

MAIDSTONE BOROUGH COUNCIL
RECORD OF DECISION OF THE CABINET

Decision Made: 15 September 2010

CORE STRATEGY - PUBLIC CONSULTATION

Issue for Decision

To consider some important potential implications following the Regional Strategy being revoked and significant changes to the plan making system to be introduced to parliament by the new Government in the "Localism Bill"; and steps the Council might take to maximise the opportunities this offers and mitigate the delaying effect of these changes, to ensure the prompt and proper advancement of the Maidstone Core Strategy and other LDF documents to meet the Council's requirements.

Decision Made

That the LDF Core Strategy process be advanced to public consultation at the earliest opportunity, consistent with having proper regard to the opportunities now presented to the Council in the development of the Core Strategy.

Reasons for Decision

On 26 July 2010, the Local Development Document Advisory Group "LDDAG" considered the report of the Head of Spatial Planning.

The new Government has signalled intention to radically change the planning system¹. The details of the new system are as yet unclear but on 6 July the Secretary of State Revoked the Regional Strategies and the Government's Chief Planner issued advice on some of the immediate issues that arise from this announcement. The advice is short and clear in the form of questions and answers and is attached in full at Appendix A.

Little further comment on this is necessary, it is clear (Q&A No.5) that LPAs "should continue to develop LDF Core Strategies...reflecting local peoples aspirations and decisions on important issues...", and furthermore, (Q&A No.7) that where DPDs are being prepared, LPAs may decide to review or revise their emerging policies in the light of the revocation, whilst ensuring that the requirements for soundness and other policy requirements under current legislation are met.

¹ Coalition Government Manifesto, and Open Source Planning and Control Shift – Conservative Green Papers

Some authorities have decided to halt work on their LDFs until the situation is clarified. In Maidstone this would not be appropriate because:

- The strategy of the Local Plan is now over 10 years old, a clear sense of direction needs to be communicated to developers and communities. This will provide essential strategy context for further LDF documents or, just as important, guide the new style local plans when and if they are introduced.
- Policy gaps have opened up as parts of the Local Plan could not be “saved”, as the Kent and Medway Structure Plan was revoked, and further gaps will open up as the South East Plan is revoked. PPSs and the planned NPSs are also likely to be greatly scaled back in the future.
- Members’ aspirations to adopt new guidance to respond to current circumstances reveal a further shortfall in the coverage of policy and guidance – notably for a prioritised list of SPDs.

None of these shortfalls can be addressed until a Core Strategy is significantly progressed.

On this basis, urgent work is in hand to review and revise aspects of the draft plan that is being prepared. This includes: a review the appropriate housing target and the implications of any change on strategy; to consider a locally derived local Gypsy and Traveller figure; a review the gaps that are created as the South East Plan is revoked; and the likely future methods of future infrastructure funding including developer contributions and tariff levy, new development incentives and reductions in mainstream government funding.

Not all these matters are appropriate for inclusion in a Core Strategy and will be for other future policy documents, but the Core Strategy must anticipate and provide the necessary basis of these.

It is important to progress this assessment further before the Spatial Strategy and key target figures to be included in the Plan are put into the public domain. It is anticipated that this may mean further Member consideration before the Core Strategy is released for public consultation, slightly later in the autumn. The scope to catch-up lost time will be evaluated. Any options and the financial resource implications will be presented for consideration in due course.

Alternatives considered and why rejected

The Core Strategy programme could continue relying on all the current targets and the regional strategy but this would likely lead to an unsupported draft plan being generated, greatly increased risk of challenge and potentially abortive work and cost.

Rather than release the plan in sections, the process could have been delayed until a whole draft was ready, however, this would have led to increased delay.

Alternatively, the Core Strategy programme could be frozen until the government's new plan making proposals are in place. This action is not recommended because it would exacerbate the Council's position of having gaps in its policy framework when determining planning applications and other problems considered above.

Background Papers

Maidstone draft Core Strategy - Preferred options report Jan 2007

<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: 24 September 2010</p>
