



**REPORT of
HEAD OF PLANNING SERVICES**

to
**PLANNING AND LICENSING COMMITTEE
8 NOVEMBER 2012**

**MALDON DISTRICT LOCAL DEVELOPMENT PLAN - PREFERRED OPTIONS
CONSULTATION**

1. PURPOSE OF REPORT

To update Members on progress with the Local Development Plan.

2. AREA FOR DECISION/ ACTION

Background

- 2.1 The Council published the Local Development Plan Preferred Options for consultation between 10 July and 28 August 2012. Following the completion of the consultation period, Officers have been collating and analysing the responses received. Approximately 950 responses have been received in total through a variety of response methods. The Council is grateful for all of the responses received to the consultation which will assist in developing the Local Development Plan for the benefit of the District. Officers provided an interim update report on the emerging key findings from the public consultation to Planning Policy Panel on 24 September 2012.
- 2.2 Once analysis of the consultation responses has been completed, the full findings will be provided to Planning Policy Panel, together with options for progression for Members to consider. Depending on the chosen route for progression, the Local Development Scheme which sets out the timetable for the production of the LDP may require review. The Local Development Plan will be subject to further public consultation prior to Submission to the Secretary of State for Independent Examination.
- 2.3 In the meantime, Officers are continuing to work closely with infrastructure providers and delivery partners, including Essex County Council, to establish further detail in relation to future infrastructure requirements and constraints. Additional evidence is required in some areas to provide greater detail to support the strategic growth being proposed, and costs for infrastructure provision need to be established. Officers are seeking to work closely with Essex County Council as the Highways Authority to obtain adequate further highways modelling to support the LDP, but the scope and cost for the additional work required is yet to be agreed. A meeting is to be held with

Essex County Council Highways representatives on 22 October 2012 to discuss further.

- 2.4 Legal advice has been requested where required to assist with a range of issues, including ensuring that the LDP is compliant with changing national planning policy requirements and the emerging interpretation of the National Planning Policy Framework. This includes the requirements for seeking to meet objectively assessed need, and also the Duty to Cooperate. A meeting has now been arranged with Essex County Council Legal Services on 25 October 2012 to discuss these issues further.
- 2.5 The Council is also working to ensure the future joined up and collaborative master planning of preferred strategic growth areas through the LDP Developers Forum, subject to LDP progress. The LDP Developers Forum includes relevant land owners, agents, developers and infrastructure providers, including Essex County Council and Anglian Water. The Homes and Communities Agency Advisory Team for Large Scale Applications (ATLAS) has provided assistance to the Council in relation to the establishment of the LDP Developers Forum. The primary purpose of the Forum is to inform and establish a collaborative process to assist in the delivery of the Local Development Plan growth strategy. The LDP Developers Forum enables the Council to facilitate engagement between partners which will be crucial in ultimately demonstrating the deliverability of the LDP at Independent Examination.
- 2.6 An update on the LDP and the preferred options consultation was provided to the parish and town councils of the District at the recent quarterly Planning Parish meetings held on 10 October at Goldhanger Village Hall and 22 October at Burnham on Crouch Town Council. These meetings were open to all Parish and Town Councillors within the District to attend.

3. **IMPACT ON CORPORATE GOALS**

- 3.1 The progression of the Local Development Plan will help to support and deliver the following Corporate Goals for the District:
- Enabling, supporting and empowering communities to be safe, active and healthy;
 - Protecting and shaping the District and balancing the future needs of the community; and
 - Meeting the housing needs of the District.

4. **IMPLICATIONS**

- (i) **Impact on Customers** – The production of a Local Development Plan will give additional opportunities for the local community to contribute to planning for the future of the District through public consultation and engagement. The publication of the Local Development Plan Preferred Options has given greater certainty to the local community, stakeholders and service providers on the future planning strategy for the Maldon District. The endorsement of the Local Development Plan Preferred Options has enabled the document to become a material consideration in the determination of planning applications,

superseding the Core Strategy Regulation 25 consultation document which was published in April 2009.

In the longer-term the adoption of the Local Development Plan will supersede the Maldon District Replacement Local Plan 'saved policies' as the Development Plan for the District. This will provide a clear and up to date spatial vision and policy framework for the District.

- (ii) **Impact on Equalities** – The progression of the Local Development Plan will help to provide sustainable and well planned communities which promote social cohesion and help to provide for the future needs of the local community.
- (iii) **Impact on Risk** – An up to date Local Development Plan is required in the District in accordance with the National Planning Policy Framework in order to enable the Council to strategically plan for future growth and sustainable development, and provide an adequate five year supply of deliverable land for housing.

The National Planning Policy Framework states that due weight will need to be given to adopted Local Policies contained within existing plans, including the 'saved policies' of the Maldon District Replacement Local Plan, according to their degree of consistency with the Framework (the closer the policies in the plan to the policies in the National Planning Policy Framework, the greater the weight that may be given). From the day of publication decision makers may also give weight to relevant policies in emerging plans according to the stage of preparation of the emerging plan. Therefore, the progression of the Local Development Plan and the publication of the Preferred Options document has started to provide a more up to date local planning framework in order to safeguard the District against unplanned development.

The Community Infrastructure Levy Regulations mean that the local use of planning obligations for pooled contributions towards infrastructure will be significantly restricted beyond April 2014. Therefore, it is imperative that the Council has adopted a charging schedule by this date to ensure that the community can benefit appropriately and adequately from local development towards its infrastructure requirements.

The progression of the Local Development Plan will enable the Council to take forward a plan-led approach in relation to the future provision for gypsies and travellers in the District in accordance with national policy.

- (iv) **Impact on Resources (financial)** – A delay in plan production or any significant change in emerging policy direction would be likely to require additional work or alterations to the evidence base which may have significant financial resource implications for the Council.
- (v) **Impact on the Environment** – The Local Development Plan will enable the Council to promote sustainable development and safeguard the local environment in accordance with the local priorities for the District. The Local Development Plan Preferred Options have been subject to Sustainability Appraisal and Appropriate Assessment in accordance with the EU directive on

Strategic Environmental Assessment. An additional Sustainability Appraisal and Appropriate Assessment will be required on revisions and additions made to the Plan in the future.

5. CONCLUSIONS

- 5.1 The Local Development Plan Preferred Options were published for public consultation between 10 July and 28 August 2012. The Council has received a significant number of representations to the consultation, and analysis of the responses received is ongoing. In the meantime, work is continuing to develop the evidence base and infrastructure planning associated with producing and implementing the Local Development Plan.

6. RECOMMENDATION

The Committee notes the update provided on the Local Development Plan.

Background Papers:

Maldon District Local Development Plan Preferred Options Consultation Documents (MDC, 2012)

Maldon District Local Development Scheme (MDC, 2012)

National Planning Policy Framework (CLG, March 2012)

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