



**REPORT of
HEAD OF PLANNING SERVICES**

to
**PLANNING AND LICENSING COMMITTEE (special meeting)
7 DECEMBER 2006**

**LOCAL DEVELOPMENT FRAMEWORK – CORE STRATEGY ISSUES AND
OPTIONS**

Please click [here](#) to view the Local Development Framework Core Strategy Issues and Options document.

1. PURPOSE OF REPORT

To seek Members' approval for:

- (i) The Local Development Framework Core Strategy Issues and Options
- (ii) Sustainability Objectives for the Core Strategy

2. AREA FOR DECISION/ACTION

- 2.1 The Local Development Framework (LDF) Core Strategy Issues and Options document **which accompanies this report** represents the commencement of the central strand of the next forward planning process for the Maldon District.
- 2.2 The process is much more robust than for former Local Plans and hinges on meeting nine 'tests of soundness' at examination. The tests of soundness are attached at **appendix 1**. It is important that these tests are considered right from the start of the planning process. The first LDF Core Strategies presented for examination by both Lichfield and Stafford Councils failed tests of soundness meaning 18 months wasted work. Shrewsbury and Huntingdonshire Councils have recently requested to withdraw their Core Strategy from the examination process because of serious concerns about failing tests of soundness.
- 2.3 The new system sees a move from traditional land use planning to spatial planning – but what does this mean? Essentially, whereas land use planning was concerned with providing policies for the development control process, the remit of spatial planning goes much wider to ensure the strategies and programmes of the main public organisations operating in the District are reflected in the planning process. This particularly applies to the new Sustainable Communities Strategy and the District Council's own emerging Corporate Plan.
- 2.4 The scene is set within the Core Strategy document by means of a spatial portrait of the District; this means its geography, economy, environment and social structure. This is developed into a spatial vision based on the forces driving change within the District. Beneath the spatial vision stem three spatial objectives which fully reflect the

emerging Community Plan, or as it is now known the Sustainable Communities Strategy (SCS). Also included within the spatial vision is an indication of how the District might appear towards the end of the plan period in 10 to 15 years time.

- 2.5 The Core Strategy Issues and Options document therefore gives spatial representation to relevant strategies and programmes and is specifically designed to reflect national planning objectives and the Regional Spatial Strategy (Draft East of England Plan). It also takes into account spatial planning in adjoining local planning authority areas. This meets test of soundness (iv). Of specific strategic importance is the position of Maldon District as an area of restraint surrounded by areas of substantial growth.
- 2.6 Five meetings of the Planning Policy Panel have been held during 2006. The agenda focus has been on ensuring that a robust evidence base is in place to meet test of soundness (vii) at examination. Background evidence has been reviewed by topic, key issues and appropriate options identified with a view to taking these to public consultation. This forms the body of the Core Strategy Issues and Options document. Test of soundness (vii) will also be met by going through the process of setting out a series of well-structured spatial options, and consulting on these before defining preferred options later in 2007.
- 2.7 The LDF must give spatial expression to the SCS. This is required to meet test of soundness (v). Stringent efforts have been made to ensure that the Core Strategy reflects the SCS. Presentations were made to the Local Strategic Partnership (LSP) steering group and LSP stakeholder conference in early 2006 emphasising the role of the LDF in delivering spatial aspects of the SCS. Feedback from the LSP stakeholder conference and an earlier community consultation in late 2005 has been used to inform the Core Strategy. In particular it is proposed that the emerging draft SCS and Core Strategy Issues and Options will share a public consultation commencing in January 2007. This has the support of the LSP steering group. A draft consultation programme will be devised to comply with the Statement of Community Involvement and thereby meeting test of soundness (ii).
- 2.8 The LDF core strategy has been prepared to comply with the timetable in the Local Development Scheme and thereby meet test of soundness (i).
- 2.9 An accompanying sustainability appraisal is a key requirement of all Local Development Documents and necessary to meet test of soundness (iii). The sustainability objectives for the Maldon District Core Strategy have been identified by the Council's consultants (Atkins) and developed in a technical Member/Officer workshop held on 5 October 2006. The revised objectives have been included within the Scoping Report for the Sustainability Appraisal of the Core Strategy and issued to three statutory consultees, Natural England, English Heritage and the Environment Agency together with other key stakeholders including adjacent local planning authorities. The revised objectives are attached as **appendix 2**. The five week consultation period for the Scoping Report commenced on 17 October 2006 and completes on 21 November. The sustainability objectives will then be used within the sustainability appraisal of the Core Strategy preferred options and submission document to be prepared during 2007 and 2008 respectively.
- 2.10 Mechanisms for implementing and monitoring (test of soundness (viii)) need to be clearly set out. By having ensured strong alignment with local delivery mechanisms,

in particular the SCS and the District Council's Corporate Plan, implementation should be well channelled through clearly defined shared objectives and action plans. Monitoring will in part be achieved through measures such as Comprehensive Performance Assessment (CPA), but in particular via the LDF Annual Monitoring Report (AMR). A supplemental report setting out further issues and options arising from the December 2006 AMR will be presented to the Planning and Licensing Committee on 18 January 2007.

3. LINKS WITH CORPORATE OBJECTIVES

The recommendations of this report would directly support the new corporate objectives by:

- Protecting our rural heritage;
- Supporting an active local economy;
- Increasing the affordable housing supply;
- Promoting Civic Pride.

4. IMPLICATIONS

Corporate Risk – The LDF is a key delivery document for The Sustainable Communities Strategy and the Corporate Plan.

Sustainability – A Sustainability Appraisal will accompany the LDF Core Strategy Issues and Options.

Resources – To be funded via the LDF and LSP budgets.

5. CONCLUSIONS

- 5.1 The Core Strategy Issues and Options document represents the meeting of a key milestone in the delivery of the Local Development Framework.

6. RECOMMENDATIONS

That the Committee approves:

- (i) The Local Development Framework Core Strategy Issues and Options document for consultation;
- (ii) Sustainability Objectives for the Core Strategy.

Background Papers:

PPS12 Local Development Frameworks

The Town and Country Planning (Local Development) (England) Regulations 2004

Maldon District Council Statement of Community Involvement Submission to Secretary of State May 2006

Maldon District Council Local Development Scheme First Review September 2006

Enquiries to:

Antony Lancaster: Forward Planning and Implementation Manager
email: antony.lancaster@maldon.gov.uk Tel: 01621 876204

Tests of Soundness

Soundness is effectively defined by paragraph 4.24 of PPS 12, which sets out the nine tests of soundness and states that a development plan document will be sound if it meets them. The function of the examination is primarily to assess the submitted document against these nine tests.

4.24 The presumption will be that the development plan document is sound unless it is shown to be otherwise as a result of evidence considered at the examination. The criteria for assessing whether a development plan document is sound will apply individually and collectively to policies in the development plan document. A development plan document will be sound if it meets the following tests:

Procedural

- i. it has been prepared in accordance with the local development scheme;
- ii. it has been prepared in compliance with the statement of community involvement, or with the minimum requirements set out in the Regulations where no statement of community involvement exists;
- iii. the plan and its policies have been subjected to sustainability appraisal;

Conformity

- iv. it is a spatial plan which is consistent with national planning policy and in general conformity with the regional spatial strategy for the region or, in London, the spatial development strategy and it has properly had regard to any other relevant plans, policies and strategies relating to the area or to adjoining areas;
- v. it has had regard to the authority's community strategy;

Coherence, consistency and effectiveness

- vi. the strategies/policies/allocations in the plan are coherent and consistent within and between development plan documents prepared by the authority and by neighbouring authorities, where cross boundary issues are relevant;
- vii. the strategies/policies/allocations represent the most appropriate in all the circumstances, having considered the relevant alternatives, and they are founded on a robust and credible evidence base;
- viii. there are clear mechanisms for implementation and monitoring; and
- ix. the plan is reasonably flexible to enable it to deal with changing circumstances.

While individuals and organisations may wish to see the plan changed to accommodate their interests or concerns, the examination will not ask whether the plan should change to accommodate what is sought. Rather, it will ask whether the plan is sound in relation to each of the tests, and if not how it should be changed to render it so.

The tests can be paraphrased as relating to -

- compliance with the local development scheme

- compliance with the statement of community involvement or minimum requirements of the regulations

- the sustainability appraisal of the plan and its policies

- that it is a spatial plan and compliant with higher order planning strategy, including national and regional policy (arguably three tests here)

- the regard it has to the community strategy

- the coherence of the plan and its consistency with other development plan documents including neighbours' plans where relevant

- the appropriateness of the strategies, policies and allocations in the light of alternatives and their founding on robust evidence

- the mechanisms for implementation and monitoring

- flexibility

Sustainability Objectives for the Local Development Framework Core Strategy

1. To protect and enhance heritage assets, local townscape and their settings
2. To protect and enhance biodiversity and important wildlife habitats
3. To protect quality and levels of local water resources and quality of soils
4. To minimise the risk and hazards of flooding
5. To adapt to the impacts of climate change for the built and natural environment
6. To ensure that previously developed land is utilised for appropriate development
7. To reduce greenhouse gas emissions and maintain air quality in line with national and/or World Health Organisation (WHO) targets
8. To maintain and improve public transport provision, promote sustainable modes of transport and reduce journey miles undertaken by car
9. To reduce resource consumption, including through encouraging energy efficiency, use of renewables, improved waste management, maximising the use of recycled materials and resource-efficient design in the built environment
10. To maintain and enhance the quality of the countryside, coasts, estuaries and local landscape character including the unique skylines
11. To support access to, and enjoyment of open space, countryside and rural heritage
12. To maintain and encourage the provision of good quality affordable housing of appropriate size, tenure, mix and location
13. To promote healthier lifestyles, improve levels of health and well being and provide appropriate infrastructure
14. To maintain and improve accessibility for the Maldon District to essential services for all sectors of the community
15. To tackle rural isolation and social exclusion geographically and demographically
16. To encourage viable and vibrant rural communities and civic pride
17. To strengthen the local economy through supporting the growth and diversification of business sectors and improving attractiveness of the District to investment
18. To develop tourism within the District
19. To support employment diversity to create jobs that matches the skills profile for the local population
20. To support the rural economy and farm diversification where appropriate.