

Local Development Scheme 2022 - 2024

Timetable

Meeting	Date
Planning and Infrastructure Policy Advisory Committee	6 July 2022
Executive	27 July 2022
Council	28 September 2022

Type of Decision	Key
Urgency	Not Applicable
Final Decision-Maker	Council
Lead Head of Service	Phil Coyne (Interim Director, Local Plan Review), Rob Jarman (Head of Planning and Development)
Lead Officer and Report Author	Anna Ironmonger (Planning Officer, Strategic Planning)
Classification	Public
Wards affected	All

Executive Summary

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 includes setting out the timetable for the delivery of Council produced planning policy documents and to inform local people and stakeholders.

Work is ongoing on the Local Plan Review, Gypsy and Traveller Development Plan Document (DPD) and Design and Sustainability DPD in line with the Local Development Scheme 2021-2024 which was adopted by Full Council on 8 December 2021.

Since the 2021-2024 iteration of the LDS, the Local Plan Review has been subject to significant public interest. The consultation on the Regulation 19 'Draft for Submission' documents received over 2,200 representations. In order progress the Local Plan Review in accordance with the approved Local Development Scheme, priority was placed on this document, meaning a slight delay to the first public consultation on the Design and Sustainability DPD.

A new LDS is therefore required which, whilst retaining the timetables for the delivery of the Local Plan Review and Gypsy and Traveller DPD, updates the timetable for the

Design and Sustainability DPD. The new Local Development Scheme 2022-2024 can be found as an appendix to this report.

This report is to be considered by the Policy Advisory Committee before being passed to the Executive and Full Council for decision.

Purpose of Report

To provide an update to the Local Development Scheme and to seek views from this Policy Advisory Committee as appended to this report prior to consideration by the Executive and Full Council for decision.

This report asks the Committee to consider the following recommendation to the Executive:

1. That the Local Development Scheme 2022-2024, attached at Appendix 1 to the report, be approved.
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Local Development Scheme 2022 - 2024

1. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
Impact on Corporate Priorities	<p>The four Strategic Plan objectives are:</p> <ul style="list-style-type: none"> • Embracing Growth and Enabling Infrastructure • Safe, Clean and Green • Homes and Communities • A Thriving Place <p>Accepting the recommendation will improve the Council's ability to achieve all corporate priorities.</p>	Head of Planning and Development
Cross Cutting Objectives	<p>The four cross-cutting objectives are:</p> <ul style="list-style-type: none"> • Heritage is Respected • Health Inequalities are Addressed and Reduced • Deprivation and Social Mobility is Improved • Biodiversity and Environmental Sustainability is respected <p>The report recommendation supports the achievement of all four cross cutting objectives.</p>	Head of Planning and Development
Risk Management	Already covered in the risk section	Head of Planning and Development
Financial	The work described in the Local Development Scheme can be funded from within existing revenue budgets.	Section 151 Officer and Finance Team
Staffing	We will deliver the recommendations with our current staffing.	Head of Planning and Development
Legal	Accepting the recommendations will fulfil the Council's duties under the Planning and Compulsory Purchase Act 2004 (as amended).	Senior Lawyer (Planning); Mid Kent

		Legal Services
Privacy and Data Protection	Accepting the recommendations will not increase the volume of data held by the Council.	Policy and Information Team
Equalities	The recommendations do not propose a change in service therefore will not require an equalities impact assessment	Equalities & Communities Officer
Public Health	We recognise that the recommendations will have a positive impact on population health or that of individuals.	Public Health Officer
Crime and Disorder	The recommendation potentially will have a positive impact on Crime and Disorder.	Head of Planning and Development
Procurement	There are no implications for procurement.	Head of Planning and Development
Biodiversity and Climate Change	The delay to the Design and Sustainability DPD will have minor implications to the timeframe of implementation of MBC's biodiversity and climate change Action Plan.	Biodiversity and Climate Change Manager

2. INTRODUCTION AND BACKGROUND

- 2.1 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.
- 2.2 The Local Development Scheme 2021-2024 was adopted by Full Council on 8th December 2021 and set out the timetable for delivering the Local Plan Review, Gypsy and Traveller DPD, and Design and Sustainability DPD.
- 2.3 To date work on the Local Plan Review and Gypsy and Traveller DPD is on track against the timetable set out in Local Development Scheme 2021-2024.
- 2.4 However, since the adoption of the Local Development Scheme 2021-2024, the Local Plan Review has been subject to significant public interest. The consultation on the Regulation 19 'Draft for Submission' documents received over 2,200 representations. In order progress the Local Plan Review in accordance with the approved Local Development Scheme, priority was placed on the Local Plan Review, meaning a slight delay to the first public consultation on the Design and Sustainability DPD.
- 2.5 A new LDS is therefore required and this is provided as Appendix 1. This retains the timetables for delivery of the Local Plan Review and Gypsy and

Traveller DPD, which remain unchanged from that set out in the Local Development Scheme 2021-2024. The new LDS also includes the revised timetable for delivery of the Design and Sustainability DPD.

2.6 The revised timetable for the Design and Sustainability DPD is set out in the table below.

Stage	LDS 2022 - 2024
Evidence gathering	January 2021 to March 2023
Scope and matters consultation (Regulation 18a)	October to November 2022
Preferred approach consultation (Regulation 18b)	April to May 2023
Draft DPD consultation (Regulation 19)	September to October 2023
Submission (Regulation 22)	March to April 2024
Examination hearing sessions (Regulation 24)	June to July 2024
Main Modification Consultation	September to October 2024
Adoption – Full Council (Regulation 26)	December 2024

2.7 This report seeks a recommendation that the Local Development Scheme 2022-2024, attached at Appendix 1 to the report, be recommended to the Executive and Council for approval.

3. AVAILABLE OPTIONS

3.1 Option 1: The Local Development Scheme 2022-2024 is recommended to the Executive and Council for approval. The LDS outlines the scope and timetable for delivering the Local Plan Review, Gypsy and Traveller DPD and the Design and Sustainability DPD. All three have consideration for the Strategic Plan priorities and cross-cutting objectives.

3.2 Option 2: The Local Development Scheme 2022-2024 is not recommended to the Executive and Council for approval. Under the Planning and Compulsory Purchase Act 2004 (as amended), local planning authorities must maintain an up to date LDS. The current LDS (2021-2024) does not reflect the current timescales for 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 this DPD.

4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

4.1 Option 1 is the preferred option. By adopting the Local Development Scheme 2022-2024 the Council will be compliant with the Planning and Compulsory Purchase Act 2004 (as amended).

5. RISK

- 5.1 The risks associated with this proposal, including the risks if the Council does not act as recommended, have been considered in line with the Council's Risk Management Framework. That consideration is shown in this report at paragraph 3.2. We are satisfied that, should the authority proceed as recommended, the risks associated are within the Council's risk appetite and will be managed as per the Policy.

6. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK

- 6.1 None
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7. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

- 7.1 If approved by Council, the Local Development Scheme 2022-2024 will be published on the website.
- 7.2 The delivery of the Local Plan Review, Gypsy and Traveller DPD and the Design and Sustainability DPD against milestones in the LDS will be monitored through the Authority Monitoring Report, which is published each year.
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8. REPORT APPENDICES

Appendix 1: Local Development Scheme 2022 - 2024

9. BACKGROUND PAPERS

None