

**Swale Borough Council**  
**Local Development Scheme**  
**September 2018**

## 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 will come into effect upon agreement by the Council's Cabinet on **XXX September 2018**.
- 1.2 As set out in the Planning and Compulsory Purchase Act 2004 (Section 15) the LDS must specify:
  - a) The local development documents which are to be development plan documents;
  - b) The subject matter and geographical areas to which each development plan document is to relate;
  - c) Which development plan documents (if any) are to be prepared jointly with one or more other local planning authorities;
  - d) Any matter or area in respect of which the authority have agreed (or propose to agree) the constitution of a joint committee under section 29;
  - e) 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 Spring 2023 and anticipated adoption of the review. Progress against this LDS will be reviewed annually through the Authority Monitoring Report.
- 1.4 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). The extended process which evolved as a result of the National Planning Policy Framework (NPPF) and move toward a single Local Plan system was reflected in a number of LDS revisions to achieve adoption of the Bearing Fruits Local Plan.
- 1.5 This LDS is now re-drafted with a fresh programme for Local Plan Review, which will need to address challenges for development raised by the National Planning Policy Framework (NPPF) July 2018; and new statutory requirements for the five yearly review of local plans.

## **2. The current adopted development plan documents for Swale**

2.1 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 (Adopted June 2017)
- Kent Minerals and Waste Local Plan 2013 – 2030 (Adopted July 2016)

## **3. Current Supplementary Planning Documents (SPD)**

3.1 The Local Plan is supported by a number of existing and proposed Supplementary Planning Documents and Supplementary Planning Guidance which set out the details for implementing local plan policies. All of these documents were subject to public consultation. These can be viewed at <https://www.swale.gov.uk/local-planning-guidance/> .

3.2 Currently adopted SPD for the Borough are:

- Developer Contributions SPD (Adopted November 2009)
- Swale Landscape Character and Biodiversity Appraisal SPD (2011)
- Stones Farm Development Brief SPD (May 2011)
- Queenborough and Rushenden Masterplan SPD (November 2010)
- Sittingbourne Town Centre and Milton Creek Masterplan SPD (September 2010).

3.3 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

3.4 Additionally part of the Kent Downs Area of Outstanding Natural Beauty falls within Swale and has a management plan which has been adopted by all of the local authorities who have part of this AONB within their area. This is used as a material consideration for planning applications and can be viewed at:

## **4. Other Relevant Documents**

### **Statement of Community Involvement**

- 4.1 The Swale Statement of Community Involvement (February 2018) has been reviewed and updated. This 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.

### **Sustainability Appraisal**

- 4.2 The council will meet the requirements of sustainability appraisal throughout 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.

### **Authority Monitoring Report**

- 4.3 The Council publishes monitoring information on its website on an annual basis relating to the previous monitoring year (which runs 1 April – 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 cooperate consultations; neighbourhood planning and borough wide statistics on planning topics such as housing, employment, environment and transport.

### **Policies Map**

- 4.4 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 Faversham Creek Neighbourhood Plan).

## **5. Emerging Development Plans for Swale**

### **Swale Borough Local Plan Review 2022 - 2038**

- 5.1 The Local Plan review will set the vision and framework for development needs for the whole of Swale Borough area from 2022- 2038. This will include addressing revisions to the National Planning Policy Framework and associated Practice Guidance (2018); addressing housing need; the local economy; environmental considerations; community infrastructure needs; plus transport and other physical infrastructure needs. The plan 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.
- 5.2 Work began on the Local Plan Review 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 are set out at Appendix 1. The complete timetable for the production and public examination of the Local Plan Review is set out at Appendix 2.
- 5.3 Although the Council is keeping up Duty to Cooperate consultation with neighbouring planning authorities and on the London Plan, to identify potential cross boundary issues (which may in due course require Statements of Common Ground to comply with the NPPF 2018), no scope or intention for joint plan making has been identified at this point in time.

### **Community Infrastructure Levy (CIL)**

- 5.4 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. Further revisions to national policy and regulation on CIL in 2018 and the approach to viability assessments affecting plan making, mean that at this early stage in the Local Plan Review process, it is unclear whether implementing a CIL charge would be of benefit to Swale. This issue will need to be reviewed (and, if appropriate, included in a future review of this LDS) when more progress has been made on identifying reasonable alternative development strategies for testing and consultation.

### **Neighbourhood Plans**

- 5.5 The Boughton and Dunkirk Neighbourhood Plan area was designated in February 2014 and is still under preparation.
- 5.6 A Minster Neighbourhood Plan (Sheppey) area was also designated in February 2014 but has not been progressed
- 5.7 Although neighbourhood plans, once adopted, form part of the development plan, they 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 regards to any emerging local plans. More details for Swale neighbourhood plans can be found at: <https://www.swale.gov.uk/neighbourhood-planning/>

### **Supplementary Planning Documents**

- 5.8 It is the Council's intention to prepare a Swale Vehicle Parking Standards SPD pursuant to adopted Bearing Fruits Local Plan policy. As SPDs are not development plan documents (that is allocating land or making new policy), they are not required to be part of the official LDS programme. For information however, Appendix 3 gives an indicative programme for the production of this SPD.

## **6. Resources and Project Management**

- 6.1 Swale Borough Council has strong corporate commitment to the preparation and adoption of a Local Plan review. The Swale Local Plan Review will be produced by the Council's Planning Service, and led by the Local Plan Team. The importance of the work is recognised and supported across the authority with input and expertise from other teams across the Council; and the use of outside consultants (where appropriate); plus engagement with stakeholders; organisations and the public to help inform and develop the plan.
- 6.2 The Council has established management and reporting structures to support delivery of the local plan. This is primarily the Local Plan Panel cross party Members group which makes recommendations to Cabinet for decision. In addition briefings for senior managers and Members on key pieces of research or new national policy are used.

## Appendix 1: Swale Local Plan Review Key Stages

Event	Date
Local Plan Review Commenced (Council Minute 44)	July 2017
Scoping Issues Public Engagement (Regulation 18) Evidence gathering and engagement on emerging issues, options and challenges. Evidence gathering may continue throughout the process to reflect changing circumstances at the local level, national policy change, or to comply with an Inspector's request.	27 April – 8 June 2018
Local Plan Panel Steer on reasonable alternative development strategy for Issues & Options + Preferred Option (Reg 18)	June 2019
Issues and Options & Draft Preferred Option Document to local Plan Panel	Sept 2019
Issues and Options & Draft Preferred Option Public Consultation (Reg18)	Oct - Dec 2019
Local Plan Panel receive consultation results and recommend Preferred Option for working up	May 2020
Local Plan Panel / Full Council cycle agree Publication Version of Local Plan for consultation and submission for Examination in Public	Sept - Oct 2020
Publication of Preferred Local Plan for public Consultation (Reg 19)	Nov - Dec 2020
Submission of Plan for Examination (with results of the public consultation) (Reg 22)	April 2021
Examination in Public of the Local Plan 1	Nov 2021
Inspector's Interim Findings – at this stage the Examination in public is still open and the Inspector is leading the process	Jan 2022
Main Modifications which arise from the Inspector's Interim Findings. These are agreed by the Council and subject to public consultation before further discussion at Examination in Public.	April 2022
Examination in Public 2	Autumn 2022

<p>Inspectors Final Report</p> <p>This is binding on the local planning authority and, subject to the Inspector's findings, will enable the local authority to adopt the Local Plan review subject to any of the Main Modifications which the Inspector deems necessary to ensure the Plan is sound.</p>	<p>Early 2023</p>
<p>Adoption of the Local Plan Review by Swale Borough Council</p>	<p>Spring 2023</p>



Appendix 2: Swale Local Plan Review Local Development Scheme 2018 - 2022

Documents	2018												2019												2020												2021												2022											
	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	
<b>Swale Borough Local Plan Review</b>																																																												
Commenced July 2017 (Council Minute 44)	C																																																											
Scoping Issues Public Engagement 27 April – 8 June 2018 (Reg 18)	C																																																											
Issues and Options & Draft Preferred Option Consultation Oct - Dec 2019 (Reg18)	C																																																											
Publication Preferred Option Local Plan Consultation Autumn 2020 (Reg 19)	P																																																											
Submission of Plan for Examination Spring 2021(Reg 22)	S																																																											
Examination in Public 1 Nov 2021	E																																																											
Main Modifications Consultation April 2022	M																																																											
Examination in Public 2 Autumn 2022	E																																																											
Inspectors Final Report Jan 2023	R																																																											
Adoption Spring 2023	A																																																											

	Initial Consultation and Evidence gathering (Regulation 18) = C
	Publication of DPD Consultation = P (Regulation 19)
	Submission to Secretary of State = S Examination in Public = E Main Modifications Consultation = M Inspectors Final Report =R (Regulations 22 -25)
	Adoption = A
	C Public Consultation Stages

### Appendix 3: Indicative Timetable for Production of Swale Vehicle Parking Standards Supplementary Planning Document

<b>Event</b>	<b>Date</b>
Initial evidence gathering and Member workshops (subject to appointment of suitable consultants)	Autumn 2018
Drafting	Spring 2019
Consultation on Draft SPD	Summer 2019
Finalise Changes and Adopt SPD	Autumn 2019