

Swale Local Development Scheme (July 2024)

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 came into effect upon agreement by the Full Council at its meeting on 24th July 2024. 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 December 2025. Progress against this LDS will be reviewed annually and reported by the Councils Local Plans team.

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, then in October 2021 and again in July 2022 to reflect changes in approach that the Council deemed appropriate at that time. This latest version has been produced as a result of much awaited changes to the National Planning Policy Framework (NPPF December 2023) that included *inter alia* a change in housing targets from mandatory to advisory, a 4 year housing land supply requirement for Local Authorities with a draft Plan Regulation 18, 19 or submission document and the removal of a 5 year housing land supply requirement for authorities with up to date Local Plans. Now that the changes in requirements on Plan making have been made clear the Council is able to update the LDS accordingly.
- 2.3 The Council remains committed to having an up-to-date local plan and recognises the need to progress with the LPR and to have a robust and

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proportionate evidence base. This new LDS (April 2024) reflects the statutory stages of the plan process and the Statutory Regulations and will supersede the LDS (July 2022) 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 (made June 2017)
- Boughton-under-Blean and Dunkirk Neighbourhood Plan (made April 2023)
- Kent Minerals and Waste Local Plan 2013 – 2030, as amended by early partial review (adopted September 2020)

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)
- Queenborough and Rushenden Masterplan SPD (November 2010)
- Sittingbourne Town Centre and Milton Creek Masterplan SPD (September 2010)
- Swale Landscape Character and Biodiversity Appraisal SPD (2011)
- Stones Farm Development Brief SPD (May 2011)
- Parking Standards SPD (May 2020)
- Sittingbourne Town Centre Supplementary Planning Document (2022)

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:

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- Air Quality
- Noise and Vibration Planning Technical Guidance

4.5 The Full Council agreed an interim Planning Policy statement the “Interim Planning Policy for Park Home residences” ahead of the Policy consideration in the Local Plan Review on 17 June 2020, the.

4.6 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.

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 (2023 – 2027)

The corporate plan sets out the Council’s priorities and the local plan is responsible for delivering those of a spatial nature. The priorities most specific to the Councils Local Plan review include:

- Priority Community: To enable our residents to live, work and enjoy their leisure time safely in our borough and to support community resilience.;
- Priority Economy: Working with our businesses and community organisations to work towards a sustainable economy which delivers for local people.
- Priority Environment: To provide a cleaner, healthier, more sustainable and enjoyable environment, and to prepare our borough for the challenges ahead.
- Priority Health and Housing: To aspire to be a borough where everyone has access to a decent home and improved health and wellbeing.

5.4 Authority Monitoring Report

The Council will publish 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 performance 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 – 2040

- 6.1 The Local Plan Review (LPR) will set the framework for the development needs for the whole of the Swale Borough area from 2022 – 2040. This will include addressing revisions to the National Planning Policy Framework and associated Practice Guidance (2023); addressing the future development needs of the Borough including housing, the local economy, environmental considerations and community infrastructure needs and transport.
- 6.2 The LPR 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. Where applicable, the policies for any larger scale developments, such as significant extensions to existing villages and towns, will be set within a vision that looks further ahead (at least 30 years). This will take into account the likely timescale for their delivery.
- 6.3 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 and the Document Project Plan and the timetable for Local Plan Review including key stages of consultation are set out at 7.4 below.
- 6.4 The Council continues to undertake the Duty to Cooperate 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 intention for joint plan making with other Local Authorities was agreed by

the Council at its Full Council meeting on 15th November 2023 link: [Agenda for Council on Wednesday, 15 November 2023, 7.00 pm \(swale.gov.uk\)](#)

6.5 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. CIL significantly reduces down the Section 106 agreement process at the planning application stages as Levies will have been determined through a CIL specific examination in public. The Section 106 agreements then are left to focus upon limited matters like Affordable Housing. At this stage in the Local Plan Review due to the Whole Plan viability assessment having not been completed it is unknown whether it will be viable to apply CIL to new development proposed within the Plan. The Council will review the appropriateness of applying CIL and, if required, CIL will be included in a future review of this LDS.

6.6 Neighbourhood Plans

At March 2024, the following areas have designated Neighbourhood Plan areas:

- Minster (designated in 2014)
- Hernhill (designated in 2017 and under preparation)
- Faversham (designated in 2020 and at Examination stage commenced January 2024)

6.7 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 \(swale.gov.uk\)](#)

6.8 Supplementary Planning Documents

Presently, the Council is not intending to prepare any Supplementary Planning Documents.

7. Conclusion

7.1 The Local Plan Review (LPR) 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 with input and expertise from other teams across the Council including the use of outside specialist consultants (where

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appropriate) and engagement with stakeholders, organisations and the public to help inform and develop the plan.

- 7.2 The Council has an established management and reporting structure to support delivery of the local plan review. This is primarily the Policy and Resources Committee (and Planning and Transportation Policy Working Group that report to it), that subsequently make recommendations to Council for decision. In addition, briefings for senior managers and Members on key pieces of research or new national policy are used.
- 7.3 The LPR Document Project Plan and the timetable for the Review including key stages of consultation are set out below.

Document Project Plan to date	
Subject/Content	<p>Matters to be reviewed include:</p> <ul style="list-style-type: none"> 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 that will lead to improved health outcomes. 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 Improvement Plan 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 those produced by KMED and KCC
Policies map	To be amended to reflect the policy content of the Local Plan Review

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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	Commenced July 2017
Previous consultations being superseded <ul style="list-style-type: none"> • Regulation 18 consultation (Looking Ahead) • Regulation 19 consultation on the LPR • Publication of further Issues & Options (with Preferred Option) consultation document (Reg 18) 	<p>27 April – 8 June 2018</p> <p>February – 30 April 2021</p> <p>October – November 2021</p>
Project Plan going forward	
Regulation 18 draft Local Plan consultation	October to December 2024
Publication of submission draft local plan review for public Consultation (Reg 19)	January to March 2025
Submission of Plan for Examination (with results of the public consultation) Reg 22	April to June 2025
Examination hearing sessions (Reg 24)	October to December 2025
Main modifications consultation	January to March 2026
Adoption, full Council (Regulation 26)	April to June 2026