

Our ref LDP Submission
Your ref

24 April 2014

Enquiries to: David Coleman
Email: policy@maldon.gov.uk

Dear Sir / Madam

Appendices to DOC59

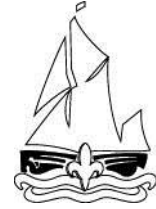
The Council has provided the following Committee Report to assist the Examination-in-Public process and provide a comprehensive and transparent audit trail of the decision making process. Please note that following the Planning and Licensing Committee meeting the appendices to the report have since been published as either submission documents, evidence base documents or supporting documents as detailed below.

Appendix Number	Submission Reference
1	EB081

Kind regards,



David Coleman
Planning Policy Team Leader



**REPORT of
HEAD OF PLANNING SERVICES**

to
**PLANNING AND LICENSING COMMITTEE
17 JANUARY 2008**

LOCAL DEVELOPMENT FRAMEWORK: PROGRESS REPORT AND FUTURE PROGRAMME

1. PURPOSE OF REPORT

1.1 To up-date Members on the position in relation to the Local Development Framework and to make recommendations accordingly.

2. AREAS FOR DECISION/ACTION

2.1 These involve:

- Progress on the Local Development Framework (LDF) up to 30 November 2007;
- Core Strategy progress, outstanding Issues and proposed future work programme;
- The need to revise the Local Development Scheme ;
- Developing a more explicit linkage between the Sustainable Community Strategy and the Local Development Framework.

2.2 Progress on the Local Development Framework up to 30 November 2007

2.2.1 The programme for establishing the Maldon District Local Development Framework is set out in the adopted Local Development Scheme (Second Review). This says what documents are to be produced by when and identifies milestones on the road to adoption for the various documents. The Annual Monitoring Report records progress on the LDF and other matters, has been submitted to the Government Office for the East of England in accordance with the required deadline of 31/12/07 and has also been posted on the Council web site.

2.2.2 In summary progress on the LDF has been made on all the Supplementary Planning Documents (SPD), with the consultation on the only outstanding SPD (the Maldon District Design Guide) just completed, following which it will be able to proceed - with any necessary amendments - to adoption. Substantial but insufficient progress on the Core Strategy Development Plan Document has been made but not on the other DPDs and the issues involved are addressed below.

2.3 **Core Strategy progress, outstanding issues and proposed future work programme**

2.3.1 Core Strategy progress – the Second Issues and Options consultation.

2.3.2 Following initial preparatory work the first Core Strategy Issues and Options consultation was carried out during the early part of 2007. The results of this consultation were reported to the Planning and Licensing Committee in July 2007 when it was agreed that a second Issues and Options consultation should be carried out in order to focus on and further explore a number of questions, issues and possible options for addressing those issues. That second consultation has been carried out and the consultation report is attached at **APPENDIX 1**.

2.3.3 Responses unavoidably received after the consultation deadline is referred to in an addendum to the consultation report. Members are advised that these additional responses would make no difference to the statistical analysis in the main report because there are so few of them and the addendum therefore concentrates on any additional comments that have been raised beyond those already identified in the main report. Copies of separate responses (as distinct from those provided via the consultation summary document and questionnaire) will be placed in the Members' room prior to the meeting.

2.3.4 Subject to Members' agreement the consultation report will be published on the Council's website in order to provide feedback to participants in accordance with the approved Statement of Community Involvement. The responses themselves will need be taken in to account in the development of the Core Strategy Preferred Options.

2.3.5 Looking ahead to the next milestone in the current LDS for the Core Strategy this is to publish the Preferred Options in March 2008. A number of issues have however been identified in relation to proceeding to this milestone by that date and these were reported to the Planning Policy Panel 5th December 2007. The resulting revised Core Strategy Work Programme Task List is attached as **APPENDIX 2**.

2.3.6 In the meeting of the Planning Policy Panel, confirmation of the Terms of Reference was also requested. These are attached at **APPENDIX 3** and the subject of an additional recommendation to correct an obvious anomaly in Officer titles.

2.4 **The need to revise the Local Development Scheme**

2.4.1 This matter is also dealt with in the papers submitted to the Planning Policy Panel. A review of the LDS is supported by GO East subject to the basis for this being set out in the Annual Monitoring report which has been done.

2.5 **Developing a more explicit linkage between the Sustainable Community Strategy and the Local Development Framework**

2.5.1 This matter was also dealt with in the papers submitted to the Planning Policy Panel – the principal point being that the relationship between the Sustainable Community Strategy and the LDF should be developed to be come more spatially explicit. This point was followed up in a presentation to the Local Strategic Partnership on 14th December 2007.

3. LINKS WITH CORPORATE OBJECTIVES

3.1 There are links with corporate risk, sustainability and resources as explained below.

4. IMPLICATIONS

- (i) **Corporate Risk** – Progressing the LDF is a corporate objective and part of the basis for the assessment of planning delivery grants. Extending the timetable for the Core Strategy - and thus the other Development Plan Documents – presents the risk of a reduced Housing and Planning Delivery Grant. The greater risk is however to pursue the existing timetable against strong advice that the document will be found unsound as far more time and resources would then be needed to re-establish progress.
- (ii) **Sustainability** –The Local Development Framework is a key part of delivering sustainability in the approach to the spatial development of the District. Whereas the extended timetable for the Core Strategy will produce some delay in progressing, this is likely to be counter-balanced by improvements in the sustainability of the Strategy that is established.
- (iii) **Resources** – The recommended proposals are subject to achieving and maintaining a full staff complement and working budget during 2008.

5. CONCLUSIONS

5.1 Significant progress has been made on the LDF despite various issues affecting this but more time is needed to progress matters without taking unacceptably high risks of the Core Strategy failing tests of soundness at examination stage. Extending the timetable for the Core Strategy will have a knock on affect on other DPDs in the Local Development Scheme and a revision to the LDS is accordingly required.

6. RECOMMENDATIONS

Recommendations from the Planning Policy Panel:

- (i) The new task list and indicative timetable attached at **APPENDIX 2** for progressing the Core Strategy to the Preferred Options be endorsed.
- (ii) A revision to the Local Development Scheme be supported with officers to report back at the appropriate time.
- (iii) A third Core Strategy Issues and Options consultation be carried out prior to proceeding to Preferred Options.
- (iv) Support be given to the proposal to commence an updating and development process in relation to the spatial dimension of the Sustainable Communities Strategy and that this be progressed in liaison with the Local Strategic Partnership.

Further recommendations

- (v) The report of the second Core Strategy Issues and Options consultation and related addendum attached at **APPENDIX 1** be approved for publication on the Council web site.
- (vi) The Planning Policy Panel Terms of Reference attached at **APPENDIX 3** be corrected in relation to the titles of the Officers referred to.

Background Papers:

Draft Minutes of Planning Policy Panel Meeting 5 December 2007

Papers submitted to the Planning Policy Panel:

Local Development Framework: Progress Update, Soundness Assessment & Future Proposed Work Programme

Sustainable Community Strategy for Maldon District to 2015 – Spatial Development and Monitoring

Appendices to LDF Core Strategy – Second Issues and Options Consultation Report

Appendix A – Response Analysis Tables

Appendix B – Questionnaire in percentages

Appendix B – Questionnaire in numbers

Appendix C – Reports of Consultation meetings

Appendix D – Assessment of Compliance with Statement of Community Involvement

Enquiries to: John Ware, Interim Spatial Planning and Implementation Manager: Tel: 01621 876204

Planning Policy Team/LDF Work Programme

11th update: Thursday 13/12/07

CORE STRATEGY

1. Consultation Database

Consultation database needs updating/correcting re consultees respondents to the CSIO2 consultation and any issues re generating new consultations resolved

ACTION: JH to chase up Marketing Assistance for the return of responses that need entering on Limehouse and then commence updating (including returned notifications/address corrections etc) with TT

Outstanding but ready to commence with Marketing Assistance to return response originals next week

2. Consultation Issues and Options Draft Sustainability Appraisal report (Atkins Environmental)

Revised draft SA received late 14/11 and discussed with Atkins – comments on text to be sent to them for them to amend and then hold for SA of further issues and options before completion of this stage

Atkins advised of revised work programme and likely timescale following critical friend review

Atkins to contact JRW re any charge for the additional work that will be needed

ACTION: JRW to send comments on text

Outstanding but not urgent as SA on hold

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3. CSIO2 Consultation

All consultation activities concluded

Marketing Assistance Consultation

Completed response **analysis** received. Final report draft now anticipated by 10/12/07 for reporting to Planning Committee on 17/1/08

ACTION: JRW

Completed – delete from programme

4. Revised Core Strategy Work Programme

See appendices for Programme and Content as amended to take on board GO East comments re programme

Completed but to be kept under review

5. **Progress on existing/in progress background evidence for Preferred Options/Core Strategy submission – see revised work programme attached as Appendix 1**

6. **Appropriate Assessment (EC requirement re Habitats regulations)**

One further quotation received - £13,700 compared to £8,000

Quotation for £8,000 accepted by e mail but further work put on hold pending completion of further issues and options work so that the Stage 1 assessment report can be revisited if necessary

ACTION: JH to issue confirming order for acceptance of quote for Stage 2 assessment

Outstanding but not urgent – AA on hold

7. **Biodiversity – Phase 1 Habitat Survey (EECOS)**

MDC (PG/RR) to initiate consultation after Committee approve the report for consultation in January 08.

JRW still awaiting advance copy of the draft report and recommendations – still not received being chased up

ACTION: No action unless report not received by the New Year

Report not yet received

8. **Completed studies**

Landscape Character Assessment (Chris Blandford Associates)

Economic Futures (University of the West of England) – updating note needed re new Regional EDS

Retail update (GVA Grimley) and Gypsies

Travellers Accommodation Needs (Salford University) – new county wide GTAA now under discussion for commissioning in 2008

Key findings of these studies to be assessed for input to Preferred Options – see Appendix 1

Outstanding

9. Green Spaces (SPD)

Progress to LDS (timeframe if possible) Roy Read

Not prioritised due to low significance for LDF. Sustainability Appraisal not done and TT not able to report back on this for a decision at this update

Decision needed on whether to re-scope as green infrastructure following on from critical friend review then carry SA internally and publish for consultation

ACTION: CB to check Liveability web site for any hits regarding this subject – is it a Core Strategy issue that will need options or not.

Outstanding - CB to check before going on leave

10. Heritage Character Assessment

JL summary provided – key findings to be assessed and summarised for input to Preferred Options – see Preferred Options programme Appendix 1

Outstanding

11. Strategic Flood Risk Assessment

Scott Wilson have confirmed that the report will not be available until December

ACTION: ZH to review our previous comments for any additional ones re data quality/will the report do what we want it to do in sufficient detail, and chase at least an updated draft by mid Jan at the latest

Additional comments provided by ZH/JRW and report promised in first week of January

12. Urban Capacity Study (UCS) Update

Started by Alan Massow but needs starting again - in house

Original UCS (consultants – EDAW) 2002. Update commenced by Alan Massow but not completed 2005. New study needed in accordance with revised guidance. Absence of an up to date study is a potential soundness issue for progressing to Preferred Options and thereafter Core Strategy submission – to be discussed with Critical Friend on 15/11. Potential timetable for starting an in house UCS could be January commencement with end of April completion - .in time for Core Strategy submission but not to influence Preferred Options

TT to look at the guidance for carrying out UCS and discuss with JRW whether he could do it in-house commencing January 08 – also a potential project for using any in-house additional resources within the team

ACTION: TT to check again - are UCS now definitely a thing of the past and replaced by SHLAs

Confirmed – unless CLG advise TT otherwise

OTHER TASKS

13. Heybridge Basin VDS

Produced by the Heybridge Basin Conservation Society – copy just received

ACTION: ZL to put on the Council web site after checking status – has P&L Committee endorsed it

Done – to be published in Limehouse in January by ZL/JH

14. Heybridge Basin Timber Yard (SPD)

Now published on the Council web site – ZL to publish in hard copy via Limehouse in January before she leaves

ACTION: ZL

Outstanding

15. Access to Buildings

Published on the web site – ZL to publish in hard copy via Limehouse in January before she leaves

ACTION ZL

Outstanding

16. Maldon District Design Guide

ZL has completed and passed to JD for any comments prior to her operation. But publication for consultation by 29/11 will have to be deferred pending her return to work

ACTION: JRW to chase JD for comments then JD/ZL to complete and publish for consultation (JRW /TT to also amend the AMR re this)

Publish for consultation at the beginning of January to avoid complaints about publishing over Christmas

17. Annual Monitoring Report - PRIORITY ITEM

Submission deadline end of December (Planning Delivery Grant item). ZL doing the required Housing Trajectory and TT entering the other AMR data with ZL/JRW support. JRW to see final draft. After submission report put it on the web site submission through Members' Bulletin.

ACTION: TT/ZL/JRW – priority for week ending 14/12

Outstanding but almost complete – JRW to provide comments this week for TT to complete and submit next week

18. PDG return for 2008**ACTION: ZL to brief JRW in readiness for this**

Outstanding

19. Local Plan – Saved policies

Commence saving process early 2008 – GO East letter to initiate this expected at the beginning of 2008.

ACTION: JRW to chase up in January

Outstanding

20. Minerals DPD

Note A submission SCI had been received from Essex CC re Minerals and Waste development framework but ECC had been advised to start again on this.

Questionnaire now received and with JD for a decision about who deals with it.

ACTION: JRW chase up return by 14/12/07

JRW discussed with JD who will send a response flagging up Sadds Wharf commitment for redevelopment - no need for further action

21. Policy team electronic and hard copy filing

Agreed to be an issue with stuff all over the place and both unknown and inaccessible by others. Needs to be sorted out and the hard copy system follow suit

ACTION: CB to draw a map of what is going on so that it can be rationalised and decisions made about how to operate in future

Outstanding – CB to provide a proposal before going on leave for discussion by TT/JH and ZL next week

REPORT TO PLANNING & LICENSING COMMITTEE 17 JANUARY 2008

LOCAL DEVELOPMENT FRAMEWORK: PROGRESS REPORT AND FUTURE PROGRAMME

PLANNING POLICY PANEL CONSTITUTION AND TERMS OF REFERENCE

Constitution

- 1 The Panel shall consist of six members of the Planning and Licensing Committee.
- 2 The membership of the Panel shall be appointed annually by the Planning and Licensing Committee at its first meeting following the statutory annual meeting of the Council.
- 3 The Committee shall keep under review the constitution and membership of the Panel.
- 4 Meetings of the Panel will be called as and when the need arises, and will be serviced by the Planning Policy and Conservation Manager within Planning Services.
- 5 Agendas and supporting paperwork will be circulated to all members of the Committee. Notes will be taken of meetings of the Panel and made available to all Members of the Council. A summary of the deliberations and any recommendation of the Panel on a particular issue will be included in any subsequent report on that issue to the Committee.
- 6 The Chairman of the Committee shall, unless otherwise agreed by the Committee, chair meetings of the Panel and may, from time to time, allow the participation of other members of the Committee.
- 7 For the avoidance of any doubt, the obligation on Members to declare personal (and prejudicial) interests in terms of the Council's Code of Conduct shall apply to meetings of the Panel.

Terms of Reference

- 1 To advise and inform the Chief Planning and Development Services Officer in the development and formulation of statutory policy within the context of –
 - (a) the Development Plan including the Local Plan; or
 - (b) the Local Development Framework, including Local Development Documents, Development Plan Documents, and Supplementary Planning Documents,
 prior to its submission to the Planning and Licensing Committee.
- 2 To consider and respond through the Chief Planning and Development Services Officer on any policy issues relating to the Local Plan, and the Local Development Framework as may from time to time be requested by the Planning and Licensing Committee.

**MINUTE EXTRACT of
PLANNING AND LICENSING COMMITTEE
29 SEPTEMBER 2005~~3~~ SEPTEMBER**

**339. REVIEW OF REPORTING PROCEDURE FOR LOCAL DEVELOPMENT
FRAMEWORK DOCUMENTS**

The Committee considered the report of the Chief Planning and Development Services Officer on a revised reporting and approval procedure for draft documents being prepared under the Local Development Framework (LDF) system, and a proposed consequential change to the existing delegation arrangements.

The present reporting arrangements geared to the production of the Local Plan were considered unsuitable for the frequency of decisions that would be required on a range of documents to be produced under the new LDF. It was considered that through refinements to the delegation scheme the Committee could take on responsibility for policy development.

It was therefore proposed to recast the existing arrangements so that the only matters on which the Committee was required to consider and report to the Council were all matters concerning Regional Planning, and the formal adoption of statutory policy as part of either the Local Plan or the Local Development Framework. This would then enable the Committee to exercise on behalf of the Council the formulation and development of all Development Plan policy, including any residual Local Plan matters, and the publication of policy documentation within the context of the new LDF for the purposes of consultation.

To ensure that Members of the Planning and Licensing Committee could be involved and engaged as widely as possible, it was also recommended that the Local Plan Review Working Party be enlarged to include those Members with a strong and 'proactive' interest in planning policy development and that the Working Party be renamed as a Planning Policy Panel.

The report concluded that allied to greater delegation downwards from the Council to the Planning and Licensing Committee, the Committee could itself be increasingly well informed and engaged in strategy and policy formulation through an expanded and restructured working group which could discuss and help resolve the range of complex spatial planning issues facing the District in the coming years.

In reply to a question, it was confirmed that the effect of the proposed second term of reference for the new Panel was that on matters referred to it the Panel would report back through the Chief Planning and Development Services Officer to the Planning and Licensing Committee.

RECOMMENDED

(i) that the Council agrees the principle of decision making on, and approval of, draft Local Development Framework documents for public consultation, being delegated to the Planning and Licensing Committee, together with consequential revisions to the Committee's terms of reference reflecting the position as set out above, with a view to their immediate effect:-

RESOLVED

(ii) that subject to Council agreeing recommendation (i) above, the Committee agrees the enlargement and renaming of the Local Plan Review Working Party to the Planning Policy Panel in accordance with the constitution and terms of reference as set out in Appendix 2 to these Minutes;

(iii) that the membership of the new Planning Policy Panel reflects the political balance of the Council.