

Agenda Item No: 6

Report To: Cabinet

Date of Meeting: 29th April 2021

Report Title: Local Development Scheme (LDS) Update 2021

Report Author & Job Title: Carly Pettit, Deputy Team Leader – Plan Making and Infrastructure

Portfolio Holder Cllr. Shorter, Portfolio Holder for Planning and Development
Portfolio Holder for:



Summary:

The draft LDS 2021 sets out the project plan and timetable for preparation of the Gypsy and Traveller Accommodation Local Plan until the mid 2022.

The LDS is required under legislation and compliance with it is a matter of 'soundness' for Local Plans. It is therefore essential that it is kept up to date.

The draft LDS 2021 and revised Gypsy and Traveller Accommodation Local Plan timetable conforms with the regulations.

Key Decision: YES

Significantly Affected Wards: All

Recommendations: **The Cabinet is recommended to:-**

i. Recommend to Full Council the adoption of the Local Development Scheme 2021, as required under Section 15 of the Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011).

Policy Overview: An up to date LDS is required under Section 15 of the Planning and Compulsory Purchase Act 2004 Section 15 (as amended by the Localism Act 2011) which is also accompanied by a number of detailed regulations. This revised LDS is in accordance with this legislation.

Financial Implications: None

Legal Implications: Compliance with the adopted LDS timetable is a test of soundness for Local Plan Documents at Examination Stage.

Equalities Impact Assessment: Not required as no policy changes proposed.

Data Protection Impact Assessment:	None
Risk Assessment (Risk Appetite Statement):	See paragraph 6 of the report.
Sustainability Implications:	None
Other Material Implications:	None
Exempt from Publication:	NO
Background Papers:	Appendix 1: Local Development Scheme 2021
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Report Title: Local Development Scheme (LDS) 2019 Update

Introduction and Background

1. The Local Development Scheme (LDS) sets out the scope and project timetable for the production of the Local development plan documents. The LDS enables the local community to find out about planning policies for their area and sets out the timetable for the production of the future Gypsy and Traveller Local Plan document, giving dates for key production as well as outlining the subject matter and the geographical extent.
2. The production of an LDS is required under Section 15 of the Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011) and is accompanied by a number of detailed regulations. Compliance with the adopted LDS timetable is a test of soundness for Local Plans at Examination stage, and therefore it is essential that it is kept up to date.

Proposal/Current Position

3. The current adopted LDS was published in 2019 and contained a timetable for the Local Plan 2030 and Gypsy and Traveller Local Plan. This set out that the draft Gypsy and Traveller Local Plan (Regulation 19) was due to be produced for public consultation in early 2020. Due to the number of issues still to be addressed around pitch needs and overall strategy, this was altered to a second (Regulation 18) Options consultation, which provided a number of different options for how the plan would be taken forward.
4. The timetable for the production of the plan has further slipped through 2020 due to several factors. Firstly delays were caused by the pandemic due to restrictions this placed on site visits and consultations, and secondly additional Issues and options have been raised by officers and members at Local Plan and Planning Policy Task Group (LPPPTG) which will need to be explored further, before a draft plan can be produced.
5. The new timetable in the LDS 2021 sets out that consultation on the Draft Plan (Regulation 19) is expected in late 2021. Submission of the plan to the Government will follow in mid 2022, with adoption anticipated by Autumn 2022. The intention to revise the timetable for the Plan production has been discussed and agreed with LPPPTG, and the LDS 2021 was discussed at the March LPPPTG.

Implications and Risk Assessment

6. To ensure that the Gypsy and Traveller Accommodation Local Plan remains in conformity with the adopted LDS, the targets and milestones contained within the LDS Timetable will be analysed annually as part of the Authority Monitoring Report and annual Development Update process. These updates can then form an addition to the LDS when presented at Examination stage.

Consultation Planned or Undertaken

7. There is no requirement for public consultation on the LDS.

Equalities Impact Assessment

8. Not required as no policy changes proposed.

Other Options Considered

9. Production of an up to date LDS is a statutory requirement, and therefore is not optional. The Gypsy and Traveller Accommodation Local Plan timetable that is set out in the current LDS is now out of date and has consequently been amended in this new version of the LDS to reflect the up-dated position.

Next Steps in Process

10. If the Cabinet agree the recommendation, then it will be for the Full Council to approve the revised LDS and timetable.
11. In addition, the relevant regulations require the borough council to publish the revised LDS on the council's website, and within the local libraries for information.

Conclusion

12. The revision of the LDS is essential to meet the requirements set out in Regulations, provides a useful tool to measure the current Gypsy and Traveller Local Plan and progress and milestones.

Portfolio Holder's Views (Cllr. Shorter)

13. Ashford Borough Council has a requirement under the Planning and Compulsory Purchase Act (2004) to prepare, publish and monitor a Local Development Scheme for the Borough. Therefore, due to the ongoing preparation of the Gypsy and Traveller Local Plan it seems timely that the LDS is reviewed at this stage. I fully endorse the timetable contained within the scheme and would like to recognise the input of the LPPPTG, both members and non-members, who added value to the resultant product, which clarifies the stages of preparation of the Plan for members of the public, whilst providing milestones to work towards.

Contact and Email

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Appendix 1 – Local Development Scheme 2021

(attached)

Ashford Borough Council

Local Development Scheme

March 2021



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Introduction

What is a Local Development Scheme?

Ashford Borough Council is required to prepare, maintain and publish a Local Development Scheme (LDS) in accordance with the Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011).

The LDS is a 'project plan' which sets out the timetable for the production of new or revised Local Plan Documents which will form part of the Council's Local Development Plan. This LDS sets out a planning work programme for the Council over a two year period, to the end of 2022.

The LDS provides a starting point for the community to find out:

- The Local Plan documents that are to be prepared over the 2-year period;
- The current Local Plan documents which make up the statutory Development Plan for Ashford;
- The subject matter and the geographical area to which each document being prepared relates.

The LDS will be reviewed annually through the Authority Monitoring Report which can found here: <https://www.ashford.gov.uk/authority-monitoring-reports>

Previous LDS Documents

This LDS supersedes all previous versions. The Council produced its first LDS in March 2005, followed by subsequent schemes in July 2008, December 2010, July 2014, September 2015, May 2017, April 2018 and March 2019. In accordance with Regulations, all formerly adopted LDS timetables can be reviewed at Appendix 3.

The Current adopted Development Plan documents:

Development Plan Documents

The current Development Plan for Ashford borough comprises the Local Plan 2030 (2019), along with the Chilmington Green Area Action Plan (2013), the Wye Neighbourhood Plan (2016), the Pluckley Neighbourhood Plan (2017), the Rolvenden Neighbourhood Plan (2019) and the Kent Minerals and Waste Local Plan (2016) as well as the Kent Minerals and Waste Early Partial Review (2020). All can be viewed here:

<https://www.ashford.gov.uk/planning-and-development/planning-policy/adopted-development-plan-documents/>

- **Ashford Local Plan to 2030 (Adopted February 2019)**
The Local Plan 2030 is the principal development plan document for the Borough and sets out the overall vision and strategic objectives for the delivery of growth in Ashford until 2030 and establishes the level of new housing and employment development for Ashford Borough for the life of the Plan. There is a statutory requirement to review the Local Plan within 5 years of adoption. This review has not commenced.
- **Chilmington Green Area Action Plan (AAP) (2013)**
The AAP provides a policy framework to deliver up to 5,750 new homes and

1,000 new jobs over the next 25 years at Chilmington Green. The AAP contains topic policies for community infrastructure, transport improvements, ecology and provides a framework for different character areas.

Adopted Neighbourhood Plans

Provisions in the Localism Act (2011) allow local communities to prepare Neighbourhood Plans for their local areas. Neighbourhood Plans will form part of the Development Plan for the areas that they cover once they are formally 'made' by the Local Planning Authority. There are currently 3 adopted Neighbourhood Plans in the borough; Wye, Pluckley and Rolvenden.

There are other emerging Neighbourhood Plans, but as they are produced by the parishes, there is no requirement to set out the timescales within this LDS.

More information on all Neighbourhood Plans can be found here:

<https://www.ashford.gov.uk/planning-and-development/planning-policy/neighbourhood-plans/>

Minerals and Waste Plan

As the minerals and waste planning authority for Kent, Kent County Council have to plan for waste management capacity and mineral provision. The plan, and subsequent partial review in 2020, sets out the vision and strategy for waste management and mineral provision up until the year 2030. This can be viewed here: <https://www.kent.gov.uk/about-the-council/strategies-and-policies/environment-waste-and-planning-policies/planning-policies/minerals-and-waste-planning-policy#tab-1>

Supplementary Planning Documents and Guidance

Supplementary Planning Documents (SPDs) support the development plans. All matters covered in SPDs relate to policies within the Development Plan. Ashford has a number of adopted SPD's which are used as material considerations when assessing planning applications. They can all be viewed here:

- Affordable Housing SPD (2009)
- Residential Parking SPD (2010)
- Sustainable Drainage SPD (2010)
- Residential Space and Layout SPD (2011)
- Landscape Character SPD (2011)
- Public Green Spaces and Water Environment SPD (2012)
- Sustainable Design and Construction SPD (2012)
- Stables, Arenas and other Horse Related Development SPD (2014)
- Dark Skies SPD (2014)
- Chilmington Design Code SPD (2016)
- Fibre to the Premises SPD (2020)

Similarly, the Council has a number of Supplementary Planning Guidance (SPG) documents and guidance notes which support policies in the Borough Local Plan 2030 and provide more detailed advice on particular topics.

SPD, SPG and informal guidance notes are available to view on the Council's website at: <https://www.ashford.gov.uk/planning-and-development/planning-policy/adopted-development-plan-documents/other-planning-guidance/>

Other relevant documents

Statement of Community Involvement

The Ashford Statement of Community Involvement (SCI) was adopted in March 2020. The SCI sets out how the planning department intends to achieve community involvement, public participation and cooperation in all planning matters, including the preparation of local development documents, supplementary planning documents and arrangements for consultation on planning applications. More information can be found here: <https://www.ashford.gov.uk/planning-and-development/planning-policy/public-consultation/>

Authority Monitoring Report

The Council publishes up-to-date authority monitoring information on its website. Not only does this information provide updates on the status of the LDS timetable, it also sets out the progress of the Local Plan 2030, reports on public consultations and duty-to-cooperate consultations, provides an update on neighbourhood planning within the Borough and details borough-wide statistics on planning topic areas such as housing, employment, population, community, health, education, environment and transport. The Authority Monitoring Report webpage can be viewed at: <https://www.ashford.gov.uk/authority-monitoring-reports>

Policies Map

Finally, the Council is required to produce a Policies Map, which shows the location of proposals in all current, adopted local development documents on an Ordnance Survey based map. The map is web based and is kept up-to-date and reflects current adopted policies within the Borough. The Adopted Policies Map is available to view on the Council's website at: <https://www.ashford.gov.uk/maps>

Emerging Plans

Community Infrastructure Levy (CIL)

The Council consulted on a Preliminary Draft Charging Schedule for an 8 week period in Summer 2016.

However, the process to introduce CIL in Ashford has been since put on hold, awaiting the government's review of CIL and developer contributions. Following the government's response to the review set out in the document 'Government response to supporting housing delivery through developer contributions' (October, 2018), and more recent 'Planning for the Future' White Paper (August, 2020) the Council is currently considering the options for taking forward CIL. The Council's developer contributions webpages will provide further updates on progress and timescales if and when they are available but no timetable is set out in this LDS for production of CIL at this time.

Gypsy and Traveller Accommodation Local Plan

Ashford are committed to meeting the accommodation needs of the Gypsy and Traveller community within the borough, in the same way as the housing needs of the settled community are planned for in the Local Plan 2030. National Planning Policy for Traveller Sites (PPTS) also requires that local planning authorities identify and update annually a five year supply of deliverable sites for travellers, and to identify a supply of specific, deliverable sites, or broad locations for years 6-10 and, where possible, years 11-15.

A Gypsy and Traveller Accommodation Assessment (GTAA) is needed to fulfil the council's obligations under the PPTS and provides a robust assessment of need and supply. The GTAA informs the preparation of the Local Plan by providing an indication of the number of pitches the site policies in the Local Plan needs to provide. In 2018 a GTAA was completed and includes a proposed number of pitches that are needed in the borough. [View the full 2018 GTAA report \[pdf\] 1240KB.](#)

The [adopted Local Plan 2030](#) proposed a dual approach to traveller site/pitch provision. It allocated three new pitches, and includes a policy to allow sites to be considered that come forward through the planning application process. However, this does not meet all of the pitch needs identified in the GTAA. In order to meet the outstanding site and pitch needs, we are in the process of preparing this Local Plan to address the shortfall.

The final Local Plan will identify a number of sites for potential residential occupation by gypsies and travellers across the borough, and will include topic policies relating to gypsy and traveller development, for example, on site and pitch design, and what types of development are suitable in certain locations.

Previous stages of plan production

An issues and options consultation was carried out in early 2018. An options consultation was carried out in early 2020. These consultations were designed to highlight the key issues around this specific topic, while suggesting options to address these issues. The format of the documents was to provide some background information and then pose a series of 'options' as questions.

Proposed Timetable

The views received at previous consultations will feed into the next stage, which will be a full draft plan including site allocations (Regulation 19) for public consultation. This is expected in Autumn 2021. The timetable in Appendix 2, sets out the full timescales and stages for production of this Local Plan.

Monitoring

Monitoring systems will be maintained to assess the implementation of the Local Plan/Development Plan documents and to ensure that the evidence upon which the Development Plan is based is still relevant and up to date.

The Council produces an Annual Monitoring Report (AMR). It will use the AMR to assess:

- Whether the Council is on track to meet the targets it has set itself in its LDS and if not the reasons why;

- What impact the Council's policies are having; and
- Whether the Council needs to review any policies in order to meet their sustainable development objectives.

The Council will keep this LDS, and the relevant planning documents, under regular review, and will amend its programme of work as necessary.

Appendix 1 – Boundary of Ashford Borough Local Plan 2030 and Gypsy and Travellers Accommodation Local Plan coverage (Borough-wide coverage)



Appendix 2 – Adopted LDS Timetable (2021)

PLAN	2020				2021				2022				
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	
Gypsy & Traveller Local Plan	Reg 18- Public Consultation				Reg 19 Preparation				Reg 19- Public Consultation				
										Reg 22- Submission	EIP	R	

KEY

	Regulation 18 - Initial Consultations on Issues and Options and evidence gathering
	Regulation 19 - Evidence Gathering and Preparation
	Regulation 19 - Publication of Draft Local Plan for consultation
	Regulation 22 - Submission of document to Secretary of State; EIP = Examination Hearing; R = Inspector's Final Report
	Adoption of Local Plan

Appendix 3 – Previous Local Development Scheme Timetables (now superseded)

LDS Timetable March 2005

Table 1: Timetable for the Preparation of the Ashford Local Development Framework - 2005 - 2008

PO = Preferred Options S = Submission Document E = Examination IR = Inspector's Report A = Adoption R = Review DPD = Development Plan Document SPD = Supplementary Planning Document SEA = Strategic Environmental Appraisal SA = Sustainability Appraisal

LDF Document	2005												2006												2007												2008												
	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	
Local Development Scheme			S										R												R													R											
Statement of Community Involvement			S					E		A																																							
Core Strategy DPD																		S					E		IR		A																						
SEA / SA																			S																														
Design Codes SPD																																																	
Ashford Town Centre AAP - DPD																																																	
SEA / SA																			S																														
Town Centre Design Guide SPD																																																	
Phase I Urban Development sites and infrastructure DPD													PO									S																											
SEA / SA																																																	
Phase II - Ashford Growth Area Action Plans																																																	
SEA / SA																																																	
Phase III - site allocation (rural sites) and Tenterden DPD																																																	
SEA / SA																																																	
Phase IV - site allocation DPD																																																	
SEA / SA																																																	
Generic DC policy DPD																																																	
SEA / SA																																																	
	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	
	2005												2006												2007												2008												

LDS Review Timetable July 2008

Timetable for the Preparation of the Ashford Local Development Framework – 2008 – 2011

Key: C = Consultation on scope of SA, P = Publication of submission DPD for consultation or Publication of draft SPD for consultation (as appropriate), S = Submission of DPD to Secretary of State, A = Adoption, 1 = Pre Hearing Meeting, 2 = Hearing Sessions Open, 3 = Inspector Report Fact Check, 4 = Inspector Report Final.

LDF Document	2008												2009												2010												2011											
	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D
Core Strategy							A																																									
Ashford Town Centre AAP															P																																	
Urban Sites and Infrastructure DPD																																																
Tenterden & Rural Sites DPD																																																
Chilmington Green / Discovery Park AAP																																																
Cheesmans Green / Waterbrook AAP																																																
Generic DC policy DPD																																																

Supplementary Planning Documents	2008												2009												2010												2011											
	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D
Affordable Housing SPD																																																
Sustainable Design & Construction SPD																																																
Infrastructure Contributions SPD																																																
Residential Space & Layout SPD																																																
Green Spaces & Water Environment SPD																																																
Sustainable Urban Drainage Systems																																																
Broadband & Telecommunications SPD																																																

LDS Review Timetable December 2010

Table 2 Production Programme

LDF Document	2010												2011												2012												2013											
	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D
Ashford Town Centre AAP	A																																															
Urban Sites and Infrastructure DPD																																																
Tenterden & Rural Sites DPD		30	PH	H						R	A																																					
Chilmington Green / Discovery Park AAP																																																
Cheesemans Green / Waterbrook AAP																																																
Development Management DPD																																																
Gypsy, Traveller & Travelling Showpeople DPD			25																																													
Core Strategy (First Review) DPD																																																

Production Programme Key

	Plan preparation stages; 25 = Regulation 25 - Public Consultation on Issues and Options Report
	Regulation 27 - Publication/consultation on Development Plan Document
	Regulation 30 - Submission of document to Secretary of State; PH = Pre-Hearing Meeting; H = Examination Hearing; R = Inspector's Final Report
	Adoption of Development Plan Document; A = adoption

LDS Timetable May 2017

DPD	2016				2017				2018				2019				
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	
Local Plan 2030			Reg 19 - Public Consultation				Reg 19 - Main Changes Consultation		Reg 22 - Submission		EIP	R	A				
Gypsy & Traveller DPD								Reg 18 - Public Consultation		Reg 19 - Public Consultation			Reg 22 - Submission	EIP	R	A	

KEY

	Regulation 18 - Initial Consultations and evidence gathering
	Regulation 19 - Publication of Draft DPD
	Regulation 19 - Main Changes to Draft DPD
	Regulation 22 - Submission of document to Secretary of State; EiP = Examination Hearing; R = Inspector's Final Report
A	Adoption of Development Plan Document

LDS Timetable March 2018

DPD	2016				2017				2018				2019					
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4		
Local Plan 2030			Reg 19 - Public Consultation				Reg 19 - Main Changes Consultation				Reg 22 - Submission							
Gypsy & Traveller DPD								Reg 18 - Public Consultation					Reg 19 - Public Consultation		Reg 22 - Submission	EIP	R	A

KEY

	Regulation 18 - Initial Consultation and evidence gathering
	Regulation 19 - Publication of Draft DPD
	Regulation 19 - Main Changes to Draft DPD
	Regulation 22 - Submission of document to Secretary of State; EIP = Examination Hearing; R = Inspector's Final Report
A	Adoption of Development Plan Document

LDS Timetable March 2019

Gypsy and Travellers Accommodation DPD – Timetable to 2020

Table for Gypsy and Traveller DPD only

DPD	2017				2018				2019				2020								
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4					
Gypsy & Traveller DPD				Reg 18 - Public Consultation							Reg 18-Public Consultation			Reg 19- Public Consultation			Reg 19- Submission				A

KEY

	Regulation 18 - Initial Consultation and evidence gathering
	Regulation 19 - Publication of Draft DPD
	Regulation 19 - Main Changes to Draft DPD
	Regulation 22 - Submission of document to Secretary of State; EiP = Examination Hearing; R = Inspector's Final Report
A	Adoption of Development Plan Document