

Agenda

Planning and Transportation Policy Working Group Meeting

Date: Thursday, 14 March 2024

Time 7.00 pm

Venue: Council Chamber, Swale House, East Street, Sittingbourne, ME10 3HT*

Membership:

Councillors Monique Bonney (Vice-Chair), Kieran Golding, Alastair Gould (Chair), Mike Henderson, James Hunt, Elliott Jayes, Richard Palmer, Julien Speed, Karen Watson, Mike Whiting and Tony Winckless.

Quorum = 3

Pages

Information about this meeting

*Members of the press and public can listen to this meeting live. Details of how to join the meeting will be added to the website by 13 March 2024.

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- (d) Anyone unable to use the stairs should make themselves known during this agenda item.

2. Apologies for Absence

3. Minutes

To approve the [Minutes](#) of the Meeting held on 25 January 2024 (Minute Nos. 574 – 578) as a correct record.

4. Declarations of Interest

Councillors should not act or take decisions in order to gain financial or other material benefits for themselves, their families or friends.

The Chair will ask Members if they have any disclosable pecuniary interests (DPIs) or disclosable non-pecuniary interests (DNPis) to declare in respect of items on the agenda. Members with a DPI in an item must leave the room for that item and may not participate in the debate or vote.

Aside from disclosable interests, where a fair-minded and informed observer would think there was a real possibility that a Member might be biased or predetermined on an item, the Member should declare this and leave the room while that item is considered.

Members who are in any doubt about interests, bias or predetermination should contact the monitoring officer for advice prior to the meeting.

5. Local Plan Review consultation timetable options

Issued on Wednesday, 6 March 2024

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**Chief Executive, Swale Borough Council,
Swale House, East Street, Sittingbourne, Kent, ME10 3HT**

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Planning and Transportation Policy Working Group	
Meeting Date	14 March 2024
Report Title	Local Plan Review consultation timetable options
EMT Lead	Emma Wiggins Director of Regeneration and Neighbourhoods
SMT Lead	Joanne Johnson Head of Regeneration, Economic Development and Property and Interim Head of Planning
Lead Officer	Stuart Watson Interim Planning Policy Manager (job share)
Classification	Open
Recommendations	<ol style="list-style-type: none"> 1. Members of PTPWG are asked to recommend to Policy and Resource committee the Local Plan Review consultation approach option 2 that includes a Regulation 18 draft Plan consultation in quarter 4 of this year and a Regulation 19 pre submission Plan consultation in quarter 1 of 2025. 2. Members of PTPWG are asked to recommend to Policy and Resources committee that the updated Local Development Scheme at Appendix A be agreed and recommended for publication on the Council's website.

1 Introduction

- 1.1 The purpose of this report is to set out the consultation timetable options that can be considered as part of the Council's Local Plan Review.
- 1.2 On 15th November 2023 Full Council agreed the recommendation of the Policy and Resources Committee – to defer a decision as to a timescale for the future stages of the Local Plan Review until such time as the national planning landscape is clearer, but independent of this process, to proceed to develop the evidence base regarding local development need and potential, with this process to be wholly reflective of local circumstance rather than central targets.
- 1.3 Since the Full Council decision, the National Planning Policy Framework (NPPF) landscape has become clearer with both a revised NPPF and accompanying written ministerial statement (WMS) published on 19th December 2023. The WMS sets out that a directive has been issued to 7 of the worst performing Plan-making Local Authorities requiring them to publish an updated Local Plan timetable within 12 weeks or that the Secretary of State (SoS) will consider further intervention. The

WMS goes on to state that the SoS may also act with other authorities who do not publish updated timetables within the same time frame.

- 1.4 This means that Local Authorities with an out of date Local Plan (more than 5 years old) must within 12 weeks of 19th December 2023 publish and supply the SoS an up to date Local Development Scheme setting out the timetable for their Local Plan. The Council's latest Local Plan "Bearing Fruits 2017" became out of date (see sections 2.2 and 2.3) in July 2022. As a result the Council must update its timetable for Plan making or risk the possibility of intervention by the SoS.
- 1.5 The Planning and Transportation Policy working group at its meeting on the 25th January 2024 noted that the Full Council decision of the 15th November 2023 set a mandate to update the Councils timetable for the Local Plan Review now that the National Planning Policy Framework landscape had become clearer.
- 1.6 Members of PTPWG are now asked to recommend to Policy and Resources Committee the Local Plan Review timetable for consultation option 2, and the updated Local Development Scheme at Appendix A that reflects this option.

2 Background

Out of date Local Plans

- 2.1 Both recent changes to the NPPF and the Written Ministerial Statement make clear the priority for Local Authorities is to have an up to date Local Plan. The WMS emphasises the purpose of planning is to plan for homes and to keep Local Plans up to date. To that effect the Secretary of State (SoS) expects that all Local Authorities with an out of date Local Plan must within 12 weeks of 19th December 2023 publish and supply to the SoS an up to date Local Development Scheme setting out the timetable for their Local Plan.
- 2.2 In terms of a Local Plan being considered as out of date the NPPF paragraph 33 sets out that Policies in local plans should be reviewed to assess whether they need updating at least once every five years, and should then be updated as necessary taking into account changing circumstances affecting the area, or any relevant changes in national policy.
- 2.3 The Council's latest Local Plan "Bearing Fruits 2017" became out of date in July 2022. However, this does not mean that automatically all the policies contained within the Local Plan are out of date. For planning decision making the Policies within the Local Plan are instead assessed on a case by case basis that includes their current conformity with the National Planning Policy Framework individually and taken as a whole.
- 2.4 Of most significance for Plan making and decision making, the Local Plan "Bearing Fruits" Policy ST2 Development targets for jobs and homes 2014-2031 and is out of date. This is due to the Council's housing need being much higher than the existing Local Plan target when calculated using the Government Standard Method

introduced in 2019, which is the starting point for determining housing need. This results in a number of other Policies in the Local Plan including settlement strategy and economic growth needing to be reassessed against a higher housing target.

- 2.5 To incentivise Local Authorities to get an up to date Local Plan the Government in its changes to the NPPF in December 2023 has allowed for a transition period of two years to submit a Plan for examination before a wholesale change to the Plan making system. Part of the incentive has included the reduction in a 5 years housing land supply requirement to 4 years where a Local Authority has produced a Regulation 18, 19 and submitted a Plan for examination that contains Policies and site allocations to meet a housing need.
- 2.6 Whilst the Council's most recent Local Plan Review consultation was undertaken in late Autumn 2021, the consultation only sought views on matters concerning different options for distributing future development and possible alternative or additional approaches in certain policy areas. This consultation did not contain site allocations to meet an identified housing need and as a result does not allow the Council to apply the use of a 4 year housing land supply position.

Consultation process and timetabling

- 2.7 Planning legislation requires that two levels of consultation known as Regulation 18 and 19 (Reg 18, Reg 19) are to be undertaken in the drafting of a Local Plan before it can be submitted for examination by the Planning Inspectorate.
- 2.8 A Reg 18 is set out in law and is a consultation that must as a minimum consider the main issues of development need within a local authority area and the options (strategic) considered to address those needs. There is no specified number of consultations or time period of consultation at Reg 18, so consultation at this stage can go beyond issues and options and can range from a detailed draft Plan with Policies and site allocations to a more focused consultation on specific groups of Policies or revisions to those previously consulted upon.
- 2.9 A Reg 19 is set out in law and is a consultation on a draft of a Local Plan that is considered sound enough to be submitted for examination after the consultation closes. This means that all Policies and site allocations within the Plan must be robustly evidenced and tested against Habitats Regulations and sustainability criteria. Only Reg 19 consultation responses are considered by a examining Planning Inspector.
- 2.10 A Reg 19 consultation must be for a minimum of 6 weeks and questions asked and responses received must be focused on whether the Plan complies with legal requirements and whether the Plan meets the 'tests of soundness'. Examples of tests of soundness questions are:
 - whether the Plan has been positively prepared? The Plan should be based on a strategy that looks to meet identified development need and sufficient infrastructure should be provided;

- whether the Plan is justified? The Plan should be the most appropriate strategy, when considered against the reasonable alternatives;
- whether the Plan is effective? The Plan should be deliverable during the Plan period; and,
- whether the Plan is consistent with national planning policy?

2.11 In preparation for either stage of consultation evidence will need to be developed to inform the process. The later the stage of consultation the completer and more robust the evidence will need to be to meet the legal requirements. Appendix B sets out all evidence that has been completed for the Local Plan Review, those not started and those in the process of drafting.

3. Consultation timetable options for consideration

3.1 Within the context of the changes made to the NPPF in December 2023, the identified options for consultation starting points are 1. Reg 18 issues and options, 2. Reg 18 draft plan and 3. Regulation 19. Option 1 has been split into a and b options to reflect different consultation routes open to this starting point. Figure 1 below sets out the indicative timetables for the consultation options:

Option 1. Regulation 18 issues and options – This is the simplest form of consultation starting point setting out the development needs for the Borough and options to address them and would meet the minimum Regulation 18 requirements. However, this approach would be the most time and resource intensive from beginning to end as the first consultation would not contain site allocations or development management policies and would not in the first instance provide the opportunity to engage on strategic approaches to plan making with stakeholders. This approach also would not benefit from the 4 year housing land supply transitional arrangement which would only take effect at either a draft Plan Regulation 18 consultation or Regulation 19 consultation.

Option 2. Regulation 18 draft Local Plan – This starting point is more detailed, including the issues and options matters and would be dependent on a number of draft evidence documents produced to demonstrate mitigation for the levels of development proposed. This approach would provide an early opportunity to engage with stakeholders and the public on the strategic approach of the Plan including draft site allocations and DM policies. This approach can also allow for significant alterations to the Plan and re consultation before producing a Regulation 19 and would benefit from the 4 years housing land supply transitional arrangement. This approach would still require a Regulation 19 consultation.

Option 3. Regulation 19 pre submission Local Plan – This consultation starting point sets out a version of the Local Plan considered sound enough to successfully pass examination by the Planning Inspectorate and would be the most expedient route for progressing a Local Plan. However, the Council must be confident enough that the minimum requirements for Regulation 18 have already been met. Further, the Local Plan's strategy

and evidence needs to be robust enough to not raise significant issues at consultation and pass examination. Failure at this stage to identify issues with the Local Plan can lead to abortive costs or the need to reconsult on the Local Plan before submission. This approach would benefit from the 4 year housing land supply arrangement.

3.2 The following diagram provides an indicative set of timetables based on the consultation options open to the Council. The timetable assumptions below are based on the current Planning Policy team being fully staffed,

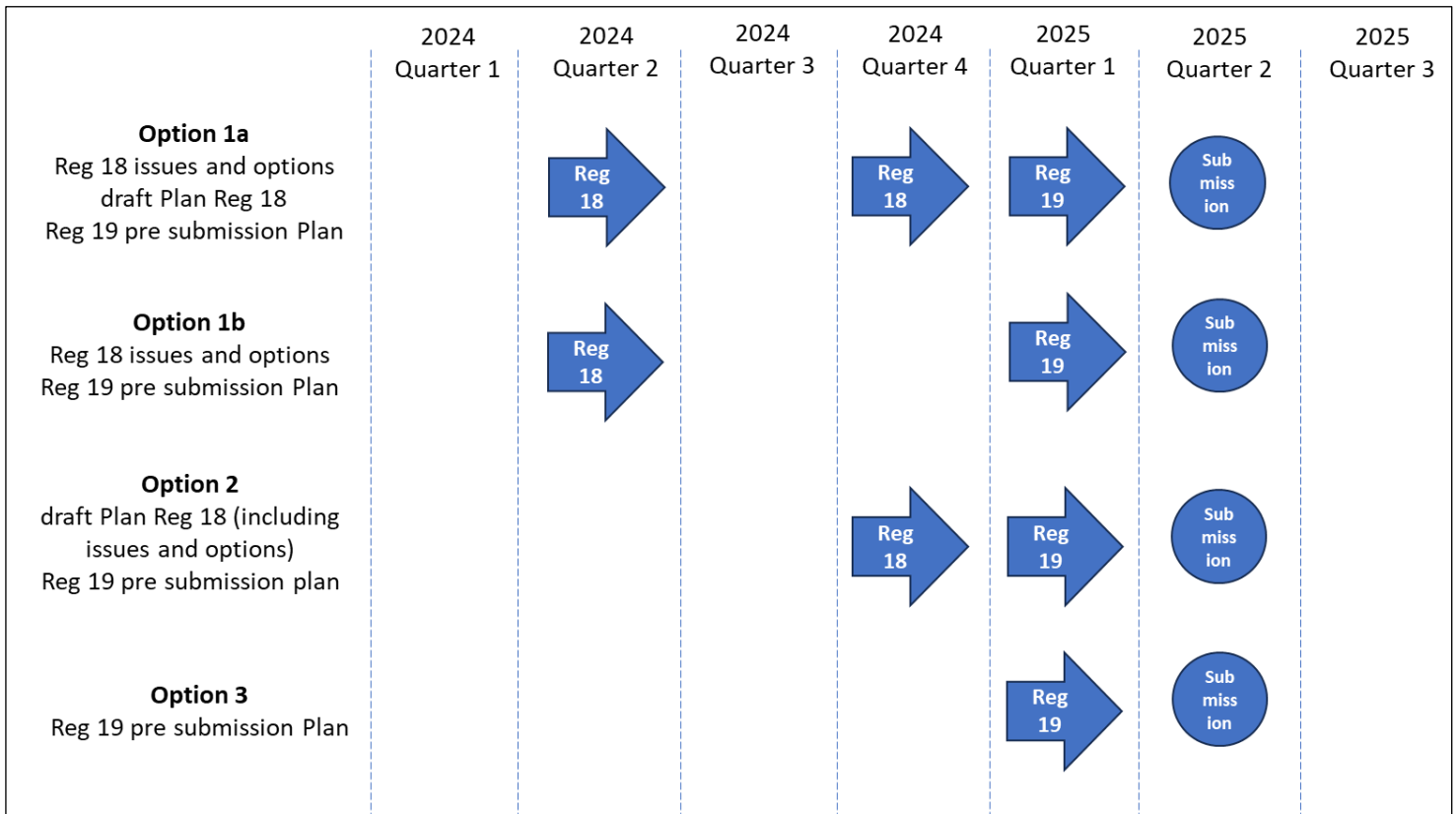


Figure 1. Timetable options for LPR consultation

4. Proposals

4.1 When balancing the priorities of the 2 years timeframe to submit a Plan for examination under the NPPF transitional arrangements, costs of Plan production and robustness of Plan drafting, officers consider option 2 to be the best approach to support member aspirations for the Local Plan Review.

4.2 Members of PTPWG are asked to recommend to Policy and Resource committee the Local Plan Review timetable for consultation option 2 that includes a Regulation 18 draft Plan consultation in quarter 4 of this year and a Regulation 19 pre submission Plan consultation in quarter 1 of 2025 and to recommend to Policy and

Resources Committee that the updated Local Development Scheme at Appendix A be agreed and recommended for publication on the Council's website.

5. Alternative Options Considered and Rejected

- 5.1 There are four consultation options presented in this report. The proposed option 2 is a pragmatic approach in that a draft Plan consultation including evidence to support it will be produced this year allowing for earlier consultation with statutory stakeholders and members of the public. This option will ensure a robust Local Plan drafting process and enable the Council to take advantage of the 4 years housing land supply transitional arrangement.
- 5.2 Option 1a has not been recommended due to it being the most consultation and resource intensive approach and it would not benefit from the 4 years housing land supply transitional arrangement until the second Regulation 18 consultation. Further, the Regulation 18 issues and options and draft Plan consultations could be combined as one making a considerable time and resource saving and would reduce the potential for timetable slippages.
- 5.3 Option 1b whilst having 1 less consultation than Option 1a has not been recommended. Whilst this approach has an early Regulation 18 consultation, the consultation would be for issues and options only and would not benefit from the 4 years housing land supply transitional arrangement. Further as no strategic approach or sites are presented in this type of consultation any responses from statutory stakeholders will be of limited value. Proceeding from that consultation to a Regulation 19 consultation will not provide a formal opportunity from both statutory stakeholders and members of the public to comment and provide input on drafting of the Plan. This approach may then result in substantive matters that could impact on the Plans soundness for examination not being identified until after the Regulation 19 consultation. This could result in abortive or additional costs from evidence needing to be revised and a further Regulation 19 consultation being a possibility.
- 5.4 The final consultation approach option 3 whilst having the least numbers of consultation and overall resource requirements would have no opportunity for any engagement with statutory stakeholders and members of the public until Regulation 19 consultation. This option would have the highest possibility of substantive matters being identified after a Regulation 19 consultation that could impact on the Plans soundness as discussed under Option 1b above.

6. Consultation Undertaken or Proposed

- 6.1 The timescales for Local Plan production and the timetable for consultation are a matter for the Council's Local Development Scheme (LDS). The LDS which is contained in Appendix A has been updated to reflect option 2 of this report and members are asked to recommend to Policy and Resources Committee that this LDS be agreed and published on the Council's website.

7. Implications

Issue	Implications
Corporate Plan	The LPR is responsible for delivering the spatial elements of the Corporate Plan.
Financial, Resource and Property	The LPR is typically prepared in line with existing resources. Some of the above options would require the engagement of interim staff to bridge the gap to the permanent planning structure currently being implemented. The time pressures created by the transitional arrangements may lead to periodic requirements for temporary staff support to manage peaks in workload. These may exceed the revenue / reserve budget available, and if so this would need to be addressed through the budget setting process for 25-26 onwards.
Legal, Statutory and Procurement	Preparation of a Local Plan is carried out under a national legislative and regulatory framework.
Crime and Disorder	None identified at this stage.
Environment and Climate/Ecological Emergency	<p>The Local Plan will be supported by its own Sustainability Appraisal and Habitats Regulation Assessment at each key stage in decision making.</p> <p>The sustainability appraisal process appraises the social, environmental and economic effects of a plan from the outset. In doing so it helps ensure that Plan making decisions are made that contribute to achieving sustainable development.</p> <p>Habitats regulations assessment, to test if a Plan and the site allocations and policies within it could significantly harm the designated features of a site or sites protected by the Conservation of Habitats and Species Regulations 2017</p> <p>From the assessment's outcome, a decision can be made whether to proceed with a Plan through to adoption or not.</p> <p>Drafting of the Plan and its Policies will also be considerate of the Councils Climate and Ecological Emergency Action Plan.</p>
Health and Wellbeing	None identified at this stage
Safeguarding of Children, Young	None identified at this stage.

People and Vulnerable Adults	
Risk Management and Health and Safety	<p>There is a considerable risk that SBC may not be able to recruit or retain the required full complement of permanent staff to deliver the Local Plan within the window of the transitional arrangements.</p> <p>The new permanent Planning Service structure indicates the appointment of 2.5FTE staff within Planning Policy in addition to those currently employed, representing two vacancies and a 0.5FTE additional post.</p> <p>There is an identified national shortage of skilled planners, and many Local Authorities will be seeking similar skills at a similar period of time.</p>
Equality and Diversity	None identified at this stage.
Privacy and Data Protection	None identified at this stage.

8. Appendices

- 8.1 Appendix A Local Development Scheme 2024
- 8.2 Appendix B Local Plan Review Evidence Base list

9. Background Papers

- 9.1 None

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Appendix A. Local Development Scheme April 2024 Draft

1. Introduction

- 1.1 Swale Borough Council is required to prepare and maintain a Local Development Scheme (LDS) in accordance with Section 15 of the Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011).
- 1.2 This LDS came into effect upon agreement by the Full Council at its meeting on XXXX April 2024. As set out in the Planning and Compulsory Purchase Act 2004 (Section 15) the LDS must specify:
 - The local development documents which are to be development plan documents;
 - The subject matter and geographical areas to which each development plan document is to relate;
 - Which development plan documents (if any) are to be prepared jointly with one or more other local planning authorities;
 - Any matter or area in respect of which the authority has agreed (or propose to agree) the constitution of a joint committee under section 29;
 - The timetable for the preparation and revision of the development plan documents.
- 1.3 The LDS is a project plan which sets out the timetable for the production of new or revised development plan documents which will form the Council's Local Development Plan. This LDS sets out a work programme for the Council's Local Plan Review over the period to December 2025. Progress against this LDS will be reviewed annually and reported by the Councils Local Plans team.

2. Background

- 2.1 The Council produced its first LDS in 2005, followed by subsequent revisions in 2008, 2010, 2015, and 2016. These related to the former Local Plan (Adopted Feb 2008); and the current adopted Local Plan 'Bearing Fruits' (Adopted July 2017).
- 2.2 Work on the Local Plan Review (LPR) began once Bearing Fruits was adopted and the first LDS was published in 2018. A revised LDS was published in March 2020, then in October 2021 and again in July 2022 to reflect changes in approach that the Council deemed appropriate at that time. This latest version has been produced as a result of much awaited changes to the National Planning Policy Framework (NPPF December 2023) that included *inter alia* a change in housing targets from mandatory to advisory, a 4 year housing land supply requirement for Local Authorities with a draft Plan Regulation 18, 19 or submission document and the removal of a 5 year housing land supply requirement for authorities with up to date Local Plans. Now that the changes in requirements on Plan making have been made clear the Council is able to update the LDS accordingly.

- 2.3 The Council remains committed to having an up-to-date local plan and recognises the need to progress with the LPR and to have a robust and proportionate evidence base. This new LDS (April 2024) reflects the statutory stages of the plan process and the Statutory Regulations and will supersede the LDS (July 2022) programme for Local Plan Review.

3. The current adopted development plan for Swale

- 3.1 The current statutory adopted elements of the development plan for Swale Borough are:
- Bearing Fruits 2031: The Swale Borough Local Plan (adopted July 2017)
 - Faversham Creek Neighbourhood Plan (made June 2017)
 - Boughton-under-Blean and Dunkirk Neighbourhood Plan (made April 2023)
 - Kent Minerals and Waste Local Plan 2013 – 2030, as amended by early partial review (adopted September 2020)

4. Current Supplementary Planning Documents (SPD)

- 4.1 The Local Plan is supported by a number of existing and proposed Supplementary Planning Documents and Supplementary Planning Guidance and Technical Advice Notes which set out the details for implementing local plan policies. All of these documents were subject to public consultation. These can be viewed at [Publications - Planning and Planning Policy \(swale.gov.uk\)](https://www.swale.gov.uk/publications-planning-and-planning-policy)

- 4.2 Currently adopted SPDs for the Borough are:

- Developer Contributions SPD (adopted, November 2009)
- Queenborough and Rushenden Masterplan SPD (November 2010)
- Sittingbourne Town Centre and Milton Creek Masterplan SPD (September 2010)
- Swale Landscape Character and Biodiversity Appraisal SPD (2011)
- Stones Farm Development Brief SPD (May 2011)
- Parking Standards SPD (May 2020)
- Sittingbourne Town Centre Supplementary Planning Document (2022)

- 4.3 Supplementary Planning Guidance (SPG) documents are:

- The Conversion of Buildings into Flats and Houses in Multiple Occupation
- Listed Buildings – A Guide for Owners and Occupiers
- The Conservation of Traditional Farm Buildings
- The Design of Shop Fronts, Signs and Advertisements
- Designing an Extension – A Guide for Householders
- Planting on New Developments – A Guide for Developers
- The Erection of Stables and Keeping of Horses
- Conservation Areas

- Lynsted Parish Design Statement
- Abbott Laboratories Ltd. – Development Brief

4.4 Technical Guidance Notes (TGN) documents are:

- Air Quality
- Noise and Vibration Planning Technical Guidance

4.5 The Full Council agreed an interim Planning Policy statement the “Interim Planning Policy for Park Home residences” ahead of the Policy consideration in the Local Plan Review on 17 June 2020, the.

4.6 Additionally, part of the Kent Downs Area of Outstanding Natural Beauty falls within Swale and has a management plan that is adopted by all local authorities within their area. This is used as a material consideration for planning applications and can be viewed at [Planning and the Management Plan - Kent Downs](#)

5. Other Relevant Documents

5.1 Statement of Community Involvement (SCI)

The Swale Statement of Community Involvement (February 2018) sets out the Council’s approach to public and key stakeholder participation in all planning matters, including the preparation of the local plan, supplementary planning documents and arrangements for consultations on planning applications.

5.2 Sustainability Appraisal

The Council will meet the requirements of sustainability appraisal through the local plan preparation process, which will involve carrying out iterative appraisals of the sustainability of the options, proposals and draft policies in the local plan and prepare reports on the findings. These will be carried out at the key stages of plan preparation and will inform progress on the Plan. The sustainability appraisals carried out at the key stages of plan preparation will also accompany consultation drafts of the Plan for public comment.

5.3 Swale Borough Council Corporate Plan (2023 – 2027)

The corporate plan sets out the Council’s priorities and the local plan is responsible for delivering those of a spatial nature. The priorities most specific to the Councils Local Plan review include:

- Priority Community: To enable our residents to live, work and enjoy their leisure time safely in our borough and to support community resilience.;
- Priority Economy: Working with our businesses and community organisations to work towards a sustainable economy which delivers for local people.

- Priority Environment: To provide a cleaner, healthier, more sustainable and enjoyable environment, and to prepare our borough for the challenges ahead.
- Priority Health and Housing: To aspire to be a borough where everyone has access to a decent home and improved health and wellbeing.

5.4 Authority Monitoring Report

The Council will publish monitoring information on its website on an annual basis relating to the previous monitoring year (running from 1 April to 31 March). This will provide updates on the status of the LDS timetable; progress on the Local Plan Review; reports on public consultations; duty to co-operate statements; neighbourhood planning and borough wide performance statistics on planning topics such as housing, employment, environment and transport.

5.5 Policies Map

The Council is required to produce a Policies Map which shows the location of development proposals in all current, adopted development plan documents on an ordnance survey base map. For Swale, this is the Proposals Map which accompanies the Bearing Fruits Local Plan (2017). The area annotated as Policy NP1 denotes the area covered by the adopted Faversham Creek Neighbourhood Plan.

6. Emerging Development Plans for Swale

Swale Borough Local Plan Review 2022 – 2040

- 6.1 The Local Plan Review (LPR) will set the framework for the development needs for the whole of the Swale Borough area from 2022 – 2040. This will include addressing revisions to the National Planning Policy Framework and associated Practice Guidance (2023); addressing the future development needs of the Borough including housing, the local economy, environmental considerations and community infrastructure needs and transport.
- 6.2 The LPR will include strategic policies to address these matters and put forward a development strategy for the Borough. It will also include site specific allocations to meet identified need and retain, update or include new detailed topic development management policies to guide determination of planning applications. Where applicable, the policies for any larger scale developments, such as significant extensions to existing villages and towns, will be set within a vision that looks further ahead (at least 30 years). This will take into account the likely timescale for their delivery.
- 6.3 Work began on the LPR as a result of Council Minute 44 (July 2017), with early scoping and evidence gathering, within the context of major review of national planning policy and government policy to significantly boost housing delivery. The key stages of the process and the Document Project Plan and

the timetable for Local Plan Review including key stages of consultation are set out at 7.4 below.

- 6.4 The Council continues to undertake the Duty to Cooperate with neighbouring planning authorities and on the London Plan, to identify and discuss potential cross boundary issues (which will result in Statements of Common Ground). No intention for joint plan making with other Local Authorities was agreed by the Council at its Full Council meeting on 15th November 2023 link: [Agenda for Council on Wednesday, 15 November 2023, 7.00 pm \(swale.gov.uk\)](#)

6.5 **Community Infrastructure Levy (CIL)**

CIL is a mechanism introduced under the Planning Act 2008 with the intention of providing a consistent approach to determining financial contributions from new development towards local infrastructure provision. CIL significantly reduces down the Section 106 agreement process at the planning application stages as Levies will have been determined through a CIL specific examination in public. The Section 106 agreements then are left to focus upon limited matters like Affordable Housing. At this stage in the Local Plan Review due to the Whole Plan viability assessment having not been completed it is unknown whether it will be viable to apply CIL to new development proposed within the Plan. The Council will review the appropriateness of applying CIL and, if required, CIL will be included in a future review of this LDS.

6.6 **Neighbourhood Plans**

At March 2024, the following areas have designated Neighbourhood Plan areas:

- Minster (designated in 2014)
- Hernhill (designated in 2017 and under preparation)
- Faversham (designated in 2020 and at Examination stage commenced January 2024)

- 6.7 Neighbourhood plans, once adopted, form part of the development plan but are not programmed by the local planning authority and are therefore, not included within this LDS timetable. They must be in general conformity with the strategic policies of the adopted local plan and have regard to any emerging local plans. More details for Swale neighbourhood plans can be found at [Local Plans - Neighbourhood planning \(swale.gov.uk\)](#)

6.8 **Supplementary Planning Documents**

Presently, the Council is not intending to prepare an Supplementary Planning Documents.

7. Conclusion

- 7.1 The Local Plan Review (LPR) will be produced by the Council’s Planning Services, and led by the Planning Policy Team. The importance of the work is recognised and supported with input and expertise from other teams across the Council including the use of outside specialist consultants (where appropriate) and engagement with stakeholders, organisations and the public to help inform and develop the plan.
- 7.2 The Council has an established management and reporting structure to support delivery of the local plan review. This is primarily the Policy and Resources Committee (and Planning and Transportation Policy Working Group that report to it), that subsequently make recommendations to Council for decision. In addition, briefings for senior managers and Members on key pieces of research or new national policy are used.
- 7.3 The LPR Document Project Plan and the timetable for the Review including key stages of consultation are set out below.

Document Project Plan to date	
Subject/Content	<p>Matters to be reviewed include:</p> <ul style="list-style-type: none"> A vision for the Borough up to 2052 A review of development needs for housing, employment and other uses Identification of a development strategy that will meet identified development needs Allocation of land to deliver development needs and maintain supply The need for further sustainable transport measures aimed at encouraging modal shift to reduce congestion and air pollution that will lead to improved health outcomes. How great design and good placemaking can be achieved How best to respond to the challenges of the climate and ecological emergency
Status	Local Plan
Coverage	Borough-wide
Conformity with national policy	Central government policy and guidance, including the National Planning Policy Framework, National Planning Practice Guidance and the Town and Country Planning (Local Planning) (England) Regulations 2012.
Conformity with local policy	Regard to the Council’s Plans and Strategies, including the Corporate Plan, Economic Development Improvement Plan and Housing Strategy. Also have regard to the Climate Change and Ecological Emergency Strategy and Action

Swale Local Development Scheme (April 2024)

	Plan. The LPR will need to take into account the policies within neighbourhood plans and have regard to other local strategies such as those produced by KMEP and KCC
Policies map	To be amended to reflect the policy content of the Local Plan Review
Local plan review commenced (Council Minute 44)	July 2017
Sustainability Appraisal	Relevant appraisals and assessment will be carried out throughout the review of the Swale Borough Local Plan
Evidence gathering	Commenced July 2017
Previous consultations being superseded <ul style="list-style-type: none"> • Regulation 18 consultation (Looking Ahead) • Regulation 19 consultation on the LPR • Publication of further Issues & Options (with Preferred Option) consultation document (Reg 18) 	<p>27 April – 8 June 2018</p> <p>February – 30 April 2021</p> <p>October – November 2021</p>
Project Plan going forward	
Regulation 18 draft Local Plan consultation	October to December 2024
Publication of submission draft local plan review for public Consultation (Reg 19)	January to March 2025
Submission of Plan for Examination (with results of the public consultation) Reg 22	April to June 2025
Examination hearing sessions (Reg 24)	October to December 2025
Main modifications consultation	January to March 2026
Adoption, full Council (Regulation 26)	April to June 2026

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Appendix B Local Plan Review evidence base list

Ref No.	Document Title	Purpose of Piece of Evidence	Current Status	Dependencies	Why is this piece of Evidence Needed?	Member routing?	Key Project Dates	Need for Updating/ Refreshing?
Housing								
1	Exceptional Circumstances for a Lower Housing figure Paper	The December 2023 NPPF revisions stated that “there may be exceptional circumstances, including relating to the particular demographic characteristics of an area which justify an alternative approach to assessing housing need; in which case the alternative approach should also reflect current and future demographic trends and market signals.” (Para 61 (NPPF, December 2023)	Out to tender	None	NPPF requirement if a lower housing target is desirable	IAM/PTPWG/P&R	Tender commenced February 2024 and closes 22 nd March 2024	
2	STAA (Gypsy and Traveller and Travelling Show People Accommodation Needs Assessment)	Update of future Gypsy and Traveller accommodation needs and also needs of Travelling Show People	Published	Call for sites must come first	Statutory /NPPF requirement	IAM/PIB/Informal PTPWG presentation	February 2024	
3	Gypsy and Traveller and Travelling Show People Accommodation Needs Assessment Link: Appendix I – Gypsy and Traveller Accommodation Assessment.pdf (swale.gov.uk)	Specialist technical report to identify future accommodations needs for Gypsies, Travellers and Travelling Show People Informs allocations and policy to deliver this specialist accommodation, ensure statutory obligations are met and to deliver sustainable development	Published	None	Statutory /NPPF requirement	No Further Action	November 2018	

4	Housing Market Area Assessment	Update of 2020 study to determine future housing needs for the borough in terms of type, size and tenure	Published	Whole plan viability assessment must come first	Statutory /NPPF requirement	IAM/Informal PTPWG presentation	TBC	Needs updating prior to publication of a Reg 19
5	Swale Housing Market Assessment (SHMA) Link: Housing Market Assessment for Swale.pdf	Analysis of housing needs in the borough and what future needs should be addressed in policies and proposals in the LPR	Published	None	Statutory /NPPF requirement	No Further Action	June 2020	
6	Swale Borough Council: Choices for Housing Growth Link: Swale Borough Council Choices for housing growth	Report on high level strategic options for housing growth for Swale Local Plan Review. General evidence report to identify potential development options based on capacity	Published	None	Statutory /NPPF requirement	No Further Action	February 2018	

Air Quality

7	Air Quality Modelling	To identify potential impacts on Air Quality through potential development proposed in the Local Plan	Unable to start yet	Local Plan preferred allocations/ HELAA/ELR must come first	Statutory/NP PF requirement	IAM and Informal PTPWG presentation	TBC	
8	Air Quality Monitoring Report Link: Final Air Quality Modelling Report for Swale LP December 2020.pdf	Assess impacts of potential local plan site allocations on air quality in the borough	Published	None	Desirable	No Further Action	December 2020	

Environment

9	Agricultural Land Review	The best agricultural land for food production is now a material consideration in Planning matters under the December 2023 NPPF so we need to update our evidence on best and most versatile land in Swale.	Not started yet – new requirement as of Dec 2023	None	Statutory /NPPF requirement	IAM/Informal PTPWG presentation	TBC	
10	Swale Tree Strategy	It aims to safeguard existing trees, woodlands and hedgerows employing the necessary mechanisms to conserve this	Scoping Stage	Green and Blue Infrastructure Strategy will influence it	Desirable (requested by members in Feb 2023)	IAM/ PTPWG/P&R	TBC	

		outstanding resource and to capitalise on the benefits of green infrastructure by increasing tree planting and canopy cover and attracting investment to ensure delivery.						
11	Borough Wide Design Code	To allow local areas to have their own framework for creating well-designed and inclusive places in keeping with local context, character and preference.	Unable to start yet	The Viability Study must come first as it will inform details on viable homes standards.	Statutory /NPPF requirement	IAM/PTPWG/P &R	TBC	
12	Kent Local Nature Recovery Strategy	Local Nature Recovery Strategies have been created under the 2021 Environment Act and are a system of spatial strategies for nature and environmental improvement that will underpin England's Nature Recovery Network. They will deliver the government's commitment to ending the decline of nature and supporting its recovery. The Partnership is lead and managed by KCC with SBC actively involved.	Partnership (Making Space for Nature in Kent and Medway) launched October 2023	None	Statutory /NPPF requirement	Update/info reports to IAM/Informal PTPWG/Environment Committee	TBC	
13	Water Cycle Study	Assessment of sustainable water quality and resources across the borough	Commissioned	Stage 1 – none Stage 2 – none Stage 3 – HELAA must come first	Desirable and to meet the October 2022 Council Motion	IAM/Informal PTPWG presentation	March 2024 June 2024 September 2024	
14	Swale Biodiversity Baseline Report Link: Biodiversity Baseline Study.pdf (swale.gov.uk)	Baseline assessment of the biodiversity in Swale in relation to meeting our duties under the Environment Act	Published	None	Desirable	No Further Action	October 2020	
15	Swale Green and Blue Infrastructure Strategy Link: Swale GBI Strategy	identify and guide opportunities for a greener, healthier, more biodiverse and prosperous Swale.	Published	None	Statutory /NPPF requirement	No Further Action	September 2020	

16	Pathways to Net Zero	A study setting out how Swale will get to Net Zero by 2030/2050 and what planning policies are required to achieve that. It could also potentially set out the approach to integrating transport, active travel, public transport with the local plan.	Unable to start yet	The Viability Study must come first as it will inform details on viable homes standards.	Desirable and it will help Swale meet its Climate and Ecological Emergency declaration and action plan objectives	IAM/Informal PTPWG presentation and potentially Environment Committee	TBC	
17	Sustainable Design and Construction Standards Link: Square Gain Policy Recommendations table FINAL January 2021.pdf (swale.gov.uk)	Recommendations to inform policy to deliver sustainability standards in buildings and deliver zero carbon by 2030	Published	None	Desirable To assist with the delivery of the Council's Ecological and Climate Emergency Action Plan	No Further Action	January 2021	Needs updating/refreshing before we draft another Reg 19

Economy and Employment

18	Tourism and Culture Study	Potential study to see what Swale has, its potential and growth areas.	The current headline intention is that the existing Visitor Economy Framework is updated within a refreshed Economic Development Strategy	It will be part of the Economic Development Strategy refresh	Desirable	IAM/Informal PTPWG/P&R/R regeneration and Property Committee	TBC	
19	Employment Land Review 2023	Update of 2018 study to determine the future economic land needs of the borough	Published		Statutory/NP PF requirement	No further action	February 2024	
20	Employment Land Review 2018 Link: Swale ELR v3 28Aug18 format.pdf	Specialist technical report identifying future needs for employment land in the borough	Published	None	Statutory /NPPF requirement	No Further Action	August 2018	

		Informs allocations for employment land and policies to deliver sustainable development and support job creation						
21	Swale Retail & Leisure Needs Assessment - 2023 Retail Capacity Update Link: Swale_Retail_Leisure_Needs_Assessment_2023_WEB.pdf	Update of retail needs assessment published in 2018/19	Published	None	Statutory /NPPF requirement	No Further Action	December 2022	
22	Retail and Leisure Needs Assessment Link: Microsoft Word – Retail Leisure Needs Assessment – Rev 3 – 01.03.19 (swale.gov.uk) Retail Leisure Needs Assessment – Appendix 2- Final Issue 22.2.19 A.pdf (swale.gov.uk)	Specialist technical report to identify future retail and commercial leisure needs Informs allocations and policy to support our town centres and to deliver retail and leisure floorspace needs and to deliver sustainable development.	Published	None	Statutory /NPPF requirement	No Further Action	December 2018	
Flood Risk								
23	Strategic Flood Risk Assessment and Sequential Test	Update of previous study to take account of latest data, policy and guidance	Commissioned	Completion of EA modelling must come first and LP allocations are required for the sequential test	Statutory /NPPF requirement	IAM/Informal PTPWG presentation	Due to commence March 2024	
24	Sequential Test (flooding) Link: Sequential Test 2020.pdf (swale.gov.uk)	Analysis of sites that are at risk of flooding Ranking of sites in terms of flood risk	Published	None	Statutory /NPPF requirement	No Further Action	May 2020	
25	Strategic Flood Risk Assessment Link: Planning and Regeneration – Strategic	Assessment of flood risk from all sources across the borough	Published	None	Statutory /NPPF requirement	No Further Action	March 2020	

	Flood Risk Assessment Completed (swale.gov.uk)							
26	Strategic Flood Risk Assessment Level 1 (SFRA) Link: JBA Consulting Report Template 2015 (swale.gov.uk)	Specialist technical assessment of flood risk from all sources at a strategic level Informs whether or not more detailed flood risk assessment work is needed at a site specific level (sequential test)	Published	None	Statutory /NPPF requirement	No Further Action	November 2019	
Heritage								
27	Swale Heritage Strategy Link: Heritage and landscape – Swale’s Heritage Strategy	Heritage Strategy to inform policies in the LPR	Published	None	Statutory /NPPF requirement	No Further Action	January 2020	
Infrastructure								
28	Infrastructure Delivery Plan	To set out what infrastructure is needed, when and how it will be funded to support development proposed in the Local Plan	Unable to start yet	Local Plan preferred allocations/ HELAA/ELR/LP topic based policies must come first	Statutory/N PPF requirement	IAM/ PTPWG/P&R	TBC	
29	Transport Modelling	To identify potential impacts on road network through potential development proposed in the Local Plan	Unable to start yet	Local Plan preferred allocations/ HELAA/ELR must come first	Statutory /NPPF requirement	Potentially as a for info to JTB. IAM/Informal PTPWG presentation	TBC	
30	Swale LCWIP (Local Walking and Cycling Plan)	A strategic approach to identifying cycling and walking improvements at a local level which can then be reflected in the LP in the Infrastructure Delivery Plan and in site allocation policies	Started	None	Desirable/ good practice/helps meet sustainable development	IAM, Environment Committee, JTB	March 2024	
31	Kent Minerals and Waste Local Plan (Swale are consultees and actively engage in the process)	The Minerals and Waste Local Plans, plan for sustainable waste management capacity and mineral supply to ensure that Kent has the waste infrastructure and raw	Ongoing	Site allocations are shared with KCC to ensure no conflicts	Statutory /NPPF requirement	IAM/Informal PTPWG	Publication of draft updated Kent Mineral Sites Plan for representations	

		materials that it needs, whilst protecting the environment.					on soundness Jan/Feb 2024 EiP for Mineral Plan May 2024	
32	Swale Borough Local Plan Review: Transport Modelling Evidence Link: Appendix I Swale Local Plan Model Rerun Summary Report_draft .pdf	Assessment of development impacts on traffic and transport across the borough	Ongoing		Statutory /NPPF requirement	Some evidence has already been published .Future runs would go through IAM/Informal PTPWG and potentially a presentation to JTB	June 2020	
33	Swale Highway Model: Local Plan future testing scenario report Link: Appdx 1 Local Plan Scenario Testing 20may19.pdf (swale.gov.uk) Appdx II Swale LMVR V9.14 4jul18.pdf	Specialist technical report to assess the capacity within Swale of the road network and the potential impacts of new development. Informs strategic development options and allocations to deliver sustainable development	Published	None	Statutory /NPPF requirement	No Further Action	May 2019	

Page 29

Land								
34	Holistic Land Use Study	To look at all of the land requirements of housing, employment, agriculture, renewables, BNG, LNRS, etc.	Unable to start yet	Could potentially partner with Exceptional Circumstances paper	Desirable	IAM/Informal PTPWG	TBC	
35	Built up Area Boundary review	To account for under construction and built out Local Plan allocations, windfall development, change of use of agricultural buildings since adoption of the Local Plan in 2017.	Unable to start yet	Landscape evidence must come first	Desirable	IAM/Informal PTPWG presentation	TBC	
36	Housing and Employment Land Availability Assessment (HELAA)	Identify available land for development within the borough to meet future development needs	in Progress	Whole Plan Viability Assessment must come first as it will provide area based	Statutory/ NPPF requirement	IAM/Informal PTPWG presentation	1st Draft late May 2024	

				viability assumptions for development				
37	Swale Borough Settlement Hierarchy Link: Settlement Hierarchy Study 2020.pdf (swale.gov.uk)	Analysis of the centres across the borough to identify their place in the settlement hierarchy	Published	None	Statutory/ NPPF requirement	No Further Action	August 2020	
38	New Garden Communities Assessment of Stage 2 submissions Link: Appendix I – PBA REPORT 2nd stage assessment Sept 2019.pdf (swale.gov.uk)	Specialist technical assessment of the risks, opportunities and uncertainties associated with the four submitted garden communities in Swale Informs strategic development options and allocations to deliver sustainable development	Published	None	Desirable	No Further Action	October 2019	
39	New Garden Communities Assessment of Submissions Link: Meeting Title: (swale.gov.uk)	Specialist technical report to assess the submissions received in response to a 'call for sites' for potential NGCs. Informs strategic development options and allocations to deliver sustainable development.	Published	None	Desirable	No Further Action	February 2019	
40	Strategic Development Options prospectus Link: Local Plans - Strategic Development Options (formerly known as New Garden Communities) (swale.gov.uk)	Call for submission of strategic sites for consideration as a way to deliver the future development needs of the borough	Published	None	Statutory /NPPF requirement	No Further Action	Spring 2018	
Landscape								
41	Landscape Character Assessment – update the 2011 version	Identify and describe variation in character of the landscape and explain the unique combination of elements and features that make landscapes distinctive by mapping	Unable to start yet	None (Not critical for the Local Plan but DM use it regularly for PAs)	Desirable	IAM/Informal PTPWG presentation	TBC	

		and describing character types and areas.						
42	Swale Important Local Countryside Gap Study Link: McAfee Web Gateway - Notification (swale.gov.uk)	Review of land around Faversham and Teynham to identify 'gap' designations to safeguard the open and undeveloped character and to guard against coalescence	Published	None	Desirable	No Further Action	January 2021	
43	Swale Landscape Sensitivity Link: Swale Landscape Sensitivity Assessment	Analysis of land parcels most vulnerable to development pressure for their sensitivity to change in landscape terms Informs suitability of potential development sites in terms of the impact development would have on the landscape	Published	None	Statutory/ NPPF requirement	No Further Action	November 2019	Area specific update required once site allocations have been decided
44	Swale Landscape Sensitivity Area specific update	Area specific update to determine impacts of proposed development as set out in site allocations and accompanying policy criteria	Not started yet	Local Plan preferred allocations/ HELAA/ELR must come first	Statutory/ NPPF requirement	IAM/Informal PTPWG presentation	TBC	
45	Landscape Designation Review Link: Swale Local Landscape Designations	Technical assessment of landscape across the borough to identify landscape of highest local value	Published	None	Statutory/ NPPF requirement	No Further Action	November 2018	

Viability

46	Whole Plan Viability Assessment	Update of the 2020 Viability evidence to determine the value in land across the borough and determine the viability of policy options and choices for the LPR	Partial draft	Draft LP policies Site allocation selection Infrastructure Delivery Plan must come first	Statutory/ NPPF requirement	IAM/Informal PTPWG presentation	Workshop – Late January Full Draft expected late March 2024	This will need to be updated as later versions of the LP are drafted
47	Local Plan viability study Link: 180504 Report Template V24 (swale.gov.uk)	To determine the value in land in the borough and the viability of development and to set out the costs of policy choices in relation to viability for new developments and the delivery of new infrastructure such as affordable housing, BNG etc.	Published	None	Statutory /NPPF requirement	No Further Action	December 2020	

Open Space, Sport and Recreation								
48	Local Green Spaces Link: Local Green Spaces.pdf (swale.gov.uk)	Assessment of proposed and designated LGS	Published	None	Statutory /NPPF requirement	No Further Action	February 2021	Needs updating/refreshing post a new call for sites
49	Built Sports Facilities Study	Update of the requirements of Built Sports Facilities in the future across the borough	Final draft	None	Statutory /NPPF requirement	IAM/Informal PTPWG presentation And Community and/or Environment Committee	Committee 6 th March 2024 for adoption	
50	Open Space and Built Facilities Strategic Needs Report Link: ADD CLIENT ORGANISATION (swale.gov.uk)	Specialist technical report to identify future needs for open space and built facilities at a strategic level Informs open space and built facilities standards to support future development (policy requirement)	Published	None	Statutory /NPPF requirement	No Further Action	February 2019 (reported November 2019)	
51	Strategic Future Needs Assessment Link: ADD CLIENT ORGANISATION (swale.gov.uk)	Assessment of future needs for open space and Built Leisure Facilities	Published	None	Statutory /NPPF requirement	No Further Action	February 2019	
Miscellaneous/Procedural								
52	Authority Monitoring Report	Assesses the progress of our planning services over the previous financial year (1 April to 31 March), including progress on preparing the Local Plan against the benchmarks in the Local Development Scheme.	Unable to start yet	None	Statutory/ NPPF requirement	IAM/Informal PTPWG	Needs to be published alongside the Reg 19 stage of the Local Plan	
53	Sustainability Appraisal and HRA	Provide an update of the sustainability criteria against which the LPR should be measured	Unable to start yet	Scoping report - None Preferred options – HELAA/ELR must come first	Statutory /NPPF requirement	IAM/Informal PTPWG/ P&R (Full Council when it	TBC	

				Submission plan – Reg 18 and Reg 19 must come first		is accompanying the formal stages of the LP)		
54	Scoping Report for the Swale Borough Local Plan Sustainability Appraisal Link: Chris McNulty Report Sustainability Appraisal for the Swale Borough Local Plan 2018-05-31	Suggested scope for the SA that considers and communicates likely effects of a draft plan and alternatives Provides the checks and balances to the whole process to ensure sustainable development is delivered	Published	None	Statutory /NPPF requirement	No Further Action	July 2018	

Note – The pieces of evidence with ‘TBC’ under the ‘Key Project Dates’ column will be able to be timetabled once we have an agreed LDS in place.

Status Key –

	Pieces of Evidence at this Stage
Unable to Start Yet	15
Commissioned	2
In Preparation	3
Final Draft	2
Published	30
Ongoing	2

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