

Planning and Transportation Policy Working Group	
Meeting Date	17 September 2024
Report Title	Local Development Scheme Autumn 2024 update
EMT Lead	Emma Wiggins Director of Regeneration and Neighbourhoods
SMT Lead	Joanne Johnson Head of Place
Lead Officer	Stuart Watson Project Manager (Planning Policy)
Classification	Open
Recommendations	<ol style="list-style-type: none"> 1. Members of PTPWG are asked to recommend to Policy and Resources committee the revised timetable for a Regulation 18 draft Plan consultation in quarter 2 of 2025 and a Regulation 19 pre-submission Plan consultation in quarter 4 of 2025. 2. Members are also asked to recommend the updated Local Development Scheme at Appendix I that includes the revised timetable.

1 Purpose of the Report and Executive Summary

1.1 This report sets out a proposed update to the timetable for the Local Plan Review consultations as set out in the Council's Local Development Scheme. The update is required to address members' request to carry out additional work that could be considered as part of drafting the Regulation 18 version of the Local Plan. The work includes:

1. identify sites in Sittingbourne for additional homes;
2. identify sites for rural older persons housing;
3. review specific sites for densification potential; and,
4. review draft HELAA allocations from the perspective of alternative transport solutions (given the perceived direction of travel of national government in that regard).

2. Background

2.1 The requirement to produce a Local Development Scheme is set out under section 15 of the Planning and Compulsory Purchase Act 2004. The Act sets out that schemes must specify (among other matters) the development plan documents including local plans that when prepared, will comprise part of the development plan for the area. The Local Development Scheme should be made publicly accessible and kept up to date so that that local communities and interested parties can keep track of progress.

- 2.2 On 24th July 2024 the Council agreed the Local Plan Review consultation approach option 2 that included a Regulation 18 draft Plan consultation in quarter 4 of 2024 and a Regulation 19 pre-submission Plan consultation in quarter 1 of 2025 and, that the updated Local Development Scheme be agreed.
- 2.3 Since the Full Council decision, a consultation on proposed changes to the National Planning Policy Framework has been undertaken by the government. Whilst at the time of writing this report the proposed changes have not been adopted into national policy, it is clear that the government continues to place emphasis on the importance of Local Authorities to have up to date Local Plans and that Plans and should meet central government’s understanding of local needs.
- 2.4 To allow time for new legislation on Plan Making to be brought forward and for Local Authorities to address changes proposed in the NPPF, the government has extended the timeframe for Local Plans to be submitted under the current Plan Making system to December 2026. This is an extension of 18 months from the previous governments’ intended deadline of June 2025.
- 2.5 As part of informal discussions with members on sites that can be considered for drafting the Local Plan, members have asked for further work on the site options as set out in paragraph 1.1 above. To help facilitate the first two requests in a robust and defensible manner, officers will need to carry out a new call for sites exercise and assess those sites to determine their suitability for consideration in Plan drafting. This will ensure that all sites proposed for draft allocations have been through the same assessment, a process that is a requirement for Plan Making and is tested through the Plans Sustainability Appraisal.
- 2.6 The call for sites workstream has been estimated by officers to take approximately 6 months. Alongside the call for sites officers will also be working on the third and fourth requests of members. As a result of these work streams the proposed Regulation 18 draft Local Plan consultation schedule for Quarter 4 of this year will be need to be pushed back to Quarter 2 of 2025.
- 2.7 Additionally, the time between the Regulation 18 consultation and Regulation 19 consultation is proposed to be extended by 3 months to ensure officers have enough time to comprehensively consider responses to the Regulation 18 consultation before producing the next draft of the Local Plan. Whilst the previous timeframe for this work was achievable, albeit tight the government has allowed more time for Plan Making under the current system. The extension of time would also be appropriate based on the recent experience of neighbouring authorities who have experienced higher levels of response to consultations than previously experienced. The revised timetable proposed in the LDS is set out below.

Project Plan going forward	
Publication of Regulation 18 draft Local Plan consultation	April to June 2025
Publication of submission draft local plan review for public Consultation (Reg 19)	October to December 2025

Submission of Plan for Examination (with results of the public consultation) Reg 22	January to March 2026
Examination hearing sessions (Reg 24) *	July to September 2026
Main modifications consultation *	October to December 2026
Adoption, full Council (Regulation 26) *	January to March 2027

* Indicative time frames as finalise of dates will be dependent on the availability of the Planning Inspectorate.

- 2.8 When balancing the priorities of the timeframe to December 2026 to submit a Plan for examination under the proposed NPPF transitional arrangements, costs of Plan production and robustness of Plan drafting that includes the 4 workstreams set out in paragraph 1.1 above, officers consider a 6 month extension to the timetable to the Regulation 18 consultation and a further 3 months after the consultation to refine drafting of the Regulation 19 draft Plan to be the best approach to support member aspirations for the Local Plan Review

3. Conclusion

- 3.1 This report recommends changes to the Local Plan Review timetable for consultation to include a 6 month extension for preparation of the Regulation 18 document and a 3 month extension to the review period before the Regulation 19 consultation. The proposed timetable extension ensures that the Council can deliver the Local Plan Review within the new timeframe for Plan Making set out by the government. Updating the Local Development Scheme to reflect the timetabling changes will ensure that local communities and stakeholders are kept up to date on the Council's Local Plan progress.

4. Proposals

- 4.1 Members of the PTPWG are asked to recommend to Policy and Resources committee the revised timetable for a Regulation 18 draft Plan consultation in quarter 2 of 2025 and a Regulation 19 pre-submission Plan consultation in quarter 4 of 2025. Members are also asked to recommend the updated Local Development Scheme at Appendix I that includes the revised timetable.

5. Alternative Options Considered and Rejected

- 5.1 To not update the timetable for Local Plan consultation set out in Local Development Scheme – The additional call for sites work including site suitability assessments would not be completed within the existing timetable. This would make the published Local Development Scheme out of date and the Council would

fail in its legislative duty to keep local communities and stakeholders up to date on its intentions towards Local Plan making.

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 I has been updated to reflect the timetabling changes set out in this report.
- 6.2 The timetabling changes were discussed informally with administration members in August 2024 once proposed changes to the NPPF and Plan making were known.

7. Implications

Issue	Implications
Corporate Plan	The LPR is responsible for delivering the spatial elements of the Corporate Plan.
Financial, Resource and Property	Updating the Local Development Scheme to reflect the timetable changes and publication of the document on the website can be accommodated within existing resources.
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 assessments 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>Drafting of the Plan and its Policies will also take in to account the Council's Climate and Ecological Emergency Action Plan.</p>
Health and Wellbeing	None identified at this stage

Safeguarding of Children, Young People and Vulnerable Adults	None identified at this stage.
Risk Management and Health and Safety	<p>There is a considerable (although now reduced – given the extended timeframe) 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>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 I Local Development Scheme 2024
- 8.2 Appendix II Local Plan Review Evidence Base list

9. Background Papers

- 9.1 [Full Council report Local Plan Review Consultation timetable options and LDS 24th July 2024.pdf \(swale.gov.uk\)](#)

