MALDON DISTRICT COUNCIL

Maldon District Council
Great Totham Neighbourhood Plan
Decision Statement

Summary

1. Following an independent examination, Maldon District Council confirms that the Great Totham Parish Neighbourhood Plan, as recommended to be modified by the Examiner, will proceed to a Neighbourhood Planning Referendum.

2. This Decision Statement sets out Maldon District Council's response to each of the Examiner's recommendations.

3. The Referendum will be held in 2022.

Background

4. The Great Totham Parish Neighbourhood Plan relates to the Neighbourhood Area designated by Maldon District Council on 24 April 2013. This area comprises the majority of the Parish, except that area covered by the LDP North Heybridge Garden Suburb allocation (S2c). The Neighbourhood Area is within the Local Planning Authority area.

5. Great Totham Parish Council undertook pre-submission consultation on the draft Plan in accordance with Regulation 14 (3 December 2020 – 31 January 2021).

6. Following the submission of the Great Totham Neighbourhood Plan to the Council in May 2021 the Council publicised the draft Plan for a six-week period and representations were invited in accordance with Regulation 16 (24 September – 5 November 2021).

7. The Council appointed Mr Andrew Ashcroft, with the consent of Great Totham Parish Council, to undertake the Examination of the Great Totham Neighbourhood Plan. The Examiner's Report was sent to the District Council and Great Totham Parish Council on 15 March 2022.

Decision and reasons

8. The Examiner's Report concludes that subject to making the recommended modifications, the Plan meets the basic conditions set out in the legislation and should proceed to a Neighbourhood Planning referendum. The Examiner also recommends that the referendum area is based on the Neighbourhood Area that was designated by the Council on 7 November 2016.

9. The Neighbourhood Planning (General) Regulations 2012 (as amended) requires in Regulation 18 the Local Planning Authority to outline what action to take in response to the recommendations of an Examiner in relation to a Neighbourhood Plan.

10. Having considered each of the recommendations in the Examiner's report and the reasons for them, the Council, with the agreement of Great Totham Parish Council, has decided to accept the recommended modifications to the Great Totham Parish Neighbourhood Plan set out in Table 1 below. This decision was made at Council on 31 March 2022.

11. The Council considers that subject to the modifications set out in Table 1 below, the Plan meets the basic conditions set out in the legislation.

12. The Council is also required to consider whether to extend the area to which the referendum is to take place under Regulation 18(1e). The Examiner recommended that the Neighbourhood Plan should proceed to a referendum based on the area that was designated by Maldon District Council as the Neighbourhood Area. The Council has considered this recommendation and the reasons for it, and has decided to accept it.

13. The Referendum on the Great Totham Neighbourhood Plan will be based on the designated Great Totham Parish Neighbourhood Area (see map on page 10)

14. To meet the requirements of the Localism Act 2011, a referendum which poses the question "*Do you want Maldon District Council to use the Neighbourhood Plan for Great Totham to help it decide planning applications in the neighbourhood area*?", will be held in 2022.

1 April 2022

Table 1 GTNP **Independent Examiner's recommended changes**

Key
Underlined text is new text
Crossed out text (~~example~~) is deleted

Section/policy	Examiner's recommended changes	Local Authority decision and reason
Para 4.12	It is important that this evidence is kept up to date, therefore any sites coming forward after 2025 (when the Housing Needs Survey has expired) will need to be supported by up-to-date evidence of need. All development proposals will be expected to contribute as necessary towards infrastructure which shall include transport and movement (including community transport and infrastructure to improve pedestrian safety), health, education community facilities, utilities and environmental improvements, through direct provision and/or developer contributions (including Section 106 and/or, as appropriate, Community Infrastructure Levy).	Agreed. Part C of policy GT01 is more appropriate as part of the text, rather than as part of the policy
GTO1 Spatial Strategy	A. New development in Great Totham Parish will be focused within the settlement boundaries of North Totham and South Totham as shown in Figures 4.1 and 4.2. B. Development proposals to meet identified local housing needs on sites that are outside the settlement boundary will ~~only be permitted if~~ be supported where they meet all of the following criteria: i. It can be demonstrated that no available and deliverable site exists within the settlement boundary. ii. The site is well related to the settlement boundary, sharing a boundary on at least one side. iii. The site does not breach an existing defensible boundary, e.g. watercourse or main road, where there is not already development on both sides. ~~iv. The site does not provide for significantly more than the identified local housing need.~~ ~~C. All development proposals will be expected to contribute as necessary towards infrastructure which shall include transport and movement (including community transport and infrastructure~~	Agreed. Part B – the wording is modified so that it takes on a positive rather than a negative approach. Part iv deleted as it provides little clarity. Part C moved into the explanatory text.

Section/policy	Examiner's recommended changes	Local Authority decision and reason
	~~to improve pedestrian safety), health, education community facilities, utilities and environmental improvements, through direct provision and/or developer contributions (including Section 106 and/or, as appropriate, Community Infrastructure Levy)~~	
Para 5.11	… Each residential development proposal should include a proportionate statement and illustrations demonstrating how the principles and guidance in the Village Design Statement have been addressed.	Agreed part C of policy GT02 is more appropriate as part of the text, rather than as part of the policy.
GT02High Quality Arcadian Design	A. Residential development should demonstrate high quality design and layout which respects the 'Arcadian' nature, and local character identified in the Village Design Statement, of Great Totham. In particular this means: i. The layout avoiding an overly dense feel, including the configuration of parking provision (see Policy GTO8). ii. Opportunities are taken to retain views between buildings. iii. Where the topography of the landscape is not flat and development is very visual, it is designed to blend into the contours of the landscape. iv. Development provides sensitive lighting to retain the dark skies in Great Totham. B. In delivering high quality design, residential development proposals ~~must~~ should demonstrate that they reflect the Arcadian nature and the local character identified in the Village Design Statement of Great Totham through the use of design, materials and features. ~~The following are encouraged to be part of design proposals~~ Where appropriate, the following design features should be incorporated into design proposals: i. Provision of a variety of brick and render materials, roof styles and features. The choice of materials is expected to minimise the carbon footprint of development. ii. Development is set back from roads and boundary treatments are at a low level, creating an open feel.	Agreed. The changes provide the clarity, as required by the NPPF

Section/policy	Examiner's recommended changes	Local Authority decision and reason
	iii. Landscaping, including boundary treatments such as hedges, shall be used to ensure development does not create a hard edge. ~~C. Each residential development proposal should include a proportionate statement and illustrations demonstrating how the principles and guidance in the Village Design Statement have been addressed~~	
GT03 Important Views and Setting of Totham Cricket Field	A. ~~The following views, as shown in Figure 6.2, should be preserved.~~ The Plan identifies the following key views which contribute to the character and the appearance of the neighbourhood area: 1. View of Strowling Wood and Mountains Grove from Braxted Lane 2. View from Beacon Hill in Goat Lodge Road 3. View south-east towards Goldhanger and Osea Island 4. View from the footpaths close to Spickets Wood 5. View towards St Peter's Church and along Church Road ~~B. Development which may impact on any of these views must demonstrate through its layout how vistas from public viewpoints will be preserved~~. The design, scale, massing and layout of development proposals should respect the identified key views and should not unacceptably impact from their significance in the neighbourhood area. Development proposals which would unacceptably impact on the identified key views will not be supported C. ~~Development must not have a detrimental impact on the setting of Totham cricket field. Any development proposals adjacent or close to the cricket field, as identified in Figure 6.2, must demonstrate that such impacts have been minimised to an acceptable degree through high quality design, scale and layout~~. B. Development proposals should take account of the setting of the Totham cricket field (as shown on	Agreed. The first and second elements of the policy are combined to ensure that there is a clear linkage of the matter to the planning process. The wording of the third part of the policy is modified so that it has the clarity required by the NPPF.

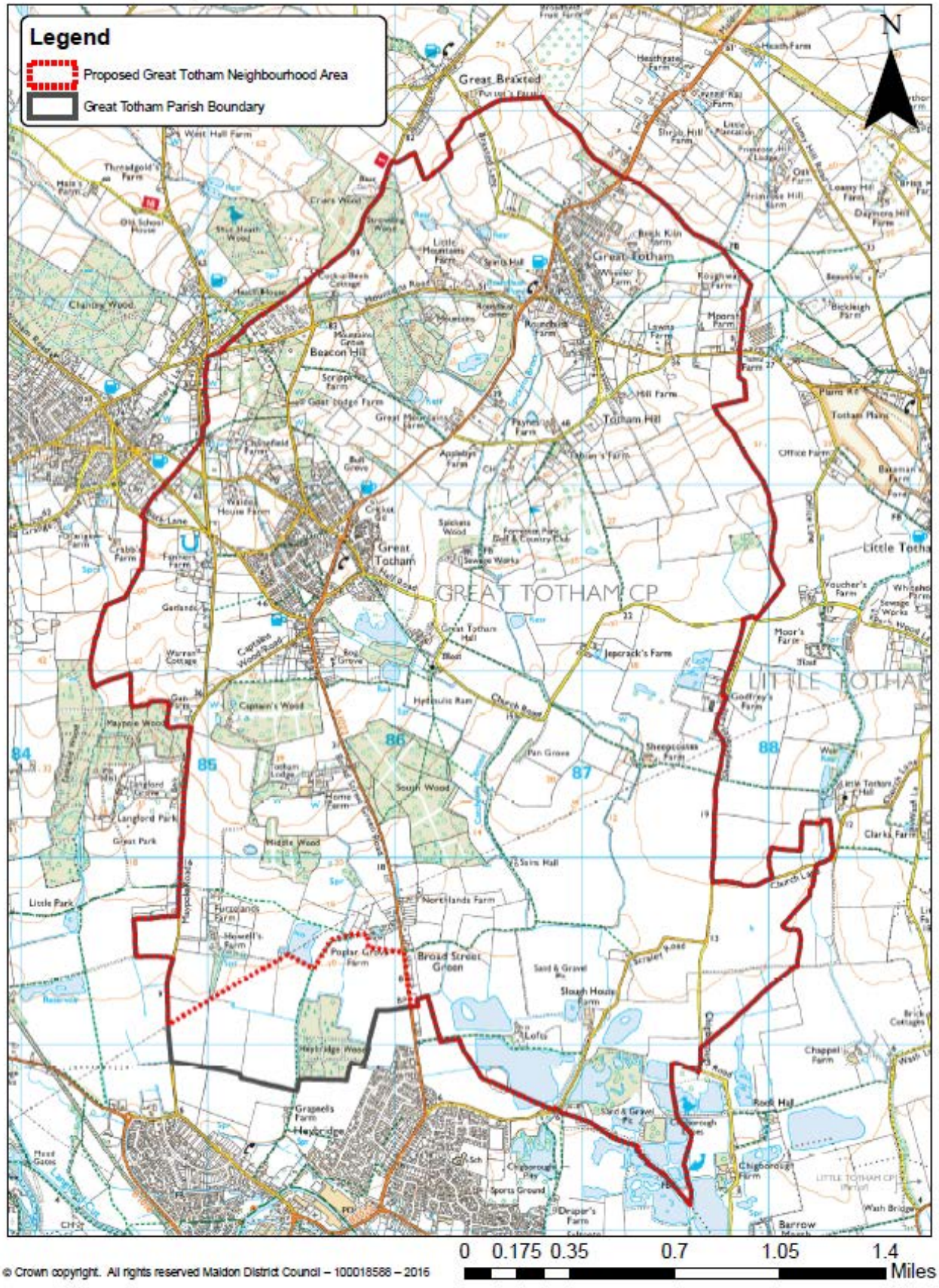
Section/policy	Examiner's recommended changes	Local Authority decision and reason
	Figure 6.2). Any development proposals adjacent or close to the cricket field should be designed and arranged in a manner which would safeguard the setting of the cricket field and keep any impacts to the minimum necessary to achieve the delivery of the development proposed.	
GT04 Green/Blue Wildlife Corridors	A. ~~All~~ As appropriate to their scale nature and location development proposals are expected to deliver net biodiversity gains in addition to protecting existing habitats and species. Development proposals on or adjacent to the green or blue wildlife corridors or stepping stones identified in Figures 6.4 and 6.5 must demonstrate a layout and design which ensures that wildlife is not impeded in its movement along the corridor. Proposals to enhance the green and blue wildlife corridors ~~are strongly encouraged~~. will be particularly supported B. In particular, the incorporation of design features into new development that encourages local wildlife to thrive, is strongly encouraged. C. ~~As part of its requirements to demonstrate net biodiversity gain, development~~ As appropriate to their scale nature and location development proposals should be designed to retain trees, shrubs and hedgerows of arboricultural, habitat and amenity value on-site and to conserve and enhance connectivity to the wider green and blue infrastructure networks. ~~Where this is accompanied by new planting, this should consist of native species of trees, shrubs and grasses acting as stepping stones for wildlife.~~ Where practicable, any new planting should consist of native species of trees, shrubs and grasses and be designed in a way which would allow their use as stepping stones for wildlife' D. ~~Development is required to take into consideration the principles of Sustainable Urban Drainage (SuDs) and natural flood management techniques, which will enhance biodiversity and ecosystems~~. As appropriate to their scale, nature and location development proposals should	Agreed The modifications give the clarity required by the NPPF. In particular, they focus on ensuring that the policy elements are applied either in a proportionate fashion and/or in a way which is appropriate to the development in question

Section/policy	Examiner's recommended changes	Local Authority decision and reason
	incorporate sustainable drainage and natural flood management techniques.	
Policy GTO5 Recreational Disturbance and Mitigation	No change	
GTO6 Energy Efficiency of Buildings and Renewables	A. Proposals for new development, including the construction of new buildings and the redevelopment and refurbishment of existing building stock, must demonstrate how the design of buildings and site layouts minimise consumption of energy, water, minerals, materials and other natural resources in order to provide resilience to the effects of climate change. B. ~~All developments will demonstrate how they have been designed to incorporate measures to adapt to climate change. The following measures shall be incorporated into development~~: B. All developments should demonstrate how they have been designed to incorporate measures to adapt to climate change. As appropriate to their scale, nature and location development proposals should incorporate the following measures: i. Wherever possible, new buildings shall be orientated to maximise the opportunities for both natural heating and ventilation and reducing exposure to wind and other elements; ii. Proposals involving both new and existing buildings shall demonstrate how they have been designed to maximise resistance and resilience to climate change for example by including measures such as solar shading, thermal mass, heating and ventilation of the building and appropriately coloured materials in areas exposed to direct sunlight, green and brown roofs, green walls, etc; iii. Use of trees and other planting, where appropriate as part of a landscape scheme, to provide shading of amenity areas, buildings and streets and to help to connect habitat, designed with native plants that are carefully selected, managed and	Agreed. As submitted part B has a universal effect and not all of the matters expected to be delivered will be relevant to every new development. The modification ensures that the policy is applied in a proportionate way which takes account of the scale, nature and location of the development proposed.

Section/policy	Examiner's recommended changes	Local Authority decision and reason
	adaptable to meet the predicted changed climatic conditions; and iv. All development shall minimise surface water runoff to prevent off-site flooding through the design of a suitable SuDS-based drainage system, and where possible incorporate mitigation and resilience measures for any increases in flood risk that may occur due to climate change. Opportunities should be taken to reduce flood risk to existing residential properties through new development, particularly if this is located within a Critical Drainage Area (CDA).	
Para 7.5	… Policy GT07 takes account of this strategic approach. The same account will be taken of any updates to the parking standards.	Agreed. Examiner recommends that that the existing reference to these standards in the supporting text is expanded
GTO7 Parking Provision	~~A. Development proposals that create an increased need for parking must meet the requirements of the Maldon Vehicle Parking Standards 2018 Supplementary Planning Document or any successor.~~ ~~B~~. In order to ensure good design and layout of development, particularly residential development, proposals for parking are encouraged to use car ports and/or communal parking to deliver their parking requirements. All parking provision must be permanently available for parking use.	Agreed As submitted part A of the policy does not bring any added value to the parking standards already applied by MDC and the County Council. As such, I recommend that it is deleted.
new para 7.13	Development in locations where no connections with existing footways can be provided are considered to have limited sustainability.	Agreed Policy text transposed to supporting text.
GTO8 Pedestrian and Cycle Access	A. Proposals to improve pedestrian and cycle access will be supported. In particular, such proposals should focus on improving access between Totham North and South and to Wickham Bishops. B. To help ensure that residents can walk safely to local facilities serving the community, new developments must seek to ensure safe pedestrian	Agreed B -2nd sentence reads as a statement rather than a policy. Repositioned into the supporting text.

Section/policy	Examiner's recommended changes	Local Authority decision and reason
	access to link up with existing footways. ~~Development in locations where no connections with existing footways can be provided are considered to have limited sustainability.~~ C. Proposals to enhance the Pedestrian Walkway Routes identified in Figures 7.2 and 7.3 are strongly encouraged. Development that is immediately adjacent to these Pedestrian Walkway Routes will be expected to: i. ensure the retention and where possible the enhancement of the Pedestrian Walkway Route; and ii. be designed so it does not have a detrimental impact on the Pedestrian Walkway Route and its environment to ensure the safety and flow of pedestrians.	
GTO9 Expansion of Community and Leisure Uses	No change	
GTO10 Play Facilities	A. <u>Insofar as planning permission is required</u> proposals to improve facilities at Totham North and Totham South Recreation Grounds will be supported. This includes improvement to the quality and range of play apparatus and seating. B. <u>Where practicable,</u> any new or enhancement to existing facilities should be designed to provide a multiple purpose use that is sympathetic to its natural setting and the landscape character.	Agreed Policy now recognises that not all development requires planning permission., and that shared facilities may not always be capable of delivery or would apply.
Community Aspirations	No change	
Other matters	Recommend modification of general text (where necessary) to achieve consistency with the modified policies.	Noted This provides flexibility to make consequential changes to the general text as needed.

Great Totham Neighbourhood Plan Area



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