

**Maldon District Local Development Plan
Examination-in-Public**

**Response to Inspector's Key Concerns
(IED05 and IED06)**

Maldon District Council

August 2014



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A. Introduction

1. Maldon District Council (MDC) submitted the Maldon District Local Development Plan (LDP) to the Secretary of State for Examination-in-Public (EiP) on 25 April 2014. Government appointed Planning Inspector Mr David Vickery is conducting the EiP of the LDP and, on 17 June 2014 raised a number of Key Concerns relating to the soundness of the Plan (IED05 and IED06).
2. To allow the Council to address Mr Vickery's Key Concerns an Exploratory Meeting was held on 3 July 2014. An electronic recording of the meeting is available on the Council's website.
3. This report provides the additional housing related evidence and information discussed at the Exploratory Meeting, and includes the report of the comprehensive external audit undertaken in relation to the identification of the District's objectively assessed need for housing.

B. Full Objective Assessment of Housing Need

Assessing Maldon's Housing Requirements

4. The full report of the Assessment of Maldon's Housing Requirements is provided as Appendix 1a. In addition to the full detailed report, a copy of a summary presentation which Neil McDonald provided to Maldon District Councillors on 13 August 2014 is provided as Appendix 1b.

Edge Analytics Demographics Projections – Phase 6

5. It is anticipated that the next iteration of the Edge Analytics Demographic Projections – Phase 6 will be published by the end of August 2014. Once available the document will be provided to the Inspector and published as an Evidence Base document, EB043f. The draft report indicates a lower figure compared to the 294 dwellings per annum (dpa) used in the LDP. Please note that Phase 5 of this report was published earlier this year and will also be published as an Evidence Base document, EB043e.

C. The amount and rate of housing delivery

Delivery of Strategic Allocations and Housing Trajectory

6. In paragraph 19-23 the Inspector raises concerns about the ability of the Strategic Allocations included in the LDP to deliver homes in the short term for a number of reasons; one being that planning applications are yet to be received by the Council; another relating to the issues and complications of multiple land ownership and also because the Strategic Masterplan Frameworks which are currently being produced to ensure a cohesive approach to the delivery of large sites are only now nearing completion.
7. To resolve these concerns the Council is proposing adjustments to Table 2 of the LDP, as a minor modification (please see Table 1 below), and also to Figure 4 of the LDP / Appendix G of EB096b (a further minor modification). These modifications reflect the most up to date information that the Council has regarding the expected dates for submission of planning applications associated with the Garden Suburbs and Strategic Allocations, and planning

applications currently pending determination by the Council. Further details about the adjustments made are set out below. Other considerations that have been accounted for in the adjusted housing trajectory (Figure 4 of the LDP / Appendix G of EB096b) include:

- No site allocations will complete any units in reporting year 13/14;
- Large site allocations (over 200 units) require longer lead-in times, no sites will complete any units until reporting year 16/17;
- Most other Strategic Allocations will not complete any units until reporting year 16/17, with two exceptions for S2(c) and S2(j) which are expected to begin completing units in 15/16;
- Site allocations are considered to have a maximum completion rate of 50dpa per access point. Larger sites are expected to have multiple access points;
- Delivery of Rural Allocations sites are not expected until reporting year 16/17 after the completion and adoption of the Rural Allocations Development Plan Document; and
- Recent trends indicate that the Rural Allocations allowance and windfall allowance is likely to be considered as an under-estimation.

8. The implications of these changes are further discussed in paragraphs 20-22 below.

Table 1 Proposed Minor Modification to Policy S2

Ref Number	Policy / Paragraph number	Proposed Minor Change (<u>Deletions</u> / <u>Additional text</u>)					Reason for Change	
		Ref.	Source of Supply	Total	Years 0-5	Years 6-10		Years 11-15
045	S2	Existing commitments across the District (including suitable sites identified in the SHLAA)*					Reconsideration of Policy S2 to respond to the latest available information and concerns raised by the Inspector	
				400597	300497	100		N/A
		New Garden Suburbs at Maldon						
		S2 (a)	- South of Limebrook Way	1,000	150	425		425
		S2 (b)	- Wycke Hill (North)	300	150	150		N/A
		S2 (c)	- Wycke Hill (South)	75	75	N/A		N/A
		New Garden Suburbs at Heybridge						
		S2 (d)	- North of Heybridge	1,035	150	440		445
		S2 (e)	- Land to the North of Holloway Road	100	100	N/A		N/A
		S2 (f)	- West of Broad Street Green Road	100	100	N/A		N/A

		Maldon and Heybridge Strategic Allocations	220	220	N/A	N/A	
		S2(g) - Park Drive	120	120	N/A	N/A	
		S2(h) - Heybridge Swifts	100	100	N/A	N/A	
		Burnham-on-Crouch Strategic Allocations	450	390	60	N/A	
		S2(i) - West of Burnham-on-Crouch	180	150	30	N/A	
		S2(j) - North of Burnham-on-Crouch (West)	180	150	30	N/A	
		S2(k) - North of Burnham-on-Crouch (East)	90	90	N/A	N/A	
		Rural Allocations	420	190154	115135	115131	
		North Fambridge	75	75	N/A	N/A	
		Other Villages**	345	<u>79</u>	<u>135</u>	<u>131</u>	
		Windfall Allowance	330300	110100	110100	110100	
		Total	4,4304,597	1,9352,086	1,4001,410	1,0951,101	
		*Figure subject to latest annual monitoring data - updated to reflect the Five Year Housing Land Supply Statement 2013/14.					
		**All settlements within the District as identified in S8, except Maldon, Heybridge, Burnham-on-Crouch and North Fambridge.					
046	S2	[Update to Figure 4 of the LDP – the Housing Trajectory please see Appendix 2 of this report].					Reconsideration of Policy S2 to respond to the latest available information and concerns raised by the Inspector

9. To date the Council has received planning applications for three of the sites included in Policy S2 of the LDP: S2(c), S2(g) and S2(j). Both S2(g) and S2(j) have target dates of determination within the standard eight week time frame and S2(c) has an appeal hearing scheduled for the end of September / early October 2014. It should be noted that the applicants for site S2(c) have submitted a second application for that site in August 2014. The Council also considers it highly likely that planning applications for smaller strategic sites will be submitted shortly and determination of these will be before the end of 2014. Six of the site allocations in Policy S2 of the LDP are located within the Garden Suburb Allocations and are actively engaged in the finalisation of the Strategic Masterplan Frameworks for the respective areas. Planning applications for all of the sites within the Garden Suburbs are imminent and, as mentioned, S2(c) has already been received. Further information is available in the Timetable of Expected Planning Applications (Table 2 below).

10. The Council is working proactively to engage developers and site promoters and has resolved at the Council meeting on 10 July 2014 to invite and proactively encourage planning applications on site allocations which are in accordance with the Submitted LDP.

The Council has also resolved to proactively encourage planning applications which are sustainable in accordance with the Local Development Plan and National Planning Policy Framework (paragraph 14). Please see paragraphs 25-27 below for further information regarding the resolutions of the Council. The Council also hosted an LDP Developer Forum meeting on 23 June 2014 to update all parties on progress associated with the LDP, Community Infrastructure Levy and Garden Suburb Strategic Masterplan Frameworks, and to further establish and agree consistent principles prior to the submission of planning applications. The LDP Developer Forum is a collaborative forum designed to explore how growth can be delivered in Maldon District in a planned and coordinated way, in accordance with the Council's Corporate and Spatial Vision. The meeting notes of this meeting are provided as Appendix 3.

11. Table 2 below indicates the expected timetable for the receipt of planning applications by the Council as of August 2014. This information was obtained initially from a series of meetings with developers / site promoters prior to the LDP Developer Forum meeting on 23 June 2014, and has subsequently been updated following further discussions with developers / site promoters.

Table 2 Timetable of Expected Planning Applications

Site	Proposal (housing numbers represent minimum)	Estimated date for planning application	Planning Performance Agreement?
S2(a) South of Limebrook Way, South Maldon Garden Suburb	1,000 dwellings plus associated infrastructure (including primary school, roads, public transport, community hub, 4.5ha employment space)	Outline planning application expected before end of September 2014.	Yes
S2(b) Wycke Hill North, South Maldon Garden Suburb	300 dwellings plus associated infrastructure (including relief road and employment space)	Planning application expected late 2014 / early 2015.	Yes
S2(b)Wycke Hill North, South Maldon Garden Suburb	Employment space	Planning application expected imminently.	
S2(c) Wycke Hill South, South Maldon Garden Suburb	75 dwellings plus contributions to associated infrastructure	Application refused early 2014. Public Inquiry end of September. Further application submitted August 2014 (detailed in table 3).	
S2(d) North of Heybridge, North Heybridge Garden Suburb	1,035 dwellings plus associated infrastructure (including primary school, relief road, public transport, community hub, flood alleviation scheme)	Planning application expected in November 2014.	Yes
S2(e) Land to the North of Holloway Rd, North Heybridge Garden Suburb	100 dwellings plus contributions to associated infrastructure	Pre-application meeting held 2013. Application expected late summer 2014.	Open to idea as long as no significant additional costs would be incurred.
S2(f) West of Broad St Green Rd, North Heybridge Garden Suburb	100 dwellings plus contributions to associated infrastructure	Pre-application meeting requested early summer 2014. Planning application expected late summer	Not against PPA but will need to make sure this will add value to the process, taking into account the scale of the scheme.

		2014.	
S2(g) Park Drive, Maldon	120 dwellings plus contributions to associated infrastructure	Planning application submitted for 131 dwellings, to be considered by Committee 2 October 2014.	
S2(h) Heybridge Swifts	100 dwellings plus contributions to associated infrastructure	Planning application could be submitted imminently.	Maybe (two would be required)
S2(i) WEST OF BURNHAM-ON-CROUCH	180 dwellings plus contributions to associated infrastructure (application likely to be for 300 dwellings)	Planning application submitted April 2014, extension of time agreed until September 2014.	
S2(j) North of Burnham-on-Crouch (West)	180 dwellings plus contributions to associated infrastructure	Propose to submit a detailed planning application imminently.	Yes
S2(k) North of Burnham-on-Crouch (East)	90 dwellings plus contributions to associated infrastructure	Planning application expected 2014. Site to be delivered in first five years of Plan (following North BoC West site).	Yes

12. In addition to the planning applications expected for the LDP site allocations the Council is receiving a large number of other planning applications for sites outside of the LDP. Applications for ten or more dwellings received since April 2014 are set out below in Table 3.

Table 3 Planning Applications received since April 2014 (10+ dwellings only)

Site	Proposal (housing numbers represent minimum)
South of New Moor Farm, Southminster	240 dwellings
West of Fambridge Road, North Fambridge	75 dwellings
South of Marsh Road, Burnham-on-Crouch	75 dwellings
Petticrows Boatyard, Burnham-on-Crouch	55 dwellings
Hall Road, Great Totham	50 dwellings
Land to Rear of 50-58 London Road, Maldon	67 dwellings
Hall Road, Heybridge	48 dwellings
Tillingham Hall Farm, Tillingham	24 dwellings
Land Between Chandlers and Creeksea Lane, Maldon Road, Burnham-on-Crouch **Strategic Allocations site S2(i)	113 dwellings
Land Between Chandlers and Creeksea Lane, Maldon Road, Burnham-on-Crouch **Strategic Allocation site S2(i)	185 dwellings
Land Off Park Drive, Maldon **Strategic Allocation site S2(g)	131 dwellings
Builders Yard, Mill End, Bradwell-on-Sea, Essex	10 dwellings
Drinkwater Farm, Maldon Rd, Bradwell-on-Sea	12 dwellings
Land South of 53 Burnham Rd, Latchingdon	10 dwellings
Theedhams Farm, Steeple Rd, Southminster	94 dwellings
74 Maldon Rd, Burnham-on-Crouch	11 dwellings
Land adjacent Malone Cottage, Maypole Rd, Wickham Bishops	37 dwellings
Land Opposite Beech Green, Tiptree Rd, Wickham Bishops	27 dwellings
The Former Timber Yard, Basin Rd, Heybridge	31 dwellings
Land East of Wycke Hill, Maldon **Strategic Allocation site S2(c) (see Table 2)	120 dwellings
Land at junction of Maldon Rd / Church St, Goldhanger	14 dwellings

Statements of Common Ground

13. Paragraph 26 of the Inspector's Key Concerns refers to Supporting Document DOC95 as an unsigned and undated Statement of Common Ground (SoCG) related to Eves Corner / Well Lane, Danbury. As outlined in paragraph 5.5 of the LDP Duty to Cooperate Statement of Compliance (SD06), MDC has sought to produce SoCG on strategic highways issues identified through the Duty to Cooperate. A SoCG between BDC, ECC and MDC regarding highways concerns associated with growth allocated in the LDP at the B1019 / B1137 junction at Hatfield Peverel was completed in April 2014. This document was submitted to the Inspector alongside the submission of the LDP with the document reference DOC95; however signatures were still being received. The signed SoCG is provided in Appendix 4, and will replace Supporting Document DOC95.
14. Work towards an agreed SoCG with CCC and ECC regarding Eves Corner at Danbury is still ongoing. A position statement produced and agreed by all parties in August 2014 is provided in Appendix 5, and also as a Supporting Document DOC100.

Settlement Boundaries

15. In paragraph 22 of IED06 the Inspector notes that he has been unable to locate the evidence base explaining the definition of the settlement boundaries proposed in the LDP and queried the criteria used to establish them. The LDP settlement boundaries are based largely on the Maldon District Replacement Local Plan (RLP) (2005) with subsequent updates and amendments to accommodate changes which have occurred over time and the latest available data. Settlement boundaries were initially reviewed in 2012 utilising a clear methodology to ensure a consistent and transparent approach. In addition, where necessary a small number of additional settlement boundaries were introduced in order to prevent any inappropriate or piecemeal development in the future which could lead to coalescence, detrimental unplanned growth or loss of local character or identity. Further details are included in the 'Planning Policy Panel' report and associated appendices from April 2012 which are provided as Appendix 6a, Appendix 6b and Appendix 6c.
16. Subsequent updates were made to the proposed settlement boundaries to accurately reflect the most recent OS Mastermap data which underlays the Proposals Map (SD02a-d).
17. Additional minor amendments to the settlement boundaries were required following formal rounds of public consultation and consultation with Parish Councils. All changes were published on the Proposals Map and consulted on during consultation on the Draft and Pre-Submission iterations of the Plan and Proposals Map. During these consultations an online interactive map was available which had the capability to present the proposed Settlement Boundaries of the LDP alongside the existing RLP settlement boundaries.
18. To summarise, the Council has made minor amendments to the settlement boundaries proposed in the LDP that supersede the RLP settlement boundaries. These amendments have been made to reflect changes that have occurred since the RLP boundaries were produced, or have been made to improve accuracy and reflect the most up to date information and data available. As a result, the LDP settlement boundaries will not impact significantly upon the amount of sustainable development likely to come forward from settlements in the District.

Clarification of how the Council will achieve its five year housing land supply requirement / Update to the Housing Trajectory

19. In paragraphs 19-25 of IED06, the Inspector raises concerns regarding whether the Council has adequately demonstrated how it will achieve its five year housing land supply requirement (with a 5% buffer, as required by the NPPF) in the first five years of the plan period, and whether what is proposed is realistic.
20. The Council has updated the LDP Housing Trajectory (Figure 4 of the LDP, Appendix 2 of this document) in response to the concerns raised as explained in paragraphs 6-8 above.
21. The Housing Trajectory has been updated to improve accuracy and reflect the latest information available. A consistent and conservative approach has been taken by the Council to estimate delivery. In general, a maximum limit of 50 dwellings per annum per site access point has been applied to each development. The most notable change on the updated Housing Trajectory is that delivery from Rural Allocations and large site allocations have been adjusted backwards to begin delivering in the year 2016/17. In some cases MDC have received statements from developers that development may be accelerated beyond that indicated.
22. The Council is confident that the updated Housing Trajectory presented in Appendix 2 is deliverable and provides adequate headroom for a five year housing land supply even though a high proportion of delivery will be in the latter years of the initial five year period.
23. The Inspector indicates in paragraph 23 that the evidence supporting the Council's case that it can achieve its five year housing land supply requirement may be in EB056, Strategic Housing Land Availability Assessment (SHLAA, 2012), but he found it difficult to relate the sites and information between EB056 and the allocations contained in Policy S2 of the LDP. To provide clarification the Council has updated Appendix F of EB096b to include the site reference numbers used in EB056 so that the information in the documents is directly comparable; this is available as Appendix 7.
24. EB096b includes the latest evidence available from monitoring data and a minor modification is proposed to the table included in Policy S2 of the LDP to take into account the most up to date evidence for 'Existing commitments across the District'. The committed supply has increased from 400 as proposed in the Pre-Submission LDP to 597 as of July 2014, please see Table 1 for this proposed minor modification. It should be noted that this modification reflects the latest available housing monitoring data utilising a base date of 31 March 2014. It is anticipated that the number of 'Existing commitments across the District' will continue to increase in the future reflecting the significant increase in planning applications currently being received by the Council.

Council Resolutions 10 July 2014

25. A meeting of the Council took place on 10 July 2014 and an update was provided in relation to the LDP EiP process and to consider the potential implications of the 'Key Concerns' (IED06) raised by the Planning Inspector. To demonstrate the deliverability of the LDP's housing policies, the legal advice received strongly recommended that the Council should consider actively inviting planning applications within areas allocated in the LDP including sites within the Garden Suburbs and other Strategic Allocations identified in Policy S2. The

report presented has been included as Appendix 8a and an addendum to the report (legal advice) included as Appendix 8b.

26. The draft minutes (subject to agreement by the Council at the next Council meeting) have been supplied as appendices to this report (Appendix 8c).

27. At the meeting, the Council agreed the following recommendations:

- i. that the submission of planning applications be invited and pro-actively encourage applications which are in accordance with the Submitted Local Development Plan for sites located within the South Maldon Garden Suburb (LDP sites S2(a), S2(b) and S2(c)) in order to boost the five year supply of deliverable housing land and demonstrate the deliverability of the LDP. Officers will work towards achieving compliance with the emerging South Maldon Garden Suburb Strategic Masterplan Framework and Infrastructure Delivery Plan through the planning application process.*
- ii. that the submission of planning applications be invited and pro-actively encourage applications which are in accordance with the Submitted Local Development Plan for sites located within the North Heybridge Garden Suburb (LDP sites S2(d), S2(e) and S2(f)) in order to boost the five year supply of deliverable housing land and demonstrate the deliverability of the LDP. Officers will seek to achieve compliance with the emerging North Heybridge Garden Suburb Strategic Masterplan Framework and Infrastructure Delivery Plan through the planning application process.*
- iii. that the submission of planning applications be invited and pro-actively encourage applications which are in accordance with the Submitted Local Development Plan for Strategic Allocations (LDP sites S2(g), S2(h), S2(i), S2(j) and S2(k) in order to boost the five year supply of deliverable housing land and demonstrate the deliverability of the LDP. Officers will work towards achieving compliance with the Infrastructure Delivery Plan through the planning application process.*
- iv. that planning applications which are considered to be sustainable in accordance with the Local Development Plan and National Planning Policy Framework (paragraph 14) where proposals will contribute positively to the five year supply of deliverable housing land and will assist in demonstrating the deliverability of the LDP be pro-actively encouraged.'*

Reserve Sites

28. In paragraph 28 the Inspector raises two concerns in relation to the use of Reserve Sites in the LDP: the first was whether the Reserve Sites can feasibly be delivered in the short term should the LDP fail to deliver its housing target; and the second relates to the circumstances that would trigger the Plan's review of the Reserve Sites prior to their release as proposed in the LDP, apart from the passing of time (5 years).

29. To address the first concern, it should be noted that all of the allocated Reserve Sites are identified in the SHLAA as being suitable for housing delivery subject to policy change, (RE1 – SHLAA ref: 9004, RE2: 8038 and RE3: 3533h). During formal rounds of public consultation the Council received representations from the landowners/developers of all three of the Reserve Sites expressing interest for their respective site to be allocated in the Plan, and they have all indicated that their respective site would be ready to be brought forward immediately for housing development. It should also be noted that the Council has already received an outline application on one of the reserve sites (RE3) for 75 dwellings.

This evidence demonstrates that the Reserve Sites are able to be delivered in the short term should any of the LDP site allocations fail to deliver.

30. To address the Inspector’s second concern within paragraph 28, the Council is proposing a minor modification to Policy S2 in order to strengthen the monitor and review mechanism for the release of the Reserve Sites. The proposed amendments are set out in Table 4:

Table 4 Proposed Minor Modification to Policy S2

Ref Number	Policy / Paragraph number	Proposed Minor Change (Deletions / <u>Additional text</u>)	Reason for Change
047	Policy S2	<p>The Council will review and determine the need and timing to release these reserve sites on a five year interval. Where necessary, such a review may be brought forward in light of monitoring.</p> <p>Monitor and Review <u>Housing delivery against Policy S2 will be monitored on an annual basis and the Council will use the monitoring data to assess whether actions may be required to increase housing land supply.</u></p> <p><u>If any monitoring data produced after two years from the adoption of the LDP demonstrates that there is a 20% deviation in housing delivery for 2014-2019; and 2019-2024; and a 10% deviation for 2024-2029, the Council will introduce management actions to address housing delivery shortfall which could include working constructively and proactively with developers and stakeholder to bring forward committed or allocated sites; review phasing of allocated sites; reviewing housing targets and associated policies; consider releasing Reserve Sites; and allocate additional sites to meet target if required.</u></p>	Reconsideration of Policy S2 based on concerns raised by the Inspector

Windfall Allowance

31. In paragraph 21 of IED06 the Inspector is critical of the evidence base justifying the windfall allowance set out in the LDP (22 dwellings per annum). To address the Inspector’s concern the Council, with the assistance of Essex County Council (ECC), has undertaken additional analysis of the historic rate of delivery of windfall sites in the Maldon District. This assessment has removed sites arising from garden land, as required by national policy. Historic windfall sites are categorised by the source of supply such as replacement dwellings and previously developed land (PDL) development. Please refer to Appendix 9 (to follow) of this report for further details.
32. The findings of this additional assessment indicate that over the last 13 years 262 net dwellings have been developed from windfall sites (not including dwellings built on garden land). This equates to a historic annual rate of approximately 20 dwellings per annum (dpa). This is marginally less than the 22 dpa stated in the submitted LDP.
33. The Council has considered these findings and concluded that it is reasonable given the historic trends, the character of local settlements, current government policies, emerging LDP policies and potential land supply to assume the historic trends of windfall delivery will continue, and therefore it is appropriate to incorporate windfall allowance in the LDP. Further details are included in Appendix 9 (to follow).

34. Given this assessment the Council is proposing a minor modification to Policy S2 to reduce windfall allowance from 22dpa to 20dpa. The Council does not consider that this change will have a significant impact on other policies in the LDP or the housing trajectory (Figure 4 of the LDP). Please refer to Table 1 earlier in the report for the proposed minor modification.

D. Infrastructure delivery and viability

Clarification of proposals for the B1019 / B1137 junction at Hatfield Peverel

35. Paragraphs 24, 31, and 35 of the Inspector's Key Concerns (IED06) request clarification of what works are proposed at the Hatfield Peverel B1019 / B1137 junction, when this will be provided, how much this will cost, and the efficacy of interim traffic reduction measures.
36. The SoCG between BDC, ECC, and MDC provided in Appendix 4 was produced to outline an agreed future approach to reducing congestion at the B1019 / B1137 junction at Hatfield Peverel.
37. A briefing note has been produced by ECC (see Appendix 12) to provide clarification on the assessments which have been undertaken at the B1019 / B1137 junction in Hatfield Peverel, and to outline proposed future actions to seek to reduce congestion at the junction. A Position Statement has also been produced in collaboration with developers associated with the North Heybridge Garden Suburb (see Appendix 11), which outlines how further assessments at the B1019 / B1137 junction at Hatfield Peverel will be undertaken to provide additional information on levels of congestion and to identify appropriate traffic management proposals and public transport improvements. The Position Statement is provided in Appendix 11.

Infrastructure delivery and viability

38. Paragraphs 30 and 35 of the Inspector's Key Concerns (IED06) refer to the May 2014 Infrastructure Delivery Plan (IDP) as document reference EB059c. For clarification, document reference EB059c is the IDP Update produced in December 2013. The May 2014 IDP Update should therefore be referred to as EB059d.
39. Paragraph 34 of the Inspector's Key Concerns refers to the modelling of strategic sites in the November 2013 Viability Study EB040c, and highlights that the modelling of sites in the May 2014 Viability Study has not been updated, even though paragraph 9.2 of EB040c notes that site boundaries 'remain subject to confirmation'. At the time of producing the November 2013 Viability Study (EB040c) it was acknowledged that information on exact site boundaries, development distribution, mitigation measures and required infrastructure were not finalised, and the Study was produced using the best available information at the time. Information on site boundaries and development distribution has since been finalised and no updates were required within the May 2014 Viability Study Update (EB040d). The information within EB040c therefore presents the final assessment in relation to site boundaries and development distribution. Information on mitigation measures and required infrastructure is regularly being updated as development proposals become more advanced, therefore the May 2014 Viability Study Update (EB040d) presents the best information available at the time of publication in relation to mitigation measures and required infrastructure.

40. Paragraph 35 of the Inspector's Key Concerns requested further information on how much development can take place on each allocated site before a specified piece of infrastructure has to be provided, and requested the type of detail (with costings) as the Indicative Infrastructure Phasing Plan in Table 5.1 of the South Maldon Garden Suburb draft Strategic Masterplan Framework (DOC97). Appendix 13 provides an update to the Indicative Infrastructure Phasing Plan included in Table 11 of the May 2013 IDP (EB059d), to provide further clarification of when infrastructure would be required in relation to the estimated delivery of housing across the Plan period, and further information on the costs of the infrastructure and the contributions required from strategic sites allocated in the LDP.
41. ECC has assisted in the production of Appendix 13 by reviewing the timings of when highways and education infrastructure would be required in relation to the estimated delivery of housing. The information provided on costings and pooling arrangements collates existing information available within the December 2013 and May 2014 IDP (EB059c and EB059d).

Garden Suburb Position Statements

42. Two Garden Suburb Position Statements have been produced in collaboration with ECC and site promoters/developers associated with the North Heybridge and South Maldon Garden Suburbs. The North Heybridge Garden Suburb Position Statement is provided as Appendix 11. The South Maldon Garden Suburb Position Statement is currently being finalised and will be provided in due course as Appendix 10.
43. The Position Statements have been produced to address the following concerns outlined by the Inspector in document IED06:
- i. Amount and rate of housing delivery
 - IED06 Paragraphs 19, concerns regarding whether 2014/15 delivery is self-contained and can be delivered without the need for costly infrastructure; and delivery of housing on strategic sites where planning applications have not yet been received, sites are in multiple ownership, and the masterplans are not yet completed.
 - IED06 Paragraph 24, concerns whether multiple landownerships and the possibility of legal disputes and unresolved key infrastructure problems will cause delays to the delivery of the Garden Suburbs in the later years of the Plan period;
 - IED06 Paragraph 25, the need for evidence to justify the delivery of houses at the time and rate shown in the LDP's housing trajectory during the middle and last 5-year parts of the plan period.
 - ii. Infrastructure delivery and viability
 - a) IED06 Paragraph 24 / 31 , clarification of what infrastructure improvements are proposed, and their necessity, at the Hatfield Peverel B1019 / B1137 junction, when this will be provided, and the efficacy of interim traffic reduction measures.
 - b) IED06 Paragraph 35 (i) sufficiency of resources to deliver key infrastructure; (ii) clarification of how much development can take place on each allocated site

before a specified piece of infrastructure has to be provided; (iii) the provision of an Indicative Phasing Plan within the IDP for the allocations.

- c) IED06 Paragraph 30, concern regarding the timing of key infrastructure in relation to housing delivery at the Garden Suburbs and the viability of the LDP housing allocations.
- d) IED06 Paragraph 35, sufficiency of resources from public or private sector to facilitate the delivery of LDP strategic allocations.

44. The Position Statements also clarify that all parties support the delivery of the North Heybridge and South Maldon Garden Suburbs as set out within the draft North Heybridge and South Maldon Garden Suburb Strategic Masterplan Frameworks.

Clarification on Wastewater infrastructure costs

45. Paragraph 31 of the Inspector's Key Concerns notes that the IDP provides no indication as to when Anglian Water wastewater treatment schemes are required to support growth allocated in the LDP, and what the costs of these works would be.

46. Page 77 onwards of the December 2013 IDP Update (EB059c) outlines wastewater treatment and sewerage infrastructure existing provision and future requirements in the District. Paragraph 10.19 and Table 15 of the IDP (EB059c) outlines existing treatment works capacity in the District. Based on the information in Table 15, Anglian Water has advised the Council that there is sufficient capacity at wastewater treatment works to deliver growth allocated in the LDP at Heybridge, Maldon, and Burnham-on-Crouch, and growth at North Fambridge can be accommodated within the South Woodham Ferrers Wastewater Treatment Works. As there is no requirement for upgrades, Anglian Water has advised that there would be no costs associated with wastewater treatment works.

47. Anglian Water has identified required upgrades to the foul network which would be required to support growth allocated in the LDP. This information is included within Table 16 of the IDP (EB059c), and proposed costs have been included within viability assessments in the Council's Viability Studies (EB040a, c, d).

LDP Policy E6 Skills Training and Education

48. Paragraph 32 of the Inspector's Key Concerns queries how the requirements of LDP Policy E6 would be funded, either through S106 or CIL. Where it could be funded through Section 106 contributions, concerns were raised by the Inspector that this has not been tested within the LDP Viability Study (EB040c).

49. The Viability Study (EB040c) has tested the implication of Policy E6 on office, retail and industrial development (p35, EB040c), but has not tested the policy implications for residential development. The Viability Study stated that Policy E6 'has the potential to be an onerous and costly policy' (paragraph 8.22, p35, EB040c).

50. Development contributions through the Community Infrastructure Levy (CIL) can be used to support the provision and enhancement of training and educational facilities and opportunities in the District. Based on the concerns raised in the Viability Study and by the Inspector, it would be more appropriate to focus Policy E6 on reducing any detrimental impacts of the loss of employment land, jobs, training or educational facilities only when viable to the specific development, rather than seeking specific contributions from all

strategic developments. This approach would allow Section 106 contributions to be provided towards specific projects which seek to mitigate the loss of employment land, jobs, training, or educational facilities, while providing the opportunity for the Council to fund further skills, education and training projects across the District through CIL.

51. The proposed minor modifications to policy E6 are as follows:

Table 5 Proposed Minor Modifications to Policy E6

Ref Number	Policy / Paragraph number	Proposed Minor Change (<u>Deletions / Additional text</u>)	Reason for Change
048	Policy E6	In particular the Council will: 1) Require all strategic developments, or <u>Where viable, encourage</u> developments that would result in the loss of existing employment land, jobs or training and education facilities, to contribute towards the delivery of additional local employment and vocational training initiatives as identified in the Council's EPS; and	Reconsideration of Policy E6 based on concerns raised by the Inspector
049	Paragraph 4.48	4.48 The Council will require all strategic developments to provide financial contributions towards the delivery of local employment and vocational training initiatives identified within the Maldon District EPS. A strategic development is a proposal which is significant in scale, and would have a large impact on existing infrastructure and levels of traffic movements in the District. In particular, any development which would result in a relatively sizeable increase in the District's working age population should consider how the economy of the District can be supported, either by providing land for employment space within the development or by providing financial contributions towards local employment and vocational training initiatives.	Reconsideration of Policy E6 based on concerns raised by the Inspector

LDP Policy H1 Affordable Housing

52. The Inspector requests clarification on LDP Policy H1, where the Policy stipulates that the affordable housing '*contribution from developers should comprise of free serviced land*' (and similarly paragraph 5.6). The Inspector questioned if this means that the actual built affordable homes themselves are not included in H1's requirement, and it is just the land. On this basis, the Inspector questions if just the land costs are included in the LDP Viability Study, or if it is the land costs plus the built affordable homes costs, and where this information is located.

53. The Viability Study (paragraph 7.13, p57, EB040a) states that within assumed construction costs 'the procurement route for affordable housing is assumed to be through construction by the developer and then disposal to a housing association on completion. The cost information on this is available within the appendices to the Viability Study in both versions EB040a and EB040c.

54. By stating that the contribution should 'comprise of free serviced land' in Policy H1, this means that the land should equate to being free serviced land in financial terms, where developers would recover from the registered provider the build cost and a reasonable margin for supplying the affordable homes, but not including the proportional cost of the site as well. In effect therefore, Policy H1 is requiring the developer to give away land to the registered provider which the Council would expect to be serviced.

55. Policy H1 seeks to provide flexibility to allow affordable housing to either be provided through free serviced land provided to a registered provider, or constructed affordable dwellings to be sold to a registered provider upon completion. To provide further clarity on this the Council is proposing the following additional minor modifications:

Table 6 Proposed Minor Modifications to Policy H1

Ref Number	Policy / Paragraph number	Proposed Minor Change (Deletions / <u>Additional text</u>)	Reason for Change
050	Policy H1	Affordable housing should be provided on-site, the contribution from developers should comprise of free serviced land either <u>through free serviced land provided to a registered provider or constructed affordable dwellings to be sold to a registered provider upon completion at a price that has been agreed as reasonable by the Council</u> , to provide the number, size, type, and tenure of affordable homes required by the Council's policies in accordance with the SHMA, the Council's adopted Affordable Housing Guide, and relevant housing strategies of the Council.	Clarification of Policy H1
051	Paragraph 5.6	5.6 Contributions towards affordable housing should be based upon the principle of providing <u>provided through either free serviced land to a Registered Provider (RP) or constructed affordable dwellings to be sold to a registered provider upon completion at a price that has been agreed as reasonable by the Council</u> , although in some cases it may be more appropriate for the developer to transfer completed units to a nominated RP. The Council may be less able to support an application or request for subsidy from an RP that has an uncertain or unproven record of management performance within the District and elsewhere.	Clarification of Policy H1

56. Further assessments of the impact of LDP policy requirements and proposed CIL charging rates in the Local Plan and CIL Viability Study (May 2013, EB040d) concluded that reductions in affordable housing rates set out in Policy H1 may be required if the Council were to allocate a CIL rate on strategic sites allocated in the LDP. Paragraphs 8.7 and 8.8 of the of the Viability Study outline suggested appropriate rates of affordable housing based on the imposition of a residential Community Infrastructure Levy (CIL) rate of £70 per sqm on strategic sites allocated in the LDP. The Council has since published the Maldon District CIL Draft Charging Schedule, which proposes a CIL rate for residential development of £70 per sqm on all strategic sites allocated in the LDP except sites S2d and S2e in the North Heybridge Garden Suburb.

57. The Garden Suburb Position Statements outline that the Council acknowledges that affordable housing rates in Policy H1 may need to be reduced to ensure the viability of strategic sites allocated in the LDP Garden Suburbs and Strategic Allocations. The Position Statements clarify that this is an issue which all parties agree is appropriate to be discussed as part of the LDP Examination and for modifications to be subsequently recommended by the Inspector as required.

E. Local Plan allocation details and development management policies

58. Concern is raised by the Inspector about the use of Supplementary Planning Documents, Masterplans and Briefs to allocate sites or to provide development management or site allocation policies which are intended to guide the determination of planning applications. It is important to acknowledge that the masterplans are in the course of preparation and are not under examination at this stage. However, it will be necessary to demonstrate that the LDP complies with the relevant regulations.

What information should an SPD contain?

59. In preparing the Maldon District LDP, the Council has had full regard to the National Planning Policy Framework (NPPF, March 2012). It is also satisfied that the LDP meets the requirements set out in National Planning Policy Guidance (March 2014).

60. Paragraph 153 of the National Planning Policy Framework states:

'Each local planning authority should produce a Local Plan for its area. This can be reviewed in whole or in part to respond flexibly to changing circumstances. Any additional development plan documents should only be used where clearly justified. Supplementary planning documents should be used where they can help applicants make successful applications or aid infrastructure delivery, and should not be used to add unnecessarily to the financial burdens on development.'

61. National Planning Policy Guidance (paragraph 028) states:

'Supplementary planning documents should be prepared only where necessary and in line with paragraph 153 of the National Planning Policy Framework. They should build upon and provide more detailed advice or guidance on the policies in the Local Plan. They should not add unnecessarily to the financial burdens on development.'

62. The NPPF and NPPG indicate, therefore, that the use of SPDs would be acceptable where it can be demonstrated that they can help applicants make successful applications and in circumstances where they build upon and provide more detailed advice or guidance on the policies contained in the Local Plan. This would in principle support the approach adopted by MDC in preparation of the LDP. Furthermore, it can be demonstrated that the Council has worked proactively with developers in bringing forward strategic sites and that the process adopted will assist the efficiency of the planning process rather than add to the financial burdens on development.

63. However, as the Inspector states at paragraph 40, the question of whether the masterplan details should sit within an SPD or in the LDP is a legal issue which relates back to the Town and Country Planning (Local Planning) (England) Regulations 2012 which defines the content and function of SPDs. Regulations 5 and 6 are relevant in this respect.

64. Regulation 5 states:

(1) For the purposes of section 17(7)(za)(1) of the Act the documents which are to be prepared as local development documents are:

- a) any document prepared by a local planning authority individually or in cooperation with one or more other local planning authorities, which contains statements regarding one or more of the following:
 - i. the development and use of land which the local planning authority wish to encourage during any specified period;
 - ii. the allocation of sites for a particular type of development or use;
 - iii. any environmental, social, design and economic objectives which are relevant to the attainment of the development and use of land mentioned in paragraph (i); and
 - iv. development management and site allocation policies, which are intended to guide the determination of applications for planning permission;
- b) where a document mentioned in sub-paragraph (a) contains policies applying to sites or areas by reference to an Ordnance Survey map, any map which accompanies that document and which shows how the adopted policies map would be amended by the document, if it were adopted.

(2) For the purposes of section 17(7)(za) of the Act the documents which, if prepared, are to be prepared as local development documents are:

- a) any document which:
 - i. relates only to part of the area of the local planning authority;
 - ii. identifies that area as an area of significant change or special conservation; and
 - iii. contains the local planning authority's policies in relation to the area; and
 - iv. any other document which includes a site allocation policy.

65. Regulation 6 states:

Any document of the description referred to in regulation 5(1) (a) (i), (ii) or (iv) or 5(2) (a) or (b) is a local plan

66. In accordance with the Regulations, therefore, the following matters must be addressed in a Local Plan:

- i. the development and use of land which the local planning authority wish to encourage during any specified period;
- ii. the allocation of sites for a particular type of development or use; and
- iii. development management and site allocation policies, which are intended to guide the determination of applications for planning permission;

67. This implies that matters cannot be devolved to an SPD that the Act specifies should be contained in a Local Plan, for example an SPD should not make statements on the development and use of land, allocate sites for a particular type of development or use, contain development management and site allocation policies for an area defined as being one of significant change or special conservation. Rather SPD's should only contain environmental, social, design and economic objectives which are relevant to the attainment of the development or use of land already specified in a Local Plan.

68. MDC accept that whilst SPDs can amplify and give more detailed advice about existing policies in Development Plan Documents, they cannot be used to create new policies or to make site allocations. They can, however, be 'material considerations' when making decisions about new development. In order to comply with the Regulations, it will be necessary to demonstrate that the proposed content of any SPD does not go beyond the matters specified in the Act. This is acknowledged in paragraph 2.45 of the LDP which states: 'where appropriate, the Council will adopt the masterplans as SPDs.

69. The masterplans will only be adopted as SPDs if they meet with the requirements set out in the Regulations.

Should the Maldon District LDP contain more detail?

70. The Inspector has indicated that the Plan's allocation policies may not contain the level of detail that is required in a Local Plan by Government policy.

71. MDC is of the view that the policies in the LDP contain sufficient detail to provide clarity to developers, local communities and other interests about the nature and scale of development (addressing the 'what, where, when and how' questions) and clear policies relating to the development of the Garden Suburbs. In particular:

- What - The LDP sets out the number of dwellings and employment land to be provided in each of the Garden Suburbs over the plan period and the projected phasing of development. Policies S3, S4 and S6 set out the development principles which will guide development of the Garden Suburbs and Strategic Allocations. Policy S4 and S6 specifies the land uses and infrastructure which will be provided in each Garden Suburb;
- Where - The LDP allocates land for development of the Garden Suburbs and Strategic Allocations and sets a clear boundary to the proposed development on the Proposals Map. This meets the requirements set out in the NPPG which states that 'the proposals map should illustrate geographically the policies in the Local Plan and be reproduced from or based on an Ordnance Survey Plan';
- When – Policy S2 sets out the projected phasing of the allocated housing development and the Infrastructure Delivery Plan (EB059) provides an indicative phasing plan for the delivery of infrastructure alongside the delivery of houses. Policy S4 and S6 specifies the land uses and infrastructure which will be provided in each Garden Suburb / Strategic Allocations;
- How - Policies S4, S6 and I1 provide clarity about the delivery of development and infrastructure and how this will be secured through planning applications. Development will be required to be in accordance with the policies in the LDP.

72. MDC is of the view that the policies in the LDP set out clear development principles for the Garden Suburbs and does not consider it appropriate to incorporate further detail as this would not provide the flexibility required in the PPG. MDC would also refer to ID 12-010-20140306¹ which provides guidance on how detailed a Local Plan should be and states:

'While the content of Local Plans will vary depending on the nature of the area and issues to be addressed, all Local Plans should be as focused, concise and accessible as possible. They should concentrate on the critical issues facing the area – including its development needs – and the strategy and opportunities for addressing them, paying careful attention to both deliverability and viability.'

73. MDC believes it has met this requirement. The LDP has been positively prepared and in line with the NPPF, it has adopted a proactive approach to development and is working with developers, stakeholders and communities to bring forward development in accordance with the policies set out in the LDP.

¹ Link to the PPG <http://planningguidance.planningportal.gov.uk/blog/guidance/local-plans/preparing-a-local-plan/>

Do the Masterplans go beyond the defined scope of an SPD?

74. Under the current regulations, an SPD can specify design, environmental, social and economic objectives for a particular site and how these might be applied to a particular strategic allocation. MDC believes the information contained in the masterplans for the Garden Suburbs fall within this scope and do not go beyond the LDP by allocating sites for development or setting new policies. The masterplans are set within the policy context established by the LDP and sets out how the vision and principles set out in the LDP could be realised. They are not mandatory - the principles set out in the masterplan are in total accordance with Policies S3 and S4 and other policies in the LDP and clearly cross referenced. The masterplans are presented for illustrative purposes and as a guide for developers. They do not preclude other design approaches if it can be demonstrated that this would deliver the vision and development principles set out in the LDP.
75. As set out in the LDP, the masterplans will only be adopted as SPDs if they are appropriate. MDC will review the wording of these documents prior to adoption and make any necessary amendments to ensure they are within the parameters permitted under the 2012 Regulations.
76. MDC believe the masterplans provide a very useful guide to developers without being over-prescriptive or addressing issues which should be in the LDP. Without the masterplans, it would be difficult to meet the vision and development principles set out in the LDP, but the inclusion of a masterplan in the LDP would be over prescriptive. A masterplan is required to ensure that development of any part of the site will not prejudice development of the remainder of the site and the policies set out in the LDP. It does not amount to an allocation, rather more detailed guidance on how the conditions set out in the LDP can be achieved.

Is there a requirement for modifications to the LDP?

77. MDC maintain that the LDP provides the necessary detail and clarity required by the NPPG and regulations set out in the Town and Country Planning (Local Planning) (England) Regulations 2012. The Council has worked positively with developers and stakeholders in the preparation of the masterplans and draft masterplans have been endorsed by the Council for consultation. The requirement for masterplans and possible adoption as SPDs will not, therefore, result in delays in bringing development forward; rather it will have benefits in terms of timescale and efficiency of the planning process.
78. The principles set out in the masterplans are in accordance with Policies S3 and S4 and other policies in the LDP. The masterplans are not mandatory and are presented for illustrative purposes and as a guide for developers. In order to clarify the concerns raised by the Inspector, it is proposed to modify Policy S3 (and explanatory paragraph 2.45) and Policy S4 as follows:

Table 7 Proposed Minor Modifications to Policy S3

Ref Number	Policy / Paragraph number	Proposed Minor Change (Deletions / <u>Additional text</u>)	Reason for Change
052	Policy S3	A masterplan for the each of the Garden Suburbs at Maldon and Heybridge will be prepared and developed, in partnership between the Council, relevant stakeholders, infrastructure providers and developer / landowners <u>for illustrative purposes and as a guide for developers.</u>	For clarification

053	Paragraph 2.45	Planning consents for developments within each of the Garden Suburbs will only be granted by the Council if the proposals are in accordance with respective masterplans for the Garden Suburbs which are endorsed by the Council. Where appropriate, the Council will adopt the masterplans as SPDs. The principles set out in the masterplans will be in accordance with Policies S3 and S4 and other policies in the LDP. The masterplans will be endorsed by the Council and where appropriate, the Council may adopt the masterplans as SPDs.	For clarification
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Table 8 Proposed Minor Modifications to Policy S4

Ref Number	Policy / Paragraph number	Proposed Minor Change (Deletions / <u>Additional text</u>)	Reason for Change
054	Policy S4	Development proposals within both the South Maldon Garden Suburb and the North Heybridge Garden Suburb must be in accordance with a masterplan endorsed by the Council for the respective areas. The Masterplans for the South Maldon Garden Suburb and the North Heybridge Garden Suburb must be in accordance with these broad development principles and other policies in the LDP.	For clarification

79. To provide further clarification on **how** Garden Suburbs and Strategic Allocations in the LDP will be developed, Policies S4 and S6 would benefit from reference to the Infrastructure Delivery Plan, which provides further information on the delivery of infrastructure alongside new development. The following minor modifications should therefore be included in Policies S4 and S6.

Table 9 Proposed Minor Modifications to Policy S4

Ref Number	Policy / Paragraph Number	Proposed Minor Change (Deletions / <u>Additional Text</u>)	Reason for Change
055	Policy S4	(a new bullet point to the second part of the policy) <ul style="list-style-type: none"> <u>Identified infrastructure requirements will be delivered in line with the requirements set out in Policy 11 and the Infrastructure Delivery Plan</u> 	For clarification

Table 10 Proposed Minor Modifications to Policy S6

Ref Number	Policy / Paragraph Number	Proposed Minor Change (Deletions / <u>Additional Text</u>)	Reason for Change
056	Policy S6	(a new point 17 to the second part of the policy) <ul style="list-style-type: none"> <u>Identified infrastructure requirements will be delivered in line with the requirements set out in Policy 11 and the Infrastructure Delivery Plan</u> 	For clarification

What can be learnt from experience elsewhere?

80. The issue of the scope of SPDs and requirement for comprehensive development has been raised in a number of Local Plan examinations. Main Modification to the Fenland Core Strategy Local Plan (CSLP) was necessary to satisfy the Inspector's concerns.

81. The Inspector was concerned that a comprehensive scheme suggests that a detailed scheme is required whereas the decision maker only needs to be satisfied that any scheme will not prejudice development of the remainder of the site and accordingly fits within an agreed broad concept plan. The Council agreed that a requirement to produce a

comprehensive scheme was unduly onerous. Modifications were made to amend the terms 'comprehensive delivery scheme' and 'comprehensive scheme' with 'broad concept plan' to ensure the CSLP is both effective and positively prepared (MM4/01²)

82. The Inspector did however agree that a concept plan was required to ensure schemes come forward as part of a wider broad concept and do not prejudice the development of the site as a whole (MM4/02). The approved broad concept plan would provide the template for future proposals within the site. This modification was considered necessary to ensure the CSLP is effective. The Garden Suburb Masterplans would serve this purpose in the context of the Maldon District LDP.

LDP Policy I2 Health and Wellbeing

83. In paragraph 43 of IED06 the Inspector raised concern about Policy I2; notably the absence of any allocation details for the future of St Peter's Hospital and confusion in respect of the intention for the future of the site in the plan period.

84. In response to this MDC accepts that delivery of a new Community Hospital cannot be committed to within the plan period and any allocation, while desirable, would not pass the tests of availability, achievability and deliverability. Without an allocation, the Council is unable to set out 'what, where, when and how' with regards to the future of the St Peter's Hospital site.

85. The Council remains supportive of a Community Hospital and would encourage delivery within the plan period, however as there is uncertainty on the part of the service provider, the Council can commit to a focussed review or reviews as part of a later DPD.

86. To address the Inspector's concern, the Council proposes minor modifications to Policy I2 to commit to a review. The Proposed amendments are as follows:

Table 11 Proposed Minor Modifications to Policy I2

Ref Number	Policy / Paragraph Number	Proposed Minor Change (Deletions / <u>Additional Text</u>)	Reason for Change
057	Policy I2	<p>The Council will support proposals which enable the delivery of a new Community Hospital or a similar healthcare facility which will provide primary, secondary and intermediate care services with the aim of improving the health and wellbeing of the District's residents. Appropriate greenfield locations on the edge of Maldon may be considered where the following requirements are met:</p> <p style="padding-left: 40px;">1) The proposed site is well located and linked to an existing urban area and the strategic road network; and</p> <p style="padding-left: 40px;">2) The proposed site is in a location that is accessible by public transport and is well connected to the cycling and walking networks.</p> <p><u>Mixed use proposals or other appropriate enabling development which will enable the delivery of the new facility will be supported if it can be demonstrated that:</u></p> <p style="padding-left: 40px;"><u>a) The quantum of the proposed development is required to</u></p>	For clarification

²The Inspector's Report is available at the following link:
<http://www.fenland.gov.uk/CHttpHandler.ashx?id=10013&p=0>

		<p>enable the provision of the new facility;</p> <p>b) The scale of the proposed development will not hinder the delivery of the LDP's strategic growth strategy;</p> <p>c) The scheme is supported by the NHS and associated bodies;</p> <p>d) A legal agreement is provided to ensure the delivery of a new facility; and</p> <p>e) The proposed development must be in general conformity with other LDP policies.</p> <p><u>The Council will work with the NHS and other delivery bodies to ensure that the future health needs of the District are comprehensively addressed. New developments will be required to support the provision of new or improved facilities for health and social care and the Council will resist the loss of existing health facilities unless appropriate new provision has been secured. If it is considered necessary as a result of future strategy development by the NHS and other delivery bodies, a focussed review of the Local Development Plan will be undertaken to ensure the health needs of the District are met.</u></p>	
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F. Gypsies and Travellers

Gypsy and Traveller Accommodation Assessment 2014

87. Please find enclosed the Gypsy and Traveller Accommodation Assessment (GTAA, 2014) completed in July 2014, which the Council intends to publish as Evidence Base Document EB007b. As this document has only recently been produced, the Council will require more time to consider the conclusions and implications of the GTAA.

LDP Policy H6 Provision for Travellers

88. As the GTAA has now been completed, the Council is proposing the following modifications to Policy H6 set out in the table below. The purpose of these modifications is to:

- Remove the identified need for permanent pitches which have now been superseded by the GTAA; and
- Identify 2016 as the date when Policy H6 will be formally reviewed based on the conclusions of the GTAA.

Table 12 Proposed Minor Modifications to Policy H6

Ref Number	Policy / Paragraph number	Proposed Minor Change (Deletions / <u>Additional text</u>)	Reason for Change	
058	Policy H6	The Council will work closely with partners to deliver sufficient and appropriate Travellers' provision to meet the identified need in the District.	Remove the identified need for permanent pitches which have now been superseded by the GTAA.	
				Number of permanent pitches
		LDP Allocation		58
		Total requirement by 2019		64
		Total requirement by 2027	70	
059	Paragraphs 5.45, 5.46, and 5.47	5.45 Following the revocation of the East of England Plan and in accordance with national planning policy, the Council has sought to identify a more locally	Remove the identified need for permanent pitches which have	

		<p>determined assessment of the need for Traveller pitches in the District. In order to do this the Council has utilised available evidence including local monitoring data.</p> <p>5.46 The Council has sought to identify the future need for Traveller pitches in the District by applying the most up-to-date baseline monitoring data to the methodology used by the 2009 GTAA. Through this process a total requirement of 64 pitches by 2019 and 70 pitches by 2027 has been identified for the District.</p> <p>5.47 By utilising monitoring data, the Council is seeking to allocate 58 pitches for Travellers through the LDP. This includes 53 existing pitches with planning permission, and five pitches currently without planning permission which the Council is seeking to formalise and allocate through the LDP. The exact location of proposed Traveller site designations can be referred to in the Proposals Map.</p>	now been superseded by the GTAA.
060	Paragraph 5.48	<p>5.48 The Council will seek to meet identified need by considering proposals through the development management process using a sequential approach of intensification and expansion of existing sites, considering proposals within existing development boundaries, and then considering proposals on other sites that the Council deems suitable. Any future proposals for additional Travelling Showpeople sites will also be assessed using the same approach. <u>The Council will review the allocation and requirement for Traveller pitches, short stay sites and Travelling Showpeople sites during the plan period at an appropriate time in the future when new evidence becomes available. The Council will undertake a formal/focussed review of Policy H6 in 2016 to identify an appropriate provision for Travellers in accordance with the NPPF and associated guidance.</u></p>	To provide clarity on how the Council will provide a Traveller pitch target for the District and identified an appropriate amount of site allocations.