

**MALDON DISTRICT COUNCIL
LOCAL DEVELOPMENT SCHEME
February 2017**

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Introduction

1. Over the next year Maldon District Council aims to complete the preparation of the Maldon District 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.
2. Finalisation of the LDP will mean that the Council has a sound and up to date local plan in place and it will replace the Replacement Local Plan 2005 (saved policies). The LDP sits at the heart of local planning policy, but is supported by other policy documents, both planning and non-planning, and alongside the Essex waste Local Plan.
3. The Planning Acts require that 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 and other Development Plan Documents (DPDs) and Supplementary Planning Documents (SPDs). This LDS 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 Authority Monitoring Report;
 - Set out details on the current Council policies that have been 'saved' pending the adoption of the Local Development Plan; and
 - Set out the resources available and any constraints.
4. 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.
5. 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 and documents.
6. It is important that plans for the future development of the District are produced in a timely and efficient manner. 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, the co-ordination of development and infrastructure provision may be difficult to achieve and it puts at risk the Council's ability to defend planning decisions at appeals.

Maldon District Local Development Plan

7. 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.

Table 1: Maldon District Local Development Plan - Summary

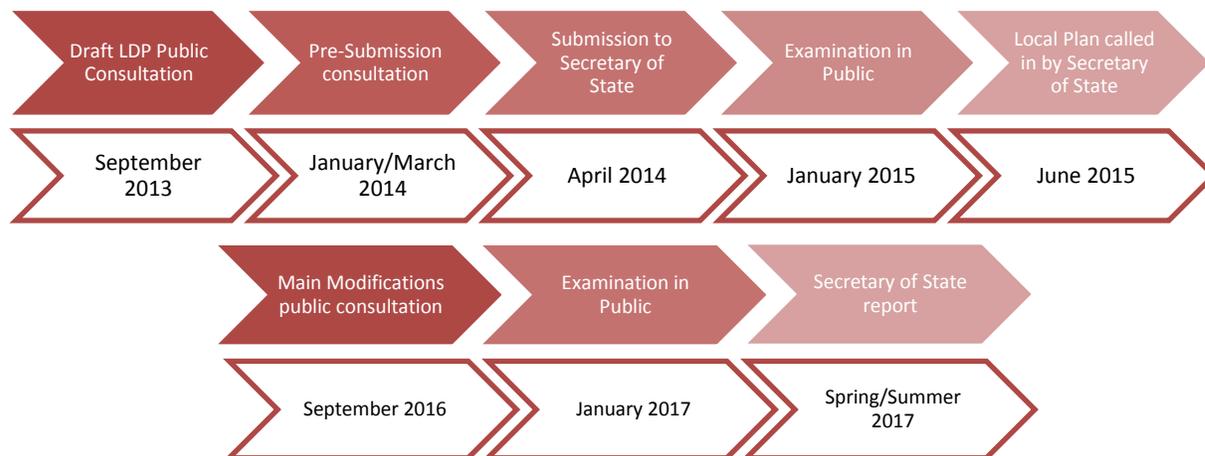
Document Title	Maldon District Local Development Plan
Role and Content	Strategy for the future growth within the District over the period 2014-2029, setting out the spatial vision, strategic planning policies, development management policies and site specific land use allocations.
Coverage	Maldon District
Chain of Conformity	<ul style="list-style-type: none"> • Relevant Planning Acts and Regulations • National Planning Policy Framework • Essex Minerals and Waste Development Framework¹ • Maldon District Council Corporate Plan (2011 - 2014) • The Renewed Maldon District Sustainable Community Strategy (2010 – 2026); and • Other strategies and plans of the District Council and other statutory bodies.
Resource	<ul style="list-style-type: none"> • Planning Policy Team; • Other Council Officers; • Cooperation with neighbouring local planning authorities; • Cooperation with relevant stakeholders including infrastructure providers; • Use of technology and web-based communication to assist with consultation; and • Consultancy support to develop, review and update the evidence base.

Note:

1. Essex County Council is the Minerals and Waste Planning Authority for the whole of Essex and is responsible for preparing a Minerals Local Plan and Waste Local Plan setting out the relevant planning policy, site allocations and development management policies to deal with minerals and waste planning.

8. The Maldon District Local Development Plan was submitted to the Secretary of State in April 2014 with the Examination in Public held in January 2015. After the Inspector determined the Local Plan to be unsound, the Council requested the Plan to be submitted to the Secretary of State for approval. The Secretary of State had found the interim findings to be disproportionate and ordered that the Maldon District Local Development Plan examination can continue.
9. Since submitting the Local Development Plan to the Secretary of State, the Council has continued to improve and modify the Local Development Plan through Main Modifications. After Main Modifications consultation was completed in October 2016, the Inspector summoned the Council to final questioning before the examination, which took place in January 2017.
10. Following the Public examination Hearings in January 2017, the Council will consult on further Modifications to the Plan, which were discussed during the hearings to ensure that the policies are sound. The final decision on the Plan lies with the Secretary of State and it is estimated that the Secretary of State will make his decision in Spring/Summer of 2017.

Figure 2: Local Development Plan Timeline.



11. 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. The Policies Map will support the LDP, but does not form part of it.
12. After adoption, the plan will be monitored, updated and reviewed as necessary.
13. The LDP is 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. Authority 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 on robust and reliable evidence.
14. Until the Maldon District Local Development Plan is adopted, the Maldon District Replacement Local Plan (RLP) 'Saved Policies' will continue to form the development plan documents for the District. The 'Saved Policies' are listed in **Appendix 2** of this LDS.

Community Infrastructure Levy

15. 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'.
16. 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 be paid and non-negotiable. The funds raised must be used to provide infrastructure which is required to support new development across the area.
17. The Planning Policy Guidance Note on CIL, first published in June 2014, states in paragraph 016 that 'information on the charging authority area's infrastructure needs should be drawn from the infrastructure assessment that was undertaken as part of preparing the relevant Plan [i.e. local plan]. This is because the plan identifies the scale and type of infrastructure needed to deliver the area's local development and growth needs.'
18. The Council has prepared an Infrastructure Delivery plan, which was subject to scrutiny at the LDP examination, although it does not form part of the LDP.
19. The CIL rates are published within a Draft Charging Schedule. The CIL Regulations 2010 (as amended) require two stages of consultation to be undertaken before the Draft Charging Schedule can be submitted to government.
20. The Council undertook the first stage of CIL consultation, called the Preliminary Draft Charging Schedule, in January to March 2014. The second stage, called the Draft Charging Schedule, presented the CIL rates which the Council intended to submit for Examination-in-Public (EiP). Consultation on the CIL Draft Charging Schedule was undertaken in June and July 2014.
21. An examination into the Council's CIL Charging Schedule will need to take place after the Local Development Plan has been adopted.

Table 2: Community Infrastructure Levy Charging Schedule - Summary

Document Title	Community Infrastructure Levy Charging Schedule
Role and Content	To establish a charging schedule for the application of a community infrastructure levy on new development
Coverage	Maldon District
Chain of Conformity	<ul style="list-style-type: none"> • Relevant Planning Acts and Regulations • National Planning Policy Framework and National Planning Policy Guidance note and Planning Policy Statement • Maldon District Council Corporate Plan (2011 - 2014) • Local Development Plan • Infrastructure Delivery Plan • Evidence Base
Resource	<ul style="list-style-type: none"> • Planning Policy Team; • Other Council Officers; • Cooperation with neighbouring local planning authorities; • Cooperation with relevant stakeholders including infrastructure providers; • Use of technology and web-based communication to assist with consultation; and • Consultancy support to develop, review and update the evidence base.

Supplementary Planning Documents

22. 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 are subject to public consultation lasting between 4 and 6 weeks. After the consultation process is complete, the SPDs will have material weight in decision-making on planning applications and other proposals.
23. Supplementary planning documents should only be necessary where their production can help to bring forward sustainable development at an accelerated rate. They should build upon and provide more detailed advice or guidance on the policies in the Local Plan. They must not be used to add to the financial burdens on development.
24. Prior to the preparation of Supplementary Planning documents, the Council produced Supplementary Planning Guidance. Like SPDs, these did not have statutory planning status.

Table 3: Existing Supplementary Planning Guidance.

Supplementary Planning Guidance	Year of Approval
Affordable Housing Guide	2005
Developer Contributions Guide	2005

25. Maldon District Council produced and published five SPDs between 2006 and 2007. These are illustrated in Table 4.

Table 4: Existing Supplementary Planning Documents

Supplementary Planning Document	Year of Approval
Vehicle Parking Standards	2006
Children's Play Spaces	2006
Accessibility to Buildings	2006
Sadd's Wharf	2007
Heybridge Basin Timber Yard	2007

26. 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.
27. The Council proposes 6 supplementary planning documents, as set out in table 5 below.

Table 5: Proposed Supplementary Planning Documents

Supplementary Planning Document	Purpose	Timetable
Green Infrastructure Study	Identifies existing green infrastructure elements and sets proposed standards for accessible green space in the District, these include amenity greenspaces and parks.	September 2017 - Draft Action Plan November 2017 - Public consultation January 2018 – Approval of Final SPD
Maldon District Affordable Housing	Sets out the detailed process and procedures for the consideration and agreement for Affordable Housing in accordance with Policies in the LDP. It will also include details on the type of affordable housing,	September 2017 – Consultation Draft December 2017 – Approval of Final SPD

Supplementary Planning Document	Purpose	Timetable
	linked to the Council's Housing Strategy	
Maldon District Design Guide	In accordance with policy D1 of LDP to guide developers, designers, community groups and decision makers to deliver high quality design in all development.	Spring 2017 – Public Consultation Summer 2017 - Adoption
Maldon and Heybridge Central Area Masterplan	In accordance with Policy S5 of the LDP to set out a detailed strategy for the development, regeneration and enhancement of the Central area of Maldon and Heybridge, including Maldon town centre, the Causeway Regeneration Area and Leisure Quarter.	Spring 2017 – Public Consultation Summer 2017 – Adoption
Renewable Energy	To set out how the Council will seek to manage renewable energy development and seek to reduce carbon emissions in new developments in accordance with Policy D4 of the LDP.	September 2017 – Consultation Draft December 2017 – Approval of Final SPD
Vehicle Parking Standards	To review and update the Vehicle Parking Standards Adopted in 2006. Review to include parking requirements and space design.	October 2017 – Consultation Draft January 2018 - Approval

28. The following masterplans and design codes are also being prepared and / or endorsed by the Council prior to the adoption of the LDP, as set out in Table 6 below.

Table 6: Proposed Master Plans and Design Codes

Supplementary Planning Document	Timetable to Approval
North Heybridge Garden Suburb Strategic Masterplan Framework	Endorsed by Council – October 2014
South Maldon Garden Suburb Strategic Masterplan Framework	Endorsed by Council – September 2014
North Heybridge Garden Suburb Strategic Design Codes	To be endorsed by Council – March 2017
South Maldon Garden Suburb Strategic Design Codes	Endorsed by Council – March 2016

Statement of Community Involvement

29. The statement of Community Involvement sets out the standards that the Council must achieve in involving local communities in the preparation of local development documents and development management decisions. Maldon District Council formally adopted its approved Statement of Community Involvement (SCI) in 2007 although an addendum was approved in 2012.
30. The Council will update the SCI to take into account the adopted LDP and new forms of consultation and engagement.

Table 7: Statement of Community Involvement Timetable

Statement of Community Involvement (SCI)	<p>Spring 2017 - Draft SCI for public consultation</p> <p>Summer 2017 – consideration of responses and revised plan</p> <p>September 2017 - Approval of Final SPD</p>
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Sustainability Appraisal and Habitats Regulations Assessment

31. In accordance with national legislation and advice, development plan documents are 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.
32. 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)'.

33. 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 International significance.

Evidence Base

34. 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.
35. Evidence base documents produced are available to view and download from the Council's website (https://www.maldon.gov.uk/info/20048/planning_policy/8110/evidence_base). The evidence base will be reviewed regularly to ensure that it is kept up to date and reflects local circumstances.

Monitoring and Review Arrangements

36. The policies within the RLP and LDP will be monitored and reviewed through the Authority Monitoring Report (AMR). This document is publicly available and reports on the delivery of key targets, including an annual Five Year Supply of Housing Land Statement. The Council will aim to publish the Authority Monitoring report in September each year.
37. The AMR will include 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.

Resources

38. 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.
39. 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.
40. The Council will also continue to work closely with neighbouring authorities in joint working arrangements on technical background documents and research.

Risk Assessment

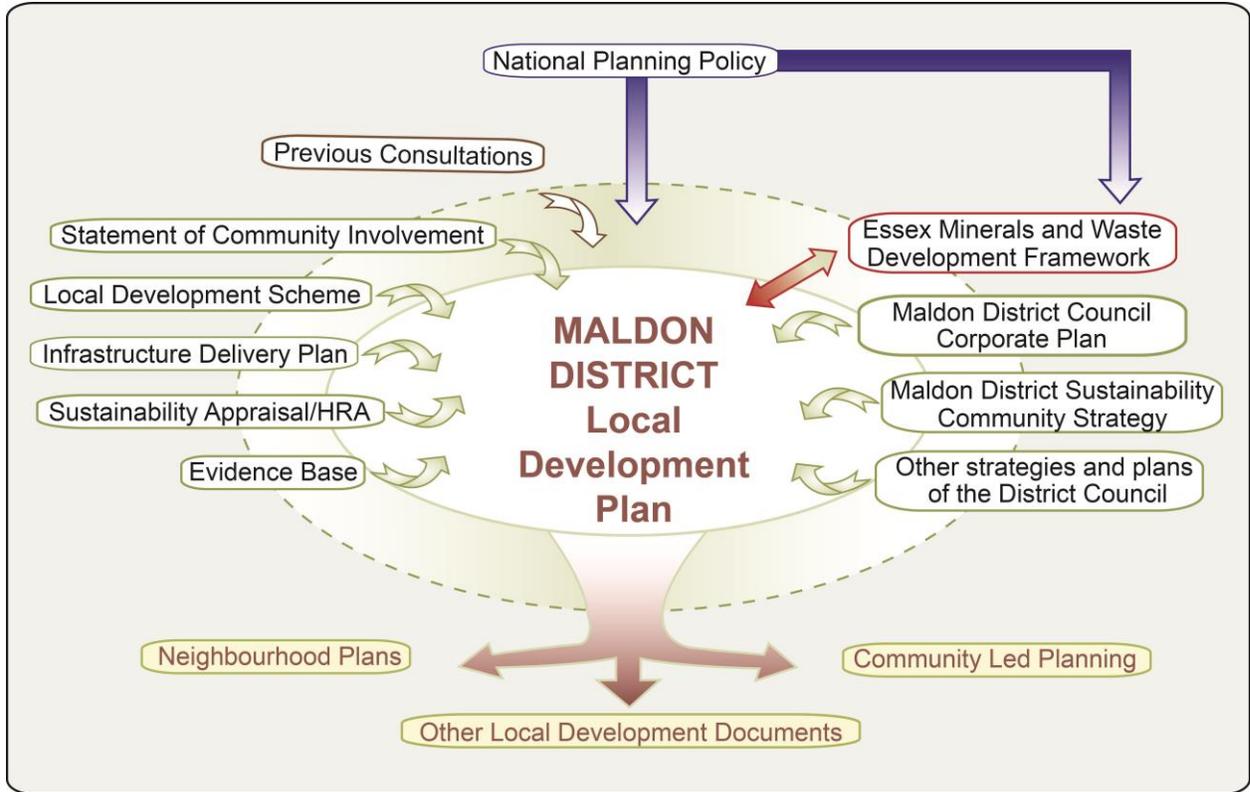
41. In preparing the LDS, the following risks have been identified that may affect or delay the process of adopting the Local Development Plan and contingency measures are suggested accordingly. The list is not exhaustive and does not include unlikely events which are difficult to foresee that temporarily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

Risk	Impact	Contingency	Responsibility
Secretary of State does not approve the LDP	LDP not adopted and subject to further delay	Collaboration with PINS at all milestone stages and before submission of DPDs to ensure that the DPDs fulfil the legal requirements and are sound. Worked with Inspector during examination to render the Plan sound	Strategic Planning Policy Manager
Revisions to national planning policy guidance and procedures – i.e. NPPF and Housing Bill	Further modifications required to the LDP prior to approval causing delay	Monitoring of national planning policy revisions Quick turnaround of statements and impact report including report to Inspector on impacts	Strategic Planning Policy Manager
Delays in political agreement	Delays in agreeing plans and documents	Use of progress briefings retain political awareness. Use of delegated powers wherever appropriate. Close working partnership with Task & Finish Working Group which are subgroups of the Planning and Licensing Committee.	Head of Planning Services Strategic Planning Policy Manager
Consultation fatigue (community being consulted too often for the LDP and by	Poor response to consultations	Minimise by re-arranging a corporate coordinated programme and possibly integrating individual engagement activities with other	Head of Planning Services Strategic Planning Policy Manager

Risk	Impact	Contingency	Responsibility
other agencies over a wide range of issues)		<p>agencies especially the Local Strategic Partnership</p> <p>Update SCI to understand how people want to be consulted – i.e. effective use of website and social media</p>	Communications Manager
Staff changes or staff loss (staff leaving post/time delays in recruitment)	<p>Loss of institutional capacity.</p> <p>Inconsistency</p>	<p>On-going training and development to improve expertise and encourage staff retention;</p> <p>Loss of staff will be countered by recruiting permanent and where necessary temporary staff.</p>	<p>Head of Planning Services</p> <p>Strategic Planning Policy Manager</p>
Insufficient expertise and additional unforeseen evidence base requirements	Poor evidence base	<p>Use of specialist consultants to cover particular gaps in expertise. (e.g. SA/SEA).</p>	<p>Head of Planning Services</p> <p>Strategic Planning Policy Manager</p>
Budget Constraints	Insufficient budget to cover costs	<p>Annual budget review to identify budget needs based on LDS</p> <p>Council reserve of a contingency amount to fund additional financial needs.</p>	<p>Chief Executive</p> <p>Director or Resources</p> <p>Head of Planning Services</p> <p>Strategic Planning Policy Manager</p>

Appendices

Appendix 1: Indicative Local Development Plan Diagram



Appendix 2: Saved Policies from the Maldon District Replacement Local Plan

Policy	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 Boundaries
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

Maldon District Council Local Development Scheme

Policy	Policy Title
BE9	Advertisements on buildings
BE10	Display of advertisements remote from the site being advertised
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
BE17	Preservation of Sites of Nationally Important Archaeological Remains and
BE18	Control of Development at a Site of Local Archaeological Value
BE20	The installation of satellite dishes in Conservation Areas and on Listed
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
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 sites
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 3: Glossary of Terms

Authority Monitoring Report

The authority 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 Local Development 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.

Policies Map

A Policies Map is a map illustration, reproduced from or based upon a map base to a registered scale, of all the policies and proposals contained in a development plan document.

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). The SA Scoping Report identifies the information needed for the appraisal, and describes the methodology. It is updated periodically.