



**REPORT OF
HEAD OF PLANNING SERVICES**

to
PLANNING AND LICENSING COMMITTEE
24 APRIL 2008

MALDON DISTRICT LOCAL DEVELOPMENT FRAMEWORK

1. PURPOSE OF REPORT

- 1.1 To advise Members of the following matters and related recommendations.
- (i) Proposed National Revisions to Local Development Frameworks
 - (ii) Minutes of the meeting of the Planning Policy Panel on
 - (iii) Proposed Revised Maldon District Core Strategy Timetable

2. AREAS FOR DECISION/ACTION

Proposed National Revisions to Local Development Frameworks and Local Development Schemes

- 2.1 In 'Streamlining Local Development Frameworks', the Government previously consulted (November 2007) on proposals for changing the guidance and process for creating future development plan documents (DPDs), as set out in Planning Policy Statement 12 and related regulations. At the time of writing it is expected that the changes will be introduced shortly but, whereas this could be in April 2008, previous experience has indicated that this could be delayed.
- 2.2 Some of the anticipated changes are particularly important for Maldon District as follows:
- The proposal to combine Issues and Options consultation with Preferred Options would cut out one step in the process. Since Members have previously decided to carry out a third Issues and Options consultation and then a Preferred Options consultation for the Core Strategy, it had been expected that this would substantially extend the already delayed timetable for the Core Strategy with knock on effects for subsequent DPDs.
 - The need for a third revision to the Local Development Scheme (LDS) - the document that sets out which DPDs are to be produced and when - has previously been agreed by Members, with the proposed revisions to be

reported for approval at an appropriate time. The new regulations which the Government is expected to publish could however alter the process for revising the LDS. The proposed changes will require all the necessary DPDs for bringing forward future housing provision to be in place by 2011, and this consideration will need to be reflected in the revised LDS. Advice from GO East indicates that, while consideration can be given to commencing consultation on a revised LDS, they should not be submitted before the regulations are in place.

Minutes of the meetings of the Planning Policy Panel held on 15th February and 28th March 2008 and Proposed Revised Core Strategy Timetable

- 2.3.1 The minutes of the meeting on 15 February 2008 and the draft minutes of the meeting on 28 March 2008 (see Appendix 1) set out the proceedings and conclusions of the Planning Policy Panel in relation to progressing the Core Strategy. A proposed revised timetable is attached as Appendix 2.

3. LINKS WITH CORPORATE OBJECTIVES

- 3.1 The progression of the LDS, and in particular the Core Strategy is integral to the LDF which supports the implementation of the corporate objectives of:-
- Protecting our rural heritage
 - Supporting an Active Local Economy
 - Increasing the affordable housing supply.

4. IMPLICATIONS

- **Corporate Risk** – Failure to produce a sufficiently robust LDF will undermine the ability to deliver the corporate objectives.
- **Sustainability** – the Core Strategy will be subject to a formal Sustainability Appraisal process.
- **Resources** – the proposed revisions to the Core Strategy timetable reflect the available resources but assume that full resourcing is achieved for the remainder of the timetable period

5. CONCLUSIONS

- 5.1 The inclusion of the proposed revisions to the Core Strategy timetable in a revised Local Development Scheme are subject to the final content of the revised PPS12 and related regulations that are still pending. There is no need to prioritise this review over the Core Strategy work at this stage and a proposed revised LDS should not in any case be submitted before the new regulations are published. Therefore the Core Strategy work programme, and the work of the Planning Policy Panel in support of this, needs to continue as the main priority for progressing the Local Development Framework.

6. RECOMMENDATIONS

- (i) A report on proposed changes to the Local Development Scheme be deferred until after the revised PPS12 and associated revised regulations have been published.
- (ii) The proceedings of the Planning Policy Panel as set out in Appendix 1 be noted and the proceedings of further meetings reported in due course.
- (iii) The proposed revised Core Strategy work programme attached as Appendix 2 be endorsed pending the revision of the Local Development Scheme.

Background Papers: Papers submitted to the Planning Policy Panel on 15 February 2008
Papers submitted to the Planning Policy Panel on 28 March 2008

Enquiries to: Alan Storah, Head of Planning Services, Tel: 01621 875870

PLANNING POLICY PANEL MEETING MINUTES

Notes of meeting held on 15th February 2008

1. **Present:** Cllr Bryan Harker (Chair)
Cllr Alan Cheshire
Cllr Frank Delderfield
Cllr Stephen Savage
Cllr John Archer
John Ware - Interim Spatial Planning Manager
Tai Tsui - Planning Policy Officer
Kwame Nuako - Interim Planning Officer

Apologies: Cllr Sheila Young
Cllr Brian Beale
Lynn Marston - LSP
Clive Tokley - Interim Head of Planning Services

2. **Notes of the meeting held on 5th December 2007**

These were agreed to be correct.

3. **Matters arising**

It was noted that John Ware and Cllr Delderfield have attended the last 2 LSP meetings so an improved working link between LSP and the LDF has been commenced.

4. **Staff Resources Update**

Members were advised of recent changes in the planning policy staffing situation and the ongoing staff shortfalls. It was agreed that with further changes to come with the arrival of the new Head of Service at the beginning of April, the prospective replacement of the current interim Spatial Planning Manager with another interim manager at the beginning of April, the current advertisement for permanent replacements for the two vacant posts and the on-going sickness absence of another team member the staff resource position would not be stable for some time. Continuity and output would be affected due to the learning curves required by new people before they could become effective. This consideration was carried forward to agenda item 6.

5. **Improving the SCS/LDF links**

As noted under 2 above, Cllr Delderfield and John Ware are now attending the LSP meetings. A joint Sustainable Community Strategy and Local Development Framework stakeholders' event will be hosted by the Local Strategic Partnership on 17 March 2008, and this will help to identify and develop linkages.

6. Revised Core Strategy Work programme

The proposed revised work programme and timetable for the Core Strategy was agreed although it was noted to be subject to the staff resources situation.

In relation to specific tasks it was further advised that officers expected that:-

- a) The Strategic Housing Land Availability Assessment would be completed by the end of May.
- b) The Strategic Housing Market and Housing Need Assessment consultants had been appointed but that the Assessment would not be completed before the end of July.
- c) The Employment Land update methodology would be finalised by the end of February but that the updating work would initially take second priority to the Housing Land Availability update work.
- d) The sustainable settlements (function and access to services) work needs to be informed through contacts with the Essex County Council and the currently on-going Rural Community Council Parish Survey, before it can be completed as part of the Core Strategy evidence base.

In relation to a reporting date to Planning and Licensing Committee it was agreed that the proposed revised programme should be subject to discussion with the new Head of Planning Services but that this and the proceedings of the Working Party should be reported to the meeting on 24th April 2008. It was also advised that it would be intended to report the proposed CSIO3 consultation documents and process for approval at the same meeting.

7. Core strategy Evidence Base Progress

The report was noted.

8. Draft Strategic Flood Risk report

A confidential draft summary note and discussion options were presented to members who were also advised that a number of queries and clarifications had been sought regarding the draft report. Members raised some additional queries and these were to be raised with the consultants. These were:-

- a) Has the cumulative effect of the 3 rivers, the Chelmer, the Crouch and the Blackwater been taken into account in both the fluvial and tidal flood predictions?
- b) Did the study take into account potential flooding from Canal water from Chelmsford? Where weirs are closed, to mitigate against tidal flooding for example, what will be the potential impact of fresh water build up in the canals?

- c) What will be the impact of the substantial new developments in the adjoining LA areas, which potentially could substantially increase surface water run off to rivers flowing into Maldon as a result of hard surfacing? If this has not been taken into account it should be highlighted and any other factors which are already known which could increase flood potential beyond the predictions in the report.

- d) Can there be further comment/advice about the potential variation from the figures in the report. In particular it is thought that the change from traditional tide tables to GPS based heights of tides has resulted in higher on the ground tide levels. However as there are no physical shoreline markers for high tide levels it is not clear where the forecast increases in height are starting from. By contrast the figures for sea level rise are given in millimetres but this gives a potential misleading level of accuracy in the overall predicted flood heights. The report should therefore explain that this lack of accuracy, in terms of where we are starting from on the ground, is another source of variation that should be acknowledged and some guidance on the range of possible variation from the 200/1000 year flood estimates would be helpful.

With regard to CSIO3 options for discussion it was agreed that contact should also be made with the Environment Agency to confirm their view of the range of options and those which they would or would not support. The presentation to the joint SCS/LDF workshops event being hosted by the LSP on 17th March should then reflect these clarifications and further information.

Members confirmed that future confidential reports should be printed on Green Paper and that maps should be in colour as in the presentation. It was agreed that the presentation - as amended by the further information requested - should be sent to Panel members electronically, when it is finalised, for the 17 March 2008 workshop event.

9. Local Development Scheme 3rd review

Members were advised that GO East had advised that the Council should wait for new procedures and/or regulations to be published before proceeding with another review of the LDS and Members accordingly agreed to wait for a further report once these were available.

10. Date of the next meeting

10.00am Friday 28th March 2008 in the Council Chamber.

Note: The time has subsequently been changed to 11.30am.

PLANNING POLICY PANEL
Draft MINUTES

28th March 2008

Present

Cllr Bryan Harker (Chair)
Cllr Alan Cheshire
Cllr John Archer
Cllr Brian Beale
Cllr Frank Delderfield
Cllr Stephen Savage
Cllr Penny Channer
John Ware - Interim Spatial Planning Manager
Tai Tsui - Planning Policy Officer
Kwame Nuako - Interim Planning Officer

1. Apologies for Absence

Cllr Sheila Young
Lynn Marston

2. Minutes of Last Meeting held on 15 February 2008

Accepted

3. Matters Arising

Staff update: John Ware leaves next week and will be replaced by Graham Forster who starts on Monday 31st of March as an interim. Also Interviews next week for Policy Officer.

Strategic Housing Land Assessment – target date revised to June 2008

Strategic Housing Market Assessment- commissioned and on schedule to date.

Employment Land Review target date (June 2008) subject to commissioning process for external consultants and inclusion of economic development strategy considerations)

4. Strategic Flood Risk Assessment – Amendments & Clarifications (+ Appendix)

Responses to members further queries awaited

Finalised responses from the consultants to the questions raised by MDC about the main report and an amended Maldon Appendix report are expected during the week ending 4/4/08 after which the report will be completed as the supporting evidence for the CSIO3 consultation on flood risk issues.

Approaches will be made to the Environment Agency (EA) in order to seek support for the consultation options for responding to the identified tidal flood

risks and clarification would be sought of the EA position for development proposals above 5.46 AOD (Above Ordnance Datum)

5. Draft Report to Planning & Licensing (P&L) Committee (+ Appendix 1 & 2)

The report to Planning & Licensing on 24/4/08 will be limited to reporting the minutes of the previous Planning Panel meetings, the position re a revision of the Local Development Scheme and the revised Core Strategy timetable.

The Core Strategy Issues and Options (CSIO3) consultation proposals would be reported to a later Planning and Licensing meeting and officers were requested to arrange this for 22/5/08 at 7:30pm.

6. Core Strategy Issues and Options (CSIO3) Draft Consultation Papers

Members noted the work in progress and agreed the proposal to also produce a Transportation Issues and Options consultation paper and to develop the attached draft paper further with Essex County Council officers – including updated statistics where possible.

It was also agreed that in relation to engaging with the Environment Agency (EA) on the consultation response options for flood risk areas, that higher level engagement with EA staff is desirable for it to be successful. Further, there should be a clear record of this as part of the process evidence for the Core Strategy.

Members agreed that

1. There should be a corporate officer's forum prior to finalising CSIO3 consultation proposals for reporting to members.
2. Consideration should be given to setting up a corporate Local Development Framework working group for officers to progress from CSIO3 to preferred options.
3. Future changes to documents should be highlighted in order to assist members in considering changes that may be made to existing draft consultation documents.

7. Date of Next Meeting

Monday 12th of May at 10 am in Council Chamber unless otherwise advised.

Report to the Planning & Licensing Committee – 24 April 2008

MALDON DISTRICT LOCAL DEVELOPMENT FRAMEWORK

Core Strategy Work Programme 2008/2009

2008	Jan/Feb/Mar	April/May/June	July/Aug/Sept	Oct/Nov/Dec
Milestones	<ul style="list-style-type: none"> Progress evidence base for further Issues and Options consultation. Prepare 3rd Issues and Options consultation documentation. <p>P&L dates: 17/1/08, 28/2/08</p>	<ul style="list-style-type: none"> 3rd Issues and Options consultation. Response analysis. Progress any outstanding evidence base work. <p>P&L dates: 24/4/08, 12/6/08</p>	<ul style="list-style-type: none"> Finalise evidence base. Approve draft Preferred Options. Public participation on Preferred Options (2nd milestone in the Local Development Scheme 2nd Review March 2008). <p>P&L dates: 24/7/08, 18/9/08</p>	<ul style="list-style-type: none"> Agree response to consultation replies for submission with Preferred Options. Approve and submit Preferred Options (3rd milestone in the Local Development Scheme 2nd Review August 2008). Inspectorate to screen submitted Preferred Options documentation. Appoint Programme Officer for Examination in Public. <p>P&L dates: 13/11/08</p>

Core Strategy Work Programme 2008/2009 (continued)

2009	Jan/Feb/Mar	April/May/June	July/Aug/Sept	Oct/Nov/Dec
Milestones	<ul style="list-style-type: none"> • Pre-examination meeting • (4th milestone in the Local Development Scheme 2nd Review January 2009). • Prepare for Examination. <p>P&L dates: 15/1/09, 5/3/09</p>	<ul style="list-style-type: none"> • Public Examination (5th milestone in the Local Development Scheme 2nd Review March 2009). <p>P&L dates: 16/4/09</p>	<ul style="list-style-type: none"> • Inspectors report (6th milestone in the Local Development Scheme 2nd Review August 2009) 	<ul style="list-style-type: none"> • Adoption (7th milestone in the Local Development Scheme 2nd Review October 2009)