

**MAIDSTONE BOROUGH COUNCIL**

**COUNCIL**

**9 DECEMBER 2015**

**REPORT OF THE STRATEGIC PLANNING, SUSTAINABILITY AND  
TRANSPORTATION COMMITTEE FROM 10 NOVEMBER 2015**

**LOCAL DEVELOPMENT SCHEME 2014-2017**

**Issue for Decision**

The Council is required to produce a Local Development Scheme, which sets out a range of local plans it is proposing to prepare over a minimum period of three years.

The Local Development Scheme (attached as **Appendix A**) sets out the programme for the production of the Maidstone Borough Local Plan, from publication for consultation in February/March 2016, through submission and examination, to an estimated adoption date in March 2017.

**Recommendation Made**

That the Local Development Scheme 2014-2017 be adopted by Council at its meeting on 9 December 2015, to come into effect on the date of adoption.

**Reason for Recommendation**

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. 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 2013 following the decision to combine the preparation of two local plans (Core Strategy and Development Delivery) into a single Maidstone Borough Local Plan. Local plans are prepared in accordance with planning regulations<sup>1</sup> and a partial consultation (Regulation 18) on the local plan was programmed for Autumn 2013. However, further work proved necessary to supplement the evidence base that underpins the local plan, so a full draft Maidstone Borough Local Plan was published for Regulation 18 Consultation between

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<sup>1</sup> The Town and Country Planning (Local Planning) (England) Regulations 2012

March and May 2014.

Since May 2014, the representations received together with additional potential development sites, which were submitted through a further call for sites, have been considered through a series of meetings of the Strategic Planning, Sustainability and Transportation (SPST) Committee (and the former Planning, Transport and Development Overview & Scrutiny Committee and Cabinet). Account has also been taken of the Council's newly published evidence base documents and changes to national policy and guidance that may impact on the policies of the local plan.

A partial Regulation 18 Consultation was undertaken during October 2015 which focused on new and deleted policies and site allocations, together with key amendments to policies and site allocations. Approved amendments arising from the 2014 public consultation together with recommended changes resulting from the 2015 public consultation will be incorporated into the Publication version of the Maidstone Borough Local Plan (Regulation 19), which will be presented to the SPST Committee on 13 January 2016 and to Council on 25 January 2016. Having considered the views of the public and other bodies on the content of the local plan, the next step is the Publication of the proposed submission version of the local plan, when the consultation stage (Regulation 19) is focused on whether the plan has been prepared in accordance with legal requirements and it meets the tests of soundness.

The programme for the production of the Maidstone Borough Local Plan is set out below. Once the local plan has been submitted to the Secretary of State for examination the timetable is in the hands of the Planning Inspectorate. Although the Inspectorate has given an indication of timescales, the programme will ultimately depend on the volume and complexity of the issues raised by respondents. Further, if there are main modifications to the plan following examination, the modifications will be subject to consultation which will add approximately three months to the adoption date.

Of particular importance to the local plan programme is the Written Statement made by the Minister of State for Housing and Planning on 21 July 2015. The statement makes clear that in cases where local plans have not been produced by early 2017 (5 years after the publication of the National Planning Policy Framework), the government will "intervene to arrange for the Plan to be written, in consultation with local people, to accelerate the production of a Local Plan". The timetable set out below will enable the Council to retain ownership of the production of its local plan.

<b>Maidstone Borough Local Plan Stage</b>	<b>Timetable</b>
Publication consultation (Regulation 19)	12 February to 30 March 2016
Submission to the Secretary of State (Regulation 22)	May 2016
Hearing sessions (Regulation 24) – estimate	September 2016
Adoption (Regulation 26) – estimate	March 2017

A suite of Supplementary Planning Documents (SPD) to expand or add detail to the higher tier policies in the Maidstone Borough Local Plan will be required following the plan's adoption. 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 Housing and Local Needs Housing. This list is still relevant, and further SPDs agreed by the Committee will be added to this list over time.

### **Alternatives Considered**

Not adopting the Local Development Scheme 2014-2017. This is not recommended because the Local Development Scheme would not be compliant with Section 15 of the Planning and Compulsory Purchase Act 2008 (as amended by the Localism Act 2011). Consequently, the Council would not have met its legal compliance on this matter and the Maidstone Borough Local Plan would be found unsound.

### **Background Papers**

None.