

Report of the Cabinet Meeting to be held on 19 March 2024 – Maidstone Borough Local Plan Review 2021-38 Adoption

Advice if the Council decides to defer/delay the decision.

- There is no time limit in which the Local Planning Authority has to adopt the Plan after the Inspector has issued his Final Report. However, the evidence base on which the Plan has been prepared becomes dated and less relevant the more time elapses.
- Calculated housing requirements are only valid for 2 years from the date of submission of the Submission Version of the Plan to the Planning Inspectorate. In MBC's case this date is **30 March 2024**.
- If the Plan is deferred/delayed the Council will not have a 5-year housing land supply – this means planning decisions will have to be made with a presumption in favour of sustainable development i.e. the Council has less control over making decisions on planning applications. . From 1 April 2024 our calculations suggest we will have less than 4 years housing land supply The opposite is true if an up-to-date Local Plan is in place.
- Developers may be encouraged to submit speculative development applications, which could be in any parts of the Borough.
- However, if the decision is deferred, substantial weight would still attach to the Plan and its policies for planning decision-making (as the Plan has been found sound by a Planning Inspector).
- The Secretary of State has the power to intervene, as he has done in the recent cases of Mole Valley and Spelthorne.
- Deferral/delay pauses work on other planning policy documents, for example the Design and Sustainability DPD, which provides more detailed design guidance in support of the Local Plan Review.
- Delays provide a lack of certainty for those looking to invest in the Borough.