

## **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 22 September 2021. 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 Spring 2024 and anticipated adoption of the review. Progress against this LDS will be reviewed annually through the Authority Monitoring Report.

## **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 to refresh this version and expedite the local plan review process by going straight to Regulation 19 consultation following the conclusion of Regulation 18 consultation "Looking Ahead". The Council undertook that Regulation 19 pre-submission consultation earlier this year. The Council considered the main issues raised and, as promised, took stock in light of those comments to consider its position. Subsequent to this, the government published a revised National Planning Policy Framework on 20 July 2021 which requires the local plan review to extend the timeframe of the vision because "where larger scale developments such as new settlements or significant extensions to existing villages and town form part of the strategy for the area, policies should be set within a vision that looks further ahead (at least 30 years), to take into account the likely timescale for delivery" (paragraph 22).

2.3 Whilst the Council remains committed to having an up-to-date local plan and recognises the need to progress with the LPR, these factors, combined with the impacts of Covid mean that, on balance, the most appropriate route forward would be for a further

Regulation 18 (Issues & Options with Preferred Option) consultation to allow engagement on how the Council could address these new challenges. As a result, the LDS needs to be updated to reflect this approach.

2.4 This new LDS reflects the statutory stages of the plan process and the Statutory Regulations and will supersede the LDS (2020) 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 (adopted June 2017)
- Kent Minerals and Waste Local Plan 2013 – 2030 (adopted June 2017)

### **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)
- 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)
- Parking Standards SPD (May 2020)

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

4.5 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. The Council prepared and agreed an addendum to the SCI in February 2021 to reflect the impacts of the pandemic and lockdowns. This will be kept under review as the situation evolves and the SCI will be updated if necessary.

### **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 (2020 – 2023)**

The corporate plan sets out the Council's priorities and the local plan is responsible for delivering those of a spatial nature. Priority 1: *to building the right homes in the right places and supporting quality jobs for all*; Priority 2: *Investing in our environment and responding positively to global challenges*; and Priority 3: *Tackling deprivation and creating equal opportunities for everyone* must be addressed in the LPR.

### **5.4 Authority Monitoring Report**

The Council publishes 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 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 – 2038**

6.1 The Local Plan Review (LPR) will set the vision and framework for the development needs for the whole of the Swale Borough area from 2022 – 2038. This will include addressing revisions to the National Planning Policy Framework and associated Practice Guidance (2021); addressing the future development needs of the Borough including housing needs, the local economy, environmental considerations and community infrastructure needs and transport. 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.

6.2 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 are set out at appendix (i).

6.3 The Council continues to undertake Duty to Cooperate duties 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 scope or intention for joint plan making has been identified at this point in time.

### **6.4 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. Further revisions to national policy and regulation on CIL in 2018 and the approach to viability assessments affecting plan making, meaning that at this early stage in the LPR process, it is unclear whether implementing a CIL charge would be beneficial to Swale. This issue is further complicated by measures proposed as part of wider planning reforms to replace both CIL and Section 106 planning obligation agreements with a new infrastructure levy. Nevertheless, the Council will review this issue as part of the LPR and, if required, will be included in a future review of this LDS.

### **6.5 Neighbourhood Plans**

As at September 2021, the following areas have designated Neighbourhood Plan areas:

- Boughton and Dunkirk (designated in February 2014 and under preparation)
- Minster (designated in 2014)
- Hernhill (designated in 2017 and under preparation)
- Faversham (designated in 2020 and under preparation)
- Borden (designated in 2021 and under preparation)

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 \(swale.gov.uk\)](http://swale.gov.uk/LocalPlans-Neighbourhoodplanning)

## 6.6 **Supplementary Planning Documents**

The Council is intending to prepare the following documents to support the LPR:

- Sittingbourne Town Centre SPD
- Sustainable Design and Constructions SPD
- Housing SPD

As SPDs are not development plan documents (they provide an amplification of development plan policy), they are not required to be part of the official LDS programme. For information, appendix (ii) provides an indicative programme for the production of these SPDs.

## 7. **Resources and Project Management**

7.1 Swale Borough Council has a 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 Services, and led by the Planning Policy 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 specialist consultants (where appropriate) along with engagement with stakeholders, organisations and the public to help inform and develop the plan.

7.2 The Council has established management and reporting structure to support delivery of the local plan review. This is primarily the Local Plan Panel cross party Members group that make 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 i: Swale Local Plan Review Project Plan and Key Stages

<b>Document Project Plan</b>	
Subject/Content	Matters to be reviewed include: 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 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 Strategy and Housing Strategy. Also have regard to the Climate Change and Ecological Emergency Strategy and Action Plan. The LPR will need to take into account the policies within neighbourhood plans and have regard to other local strategies such as SELEP and KCC
Policies map	To be amended to reflect the policy content of the Local Plan Review
<b>timetable</b>	
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	July 2017 – January 2022
Regulation 18 consultation (Looking Ahead)	27 April – 8 June 2018
Regulation 19 consultation	February – 30 April 2021
Publication of Issues & Options (with Preferred Option) consultation (Reg 18)	October – November 2021
Local Plan Panel / Full Council cycle agree Publication Version of Local Plan for consultation	January 2022
Publication of submission draft local plan review for public Consultation (Reg 19)	February – April 2022
Submission of Plan for Examination (with results of the public consultation) Reg 22	May 2022
Examination hearing sessions (Reg 24)	August 2022
Main modifications consultation	November 2022
Adoption, full Council (Regulation 26)	February 2023

**Appendix ii: Indicative Supplementary Planning Document Timetables****Swale Sustainable Design and construction Supplementary Planning Document**

<b>Event</b>	<b>Date</b>
Initial evidence gathering	tbc
Member workshops	tbc
Drafting	tbc
Consultation on Draft SPD	tbc
Finalise Changes and Adopt SPD	

**Swale Housing Supplementary Planning Document**

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

**Sittingbourne Town Centre SPD**

<b>Event</b>	<b>Date</b>
Initial evidence gathering)	Completed
Member workshops	Completed
Drafting	Completed
Consultation on Draft SPD	Autumn 2021
Finalise Changes and Adopt SPD	Spring 2023