

**This document is produced by
Maidstone Borough Council**

**This Local Development Scheme came into effect on
9 December 2015 and replaces all previous versions of
the Scheme**

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1 Introduction to the Local Development Scheme	1
What is the Local Development Scheme?	1
The Development Plan	1
Planning Documents	1
Community Infrastructure Levy	3
2 The Local Development Scheme	4
Review of the Local Development Scheme 2013-2015	4
Local Development Scheme 2014-2017	6
Monitoring and Review	7
3 Risk Management	8
4 Document Project Plan	11
Maidstone Borough Local Plan	11
5 Glossary of Terms	13

What is the Local Development Scheme?

1.1 Councils are required to produce a **Local Development Scheme** (LDS) under Section 15 of the Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011). The LDS is a three year project plan which sets the timetable for the production of Maidstone Borough Council's local plan. It explains how the council will resource and manage the preparation of documents, and includes a risk assessment of events that might impact on the programme together with an explanation of how such risks will be mitigated.

1.2 The Scheme needs to ensure that the local plan is put into place systematically, that it is kept up-to-date, and that the community is actively involved in the process. The LDS makes the planning authority more accountable, and it offers the wider community some certainty about when and how it can engage in the plan making process. This Scheme includes a programme for the preparation of the Maidstone Borough Local Plan. Whilst there is no requirement to include a timetable for the production of supplementary planning documents (SPD), the council has identified key SPDs that are a priority to support the delivery of local plan policies.

The Development Plan

1.3 The **Development Plan** is central to the planning system and is needed to guide the decision making process for land uses and development proposals. The development plan includes adopted local plans and neighbourhood development plans.

1.4 The development plan for Maidstone comprises a number of local documents: adopted development plan documents (DPD), which are now called local plans; saved policies from the adopted Maidstone Borough-wide Local Plan 2000; and the Kent Minerals and Waste Local Plans that are prepared by Kent County Council. At 9 December 2015, the development plan comprises:

- Affordable Housing DPD (December 2006)
- Open Space DPD (December 2006)
- Maidstone Borough-wide Local Plan Saved Policies (September 2007)
- The Kent Minerals and Waste Local Plans.

Planning Documents

1.5 The Local Plan is the plan for the future development of the borough and it can contain a single document or a series of local plans. Maidstone's local plan currently includes previously adopted development plan documents and saved policies from the Maidstone Borough-wide Local Plan, all of which will be superseded by the Maidstone Borough Local Plan once adopted. The production of local plans is dependent on community and stakeholder involvement, public consultation, sustainability appraisal and independent examination. The principal local plan must set out the spatial vision, objectives and key policies for the delivery of the framework, and it plays a key part in delivering the spatial objectives of the council's Sustainable Community Strategy and the Strategic Plan.

1.6 Neighbourhood Development Plans are not compulsory but, once made, they are a statutory document that form part of the development plan. In Maidstone these are prepared by parish councils or neighbourhood forums, and the plans are subject to consultation, examination and referendum. The plans must be in general conformity with the strategic policies of the adopted local plan, and should have regard to any emerging local plan. The council currently has 12 designated neighbourhood areas and a further neighbourhood area is subject to consultation. Five neighbourhood plans are at various stages of production.

1.7 The **Policies Map** is a map of the borough which illustrates areas of protection and site specific proposals set out in the local plan. Maidstone has an on-line policies map that can be accessed through its website.

1.8 Supplementary Planning Documents (SPD) expand or add detail to local plan policies and are prepared with stakeholder and public engagement. They are not subject to sustainability appraisal or examination because the local plan policies they support will have gone through this process. SPDs are a material consideration in the determination of planning applications, but they do not form part of the development plan or the local plan. Adopted **Planning Policy Advice Notes** are also a material consideration, and those that meet the disciplines of SPD production can be given commensurate weight in the decision making process.

1.9 In addition to the Local Development Scheme, the **Statement of Community Involvement (SCI)** and **Monitoring Reports** are a crucial part of the plan making process. The SCI explains how and when local communities and stakeholders will become involved in the preparation of documents. Annual monitoring reports measure the success of local plan objectives, targets and adopted policies.

1.10 The council's adopted planning documents are set out below.

Local Plan

- Affordable Housing DPD (2006)
- Open Space DPD (2006)
- Saved policies from the Maidstone Borough-wide Local Plan (2007)

Supplementary Planning Documents

- Sustainable Construction: Using Water SPD (2006)
- Loose Road Character Area Assessment SPD (2008)
- London Road, Bower Mount Road, Buckland Hill Character Area Assessment SPD (2008)
- Residential Extensions SPD (2009)

Planning Policy Advice Notes

- Kent Downs Area of Outstanding Natural Beauty Management Plan 2014-2019
- Kent Design Guide 2005/06
- Kent County Council Vehicle Parking Standards (interim guidance) (2006/2008)

- Domestic and Medium Scale Solar PV Arrays (up to 50KW) and Solar Thermal (2014)
- Large Scale (>50KW) Solar PV Arrays (2014)

Supporting Documents

- Local Development Scheme 2014-2017 (December 2015)
- Statement of Community Involvement (2013)
- Monitoring Reports.

Community Infrastructure Levy

1.11 The **Community Infrastructure Levy (CIL) Charging Schedule** will set out the standard charges that the council will levy on specified types of development, in order to fund the infrastructure needed to support growth. The timetable for preparing the Charging Schedule will closely follow the local plan programme, and the schedule will be supported by an **Infrastructure Delivery Plan** which will identify what, where, when and how the infrastructure needed over the lifetime of the local plan will be delivered.

1.12 The Charging Schedule will identify the schemes and/or types of infrastructure to be funded by CIL through the Regulation 123 List. Section 106 planning agreements which are negotiated with developers to obtain infrastructure funding will continue to play a significant role in securing site specific infrastructure to support the delivery of key development sites allocated in the emerging Maidstone Borough Local Plan.

1.13 The process for preparing a CIL Charging Schedule is similar to that for local plans, and is set out in The Community Infrastructure Levy Regulations 2010. Public consultation on the council's CIL preliminary draft Charging Schedule (Regulation 15) was undertaken from 21 March to 7 May 2014. Formal public consultation on the CIL draft Charging Schedule (Regulations 16/17) is programmed for May 2016, with a view to submitting the schedule to the Secretary of State for examination (Regulations 19/20) in August 2016.

Review of the Local Development Scheme 2013-2015

2.1 Maidstone's Local Development Scheme was first adopted in 2005 and has been the subject of a number of reviews, the latest in 2013. In 2013, the Scheme combined the preparation of two local plans (the Core Strategy and Development Delivery) into a single Maidstone Borough Local Plan. A local plan must be prepared in accordance with The Town and Country Planning (Local Planning) (England) Regulations 2012.

2.2 Following previous consultations on iterations of the Core Strategy, a partial consultation (regulation 18) on the local plan was programmed for October/November 2013. Although much of the Core Strategy could be incorporated into the new local plan, it subsequently became clear that further evidence was necessary, for example, to confirm the borough's objectively assessed housing need and complete additional viability testing. Consequently the 2013 LDS programme has not been met.

2.3 Instead of a partial consultation on the local plan in autumn 2013, a public consultation (Regulation 18) on the entire draft Maidstone Borough Local Plan was undertaken between 21 March and 7 May 2014. A further "call for sites" ran alongside the consultation, to enable the council to undertake an appraisal of the sites' development potential for housing or Gypsy and Traveller accommodation. Since then, the council has given consideration to the representations received, through a series of committee meetings, and has taken account of the impact of changes in national policy such as the introduction of the National Planning Practice Guidance in March 2014. Several policies and site allocations in the draft Maidstone Borough Local Plan 2014 are in the process of being amended as a result. As part of the preparation of the local plan, the council also resolved to undertake a partial consultation (Regulation 18) focusing on key changes to new, amended and deleted policies and site allocations. The consultation ran for 4 weeks from 2 to 30 October 2015.

2.4 The amendments arising from the 2014 and 2015 public consultations will be incorporated into the Publication version of the Maidstone Borough Local Plan (Regulation 19) which will be published in February 2016. Having considered the views of the public and other bodies on the content of the local plan, Regulation 19 consultation is focused on whether the local plan has been prepared in accordance with legal requirements and it meets the tests of soundness.

2.5 Since the 2013 LDS was prepared, the council has published the following documents to supplement its evidence base. These documents will assist in supporting the local plan during examination.

- Retail Capacity Study (2013)
 - Town Centre Assessment (2013)
 - Local Plan Viability Testing (2013 and 2015)
 - Agricultural Land Classification Study (2014)
 - Economic Sensitivity Testing and Employment Land Forecast (2014)
 - Qualitative Employment Site Assessment Report (2014)
 - Strategic Housing Market Assessment updates (2014 and 2015)
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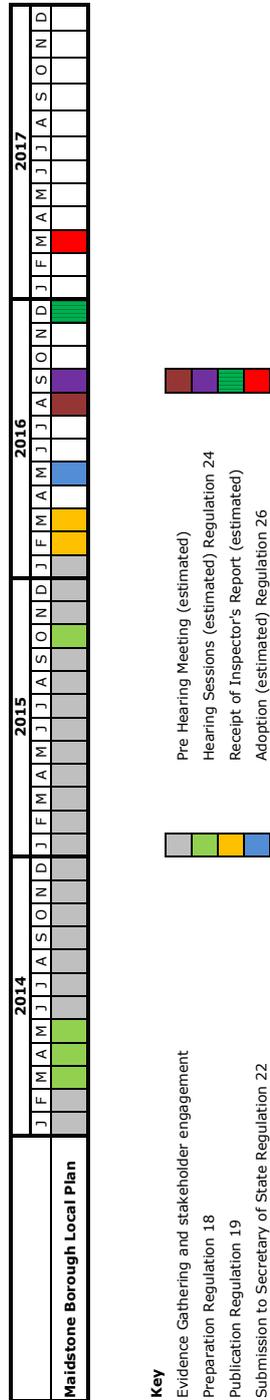
- Strategic Housing and Economic Development Land Availability Assessment (2015)
- Landscape Capacity Study (2015).

2.6 Although not a requirement for the LDS, the 2013 Scheme included a suite of supplementary planning documents (SPD) that are needed as a priority to add detail to policies contained in emerging Maidstone Borough Local Plan. This list remains pertinent, and the adoption of the documents will closely follow the adoption of the local plan.

- A **Parking Standards SPD** is required to set local parking standards for new commercial and residential development
- A **Landscape Character Guidelines SPD** is required to develop a "toolkit" to assist with the determination of planning applications within the landscape areas identified in the Council's Landscape Character Assessment (2012)
- An **Affordable and Local Needs Housing SPD** will deliver the detail of the affordable housing and local needs housing policies of the Maidstone Borough Local Plan.

2.7 Further supplementary planning documents and master plans that will support a range of local plan policies will be produced following the adoption of the priority SPDs.

Local Development Scheme 2014-2017



Note: If there are main modifications to the local plan post-examination, the modifications would be subject to consultation and consequently delay adoption by approximately 3 months.

Monitoring and Review

2.8 The council will continually assess and build on its evidence base to ensure it has sufficient social, environmental, economic and physical information to identify the spatial characteristics and needs of the borough to inform the preparation of its local plan. The local plan will explain how its policies will be delivered and implemented, and will identify performance indicators against which the success of policies will be monitored. A number of the performance indicators will be monitored through annual Monitoring Reports, and the council will monitor and review the LDS programme to ensure that the key stages for document production set out in the Scheme are met.

Risk Management

3.1 The adoption of the Maidstone Borough Local Plan will reduce the risk of inappropriate development and will provide a clear policy direction to Councillors, the development industry and members of the public. The council is continually assessing the risks to the LDS programme and must consider how risks can be minimised and managed should problems be encountered.

Risk	Impact	Mitigating Actions
New National planning legislation and/or guidance is published.	Additional work is required to comply with new requirements, causing delay to the programme.	A watching brief is kept on the introduction of new and amended planning legislation and guidance, and changes are responded to promptly. Counsel has been retained to offer legal advice on document content and processes, to ensure that risks to the preparation of plans are appropriately considered.
The level of public engagement at consultation stages is greater than that forecast.	Increased time required to assess a greater volume of representations, or to prepare additional evidence in order to respond to complex issues.	Time has been built into the programme to consider and respond to representations, an on-line consultation system is in place to manage the volume of representations, and additional resources have been employed to create flexibility.
Difficulties arise in staff recruitment and retention.	Slippage in the local plan programme.	Staff vacancies have been filled promptly where possible, and incentives used to attract staff. The team is currently fully staffed, but redeployment of staff or employment of consultants to meet key milestones can be considered if difficulties arise.
Staff time is diverted to other work.	Slippage in the local plan programme.	The council has prioritised and resourced the production of its local plan.
There is insufficient funding to progress the local plan.	Quality of the evidence base is compromised and/or key milestones cannot be met.	The council has a dedicated budget for the preparation of the local plan and costs are closely monitored. The council will ensure that the budget is managed efficiently and effectively, and will identify any likely deficiencies at an early stage.

Risk	Impact	Mitigating Actions
IT systems are unreliable and/or inadequate for consultation and examination processes.	Slippage in the local plan programme caused by administrative delays.	Corporate liaison on IT and Communications matters are essential, in order to resolve problems at an early stage. Objective, which is an on-line system, is used to create and publish consultation documents, and to manage representations received.
Council rejects the Maidstone Borough Local Plan.	Document requires additional work to build consensus, and results in repetition of specific stages of the plan making process.	Political and stakeholder co-operation is essential for the council to meet key target dates. The local plan has been underpinned by a robust evidence base, and steered by the Strategic Planning, Sustainability and Transportation Committee (and formerly by the Overview & Scrutiny Committee and Cabinet). The Strategic Planning, Sustainability and Transportation Committee has cross-party membership, and the views of visiting Councillors have been taken into account at committee meetings. Three "drop-in" sessions have been arranged for Councillor briefings, prior to consideration of the Publication version of the local plan (Regulation 19).
Maidstone Borough Local Plan is found unsound during examination.	Document requires additional work and results in repetition of specific stages of the plan making process.	Risks to the adoption of the local plan are generally associated with meeting the tests of soundness at examination. Legal services have been retained to offer advice on document content and processes, and the local plan has been subject to critical friend analysis. The plan has also benefited from reviews by the Planning Advisory Service and the Planning Inspectorate. The council will continue to fully engage with stakeholders during the preparation of the local plan, and to satisfy its duty to cooperate with partners.

Risk	Impact	Mitigating Actions
A legal challenge to the Maidstone Borough Local Plan is raised.	Document requires additional work and results in repetition of specific stages of the plan making process.	Legal services have been retained to ensure regulations are complied with.

Table 3.1 Risks to the programme for the Maidstone Borough Local Plan

Maidstone Borough Local Plan

MAIDSTONE BOROUGH LOCAL PLAN	
Subject	Sets the spatial vision and strategy for the future development of Maidstone to 2031; identifies borough wide site specific land allocations for new housing, business, retail and infrastructure; includes policies for the regeneration of the town centre; designates protection areas; and includes development management policies.
Status	Local Plan
Coverage	Maidstone borough
Content	<ul style="list-style-type: none"> • The Council's spatial vision, spatial objectives, and strategy for the distribution of development 2011 to 2031 • The delivery of growth targets for housing and employment, together with supporting infrastructure • The allocation of development sites, in accordance with the spatial strategy and defined on the policies map • Safeguarding of identified employment areas • Provision for housing needs through an appropriate dwelling mix, affordable housing and local needs housing • A criteria based policy and pitch target, together with land allocations, to meet the needs of Gypsies, Travellers and Travelling Showpeople • The delivery of quality and sustainable new development • Town centre and suburban regeneration • Designation of rural service centres and larger villages • Protection and enhancement of the borough's historic and natural environment • Delivery of sustainable transportation and other infrastructure • Development management policies.
Chain of Conformity - national	Central government policy and guidance, including the National Planning Policy Framework and Planning Practice Guidance.
Chain of Conformity - local	Regard to the Maidstone Sustainable Community Strategy, Strategic Plan, Economic Development Strategy and Housing Strategy.
Policies Map	To be amended to reflect the adoption of the Maidstone Borough Local Plan

Timetable	
SA Scoping Report	June 2013
Preparation (Reg 18)	21 March to 7 May 2104, and 2 to 30 October 2015
Publication (Reg 19)	12 February to 30 March 2016
Submission (Reg 22)	May 2016
Pre Hearing Meeting (estimate)	August 2016
Hearing Sessions (estimate)(Reg 24)	September 2016
Receipt of Inspector's Report	December 2016
Adoption (estimate)(Reg 26)	March 2017
Arrangements for Production	
Internal Partners	Teams within the directorates of Planning & Development, Environment & Shared Services, and Chief Executive; Corporate Leadership Team; Strategic Planning, Sustainability and Transportation Committee.
External Partners	Appropriate national consultees, Town Centre Management, parish councils, adjacent local planning authorities, Kent County Council, and other stakeholders and community groups set out in the SCI.
External Resources	Kent County Council, Highways England, infrastructure providers, the Homes and Communities Agency, and use of external consultants to provide evidence (as required).

Table 4.1 Project Plan for the Maidstone Borough Local Plan

Glossary of terms

Acronym	Term	Description
	Development Plan	The Development Plan includes adopted local plans and neighbourhood development plans, and sets a framework for the decision making process.
DPD	Development Plan Document	A DPD is a spatial planning document that is subject to independent examination. DPDs are now known as local plans.
KCC	Kent County Council	The county planning authority, responsible for producing the Kent Minerals and Waste Local Plans.
LDS	Local Development Scheme	The LDS is a business programme (or timetable) for the production of the local plan.
	Local Plan	The plan for the future development of the local area, drawn up by a local authority in consultation with the community. Once adopted, the local plan becomes part of the development plan. The local plan for Maidstone currently includes adopted DPDs and saved policies. These will be superseded by the the Maidstone Borough Local Plan once it is adopted. The Local Plan does not include SPDs or Planning Policy Advice Notes, although these documents are material considerations in the decision making process.
MBC	Maidstone Borough Council	The local planning authority responsible for producing the local plan.
NDP	Neighbourhood Development Plan	Neighbourhood development plans (also known as neighbourhood plans) are prepared by a parish council or neighbourhood forum for a particular neighbourhood area. Neighbourhood plans must be in conformity with the strategic policies of the local plan and, once made, form part of the council's development plan.
	Planning Policy Advice Notes	Advice notes are a material consideration in planning decisions but are not part of the local plan or the development plan. If subject to adequate stakeholder and public consultation, advice notes can carry commensurate weight with SPDs in the decision making process.
	Policies Map	The policies map uses an on-line ordnance survey map base to show all land use policies and proposals, and is updated as each new local plan

		is adopted so that it reflects the up-to-date planning strategy for the borough.
	Saved policies	Policies from the adopted Maidstone Borough-wide Local Plan (2000) that were saved in 2007 under the Planning and Compulsory Purchase Act 2004.
SA	Sustainability Appraisal	The SA is a tool for appraising policies and proposals to ensure they reflect sustainable development objectives, including social, economic and environmental objectives. An SA must be undertaken for all local plans.
SCI	Statement of Community Involvement	The SCI specifies how the community and stakeholders will be involved in the process of preparing local planning documents.
SCS	Sustainable Community Strategy	The SCS is produced by local authorities with the aim of improving the social, environmental and economic well being of their areas. The actions of the local public, private, voluntary and community sector are coordinated through the SCS.
SEA	Strategic Environmental Assessment	SEA is a generic term used to describe the environmental assessment of policies, plans and programmes. The European SEA Directive requires a formal environmental assessment of certain plans and programmes, including those in the field of planning and land use.
SoS	Secretary of State	Secretary of State for Communities and Local Government.
SPD	Supplementary Planning Document	An SPD provides further detail to policies set out in local plans. SPDs are a material consideration in the decision making process but are not part of the development plan or the local plan.