide site specific land allocations for new housing, business, retail and infrastructure; designations for protected areas; and development management policies.

The delay to the Core Strategy programme therefore offers an opportunity to merge the two documents into one local plan, bringing forward the adoption date of Development Delivery without causing further delay to the Core Strategy timetable. The move towards local authorities preparing a single local plan for their districts is encouraged by the National Planning Policy Framework (NPPF) and new plan making regulations published in 2012. A single local plan would contain all of the policies that have been the subject of public consultations in 2011 and 2012, together with the balance of all land allocations and new policies. Consequently, it was recommended that Cabinet amalgamates the Core Strategy with Development Delivery into a single plan called the Maidstone Borough Local Plan.

The Maidstone Borough Local Plan will still be a strategic policy document, so the need for a suite of SPDs to expand or add detail to higher tier policies will remain. The SPD process is quicker than that for local plans because they are not subject to examination, although must be taken through public consultation. Three SPDs have previously been agreed as a priority in the adopted LDS: Parking Standards, Landscape Character Guidelines and Affordable & Local Needs Housing. This list is still relevant, and further SPDs agreed by Members will be added to this list over time.

Currently the 20-year plan period for the Core Strategy runs from 2006 to 2026, but almost seven years of this period has passed and the plan will only have 11 years to run from its new adoption date. The NPPF states that local plans must be prepared covering an appropriate timescale, but preferably with a 15-year time frame (from the date of adoption). If Cabinet maintains the current plan period, the examination Inspector will almost certainly direct the Council to undertake an early review of its local plan. The evidence base, which is currently being updated, can take into account an extended plan period. It was therefore recommended that the Maidstone Borough Local Plan period be 2011 to 2031.

The LDS has been reviewed to take account of the delay to the plan making programme and the production of a single Maidstone Borough

Local Plan. It was explained that the local plan must be published in its entirety for public consultation in October 2013 (regulation 18) to enable a full sustainability appraisal to be undertaken for all policies and site allocations ahead of formal public consultation (regulation 19) prior to submission to the Secretary of State for examination. The key dates are set out in the table below.

Stage	Date
Strategic Housing and Economic Development Land Availability Assessments, including Member/stakeholder engagement	February to June 2013
Strategic Housing Market Assessment	March - June 2013
Independent Sustainability Appraisal of sites	June 2013
Formulation of new policies, including Member/stakeholder engagement	March – August 2013
Cabinet approval of land allocations and policies for public consultation (Regulation 18)	September 2013
“Preparation” public consultation on land allocations and policies (Regulation 18)	October/ November 2013
“Publication” consultation on the Maidstone Borough Local Plan(Regulation 19)	July/August 2014
Cabinet and Council approval of “Submission” of the Maidstone Borough Local Plan (Regulation 22)	November 2014
Independent Examination (estimate) (Regulation 24)	February/March 2015
Adoption (estimate) (Regulation 26)	July 2015

It was recommended that the amended Local Development Scheme (2013-2015), attached at Appendix A to the report of the Director of Change, Planning and the Environment, be adopted and that it comes into effect on the date of adoption.

Alternatives considered and why rejected

The Cabinet could continue with the production of two local plans for the Core Strategy and Development Delivery, rather than a single Maidstone Borough Local Plan, but there are no advantages to this approach.

The Cabinet could also retain the current plan period to 2026 but this was not thought appropriate because it would most likely lead to the need for an early review of the Maidstone Borough Local Plan following examination.

Background Papers

None

<p>Should you be concerned about this decision and wish to call it in, please submit a call in form signed by any two Non-Executive Members to the Head of Change and Scrutiny by: 26 March 2013</p>
