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CHIEF EXECUTIVE'S OFFICE
CHIEF EXECUTIVE
Fiona Marshall

17 January 2018

Dear Councillor

You are summoned to attend the meeting of the;

PLANNING AND LICENSING COMMITTEE

on **THURSDAY 25 JANUARY 2018 at 7.30 pm.**

in the Council Chamber. Maldon District Council Offices, Princes Road, Maldon.

A copy of the agenda is attached.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Fiona Marshall', enclosed within a hand-drawn oval.

Chief Executive

COMMITTEE MEMBERSHIP

CHAIRMAN

Councillor Mrs P A Channer, CC

VICE-CHAIRMAN

Councillor A K M St. Joseph

COUNCILLORS

H M Bass
B S Beale MBE
R G Boyce MBE
M F L Durham, CC
A S Fluker
M R Pearlman
S J Savage
Mrs M E Thompson

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AGENDA
PLANNING AND LICENSING COMMITTEE
THURSDAY 25 JANUARY 2018

1. **Chairman's notices (please see overleaf)**

2. **Apologies for Absence**

3. **Minutes of the last meeting** (Pages 7 - 16)

To confirm the Minutes of the meeting of the Committee held on 16 November 2017 (copy enclosed).

4. **Disclosure of Interest**

To disclose the existence and nature of any Disclosable Pecuniary Interests, other Pecuniary Interests or Non-Pecuniary Interests relating to items of business on the agenda having regard to paragraphs 6-8 inclusive of the Code of Conduct for Members.

(Members are reminded that they are also required to disclose any such interests as soon as they become aware should the need arise throughout the meeting).

5. **Public Participation**

To receive the views of members of the public on items of business to be considered by the Committee (please see below):

1. A period of ten minutes will be set aside.
2. An individual may speak for no more than two minutes and will not be allowed to distribute or display papers, plans, photographs or other materials.
3. Anyone wishing to speak must notify the Committee Clerk between 7.00pm and 7.20pm prior to the start of the meeting.

6. **FULMAL1701192 and LBCMAL1701193- Vaulty Manor, Goldhanger Road, Heybridge** (Pages 17 - 26)

To consider the report of the Director of Planning and Regulatory Services (copy enclosed).

7. **Economic Development Update** (Pages 27 - 34)

To consider the report of the Chief Executive (copy enclosed).

8. **Planning Policy Update** (Pages 35 - 40)

To consider the report of the Director of Planning and Regulatory Services (copy enclosed).

9. **Local Development Scheme 2018** (Pages 41 - 58)

To consider the report of the Director of Planning and Regulatory Services (copy enclosed).

10. **Update on Appeal Decisions (April-September 2017)** (Pages 59 - 64)

To receive the report of the Director of Planning and Regulatory Services (copy enclosed).

11. **Half Yearly Review of Performance** (Pages 65 - 86)

To consider the report of the Chief Executive (copy enclosed).

12. **Update to the Criminal Convictions Policy and Licensing Conditions** (Pages 87 - 90)

To consider the report of the Director of Customers and Community (copy enclosed).

13. **Any other items of business that the Chairman of the Committee decides are urgent**

14. **Exclusion of the Public and Press**

To resolve that under Section 100A (4) of the Local Government Act 1972 the public be excluded from the meeting for the following item(s) of business on the grounds that they involve the likely disclosure of exempt information as defined in Paragraph 1 of Part 1 of Schedule 12A to the Act, and that this satisfies the public interest test.

15. **Planning Enforcement** (Pages 91 - 98)

To consider the report of the Chief Executive (copy enclosed).

16. **Building Control** (Pages 99 - 108)

To receive the report of the Chief Executive (copy enclosed).

NOTICES

Sound Recording of Meeting

Please note that the Council will be recording any part of this meeting held in open session for subsequent publication on the Council's website. At the start of the meeting an announcement will be made about the sound recording. Members of the public attending the meeting with a view to speaking are deemed to be giving permission to be included in the recording.

Fire

In event of a fire, a siren will sound. Please use the fire exits marked with the green running man. The fire assembly point is outside the main entrance to the Council Offices. Please gather there and await further instruction.

Health and Safety

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Closed-Circuit Television (CCTV)

This meeting is being monitored and recorded by CCTV.

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**MINUTES of
PLANNING AND LICENSING COMMITTEE
16 NOVEMBER 2017**

PRESENT

Chairman	Councillor Mrs P A Channer, CC
Vice-Chairman	Councillor A K M St. Joseph
Councillors	H M Bass, B S Beale MBE, R G Boyce MBE, M F L Durham, CC, A S Fluker, M R Pearlman, S J Savage and Mrs M E Thompson

581. CHAIRMAN'S NOTICES (PLEASE SEE OVERLEAF)

The Chairman drew attention to the list of notices published on the back of the agenda.

582. APOLOGIES FOR ABSENCE

There were none.

583. MINUTES OF THE LAST MEETING

RESOLVED that the Minutes of the meeting of the Committee held on 14 September 2017 be approved and confirmed.

584. DISCLOSURE OF INTEREST

Councillor S J Savage disclosed a non-pecuniary interest in relation to Agenda Item 16 - Draft Maldon District Renewable and Low Carbon Technologies Supplementary Planning Document and Proposed Public Consultation – as he had very low carbon usage.

Councillor M F L Durham CC advised that he was also a Member of Essex County Council and declared a non-pecuniary interest in relation to any matters pertaining to that Authority.

Councillor Mrs P A Channer CC advised that she was also a Member of Essex County Council and declared a non-pecuniary interest in relation to any matters pertaining to that Authority.

585. PUBLIC PARTICIPATION

No requests had been received.

586. ECONOMIC DEVELOPMENT UPDATE

The Committee received the report of the Chief Executive providing an update on key issues relating to Economic Development. Appendix 1 to the report provided an update on the activities of various Economic Development workstreams.

The Committee commented that the Economic Development & Partnerships Manager was performing exceptionally well and was receiving good feedback from outside the Council. The Chief Executive confirmed that she would share this feedback with the Economic Development & Partnerships Manager.

RESOLVED that the contents of the report be noted.

587. 2018 / 19 REVENUE BUDGET AND FEES AND CHARGES

The Committee considered the report of the Director of Resources, the purpose of which was to consider the revenue growth and fees and charges policy proposals that have been put forward by Officers, prior to the approval of the 2018/19 budget and updated Medium Term Financial Strategy (MTFS) in January 2018.

The Chief Executive presented the report and drew Members' attention to the section of the report regarding Planning Services. The Chief Executive highlighted that it had been necessary to pay market supplements to attract staff, resulting in increased salary costs. The Chief Executive advised Members that the post of Enforcement Assistant was adding value.

The Planning Policy Manager advised that the Planning Policy Report contained an item regarding Recreational Avoidance and Mitigation Sites (RAMS). This was a strategic issue raised by Natural England and Maldon had some of the major European protected sites within its District. It was proposed that the Council work with other Essex Districts to put together a strategy. Working as part of a group would be beneficial to residents and would incur a cost of £11,000 which could be taken from the Local Development Plan (LDP) reserve. This report was discussed in further detail later in the meeting.

The Group Manager – Planning Services highlighted the section on Building Control which was part of a review being undertaken as requested by Members. It was intended that the viability of this service would be increased through promoting the service and increasing the Council's market share. The Group Manager – Planning Services advised that a paper would be coming forward to the Planning and Licensing Committee on this. There were a number of options to be considered.

In response to a question, the Chief Executive advised that there had been difficulties in recruiting planners and that market supplements had been used. There were difficulties across the region in recruiting planning staff. The Chief Executive confirmed that the policy would go back to the Finance and Corporate Services Committee in January

2018. There was a need to include a clause that in the event that a member of staff who had received a market supplement left the Council within two years, then they would have to repay that market supplement.

In response to a question regarding the uplift contained in the Housing White Paper, the Group Manager – Planning Services advised that the legislation would automatically come in to force in due course.

The Chief Executive updated Members on various other parts of the report:

- Homelessness Reduction Act – this was a new statutory requirement;
- Building Control – a greater level of service resilience would be provided by the proposed changes;
- Enforcement – the Enforcement Officer was adding value and extending the contract would continue to assist with improvements in this area;
- Major Applications – that the proposed growth would be removed as a Major Applications growth item.

The Chairman requested that the Minutes of this meeting be circulated to Members of the Finance and Corporate Services Committee to aid the debate of this item at that Committee.

RESOLVED

- (i) that the contents of the report be noted;

RECOMMENDED

- (ii) that the Finance and Corporate Services Committee be recommended:
- to Consider the proposals set out in **APPENDIX A** to the report for growth items;
 - that the updated fees and charges policy areas within the purview of this Committee outlined in **APPENDIX B** to the report for 2018/18 be adopted.

588. COUNCILLOR ENGAGEMENT IN PRE-APPLICATION DISCUSSIONS AND LOCAL DEVELOPMENT PLAN DISCUSSIONS (DEVELOPER MEETINGS)

The Committee received the report of the Chief Executive, the purpose of which was to consider and agree revisions to the protocol for Councillor Engagement in Pre-Application Discussions and Local Development Plan Discussions.

RESOLVED that the Councillor Engagement in Pre-Application Discussions and Local Development Plan Discussions (Developer meetings) be amended as set out in **APPENDIX 1** to these Minutes.

589. AREA OF SPECIAL CONTROL FOR ADVERTISEMENTS

The Committee received the report of the Chief Executive, the purpose of which was to review the existing Area of Special Control Order in terms of whether it should be modified or revoked.

The Group Manager – Planning Services advised that it was necessary to review this Order every 5 years and recommended that the restrictions remain in force.

In response to a question, the Group Manager – Planning Services advised that whilst advertisements were generally subject to a separate consent process, the Order placed additional restrictions on the display of advertisements.

RESOLVED that the Area of Special Control Order be retained without modification.

590. TAXI AND PRIVATE HIRE CRIMINAL CONVICTIONS POLICY, LICENSING CONDITIONS AND SCHEME OF DELEGATION

The Committee received the report of the Chief Executive, the purpose of which was to consider a draft policy for the taxi and private hire trade in relation to the suitability of new applications and current licence holders with criminal convictions; to make changes to the taxi and private hire licensing conditions and the scheme of delegation to reflect the draft policy and to bring it up to date.

The Chairman advised the Committee that this report had come forward as a result of concerns raised by Councillor B F Acevedo. Members were concerned about the arrangements for dealing with property left in taxis. It was agreed that the Chairman, in consultation with the Licensing Officer and the Senior Solicitor, would discuss this and update the policy to include the appropriate wording. Subject to this, the Committee recommended that the policy be endorsed by Council.

RECOMMENDED to the Council:

- (i) that the policy for the taxi and private hire trade in relation to the suitability of new applicants and current licence holders with criminal convictions (set out in Appendix 2 to the report) be endorsed;
- (ii) that the licensing conditions and scheme of delegation be updated and changed to reflect the policy.

591. TAXI AND PRIVATE HIRE MEDICAL EXEMPTION POLICY

The Committee received the report of the Chief Executive, the purpose of which was to consider a policy for the exemption of taxi and private hire drivers from the duties placed upon them by the Equality Act 2010 and to consider an amendment to the taxi and private hire licensing conditions to take account of the new duties placed upon drivers of designated wheelchair accessible vehicles.

RECOMMENDED to the Council:

- (i) that the policy for the exemption of taxi and private hire drivers from the duties placed upon them by the Equality Act 2010 (Appendix 1 to the report) be endorsed;
- (ii) that the amendments to the taxi and private hire licensing conditions (as set out in paragraph 3.1.6 of the report) be agreed.

592. DENGIE GATEWAY PROJECT OUTCOMES

The Committee received the report of the Director of Customers and Community, the purpose of which was to update the Committee on progress made towards the completion of the Dengie Gateway Project that was funded by the Coastal Communities Fund.

The Chief Executive showed Members a brief presentation and stressed the importance to the District of the growth in tourism. The Chief Executive drew Members' attention to the following:

- the Visit Maldon website was working well;
- the We Are Maldon website was now available to businesses;
- newsletters were produced weekly to promote what was available in the District;
- the Saltmarsh 75 event was growing year-on-year;
- the Tollesbury/Saltmarsh Hub and the Heybridge Basin Hub had both recently opened;
- maps had been developed.

In response to a question, the Chief Executive confirmed that marketing materials referred to the Sense of Place graphics.

Concern was raised about online searches being directed to Google sites rather than the Visit Maldon and We Are Maldon websites. Members were advised that the issue of social media was currently being looked into by Officers.

Members also raised concern about the lack of hotel accommodation within the District. There was an appetite from visitors to follow a grain trail/museum trail and it was suggested that tourist attractions could work together to plan routes. If this was developed it may encourage hoteliers to the District, which would enable visitors to stay longer.

Officers were asked if there was to be a follow-up and destination management strategy to ensure that the high standards were maintained alongside marketing of the District. The Chairman would follow this point up with Officers.

RESOLVED

- (i) that the Project Outcomes of the Dengie Gateway Project be noted;
- (ii) that Members provided comments on and noted the contents of the Destination Marketing Strategy (Appendix 1 to the report).

593. PLANNING POLICY UPDATE

The Committee received the report of the Chief Executive, the purpose of which was to provide an update on local, sub-regional and national planning policy matters including duty to cooperate, neighbourhood plans, A12 and A120, five year housing land supply, Gypsy and travellers, London Plan and Recreational Avoidance and Mitigation Strategies.

The Planning Policy Manager presented the report and drew Members' attention to the following:

- The Examination hearing for the (Section 1) Braintree, Colchester and Tendring joint local plan hearing would commence on 16 January 2018 and the Council had until 4 December 2017 to make any representation to the Inspector's Matters, Issues and Questions;
- Officers had attended a meeting of Mayland Parish Council and progress was being made on its Neighbourhood Plan;
- The Neighbourhood Plan section should also include Wickham Bishops and a verbal update was provided;
- The current year's assessment of the Five Year Housing Land Supply had been completed and the Council could demonstrate 6.28 years' of housing land supply;
- The London Plan – it was likely that the some of the housing need would impact on Essex and consultation on the Plan is due to start in early December 2017.

A Member advised that the Latchingdon Neighbourhood Plan was no longer proceeding. The Planning Policy Manager would check this and advise Members accordingly.

Concern was raised regarding the Recreational Avoidance Mitigation Strategy (RAMS) and that there would not be a benefit to the District. The Planning Policy Manager advised that plans had been challenged for not including a RAMS strategy. The intention was that cross Essex RAMS strategy is developed to address the recreational impact of development growth in other parts of Essex. If the Council joined with a group of other local authorities, then it could raise its own issues and have them placed on the agenda to be discussed. The funding for this would be in the region of £11,000 and would come from the LDP budget. If we did not work as part of the Essex consortium on this, then the Council would need to implement this strategy alone and have less influence on addressing the impact of increased recreation on parts of the District.

The Chairman requested a Member Seminar on both RAMS and the Coastal Path so that Members could be better informed.

Members debated RAMS and raised concerns about the additional burden that it would place upon the District. Although our LDP had been approved it was possible that it may have to be reviewed following the revised NPPF coming forward. There were four significant sites within the Maldon District, so there would be a significant impact on the District. Officers were of the opinion that by being part of a group with other local authorities the Council would be in a better position to protect the District.

In response to a question, the Planning Policy Manager advised that European designation of sites would be incorporated into the Repeal Bill.

RESOLVED that the Planning Policy update outlined in the report be noted and at the appropriate time matters for decision would be brought to this Committee for consideration.

594. BROWNFIELD LAND REGISTER

The Committee received the report of the Chief Executive which provided an update on preparing and publishing a Brownfield Land Register.

The Planning Policy Manager advised Members that Part 1 of the Brownfield Land Register must be published by 31 December 2017.

RESOLVED

- (i) that the preparation of the final Brownfield Land Register (Part 1) be approved; and

RECOMMENDED to the Council

- (ii) that the publication of the Brownfield Land Register on the Council's website be approved.

595. PLANNING FOR THE RIGHT HOMES IN THE RIGHT PLACES

The Committee received the report of the Chief Executive setting out proposals from the Government for proposed reforms to the planning system and in particular the way new homes were planned and distributed. This formed part of the follow up to the Housing White Paper 2017.

The Chairman drew Members' attention to the Addendum setting out the Council's response to the Department of Communities and Local Government. The response to Question 3 as set out in the Addendum should read "*This is vital if the policies are to be tested through Examination.*"

The Planning Policy Manager presented the report and, in response to a question, advised that the Council's next Local Development Plan would need to address housing mix. The Government had identified this in the Housing White Paper. For Maldon the Objectively Assessed Need (OAN) would be 302 dwellings, whereas the Council's Local Development Plan proposed 310 dwellings per annum.

The Planning Policy Manager highlighted that the Statement of Common Ground would replace the current duty to cooperate and would need to be in place within 12 months of the revised National Planning Policy Framework.

In respect of Neighbourhood Planning, the Government was proposing to amend policy so that Local Planning Authorities were expected to provide a housing need figure to neighbourhood planning groups, where necessary, in order to progress plan making.

Work was ongoing within the Essex Planning Officers Association to standardise approaches.

There was concern that this process could be put off local areas from engaging and that the principles of neighbourhood plans would be negated.

RESOLVED that the draft response be revised to take into account the views of the Committee, approved by Officers in consultation with the Chairman of the Planning and Licensing Committee and submitted as the Council's formal response to the consultations.

596. DRAFT MALDON DISTRICT RENEWABLE AND LOW CARBON TECHNOLOGIES SUPPLEMENTARY PLANNING DOCUMENT AND PROPOSED PUBLIC CONSULTATION

The Committee received the report of the Chief Executive which sought the Committee's approval of the Draft Maldon District Renewable and Low Carbon Technologies Supplementary Planning Document (SPD) (Appendix A to the report) to go out to public consultation.

The Planning Policy Manager presented the report and advised Members that the Local Development Plan referred to this document. There were strategic policies in place and this document provided both additional detail and context for newcomers to the District. There was greater certainty for applicants and the document identified the most appropriate forms of technology and allowed greater control.

Councillor S J Savage reiterated his earlier declaration and considered that there were certain items in the report that were out of date. Technology he had personally used was not referred to in the report. Councillor Savage confirmed that he would provide Officers with detail of the technology he used.

In response to a question, the Planning Policy Manager advised that the technologies referred to were general technologies and that the report would be reviewed and could either brought back to this Committee or agreed in consultation with the Chairman of the Planning and Licensing Committee.

RESOLVED that the Draft Maldon District Renewable and Low Carbon Technologies Supplementary Planning Document (SPD) be approved for public consultation, following a review by Officers in consultation with the Chairman of the Planning and Licensing Committee.

597. CODE OF GOOD PRACTICE AND GUIDANCE ON THE CONDUCT OF PLANNING MATTERS

The Committee received the report of the Chief Executive which sought endorsement of the Code of Practice and Guidance on the Conduct of Planning Matters (Appendix 1 to the report) for recommendation to the Council for adoption as part of its Constitution in the light of further revision.

The Chairman advised that this report had come back to this Committee as the version taken to Council had been incorrect. This was the correct version.

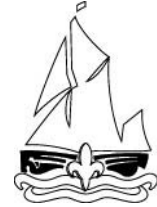
RECOMMENDED to the Council:

- (i) that the Code of Practice and Guidance on the Conduct of Planning Matters (Appendix 1 to the report) be endorsed and the Council is recommended to adopt it as an annexe to the Constitution;
- (ii) that the changes to constitutional arrangements as set out in paragraph 3.11 of the report, be agreed.

There being no further items of business the Chairman closed the meeting at 9.26 pm.

MRS P A CHANNER, CC
CHAIRMAN

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**REPORT of
DIRECTOR OF PLANNING AND REGULATORY SERVICES**

to
PLANNING AND LICENSING COMMITTEE
25 JANUARY 2018

Application Number	FUL/MAL/17/01192
Location	Vaulty Manor Goldhanger Road Heybridge Essex
Proposal	Alterations to openings and internal partitioning of stable ranges to provide new reception/WC areas in place of existing ancillary guest/staff accommodation.
Applicant	Mr Christopher Powdrill
Agent	Mr Robert Pomery - Pomery Planning Consultants Ltd
Target Decision Date	26 January 2018
Case Officer	Kathryn Mathews, TEL: 01621 875805
Parish	GOLDHANGER AND HEYBRIDGE
Reason for Referral to the Committee / Council	Major Application

Application Number	LBC/MAL/17/01193
Location	Vaulty Manor Goldhanger Road Heybridge Essex
Proposal	Alterations to openings and internal partitioning of stable ranges to provide new reception/WC areas in place of existing ancillary guest/staff accommodation.
Applicant	Mr Christopher Powdrill
Agent	Mr Robert Pomery - Pomery Planning Consultants Ltd
Target Decision Date	26 January 2018
Case Officer	Kathryn Mathews, TEL: 01621 875805
Parish	GOLDHANGER AND HEYBRIDGE
Reason for Referral to the Committee / Council	Major Application

1. RECOMMENDATION

FUL/MAL/17/01191:

APPROVE subject to the conditions (as detailed in Section 8 of this report).

LBC/MAL/17/01192:


GRANT LISTED BUILDING CONSENT subject to the conditions as detailed in Section 8 of this report.

2. SITE MAP

Please see overleaf.

Vaulty Manor Goldhanger Road Heybridge
FUL/MAL/17/01192



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	Organisation:	Maldon District Council
	Department:	Department
	Comments:	P & L Committee
	Date:	11/01/2018
www.maldon.gov.uk	MSA Number:	100018588

3. SUMMARY

3.1 Proposal / brief overview, including any relevant background information

- 3.1.1 The application site is located in the rural area beyond the settlement boundaries for both Goldhanger and Heybridge. The site is located on the north side of Maldon Road / Goldhanger Road with the buildings (which are located within the Parish of Goldhanger) set back approximately 140 metres from the highway. To the front / southern boundary of the application site there is an established hedge and some trees have been planted along the private driveway into the site. The site itself is occupied by three grade II listed buildings: the former farmhouse, the former threshing barn, and a former range of stables. Planning permission was granted to change the use of the former six bedroom 'Vaulty Manor' to a hotel in association with the pre-existing wedding venue (reference: FUL/MAL/16/00026) in 2016.
- 3.1.2 The proposal is described as alterations to openings and internal partitioning of stable ranges to provide new reception / WC areas in place of existing ancillary guest / staff accommodation. The proposal would involve works including the introduction of contemporary glazing to the front and rear elevations of the new reception room and an existing lobby with new doors being introduced. Internal alterations would see the creation of a new 'assembly area' through the removal of existing internal partitions and the creation of new toilets and a cloak room / lobby area.
- 3.1.3 A covered walkway and glass entrance dome to the main ceremony room formed part of the proposal as originally submitted, but has been removed from the proposal following objections having been raised to this element of the proposal by the Conservation Officer.
- 3.1.4 The applications are accompanied by a document entitled Flood Risk Assessment, a Heritage Statement and a Planning Statement.
- 3.1.5 The Flood Risk Assessment concludes that the proposal would not increase flood risk.
- 3.1.6 The Heritage Statement concludes that the proposed works would not be inappropriate.
- 3.1.7 The Planning Statement includes the following information in support of the proposal:
- Vaulty Manor has been a wedding venue since 2002; the current proposals would continue the programme of improvement of facilities
 - Would make better use of existing bedrooms to be used as a new reception area and WCs (including accessible facilities)
 - Proposals do not involve the creation of any new floorspace and so would not materially impact on the current flood risk condition of the site.

3.2 Conclusion

- 3.2.1 Having assessed the proposal, it is considered that the proposed development would be acceptable and comply with the National Planning Policy Framework (NPPF),

National Planning Policy Guidance (NPPG) and Policies S1, D8, D1, D3 and D5 of the Maldon District Approved Local Development Plan (LDP).

4. MAIN RELEVANT POLICIES

Members' attention is drawn to the list of background papers attached to the agenda.

4.1 National Planning Policy Framework 2012 including paragraphs:

- Core Planning Principles
- Section 1 Building a strong, competitive economy
- Section 3 Supporting a prosperous rural economy
- Section 7 Requiring Good Design
- Section 10 Meeting the challenge of climate change, flooding and coastal change
- Section 11 Conserving and Enhancing the Natural Environment
- Section 12 Conserving and Enhancing the Historic Environment

4.2 Maldon District Approved Local Development Plan 2017:

- Policy S1 – Sustainable Development
- Policy S8 – Settlement Boundaries and the Countryside
- Policy D1 - Design Quality and the Built Environment
- Policy D3 – Conservation and Heritage Assets
- Policy D5 – Flood Risk and Coastal Management
- Policy E1 - Employment
- Policy T2 – Accessibility

4.3 Relevant Planning Guidance / Documents:

- National Planning Policy Framework (NPPF)
- National Planning Policy Guidance (NPPG)
- Maldon District Design Guide

5. MAIN CONSIDERATIONS

5.1 The main issues which require consideration as part of the determination of the planning application are the principle, the impact of the proposal on the character and appearance of the area, the impact on the Grade II listed building, any impact on local residents, flood risk and drainage. The only issue which requires consideration as part of the determination of the application for listed building consent is the impact of the proposed works on the Grade II listed building.

5.2 Principle

5.2.1 The NPPF supports economic growth in rural areas (paragraph 28) including the sustainable growth and expansion of all types of business and enterprise in rural areas

both through conversion of existing buildings and well designed new buildings. One of the aims of Policy S1 is to ensure a healthy and competitive economy.

- 5.2.2 The application site is located outside the defined development boundaries within the District of Maldon and within the countryside. Policy S8 states that outside the defined settlement boundaries and other defined areas, planning permission for development will only be granted where the intrinsic character and beauty of the countryside is not adversely impacted upon and provided it is for development within a list set out in the Policy which includes employment generating proposals (in accordance with Policy E1). Policy E1 encourages employment generating proposals.
- 5.2.3 From this basis and noting that the proposal is to support an existing use rather than create a new use at the site, it is considered that the principle of development can be found acceptable.

5.3 **Character and Appearance**

- 5.3.1 Policy D1 of the LDP is applicable to the consideration of design. This policy, coupled with the NPPF, aims to ensure good design taking into account matters including architectural style, layout, materials, visual impact and height, scale and bulk. The NPPF is clear that good design is indivisible from good planning and development of a poor design should be refused.
- 5.3.2 Policy S8 states that outside the defined settlement boundaries and other defined areas, planning permission for development will only be granted where the intrinsic character and beauty of the countryside is not adversely impacted upon.
- 5.3.3. The application site is located within the rural area. However, the proposal is for alterations to an existing building located within the existing group of buildings. Therefore, it is considered that the proposal would not have an adverse impact on the character or beauty of the wider countryside within which Vaulty Manor is located, in compliance with Policy S8 of the LDP. With respect to Policy D1, the Conservation Officer has not raised concerns regarding the proposal in relation to heritage assets (see below).

5.4 **Impact on the Listed Building**

- 5.4.1 Policy S1 of the LDP states that Council will take a positive approach that reflects the presumption in favour of sustainable development and will apply key principles including conserving and enhancing the historic environment.
- 5.4.2 Policy D1 of the LDP sets out a number of criteria which new development is required to meet which include respecting and enhancing the character and local context; and making a positive contribution to the historic environment.
- 5.4.3 Policy D3 of the LDP states that the Council will give great weight to the heritage asset's conservation and that any harm or loss will require clear and convincing justification. Development that affects a heritage asset will be required to '*preserve or enhance its special character, appearance, setting ... and any features and fabric of architectural or historic interest*'.

5.4.4 Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, the Council must have special regard to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses.

5.4.5 The Conservation Officer raises no objection to the proposal as follows:-

‘There are three grade II listed buildings on this site; the former farmhouse, the former threshing barn, and a former range of stables. Externally, the character of the house is late Georgian, during which period it was substantially rebuilt, but it does incorporate a late-medieval timber-framed crosswing. Both the barn and the stables date from the first half of the 19th century. These three buildings share value as part of an historic farmyard group. As part of the use of the site as a wedding venue, both of the former agricultural buildings have been thoroughly modernised to an extent which has eroded their architectural and historic interest. However, the external visual relationship between house and the farm buildings has been preserved and remains important.

The supposed former stable range retains very few features of interest beside its basic form. It is proposed to remove modern internal partitions and to introduce more extensive areas of glazing to the front and rear elevations. There are already windows on the front and rear elevations. Some of the windows are crude plastic examples which are not appropriate to an historic listed building such as this. On balance, I consider that the proposed internal remodelling and refenestration will cause no harm to the significance of this building.’

5.4.6 On the basis of this specialist advice, it is considered that the proposal would ‘preserve or enhance [the] special character, appearance, setting’ of the Grade II listed building and ‘features and fabric of architectural or historic interest’, in compliance with the NPPF, NPPG and Policies S1, D1 and D3 of the LDP.

5.5 Residential Amenity

5.5.1 Policy D1 of the LDP requires that all development must protect the amenity of surrounding areas taking into account privacy, overlooking, outlook, noise, smell, light, visual impact, pollution, daylight and sunlight.

5.5.2 The nearest dwellings are No. 1 and 2 Vaulty Manor Cottages located approximately 190 metres to the south east of the site with the Barrow Marsh Caravan Park located some 170 metres to the south west. Having considered the scale and nature of work proposed, it is not considered the development would have an adverse impact on the amenity of the occupiers of the Cottages or the Caravan Park, in compliance with Policy D1 of the LDP. Although an additional assembly area would be created, it is noted that no objection has been raised to this by the Environmental Health Team and due to the substantial distance to the nearest properties it is expected that the additional assembly within this area would not cause additional noise to an extent that would justify the refusal of the application.

5.6 **Flood Risk and Drainage**

- 5.6.1 Policy D5 of the LDP sets out the Council's approach to minimising flood risk. Policy S1 requires that new development is either located away from high risk flood areas or is safe and flood resilient when it is not possible to avoid such areas.
- 5.6.2 The site lies within defended tidal Flood Zone 3a, the high probability zone. Consultation responses from the Environment Agency and Sustainable Urban Drainage Systems (SUDS) are awaited but, given the nature and scale of the development proposed, it is not considered that the proposal would result in an increased flood risk on or off site, in compliance with Policies S1 and D5.
- 5.6.3 Foul drainage can be dealt with by condition as recommended by the EHT.

5.7 **Other Matters**

- 5.7.1 The proposal may have economic benefits as referred to by Goldhanger and Heybridge Parish Councils. These have not been quantified by the applicant but would weigh in favour of the proposal.

5.8 **Conclusion**

- 5.8.1 The proposed works would not be unacceptable in principle; and would not have an adverse impact on the character and appearance of the area, the Grade II listed building, local residents, flood risk or drainage. The proposal is, therefore, in compliance with NPPF, NPPG and Policies D1, D3, D5, S1 and S8 of the LDP.

6. **ANY RELEVANT SITE HISTORY**

- **FUL/MAL/01/00105** - Proposed additional banqueting hall and covered terrace alongside the existing banqueting hall. Approved 28.03.2001.
- **LBC/MAL/01/00106** - Proposed additional banqueting hall and covered terrace alongside the existing banqueting hall.
- **FUL/MAL/02/00201** - Convert covered terrace approved under refs: FUL/MAL/01/00105 and LBC/MAL/01/00106 to extensions of banquet hall. Approved 15.04.2002.
- **LBC/MAL/02/00202** - Application for listed building consent to Convert covered terrace approved under refs: FUL/MAL/01/00105 and LBC/MAL/01/00106 to extensions of banquet hall. Approved 15.04.2002.
- **FUL/MAL/02/00849** - Erection of guest accommodation rooms. Approved 12.11.2002.
- **FUL/MAL/03/01220** - Extend existing barn currently used for wedding ceremonies to provide additional area for seating, disabled WC, and improved WC facilities. Approved 14.01.2004.
- **LBC/MAL/03/01221** - Extend existing barn currently used for wedding ceremonies to provide additional area for seating, disabled WC, and improved WC facilities. Approved 14.01.2004.
- **FUL/MAL/05/00666** - Extension to Banqueting Hall. Approved 07.02.2006.

- **FUL/MAL/16/00026** - Change of use (of the house on the estate site) from (C3) private dwelling house to (C1) hotel/guest house. Approved: 10.05.2016.
- **LBC/MAL/16/00027** - Minor alterations to first floor interior bedroom and en-suite arrangements. Granted Listed Building Consent: 08.03.2016.
- **FUL/MAL/16/01419** - Wedding gazebo within the enclosed garden of Vaulty Manor. Approved 07.03.2017.
- **LBC/MAL/16/01420** - Wedding gazebo within the enclosed garden of Vaulty Manor. Granted 07.03.2017.

7. **CONSULTATIONS AND REPRESENTATIONS RECEIVED**

7.1 **Representations received from Parish / Town Councils**

Name of Parish / Town Council	Comment	Officer Response
Goldhanger Parish Council	No response to application for listed building consent. Supports the planning application. [Comments were also made with respect to the walkway which has since been removed from the proposal].	Noted.
Heybridge Parish Council	Supports the proposal as it supports employment and economic activity in the Parish.	Noted.

7.2 **Statutory Consultees and Other Organisations**

Name of Statutory Consultee / Other Organisation	Comment	Officer Response
Environment Agency	No response at the time of writing.	
SUDS	No response at the time of writing.	

7.3 **Internal Consultees**

Name of Internal Consultee	Comment	Officer Response
Conservation Officer	On balance, the proposed internal remodelling and refenestration will cause no harm to the significance of this	Noted (refer to 'Impact on the Listed Building' section of report).

Name of Internal Consultee	Comment	Officer Response
	building.	
Environmental Health	No objections subject to the imposition of a condition regarding foul drainage and informatives.	Noted (refer to 'Flood Risk and Drainage' section of report).
Emergency Planner	No comments.	Noted.

7.4 Representations received from Interested Parties

7.4.1 No letters of representation have been received.

8. PROPOSED CONDITIONS

FUL/MAL/17/01192:

Conditions:

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
REASON: To comply with section 91(1) of the Town and County Planning Act 1990 as amended by section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 The development hereby permitted shall be carried out in complete accordance with the approved drawings specifically referenced on this decision notice.
REASON: To ensure that the development is carried out in accordance with the details as approved.
- 3 No development shall take place until details of the foul drainage scheme to serve the development shall be submitted to and agreed in writing by the local planning authority. The agreed scheme shall be implemented prior to the first occupation of the development.
REASON: To ensure that satisfactory foul drainage is provided.

Informatives:

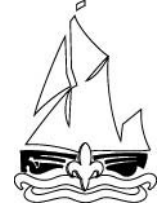
1. The applicant should ensure the control of nuisances during construction works to preserve the amenity of the area and avoid nuisances to neighbours:
 - a) No waste materials should be burnt on the site, instead being removed by licensed waste contractors;
 - b) No dust emissions should leave the boundary of the site;
 - c) Consideration should be taken to restricting the duration of noisy activities and in locating them away from the periphery of the site;
 - d) Hours of works: works should only be undertaken between 0730 hours and 1800 hours on weekdays; between 0800 hours and 1300 hours on Saturdays and not at any time on Sundays and Public Holidays.
2. Should the existence of any contaminated ground or groundwater conditions and/or hazardous soil gases be found that were not previously identified or not considered in a scheme agreed in writing with the Local Planning Authority,

the site or part thereof shall be re-assessed and a scheme to bring the site to a suitable condition shall be submitted to and agreed in writing with the Local Planning Authority. A "suitable condition" means one in that represents an acceptable risk to human health, the water environment, property and ecosystems and scheduled ancient monuments and cannot be determined as contaminated land under Part 2A of the Environmental Protection Act 1990 now or in the future. The work will be undertaken by a competent person in accordance with the Essex Contaminated Land Consortium's Land Contamination Technical Guidance For Applicants and Developers and UK best-practice guidance.

LBC/MAL/17/01193:

Conditions:

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
REASON: To comply with Section 18(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 The development hereby permitted shall be carried out in complete accordance with the approved drawings specifically referenced on this decision notice.
REASON: To ensure that the development is carried out in accordance with the details as approved.
- 3 Prior to the commencement of the development hereby approved, details or samples of the materials to be used shall be submitted to and approved in writing by the Local Planning Authority.
REASON: To protect the architectural and historic value of the building in accordance with policies D1 and D3 of the Maldon District Local Development Plan.
- 4 No development shall take place until large scale drawings (1:20) of all new window frames, external doors and door frames and section details at 1:2 of the head, jamb, cill and glazing bars have been submitted to and approved in writing by the local planning authority. The drawings are to show typical section profiles and materials to be used. The development shall then be carried out in accordance with the approved details.
REASON: To protect the architectural and historic value of the building in accordance with policies D1 and D3 of the Maldon District Local Development Plan.



REPORT of CHIEF EXECUTIVE

**to
PLANNING AND LICENSING COMMITTEE
25 January 2018**

ECONOMIC DEVELOPMENT UPDATE

1. PURPOSE OF THE REPORT

- 1.1 Economic Development works towards strengthening and encouraging development of the local economy. It was agreed that a regular report would be submitted to this Committee to update Members on key issues and provide an opportunity for feedback and input.

2. RECOMMENDATIONS

- (i) that Members receive and comment on the contents of the report.

3. SUMMARY OF KEY ISSUES

- 3.1 **APPENDIX 1** to the report provides an update on activity on various economic development workstreams as follows:

- Coastal Community Teams (CCT)
- Bradwell Legacy Partnership (BLP)
- Business Support
- Business Engagement
- Skills
- Sense of Place
- Funding

4. IMPACT ON CORPORATE GOALS

- 4.1 The work of the Economic Development Team in partnership with key stakeholders will help to create opportunities for economic growth and prosperity.

5. IMPLICATIONS

- (i) **Impact on Customers** – Engagement with businesses and organisations across the district as well as supporting the District at sub-region level.
- (ii) **Impact on Equalities** – None identified.
- (iii) **Impact on Risk** – Work of the Economic Development Team helps to mitigate against Corporate Risk 12 – Failure of the Council to influence regional partners to support and encourage economic prosperity and inward investment to the Maldon District and Corporate Risk 13 - Failure to have a co-ordinated approach to supporting new and existing businesses
- (iv)
- (v) **Impact on Resources (financial)** – The Team are being proactive in seeking funding to create opportunities for economic prosperity in our District.
- (vi) **Impact on Resources (human)** – None identified.
- (vii) **Impact on the Environment** – None identified.

Background Papers: None.

Enquiries to: David Burrows, Economic Development Officer, (Tel: 01621 875825).

Economic Development Team Update

January 25th 2018

1. COASTAL COMMUNITY TEAMS

1.1 Maldon and Blackwater Estuary CCT

- A promotional leaflet similar to that produced by the River Crouch CCT is being created by a working party to promote this area as a visitor destination and is expected to be ready by Spring 2018.
- The Historic Vessels Apprenticeship programme to train 12 apprentices per year has been further developed and has now applied for Heritage Lottery Fund support. Maldon District Council supplied a letter of support for this application in early December. Additional funding sources will be considered for aspects of the project.

1.2 River Crouch CCT

- The Middle Crouch ferry crossing (Fambridge crossing) was discussed on 6 December. A decision has been made to apply for RDPE funding rather than LEADER funding as a larger grant is required than the maximum available under LEADER. Since the RDPE fund is focussed on rural tourism infrastructure, it has been decided not to focus on the commuter element of the project's business model. That decision also resolved the potential issue of requiring a change in planning permission for the parking lot to allow earlier and later parking for commuters.
- The Lower Crouch crossing from Burnham-on-Crouch to Wallasea Island was to have applied for CCF funding. Since the expected match funding has not materialised due to a change in the pontoon to be used in Burnham-on-Crouch, it has been decided to break the project into its four component parts and fund each separately, applying for relevant grant support. The visitor centre on Wallasea Island will now be funded through a Heritage Lottery Fund application and the pontoon on Wallasea Island will be funded through a separate RSPB grant application. The Town pontoon in Burnham-on-Crouch will be utilized appropriately upgraded for disabled access. Existing CCF funding already exists for part of this upgrade, but additional funding will be required to complete the full upgrade. The ferry purchase and operation will need a separate funding application once the other components of the project are in place.

2. BRADWELL LEGACY PARTNERSHIP

- A Bradwell Legacy Partnership meeting was held on 23 November at Bradwell Marina.
- An application for a ferry from Bradwell Marina to Mersea Island has been submitted to the MMO. There is also interest in extending the service to Tollesbury.
- The Maldon District Enterprise Centre feasibility study bid to Magnox was successful and received funding of £60k plus £10k match funding provided by ECC. The tender process was launched on 19 December 2017 with applications to close on 26 January 2018.
- Magnox informed that the Bradwell A plant will go into C&M in November 2018, but applications for funding of transformative projects will still be considered for 1-3 years.

3. BUSINESS SUPPORT

3.1 BEST Growth Hub

ED continues to work closely with the BEST Growth Hub that is currently offering a programme of workshops to SMEs throughout January and will be hosting a Business Show at Hylands House, Chelmsford on 8 February 2018. The ED team have referred 8 companies to the BEST Growth Hub for support and signposting to funding opportunities since October 2017.

4. BUSINESS ENGAGEMENT

4.1 Causeway Business Forum

A breakfast meeting of the Causeway Business Forum was held at the Oak House on 23 November 2017 from 08h00 to 09h30 to further discuss the formation of a Causeway Business Forum. The decision to establish a formal Causeway Business Forum was confirmed and a lunch meeting was scheduled for Thursday 18 January 2018 to discuss Terms of Reference for the new grouping and elect a new chairman. This meeting will be directed by local businesses and Maldon District Council will only be present as observers and to provide administrative support. The possible creation of a Business Improvement District will not be an item for consideration at present while the core group of supporting businesses is solidifying.

4.2 Burnham-on-Crouch Chamber of Commerce

Burnham-on-Crouch Chamber of Commerce prioritised the Small Business Saturday Bus Tour as their last event, promoting it heavily to businesses to engage, as well as getting involved in the mentoring on the bus, having a stand, and subscribing to the promotional offers.

Their next event is planned for 31 January 2018 with the theme of Apprenticeships. Venue and the final list of speakers will be confirmed shortly.

4.3 Small Business Saturday

The Small Business Saturday bus tour took place between 10am and 2pm on Thursday 16 November 2017, in the Butt Lane Car Park, Maldon. Maldon District was chosen as one of the 25 towns/cities visited across the UK which also included places such as Edinburgh, York, Brighton and Belfast. The purpose of this national campaign is to promote shopping local for goods and services.

A number of businesses from the Maldon District exhibited at the event and there was the opportunity for local businesses to access free one to one business support on the bus, again some of Maldon District's businesses were providing this support. Secret Hamper, also a Maldon District based business was highlighted as one of the top 100 businesses identified by the national campaign. The Economic Development Team also collated from Maldon District businesses a number of promotional discounts and offers into a brochure to help promote local business.

The event was well attended including the Mayor from Maldon Town Council, the Chairman from Maldon District Council and the Deputy to Cabinet Member for Economic Growth, Skills, Infrastructure and the Digital Economy, from Essex County Council who sent a

personal email message to the Economic Development Team post the event commending them on its organisation. It also received good press coverage.

4.4 Chairman's Visits

The Economic Development team is working with the Chairman of Maldon District Council, Cllr Henry Bass to accompany him on some of his visits to local businesses. The objective is to gather their views and provide advice on what initiatives could be put in place to support the growth and sustainability of local businesses. A previous visit to CML Microsystems on 18 October 2017 has led to a meeting between Aquila Developments (who will be representing CML) and the planning department on 13 December 2017 to consider options for the development of Oval Park for employment use. Recent activity includes visits to Secret Hamper and Morley Skips.

4.5 Business Newsletter

On 30 November 2017 the Economic Development Team distributed a business newsletter by e-mail. Topics included reminders to businesses to nominate themselves or others for the Maldon District Council's Chairman Awards and to complete the Maldon District Skills Survey in respect of local business needs. Businesses were also encouraged to make use of the benefits of the Sense of Place branding and the BEST Growth Hub free one-to-one support service plus the current programme of training workshops.

4.6 Superfast Broadband

ED, together with the planning policy team, is gathering further information on whether the delivery of Broadband by BT is meeting the targets that were set and which they claim have been achieved. While on average some targets appear to have been achieved, there are pockets of poor access in certain rural areas. The high speed broadband provision is also limited to the green boxes, so properties some distance from these boxes report much lower speeds at their premises. This information will be used to prepare input for a meeting on 23 January 2018 to coordinate Essex local bids for the DCMS LFFN Challenge Fund.

4.7 Chairman's Awards

Following the closure date for applications on Monday 18 December 2017, there has been a substantial amount of interest from businesses again this year with over 30 applications received in the 4 categories of:

- Young Entrepreneur
- Best Established Business
- Fast Track Business
- Best New Business

Judging has now taken place and the winners will be announced at an Afternoon Tea at Stow Maries Great War Aerodrome on Friday 23 February 2018.

5. SKILLS

5.1 Maldon District Council Skills Strategy

The Economic Development Team has recently completed a draft Maldon District Skills Strategy. This document is in the process of updating considering analysis of data gathered from the Maldon District Business Skills survey that closed on 31 December 2017.

5.2 Essex Rural Skills Project

Essex Rural Skills Project which Maldon District Council is a working partner in, is being part delivered at Stow Maries Great War Aerodrome.

Following its launch in August 2017, this programme has proved to be very popular and is at maximum capacity of 16 trainees at Stow Maries, with a waiting list of further participants.

Consequently further funding is currently being sought via the Reaching Communities Fund in conjunction with Jacqui Stone from Abberton Rural Training who is delivering the current project and Ruth Stephens from the Big Lottery Fund. A meeting is to be held regarding this on 16 January at Maldon District Council Offices involving the Economic Development department.

5.3 Apprenticeship Event

The Economic Development Team met with Plume School in December 2017 and following the great success of the Apprenticeship Event organised last year a repeat event is now planned for 7 March 2018 with arrangements on their way. Other partnership working and actions were also agreed in relation to business engagement required in light of recent Government directive changes regarding Secondary School Careers Guidance and Education. The Economic Development Team will continue to provide appropriate business links in this capacity.

6. SENSE OF PLACE

6.1 A planning application has been submitted for approval for Sense of Place branding on the hoarding fronting the Causeway on the Blackwater Retail Park construction site – Application reference: 17/01378/ADV.

6.2 Charlie Fillingham, Chairman of the Sense of Place Board, has appointed Janie Robinson, of Osea Leisure Group, to head up the Visitor Economy role on the Sense of Place Board. She has already met with Alexis Brown of the TIC to discuss alignment of projects and will work with other teams at Maldon District Council on larger projects such as a new or improved Maldon Museum. Maldon Salt has met with us through an introduction by Charlie Fillingham and Steven Osborne has indicated his willingness to support such a project if it has a high quality and could include a section on Maldon Salt. ED, TIC, Planning Policy and the SOP chair are working together on a coordinated approach so that any activities are guided by existing Maldon District Council policy such as the LDP and Central Area Masterplan.

7. FUNDING

LEADER Funding

Maldon District is continuing to maintain its lead with regards to the number of projects accessing funding under this scheme and has another 7 out of the current 9 projects in the pipeline.

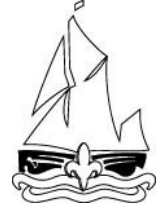
8. NATIONAL TRANSPORT STRATEGY – Strategic Vision for Rail

Transport Secretary Chris Grayling made an announcement on 29 November 2017 regarding the government's Strategic vision for rail. The official press release included the following comment:

“The Strategic vision for rail also commits to explore opportunities to restore capacity lost under the Beeching and British Rail cuts of the 1960s and 1970s by identifying new schemes that unlock new housing or economic growth and offer good value for money.”

Councils are therefore being asked to put forward proposals for re-opening rail lines closed under Dr Beeching in the 1960s. The railway line from Maldon East Railway Station to the Witham Main Line is virtually intact and still largely under ECC ownership with a few gaps along the route. ECC have asked whether we would like to make a proposal to government for the reopening of this line. After internal discussion officers have informed ECC that we do not intend to take any action due to the practical difficulties in reinstating previously closed lines, challenges in delivering a financially sustainable service, lack of clarity on the government's strategy and financial commitment to delivery at the current time. Officers will continue to monitor and if required investigate further.

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**REPORT of
DIRECTOR OF PLANNING AND REGULATORY SERVICES**

to
**PLANNING AND LICENSING COMMITTEE
25 JANUARY 2018**

PLANNING POLICY UPDATE

1. PURPOSE OF THE REPORT

- 1.1 This report provides an update on local, sub-regional and national planning policy matters including Duty to Cooperate and Essex Local Plans, Strategic Transport update, London Plan and legislative changes as they affect planning policy.
- 1.2 A separate report has been prepared for this Committee on the Local Development Scheme.
- 1.3 The wide range of policy matters in this report may affect the policies of the Council, its procedures and decision making. Therefore, further reports will need to be made to the Committee for decision.

2. RECOMMENDATION

That the Committee receives the Planning Policy update outlined in this report and comments from the Committee are sought as there are matters in the report which may affect future planning policies and procedures and matters for decision will come back to the Committee as required.

3. SUMMARY OF KEY ISSUES

3.1 Duty to Cooperate and other Essex Plans and Strategies

- 3.1.1 The Examination in Public into Part One of the Joint Local Plan for Braintree, Colchester and Tendring (the Plan) is scheduled to open on Tuesday 16 January 2018. Officers have not registered to attend the meeting, although the Inspector may request the Council attends for any session, including the Duty to Cooperate session on day one.
- 3.1.2 The Council has agreed a Statement of Common Ground with Braintree Council, acting on behalf of all three Councils, which is in response to the representations made by this Council to the Plan. The Statement sets out issues which subsequent to the Council's representations have been clarified and agreed, and issues where there has been discussion through the duty to cooperate process, but agreement has not been reached. The latter includes the continued disagreement on the employment allocations within the proposed Garden Villages. On all other matters either the other authorities have

provided clarification which has justified their proposals, or they have agreed to further clarifications in the Plan.

3.2 **A120 Route Options**

3.2.1 Essex County council have announced that four route options remain viable for the improvements to the A120 between Braintree and the A12. There are two route options from Braintree to Bradwell Quarry to the north of Silver End. At that point the two options meet before diverging again along a southern corridor to join the A12 south of Kelvedon; and a 'central corridor' which joins the A12 between Kelvedon and Marks Tey. The old 'northern corridor' route which connected to the A12 at Marks Tey has been dropped.

3.2.2 As reported in a press statement on the project website, 'technical studies will now continue throughout the winter and spring to help inform a favoured route option for the A120. Essex County Council aims to get the A120 Braintree to A12 upgrade into the Government's Road Investment Strategy 2 (RIS2), a pot of Government money specifically set aside for investing in strategic roads across the country, between 2020 and 2025. This is expected to be announced in 2019.'

3.2.3 More details, including a route map, can be found at www.A120essex.co.uk.

3.3 **The London Plan**

3.3.1 The new London Plan was published in December for public consultation. The Consultation period closes on 2 March 2018. As the Plan is very large with a considerable amount of supporting matter, it has not been possible to provide the Committee with a draft response. However, it is possible to provide a report on the Council's response, at the 1 March 2018 meeting.

3.3.2 The Plan will cover the period 2019 to 2041 a 25 year period. As with the existing London Plan, the new Plan is a combination of strategic policies, which form a framework for Borough local plans and development control policies.

3.3.3 The key elements that could affect Essex and possibly have implications for future planning policy in Maldon are set out below.

3.3.4 Although the Plan is for a 25 year period, the housing targets are set for only the first 10 years. The Plan proposes for the period 2019 to 2029 a total of 649,350 new dwellings, an annualised rate of 64,935. These include sites with planning permission or currently proposed in existing London local plans. Of these approximately 245,000 are proposed on smaller sites. Policy H5 proposes that 50% of the total should be affordable. That policy and H6 propose that the level of affordable housing is varied depending on whether the land is within public (higher level) or private (lower level) ownership.

3.3.5 The annualised target of 64,935 is below the requirement set out in the London-wide Strategic Housing Market Assessment (SHMA) of 66,000. The implication of this is that London will be seeking to 'export' 1,000 units per annum to districts outside of London. Paragraph 2.3.4 of the Plan states that despite the '*Plan seeking to accommodate the vast majority of London's future growth, some migration will continue,*' and there is a need to plan for '*longer term contingencies.*' This includes that '*the Mayor is interested in*

working with willing partners beyond London to explore if there is potential to accommodate more growth in sustainable locations outside of the capital.’

- 3.3.6 The Plan identifies growth corridors. Those affecting Essex include the Lee Valley, Thames Gateway and Crossrail. In addition the Plan acknowledges 13 Strategic Infrastructure Priorities in the wider South East. These include the Great Eastern Mainline and the A12; and the Essex Thameside (A127/A13).
- 3.3.7 Although the Plan requires in Policy H16 that Boroughs should plan to meet their own needs for Gypsy and Travellers, the Mayor proposes a definition which is different to the national definition of gypsy and travellers set out in Planning Policy for Traveller Sites 2015.
- 3.3.8 Other aspects that will require greater consideration in any response from the Council to the Plan include waste and whether London will export waste arisings; the environmental impact of development of habitats of strategic importance and a recreation avoidance and mitigation strategy; and how the delivery of the plan will be funded with a total infrastructure funding requirement of £1.3 trillion.
- 3.3.9 The Examination in Public for the London Plan is expected in the Summer of 2018, with the final plan expected to be published in Autumn 2019. A more detailed assessment of the draft London Plan will be set out for the Committee, including any proposed formal response, following receipt of the consultation draft.

3.4 **National Planning Policy**

- 3.4.1 There is no confirmed date for the publication of the consultation draft of the revised National Planning Policy Framework (NPPF).
- 3.4.2 **The Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) (Amendment) Regulations 2017** were made on 20 December 2017. These introduce a 20% increase in all Planning application fees. The Regulations come into effect 28 days after the Regulations were made – therefore, from 17 January 2018.
- 3.4.3 **The Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2017** were laid before Parliament on 13 December 2017 and come into force on 15 January 2018 and 6 April 2018 (Regulation 4 only). These are an amendment to the 2012 Regulations and introduce three significant changes to the preparation of strategic planning policy documents.
- 3.4.4 Firstly, Regulation 4 requires the insertion of a new Regulation 10a to the 2012 Regulations is so far as:

‘Review of local development documents

10A. – (1) A local planning authority must review a local development document within the following time periods –

(a) in respect of a local plan, the review must be completed every five years, starting from the date of adoption or the local plan, in accordance with section 23 of the [Planning and Compulsory Purchase Act 2004] Act (adoption of local development documents):

(b) in respect of a statement of community involvement, the review must be completed every five years, starting from the date of adoption of the statement of community involvement, in accordance with section 23 of the Act.'

- 3.4.5 This means that the Council must have completed a review of the Maldon District Local Development Document by 20 July 2022 and every 5 years thereafter. However, the Explanatory Memorandum to the Regulations states that if after assessing the need to review the local plan a local planning authority concludes that an update is not necessary, then it must publish its reasons.
- 3.4.6 With regards to the statement of community involvement, a review is currently underway – see the Report on the Local Development Scheme – and the five years will apply from the Adoption of the new Statement. The last statement was adopted in 2007.
- 3.4.7 The Housing White Paper set out the Government’s intention to set time limits within which local development documents must be reviewed. There is already a requirement in the NPPF to keep local plans up to date and this change to the Regulations provides a legislative framework for doing so.
- 3.4.8 Secondly, the Amendment Regulations also provide the Secretary of State with powers to direct local planning authorities to prepare joint local plans where agreement has not been reached on the distribution of dwellings between authorities who share a common Strategic Housing Marking Area (SHMA). At present this does not apply to Maldon, which has its own SHMA area, but may have future implications if its SHMA area was to change.
- 3.4.9 The third major change is the introduction of powers for the Secretary of State to invite a County Council to prepare a strategic plan for their area, where doing so would provide a local alternative to the Secretary of State’s intervention. The example given is where ‘districts are failing to cooperate effectively and where the County Council’s involvement would help.’ The Secretary of State would consider the geographic scope (it may not be an entire county, for instance), the subject matter and timescales. The County Council would be able to recover its costs from the relevant district authorities.
- 3.4.10 The Government published its long term environment strategy on 11 January 2018. Titled ‘**A Green Future: Our 25 Year Plan to Improve the Environment**’ the plan sets out how the Government with stakeholders intend to respond to environmental challenges and the interventions to be made. The Plan is set out in 6 chapters on:
1. Using and managing land sustainably
 2. Recovering nature and enhancing the beauty of landscapes
 3. Connecting people with the environment to improve health and wellbeing
 4. Increasing resource efficiency, and reducing pollution and waste
 5. Securing clean, productive and biologically diverse seas and oceans
 6. Protecting and improving the global environment
- 3.4.11 The full impact of the Plan will need to be considered and, where appropriate, incorporated into future planning policy and guidance.

4. CONCLUSION

- 4.1 This report provides an update to Members on a wide range of planning policy matters that will or may affect the policies of the Council, its procedures and decision making. Reports on matters for decision that arise from planning policy matters will be made to this Committee as required.

5. IMPACT ON CORPORATE GOALS

- 5.1 The preparation and adoption of the Local Development Plan (LDP), including supporting evidence and other supplementary planning documents, support corporate goals which underpin the Council's vision for the District and in particular protecting and shaping the District and balancing the future needs of the community and meeting the housing needs of the District.

6. IMPLICATIONS

- (i) **Impact on Customers** – This report provides customers with the most up-to-date progress on a planning policy matters. Clear policy and strategy working with other authorities in Essex provides certainty to residents and businesses in the District.
- (ii) **Impact on Equalities** – Planning policy documents, including new regulations and policy documents prepared by the government, are subject to equality analysis.
- (iii) **Impact on Risk** – Up to date planning policy and a five year supply of housing land is required in accordance with the National Planning Policy Framework in order to enable the Council to strategically plan for future needs, growth and sustainable development. The implementation of new legislation will need to be taken after consideration of the risks for the Council and stakeholders.
- (iv) **Impact on Resources (financial and human)** – Any significant change in policy direction would be likely to require additional work or alterations to the evidence base which may have significant financial and human resource implications for the Council. The government have indicated that additional funding may be available to local authorities to implement some of the regulatory and legislative changes.
- (v) **Impact on the Environment** – Up to date planning policy and a five year supply of housing land will enable the Council to promote sustainable development and safeguard the local environment in accordance with the local priorities for the District.

Background Papers:

A120 routes options - www.A120essex.co.uk

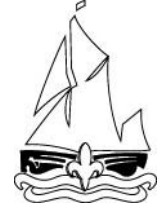
The London Plan - <https://www.london.gov.uk/what-we-do/planning/london-plan/new-london-plan>

The Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) (Amendment) Regulations 2017 -
<https://www.legislation.gov.uk/ukdsi/2017/9780111160749>

The Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2017 -
<https://www.legislation.gov.uk/uksi/2017/1244/introduction/made>

A Green Future: Our 25 year Plan to Improve the Environment -
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/673203/25-year-environment-plan.pdf

Enquiries to: Ian Butt, Interim Strategic Planning Policy Manager (Tel: 01621 876203).



**REPORT of
DIRECTOR OF PLANNING AND REGULATORY SERVICES**

**to
PLANNING AND LICENSING COMMITTEE
25 JANUARY 2018**

LOCAL DEVELOPMENT SCHEME 2018

1. PURPOSE OF THE REPORT

- 1.1 The purpose of this report is to seek endorsement for an update to the Council's Local Development Scheme (LDS) following the approval of the Maldon District Local Development Plan (LDP) in July 2017. The new LDS will replace the document approved by Council on 16 February 2017 (Minute No.1001/2017). The LDS will take into account the timetable for the progression of supplementary planning documents and other planning policy documents required to help deliver the LDP over the next 12 months.

2. RECOMMENDATIONS

- (i) To seek the Committee's approval for the content of the Local Development Scheme

To the Council:

- (ii) that the Local Development Scheme be approved as the project plan for key planning policy documents over the next 12 months.

3. SUMMARY OF KEY ISSUES

3.1 Local Development Scheme

- 3.1.1 The Planning and Compulsory Purchase Act 2004 (as amended) requires every planning authority to prepare and maintain a Local Development Scheme (LDS). A LDS sets out the programme for the preparation of local development documents (LDDs), including Supplementary Planning Documents (SPDs) and the Statement of Community Involvement (SCI).

- 3.1.2 Effectively, it is a project plan setting out the timetable for work to be undertaken until January 2019. It identifies which LDDs will be produced and in what order and when, as well as the likely contents, resources needed for their preparation and the likely risks associated with preparing them. The scheme includes milestones to inform the community and stakeholders when consultation and other stages of plan preparation will take place. It will also serve as a project management tool for budgeting and resource planning for the Council.

- 3.1.3 The existing LDS (2017) included the timetables for new supplementary planning documents, all of which are being prepared – i.e. for Renewable Energy, Affordable Housing and Vehicle Parking Standards. These have been carried forward to the new LDS (2018) and include dates for consultation and adoption.
- 3.1.4 Officers also recommend preparing a new Specialist Housing SPD to address the specific requirements associated with delivering older people’s housing. Proposals for this type of housing are increasing and can have specific needs: a SPD would provide greater clarity about location, accessibility and design considerations for different types of older people’s housing and the type and level of supporting information required when submitting a planning application.
- 3.1.5 The Council is also participating in an Essex Coastal Recreation Avoidance and Mitigation Strategy with 10 other Essex local authorities. One of the outcomes of this project is a SPD which will set out how each Council (with a protected Natura 2000 wildlife site in its boundary) will secure financial contributions and other mitigation from new housing development (in and outside their administrative boundaries) to mitigate any adverse recreational impacts identified. A SPD is required to ensure that financial contributions and mitigation can be sought from developers in a consistent, clear and transparent way.
- 3.1.6 The Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2017 will come into force in Spring 2018. A requirement will be that local authorities update their Statement of Community Involvement (SCI) every five years. The Council’s SCI was approved in 2007, albeit subject to an addendum in 2012. A review is therefore necessary. It would take account of new forms of communication and engagement, Neighbourhood Planning and any other changes required as a result of revisions to national and local policy.

3.2 Why is a LDS necessary?

- 3.2.1 Without an up-to-date LDS, the Council will not be meeting its statutory requirements. It may also mean that the Council’s ability to deliver the LDP, secure quality, sustainable development in the District and co-ordinate development and infrastructure may be difficult to achieve. It may also put at risk the Council’s ability to defend planning decisions at appeals.
- 3.2.2 The LDS not being in place also deprives the local community and other stakeholders of the necessary information about the documents that the Council will be preparing, when they are to be prepared and when consultations on such documents will take place.

4. CONCLUSION

- 4.1 Preparing and putting in place the LDS is a statutory requirement relating to the preparation of Local Development Documents which the Council has to comply with. Ensuring the LDS is kept up-to-date will ensure that the community and other stakeholders are kept informed about the documents that the Council intends to prepare and when.

- 4.2 Approving the LDS will provide the Council with a programme for the preparation of planning policy documents and it will form the basis for resource planning and Committee agenda planning.
- 4.3 Having a suite of up-to-date and sound planning documents in place will provide the Council with the means to defend against inappropriate development and secure the best appropriate development to the highest standards.

5. IMPACT ON CORPORATE GOALS

- 5.1 Publishing an up-to-date Local Development Scheme supports corporate goals which underpin the Council's vision for the District, in particular delivering sustainable growth and development in line with the Local Development Plan and national guidance, protecting and enhancing the District's distinctive character, natural environment and heritage assets, meeting housing needs and supporting an ageing population. Additionally, it helps promote a cost-effective service.

6. IMPLICATIONS

- (i) **Impact on Customers** – The Local Development Scheme provides customers with a project plan for the preparation of planning policy documents. Because the LDS forms the basis for resource planning, it will provide assurances that the Council does have the resources in place to provide a robust policy and guidance framework to protect the district from inappropriate development.
- (ii) **Impact on Equalities** – Planning policy documents, at District and local area level, have the potential to identify and manage local equalities issues and must be prepared taking into account relevant equalities legislation. They should also be subject to an Equalities Impact Assessment.
- (iii) **Impact on Risk** – The LDS sets out the risks for the preparation of planning policy documents. This includes an assessment of impact and contingencies that are in place or can be put in place to minimise the risk. The risk of not having an LDS is that the Council cannot properly plan its resources for the delivery of robust planning policy and guidance.
- (iv) **Impact on Resources (financial)** – The LDS is being used to provide a comprehensive resource plan for the delivery of planning policy documents. It will inform the Council's financial strategy and annual budget setting. By reviewing the LDS on a regular basis, the Council can foresee any changes in expenditure and its impact on the Council's overall financial position.
- (v) **Impact on Resources (human)** – The LDS enables the Council to ensure that it has the most appropriate level of staff resources to deliver planning policy documents. This enables resources to be better managed and focussed on key areas and corporate priorities and ensures that staff are used in a flexible way to support the wider Planning Service as well as other key services, such as housing.

- (vi) **Impact on the Environment** – It is important that the Council adopts its Local Development Scheme to add greater certainty to planning decisions and to enable neighbourhood plans to be prepared positively and with local community involvement.

Background Papers: Local Development Scheme, 2017

Enquiries to: Karen Johnson, Principal Planning Policy Officer, (Tel: 01621 876283).

**MALDON DISTRICT COUNCIL
LOCAL DEVELOPMENT SCHEME
February 2018**



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Introduction

1. The Planning and Compulsory Purchase Act 2004, as amended by the Localism Act 2011, requires local planning authorities to prepare and maintain a Local Development Scheme (LDS). The purpose of the LDS is to set out the subject matter, area to be covered and timetable for the preparation and revision of local development documents, including Supplementary Planning Documents (SPDs) and the Statement of Community Involvement (SCI).
2. In essence, it is a project plan setting out the timetable for work to be undertaken from February 2018 until January 2019. It sets out details of the documents that will be given priority during this period.
3. This LDS has been prepared having regard to the Localism Act 2011, the Government's National Planning Policy Framework (NPPF), 2012, and the Town and Country Planning (Local Planning) (England) Regulations 2012 and the Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2017.
4. Unlike previous related regulations, the Local Planning Regulations 2012 do not contain any specific provisions relating to the preparation of the LDS, giving councils the freedom to report the information that they think most relevant to local people, while maintaining the requirement to keep the public informed about the status of planning documents. In particular, local planning authorities are no longer required to submit the LDS to the Secretary of State.
5. This LDS document will:
 - Provide details on Supplementary Planning Documents and other planning policy documents that the Council intends to produce and a timetable for their preparation up to January 2019;
 - Outline the 'Milestones' to be achieved as part of the process leading to the adoption of the various documents;
 - Provide details on the supporting documents which will form part of the Evidence Base;
 - Provide information on the Authority Monitoring Report;
 - Set out details on the approved Local Development Plan policies that are used to assess planning applications; and
 - Set out the resources available and any constraints.
6. It is important that plans for the future development of the District are produced in a timely and efficient manner. If not, development which is crucial to the social, economic and environmental well-being of the district and its residents may be delayed, the co-ordination of development and infrastructure provision may be difficult to achieve and it puts at risk the Council's ability to defend planning decisions at appeals.

Maldon Local Development Plan

7. On the 21 July 2017, the Secretary of State Approved the Maldon District Local Development Plan (LDP). The LDP includes the following components:
 - The spatial strategy for future growth within the District over the next 15 years;
 - Strategic development policies;
 - Development management policies; and
 - Land use allocations.
8. The diagram at **Appendix 1** sets out how the LDP sits within the hierarchy of planning policy

and supporting documents. The Policies Map supports the LDP, but does not form part of it.

9. On approval, the LDP replaced the 'Saved Policies' in the Replacement Local Plan (2005) and became the development plan document for the District. The approved policies are listed in **Appendix 2**.
10. The plan will be monitored annually and a review completed 5 years after adoption (2022).
11. The LDP is supplemented by the following:
 - a) **Statement of Community Involvement:** Sets out how the community will be engaged in the preparation of the planning policy documents and in determining planning applications in the District.
 - b) **Authority Monitoring Report:** Monitors the implementation and performance of policies and proposals in the LDP and will inform whether a LDP review is necessary.
 - c) **Evidence base:** These documents should be reliable and up-to-date and help inform the production of the LDP and other planning policy documents.
12. It should be noted that Essex County Council is the Minerals and Waste Planning Authority for Essex. The Essex Replacement Minerals Local Plan (RMLP) was adopted on the 8 July 2014 and the Replacement Waste Local Plan (RWLP) was adopted on the 11 July 2017. Although not produced by the Council, the Burnham-on-Crouch Neighbourhood Plan was 'made' by the Council on the 7 September 2017. These documents, together with the LDP form the Development Plan for the District. When any other neighbourhood plans become 'made' they will also become part of the Development Plan for the District.

Community Infrastructure Levy

13. The Community Infrastructure Levy (CIL) was introduced in the Planning Act 2008 and defined in the CIL Regulations 2010 (as amended). CIL is a locally set charge on new development that the Council will implement across the District. It is based on the size and type of development and once set in an area is mandatory to be paid and non-negotiable. The funds raised must be used to provide infrastructure which is required to support new development across the area.
14. National Planning Practice Guidance on CIL, paragraph 016 states that 'information on the charging authority area's infrastructure needs should be drawn from the infrastructure assessment that was undertaken as part of preparing the relevant Plan [i.e. local plan]. This is because the plan identifies the scale and type of infrastructure needed to deliver the area's local development and growth needs.'
15. The Council prepared an Infrastructure Delivery Plan in 2014, which was subject to scrutiny at the LDP examination, although it does not form part of the LDP. Many of the projects have been delivered, funding for some projects has been secured through S106 legal agreements and/or other initiatives are no longer required.
16. CIL rates are published within a Draft Charging Schedule. The CIL Regulations 2010 (as amended) require two stages of consultation to be undertaken before the Draft Charging Schedule can be submitted to government.
17. The first stage of CIL consultation (the Preliminary Draft Charging Schedule) was undertaken in

January - March 2014. The second stage, (the Draft Charging Schedule), presented the CIL rates which the Council intended to submit for Examination-in-Public. Consultation on the Draft Charging Schedule was undertaken, June - July 2014.

18. It is important that CIL is based on up-to-date evidence. With the delay in the approval of the Local Development Plan, the Council has decided to review its 2014 Infrastructure Delivery Plan and the Draft Charging Schedule to ensure they provide a sound foundation for a Levy. This will require another consultation before the Draft Charging Schedule is submitted, expected to be June-July 2018.
19. An examination into the Council's Draft Charging Schedule will then need to take place. This is largely reliant on the availability of a Planning Inspector, but a realistic timeframe is September-October 2018.

Document Title	Community Infrastructure Levy Charging Schedule
Role and Content	To establish a charging schedule for the application of a community infrastructure levy on new development
Coverage	Maldon District
Chain of Conformity	<ul style="list-style-type: none"> • Relevant Planning Acts and Regulations • National Planning Policy Framework and National Planning Practice Guidance • Maldon District Council Corporate Plan (2015 - 2019) • Local Development Plan • Infrastructure Delivery Plan • Evidence Base
Resource	<ul style="list-style-type: none"> • Planning Policy Team; • Other Council Officers; • Co-operation with neighbouring local planning authorities; • Co-operation with relevant stakeholders including infrastructure providers; • Use of technology and web-based communication to assist with consultation; and • Consultancy support to develop, review and update the evidence base.

Table 1: Community Infrastructure Levy Charging Schedule - Summary

Supplementary Planning Documents

20. Supplementary planning documents (SPDs) can be produced to build upon and provide more detailed guidance on the policies in the Local Development Plan. SPDs are not subject to independent examination, but are subject to public consultation lasting between 4 and 6 weeks. On adoption, SPDs will have material weight in decision-making on planning applications.
21. The Council produced and published five SPDs between 2006 - 2007. A further two SPD's were adopted in 2017: Maldon and Heybridge Central Area Masterplan (November 2017) and the Maldon Design Guide SPD (December 2017). These are illustrated in Table 2.

Supplementary Planning Document	Year of Adoption
Vehicle Parking Standards	2006
Children’s Play Spaces	2006
Accessibility to Buildings	2006
Sadd’s Wharf	2007
Heybridge Basin Timber Yard	2007
Maldon and Heybridge Central Area Masterplan	2017
Maldon Design Guide	2017

Table 2: Existing Supplementary Planning Documents

22. Prior to the preparation of Supplementary Planning Documents, the Council produced Supplementary Planning Guidance.

Supplementary Planning Guidance	Year of Adoption
Affordable Housing Guide	2005
Developer Contributions Guide	2006

Table 3: Existing Supplementary Planning Guidance

23. Since the adoption of these SPDs and SPGs, some of the policies which they supplemented have been updated, withdrawn or revoked. The Council will, where appropriate update, or withdraw these SPDs and SPGs in due course.
24. The Council proposes five new supplementary planning documents, as set out in Table 4. Unless specified, all will apply to the District only. The chain of conformity is similar for all the SPDs:
- Relevant Planning Acts and Regulations
 - National Planning Policy Framework and National Planning Policy Guidance
 - Maldon District Council Corporate Plan (2015 - 2019)
 - Local Development Plan
 - Evidence Base
25. The following resources will be used for each SPD, although the involvement of different officers and stakeholders may differ slightly to reflect the content and approach taken to each SPD:
- Planning Policy Team;
 - Other Council Officers;
 - Co-operation with neighbouring local planning authorities;
 - Co-operation with relevant stakeholders including infrastructure providers;
 - Use of technology and web-based communication to assist with consultation; and
 - Consultancy support to develop, review and update the evidence base.

Supplementary Planning Document	Purpose	Timetable
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Supplementary Planning Document	Purpose	Timetable
Affordable Housing and Viability	<ul style="list-style-type: none"> To provide detailed guidance on the Council's approach to affordable housing provision set out in LDP policies H1, H2 and H5, including: <ul style="list-style-type: none"> What affordable housing mix and tenure the Council expects as part of residential development; Greater clarity about off-site provision and financial contributions; The approach to be taken to Rural Exception Site applications; How the Council expects affordable housing to be delivered. To provide further details on when a viability assessment will be required, including: <ul style="list-style-type: none"> How the Council will take viability into account when considering planning applications; and What supporting information will be required. 	<p>March 2018 – Consultation Draft</p> <p>September 2018 – Approval of Final SPD</p>
Essex Coastal Recreation Avoidance and Mitigation Strategy (see paragraph 26)	<ul style="list-style-type: none"> To set out how each Council will secure financial contributions and other mitigation from new development that has an adverse recreational impact upon Natura 2000 sites in their District, in accordance with LDP policies N1 and N2. 	<p>December 2018 – Consultation Draft</p> <p>May 2019 – Approval of Final SPD</p>
Green Infrastructure Study	<ul style="list-style-type: none"> To provide a vision statement, concept plan, core principles and priority action plan to enhance the District's green infrastructure network, in accordance with LDP Policies N1-N3. 	<p>July 2018 - Consultation Draft</p> <p>December 2018 – Approval of Final SPD</p>
Renewable Energy and Low Carbon Technologies	<ul style="list-style-type: none"> To provide guidance on how to interpret LDP Policies D2 and D4 relating to the provision of renewable energy and to meeting sustainable building standards; To aid the understanding of building regulations by identifying techniques to improve the sustainability performance of buildings through their design, construction and use; To set out the Council expects renewable energy to be delivered and the information required to support a planning application. 	<p>January 2018 – Consultation Draft</p> <p>June 2018 – Approval of Final SPD</p>
Specialist Housing	<ul style="list-style-type: none"> To provide detailed guidance on the Council's approach to providing for older peoples housing in accordance with LDP policies H1, H2 and H3, including: <ul style="list-style-type: none"> What housing mix and tenure the Council expects as part of residential development; Greater clarity about location, accessibility 	<p>March 2018 – Consultation Draft</p> <p>September 2018 – Approval of Final SPD</p>

Supplementary Planning Document	Purpose	Timetable
	and design considerations; <ul style="list-style-type: none"> • Setting out how the Council expects specialist housing to be delivered. • To provide details on the type of information the Council will expect to be submitted with a planning application. 	
Vehicle Parking Standards	<ul style="list-style-type: none"> • To provide guidance on the amount and type of parking required in a range of new development in the District in accordance with LDP policies D1 and T2, including for motor vehicles, cycles and electric vehicles; • To provide details on the design and space requirements for parking provision. 	June 2018 – Consultation Draft December 2018 - Approval of Final SPD

Table 4: Proposed Supplementary Planning Documents

26. The Essex Coastal Recreation Avoidance and Mitigation Strategy SPD will cover the following authority areas: Basildon, Braintree, Brentwood, Castle Point, Chelmsford, Colchester, Rochford, Southend, Tendring and Thurrock. It is being prepared by Essex Place Services (Essex County Council) in partnership with the 11 authorities. The SPD will be designed to conform with each Council's approved or emerging Local Plan.

Masterplans and Design Codes

27. The following masterplans and design codes were approved by the Council prior to the adoption of the LDP. See Table 5 below.

Supplementary Planning Document	Timetable to Approval
North Heybridge Garden Suburb Strategic Masterplan Framework	Endorsed by Council – October 2014
South Maldon Garden Suburb Strategic Masterplan Framework	Endorsed by Council – September 2014
North Heybridge Garden Suburb Strategic Design Code	Endorsed by Council - February 2017
South Maldon Garden Suburb Strategic Design Code	Endorsed by Council – March 2016

Table 5: Master Plans and Design Codes

Statement of Community Involvement

28. The Statement of Community Involvement sets out how the community will be engaged in the preparation of planning policy documents and in determining planning applications in the District. The Council adopted its Statement of Community Involvement (SCI) in 2007. An addendum was approved in 2012.
29. The Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2017 will come into force in Spring 2018. A requirement will be that local authorities update their Statement of Community Involvement (SCI) every five years. This means that the SCI should be updated in the next year to take into account the adopted LDP, neighbourhood planning and new forms of consultation and engagement.

Supplementary Planning Document	Timetable to Approval
Statement of Community Involvement (SCI)	June 2018 - Draft SCI for public consultation November 2018 - Approval of Final document

Table 6: Statement of Community Involvement Timetable

Evidence Base

30. The LDP and other policy documents will be supported by evidence-based documents. These documents do not form part of the Development Plan but provide robust and reliable evidence to inform production of new documents.
31. Evidence base documents are reviewed regularly to ensure they are kept up-to-date and reflect changing local circumstances. These are available to view and download from the Council's website www.maldon.gov.uk/LDP.

Authority Monitoring Report

32. The policies within the LDP will be monitored and reviewed through the Authority Monitoring Report (AMR). This document is publicly available and reports on the delivery of key targets, including a statement relating to the Council's annual Five Year Housing Land Supply. The Council aims to publish the Authority Monitoring Report in September each year.
33. The AMR will include:
 - A statement on the progress of each document in the LDS project plan;
 - An analysis of how or whether the policies of the LDP are delivering their objectives, including key targets, such as the number of net additional dwellings, the number of net additional affordable dwellings for the last monitoring year, and since 21 July 2017 (the date the LDP was approved);
 - Details relating to any neighbourhood plans that have been made in the last monitoring year; and
 - Progress on the Community Infrastructure Levy.

Resources

34. The Planning Policy and Major Projects Team will be responsible for the delivery of the LDP, the production of Supplementary Planning Documents, CIL, the SCI and the AMR. In addition to these resources, there will also be contributions from other teams and departments within the Council. The Recreation Avoidance and Mitigation Strategy SPD will be produced by Essex Place Services in partnership with 10 other Essex authorities.
35. As far as possible, projects will be jointly undertaken by officers to ensure smooth work flow in case of any staff absence. The Council will consider employing consultants if the need arises within allocated budgets.
36. The Council will also continue to work closely with neighbouring authorities in joint working arrangements, such as for the Recreation Avoidance and Mitigation Strategy SPD, as well as for evidence base documents and research.

Risk Assessment

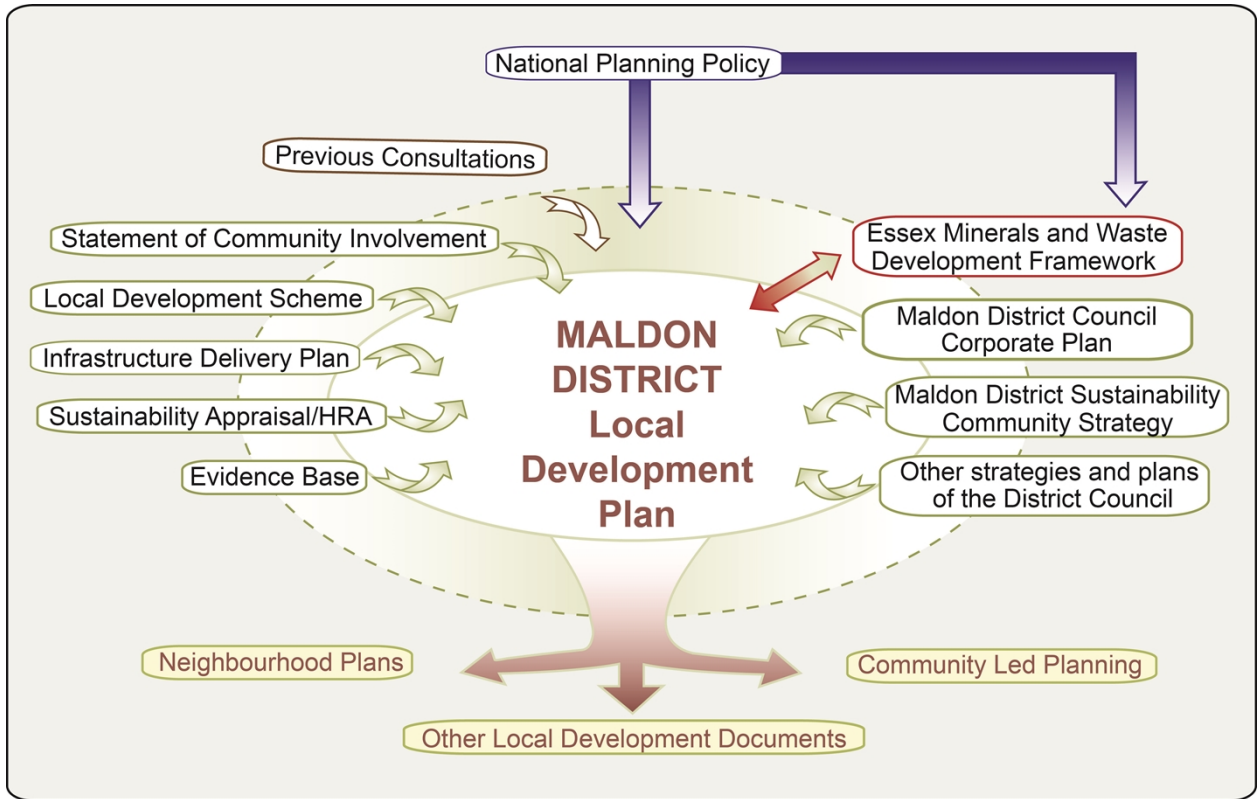
37. In preparing the LDS, the following risks have been identified that may affect or delay the process of delivering the Local Development Plan and the production of other planning policy documents. Contingency measures are suggested accordingly. The list is not exhaustive and does not include unlikely events which are difficult to foresee that temporarily cause a halt to normal Local Government.

Risk	Impact	Contingency	Responsibility
Revisions to national legislation and planning policy guidance – i.e. NPPF and Homelessness Reduction Act	<ul style="list-style-type: none"> Out of date LDP and/or evidence base, lack of guidance available 	<ul style="list-style-type: none"> Monitoring of national planning policy revisions Quick turnaround of updates to evidence base Provision of guidance notes and/or SPDs to provide clarification on specific issues 	Planning Policy Manager Principal Planning Policy Officer
Delays in political agreement	<ul style="list-style-type: none"> Delays in agreeing plans and documents 	<ul style="list-style-type: none"> Use of progress briefings to retain political awareness Use of delegated powers wherever appropriate 	Director of Planning & Regulatory Services Planning Policy Manager
Consultation fatigue (community being consulted too often on planning documents and by other agencies over a range of issues)	<ul style="list-style-type: none"> Poor response to consultations 	<ul style="list-style-type: none"> Minimise by arranging a coordinated programme and possibly integrating individual engagement activities with other agencies Update SCI to understand how people want to be consulted – i.e. effective use of website and social media 	Director of Planning & Regulatory Services Planning Policy Manager Communications Manager
Staff changes or staff loss (staff leaving post/time delays in recruitment)	<ul style="list-style-type: none"> Loss of institutional capacity Inconsistency 	<ul style="list-style-type: none"> On-going training and development to improve expertise and encourage staff retention; Loss of staff will be countered by recruiting permanent and where necessary temporary staff 	Director of Planning & Regulatory Services Planning Policy Manager
Additional unforeseen evidence base requirements	<ul style="list-style-type: none"> Poor evidence base which could lead to applications being challenged 	<ul style="list-style-type: none"> Use of specialist consultants to cover particular gaps in expertise 	Director of Planning & Regulatory Services Planning Policy Manager
Budget Constraints	<ul style="list-style-type: none"> Insufficient 	<ul style="list-style-type: none"> Annual budget review to 	Chief Executive

Risk	Impact	Contingency	Responsibility
	budget to cover costs	identify budget needs based on LDS <ul style="list-style-type: none"> • Council reserve of a contingency amount to fund additional financial needs. 	Director of Resources Director of Planning & Regulatory Services Planning Policy Manager

Table 7: Risks

Appendix 1: Local Development Plan Diagram



Appendix 2: Maldon District Local Development Plan: Policy List

Policy	Policy Title
S1	Sustainable Development
S2	Strategic Growth
S3	Place Shaping
S4	Maldon and Heybridge Strategic Growth
S5	Maldon and Heybridge Central Area
S6	Burnham-on-Crouch Strategic Growth
S7	Prosperous Rural Communities
S8	Settlement Boundaries and the Countryside
D1	Design Quality and the Built Environment
D2	Climate Change & Environmental Impact of New Development
D3	Conservation and Heritage Assets
D4	Renewable and Low Carbon Energy Generation
D5	Flood Risk and Coastal Management
D6	Advertisements
E1	Employment
E2	Retail Provision
E3	Community Services and Facilities
E4	Agricultural and Rural Diversification
E5	Tourism
E6	Skills, Training and Education
H1	Affordable Housing
H2	Housing Mix
H3	Accommodation for 'Specialist' Needs
H4	Effective Use of Land
H5	Rural Exception Schemes
H6	Provision for Travellers
H7	Agricultural and Essential Workers Accommodation
H8	Provision for Houseboats
N1	Green Infrastructure Network
N2	Natural Environment and Biodiversity
N3	Open Space, Sport and Leisure
T1	Sustainable Transport
T2	Accessibility
I1	Infrastructure and Services
I2	Health and Wellbeing

Appendix 3: Glossary

Authority Monitoring Report

Assesses the implementation of the Local Development Scheme and the extent to which policies in the Local Development Plan are being successfully implemented.

Development Plan Documents (DPDs)

The plan which identifies the future development of the District, drawn up by the Council in consultation with the community.

Development Management Policies

A suite of policies in the LDP that provide detailed technical guidance relating to the delivery of specific types of new development or address specific detailed planning issues.

Evidence Base

The evidence that any development plan document is based on. Includes documents relating to housing, the economy, the environment, infrastructure and transport.

Local Development Plan (LDP)

Sets out the planning strategy for future growth of the District over the next 15 years. It provides a spatial strategy for the delivery of the required future employment, homes, retail, community facilities and infrastructure. It identifies sites for new development and protects land for a variety of uses such as open space.

Local Development Scheme

A project plan which sets out the timetable for delivery of planning policy documents, the resources and risk involved.

National Planning Policy Framework (NPPF)

Sets out the government's planning policies for England and how these are expected to be applied.

National Planning Practice Guidance (NPPG)

A web based resource which provides more detailed guidance on the planning policies set out in the NPPF.

Policies Map

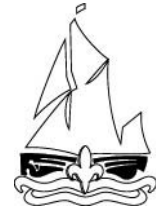
A visual representation of the policies in the LDP.

Statement of Community Involvement (SCI)

Sets out how the community will be engaged in the preparation of planning policy documents and in determining planning applications in the District.

Supplementary Planning Documents (SPD)

Adds further detail to the policies in the LDP. They can be used to provide further guidance for development on specific sites, or on particular issues, such as design. Can be a material consideration in planning decisions but are not part of the development plan.



**REPORT of
DIRECTOR OF PLANNING AND REGULATORY SERVICES**

to
PLANNING AND LICENSING COMMITTEE
25 JANUARY 2018

UPDATE ON APPEAL DECISIONS (APRIL – SEPTEMBER 2017)

1. PURPOSE OF THE REPORT

1.1 The purpose of this report is to inform the Committee of planning appeal performance on appeal decisions from April 2017 to September 2017.

2. RECOMMENDATION

Members are asked to note the content of the report and provide comment on the performance of the Local Planning Authority at appeal.

3. SUMMARY OF KEY ISSUES

3.1 This report is for Members’ information only but particular attention is drawn to the Council’s current performance of all appeals.

3.2 This report provides information by the relevant committee or officer delegated decision, overall performance and performance measured against the Department of Communities and Local Government (DCLG) performance figure for major application appeals.

3.3 Appeal results by application decision type: Quarter 1 and 2 2017/18 are as follows:

Application decision type	Allowed by the Planning Inspectorate (PINS) (i.e. the applicant was successful)	Dismissed by PINS (i.e. the Council was successful)
1. Appeals against Officer Delegated decisions	10	28
2a. Appeals against Central Area Planning Committee decisions as per report recommendation	0	0

Application decision type	Allowed by the Planning Inspectorate (PINS) (i.e. the applicant was successful)	Dismissed by PINS (i.e. the Council was successful)
2b. Appeals against Central Area Planning Committee decisions where decision made contrary to the report recommendation i.e. member overturn	0	0
3a. Appeals against South Eastern Area Planning Committee decisions as per report recommendation	0	4
3b. Appeals against South Eastern Area Planning Committee decisions where decision made contrary to the report recommendation i.e. member overturn	2	1
4a. Appeals against North Western Area Planning Committee decisions as per report recommendation	1	2
4b. Appeals against North Western Area Planning Committee decisions where decision made contrary to the report recommendation i.e. member overturn	2	1
5. Appeals against non-determination i.e. where the Council did not make a decision within the statutory time period and the applicant exercised the right of appeal	0	0
6. Appeals against Full Council decisions as per report recommendation	1	0
7. Appeals against Full Council decisions where decision made contrary to the report recommendation i.e. member overturn	2	0
Numbers Total	18	36
Decisions as a %	33.33%	66.67%

3.4 Appeal by type of appeal

1. Appeal type (Planning applications)	
Fast Track appeals (including Householder appeals)	16 (13)
Written Representation	32
Hearing	5
Public Inquiry	1
Total appeals	54

2. Appeal type (Appeals against Enforcement Notices)	
Written Representation	5
Hearing	0
Public Inquiry	1
Appeals withdrawn/Turned Away	2
Total enforcement appeals	8

3.5 **Costs awarded against the Council in January – March 2017**

Site address	Partial or full award allowed of costs	Delegated/Committee decision in accordance with recommendation/Committee decision overturn
Land west of Cemetery Chapel, Southminster Road, Burnham-on-Crouch	Partial award of costs	Committee decision in accordance with recommendation
Land to the west of Sunnyside, Stoney Hills	Partial award of costs	Delegated

3.6 Members will also be aware that since 2012 Councils that do not reach specific performance targets on major applications and major appeals may be considered as a ‘designated authority’ by the Secretary of State. In terms of major planning appeals this is measured over a two year period and the target threshold was 20%. However, in the Spending Review and Autumn Statement 2015 Government announced the strengthening of the performance regime for major appeals, by lowering the threshold for the quality of decisions to 10% of all major decisions overturned on appeal.

3.7 The new criteria for designating local planning authorities for poor performance in determining planning applications came into force on the 19 January 2017.

3.8 The Council’s performance against the government target is 10%. This has increased from the last report, which was 8.33%. The reason for the percentage increase predominately relates to the reduction in major applications determined in the time frame rather than due to an increase in major appeals lost (one appeal) in the same period. However, five of the thirteen appeals that are currently affecting our performance will no longer be part of the assessment period once the 10% threshold comes in to affect. It is not possible to provide a definitive estimation as appeals will be determined between now and the date, but it is considered that performance should be around 8% by the time of the introduction of the 10% threshold.

3.9 There are currently 22 outstanding appeals where decisions are yet to be made by the Planning Inspectorate. However, it must be noted that none of these will be dealt with at one public inquiry; this is a marked reduction when considered against the position the Council has found itself in over the last three years. These are as follows:

Appeal Type	Number
Public Inquiry	0
Hearing	6
Written Representation	12

Householder Appeal Process	4
TOTAL:	22

4. CONCLUSION

- 4.1 The general performance at appeal is relatively consistent over the last 6 months and it is envisaged that the adoption of the LDP should put the Council in a stronger position going forward.
- 4.2 Concern is raised in relation to the Council performance at major appeals. However, it is envisaged that by the time of the introduction of the 10% threshold the Council should be performing at around 8%.

5. IMPACT ON CORPORATE GOALS

- 5.1 Having an effective and planning service contributes to two Corporate Goals i.e. ‘Protecting and shaping the district’ and, ‘Delivering good quality, cost effective and valued services’.

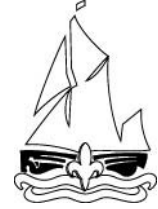
6. IMPLICATIONS

- (i) **Impacts on Customers** – The Council’s resources are being used effectively within the democratic process.
- (ii) **Impact on Equalities** – None.
- (iii) **Impact on Risk** – In the context of the increasing tendency to challenge Council decisions, it is necessary to maintain flexibility in how the authority responds to planning appeals. The Council is committed to embedding sound operational, financial and legislative internal controls and to ensuring that good corporate governance arrangements are in place to assist the Council with meeting its aims and objectives. In the light of the change in government’s threshold on performance for major planning appeals from 20% allowed to 10% this presents an increased risk to the Council and will be reflected as part corporate risk management particularly as the likelihood of exceeding the 10% is high.
- (iv) **Impact on Resources (financial)** – Decisions with regard to potential awards of costs can incur the Council in extra expenditure and need to be considered carefully. This has been covered in previous reports to Members. The resourcing levels required to manage appeals requires further review.
- (v) **Impact on Resources (human)** – The number of appeals has grown in the past three years and the resourcing appeals puts additional strain on the existing resources. Public Inquiries also require the assistance of barristers which add to the cost of defending appeals. This matter will need monitoring and reviewing.
- (vi) **Impact on the Environment** – None.

Background Papers: None.

Enquiries to: Matt Leigh, Group Manager - Planning Services, (Tel: 01621 875870).

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REPORT of CHIEF EXECUTIVE

to
PLANNING & LICENSING COMMITTEE
25 JANUARY 2018

HALF YEARLY REVIEW OF PERFORMANCE

1. PURPOSE OF THE REPORT

- 1.1 The purpose of this report is to supply Members with details of performance against targets set for 2017/18 and to ensure that progress is being achieved towards the corporate goals and the objectives detailed in the Corporate Plan 2015-19 adopted by Council in February 2015 (Minute No. 828 refers) with the most recent annual update approved by Council in April 2017.
- 1.2 Members should challenge performance or allocation of resources where the Committee feels that the Council's corporate goals have not or may not be achieved.
- 1.3 Where performance or progress is behind schedule or at risk, the reasons why need to be fully understood and decisions taken on what, if any, action is required to bring performance back on track.
- 1.4 Quarterly reviews of performance are undertaken by the Corporate Leadership Team and the Overview and Scrutiny Committee.
- 1.5 All of the performance information contained within this report is recorded on the Council's Performance and Risk Management system (TEN) to which all Members have access.

2. RECOMMENDATION

- (i) Members review the information as set out in this report and **APPENDIX 1** and their views and comments are sought.

3. SUMMARY OF KEY ISSUES

- 3.1 The format of the half yearly performance reports to this Committee is on an "exception" basis i.e. only those activities and indicators that are behind schedule, at risk or not on target will be included. This will ensure the focus is on those areas requiring attention and assisting Members to challenge performance or allocation of resources where the Council's corporate goals may not be achieved.

- 3.2 **APPENDIX 1** to this report details for each of the corporate goals:
- The key corporate activities which are assessed as being “behind schedule” or “at risk of not being achieved”
 - Indicators which are at risk of not achieving the end of year target.

The activities/indicators aligned with this Committee have been marked  to provide easy identification by Members.

3.3 **Complaints Received**

121 complaints and 7 compliments about services that report to this Committee were received by the Council between 1 April and 30 September 2017

Service Area	Total no. of compliments for service	Total no. of complaints for service
Environmental Services		50*
Housing	2	2
Planning Enforcement		1
Planning Development	5	68*

*all of the complaints received for Environmental Services and 50 received for Planning Development related to one specific planning enforcement issue.

Complaints received are investigated and action taken to improve service delivery where learnings are identified.

4. **CONCLUSION**

- 4.1 Good progress has been made on a number of activities which will contribute to the Council’s corporate goals and objectives. However, there are key corporate activities at risk or behind schedule and performance indicators which will not achieve the end of year target. The reasons why need to be fully understood and decisions taken on what, if any, action is required to bring performance back on track.

5. **IMPACT ON CORPORATE GOALS**

- 5.1 The Council stated its corporate goals and objectives in the Corporate Plan for 2015-19.
- 5.2 In turn, the services agreed actions (Key Corporate Activities) that they would take forward in 2017/18 to contribute to the achievement of these objectives. Performance indicators and measures were established to monitor the impact of these actions and to provide evidence of achievements.
- 5.3 To ensure that Maldon District Council (MDC) progresses towards or achieves the goals stated in the Corporate Plan, it is important that performance is monitored and managed against targets and milestones.

- 5.4 It is also important as the Council is accountable to the community that it is able to demonstrate it is monitoring and managing performance effectively.

6. IMPLICATIONS

- (i) **Impact on Customers** – Performance Management is about agreeing and achieving objectives and priorities, monitoring our performance against agreed targets and timescales, identifying opportunities for improvement, making necessary changes and ultimately delivering quality public services.
- (ii) **Impact on Equalities** – For the Council “Equalities” means understanding our staff and customers and making sure that our policies and services are designed to meet their needs and implemented appropriately.

MDC is committed to providing equal opportunity of access to services, and level of service provided, and to work towards developing communities that are free from discrimination.

- (iii) **Impact on Risk** – If performance is not managed effectively by the Council at both Committee and management level, there is a risk that the Council will not achieve its stated priorities and outcomes.
- (iv) **Impact on Resources (financial and human)** – If action is needed to bring key activities or indicators back on track to meet the targets set, a reallocation of resources may be required to ensure that objectives and priorities are achieved.
- (v) **Impact on the Environment** – None.

Background Papers: None.

Enquiries to: Fiona Marshall, Chief Executive, (Tel: 01621 875711) or
Julia Bawden, Performance and Risk Officer, (Tel: 01621 876223).

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Half Yearly Review of Performance 2017-18



PLANNING & LICENSING COMMITTEE

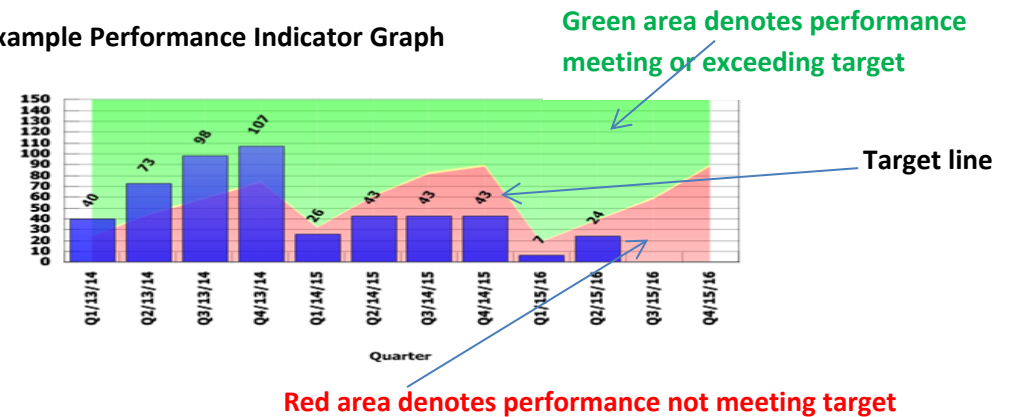
HALF YEARLY REVIEW OF PERFORMANCE 2017-18

The performance reports are produced on an “exception” basis; full details will only be included for those activities and indicators which are behind schedule, at risk or not on target

Status Definitions for Key Corporate Activities

At Risk	There are issues which could impact the completion/ achievement of the Key Corporate Activity in the future
Behind Schedule	Target date for completion of the Key Corporate Activity , or milestones upon which activity depends, have not been met
On Track	Work progressing satisfactorily, milestones upon which the activity depends are being met and overall target for completion should be achieved
Completed	Key Corporate Activity completed – no further work required

Example Performance Indicator Graph



Half Yearly Review of Performance 2017-18

Corporate Goal - Strengthening communities to be safe, active and healthy

Key Corporate Activities contributing to this goal - 4			
At Risk	Behind Schedule	On Track	Completed
	1	3	

Key Corporate Activities (KCAs)	Target Date	Status	Comments
<p>Identify and implement Strengthening Communities Strategy projects, such as 1) providing at least three volunteer projects within the District’s open spaces for improved conservation or improved amenity of those areas 2) Pilot project to tackle social isolation in identified area of need</p>	<p>March 2018</p>	<p>Behind schedule</p>	<p>The Strengthening Communities Task and Finish Group met in December and considered proposals to seek Member approval of a Strengthening Communities Vison, and to align the Strengthening Communities activities with the Health and Wellbeing activities through the Health and Wellbeing Partnership Group (Livewell Maldon Partnership Group). Members requested further information on the Partnership and how it operates before reaching a conclusion on aligning the priorities and using the Partnership to take forward both Strengthening Communities and Health and Wellbeing work.</p> <p>In the meantime, work continues on a pilot project in the north of the District, targeting areas which are at a high risk of loneliness and isolation. This project is being supported by resources provided by ECC, including a formal evaluation of the project.</p> <p>Officers are also developing a work stream to maximise volunteering opportunities in the Communities and Coast team. A number of volunteer projects have been implemented on Council sites, including Promenade Park, Elms Farm Park, Maldon, Heybridge and Burnham on Crouch Cemeteries. An average 5-6 people have been</p>

Half Yearly Review of Performance 2017-18

Key Corporate Activities (KCAs)	Target Date	Status	Comments
			volunteering on a fortnightly basis. A number of discussions have taken place with larger employers about conservation projects that their staff could contribute to and it is likely that the Community Payback scheme will be undertaking projects later in the year.

Half Yearly Review of Performance 2017-18

Indicators

For comparison purposes, where available, the figures for the previous year, for the same period in the previous year and the previous quarter are provided.

Indicator	16/17 Actual	17/18 Target	Q2 16/17	Cumulative For the Year 16/17	Q1 17/18	Q2 17/18	Cumulative For the Year 17/18	On track to achieve annual target
Level of reported crime <i>Low performance is good</i>	2,422 Incidents of all crime	Fewer reported incidents than in previous year	667 Incidents of all crime	1,298 Incidents of all crime	675 Incidents of all crime	669 Incidents of all crime	1,344 Incidents of all crime	No
	1,000 ASB incidents		306 ASB incidents	551 ASB incidents	250 ASB incidents	297 ASB incidents	547 ASB incidents	At risk
	Sanctioned detection rate 12.5%	No target	10.5% (April – Sept 2016)	10.5% (April – Sept 2016)	11.1%	11.1% (for the year to date)	11.1% (for the year to date)	N/A

Half Yearly Review of Performance 2017-18

Indicator	16/17 Actual	17/18 Target	Q2 16/17	Cumulative For the Year 16/17	Q1 17/18	Q2 17/18	Cumulative For the Year 17/18	On track to achieve annual target																										
<p>Comment on current performance</p> <p>See below</p>				<table border="1"> <caption>Quarterly Performance Data</caption> <thead> <tr> <th>Quarter</th> <th>Value</th> </tr> </thead> <tbody> <tr><td>Q1/15/16</td><td>548</td></tr> <tr><td>Q2/15/16</td><td>1,168</td></tr> <tr><td>Q3/15/16</td><td>1,760</td></tr> <tr><td>Q4/15/16</td><td>2,341</td></tr> <tr><td>Q1/16/17</td><td>631</td></tr> <tr><td>Q2/16/17</td><td>1,298</td></tr> <tr><td>Q3/16/17</td><td>1,922</td></tr> <tr><td>Q4/16/17</td><td>2,422</td></tr> <tr><td>Q1/17/18</td><td>675</td></tr> <tr><td>Q2/17/18</td><td>1,344</td></tr> <tr><td>Q3/17/18</td><td>0</td></tr> <tr><td>Q4/17/18</td><td>0</td></tr> </tbody> </table>					Quarter	Value	Q1/15/16	548	Q2/15/16	1,168	Q3/15/16	1,760	Q4/15/16	2,341	Q1/16/17	631	Q2/16/17	1,298	Q3/16/17	1,922	Q4/16/17	2,422	Q1/17/18	675	Q2/17/18	1,344	Q3/17/18	0	Q4/17/18	0
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<p>Comment on current performance</p> <p>The community safety partnership continues to implement activities identified within the agreed action plan for 2017/18. The partnership has delivered education and interventions for a wide range of areas for this current year which has included the following work:</p> <ul style="list-style-type: none"> • Officers continue to work alongside Essex Police and North LPA partners to develop an action plan to tackle gangs and organised crime. • Officers attend the MACE 1 and MACE 2 meetings to ensure that the needs of vulnerable children for the district are addressed and that processes are in place to tackle the criminal and sexual exploitation of young people. A SET CSE Toolbox has now been approved and a schools resource pack has now been developed and is available to primary and secondary schools. Members should note that both secondary schools in the district received a professional drama based on exploitation entitled Chelsea's Choice on 18 October 2017. This project has been funded by the Youth Strategy Group and delivered through the ECC Youth Service. • Officers continue to carry out educational events. This included the delivery of Stay Safe this Summer to 300 year 7 students in July focussing on drug awareness (including psychoactive substances). Get Ready for Summer was held at Promenade Park in July and included a wide range of partners including Essex Police, EFRS, NHW, Essex Watch, Provide, Anglian Water, Victim Support, Red Cross, Safer Roads Partnership, Moat Housing, Environment Agency, HM Coastguard, Land Rover Rescue and Maldon District Council. Crucial Crew was delivered to over 600 year 6 students in September and included workshops on fire safety, road safety, anti-bullying, internet safety, park safety, first aid and alcohol awareness. • Officers continue to engage with the public to ensure that we are aware of perceptions of crime in certain areas and have used events such as Get Ready 																																		

Half Yearly Review of Performance 2017-18

Indicator	16/17 Actual	17/18 Target	Q2 16/17	Cumulative For the Year 16/17	Q1 17/18	Q2 17/18	Cumulative For the Year 17/18	On track to achieve annual target
<p>for Summer, Blackwater Country Show and Burnham Carnival. This will complement the on-line surveys which we complete each year.</p> <ul style="list-style-type: none"> • Members should note that the ANPR system for the Dengie Peninsular is now live and operational at both locations. Essex Police will be asked for some sanitised performance statistics to indicate the effectiveness of this system. • Members should note that at the RAG meeting in October that funding was agreed from partnership funds to support a number initiatives. <p>In addition to the above, the following are being taken forward in the coming months:</p> <ul style="list-style-type: none"> • A successful public engagement event took place in Maldon in November which included parish councils, faith groups and schools. • Use of technology to collate information and data being extended e.g. Trucam and ANPR • CCTV in Maldon and Burnham Town Centres being upgraded • Responsible Authorities Group piloting “live” monitoring of CCTV • Feasibility of introducing Maldon “street pastors” • Partnership working with police on property marking initiative to reduce rural crime. 								

Half Yearly Review of Performance 2017-18

Corporate Goal - Protecting and shaping the District

Key Corporate Activities contributing to this goal – 10			
At Risk	Behind Schedule	On Track	Completed
1	3	4	2

Key Corporate Activities (KCAs)	Target Date	Status	Comments
<p>➔ Work with partners to seek funding/bring forward flood relief projects for identified surface and coastal flooding risk areas in the District</p>	<p>March 2018</p>	<p>At risk North Heybridge Flood Alleviation Scheme (FAS)</p>	<p>North Heybridge FAS - The Benefit Cost Ratio (BCR) score for the Flood Defence Grant in Aid bid did not reach the required level to achieve the funding sought to support the FAS project. This has also affected the Environment Agency’s position on ownership of the scheme and therefore puts the scheme at risk. A Peer review to reconsider the conclusions of Capita’s BCR score compared to the previous score generated is now underway and is due to be finalised by the end of January.</p> <p>The Council is awaiting confirmation of a Housing Infrastructure Fund (HIF) bid to support whole life costs of the FAS delivery.</p>
		<p>Behind schedule CDA 2 Scheme Brickhouse Farm</p>	<p>As a contingency measure Countryside Developers (CPUK) are now looking at amending the development to exclude the FAS and instead incorporate a sustainable urban drainage system ("SUDS") within the development. CPUK has instructed its consultants to begin work on designing and assessing the SUDS and assessing the impact on the wider scheme.</p> <p>It is important to note that all changes at this stage are occurring as a result of unilateral action by the Environment Agency and outside of what has currently been agreed or supported by MDC. The status of the scheme at present is that it is stalled due to the decision by EA not to fund and adopt the FAS, hence the</p>

Half Yearly Review of Performance 2017-18

Key Corporate Activities (KCAs)	Target Date	Status	Comments
			<p>application for HIF and alternative scheme proposals being worked up by the Developer</p> <p>A Member Seminar scheduled for January will provide an update to Members.</p> <p>Critical Drainage Area (CDA) 2 Scheme – This scheme (Brickhouse Farm) has been deferred to 18/19 Capital works. In the meantime further hydrology investigatory works are being completed to establish whether the scheme can be sited in an alternative position. This work will be reported to Members once complete. As a result this is considered to be "behind schedule" albeit this is outside of our control.</p>
<p>➔ Co-ordinate work with housing associations and developers to provide affordable housing and meet the identified requirements for older persons' independent living within the District</p>	<p>Ongoing</p>	<p>Behind schedule</p>	<p>Officers have been working with developers to understand the proposed schemes the have come forward district wide and whether they meet the definition of Independent Living. Those schemes have now been narrowed down to two and officers are working closely with those landowners to look at the schemes in more detail.</p>
<p>➔ Work with partners to deliver the new Maldon Health Hub</p>	<p>Ongoing</p>	<p>Behind schedule</p>	<p>The Health Hub Programme Board continues to meet to progress the Health Hub project.</p> <p>The Board has recently agreed to progress the development of the business case on the basis of no beds and including a midwifery-led birthing unit and this work is progressing.</p> <p>A detailed report is due to go before the January Community Service and Finance Committees seeking confirmation of the Council's aspirations for future involvement in funding and delivery of the project.</p>

Half Yearly Review of Performance 2017-18

Indicators

For comparison purposes, where available, the figures for the previous year, for the same period in the previous year and the previous quarter are provided.

Indicator	16/17 Actual	17/18 Target	Q2 16/17	Cumulative For the Year 16/17	Q1 17/18	Q2 17/18	Cumulative For the Year 17/18	On track to achieve annual target
<p>→ Quality of decision: % of total number of decisions on applications made during the assessment period overturned at appeal</p> <p>Low performance is good</p>	<p>8.33%</p> <p>Majors only (for the 2 year minus 9 months period as per DCLG assessment re quality of decisions)</p>	<p>8.5%</p> <p>(for both major and non-major applications)</p>	<p>9.4%</p> <p>Majors only (for the 2 year minus 9 months period as per DCLG assessment re quality of decisions)</p>	<p>8.1%</p> <p>Majors only (for the 2 year minus 9 months period as per DCLG assessment re quality of decisions)</p>	<p>9.92%</p> <p>(major applications)</p> <p>4.03%</p> <p>(non major applications)</p> <p>for the 2 year minus 9 months period</p>	<p>10 %</p> <p>(major applications)</p> <p>3.92%</p> <p>(non major applications)</p> <p>for the 2 year minus 9 months period</p>	N/A	<p>No (major applications)</p>

Half Yearly Review of Performance 2017-18

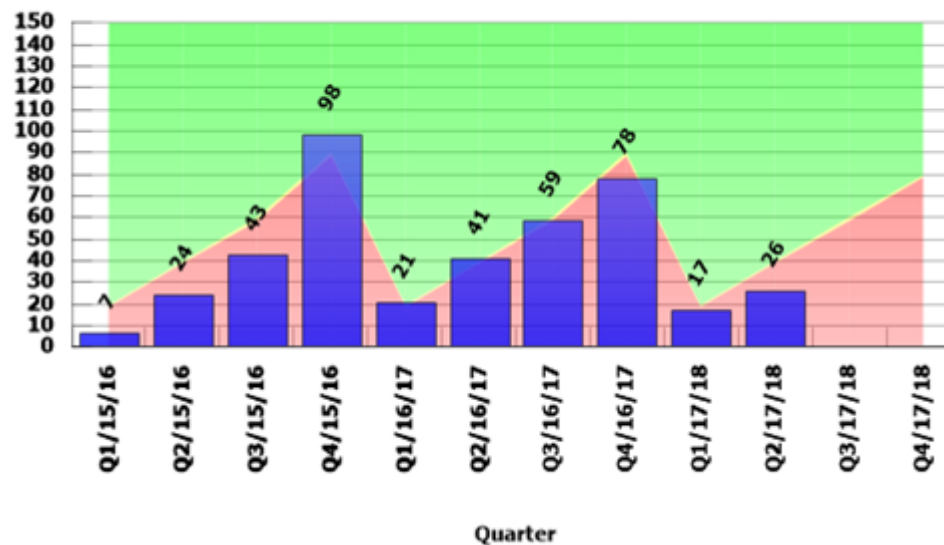
<p><u>Comment on current performance</u> This is continually monitored using a rolling period of 2 years minus 9 months, to indicate performance leading up to the annual assessment (of whether an authority is designated as underperforming) undertaken by DCLG in January. The threshold for appeal decisions allowed will reduce to 10% for the 2018 assessment and will be applied to applications for both major and non-major applications. While current performance is at this threshold for major applications, four of the applications allowed at appeal that are presently part of the assessment period will no longer be part of the consideration when the next assessment is undertaken and will no longer affect the Council’s performance statistics, therefore bringing us within the threshold.</p>				<p>% of total number of decisions on major applications made during the assessment period overturned at appeal</p>																														
				<table border="1"> <caption>Data for % of total number of decisions on major applications made during the assessment period overturned at appeal</caption> <thead> <tr> <th>Quarter</th> <th>Percentage</th> </tr> </thead> <tbody> <tr><td>Q1/15/16</td><td>8.6%</td></tr> <tr><td>Q2/15/16</td><td>8.8%</td></tr> <tr><td>Q3/15/16</td><td>9.5%</td></tr> <tr><td>Q4/15/16</td><td>9.8%</td></tr> <tr><td>Q1/16/17</td><td>9.4%</td></tr> <tr><td>Q2/16/17</td><td>8.1%</td></tr> <tr><td>Q3/16/17</td><td>6.6%</td></tr> <tr><td>Q4/16/17</td><td>8.3%</td></tr> <tr><td>Q1/17/18</td><td>9.9%</td></tr> <tr><td>Q2/17/18</td><td>10.0%</td></tr> <tr><td>Q3/17/18</td><td>-</td></tr> <tr><td>Q4/17/18</td><td>-</td></tr> </tbody> </table>					Quarter	Percentage	Q1/15/16	8.6%	Q2/15/16	8.8%	Q3/15/16	9.5%	Q4/15/16	9.8%	Q1/16/17	9.4%	Q2/16/17	8.1%	Q3/16/17	6.6%	Q4/16/17	8.3%	Q1/17/18	9.9%	Q2/17/18	10.0%	Q3/17/18	-	Q4/17/18	-
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Q3/16/17	6.6%																																	
Q4/16/17	8.3%																																	
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Q2/17/18	10.0%																																	
Q3/17/18	-																																	
Q4/17/18	-																																	
Indicator	16/17 Actual	17/18 Target	Q2 16/17	Cumulative For the Year 16/17	Q1 16/17	Q2 17/18	Cumulative For the Year 17/18	On track to achieve annual target																										
Total number of long term (i.e. longer than 6 months) empty homes in the District	219 as at 31/03/17 (of which 39 have been empty in excess of 5 years)	N/A	211 as at 30/09/16 (of which 37 have been empty in excess of 5 years)	N/A	221 as at 30/06/17 (of which 35 have been empty in excess of 5 years)	214 as at 30/09/17 (of which 37 have been empty in excess of 5 years)	N/A	N/A																										
➔ Number of long empty homes returned to use High performance is good	78	80	20	41	17	9	26	At risk																										

Half Yearly Review of Performance 2017-18

Comment on current performance

Since first tackling empty homes the need for housing has increased and the number of transactions (sales and lettings) has risen most years since 2008. This suggests that performance has now plateaued as the market may be encouraging empty home owners to bring their homes back into use. What may now remain is a higher proportion of properties that have been empty for periods far longer than was the average a few years ago. Some of these will require much more investment to bring them back into use and may even be unviable to refurbish in the worst cases.

This issue was considered by the Strategic Housing Board (SHB) in October when it was agreed that officers will look into options for more rigorous forms of intervention including enforcement action. The outcome of this is to be reported back to the SHB in December and updates provided to the various Committees.



Half Yearly Review of Performance 2017-18

Corporate Goal - CREATING OPPORTUNITIES FOR ECONOMIC GROWTH AND PROSPERITY

Key Corporate Activities contributing to this goal - 12				
Not started	At Risk	Behind Schedule	On Track	Completed
1			11	

Key Corporate Activities (KCAs)	Target Date	Status	Comments
<p>➔ Agree a vision for, and develop, a Planning Performance Agreement to maximise benefits from the development of a new nuclear power station at Bradwell</p>	<p>Vision - June 2017 Agreement – March 2018</p>	<p>Not started</p>	<p>The Council has recently been informed by EDF and CGN that the Department of Business, Energy & Industrial Strategy (BEIS) has confirmed that the nuclear regulators have been asked to begin the Generic Design Assessment (GDA) for the UK HPR1000 nuclear technology. This marks a first step in the process to seek permission to build a nuclear power station at Bradwell in Essex.</p> <p>The GDA process will take a number of years to complete. There are a number of different consents and permissions to be achieved before a nuclear power station can be constructed. As well as successful completion of the GDA process, other requirements include development consent, site licensing and environmental permits.</p> <p>The Council is working with Essex County Council to prepare a work plan of key areas for review linked to the draft Planning Performance Agreement (PPA) Vision. This will be reported to the Joint Member Bradwell Board in due course.</p> <p>Joint working with Suffolk Authorities continues.</p> <p>PPA likely spring 2018 onwards.</p>

Half Yearly Review of Performance 2017-18

Corporate Goal - Delivering good quality, cost effective and valued services

Key Corporate Activities contributing to this goal - 10				
Not Started	At Risk	Behind Schedule	On Track	Completed
1	1	4	4	

Key Corporate Activities (KCAs)	Target Date	Status	Comments
Implement Workforce Development Plan projects for 17/18: a) Monitor / review use of the Performance Review System and transfer it onto Human Resources Information System (HRIS) b) Develop a recruitment strategy c) Introduce a Total Reward Policy d) Conduct a Council-wide skills audit	March 2018	Performance Review At risk	While we continue to review the features of the HRIS no further action will be taken to implement self-service. Without this feature, the transfer of the performance review system to the HRIS will not proceed.
		Skills Audit Not started	The new performance review system relies on an accurate record for each member of staff to be logged. It was intended to utilise the HRIS for this purpose, although there would be an associated cost to configure onto the system. In the interim, PDF and Word forms have been created which have proved to be an effective solution at no additional cost. It is the intention to continue the current method as this more than meets the requirement of the new process and not incur any additional costs. Undertaking a Council wide skills audit has not started yet, but will be carried out for completion by the end of March 2018 with the analysis and actions to be undertaken in 2018/19.
Implement the ICT Strategy projects for 17/18: a) Implement a new telephony system b) Upgrade the e-mail system	March 2018 August 2017	Telephony Behind schedule	Telephony - The IT Team Leader has drafted the telephony system scope for review by Director of Resources. The IT Manager will be getting a copy of the specification used at Colchester BC for comparison and to update the draft MDC specification. Once this has been agreed by all stakeholders, procurement will be involved to progress the publication of
		E-mail Behind schedule	

Half Yearly Review of Performance 2017-18

Key Corporate Activities (KCAs)	Target Date	Status	Comments
			<p>project initiation documentation and to get demos of possible new solutions.</p> <p>E-mail -A review of the current Active Directory and Exchange 2007 environment has been completed, project documentation signed off, Microsoft partner consultancy specification written and out to tender and current infrastructure reviewed by external consultant.</p>
<p>Agree the vision for the Council’s Transformation Strategy and a programme of transformation projects for implementation</p>	<p>March 2018</p>	<p>Behind schedule</p>	<p>A report was scheduled to be submitted to Council in December.</p> <p>For 2018/19 the proposed KCA is “Deliver the Transformation Programme in accordance with the Commercial Strategy”.</p>
<p>Develop and implement an income generation programme</p>	<p>Ongoing</p>	<p>Behind schedule</p>	<p>The income generation programme includes the following:</p> <ul style="list-style-type: none"> • Treasury Management - implemented August 2017 • Housing options – decision December 2017 • Commercial property investment – registration July 2017 • Crematorium - ongoing project to report back in January 2018. <p>The key project within this programme is the Crematorium, which is considered to be behind schedule hence the overall status being assessed as such.</p>

Half Yearly Review of Performance 2017-18

Indicators

For comparison purposes, where available, the figures for the previous year, for the same period in the previous year and the previous quarter are provided.

Indicator	16/17 Actual	17/18 Target	Q2 16/17	Cumulative For the Year 16/17	Q1 17/18	Q2 17/18	Cumulative For the Year 17/18	On track to achieve annual target
<p>➔% of major planning applications acknowledged within 10 working days</p> <p>High performance is good</p>	89.47%	95%	100%	93.3%	86.67%	81.82%	84.62%	No
<p>➔% of minor planning applications acknowledged within 5 working days</p> <p>High performance is good</p>	54.57%	95%	43.42%	36.65%	60.56%	67.68%	64.7%	No

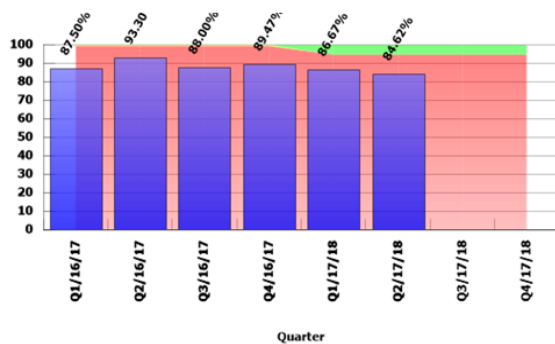
Half Yearly Review of Performance 2017-18

<p>→ % of other planning applications acknowledged within 5 working days</p> <p>High performance is good</p>	55.75%	95%	50.4%	43.91%	64.34%	63.41%	63.91%	No
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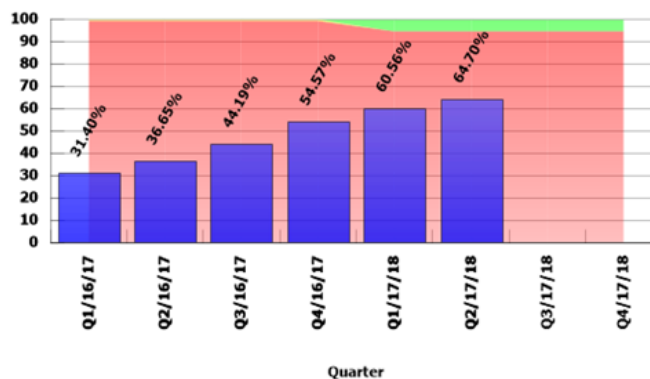
Comment on current performance

Work was undertaken by an external consultant to review a number of aspects of the Planning Service, which included looking at improving this area of performance.

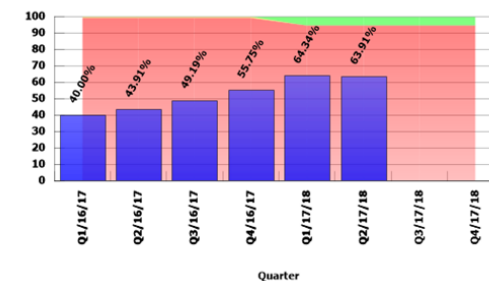
% of major planning applications acknowledged within 10 working days



% of minor planning applications acknowledged within 5 working days



% of major planning applications acknowledged within 10 working days

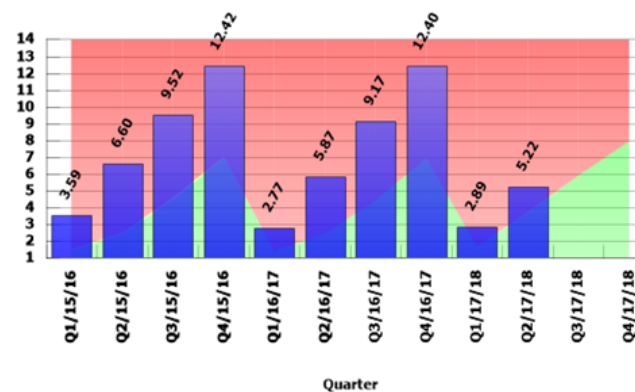


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Indicator	16/17 Actual	17/18 Target	Q2 16/17	Cumulative For the Year 16/17	Q1 17/18	Q2 17/18	Cumulative For the Year 17/18	On track to achieve annual target
Average number of days lost per (Full Time Equivalent) FTE due to sickness Low performance is good	12.4 days • 5.32 days short term absence • 7.08 days long term absence	8 days	3.1 days • 1.21 days short term absence • 1.89 days long term absence	5.87 days • 2.46 days short term absence • 3.41days long term absence	2.89 days • 0.85 days short term absence • 2.04 days long term absence	2.33 days • 1.25 days short term absence • 1.08 days long term absence	5.22 days • 2.1 days short term absence • 3.12 days long term absence	No

[Comment on current performance](#)

See below



Half Yearly Review of Performance 2017-18

Comment on current performance

A target of 8 days was set for 2017/18 based on the results of the 2016 CIPD Absence Management Survey which showed that the average figure for the public sector was 8.5 days per employee. However, it was acknowledged that this was a very stretching target.

The Q2 overall sickness figure fell to 428.96 total FTE days lost or 2.33 days total days lost per FTE which is the lowest quarterly overall figure since Q1 14/15 and demonstrates that the HR interventions, management training and new policy put in place to reduce levels are having a positive impact.

Human Resources and management continue to work in partnership to manage long term absences cases and implement effective interventions under the Attendance Management Policy. Free of charge flu vaccinations have again been offered to all staff and Members. This is hoped to have an impact on short term absence figures, particularly in the forthcoming winter months.

Managers receive monthly reports showing sickness absence trigger information via a 'Bradford Score' report generated by the new HR system. This shows the manager where action must be taken to instigate the formal absence management process with staff. Other interventions that have been introduced include the mandatory completion of return to work interviews and the provision of a new and highly responsive occupational health provision. Line managers are also required to report monthly to HR on actions taken to manage attendance.

A follow up training and workshop session on Attendance Management was delivered to all managers in August and September. They were made aware of the target and the importance of taking responsibility to manage attendance levels and to undertake the appropriate actions under the policy. It is hoped that the new policy and processes will facilitate a reduction in average sickness absence levels closer to the 8 days MDC target figure for the 17/18 financial year.



**REPORT of
DIRECTOR OF CUSTOMERS AND COMMUNITY**

to
PLANNING AND LICENSING COMMITTEE
25 JANUARY 2018

**UPDATE TO THE CRIMINAL CONVICTIONS POLICY AND LICENSING
CONDITIONS WITH REFERENCE TO PROPERTY LEFT IN TAXIS AND
PRIVATE HIRE VEHICLES**

1. PURPOSE OF THE REPORT

- 1.1 To agree an amendment to the licensing conditions for taxi and private hire drivers following concerns around the arrangements in place for property left in vehicles at the Committee meeting on 16 November 2017.

2. RECOMMENDATION

It is recommended that the amended licensing condition be agreed.

3. SUMMARY OF KEY ISSUES

3.1 Licensing conditions for taxis and private hire

- 3.1.1 The Committee report on 16 November 2017 detailed the Council's current licensing condition in terms of lost property which is:

‘The driver shall search the vehicle immediately after completion of a hiring for any property left by a passenger. If any such property is found it shall be returned to the owner within a reasonable period of time or if this is not practical, it shall be taken within 48 hours to the Maldon District Council Offices for deposit.’

The report identified that following consultation with the trade, the Council could be inundated with lost property placing an unnecessary burden on it. It was, therefore, proposed that the Council was omitted from the process. Subsequent comment from the trade also indicated that bringing lost property to the Council would place an unnecessary burden on the trade to comply with this condition.

- 3.1.2 Members discussed this condition and were concerned about the arrangements in place for lost property. There was a suggestion that lost property, especially items of high value, should be handed over to the Police, therefore, Essex Police were contacted for their views. It is Essex Police policy to encourage the finder of lost property to retain the property (with certain exceptions, e.g. drugs, weapons) rather than hand it over to them. They suggest where the owner of lost property cannot be found, it is sufficient for the finder to report this on the Essex Police website.

- 3.1.3 With this in mind, it is proposed that the licensing condition for taxi and private hire drivers is changed as follows:

‘The driver shall search the vehicle immediately after completion of a hiring for any property left by a passenger. If any such property is found, it shall be returned to the owner or reported on the Essex Police website within 48 hours. Records of lost property (including description of property; date returned to owner or reported on the Essex Police website; and date of disposal) to be maintained for twelve months.’

- 3.1.4 The Criminal Convictions Policy makes reference to lost property and the licensing conditions as follows:

‘The Council’s licensing conditions require drivers to return property to the owner within a reasonable period of time.’

To ensure there is no confusion between the Policy which says ‘reasonable time’ and the licensing condition which says ‘within 48 hours’, the Policy will be amended to cross reference the condition as follows:-

‘The Council’s licensing conditions for drivers (condition 11) requires property to be returned to the owner within a reasonable period of time.’

4. CONCLUSION

- 4.1 Following comment from the trade and input from Essex Police, it is proposed that the licensing condition for drivers in relation to lost property is amended to reduce the burden for the trade, the Council and Essex Police.

5. IMPACT ON CORPORATE GOALS

The licensing function plays a key role in delivering the corporate goal of helping communities to be safe, active and healthy. The amended condition helps ensure that lost property is safely returned to the owner.

6. IMPLICATIONS

- (i) **Impact on Customers** – The licensing conditions will help ensure the return of lost property to the owner and it will also reduce the burden for the trade.
- (ii) **Impact on Equalities** – None.
- (iii) **Impact on Risk** – None.
- (iv) **Impact on Resources (financial)** – None.
- (v) **Impact on Resources (human)** – None.
- (vi) **Impact on the Environment** – None.

Background Papers:

Licensing conditions for taxi and private hire drivers

Feedback from the taxi and private hire trade and Essex Police

Enquiries to:

Gill Gibson, Environmental Health Manager - Commercial, (Tel: 01621 875813).

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