

Local Plan Panel Meeting	
Meeting Date	14 March 2019
Report Title	Local plan review process update and potential options
Cabinet Member	Cllr Gerry Lewin, Cabinet Member for Planning
SMT Lead	Emma Wiggins
Head of Service	James Freeman
Lead Officer	Gill Harris
Key Decision	No
Classification	Open
Recommendations	<ol style="list-style-type: none"> 1. Note the content of this report which provides an update for Members on where we are in the local plan review preparation process including an update on the evidence; 2. Recommend to Cabinet that work on new garden communities continue in order that their position be considered as potential options for the Local Plan Review process; and 3. Further to Council Minute 151 of 26 July 2017 which aims to deliver M2 junction 5a, A2/M2 link road, completion of the Northern Relief Road and Southern Link, agree to investigate potential strategic options that will deliver this infrastructure and wider benefits, subject to evidence and Sustainability Appraisal.

1 Purpose of Report and Executive Summary

- 1.1 The purpose of this report is to provide Members with an overview of the local plan review process as we move towards the preparation of the formal Regulation 18 Issues and Options consultation document currently scheduled to take place this autumn. Whilst this Panel will meet to discuss whether they wish to give a steer on the content of the document in the summer, now is good opportunity to take stock of the evidence completed to date and to set out next steps.
- 1.2 The 'headlines' for each of the completed evidence reports is set out in the table in **Appendix I** along with information on other evidence that is underway or due to be carried out and reported at a later date. It is important to remember that as well as evidence, there are other factors that inform the plan-making process. These include the Council's corporate objectives, the constraints and challenges facing the Borough and national planning policy. In advance of the formal Regulation 18 consultation (also referred to as 'Issues and options'), Members will be presented with a number of potential options that will deliver an

appropriate strategy for the Borough's development needs and will need to support a preferred option for the consultation in the autumn.

2 Background

- 2.1 In her final report, the Inspector of the Bearing Fruits Local Plan Examination found the plan to be sound. However, she recommended that a review be undertaken immediately to address potential issues surrounding transportation in the Borough, particularly in and around Sittingbourne. This was agreed through Council Minute 148 of July 2017. Since then, amendments to the Statutory Regulations for the local plan process have made five yearly reviews of local plan mandatory in any event.
- 2.2 Additionally, at Council Minute 151 of July 2017, Members resolved to support improvements to the road infrastructure in the Borough to improve traffic flow and air quality. The minute states "***With the Government proposing to allocate some of the £6 billion a year raised from Vehicle Excise into upgrading our A road system, this Council welcomes the MPs for Sittingbourne and Sheppey and Faversham and Mid Kent pressing Government and KCC to secure funding to the strategic highway network across Swale including the completion of the Northern Relief Road and Southern Link, Brenley corner, and A249 improvements to the M2 thus significantly improving air quality and traffic flows***".
- 2.3 In February 2017, the government published its Housing White Paper: Building the Right Homes in the Right Places. It included a number of specific measures to provide the additional housing needed nationally. This included measures to speed up the planning process. A standardised methodology for assessing housing need at local authority level was also presented in the Housing White Paper and the principle was embedded in the National Planning Policy Framework (2018). A consultation on a proposed standardised methodology was carried out in December 2018. On 19 February, the Ministry of Housing, Communities and Local Government (MHCLG) published their response to the consultation and on 20 February amended the NPPF to reflect the requirement for housing need to be calculated using the standard methodology that is now embedded in the national planning policy guidance that complements the NPPF.
- 2.4 Working through the proposed methodology based on the 2016 ONS Household projections indicates that the annual housing need figure for the Borough is likely to increase by approximately 36% from 776 dwellings per annum to 1054 dwellings per annum (an additional 278 dwellings to be provided per year from 2022).
- 2.5 With these considerations in mind, the Council has already begun to explore the potential of new garden communities to deliver the housing numbers at a quantum that would also be able to provide the necessary supporting infrastructure and this has been dealt with through other reports included on the agenda for this meeting.

Local plan review preparation process

- 2.6 Local plan preparation follows a set process, as set out in the Town and Country Planning (Local Planning) (England) Regulations 2012. The main stages are illustrated below, with the Council at the 'evidence gathering' stage. Work now needs to begin on considering strategic development options in order to stay on programme to produce a consultation document by autumn 2019 in accordance with the Local Development Scheme (September 2018).



Evidence gathering and engagement

- 2.7 The NPPF (2018) is very clear that the preparation and review of all policies should be underpinned by relevant and up-to-date evidence. The evidence should be adequate and proportionate, focused tightly on supporting and justifying the policies concerned, and take into account relevant market signals (paragraph 20).
- 2.8 A critical part of the evaluation of the evidence is the Sustainability Appraisal (SA) that is an iterative process used to develop and refine options and assess the effects against social, economic and environmental objectives.
- 2.9 In light of the infrastructure needed to support new development, the Council is also in regular contact with the stakeholders that provide the infrastructure including the education authority, the highways authorities, the clinical commissioning groups, utilities providers, and public transport providers to name a few.
- 2.10 All local authorities are also required to collaborate with neighbour and upper tier authorities as well as stakeholders on cross boundary issues, under the responsibility of 'Duty to Cooperate' that was introduced in the Localism Act 2011. This could extend to a local planning authority seeking to negotiate to meet some portion of its development needs within a neighbouring authority area (if they cannot realistically be met within its own area). Potentially a jointly prepared local plan could be considered. No such proposals or cross boundary development issues have been identified by Swale or any neighbouring authority at this stage of the process.
- 2.11 **Appendix I** to this report provides a table of the evidence needed to prepare a 'sound' local plan review for the Borough of Swale. The table sets out the key findings of the evidence already produced and information on the evidence that is underway or due to be carried out in the near future. The purpose of evidence is to provide the information that will enable the Council to help identify reasonable alternative strategies to meet development needs and justify resulting policy. From such reasonable alternatives, a deliverable strategy will be developed to form the backbone of a local plan review that meets the development needs for the Borough for the plan review period.

Development strategies for the local plan review

- 2.12 At the Local Development Framework Panel meeting of 8 February 2018, a report on the high level strategic options for housing growth and implications for Swale Local Plan Review was discussed. The report presented the findings of the consultants' report on issues facing Swale to be addressed by the local plan review. Subsequently, the Council produced a 'New Garden Communities prospectus that resulted in four submissions.

- 2.13 A number of potential high level spatial options will need to be considered including options for new garden communities to provide for the quantum of development required and supporting infrastructure.
- 2.14 The reasonable alternative options for delivering a development strategy need to be evaluated in consideration of all of the evidence presented in accordance with national planning policy and the public consultation exercise. Government policy is a key factor in preparing the local plan as policies and proposals must be positively prepared, justified, effective and consistent with national policy if the local plan is to be found 'sound' at Examination.

Regulation 18 'Issues and Options' Consultation Document

- 2.15 The local plan review preparation timetable is set out in the Local Development Scheme and was considered by the Panel meeting of 20 September 2018. Whilst we are currently at the evidence gathering stage, it is now necessary to start to prepare development strategy options in some detail for the formal consultation stage scheduled for the autumn of this year. This will be based on evidence and the other factors set out above.
- 2.16 Potential development strategies will be generated based on all of the facts before us. Within this context, it is likely that there will be a number of different development strategies that could be generated to deliver the local plan review objectives. Later this summer, it is anticipated that officers will be able to summarise the key areas of evidence and will be seeking a steer from Members on agreement of the alternative development strategies to be drafted into the consultation document; and whether one of those should be identified as a preferred option at this stage.
- 2.17 A preferred option development strategy cannot be identified or agreed until all of the necessary information and evidence is completed. At this stage the completed and emerging evidence summarised at **Appendix I** to this item is not yet ready to rule any potential strategy out as a result of 'showstopper' issues. However, for the process to remain on schedule, the necessary evidence to test all potential options, including those capable of delivering the improvements to the strategic and local highway network identified in the corporate objective referenced at para 2.2 above, needs to be put in hand. This work will be within the context of the entire evidence base and evaluation of alternatives through the Sustainability Appraisal. It is anticipated that the evidence base will be sufficiently advanced for officers to be able to seek a steer on reasonable alternative strategies and whether one of these is emerging as a preferred option by summer 2019. Members are therefore invited to agree the recommendations to endorse that approach to the work.

3 Proposals

- 3.1 In order to progress identification of reasonable alternative development strategies for further consideration, the recommendations of this report are therefore to:

1. Note the content of this report which provides an update for Members on where we are in the local plan review preparation process including an update on the evidence;
2. Recommend to Cabinet that work on new garden communities continue in order that their position be considered as potential options for the Local Plan Review process; and
3. Further to Council Minute 151 of 26 July 2017 which aims to deliver M2 junction 5a, A2/M2 link road, completion of the Northern Relief Road and Southern Link, agree to investigate potential strategic development options that will deliver this infrastructure and wider benefits, subject to evidence and Sustainability Appraisal.

4 Alternative Options

- 4.1 Members could choose not to agree the recommendation to explore either new garden communities or strategies that deliver improvements to the strategic road network. On the basis of the evidence received to date, this would seriously limit the opportunities to address the level of development required over the local plan review period and to provide suitable supporting infrastructure. Delaying a decision on enabling work could lose valuable time on the local plan programme and leave the Council poorly prepared to deal with potential major development proposals as set out elsewhere in this agenda. These alternatives are not, therefore, recommended.

5 Consultation Undertaken or Proposed

- 5.1 This report takes stock of the process and identifies the evidence already completed and underway. Further public consultation on the local plan review Issues and Options stage is proposed for late 2019.

6 Implications

Issue	Implications
Corporate Plan	Supports the Council's corporate priorities for delivering regeneration and delivering improved quality of life.
Financial, Resource and Property	It is anticipated that the Local Plan can be progressed in accordance with the agreed budget although this is subject to the council agreeing Planning performance Agreements (PPAs) with key developers/landowners promoting sites within the Local Plan Review.
Legal, Statutory and Procurement	None anticipated at this time.
Crime and Disorder	None at this time.

Environment and Sustainability	The Local Plan process is subject to Sustainability Appraisal that considers the social, economic and environmental impacts.
Health and Wellbeing	The Local Plan process is subject to Sustainability Appraisal that considers the social, economic and environmental impacts.
Risk Management and Health and Safety	None at this time
Equality and Diversity	The Local Plan process will be subject to Community Impact Assessments at appropriate points.
Privacy and Data Protection	None at this time.

7 Appendices

7.1 The following documents are to be published with this report and form part of the report:

- Appendix I: Evidence Update Table

8 Background Papers

None