

MAIDSTONE BOROUGH COUNCIL

COUNCIL

8 DECEMBER 2021

**REPORT OF THE STRATEGIC PLANNING AND INFRASTRUCTURE
COMMITTEE MEETING HELD ON 9 NOVEMBER 2021 ADJOURNED
TO THE 19 NOVEMBER 2021**

LOCAL DEVELOPMENT SCHEME 2021-2024

Issue for Decision

The Council is required by the Planning and Compulsory Purchase Act (2004) (as amended) to maintain an up-to-date Local Development Scheme (LDS). The purpose of an LDS is to set out the timetable for the delivery of Council produced planning policy documents and to inform local people and stakeholders.

There is a need to produce two additional Development Plan Documents (DPDs) which will sit alongside the Local Plan Review. These are: - Gypsy and Traveller DPD - Design and Sustainability DPD. A new LDS is therefore required which will set out the timetable for delivery of the additional DPDs, in addition to the Local Plan Review.

Recommendation Made

That the Local Development Scheme 2021-2024, as attached at Appendix 1 to the report, be agreed.

Reasons for Recommendation

On 14 July 2021 the Local Development Scheme 2021-2023 was adopted and sets out the timetable for delivering the Local Plan Review. To date work on the Local Plan Review is on track against the timetable set out in the Local Development Scheme 2021-2023.

There is a need to produce two additional Development Plan Documents (DPDs) which will sit alongside the Local Plan Review. These are the Gypsy and Traveller DPD and the Design and Sustainability DPD. A new LDS is required which will set out the timetable for delivery of the two additional DPDs, in addition to the previously agreed timetable for the Local Plan Review, as well as the overall scope for these documents.

The new Local Development Scheme 2021-2024 can be found as Appendix 1 to this report.

Gypsy and Traveller DPD

A new Gypsy and Traveller Accommodation Assessment (GTAA) is being produced. Owing to the COVID 19 lockdowns and the subsequent public health advice, the new assessment has been delayed. In the meantime, discussions

with the consultants undertaking the assessment have indicated that there will be a significant need for new pitches in Maidstone Borough, over the plan period.

The Local Plan Review Call for Sites exercise invited the submission of Gypsy, Traveller and Travelling Showpeople sites, however, only a small number were put forward for inclusion in the plan. As a consequence, Maidstone is facing a significant need for new pitches.

On the basis that the GTAA has not been completed and there will be a likely significant need for pitches, the most appropriate course of action is to undertake a separate Gypsy, Traveller and Travelling Showpeople DPD. This will be informed by the outcome of a Pitch Deliverability Assessment (to assess what proportion of the need can be met on existing sites through intensification or expansion) and if necessary, a targeted Call for Sites exercise to identify potential new sites so the needs of the community can be adequately and appropriately addressed and appropriate engagement can take place.

The timetable for delivering the DPD, subject to resources, can be found below.

Stage	Date
Evidence gathering	January 2021 to January 2023
Call for Sites	February to March 2022
Scope and matters and preferred approaches consultation (Regulation 18)	February to March 2023
Draft DPD consultation (Regulation 19)	August to September 2023
Submission (Regulation 22)	February to March 2024
Examination hearing sessions (Regulation 24)	May to June 2024
Main Modification Consultation	August to September 2024
Adoption – Full Council (Regulation 26)	November to December 2024

Design and Sustainability DPD

Recent shifts in local and national agendas have placed a greater degree of focus on how the Local Plan Review can respond to the current climate and biodiversity crises. At the Strategic Planning and Infrastructure Committee on the 21st September 2021, the Council resolved to prepare a DPD reinforced by appropriate evidence to support the Local Plan Review through the strengthening of the council's design and sustainability focused policies.

The DPD is intended to provide policies associated with the following overall areas:

- Landscape principals
- Biodiversity, including biodiversity net gain
- Design Coding
- Advice on generic design-related matters, such as materials, densities and building heights and orientation, tree planting, parking standards and lighting
- Onsite open space provision and standards
- Sustainable connectivity
- Building uses

The DPD will sit alongside and build on the policies in the Local Plan Review and will provide the basis for Development Management decision making.

The timetable for delivering the DPD, subject to resources, can be found below.

Stage	Date
Evidence gathering	January 2021 to January 2023
Scope and matters consultation (Regulation 18a)	April to May 2022
Preferred approaches consultation (Regulation 18b)	February to March 2023
Draft DPD consultation (Regulation 19)	August to September 2023
Submission (Regulation 22)	February to March 2024
Examination hearing sessions (Regulation 24)	May to June 2024

The LDS replaces the Local Development Scheme 2021-2023. However, the scope and timing of the Local Plan Review remains unchanged.

Alternatives Considered and Why Not Recommended

To not approve the Local Development Scheme 2021-2021 – This is not recommended as under the Planning and Compulsory Purchase Act 2004 (as amended), local planning authorities must maintain an up-to-date LDS. The current LDS does not cover the Gypsy and Traveller DPD and the Design and Sustainability DPD and therefore a subsequent LDS is required. To not adopt this LDS will be contrary to the Planning and Compulsory Purchase Act 2004 (as amended) and would mean that the Local Planning Authority would fail its legal tests for producing these DPDs.

Background Documents

None

Appendices

Appendix 1: Local Development Scheme 2021-2024.