



**REPORT of  
HEAD OF PLANNING SERVICES**

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**to  
PLANNING AND LICENSING COMMITTEE  
6 MARCH 2014**

**THE RURAL ALLOCATIONS DEVELOPMENT PLAN DOCUMENT**

**1. PURPOSE OF REPORT**

- 1.1 To seek endorsement of the approach for demonstrating the deliverability of the ‘Rural Allocations’ provision as set out within the emerging Local Development Plan (LDP) Policies S2 and S7 (2014-2029) prior to the production and adoption of the Rural Allocations Development Plan Document (DPD). The report cannot provide an interim policy position for considering planning applications in the rural areas of the District, but does seek to provide clarity on which schemes may be appropriate for inclusion within the emerging Rural Allocations DPD, and which schemes may be considered as ‘windfall’ development.

**2. AREA FOR DECISION/ ACTION**

**2.1 Background**

- 2.1.1 Policy S2 and S7 of the emerging LDP indicate that a minimum of 420 new dwellings will be delivered in the District’s rural villages (including 75 dwellings in North Farnbridge) between 2014 and 2029 together with other relevant uses, and a separate Rural Allocations DPD will be produced by the Council in due course to allocate land in the rural villages for these new dwellings. Rural allocations will be delivered throughout the 15-year plan period, with an estimated delivery of 190 dwellings in year 0-5 (2014-2019), and 115 dwellings in each of the following five-year periods. The timetable for producing the Rural Allocations DPD is included in the latest Local Development Scheme; key milestones are as follows:

- Work to commence – early 2014.
- Public consultations – late 2014 / early 2015.
- Pre-Submission consultation – mid 2015.
- Submission to Secretary of State – late 2015.
- Adoption – early / mid 2016.

- 2.1.2 The National Planning Policy Framework (paragraph 216) states that weight can be given to a draft local plan as a material planning consideration as it progresses to adoption. The degree of weight given to each draft policy will vary, depending on the

stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given), whether or not the unresolved issues are significant and to what extent the policy is consistent with the national planning policy framework.

- 2.1.3 The preparation of the Maldon District LDP is at an advanced stage as it has been published for Pre-Submission consultation (Regulation 19) with a formal Submission (Regulation 20) scheduled in April 2014, and therefore policies in the Pre-Submission LDP can be given weight as a material planning consideration. As indicated above, the LDP plans for Rural Allocations to start to be delivered in the first five years of the plan period. However, the preparation of the Rural Allocations DPD is still at an early stage, and the document is not envisaged to be formally adopted until 2016.
- 2.1.4 The Rural Allocations DPD document itself will be subject to formal consideration by Members, public consultation and Examination-in-Public before it can be adopted. However, to demonstrate that the relevant Rural Allocation policies (S2 and S7) in the LDP are deliverable, and to help to demonstrate a five year supply of deliverable land for housing during this interim period, the Council will need to indicate which schemes may be considered appropriate for inclusion within the Rural Allocations DPD. This is particularly important given the expected number of emerging schemes within the rural areas of the District.
- 2.1.5 Prior to the adoption of the LDP development applications in the District (including the rural areas of the District) will need to be considered against the Development Plan for the District. The Development Plan continues to be the Replacement Local Plan (2005) 'saved policies'. However, significant material weight should also be given to the National Planning Policy Framework, and the emerging Local Development Plan policies where appropriate.
- 2.1.6 Taking into consideration the emerging LDP (in particular Policy S7) and national planning policies, it is recommended that the Council should consider the potential inclusion of planning permissions that are granted for new development in rural villages within the forthcoming Rural Allocation DPD where:
- The development proposal is located outside of Maldon (town), Heybridge (parish), Burnham-on-Crouch (town), the Strategic Growth Areas and employment allocations (as indicated in the LDP);
  - The development proposal is deemed to be in general conformity with the principles set out in policy S7 of the LDP , as well as other relevant LDP and national planning policies; and
  - The permission is granted after 1 April 2014, in line with the monitoring year 2014 / 2015.
- 2.1.7 Development proposals could also be counted towards rural allocations if included in a Neighbourhood Plan or Neighbourhood Development Order.
- 2.1.8 To be considered for inclusion within the emerging Rural Allocations DPD development proposals within the rural areas of the District will need to demonstrate that they are in compliance with all relevant planning policies in the LDP, in

particular the requirements set out in Policy S7, and must not prejudice the delivery of the LDP, the Rural Allocations DPD, any adopted Neighbourhood Plan, or any other planning policies documents endorsed by the Council.

- 2.1.9 All planning permissions and development will be monitored through the Council's annual development monitoring exercise. Officers will consider and recommend whether individual planning consent granted after 1 April 2014 could be included in the forthcoming Rural Allocations DPD, and Members will formally consider the Draft Rural Allocations DPD in due course prior to public consultation. Developments that have received planning consent but are not considered appropriate for inclusion within the Rural Allocations DPD will be treated as windfall development under emerging Policy S2 of the LDP.
- 2.1.10 Prior to adoption, the Rural Allocations DPD will need to comply with the relevant regulations and legislation, including being subject to Sustainability Appraisal, public consultation and Examination-in-Public.

### 3. IMPACT ON CORPORATE GOALS

- 3.1 The progression of the Local Development Plan and the Rural Allocations DPD 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 and the Rural Allocations DPD 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 Pre-submission Local Development Plan gives greater certainty to the local community, stakeholders and service providers on the future planning strategy for the Maldon District. The endorsement of the Pre-submission Local Development Plan has enabled the document to become a material consideration in the determination of planning applications, superseding the Draft Local Development Plan consultation document which was published in 2013.

In the longer-term the adoption of the Local Development Plan and Rural Allocations DPD 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 and Rural Allocations DPD 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 Pre-submission consultation document has started to provide a more up to date local planning framework in order to safeguard the District against speculative development.

- (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 Resources (human)** – None identified.
- (vi) **Impact on the Environment** – The Local Development Plan and Rural Allocations DPD will enable the Council to promote sustainable development and safeguard the local environment in accordance with the local priorities for the District. The Pre-Submission Local Development Plan has been subject to Sustainability Appraisal and Appropriate Assessment in accordance with the EU directive on Strategic Environmental Assessment. Additional Sustainability Appraisal and Appropriate Assessment will be required on any major revisions and additions made to the Plan in the future.

## 5. CONCLUSIONS

- 5.1 In light of the progress of the LDP and the forthcoming Rural Allocations DPD, and given the number of emerging development proposals within the rural areas of the District, it is recommended that the Council considers appropriate planning consents for inclusion within the emerging Rural Allocations DPD from 1 April 2014.

## 6. RECOMMENDATIONS

- (i) That the Committee notes the current position in relation to the Local Development Plan and the Rural Allocations Development Plan Document;

- (ii) That the Committee endorses the approach set out within this report to considering appropriate planning consents for inclusion within the emerging Rural Allocations Development Plan Document from 1 April 2014.

Background Papers:

Local Development Scheme (Maldon District Council, 2014).

Pre-Submission Local Development Plan (Maldon District Council, 2014).

Replacement Local Plan (Maldon District Council, 2005).

National Planning Policy Framework (CLG, 2012).

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