

# Local Development Scheme

September 2011



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# 1. Preface

This is an update of Gravesham's Local Development Scheme (LDS) prepared by:

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## 2. Introduction

The planning system introduced under the Planning and Compulsory Purchase Act replaced Local Plans with a series of documents which will comprise a Local Development Framework (LDF). This change was intended to offer the Local Authority greater flexibility in determining which areas of planning policy it would review and when. It was intended to be more responsive to the needs and wishes of the community. This system is itself under review, but there is still a need to provide an up to date policy framework and set out a programme for its preparation.

This Local Development Scheme (LDS) sets out the authority's intentions and a programme for the period up to the end of 2014. It is subject to periodical updating, especially as circumstances (internal or external to the Council) change. It is considered very likely that during the life of the document there will be some major changes introduced as the Localism Bill becomes enacted.

LDF is an umbrella term covering two basic types of document, those that contain policy and those that support it. Together these are referred to as Local Development Documents (LDDs). The first type, containing policies, is a Development Plan Document (DPD) whilst the second type of document (which used to be known as Supplementary Planning Guidance) is now referred to as a Supplementary Planning Document (SPD). Government intends that both types of document carry much greater public endorsement and support, having been subject to a continuous process of community involvement. The SPDs in particular will therefore have greater weight than previous Supplementary Planning Guidance. SPDs provide greater detail on the policies in DPDs. The way in which the community will be involved in the LDF process is set out in the Statement of Community Involvement (SCI).

The Local Development Scheme is the starting point for people to find out about the Council's timetable for preparing the various documents of the Local Development Framework, the status of each document and the policies contained in it. The Local Development Scheme describes:

- the content and geographic area to which each of the Development Plan Documents and Supplementary Planning Documents relates;
- the timetable and the key milestones in their preparation;
- the interrelationships between each document;
- whether any of the Local Development Documents are to be prepared on a joint basis with other Local Planning Authorities; and

- the arrangements during the transitional period for saved policies and supplementary planning guidance.

The previous environmental assessment process has been strengthened and has been replaced by a continuous evaluation of the LDD policies, possible alternatives and related impacts. This is combined with scrutiny of economic and social issues and is known as a Sustainability Appraisal.

Each DPD will be subject to public examination. SPDs need to follow a process of public involvement but are not subject to independent examination.

A Statement of Community Involvement was adopted in March 2007 for Gravesham Borough Council. As its title suggests, this sets out how the community will be involved in the planning process.

The key LDF document is however the Core Strategy which sets out the future vision for the area, and from it are derived more detailed documents. The system offers a degree of flexibility but there are constraints, for example Local Authorities are still required to provide for their housing needs by maintaining a future five, ten and fifteen year supply in accordance with the needs identified.

The policies in the Local Plan were re-examined in 2008 and the majority have been "saved" until they are replaced by LDF policies. Those that have not been saved were, at the time, either covered by other national or regional policy or are considered redundant.

The original intention was that the LDF would have been at a level below the adopted Regional Spatial Strategies – for Gravesham this was the South East Plan which was adopted in 2009. It is intended that these will now be revoked once the Coalition government's Localism Bill is enacted. More information on this is given in appendix 1. It is anticipated that the South East Plan will be revoked before the Core Strategy is submitted for examination

The LDF will therefore look to fit under the prevailing national guidance, which in time will be consolidated in the National Planning Policy Framework, and will need to base its own policies on locally derived evidence including the views of the community.

It should be remembered that the South East Plan deals with a wide variety of issues, not just housing and the sub-regions. Other policy areas include: economic development; transport; natural resources; waste and minerals; countryside; the built environment; town centres; tourism; sport and recreation; and social and community infrastructure. These policies have a more local focus and previous Core Strategy consultations have not duplicated these policies, as the intention was for the South East Plan and Gravesham's LDF including the Core Strategy to form the overall Development Plan for the Borough.

Due to the forthcoming revocation of the South East Plan, changes to the Borough's Core Strategy and the uncertainty over the content of the awaited National Planning Policy Framework it is now proposed that a Site Allocations and Development Management Policies DPD will be progressed as a priority once the Core Strategy is adopted.

Development Management policies were included in the Regulation 25 consultation in Jan-Mar 2010 but it is proposed they are progressed in a subsequent DPD to focus resources solely on the Core Strategy. Subject to staff resources, work can

continue on this as the Core Strategy is progressed, especially looking at any gaps that may open up due to the abolition of the South East Plan and the new National Planning Policy framework when produced.

### **3. Current Development Plan**

The current Development Plan for Gravesham comprises the Regional Spatial Strategy (the South East Plan 2009) and saved policies in the following adopted local plans:-

- Gravesham Local Plan First Review (adopted 1994)
- Kent Minerals Local Plan: Construction Aggregates (adopted 1993)
- Kent Minerals Local Plan: Chalk and Clay (adopted 1997)
- Kent Minerals Local Plan: Oil and Gas (adopted 1997)
- Kent Waste Local Plan (adopted 1998)

The Gravesham Local Plan Second Review (Deposit Version) was adopted for the purposes of development control on 8 March 2000. The first period for public consultation ran from 8 June to 21 July 2000. With the introduction of reforms under the P & CP Act, the Borough Council resolved to suspend work on the Second Review in November 2004, in order to concentrate on the preparation of the Gravesham LDF.

A list of current Supplementary Planning Guidance and Supplementary Planning Documents is available on the Council's website via the below link:

<http://www.gravesham.gov.uk/index.jsp?articleid=4825>

### **4. Proposed LDS**

The following types of LDF document are included in this LDS. In deciding what to prepare, both the needs of the area and the resources available have been taken into account. The LDS explains how this has been done.

#### ***Statement of Community Involvement***

The Statement of Community Involvement (SCI) establishes in general terms who the local communities and stakeholders are and identifies how they will be involved in the LDF and Development Control process. It was adopted in March 2007 but is still applicable.

#### ***Core Strategy***

The Core Strategy is the foundation document of the LDF. It sets out an overall vision for the area, providing an indication how it should develop. It contains strategic objectives and identifies key issues. It sets out how places within the borough should develop in order to play their part in the strategy. The Core Strategy must contain a plan for delivering the identified objectives, and should indicate how the delivery will be monitored. It does this with the overall theme of sustainable development. The Core Strategy includes a key diagram illustrating its proposals and general locations of development and areas over which key policies apply. It will include strategic land allocations.

One of the most important tasks for the Core Strategy is to review the delivery of housing and employment. The Core Strategy must include policies which ensure an adequate supply of land for development. It includes a review of the economic and social issues that affect the area and their implications for the way in which it should develop.

The Core Strategy covers the entire borough and will be the key to the implementation of the spatial aspects of many documents including the Council's Corporate Plan and the Gravesham Locality Board's Community Strategy (see <http://www.gravesham.gov.uk/index.jsp?articleid=4562> )

A Regulation 25 consultation on the Core Strategy and Development Management Policies DPD took place in January 2010. However since then, the Core Strategy has been delayed by a number of factors, internal and external. These included:

- The Coalition Government's stated intention to revoke the system of RSSs following the general election of 2010
- market uncertainty and the continued doubts about delivery of key schemes on previously-developed land within the Borough and at Ebbsfleet
- the difficulties in making decisions prior to the local elections in 2011 when the Council has been prone to changes in political control
- the need to revise the Core Strategy so that it could exist without the RSS.

To progress the Core Strategy, it is intended that an interim consultation takes place before the regulation 27 consultation in 2012. The proposed changes to the planning system means that there is an opportunity to revisit the earlier strategy and growth levels set out in the Preferred Options Core Strategy document in January 2010. As this is an interim consultation, areas that were not covered at the previous Regulation 25 consultation in January 2010 will also need to be addressed as part of this consultation.

### ***Site Allocations and Development Management Policies***

The LDF will need to include policies that guide development management decisions and allocate land. Much of this guidance will cascade from the Core Strategy

The Site Allocations and Development Management Policies DPD will include a number of policies setting out the detailed considerations against which planning applications that accord with the strategic policies will be assessed. It will also contain non-strategic land allocations.

It cannot reach any formal stage until after the Core Strategy has been adopted as this must provide the overall context.

Where appropriate, these policies will be supplemented with more detailed guidance in Supplementary Planning Documents.

### ***Community Infrastructure Levy (CIL) charging schedule***

CIL allows local authorities to raise funds from developers to pay for the infrastructure that is needed as a result of new development. CIL takes the form of a tariff per m<sup>2</sup> of additional floorspace. The level of the tariff is set by the local authority based on the needs identified in its infrastructure plan, but also tested to ensure that it will not affect the viability of developments. Payments will be collected into a fund to pay for infrastructure. CIL is not intended to pay for all infrastructure – it is merely

intended to fill the funding gaps that remaining once other sources of funding have been explored. CIL can only be charged to meet the needs of new development and not existing deficiencies. Also, if a piece of infrastructure is required to meet the needs of a specific development, this should be done through S106 and not CIL.

The key reports needed before a charging schedule can be produced are:

- Community Infrastructure Plan
- Viability Assessment

As frontrunners of the CIL process, the work undertaken by the London Borough of Redbridge, Portsmouth, Shropshire, Newark and Sherwood on CIL has been looked at to see what is needed to get a CIL in place by 6th April 2014 and the key milestones for delivery.

Once the Community Infrastructure Plan and Viability Assessment have been produced, the Council will need to go through the following stages:

- Produce Preliminary Draft Charging Schedule for consultation
- Produce Draft Charging Schedule for consultation
- Examination
- Adoption

### ***Proposals Map***

The new planning system provides for a regularly updated Proposals Map which can be used to identify the individual proposals in the various documents comprising the LDF. The map will need to be produced to reflect the first LDDs that make site allocations.

After that date the map will be updated so that it reflects each change to the LDDs. In addition to the Proposals Map, a key diagram showing the strategic policies and allocations in the Core Strategy will be prepared.

### ***Supplementary Planning Documents (SPD) and Supplementary Guidance***

Supplementary Planning Documents are prepared as part of the LDF process and are used to give further detail about policies in the LDF or other policy containing documents (for example RSS). They are subject to a formal process which ensures that they can then be used in support of planning decisions. SPDs will be prepared where needed.

Planning Policy Statement 12: Local Spatial Planning (PPS12) gives districts the ability to endorse supplementary guidance prepared by a government agency, regional planning body or a County Council or other body where this would provide economies of scale in production and the avoidance of duplication e.g. where the information contained in it would apply to areas greater than single districts. The Council has a number of documents endorsed as supplementary guidance.

Although this LDS does not need to specify the SPDs to be produced, the Regulation 25 Core Strategy and Development Management Policies DPD explained that the Council was intending to produce a number of SPDs. It also explained that some of these could be identified now as set about in Table 1 of that document, while recognising that a need for others may emerge to give additional information for

particular sites or to replace SPDs and Supplementary Planning Guidance (SPGs) that are solely linked to the Local Plan and not the LDF. The production of SPDs are still intended subject to resources.

## 5. Minerals and Waste

Kent County Council is responsible for producing the Minerals and Waste Development Framework and more information on this is available on the KCC website:

[http://www.kent.gov.uk/environment\\_and\\_planning/planning\\_in\\_kent/minerals\\_and\\_waste.aspx](http://www.kent.gov.uk/environment_and_planning/planning_in_kent/minerals_and_waste.aspx)

In line with PPS12 (paragraph 8.2), it is intended that the Council's adopted proposals map will show minerals and waste matters, including safeguarding areas, and any minerals and waste allocations which are adopted in a development plan document by the County Council

## 6. Strategic Environmental Assessment, Appropriate Assessment and Sustainability Appraisal

All DPDs must be subject to sustainability appraisal (SA) which have to meet the requirements of the strategic environmental assessment (SEA) directive. They must also be subject to Appropriate Assessment where they may have a significant effect on protected nature conservation sites of European importance.

As explained in the Green Infrastructure Assets Baseline report produced to accompany the Regulation 25 Core Strategy and Development Management Policies DPD<sup>1</sup>, Gravesham has Ramsar, Special Protection Areas (SPAs) and Special Areas of Conservation within its boundaries and therefore Appropriate Assessments are fundamental components on the plan-making process.

SAs themselves consider the social, economic and environmental effects of the policies and proposals contained in each of the DPDs. The aim of the appraisal is to assess document in relation to how it contributes to sustainable development. Options need to be appraised as each document is developed. These options may be strategies or may be particular sites to be evaluated for their development potential. They should include a "do nothing" option. DPDs as they evolve will be expected to respond to the SA and SAs in turn should shape the DPD.

SAs are a continuous evaluation process. They form part of the evidence base and require the following key actions:

- Collating baseline data on environmental, social and economic issues,
- Identifying the likely key sustainability issues and consulting on them,
- Developing a SA framework which should include sustainability objectives, targets and indicators,
- Producing a scoping report for consultation,
- Assessing the likely effects of the DPD prior to public consultation,

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[http://www.gravesham.gov.uk/media/pdf/8/o/Green\\_Infrastructure\\_Assets\\_Baseline\\_Report\\_1\\_Main\\_Report\\_Dec\\_2009web.pdf](http://www.gravesham.gov.uk/media/pdf/8/o/Green_Infrastructure_Assets_Baseline_Report_1_Main_Report_Dec_2009web.pdf)

- Re-evaluation of the assessment following post consultation changes,
- Monitoring SA indicators of the DPDs.

While documents containing policy (DPDs) must be subject to SA, Supplementary Planning documents do not need to be, as they inform policies that will have been assessed elsewhere.

## 7. Transitional arrangements

The letter from Bob Neill MP to Chief Planning Officers regarding the preparation and monitoring of plans dated March 2011 gives the latest information on transitional procedures to be followed in advance of the enactment of the Bill:

- **Local Development Scheme** – the Bill contains provisions that will remove the requirement to consult the Secretary of State, but until it is enacted the requirement remains. You can send your draft LDS at the appropriate time to [localplans@communities.gsi.gov.uk](mailto:localplans@communities.gsi.gov.uk)
- **Statement of Community Involvement** – should be prepared as normal, without being submitted to the Secretary of State for examination. The Bill does not propose to alter the current requirement to prepare an SCI.
- **Development Plan Documents** – there is no requirement to send DPDs to the Secretary of State before adoption, other than submission to the Planning Inspectorate for public examination. The adoption procedure is set out in regulations.
- **Supplementary Planning Documents** – there is no requirement to send SPDs to the Secretary of State, and no need to refer to them in your LDS.
- **Annual Monitoring Report** – the Bill contains provisions that will remove the requirement to send your AMR to the Secretary of State, but until it is enacted the requirement remains. You can send your AMR at the appropriate time to [localplans@communities.gsi.gov.uk](mailto:localplans@communities.gsi.gov.uk)

## 8. Schedule of Local Development Documents

<b>Document Title</b>	<b>Statement of Community Involvement (SCI)</b>	<b>Core Strategy</b>	<b>Site Allocations and Development Management Policies</b>	<b>Proposals Map</b>
<b>Status</b>	Non DPD	DPD	DPD	DPD
<b>Time period</b>		2011-2031	2011-2031	
<b>Geographical coverage</b>	Borough-wide	Borough-wide	Borough-wide	Borough-wide
<b>Description</b>	Sets out the Borough Council's strategy for consulting and engaging the community in the LDF process and with major planning applications	Sets out the spatial strategy for development in the Borough, comprising the vision and objectives. Includes strategic land allocations.	Sets out the non-strategic land allocations and detailed policies for the consideration of planning applications	Depicts the strategic and non-strategic site allocations and land to which policies apply
<b>Chain Of Conformity</b>	Must conform to Regulations and Council's Community Engagement and Communications Strategies		Core Strategy	This will be prepared and updated to accompany the Core Strategy and subsequent Site Allocations and Development Management Policies DPD. Must conform with the adopted DPDs
<b>Consulting statutory bodies on the scope of the Sustainability Appraisal</b>		Stage already undertaken  Intention to revise scoping report prior to Regulation 27 consultation		
<b>Consultation</b>		<b>Reg 25:</b> January – March 2010 <b>Interim:</b> October - December 2011 <b>Reg 27:</b> April – May 2012	<b>Reg 25:</b> January – March 2010 (Development Management policies only) <b>Revised Reg. 25:</b> June - July 2013 <b>Reg 27:</b> April – May 2014	

<b>Document Title</b>	<b>Statement of Community Involvement (SCI)</b>	<b>Core Strategy</b>	<b>Site Allocations and Development Management Policies</b>	<b>Proposals Map</b>
<b>Publication of the DPD</b>		April 2012	April 2014	
<b>Submission of the DPD</b>		July 2012	July 2014	
<b>Pre-hearing meeting</b>		<i>August 2012</i>	<i>August 2014</i>	
<b>Hearing Sessions open</b>		<i>September 2012</i>	<i>September 2014</i>	
<b>Inspector Report-Fact Check</b>		<i>Early November 2012</i>	<i>Early November 2014</i>	
<b>Inspector Report-Final</b>		<i>Late November 2012</i>	<i>Late November 2014</i>	
<b>Anticipated Adoption Date</b>	Adopted 6 March 2007	<i>December 2012</i>	<i>December 2014</i>	

Please note that the dates in italics above are indicative and will be determined by the allocated Planning Inspector.

### 9. Programme Management

DOCUMENTS	2010					2011					2012					2013					2014																			
	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 DPD	<b>Reg. 25</b>										<b>Interim</b> Notify PINS										<b>Reg. 27</b> Submit PEM Hearings Report Adopt																			
Site-allocations and Development Management Policies DPD	<b>Only DM policies</b>																				<b>Reg. 25</b>										<b>Reg. 27</b> Submit PEM Hearings Report Adopt									
Community Infrastructure Levy charging schedule											<b>EVIDENCE GATHERING STAGE</b>										<b>Prelim draft</b> Notify PINS										<b>Draft CIL</b> Submit Exam Adopt									

## 10. Evidence base

The main sources of information for the LDF are contained in the Evidence Base. This is a comprehensive collection of information and includes factual material and also responses received during various consultations. The evidence includes studies prepared specifically for the Gravesham LDF but also more generic material such as the Census of population. The evidence base is not static with new material added when needed for the various LDF documents. Some of the material will need to be kept under review, whilst other items will be updated by others and will be used for evidence purposes as needed.

It is worth remembering that whilst it is intended that the South East Plan be revoked, the evidence underpinning the South East Plan will still be in place.

In compiling the evidence base so far the approach has been to commission specific studies when needed and to do so by collaboration. The evidence base serves the entire LDF exercise including the sustainability appraisal.

For more information, please look at the Background Studies and Documents page on the GBC website via the following hyperlink:

<http://www.gravesham.gov.uk/index.jsp?articleid=4826>

## 11. Resources

Resources are limited and the LDF programme reflects this. External consultants have been and will continue to be employed for particular tasks, especially when specialist expertise is required which is unavailable in-house. The Council is keen to ensure that the evidence is proportionate to the task.

Other staff within the Council but outside the Planning policy team may be required to contribute to the LDF and its monitoring. The inputs of other specialist officers will be available as required and as permitted by resource constraints. Planning policy staff do provide input to the Council's other activities in addition to some other specialist roles and must also cover environmental appraisal and provide policy comments on planning applications. The following LDF tasks require the application of the above.

- Core strategy - Preparation of this is the first priority within the LDF. The next stage is an interim consultation on growth scenarios and this will include the Council's preferred option
- Statement of Community Involvement- Now adopted - monitoring and updating as required but still sufficiently up to date for its purpose
- Sustainability Appraisal and AA – external consultants (Enfusion) have been used to ensure that it is independently assessed whilst ensuring that the iterative relationship between SA / SEA / AA and the LDF is maintained.
- Site Allocations and Development Management Policies DPD- to be delivered after Core Strategy.
- Proposals Map- will need to be prepared and then regularly updated to reflect current LDDs
- Annual monitoring Report- annually prepared to consider progress of preparation and implementation of policies

- Maintenance of/compilation of evidence base and consultation information.

## **12. Monitoring and Review**

Monitoring and review are constant parts of the LDF process and are aided greatly by the Annual Monitoring Report (AMR). This overlaps to a degree with the LDS in that it also contains a review of progress. The LDS itself is required to be monitored and may be amended if necessary.

The monitoring of the LDS in the annual monitoring report will firstly consider whether the timescales set out are being achieved. Secondly, but no less important is the monitoring of the effectiveness of the policies in the documents themselves. As there are no complete DPDs to monitor, the Borough's AMRs to date have not included this element.

## **13. Risk Analysis**

### ***Resources***

The LDF and especially the Core Strategy is a priority for the Council but is inevitably subject to the constraints imposed by the available resources. The way in which these constraints are addressed is highlighted below:

### ***Staff***

The most immediate risk to the achievement of the LDS programme is that a lack of resources could impair its delivery. The programme has been matched to the currently available staff resources, which have been maintained despite staff reductions elsewhere in the Council. Staff reductions as a result of the current financial climate and the need to make additional staff savings within the Council are a potential risk. Any significant change due to prolonged absence over and above normal levels arising from natural turnover could have an impact on the programme. The team has its own specialities and if a key member were to be lost then this could make the situation worse. Some of the documents require staff resources from outside the Planning Department and these are inevitably subject to other non planning demands.

### ***Responses***

Issues raised within the DPDs have the potential to generate significant levels of response. All responses will have to be assembled and analysed as quickly as possible in order to keep to the timetable of the LDS. Because of the extensive and complex nature of the content of the DPDs, it is critical that areas of response are directed to specific topics if a meaningful outcome is to be realised.

### ***Outside Agencies***

There is always a possibility of delay arising from the need to take account of the views or requirements of outside agencies in a plan document e.g. the Council is still awaiting TE2100 to be approved by the Coalition Government before detailed implementation discussions can take place. There is also the chance that advice may not be provided in the timeframes required for the LDS. This has been exacerbated

by the reduction in resources that a number of outside agencies have suffered of late.

### ***Political Dimension- National and Local***

The new government has expressed a wish to make radical changes to the planning system and these will be enacted in or as a result of the Localism Bill, and these are likely to impact on the proposals in this LDS. The details of these changes have yet to be resolved so it is not possible to say what these are likely to be. The other change so far has been the government's intention to revoke the South East Plan.

The National Planning Policy Framework (NPPF) is also an area of uncertainty. A draft was published on the 25<sup>th</sup> July 2011<sup>2</sup>. The guidance from the Planning Inspectorate<sup>3</sup> is:

*Whilst it is a consultation document and, therefore, subject to potential amendment, nevertheless it gives a clear indication of the Government's 'direction of travel' in planning policy. Therefore, the draft National Planning Policy Framework is capable of being a material consideration, although the weight to be given to it will be a matter for the decision maker's planning judgment in each particular case.*

At the moment the Inspector's report is binding but this will change once the Localism Bill is enacted. The process for this is unknown.

There is a risk that a High Court challenge is issued in which case adoption would be delayed by one year. This risk should be low if full and proper consultation is carried out in the Core Strategy's development.

The ultimate control of the Council's Policy lies with elected Members. This, quite properly, makes the LDF programme susceptible to change arising through political intervention. Clear ownership of the process and involvement of Members will minimise the risk but a change in circumstances could have a significant impact on the LDF programme. An internal Member Steering Group was set up under the previous administration and this provided a regular point of contact for discussions and the exchange of information. The last meeting of this group took place in July 2010.

Under Gravesham Borough Council's new Labour administration, a cabinet system has been established and is evolving. This establishes a clear line of communication and has formalised the profile of the planning policy role within the Council.

### ***External intervention***

The LDF programme has been revised to take account of Gravesham Borough Council's new Labour administration's desire to have the Core Strategy in place by December 2012.

This will be a very challenging programme to meet but officers are primarily working back from a desire that the Core Strategy is adopted in December 2012. This is because of a proposed amendment to the Localism Bill (clause 92). Basically this amendment would mean that if a Council does not have an up-to-date development plan by a certain date (Jack Dromey MP proposed Dec 2012 as the operative date),

<sup>2</sup> <http://www.communities.gov.uk/publications/planningandbuilding/draftframework>

<sup>3</sup> [http://www.planningportal.gov.uk/uploads/pins/advice\\_for\\_inspectors/nppf\\_consult.pdf](http://www.planningportal.gov.uk/uploads/pins/advice_for_inspectors/nppf_consult.pdf)

then the presumption in favour of Sustainable Development will apply which will take some of the decision-making away from local people.

The risks above can be taken into account in writing the LDS but it is not possible to know what if any will be their impact. There is little spare resource to enable contingencies to be planned for except in the manner already set out. The use of Consultants enables a larger area of work to be covered at any one time.

One further impact on the programme which has been indirectly referred to above is that certain background evidence needs to be available at the right time. Evidence for the LDF is drawn from a wide variety of sources, some of which are in the direct control of the Borough Council and are therefore more easily managed. Other important sources are not in the Council's direct control and delays would therefore have to be accepted. Transport infrastructure evidence is and has been a long-term issue for the team. Increasing expectations in terms of evidence may in itself create a risk. Here the issue is that LDF documents should not be unduly delayed. It is necessary to make a judgement of the adequacy of the available evidence at a given time and proceed with the document concerned.

The risk is that the incorrect balance will be struck in making this decision and that the document concerned could be found unsound at the Examination stage. This risk can be minimised by the Council using its own good judgement made in the light of Planning Inspectorate (PINS) and other guidance. Current Planning Advisory Service (PAS) and PINS guidance is most useful.

Part of the Locality Board's work programme in 2011-12 is to produce a Community Strategy for Gravesham. It is likely this will be more along the lines of a statement of intent building on key partnership working priorities in each partner's corporate business plans and shaped within the framework of the county-wide Vision for Kent. Therefore it is unlikely that this will greatly differ from the partner documents that work for the LDF is already having regard too but it is still a risk.

## 14. Glossary

AMR	Annual Monitoring Report	An annual report that assesses progress of Local Development Framework (LDF) components against the published Local Development Scheme (LDS), as well as the overall performance of LDF components.
SCS	Sustainable Community Strategy	A strategy designed to promote the economic, social and environmental well-being of communities. Prepared in Gravesham's case by the Dartford & Gravesham Local Strategic Partnership – a grouping of major public, business and voluntary communities representing the various aspects of community life in both Dartford and Gravesham.
D&GLSP	Dartford and Gravesham Local Strategic Partnership	A collection of organisations charged with producing the Sustainable Community Strategy to cover the Boroughs of Dartford and Gravesham. In April 2011, replaced by Gravesham Locality Board.
CLG	Department for Communities and Local Government	The Lead Minister for planning is the Secretary of State at the DCLG and his department is responsible for approving many of the component parts of the new planning system. More information can be found at:- <a href="http://www.communities.gov.uk">www.communities.gov.uk</a>

DPD	Development Plan Documents	The main elements of the LDF comprising the Core Strategy, Site Specific Development Allocations, the Proposals Map, Area Action Plans and any other documents deemed necessary for the proper planning of the area. These documents are subject to strict preparation and consultation rules, a sustainability appraisal and independent examination.
GBC	Gravesham Borough Council	The local authority responsible for producing Gravesham's LDF.
HRA / AA	Habitats Regulations Assessment (HRA) / Appropriate Assessment (AA).	This is an assessment of a plans potential impacts on nature conservation sites of European importance – Ramsar, SPA and SCA
LDD	Local Development Documents	Comprises the suite of documents which together form the LDF – includes documents which do and do not have development plan status.
LDF	Local Development Framework	The Local Development Framework is the collection of local development documents produced by the local planning authority which collectively delivers the spatial planning strategy for its area. The Core Strategy is the key plan within the Local Development Framework. The LDF needs a Statement of Community Involvement (SCI) to demonstrate commitment to stakeholder engagement with the process, a Project Plan (LDS) to timetable LDF components and an Annual Monitoring Report (AMR) to assess annual performance.
LDS	Local Development Scheme	The Local Development Scheme sets out the local development documents which will be produced and when they are going to be produced. Currently it has to be approved by CLG before it can come into effect.
P&CPA	Planning and Compulsory Purchase Act 2004	The legislative basis for the new system of LDFs – sets the core principle of the pursuit of sustainable development.
PINS	Planning Inspectorate	Responsible for appointing Inspectors to conduct the independent examinations on Development Plan Documents. The Inspector's report is binding on local planning authorities. PINS also have a key role with GOSE in agreeing the content of Local Development Schemes.
Ramsar		The UK is a signatory to the 1971 international 'Convention on Wetlands of International Importance especially as Waterfowl Habitat'. Over the years the Ramsar Convention has broadened its remit and is now more commonly known as the Ramsar Convention. There is one Ramsar site which partly falls within Gravesham Borough – Thames Estuary and Marshes, which was designated in 2000.
RSS	Regional Spatial Strategy / South East Plan	In the new system, structure plans will cease to exist and the RSS will form strategic planning policy. The South East of England Regional Assembly (SEERA) is responsible for preparing the RSS (the South East Plan). Until the RSS is adopted, existing Regional Planning Guidance for the South East (RPG) will form the RSS. More details can be found at:-

SAC	Special Area of Conservation	Special Areas of Conservation (SACs) are sites protected under the EC Habitats Directive. They are part of a European network of important high quality conservation sites that make a significant contribution to conserving certain identified habitat types and species which are considered to be most in need of conservation at a European level (excluding birds). The North Downs Woodlands are designated as a SAC and part of this site falls within Gravesham Borough.
	Saved Policies	Policies from the old system of Local Plans which are “saved” for the transition period until they are replaced by new LDF components.
SPA	Special Protection Area	Special Protection Areas (SPAs) are sites protected under the EC Birds Directive. They are classified for rare and vulnerable birds, listed in Annex I to the Directive, and for regularly occurring migratory species. The Thames Estuary and Marshes was designated as a SPA in 2000 and part of this site falls within Gravesham Borough. It forms part of the SSSI and Ramsar site.
	Spatial Planning	Spatial planning is a process of place shaping and delivery. It aims to: <ul style="list-style-type: none"> <li>• produce a vision for the future of places that responds to the local challenges and opportunities, and is based on evidence, a sense of local distinctiveness and community derived objectives, within the overall framework of national policy and regional strategies;</li> <li>• translate this vision into a set of priorities, programmes, policies, and land allocations together with the public sector resources to deliver them;</li> <li>• create a framework for private investment and regeneration that promotes economic, environmental and social well being for the area;</li> <li>• coordinate and deliver the public sector components of this vision with other agencies and processes [eg LAAs];</li> <li>• create a positive framework for action on climate change; and</li> <li>• contribute to the achievement of Sustainable Development.</li> </ul>
SCI	Statement of Community Involvement	This defines how the local planning authority will engage with all stakeholders in the preparation and production of its LDF.
SPD	Supplementary Planning Documents	SPDs provide greater detail on the policies in DPDs. They are not subject to independent examination.
SPG	Supplementary Planning Guidance	Documents which elaborate on saved policies in the Local Plan. They have been subject to public consultation, and are a material consideration in determining planning applications but they do not carry the weight of SPDs. They will disappear once the hooking policy is replaced by policies in DPDs.
SA/SEA	Sustainability Appraisal/Strategic Environmental Assessment	Sustainability Appraisal incorporates the requirements of the European Union Strategic Environmental Assessment Directive. It is integral to the preparation of all LDDs and is a means of assessing their potential social, environmental and economic effects.

## Appendix – RSS revocation and CALA homes

On 27 May 2010 the Rt Hon Eric Pickles MP, Secretary of State for Communities and Local Government, wrote to Council leaders highlighting the Coalition Government's commitment to rapidly abolish RSS.

The letter makes clear that before any formal announcement on revocation of RSS, 'LPAs and PINS [were] to have regard to the letter as a material consideration in any decisions they are taking'.

On 6 July 2010, the revocation of Regional Strategies was announced with immediate effect further to section 79(6) of the Local Democracy, Economic Development and Construction Act 2009. The 6 July revocation decision was then subject to challenge in the Cala Homes (South) Ltd case (2010 EWHC 2866). This was decided on 10 November 2010 and the outcome was to quash the 6 July revocation.

Letter from Steve Quartermain, the Government's Chief Planner, dated 10 November 2010 stating that "local planning authorities and the planning inspectorate should still have regard to the letter of 27 May 2010 in any decision they are currently taking". Further challenge from Cala Homes against the decision of Mr Justice Lindblom following Steve Quartermain's letter, ruling that the Secretary of State was entitled to advise authorities that the proposed revocation of regional strategies could be regarded as a material consideration in their planning decisions.

Cala Homes contended that prior to Royal Assent being given to clause 89 of the Localism Bill (which would give effect to the government's proposal to abolish RSS) local planning authorities ought not to have regard to it for the purpose of determining planning applications and appeals.

The Court of Appeal, however, held that the proposed abolition could be a material consideration in determining planning applications, so long as clear and reasoned justification was given but added that the cases where it could be given considerable weight would be few and far between because:

- a) parliament had not yet approved the proposal; and
- b) the Strategic Environmental Assessment of all the RSS' has not yet been completed.

The Court of Appeal made clear; however it would be unlawful for a local planning authority or a Planning Inspector examining development plan documents (DPD) to have regard to the proposal to abolish RSS. DPDs still must be in conformity with the relevant regional strategy.

Given the fact that the abolition of each RSS is to be subject to Strategic Environmental Assessment, this will not be as soon as Clause 89 of the Localism Bill comes into force in November 2011. This will result in yet more delay in the preparation of development plans. This is likely to be compounded by the Coalitions proposals in the draft National Planning Policy Framework (NPPF) that LPAs are to produce one local plan for each area which must conform to the new NPPF



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