

**MALDON DISTRICT COUNCIL
LOCAL DEVELOPMENT SCHEME
January 2014**

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1. Introduction

1.1 **Background**

Over the next year Maldon District Council will be completing the preparation of a Local Development Plan. This will establish the future vision for the District, setting out where future growth will be located, how sustainable development will be achieved and how the needs of businesses and people will be met. As a part of this process, the Council must produce a Local Development Scheme (LDS), the main purpose of which is to set out a 'project plan' for the production of the Local Development Plan. This document will:

- Provide details on the Development Plan Documents and other relevant planning policy documents that Maldon District Council intends to produce and a timetable for their preparation;
- Outline the 'Milestones' to be achieved as part of the process leading to the adoption of the various documents;
- Provide a list of the supporting documents which will form part of the Evidence Base;
- Provide information on the Annual Monitoring Report;
- Set out details on the current Council policies and documents that have been 'saved' pending the adoption of the Local Development Plan; and
- Set out the resources available and any constraints.

1.2 **Procedural Requirements**

The Planning and Compulsory Purchase Act 2004 as amended by the Localism Act 2011, requires local planning authorities to prepare and maintain a Local Development Scheme (LDS). The LDS is a timetable for the production of the District's Local Development Plan, Development Plan Documents and Supplementary Planning Documents.

This LDS has been produced to give local residents and other stakeholders information about:

- The local development documents the district council will be preparing;
- The subject matter and geographical area to which the plans relate; and
- The timetable for the preparation, adoption and revision of the plans.

It is important that plans for the future development of the district are produced in a timely and efficient manner, as if they are not, development which is crucial to the social, economic and environmental well-being of the district and its residents may be delayed or abandoned, and the co-ordination of development and infrastructure provision may be difficult to achieve.

2. Maldon District Local Development Plan

2.1 Background

On the 21 July 2011, Council Members agreed the production of a single local development plan for the Maldon District. This document will build upon and progress the work that had previously been undertaken on the Core Strategy and the Central Area Action Plan. The Maldon District Local Development Plan (LDP) will include the following components:

- The spatial strategy for future growth within the District over the next 15- years;
- Strategic development policies;
- Development management policies; and
- Land use allocations.

In line with national planning policy the LDP is bringing together several policy facets into a single development plan document.

Once adopted, the LDP will replace the 'Saved Policies' in the current Replacement Local Plan (2005) and will become the development plan document for the District. The diagram at Appendix 1 sets out how the LDP sits within the hierarchy of planning policy and supporting documents, whilst the diagram in Appendix 2 highlights the development production process. After adoption, the plan will be monitored, updated and reviewed as necessary.

The LDP will be supplemented by the following documents:

1. Statement of Community Involvement – This document demonstrates how the Council is engaging with the community and other stakeholders in preparing its LDP.
2. Annual Monitoring Report – This document monitors the implementation and performance of policies and proposals in the LDP and will inform whether a review is necessary.
3. Sustainability Appraisal – This appraises the environmental, economic and social aspects of the LDP.
4. Research and evidence base – The LDP is based upon robust and reliable evidence.

Table 1, set out below, provides a summary of the role and coverage of the Local Development Plan.

Table 1: Maldon District Local Development Plan - Summary

Document Title	Maldon District Local Development Plan
Role and Content	Strategy for the future growth within the District over the next 15 years, setting out the spatial vision, strategic planning policies, development management policies and site specific land use allocations.
Coverage	Maldon District
Chain of Conformity	<ul style="list-style-type: none"> <input type="checkbox"/> National Planning Policy Framework <input type="checkbox"/> Essex Minerals and Waste Development Framework¹. <input type="checkbox"/> Maldon District Council Corporate Plan (2011 - 2014) <input type="checkbox"/> The Renewed Maldon District Sustainable Community Strategy (2010 – 2026); and <input type="checkbox"/> Other strategies and plans of the District Council and other statutory bodies.
Resource	<ul style="list-style-type: none"> <input type="checkbox"/> Planning Policy Team; <input type="checkbox"/> Other Council Officers; <input type="checkbox"/> Cooperation with neighbouring local planning authorities; <input type="checkbox"/> Cooperation with relevant stakeholders including infrastructure providers; <input type="checkbox"/> Use of technology and web-based communication to assist with consultation; and <input type="checkbox"/> Where necessary use of consultancy support to develop, review and update the evidence base.

¹Essex County Council (ECC) is the Minerals and Waste Planning Authority for the whole of Essex, including Maldon District. Essex County Council is responsible for preparing a Minerals and Waste Development Framework (MWDF) setting out the relevant planning policy, site allocations and development control policies to deal with minerals and waste planning in Essex.

Dates for key stages / milestones:

- Draft LDP public consultation – August / September 2013
- Pre-submission consultation – January / March 2014
- Submission to Secretary of State – Spring 2014
- Adoption – Autumn 2014

2.2 Rural Allocations DPD

The Council will produce a separate Rural Allocations DPD to provide further details in relation to rural housing, employment and other developments following the submission of the LDP. The DPD will include provision for village-scale residential, employment, retail, and community uses to serve an identified settlement and its rural catchment area where necessary and appropriate.

Dates for key stages / milestones:

- Work to commence – early 2014
- Public consultations – late 2014 / early 2015
- Pre-Submission consultation – mid 2015
- Submission to Secretary of State – late 2015
- Adoption – early / mid 2016

Further details of the Rural Allocations DPD, together with interim arrangements for considering applications within the rural areas of the District in advance of the adoption of the Rural Allocations DPD, will be considered and published by the Council in due course.

3 Transitional Arrangements

The Maldon District Replacement Local Plan ‘Saved Policies’ will continue to form the development plan document for the District until the LDP is adopted. The ‘Saved Policies’ are listed in Appendix 3.

The Council has assessed the conformity of key saved policies in relation to the NPPF. The assessment was endorsed by the Council’s Planning and Licensing Committee on 3 October 2013.

The emerging Local Development Plan, once published for pre-submission consultation, will be given increasing weight as a material planning consideration as it progresses to submission and adoption. Material weight to emerging policies will be applied in accordance with the National Planning Policy Framework.

4 Supplementary Planning Documents

Supplementary planning documents (SPDs) can be produced to cover issues that supplement policies and proposals in development plan documents. SPDs will not be subject to independent examination, but they will have material weight in decision-making on planning applications and other proposals.

Supplementary planning documents should only be necessary where their production can help to bring forward sustainable development at an accelerated rate, and must not be used to add to the financial burdens on development.

Maldon District Council produced and published five SPDs between 2005 and 2007. These are:

- Vehicle Parking Standards SPD (2006);
- Sadd's Wharf SPD (2007);
- Heybridge Basin Timber Yard SPD (2007);
- Children's Play Spaces SPD (2006); and
- Accessibility to Buildings SPD (2006).

Two supplementary planning guidance (SPGs) documents were produced prior to 2005. These are:

- Affordable Housing Guide (2005); and
- Developer Contributions Guide (2005).

Since the adoption of these SPDs and SPGs, some of the policies which they supplemented have since been updated, withdrawn or revoked. The Council will review and where appropriate update or withdraw these SPDs and SPGs in due course.

Further SPDs to be produced are likely to include:

- Maldon District Design Guide SPD;
- Renewable Energy SPD;
- Green Infrastructure Strategy SPD; and
- Maldon District Strategic Housing SPD.

The following masterplans / planning briefs are also to be produced and / or endorsed by the Council prior to the adoption of the LDP. Depending on work priorities and timings, these masterplans may ultimately take the form and status of Supplementary Planning Documents:

- North Heybridge Garden Suburb Masterplan;
- South Maldon Garden Suburb Masterplan;
- Maldon and Heybridge Central Area Masterplan; and
- Primrose Meadow Planning Brief.

The Council has also produced an Economic Prosperity Strategy to supplement the relevant LDP policies.

5 Statement of Community Involvement

In 2007, Maldon District Council adopted its Statement of Community Involvement (SCI). This document sets out the standards which the Council must achieve in involving local communities in the preparation of local development documents and development management decisions. On 21 June 2012 the Council formally adopted an addendum to the SCI and together they form the approved SCI.

6 Sustainability Appraisal and Habitats Regulations Assessment

In accordance with national legislation and advice, development plan documents will be subject to a Sustainability Appraisal (SA). This is integral to the document preparation as a means of assessing potential social, environmental and economic effects of policies and proposals. Sustainability Appraisals will also contribute to the reasoning and justification for policies.

The SA must comply with the requirements of the EU Directive 2001/42/EC on Strategic Environmental Assessments. The key UK requirements for a sustainability appraisal of development plan documents are set out in the ODPM guidance 'Sustainability Appraisal of Regional Spatial Strategies and Local Development Documents (2005)'.

The development plan documents will also be subject to a Habitats Regulations Assessment to ascertain whether an Appropriate Assessment is required, for example, if a policy or proposal is likely to have a significant impact on a nature conservation site which is of European significance.

7 Evidence Base

The LDP and other policy documents will be supported by evidence-based documents. These documents will not form part of the LDP but serve to provide robust and reliable evidence in which to inform its production. Evidence base documents produced are available to view and download from the Council's website (www.maldon.gov.uk). The evidence base will be reviewed regularly to ensure that it is kept up to date and reflects local circumstances.

8 Community Infrastructure Levy

The Community Infrastructure Levy (CIL) was introduced in the Planning Act 2008 and defined in the CIL Regulations 2010 (as amended). This legislation also restricts the use of planning obligations, sometimes known as 'Section 106 agreements'.

It is a locally set charge on new development that the Council will implement across the District. It is based on the size and type of development and once set in an area is mandatory to pay and non-negotiable. The funds raised must be used to provide infrastructure which is required to support new development across the area. The CIL timetable set out below is in general conformity with the LDP timetable.

Dates for key stages / milestones:

- Consultation on the CIL Preliminary Draft Charging Schedule – January / March 2014
- Consultation on CIL Draft Charging Schedule– Spring 2014
- Submission to Secretary of State – Summer 2014
- Adoption – Autumn 2014

9 Monitoring and Review Arrangements

The policies within the RLP and LDP will be monitored and reviewed through the Annual Monitoring Report (AMR). This document is publicly available and reports on the delivery of key targets. It includes information on:

- An up-to-date list of relevant national policy and legislation applicable to the LDP;
- A statement on the progress of the LDS timetable and when necessary, the progress of reviews on various development plan documents against the project timetable;
- An analysis of how or whether the policies of the LDP are delivering the objectives.

10 Resources

The Planning Policy Team of the Council will be responsible for the production of the LDP. In addition to these resources, there will also be contributions from other teams and departments within the Council.

As far as possible, projects will be jointly undertaken by officers to ensure smooth work flow in case of any staff absence. The Council will consider employing consultants if the need arises within allocated budgets.

The Council will also continue to work closely with neighbouring authorities in joint working arrangements on technical background documents and research.

11 Risk Assessment

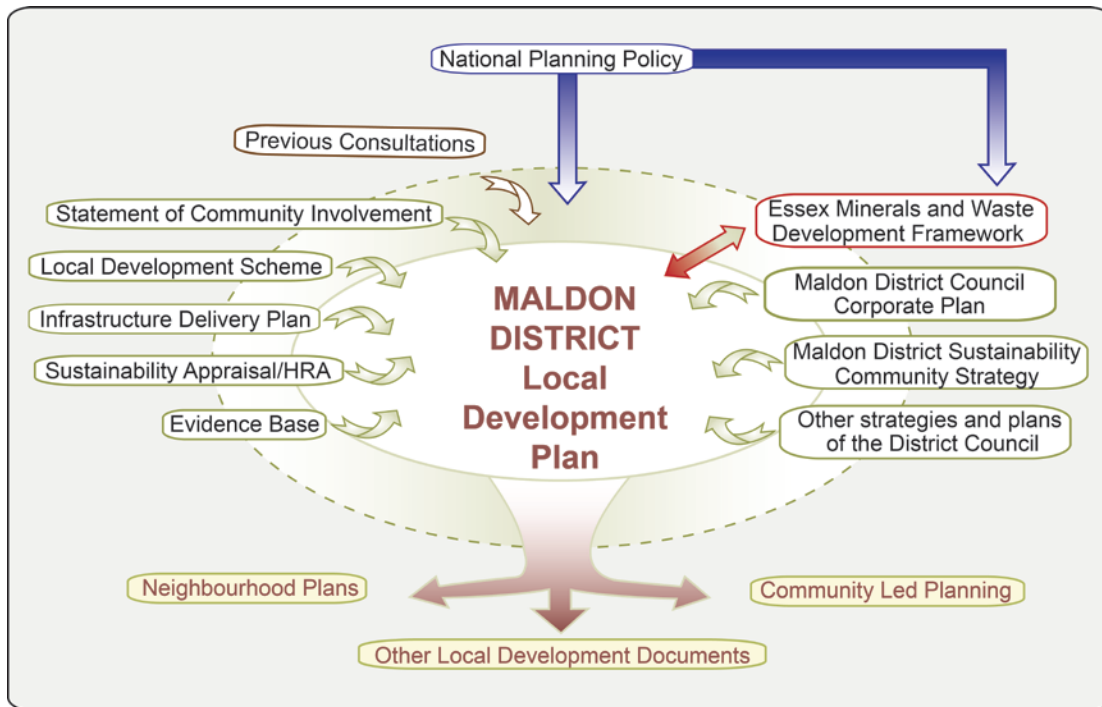
In preparing the LDS, the following risks have been identified that may affect or delay the process of adopting the Local Development Plan and contingency measures are suggested accordingly. The list is not exhaustive and does not include unlikely events which are difficult to foresee that temporarily causes a halt to normal Local Government.

Risk	Contingency	Responsibility
Staff changes or staff loss (staff leaving post/time delays in recruitment)	On-going training and development to improve expertise and encourage staff retention; Loss of staff will be countered by recruiting permanent and where necessary temporary staff.	Head of Planning Services, Strategic Planning Policy Manager
Insufficient expertise and additional unforeseen evidence base requirements	Use of specialist consultants to cover particular gaps in expertise. (e.g. SA/SEA).	Head of Planning Services, Strategic Planning Policy
Under-estimate of staff demand causing delays of LDS programme	Regular reviews of staffing needs and workload; Use of temporary staff if heavy workload identified.	Head of Planning Services, Strategic Planning Policy Manager
Revisions to national planning policy guidance and procedures	Monitoring of national planning policy revisions.	Strategic Planning Policy Manager
Budget Constraints	Annual budget review to identify budget needs; reserve of a contingency amount to fund additional financial needs.	Strategic Director, Head of Planning Services, Strategic Planning Policy Manager
Delays in political agreement	Use of progress briefings retain political awareness. Use of delegated powers wherever appropriate. Close working partnership with a Planning Policy Panel which is a subgroup of the Planning and Licensing Committee.	Head of Planning Services, Strategic Planning Policy Manager
PINS ability to resource examinations	Early and on-going dialogue with PINS	Strategic Planning Policy Manager

<p>Intervention by the Secretary of State or Successful Legal Challenge</p>	<p>Collaboration with PINS at all milestone stages and before submission of DPDs to ensure that the DPDs fulfil the legal requirements and are sound.</p> <p>Support programme undertaken with the Planning Advisory Service to ensure soundness</p>	<p>Strategic Planning Policy Manager</p>
<p>Consultation fatigue (community being consulted too often for the LDP and by other agencies over a wide range of issues)</p>	<p>Minimise by re-arranging a corporate coordinated programme and possibly integrating individual engagement activities with other agencies especially the Local Strategic Partnership</p>	<p>Head of Planning Services, Strategic Planning Policy Manager</p>

Appendices

Appendix 1: Indicative Local Development Plan Diagram



Appendix 2: Development Plan Document Preparation Process



Appendix 3: Saved Policies from the Maldon District Replacement Local Plan

Policy No.	Policy Title
S1	Development boundaries and new development
S2	Development outside development boundaries
CON4	Development on unstable land
CON5	Pollution prevention
CON6	Contaminated land
CON7	Development affecting airports
CC1	Development affecting an internationally designated
CC2	Development affecting a nationally designated nature
CC3	Development affecting locally designated nature
CC4	Local Nature Reserves
CC5	Protection of wildlife at risk on development sites
CC6	Landscape protection
CC7	Special Landscape Areas
CC10	Historic Landscape Features
CC11	Coastal Zone
CC12	Maldon Waterside Area
CC14	Agricultural Workers Dwellings
CC15	Temporary accommodation for agricultural workers
CC16	Agricultural occupancy conditions
CC17	Intensive livestock units
CC19	Rural Diversification
CC20	Re-use of listed buildings in rural areas Currently or Formerly in Agricultural Use
CC21	Re-use of rural buildings for residential purposes
CC22	Replacement dwellings
CC23	Garden extensions in the countryside
H1	Location of new housing
H4	Land allocated for residential development
H6	Housing density
H8	Conversion of dwellings and other buildings to flats
H9	Affordable housing
H10	Rural Exceptions Sites
H11	Special Family Needs
H13	Houseboats
H15	Replacement of mobile homes with permanent dwellings
E1	Protection of Existing Allocated Employment Areas
E2	Allocation of Proposed Employment Sites
E3	Mixed Use Development Timber Yard, Heybridge Basin
E4	Mixed Use Development, Sadd's Wharf
E5	Frontage to the River Chelmer
E6	Protection of existing employment uses
E7	Development extension or intensification of employment premises within Development
E8	Working from home
BE1	Design of New Development and Landscaping
BE3	Public and private amenity spaces
BE6	Extensions to dwellings
BE7	Design of Shop Fronts
BE8	Lighting
BE9	Advertisements on buildings

BE10	Display of advertisements remote from the site being
BE11	Advertisements within Conservation Areas and affecting Listed Buildings
BE13	Development in Conservation Areas
BE14	Demolition of Listed Buildings
BE16	Extensions alterations to and additional buildings in the curtilage of Listed Buildings
BE17	Preservation of Sites of Nationally Important Archaeological Remains and their Settings
BE18	Control of Development at a Site of Local Archaeological
BE20	The installation of satellite dishes in Conservation Areas and on Listed Buildings
SH1	Core Retail Areas
SH2	Protection of the retail function of town and district centres
SH4	Town and District Centre development proposals
SH5	Local Shopping Centres in urban areas
SH6	Village shops and services
REC1	Allocation of land for formal public open space
REC2	Provision of public playing pitches
REC3	Children's play space associated with new housing developments and elsewhere in the District
REC4	Allocation of land for informal open space
REC7	Protection of existing public and private open space
REC11	The Blackwater Rail Trail
REC12	Riding establishments
REC14	Golf courses, extensions and facilities
REC15	Golf driving ranges
REC16	Permanent uses of land or water for sport
REC17	Water recreation facilities
REC19	Hotel and guest house accommodation
REC20	Static and touring caravan sites, chalet sites and camping
REC21	Redevelopment of tourist accommodation
T1	Sustainable transport and location of new development
T2	Transport infrastructure in new developments
T3	Rail freight facilities
T4	Cycle Routes
T6	Improvement to pedestrian facilities
T7	Shared car parking in new development
T8	Vehicle parking standards
PU1	Provision of Education Facilities
PU2	Recycling facilities in new developments
PU3	Protection of health care facilities
PU4	New health care facilities
PU6	Renewable Energy

Appendix 4: Glossary of Terms

Annual Monitoring Report – The annual monitoring report assesses the implementation of the local development scheme and the extent to which policies in local development documents are being successfully implemented.

Core Strategy - A core strategy sets out the long term spatial vision for the local planning authority area, as well as the spatial objectives and the strategic policies to deliver that vision. The core strategy has the status of a development plan document.

Development Plan Documents (DPDs) - Development plan documents consist of spatial planning documents that are subject to independent examination.

Development Management Policies – These will include a suite of generic developments that apply to all development with the aim to improve the quality of the built environment.

Evidence Base - An evidence base is the evidence that any development plan document, especially a core strategy, is based on. It is made up of the views of stakeholders and background facts about the area.

Local Development Plan (LDP) – The local development plan sets out the development needs of the district and where growth will be located over a 15 year period.

Local Development Scheme – A public statement of the Council's programme for the production of Development Plan Documents.

National Planning Policy Framework (NPPF) – a simplified set of policies that will replace PPGs and PPSs – draft published July 2011.

Planning Policy Guidance note (PPG) – PPGs set out Government advice on various planning-related topics – they now have the status of national policy. They are being replaced over time by Planning Policy Statements (see below).

Planning Policy Statement (PPS) – PPSs set out national policy on planning- related topics.

Proposals Map - A proposal map is an illustration on a base map, reproduced from or based upon a map base to a registered scale, of all the policies contained in development plan documents.

Regional Spatial Strategy (RSS) - The regional spatial strategy sets out the region's policies in relation to the development and use of land. It forms part of the development plan for local planning authorities.

Statement of Community Involvement (SCI) - The statement of community involvement sets out the standards which authorities must achieve in involving local communities in the preparation of local

development documents and development management decisions.

Supplementary Planning Documents (SPD) - Supplementary plan documents provide supplementary information about the policies in development plan documents. They do not form part of the development plan and are not subject to independent examination.

Strategic Site Allocations – Allocations of sites for specific of mixed uses or development to be contained in the Local Development Plan. Policies will identify any specific requirements for individual purposes

Sustainability Appraisal – An appraisal of the economic, social and environmental impacts of policies and proposals. It incorporates Strategic Environmental Assessment (SEA) – see below. The SA Scoping Report identifies the information needed for the appraisal, and describes the methodology. It is updated periodically.

Appendix 5: Abbreviations

AAP	Area Action Plan
AMR	Annual Monitoring Report
DPD	Development Plan Document
LDD	Local Development Document
LDP	Local Development Plan
LDS	Local Development Scheme
LPA	Local Planning Authority
LSP	Local Strategic Partnership
LTP	Local Transport Plan
MDC	Maldon District Council
NPPF	National Planning Policy Framework
PPG	Planning Policy Guidance note
PPS	Planning Policy Statement
RPB	Regional Planning Body
RSS	Regional Spatial Strategy (East of England Plan)
SA	Sustainability Appraisal
SCI	Statement of Community Involvement
SEA	Strategic Environmental Assessment
SOS	Secretary of State
SPD	Supplementary Planning Document
SPG	Supplementary Planning Guidance (forerunner to SPD)