

## **MAIDSTONE BOROUGH COUNCIL**

### **RECORD OF RECOMMENDATION OF THE EXECUTIVE**

Recommendation Made: 25 January 2023

#### **Maidstone Local Development Scheme (LDS) Update**

##### **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.

Work is ongoing on the Local Plan Review, Gypsy and Traveller DPD and Design and Sustainability DPD in line with the Local Development Scheme 2022-2024 which was adopted by Full Council on the 28<sup>th</sup> September 2022.

The report was taken to the Planning and Infrastructure Policy Advisory Committee on 11<sup>th</sup> January 2023 and the committee was made aware of the possible amendments to the LDS in regards to the Local Plan Review. Since PI PAC, the Council has received the Inspector's Stage 1 Interim Report. Officers are now establishing from the Inspector a set of dates for the potential stage 2 hearing sessions, this would then allow officers to update the Local Plan Review element of the Local Development Scheme and this could be updated before adoption by Council. Officers are currently not in a position to confirm when the stage 2 hearing sessions are likely to commence nor the subsequent changes to the LPR timeline.

There have been no changes in circumstances to the scope of the Design and Sustainability DPD and Gypsy and Traveller DPD since the previous version of the Local Development Scheme. However, the timetable for the production of the Gypsy and Traveller DPD has been altered as part of this LDS to include two consultations at Regulation 18 (18a and 18b). A new LDS is therefore required which will set out the associated alterations to the timetable for delivery of the Gypsy and Traveller DPD. There have been no changes in the timescales for the Design and Sustainability DPD. The new Local Development Scheme 2023-2025 can be found as an appendix to the report.

##### **Recommendation Made**

That the Local Development Scheme 2023-2025, incorporating an updated timetable following review by the Local Plan Inspector, attached as Appendix 1 be approved.

##### **Reasons for Recommendation**

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.

The Local Development Scheme 2022-2024 was adopted by Full Council on 28<sup>th</sup> September 2022 and set out the timetable for delivering the Local Plan Review, Gypsy and Traveller DPD, and Design and Sustainability DPD.

To date work on the Design and Sustainability DPD is on track against the timetable set out in Local Development Scheme 2022-2024.

This report was taken to the Planning and Infrastructure Policy Advisory Committee on 11<sup>th</sup> January 2023 and the committee was made aware of the possible amendments to the LDS in regards to the Local Plan Review. Since PI PAC, the Council has received the Inspector's Stage 1 Interim Report. Officers are now establishing from the Inspector a set of dates for the potential stage 2 hearing sessions, this would then allow officers to update the Local Plan Review element of the Local Development Scheme and this could be updated before adoption by Council. Officers are currently not in a position to confirm when the stage 2 hearing sessions are likely to commence nor the subsequent changes to the LPR timeline.

The timetable for the production of the Gypsy and Traveller DPD has been altered as part of this LDS to include two consultations at Regulation 18 (18a and 18b). A Regulation 18a Scoping, Themes and Issues consultation is scheduled to take place in February/March 2023 and Regulation 18b, Preferred Approaches consultation due to take place in February/March 2024, with subsequent key milestones taking place thereafter.

A new LDS is therefore required which will set out the revised timetable for the delivery of the Gypsy and Traveller DPD to incorporate the two early stage consultations. The timetable for the delivery of the Design and Sustainability DPD remains unchanged.

The new Local Development Scheme 2023-2025 can be found as an appendix to this report. This report seeks a recommendation that the Local Development Scheme 2023-2025, attached at Appendix 1 to the report, be recommended to Council for approval.

### **Consultation results and previous committee feedback**

The report was considered by the Planning and Infrastructure Policy Advisory Committee on 11 January 2023 and the following recommendation made:

*That the Local Development Scheme 2023-2025, attached at Appendix 1 to the report, be recommended for adoption by Council, subject to the scheme being amended to reflect the revised Local Plan Review timetable once confirmed by the Planning Inspector.*

The Local Development Scheme was revised in line with the Planning Inspector's comments, and provided to the Executive as an urgent update to the report.

## **Alternatives considered and why rejected**

Option 1 (**RECOMMENDED**): The Local Development Scheme 2023-2025 is recommended to Council for approval. The LDS outlines the scope and timetable for delivering the Gypsy and Traveller DPD and the Design and Sustainability DPD. All three have consideration for the Strategic Plan priorities and cross-cutting objectives.

Option 2 (**NOT RECOMMENDED**): The Local Development Scheme 2023-2025 is not recommended to 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 (2022-2024) does not reflect the current timescales for the Gypsy and Traveller 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.

## **Appendices**

Appendix 1 – Local Development Scheme 2023-2025