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HEAD OF PAID SERVICE'S OFFICE
HEAD OF PAID SERVICE
Richard Holmes

10 July 2019

Dear Councillor

You are summoned to attend the meeting of the;

PLANNING AND LICENSING COMMITTEE

on **THURSDAY 18 JULY 2019** at **7.30 pm.**

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

A copy of the agenda is attached.

Yours faithfully



Head of Paid Service

COMMITTEE MEMBERSHIP

CHAIRMAN

Councillor Mrs P A Channer, CC

VICE-CHAIRMAN

Councillor Mrs M E Thompson

COUNCILLORS

B S Beale MBE
R G Boyce MBE
M F L Durham, CC
M R Edwards
Mrs J L Fleming
A S Fluker
C Mayes
W Stamp

Please note: Limited hard copies of this agenda and its related papers will be available at the meeting. Electronic copies are available via the Council's website.

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AGENDA
PLANNING AND LICENSING COMMITTEE
THURSDAY 18 JULY 2019

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

2. **Apologies for Absence**

3. **Minutes of the last meeting** (Pages 5 - 14)

To confirm the Minutes of the meeting of the Committee held on 6 June 2019 (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. **Draft Tiptree Neighbourhood Plan** (Pages 15 - 22)

To consider the report of the Director of Strategy, Performance and Governance (copy enclosed).

7. **Consultation Questionnaire: Essex County Council Sustainable Drainage Systems Design Guide Update** (Pages 23 - 86)

To consider the report of the Director of Strategy, Performance and Governance (copy enclosed).

8. **Local Development Scheme - Review of 2005 - 2007 Supplementary Planning Documents** (Pages 87 - 222)

To consider the report of Director of Strategy, Performance and Governance, (copy enclosed).

9. **Consultation Response to the Draft National Flood and Coastal Erosion Risk Management Strategy** (Pages 223 - 240)

To consider the report of the Director of Strategy, Performance and Governance, (copy enclosed).

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

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

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Closed-Circuit Television (CCTV)

This meeting is being monitored and recorded by CCTV.



**MINUTES of
PLANNING AND LICENSING COMMITTEE
6 JUNE 2019**

PRESENT

Chairman	Councillor Mrs P A Channer, CC
Vice-Chairman	Councillor Mrs M E Thompson
Councillors	B S Beale MBE, R G Boyce MBE, M F L Durham, CC, M R Edwards, Mrs J L Fleming, A S Fluker, C Mayes and W Stamp
Ex-Officio Non- Voting Member	Councillor M S Heard

117. CHAIRMAN'S NOTICES

The Chairman welcomed Members the first meeting of the municipal year and drew attention to the list of notices published on the back of the agenda.

118. APOLOGIES FOR ABSENCE

There were none.

119. MINUTES OF THE LAST MEETING

RESOLVED that the Minutes of the meeting of the Committee held on 11 April 2019 be approved and confirmed.

120. DISCLOSURE OF INTEREST

Councillor M F L Durham disclosed a non-pecuniary interest as a Member of Essex County Council in any items on the agenda relating to the County Council and particularly Agenda Item 11 – Green Essex Strategy Consultation.

Councillor R G Boyce declared a non-pecuniary interest in the following Agenda Items as he was the trustee of an Almshouse Association:

- Agenda Item 7 - Approval to Adopt the Lists of Local Heritage Assets for the Parishes of Althorne, Cold Norton, North Fambridge, Purleigh and Stow Maries.
- Agenda Item 8 - Approval to Consult on the Draft Lists of Local Heritage Assets for the Parishes of Heybridge, Maldon and Southminster.

- Agenda Item 9 - Amendment to Affordable Housing and Viability Supplementary Planning Document.

In respect of Agenda Item 7 Councillor Boyce also declared a pecuniary interest advising that the effect upon the Almshouse Trust could have a serious financial detrimental effect and he would therefore leave the meeting when this item was considered.

Councillor Mrs J L Fleming disclosed a pecuniary interest in Agenda Item 7 - - Approval to Adopt the Lists of Local Heritage Assets for the Parishes of Althorne, Cold Norton, North Fambridge, Purleigh and Stow Maries as she owned property around Bush Farmhouse and would be leaving the meeting when this item of business was considered.

Councillor Mrs P A Channer disclosed interests in relation to the following items of business:

- Agenda Item 7 - - Approval to Adopt the Lists of Local Heritage Assets for the Parishes of Althorne, Cold Norton, North Fambridge, Purleigh and Stow Maries pecuniary interest as she was a trustee of the Henry Guilden Drake Almshouse Charity and lived opposite property belonging to the Charity. She also advised that she had previously taken advice on this matter but was mindful of the declaration made by Councillor Boyce in respect of this item of business. Councillor Mrs Channer also advised that Stow Maries fell within her Essex County Council division as did other items on this agenda.
- Agenda Item 8 - Approval to Consult on the Draft Lists of Local Heritage Assets for the Parishes of Heybridge, Maldon and Southminster, non-pecuniary interest as she was a trustee of the Henry Guilden Drake Almshouse Charity.
- Agenda Item 9 - Amendment to Affordable Housing and Viability Supplementary Planning Document as she was a trustee of the Henry Guilden Drake Almshouse Charity.
- Agenda Item 11 – Green Essex Strategy Consultation, non-pecuniary interest as a Member of Essex County Council.

121. PUBLIC PARTICIPATION

No requests had been received.

122. REVIEW OF PERFORMANCE 2018 / 19

The Committee considered the report of the Director of Planning and Regulatory Services giving details of performance against targets set for 2018 / 19 and to ensure that progress was being achieved towards the corporate goals and objectives detailed in the Corporate Plan 2015 - 19 adopted by the Council.

Councillors Mrs P A Channer and M F L Durham declared non-pecuniary interests in matters relating to this item of business as Essex County Councillors.

The Key Corporate Activities (KCAs) assessed as being “behind schedule” or “at risk of not being achieved” along with indicators which had not achieved their end of year target were set out in Appendix 1 to the report. A summary of the complaints and compliments received during 2018 / 19 were set out in the report.

A lengthy debate took place during which Members raised a number of points and information was provided by Officers in relation to the following:

- **% of other planning applications acknowledged within 5 working days –** The Director of Strategy, Performance and Governance advised that although short of the target, performance had been improving over the years. Within the Directorate work was ongoing to fill any staffing gaps and take operational action in respect of interim cover where required.
- In response to a question regarding the complaints received and to what they related, the Director of Strategy, Performance and Governance advised that he could provide that meeting outside of this meeting.

RESOLVED that performance against the targets set for 2018 / 19 be noted.

Following their earlier declarations Councillor R G Boyce, Mrs P A Channer and Mrs J L Fleming left the meeting at this point. Prior to leaving the meeting, Councillor Mrs Channer confirmed that she had not taken part in any discussions at Henry Guilder Drake regarding the following item of business.

IN THE CHAIR : COUNCILLOR MRS M E THOMPSON

123. APPROVAL TO ADOPT THE LISTS OF LOCAL HERITAGE ASSETS FOR THE PARISHES OF ALTHORNE, COLD NORTON, NORTH FAMBRIDGE, PURLEIGH AND STOW MARIES

The Committee considered the report of the Director of Strategy, Performance and Governance seeking Members’ approval to adopt the Lists of Local Heritage Assets for the Parishes of Althorne, Cold Norton, North Fambridge, Purleigh and Stow Maries (attached at Appendix 1 to the report).

The report provided background information on listed buildings within the District and how the Planning Practice Guidance encouraged Local Planning Authorities to identify ‘non-designated heritage assets’ against consistent criteria. Adding them to a ‘local list’ was considered a positive way of improving the ‘predictability of the potential for sustainable development’. The Council’s Conservation Officer was currently drafting lists for each Parish and a timetable for this was set out in Appendix 2 to the report with a target completion date of March 2021.

Draft lists for the Parishes of Althorne, Cold Norton, North Fambridge, Purleigh and Stow Maries had been approved for publication in January 2019. Following public consultation, a number of responses had been received (a summary of these was set out in Appendix 3) and the report highlighted a number which resulted in proposed amendments. Members were advised that the draft lists (Appendix 1) had been amended to reflect the proposed amendments.

Members asked that their thanks be passed to the Conservation Officer for his work on all the Lists of Local Heritage.

RESOLVED that the Lists of Local Heritage Assets for the Parishes of Althorne, Cold Norton, North Fambridge, Purleigh and Stow Maries be approved for formal adoption.

Councillors Boyce, Mrs Channer and Mrs Fleming returned to the chamber at this point.

IN THE CHAIR : COUNCILLOR MRS P A CHANNER

124. APPROVAL TO CONSULT ON THE DRAFT LISTS OF LOCAL HERITAGE ASSETS FOR THE PARISHES OF HEYBRIDGE, MALDON AND SOUTHMINSTER

The Committee considered the report of the Director of Strategy, Performance and Governance seeking Members' approval to consult on the Draft Lists of Local Heritage for the Parishes of Heybridge, Maldon and Southminster (attached at Appendix 1 to the report).

The report provided background information on listed buildings within the District and how the Planning Practice Guidance encouraged Local Planning Authorities to identify 'non-designated heritage assets' against consistent criteria. Adding them to a 'local list' was considered a positive way of improving the 'predictability of the potential for sustainable development'.

Draft lists for the Parishes of Heybridge, Maldon and Southminster had been produced with assistance from local historians. If Members were to approve these for public consultation, they would be published on the Council's website and each relevant Parish Council and owner / occupier would be written to. Consultation responses would be reported to a future meeting of this Committee, along with any updates prior to adoption.

In response to a question regarding why a finger post in Heybridge had not been included, the Director of Strategy, Performance and Governance advised that he did not have the information available but would consult with the Conservation Officer and advise the Member accordingly. It was noted that a thorough survey of each area had been carried out, but the Director advised he would check if further proposals could be put forward as part of the consultation. The Director of Strategy, Performance and Governance advised that there was a definition regarding what was included and he agreed to circulate this definition to all Members outside of the meeting. Members were further advised that there may have been a number of eligible assets but Officers had been selective to make sure those listed warranted this categorisation.

Reference was also made to the telephone boxes at the top of Market Hill, Maldon and the Director of Strategy, Performance and Governance agreed to check with the Conservation Officer regarding these and advise accordingly.

RESOLVED that the Draft Lists of Local Heritage for the Parishes of Heybridge, Maldon and Southminster be approved for public consultation.

**125. AMENDMENT TO AFFORDABLE HOUSING AND VIABILITY
SUPPLEMENTARY PLANNING DOCUMENT**

The Committee considered the report of the Director of Strategy, Performance and Governance seeking Members' consideration of an amendment to the Affordable Housing and Viability Supplementary Planning Document (SPD) and seeking its approval for public consultation.

Members were reminded that the Affordable Housing Viability SPD had been adopted by the Council in November 2019. The report highlighted an issue which had arisen regarding the interpretation of the 'additional evidence; step of the flow chart at Fig. 2 on page 38. In order to remove any uncertainty, the report set out a proposed amendment, but this would require public consultation prior to the SPD being revised and adopted.

RESOLVED that the proposed amendment to the Affordable Housing and Viability Supplementary Planning Document be approved for public consultation.

126. UPDATE ON APPEAL DECISIONS (OCTOBER 2018 - MARCH 2019)

The Committee considered the report of the Director of Strategy, Performance and Governance informing Members of planning appeal performance on appeal decisions from October 2018 – March 2019.

The results of appeals by application decision type for the period were set out in the report along with details of any costs awarded / paid out.

It was noted that the adoption of the Local Development Plan had put the Council in a stronger position when defending appeals.

In response to a question the Director of Strategy, Performance and Governance explained that Officers would always review appeal decisions and highlight any learning from them. However, he would reiterate this back to the service and ensure that it continued.

Members commented on the report and it was highlighted that further detail in respect of the number of applications considered by Committees would be useful by way of comparison. Members also requested details of the sites in relation to appeal decisions.

RESOLVED that the contents of the report be noted.

127. GREEN ESSEX STRATEGY CONSULTATION

The Committee considered the report of the Director of Strategy, Performance and Governance, seeking Members' consideration of submitting a response to the Essex County Council consultation on the Green Essex Strategy (GES).

It was noted that the purpose of the GES was to take a positive approach to enhance, protect and create an inclusive and integrated network of high-quality green

infrastructure in Greater Essex, to create a county-wide understanding of green infrastructure and to identify opportunities for implementing green infrastructure.

RESOLVED that the draft consultation responses to the Green Essex Strategy, as set out in section 3.9 of the report, be approved and submitted to Essex County Council.

Section	Draft consultation response
Economy objective - Secure funding for new and existing green infrastructure to ensure their sustainability	The objective should be re-named 'Funding', as the aim to secure funding for Green Infrastructure (GI) is not related to 'economy' as a topic. An additional objective related to the title 'Economy' should be considered, to recognise the importance of GI to the wider economy (e.g. tourism).
3.1 Green Infrastructure Assets of Greater Essex, page 11	It is understandable that agricultural land has been illustrated on a separate map to the Green Assets map, as it would mask the distribution of GI across the county, if the two were included on the same map. However, the map of agricultural land should not be relegated to an appendix. Agricultural land forms 68% of the county and the importance of farming to GI, in terms of food production, landscape and biodiversity should be given a higher profile in this strategy. The agricultural land map should be provided on the page after the GI map on page 12.
Page 23 Local and regional policy	Links to the Local Plans, local authority Design Guides and Green Infrastructure Strategies should be provided. This would reflect the approach taken in the Essex Design Guide, which includes a specific section linking to the other Essex local authorities' design guides.
Table 2 Project delivery of the objectives, page 39/102- Objective: Increase use and inclusivity of green infrastructure across all social groups and abilities	The two proposals listed are both aimed at young people. These do not cover all social groups and abilities (e.g. older people, people with disabilities, BAME) as the objective states and therefore the proposals do not meet the stated aim of this objective.
Page 46 – Essex Design Guide section	Links to the local authority Design Guides and Green Infrastructure Strategies should be provided here. This would reflect the approach taken in the Essex Design Guide, which includes a specific section linking to the other Essex local authorities' design guides.
Page 52 – create green infrastructure as part of new developments	3rd paragraph – technical correction required: 'All the Local Plans are being reviewed regarding their policies on green infrastructure in line with the NPPF.' Under the National Planning Policy Framework (NPPF) an adopted Local Plan must be reviewed every five years - but not just for GI policies - which this sentence suggests. Only a few Local Plans in Essex have been recently adopted, several are in the final stages of preparation.

Section	Draft consultation response
	Revise to: Local Plan preparation or review should include policies to support green infrastructure, in line with the NPPF. These policies can provide for biodiversity net gains and off setting, as well as expanding this approach to
Section 9.8 Agriculture page 86	The text on environmental and countryside stewardship schemes could be expanded and strengthened to include a map showing the areas of the county being farmed under these schemes (available from Magic Map) and the land area/% of Essex covered by these initiatives.
Throughout – references to the Recreational disturbance Avoidance Mitigation Strategy (RAMS) e.g. pg. 92	References to RAMS need to be reviewed and, where necessary, updated by the Place Services team drafting the RAMS SPD.
Page 100 Action Plan proposal – Develop the Coast Path in Essex	This need to recognise that the recreational impact of the Coast Path on the coastal habitat sites need to be mitigated.
GES Appendices	
Appendix 2 - Map of Productive Spaces and the Agricultural Land Classification page 12	The text downgrades the contribution that agricultural land managed under the environmental and countryside stewardship schemes contribute to Green Infrastructure in the County. Include an additional map showing the areas of land managed under these initiatives (data available from Magic Maps).

128. APPOINTMENT OF REPRESENTATIVES ON LIAISON COMMITTEES / PANELS

Councillor M S Heard joined the meeting during this item of business.

The Committee considered the report of the Director of Strategy, Performance and Governance seeking Members' consideration of appointment to the Committees / Panels as set out in the report for the ensuing municipal year and made the following proposals:

- Blackwater River Member Task and Finish Working Group:**
 Councillor Mrs M E Thompson proposed that Councillors R G Boyce, Mrs P A Channer, M F L Durham, Mrs J L Fleming, A S Fluker and Mrs M E Thompson be appointed to this Working Group. This proposal was duly seconded.

Councillor B S Beale proposed that Councillor C Mayes be added to the Working Group.

The Chairman moved the proposal in the name of Councillor Mrs Thompson and upon a vote being taken this was agreed.

- Bradwell Power Station Working Party**

Councillor A S Fluker provided the Committee with some history regarding the working Party which was set up in 1999 and commented on the political balance agreed at that time. He noted the ongoing work in respect of Bradwell Power Station and that there was not a Working Group which addressed the post care and maintenance of the building or Bradwell B. Councillor Fluker proposed that the Membership of this Working Group be referred back to the Council for them to review it and its Terms and Conditions. This was duly seconded.

In response to a question regarding the Bradwell Legacy Partnership the Director of Strategy, Performance and Governance advised that this group no longer met but funding did still exist.

The Chairman put the proposal of Councillor Fluker to defer this matter to the Council and upon a vote being taken this was duly agreed.

- **Maldon and Blackwater Estuary Coastal Community Team (Management Team)**
Councillor Mrs Thompson proposed that Councillor R G Boyce and A S Fluker be appointed as the name substitutes to this Group. This proposal was duly seconded and agreed.
- **Recreational Avoidance and Mitigation Strategy Member Forum**
Councillor Mrs Thompson proposed that Councillor Mrs P A Channer be appointed to this Forum due to her experience. This proposal was duly seconded and agreed.
- **River Crouch Coastal Community Team (Management Team)**
Councillor W Stamp proposed that she be appointed as a named substitute. This proposal was duly seconded.

Councillor Mrs Thompson proposed that Councillor A S Fluker remained as the appointed substitute.

The Chairman then put the proposal in the name of Councillor Stamp and upon a vote being taken this was declare lost.

Councillor Mrs Thompson then proposed that Councillors R G Boyce and A S Fluker be appointed as the name substitutes. This proposal was duly seconded and upon a vote being taken was agreed.

RESOLVED

- (i) that the appointments to the following bodies for the municipal year 2019 / 20 be agreed:

Body	2019 / 20 Representative(s)
Blackwater River Member Task and Finish Working Group	R G Boyce, Mrs P A Channer, CC, M F L Durham, CC, Mrs J L Fleming, A S Fluker and Mrs M E Thompson

Body	2019 / 20 Representative(s)
Maldon and Blackwater Estuary Coastal Community Team (Management Team)	Chairman and Vice-Chairman of the Community Services and Planning & Licensing Committees <i>Substitutes: Councillors R G Boyce MBE and A S Fluker</i>
Member representative for Heritage and Design	Chairman of the Planning and Licensing Committee (or their substitute)
Place Board (Minute 704 – 17/12/15)	Chairman of the Planning and Licensing Committee
Recreational Avoidance and Mitigation Strategy Member Forum	Councillor Mrs P A Channer, CC
River Crouch Coastal Community Team (Management Team)	Chairman and Vice-Chairman of the Community Services and Planning & Licensing Committees <i>Substitutes: Councillors R G Boyce MBE and A S Fluker</i>

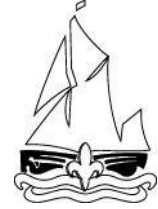
RECOMMENDED

- (ii) that the Terms of Reference and membership of the Bradwell Power Station Working Party be reviewed.

There being no further items of business the Chairman closed the meeting at 8.32 pm.

MRS P A CHANNER, CC
CHAIRMAN

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**REPORT of
DIRECTOR OF STRATEGY, PERFORMANCE AND GOVERNANCE**

**to
PLANNING AND LICENSING COMMITTEE
18 JULY 2019**

DRAFT TIPTREE NEIGHBOURHOOD PLAN

1. PURPOSE OF THE REPORT

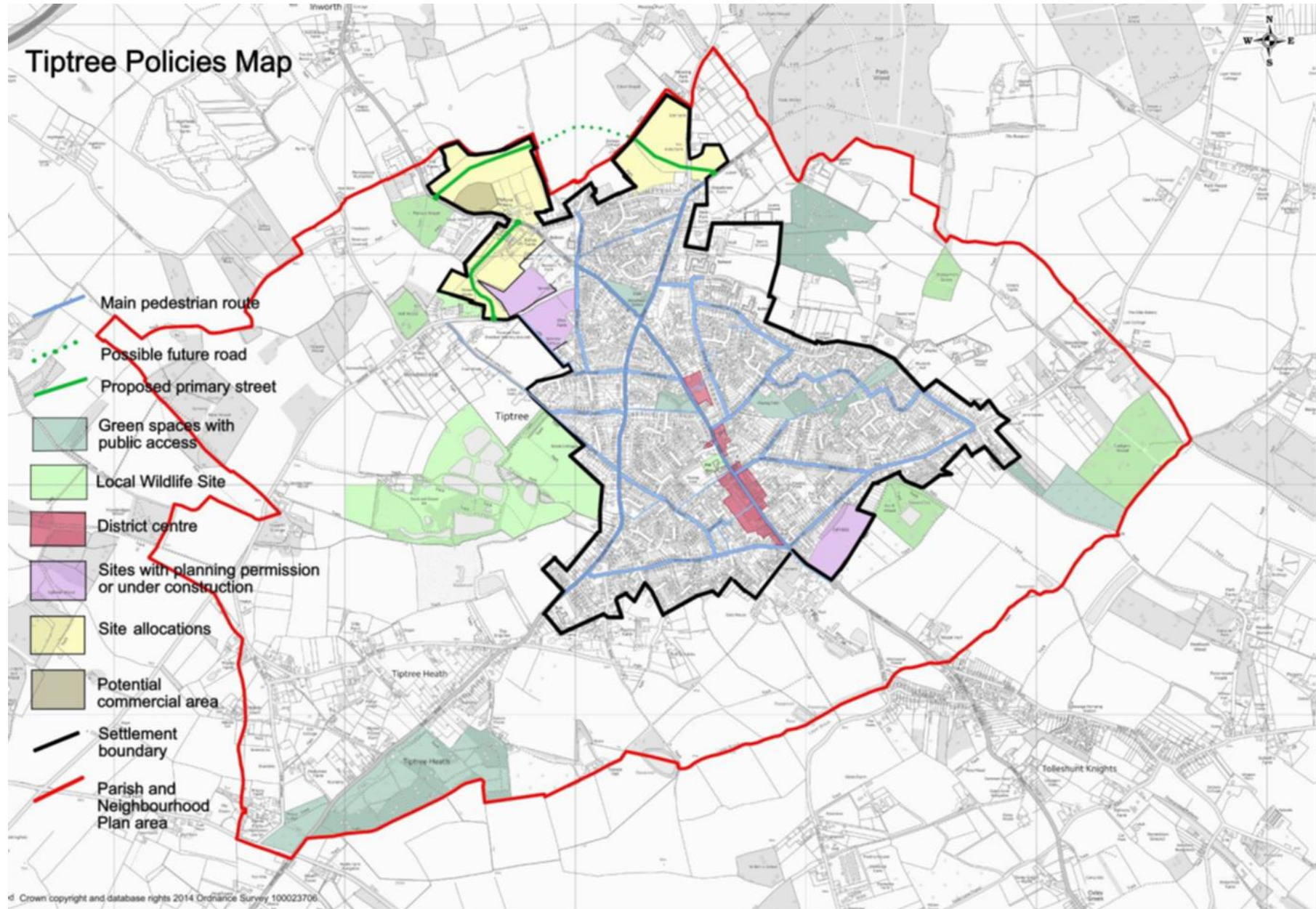
- 1.1 The draft Tiptree Neighbourhood Plan has been published for consultation. The consultation is open until 21 July 2019. This report summarises the draft Neighbourhood Plan and includes draft comments for this Committee to consider submitting as the Council's response to the consultation.

2. RECOMMENDATION

That the draft consultation responses to the draft Tiptree Neighbourhood Plan, as detailed in paragraph 3.13 of this report, be approved and submitted to Tiptree Parish Council.

3. SUMMARY OF KEY ISSUES

- 3.1 Tiptree Parish Council are currently consulting on the draft Tiptree Neighbourhood Plan (NP). Maldon District Council has been consulted as a neighbouring local authority.
- 3.2 Through the draft Colchester Local Plan (policy SG8-Neighbourhood Plans), Tiptree Neighbourhood Plan is allocated 600 dwellings. Previously, this committee approved the consultation response to the Colchester Local Plan (20 July 2017 minute no. 276). At that time, the consultation response on policy SG8-Neighbourhood Plans focussed on the potential impact on local road network of the expansion of Tiptree. The Neighbourhood Plan addresses these concerns.
- 3.3 The purpose of the Tiptree Neighbourhood Plan is to guide development within the parish and provide guidance to any interested parties wishing to submit planning applications for development within the parish. The process of producing the plan has sought to involve the community as widely as possible and the different topic areas are reflective of matters that are of importance to Tiptree, its residents, businesses and community groups.
- 3.4 **Spatial Strategy**
- 3.4.1 The settlement boundary for Tiptree has been extended to incorporate the new residential allocations to the north-west of the village. Development outside the settlement boundary is restricted to sites adjacent to the settlement boundary for sheltered housing, a nursing home, a health centre, a dental surgery or burial space.



3.5 Homes and Housing

- 3.5.1 The Plan aims to ensure that new housing reflects the village character and to avoid the imposition of an urban landscape on the village, for example by requiring new dwellings to be set back from the road with front gardens and having spaces between groups of dwelling to break up the building mass. The Plan includes the same level of car parking requirement as this Council's Vehicle Parking Standards Supplementary Planning Document (SPD), which is a reflection of the level of car use in rural areas. Recognising that garages are often not used for car parking, the Plan discourages garages, to ensure that off-street parking provision is fully utilised. The village has an identified need for smaller dwellings, and for dwellings suitable to meet the long term needs of older people.

3.6 Traffic and Movement

- 3.6.1 One of the benefits of living in a village is having the shops and services within walking distance of home. The Plan supports developments that provide direct routes for walkers and cyclists to reach the village centre and local facilities. At the same time the Plan recognises that Tiptree is a Rural District Centre that will attract visitors from the surrounding area – many of whom will arrive by car. It is therefore necessary to ensure the smooth flow of traffic and the provision of adequate village centre car parking to ensure that village facilities are easily accessible. The Plan actively supports development proposals to improve cycling and walking infrastructure in the village.
- 3.6.2 Traffic movement through the village has been a key challenge for the Neighbourhood Plan, and was one of the major considerations in the selection of sites for future development:

'Tiptree lies on a busy crossroads with considerable 'through traffic'. The Maldon-Colchester road (B1022) is an alternative route to the A12 and is particularly busy if there has been an incident on that road whilst the Great Braxted Road/Station Road and Kelvedon Road / Church Road routes are busy with traffic heading east from the A12 to destinations such as Tollesbury and Mersea. With the planned upgrades to the A12 and A120 it remains to be seen what improvements, if any, are made to A12 access from the east and what the future impact will be on traffic flow through and around Tiptree. Nevertheless, to avoid congestion it is necessary to ensure the smooth flow of traffic along the main roads passing through the village and, where possible, to provide alternative routes to reduce the traffic using any one road. For these reasons this plan seeks to avoid increasing traffic flow on the B1022 and B1023, especially through Church Road...

In response to community consultation this plan has placed future development in the north and north-west of the village so that future residents in these areas can access the A12 and major routes without passing through Church Road. The siting of development in the north and north-west also provides the opportunity to provide an alternative link between Grange Road and Kelvedon Road.'

3.7 Tiptree Village Centre

- 3.7.1 Tiptree has a thriving village centre and the number of visitors using the facilities is set to increase. Respondents to the community questionnaire expressed great support for their local shops and businesses. The Plan aims to protect and enhance the village centre, by restricting changes of use to retail use, retail service, community use, financial / businesses service or a leisure service and will meet the basic needs of the community. The focus for new development in the District Centre should be on employment uses, retail, services, health and social care, and for residential flats that specifically meet the needs of older people.

3.8 Commercial Activity

- 3.8.1 Through the Community Questionnaire, 64 respondents indicated that they operated a business within the village which together accounted for a total of 463 employees. Of these 64 businesses, 11 need space to expand. In addition, a further 25 respondents currently operate a business outside of Tiptree but have expressed a desire to relocate into Tiptree should suitable premises be available. The Plan seeks to protect the present use of commercial buildings within the village centre and also provide an additional 1.5ha area for business expansion on the edge of the village, within the north-west Tiptree site allocation (Policy TIP14).

3.9 Community Infrastructure

- 3.9.1 The Plan recognises the importance of infrastructure keeping pace with community growth. A number of infrastructure needs ranging from education expansion to additional play area provision have been identified and included in the community infrastructure policy.

3.10 Site Allocations

- 3.10.1 To support the delivery of the Colchester Local Plan Tiptree Parish has been required to provide a minimum of 600 new homes by 2034. When considering the siting of future development, a recurring theme throughout the responses to the Community Questionnaire was the ability to access major routes, the A12 in particular, without exacerbating the traffic situation in Church Road. Serving as the main through route for south-east to north-west traffic, Church Road already accommodates a greater volume of traffic than is ideal for the shopping and business centre for the village. It is for these reasons that the plan has allocated land to the north and west of the village, on sites that allow access to main routes, which should have with minimal impact on the village centre. As each of the allocations (policies TIP13 and TIP14) are in multiple ownership, the Plan requires the allocations to be comprehensively master planned.

3.11 Countryside and Green Spaces

- 3.11.1 The Neighbourhood Plan protects green spaces within the village and access to the countryside. The policy requires that new areas of open space arising from development are passed into the Parish Council's ownership, wherever possible.

3.12 Proposed response to the consultation

3.12.1 The draft comments on the Neighbourhood Plan are given below.

Section	Draft consultation response
POLICY TIP01: Tiptree Settlement Boundaries	The approach taken on the settlement boundary and restricting development in the countryside is supported.
POLICY TIP02: Good Quality Design	This policy is supported, as it endeavours to protect the character of the village.
POLICY TIP03: Residential Car Parking	This policy is supported, as it recognises the role private cars have in enabling access to employment and everyday services, and the subsequent need to ensure that sufficient off-street parking is provided in new developments.
POLICY TIP04: Building For Life	The ambition of this policy to improve design of the built environment is supported. However, as this policy only ‘encourages’ developers to design to Building for Life standards it is unenforceable, and therefore is of limited value.
POLICY TIP05: Dwelling Mix	Sections A and B are rather generic. Section C which requires a percentage of homes to be built to accessible and adaptable standards or wheelchair accessibility standards is a commendable aspiration. However, the requirement for all affordable housing to meet one or other of these standards may be disproportionate in comparison to the requirements placed on market housing in the policy.
POLICY TIP06: Cycling, Walking and Disability Access Routes	This policy is supported. This policy is consistent with the draft Essex Walking Strategy.
POLICY TIP07: Mitigating the impact of vehicular traffic through Tiptree village:	Maldon District Council supports the Plan’s overall approach to mitigating the impact of vehicular traffic through the village.
POLICY TIP07: Mitigating the impact of vehicular traffic through Tiptree village: D (i). the new ‘primary street’ meets the necessary specifications as given in the Essex Design Guide (2018), in particular ensuring it is sufficient to support a bus route; and...	It is understood that ‘primary street’ is the term used by the Highways Authority to describe a road that is sufficient to accommodate a public bus route. However, the Street Type table in the Essex Design Guide (EDG) does not use the term ‘primary street.’ Therefore, in this policy, which street type the term ‘primary street’ relates to needs clarifying.
POLICY TIP08: Tiptree village centre: existing businesses	Although the aims of the policy is supported, the restrictions on change of use may not be enforceable due to permitted development rights.
POLICY TIP09: Tiptree Village Centre: New Developments	This policy is supported. The aim to provide older persons’ housing in the heart of the village, within easy reach of services and facilities is supported.

Section	Draft consultation response
POLICY TIP10: Business Development	The allocation of new employment land in the Plan is supported.
POLICY TIP11: Community Infrastructure Provision	This policy is supported
POLICY TIP12: Comprehensive Development	This policy is supported as it will ensure that the new developments will integrate with one another and the village.
POLICY TIP13: Tower End (iii) ... A 'primary street' is provided...No dwellings should front directly onto this road...	This element of the policy is open to interpretation in terms of the type of development layout required. What is intended is that dwellings have front gardens and are set back from the street. However, as drafted, it could be read as meaning that no dwellings should face the road, resulting in a canyon effect as the road would be lined with back garden fences. It is recommended that this element of the policy is re-worded to ensure that it has the intended outcome.
POLICY TIP14: Highland Nursery and Elms Farm (vii). A 'primary street' is provided ... No dwellings should front directly onto this road...	This element of the policy is open to interpretation in terms of the type of development layout required. What is intended is that dwellings have front gardens and are set back from the street. However, as drafted, it could be read as meaning that no dwellings should face the road, resulting in a canyon effect as the road would be lined with back garden fences. It is recommended that this element of the policy is re-worded to ensure that it has the intended outcome.
POLICY TIP15: Countryside and Green Spaces	The policy is supported, although the Parish Council will need to ensure that it has sufficient long-term resources to manage and maintain the open spaces it gains from development in the village.
POLICY TIP16: Recreational disturbance Avoidance and Mitigation	The inclusion of this policy is supported.

3.13 Next steps

3.13.1 Following the consultation, the Parish Council will consider the responses received and may amend the Neighbourhood Plan, before submitting it to Colchester Borough Council (CBC). CBC will organise the Regulation 16 consultation, which will be the last opportunity to comment on the draft Plan. It is these consultation responses that the Independent Examiner will consider during the Neighbourhood Plan's Examination. Following the Examination, a Referendum will be held in the village. If more than 50% of the votes cast are 'for' the Neighbourhood Plan, it will be 'made' and become part of the Development Plan for the Borough. Neighbourhood Plans have the same weight as a Local Plan in the planning system.

4. CONCLUSION

- 4.1 Tiptree Parish Council are consulting on the draft Tiptree Neighbourhood Plan. The Plan is the result of considerable consultation and engagement with the residents and businesses in the village and is supported by strong evidence. At its core, the Plan aims to protect the character of the village, whilst allowing it to expand, by allocating land for 600 homes and 1.5ha for business uses. The location of these allocations addresses the concerns this Council expressed (to the draft Colchester Local Plan consultation) regarding the potential impact on the local road network of Tiptree's expansion.

5. IMPACT ON STRATEGIC THEMES

- 5.1 The Tiptree Neighbourhood Plan will have limited impact on this Council's strategic themes.

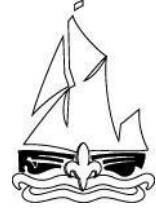
6. IMPLICATIONS

- (i) **Impact on Customers** – The allocation of land to the north and west of the village will help to limit the impact the new development will have on the local road network. This should limit the impact the expansion of the village will have on residents and businesses travelling to and from the District via the B1022 and B1023.
- (ii) **Impact on Equalities** – N/A
- (iii) **Impact on Risk** – N/A
- (iv) **Impact on Resources (financial)** – N/A
- (v) **Impact on Resources (human)** – N/A
- (vi) **Impact on the Environment** – the Neighbourhood Plan protects the green spaces within the village and protects the countryside by restricting development outside the settlement boundary.
- (vii) **Impact on Strengthening Communities** – The Neighbourhood Plan is at the heart of Community Led Planning, enabling local communities to influence how their communities will develop in the future.

Background Papers: Tiptree Neighbourhood Plan, available at:
<http://www.essexinfo.net/tiptreenp/>

Enquiries to: Leonie Alpin, Specialist – Local Plan, (Tel: 01621-876278).

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REPORT of DIRECTOR OF STRATEGY PERFORMANCE AND GOVERNANCE

**to
PLANNING AND LICENSING COMMITTEE
18 JULY 2019**

CONSULTATION QUESTIONNAIRE: ESSEX COUNTY COUNCIL SUSTAINABLE DRAINAGE SYSTEMS DESIGN GUIDE UPDATE

1. PURPOSE OF THE REPORT

- 1.1 The report outlines the Council's response to the Essex County Council (ECC) Sustainable Drainage Systems (SuDS) Design Guide Update (Updated Guide) consultation. The consultation period to review the Updated Guide was notified to the Council on 17 May 2019 and ended on 14 June 2019.
- 1.2 In accordance with the Council's Constitution and where consultations cannot be taken to the relevant committee for approval in the timelines given, the Committee Chairman has been consulted on the Council's response.

2. RECOMMENDATION

That the Committee notes the Council's response to the ECC SuDS Design Guide Update agreed in consultation with the Chairman of the Committee and any further comments from Members are forwarded to ECC for inclusion in Maldon District Council's response

3. SUMMARY OF KEY ISSUES

- 3.1 The Council was notified of the consultation on the Updated Guide via e-mail on 17 May 2019 via the 'Policy Inbox' from Peter Richardson, Development and Flood Risk Officer at ECC. The e-mail explained that ECC 'are currently in the process of updating our SuDS guide to help improve the quality of drainage strategies submitted as part of the planning process' and asks, 'for help to review the updated guide' attaching the ECC SuDS Design Guide Update document (**APPENDIX 1**) and 'Consultation Questionnaire' (**APPENDIX 2**) to be completed and returned by 14 June 2019.
- 3.2 The Updated Guide seeks to 'streamline the document to make it easier to read and easier for developers to find the information they need to submit a suitable drainage strategy.' ECC, as the SuDS Authority currently make holding objections to 60-70% of all SuDS applications they receive and their intention, through the Updated Guide, is to 'significantly reduce this number' and consequently reduce delays in the planning process.

- 3.3 The Council's response was coordinated in consideration of the Maldon District Design Guide SPD that recognises ECC as the Leading Local Flood Authority (LLFA) and SuDS Authority at 'A06 Who to talk to?', page 9. Also, the strategic housing allocations on the South Maldon and North Heybridge Garden Suburbs have adopted and endorsed Strategic Masterplan Frameworks (Masterplans) and Strategic Design Codes that recommend utilising existing watercourses and site features to inform SuDS design and drainage strategies. The Masterplans and Strategic Design Codes are a material planning consideration in development proposals on allocated sites. The Updated Guide and Consultation Questionnaire were sent to the Lead Specialists for Place and Community to review against the Council's validation check list and requirements for planning applications and existing flood risk/surface water drainage advice.
- 3.4 The Consultation Questionnaire (**APPENDIX 2**) asks 11 specific questions related to the suggested changes made in the ECC SuDS Design Guide (**APPENDIX 1**). The questions posed require an explanation to the answer given.

Question 1: Do you think this document clearly explains what an applicant needs to submit as part of the application process?

Question 1 was answered 'yes' with the explanation referencing the table in 'Appendix 2: What we require and when', page 40 in the Updated Guide. The table clearly sets out the detail that the SuDS Authority require to comment on the different types of planning applications submitted to the Local Planning Authority.

Question 2: Are there any other key sections that may have been missed/need to be included?

Question 2 was answered 'yes' with the explanation to consider SuDS as part of a landscape strategy and not to impact on land allocated for Public Open Space (POS). Whilst it is recognised that POS can accommodate some SuDS features, they should not overly dominate the space and render it unusable for informal recreation. Attention was drawn to a section to quantifying the use of trees in SuDS design and calculations and to take account of other agency's design guidance with reference to the Environment Agency Design Guidance for engineered SuDS features they adopt.

Question 3: Are there any sections that are incorrect?

Question 3 was answered 'no' and therefore no explanation was necessary.

Question 4: Is the checklist of what is required clear/helpful?

Question 4 was answered 'yes' with the explanation referencing the checklist to the table in 'Appendix 2: What we require and when', page 40 in the Updated Guide.

Question 5: How do you think we should promote this document?

SuDS design is an important element of delivering sustainable development in the District. As an ECC document and supporting their role as LLFA and SuDS Authority it was recommended to link the document to the Essex Design Guide Interactive 2019 on-line version as a technical document.

Question 6: Will you promote this document?

SuDS design is an important element of delivering sustainable development in the District. The Maldon District Design Guide SPD (MDDG) references the importance

of talking to ECC as the SuDS Authority and to promote the use of the Updated Guide.

Question 7: Will you use this document?

Question 7 was answered 'yes' with the explanation that the Council supports the need for viable drainage strategies for development proposals at the beginning of the design process and as referenced in the Garden Suburb Masterplans and Strategic Design Codes.

Question 8: Do you think there are any sections that require more/less information/explanation?

Question 8 was answered 'no' and therefore no explanation was necessary.

Question 9: Were you familiar with the previous SuDS Guide? If so, is this an improvement?

The ECC SuDS team have presented to MDC Planning Services regarding the work of the SuDS Authority and the guidance/advice available to inform the planning process. The Garden Suburb Masterplans and Strategic Design Codes were prepared regarding the SuDS Authority requirements. However, the Updated Guide places the onus on the developer/designer/consultant to consider SuDS design at the outset of the planning application process and to submit the necessary detail for the SuDS Authority to comment on the proposals. The Updated Guide presents several SuDS design types to inform SuDS design where the opportunities for design rather than SuDS constraints can inform the design process at the outset.

Question 10: Do you feel the name reflects what the document includes?

Question 10 was answered 'yes'. The answer explains the question.

Question 11: Do you have any further comments?

None offered.

4. CONCLUSION

- 4.1 It is important for the Council to have regard to the most up to date advice and guidance from statutory consultees to inform to the planning application process. This in turn allows for informed and consistent recommendations in the decision-making process.
- 4.2 The ECC SuDS Authority recognise the need to reduce their level of holding objections to planning applications that delay the planning process. The Updated Guide advises the necessary detail and information to submit to the Local Planning Authority at all stages of the planning application process.

5. IMPACT ON STRATEGIC THEMES

- 5.1 The adopted Local Development Plan (LDP) Policy and supporting supplementary planning documents and endorsed documents principally support the Strategic Theme of Place as set out in the Corporate Plan that aims to protect and improve the environment for residents and visitors and securing sustainable growth and new infrastructure.

6. IMPLICATIONS

- (i) **Impact on Customers** – Relevant and up to date guidance and advice documents provide customers with a robust framework for submission of development proposals.
- (ii) **Impact on Equalities** – None identified.
- (iii) **Impact on Risk** – Ineffective advice and guidance documents hold no material weight in the planning process and could heighten risks for inappropriate development and not capturing benefits and opportunities from development proposals.
- (iv) **Impact on Resources (human and financial)** – Review of guidance and advisory documents supporting the LDP policies is programmed to internal work streams and work plans.
- (v) **Impact on the Environment** – Up to date and relevant advice and guidance documents promote sustainable development and environmental enhancement.

Background Papers: None.

Enquiries to: Jackie Longman, Specialist - Local Plan (Tel: 01621 875731).

Sustainable Drainage Systems

Design Guide

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Essex County Council. May 2019



Contents

Please note: The following document is only a basic summary of what we expect to see within an application for developments within Essex. If you require further information or details, please refer to the **Ciria SuDS Manual C753** and/or consider using our **SuDS Planning Advice** service (the link to which can be found throughout this guide).

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1. Introduction



1.1 Surface water and urbanisation

Sustainable Drainage Systems (SuDS) are nothing new. They have been nature's way of dealing with rainfall, since time began. At its simplest, rain falling on the land may evaporate or be absorbed into the soil, nourishing our natural habitat, or else flows overland into ponds, ditches, watercourses and rivers, helping to sustain life by replenishing our precious water resource.

It is only recently that the balance of this natural water cycle has been disrupted. Modern urban development with its houses, roads and other impermeable surfaces has increasingly altered the way that rainwater finds its way into our soils, rivers and streams. Surface water has for many years been allowed to be collected and piped directly into our ditches and rivers. Conveying water away as quickly as possible from a development may adequately protect the immediate development from flooding but increases the risk of flooding occurring downstream. This unsustainable approach to surface water drainage, together with the potential effects of a changing climate, has contributed to some very serious consequences on life, property and the environment as evidenced by the disastrous experiences throughout the UK during the summer of 2007.

1.2 Planning requirements

The Sustainable drainage systems: Written Statement (HCWS161) laid in the House of Commons in December 2014 set out changes to planning policy and sustainable drainage systems that apply for major development as from April 2015. This Statement confirmed that in considering planning applications, local planning authorities are required to consult the relevant Lead Local Flood Authority (LLFA) on the management of surface water; satisfy themselves that the proposed minimum standards of operation are appropriate and ensure through the use of planning conditions or planning obligations that there are clear arrangements in place for ongoing maintenance over the lifetime of the development. This statement should be read in conjunction with policy in the revised National Planning Policy Framework (paragraphs 155 to 165) in February 2019 and advice in the Planning Practice Guidance – Planning and Flood Risk. These policy requirements should be taken into account in the preparation of local and neighbourhood plans and may be a material consideration in planning decisions. Planning Practice Guidance (Paragraph: 049 Reference ID: 7-049-20150415) also states that when considering the potential impacts of permitted



Bio-retention planters, Portland, Oregon, USA

1. Introduction

We strongly recommend the use of our SuDS Planning Advice service: <https://flood.essex.gov.uk/new-development-advice/apply-for-suds-advice/>



SuDS wetlands, Wellesley College, USA

development on local flood risk, a local planning authority may consider making an Article 4 direction to remove national permitted development rights to protect local amenity or the well-being of an area.

Furthermore, to assist local planning authorities in their determination of an application as to whether their prior approval is required for a change of use of agricultural buildings, or a change from office to dwelling houses in an area at risk of flooding, the applicant should provide with their application an assessment of flood risk. This should demonstrate how the flood risks to the development will be managed so that it remains safe through its lifetime.

On 24 March 2015, the Government laid a statutory instrument making the LLFA a statutory consultee in relation to these major applications which applies from 15 April 2015. As part of this role, in advising on ‘surface water’ the LLFA will consider surface water flood risk to and from the development as well as the provision of appropriate SuDS in line with best practice and the criteria outlined in this guide.

The Town and Country Planning (Development Management Procedure) (England) Order 2015 defines a ‘major development’ as any development involving one or more of the following:

1. The winning and working of minerals or the use of land for mineral-working deposits
2. Waste development
3. The provision of dwelling houses where
 - i) the number of dwellings to be provided is 10 or more
 - ii) the development is to be carried out on a site having an area of 0.5 hectares or more and it is not known whether the development falls within sub-paragraph 3i)
4. The provision of a building or buildings where the floor space is to be created by the development is 1,000 square metres or more
5. Development carried out on a site having an area of 1 hectare or more

1. Introduction

We strongly recommend the use of our SuDS Planning Advice service: <https://flood.essex.gov.uk/new-development-advice/apply-for-suds-advice/>

This guide forms the local standards for Essex and, together with the National Standards, strongly promotes the use of SuDS to help reduce surface water runoff and mitigate flood risk.

A return to more natural, sustainable methods of dealing with surface water from development will also have additional benefits for:

- **Water quality** – SuDS can help prevent and treat pollution in surface water runoff, protecting and enhancing the environment and contributing towards Water Framework Directive objectives.
- **Amenity** – SuDS can have visual and community benefits for the community.
- **Biodiversity** – SuDS can provide the opportunity to create and improve habitats for wildlife, enhancing biodiversity, and enable multi-functional green infrastructure.

See also:

Water Framework Directive on the Environment Agency's website: <http://www.wfduk.org/>

1.3 Sustainable development

Essex County Council is committed to making our county a place which provides the best possible quality of life for all who live and work here. Making it more sustainable is an important part of supporting this vision and it is therefore implicit that new development should incorporate sustainability measures that help achieve this goal.

Appropriately designed, constructed and maintained SuDS support sustainable development through combining water management with green space with benefits for amenity, recreation and wildlife. SuDS are more sustainable than conventional surface water drainage methods as they can mitigate many of the adverse effects that stormwater run-off has on the environment. This can be achieved by:

- Reducing run-off rates, thereby lessening the risk of flooding downstream.
- Minimising additional run-off emanating from urban development, which could

exacerbate the risk of flooding and impair water quality.

- Encouraging natural groundwater recharge (as appropriate) and so reduce the impact on aquifers and rivers.
- Reducing pollution risks associated with development.
- Contributing to and enhancing the amenity and landscape of an area and to promoting community involvement and enjoyment.
- Providing habitats for wildlife and opportunities for biodiversity enrichment.

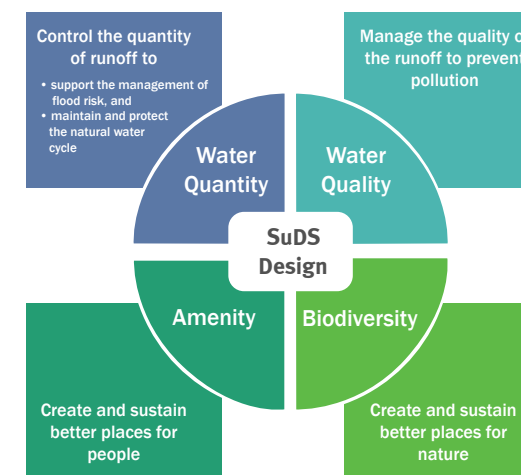


Figure 1.2.1 What are SuDS? (Adapted from CIRIA SuDS Manual, 2015)

1. Introduction

We strongly recommend the use of our SuDS Planning Advice service: <https://flood.essex.gov.uk/new-development-advice/apply-for-suds-advice/>

1.4 The purpose of this guide

At present, the majority of planning applications submitted to the LLFA do not satisfactorily address the flood risk issues affecting a development site or those identified in the accompanying site-specific flood risk assessment. Consequently, a ‘holding objection’ is often necessary by the LLFA until further evidence base work is submitted. The most common reasons we issue holding objections for are:

- Insufficient **water quality**
- Incorrect **discharge rates**
- Insufficient **storage volumes**
- Incorrect or missing **infiltration testing**
- Failure to meet the **drainage hierarchy**
- Missing **urban creep**
- Missing **drainage plan**
- Incorrect **climate change provision**

This guide is primarily intended for use by developers, designers and consultants who are seeking guidance on the LFFAs requirements for the design of sustainable surface water drainage in Essex. It provides guidance on the planning, design and delivery of attractive and high-quality SuDS schemes which should offer multiple benefits to the environment and community alike. It should also show that meeting these requirements need not be an onerous task and can help add to development. By doing this it should improve the calibre of the applications received.

The County Council, as LLFA, will refer to this Guide when it is consulted on planning applications relating to sustainable drainage. **SuDS Planning advice** may be sought from the County Council as early on in the process as possible. This guide provides a steer as to what is expected and should complement national requirements whilst prioritising local needs. The SuDS philosophy and concepts are based upon and derived from **The Ciria SuDS Manual C753 (2015)**. This guide seeks to complement The SuDS Manual and both should be incorporated into any SuDS proposals for the development.

The level of information required at each stage of the planning application process varies. A list of what is required at each stage can be seen in **Appendix 2**. At the outline stage it is required that the drainage strategy includes enough information to demonstrate that the principles of our requirements are met and that the drainage system itself is viable. As an application progresses through the planning process it is expected that there will be increasing levels of detail provided. Where necessary, conditions will be placed on an application to require further information, however this recommendation will only be made following a sufficient level of information at the outline stage.

When applying for planning permission, a completed the proforma is required as outlined in **Appendix 1**. This will help facilitate a more efficient review of individual planning applications as well as identify any missing key information necessary for considering the planning application and its impacts.

1. Introduction

We strongly recommend the use of our SuDS Planning Advice service: <https://flood.essex.gov.uk/new-development-advice/apply-for-suds-advice/>

ECC, as LLFA, provides a **SuDS Planning Advice service** which can be used at any point during the planning process. It is recommend that the LLFA is consulted as early as possible to ensure sufficient space is provided within the site layout for necessary SuDS features. The SuDS Planning Advice service can significantly increase your chances of satisfying the LLFA's SuDS requirements therefore reducing delays in the determination of the application. Where appropriate for large scale development, suds planning advice may be provided via **planning performance agreement (PPA)**.



Multi-functional open space, Rieselfeld, Freiburg, Germany

1. Introduction

We strongly recommend the use of our SuDS Planning Advice service: <https://flood.essex.gov.uk/new-development-advice/apply-for-suds-advice/>

»18th-19th century duck decoy pond, Old Hall Marshes, Maldon, Essex

2. SuDS design requirements

2.1 The drainage hierarchy

All sites must manage surface water via the following hierarchy:

When managing rainfall, the SuDS network must be designed to match natural drainage routes, infiltration rates and discharge speeds as far as possible. In addition to this, with concern over climate change and increasing risk of water scarcity, re-use of rainwater wherever possible must be utilised. Therefore, in accordance with the drainage hierarchy contained in **Approved Document H of the Building Regulations, Planning Practice Guidance**, and the need to mitigate against water scarcity, all surface water run off must aim to be discharged as high up the following hierarchy as possible:

- **Rainwater re-use (rainwater harvesting/ greywater recycling).**
- **An adequate soakaway or other infiltration system.**
- **Hybrid solution of infiltration and discharging to a surface water body.**
- **To a surface water body.**
- To a surface water sewer, highway drain, or another drainage system.
- To a combined sewer.

Rainwater re-use

Rainwater re-use helps to control discharge volumes and it helps to mitigate against water scarcity.

Where possible new developments should employ rainwater re-use, which helps reduce potable water demand and the discharge of water. Rainwater can be utilised for a variety of applications e.g. cleaning, irrigation. Designers and planners must obtain from the local water supply company information about the degree of water scarcity (including climate change implications for water resource security and likely increases in demand) in the area of the development. Where there is pressure on water resources, rainwater re-use systems should form part of the surface water management strategy for the site. It is also good for sites where it is difficult to meet the 1 in 1 greenfield discharge rate. Rainwater re-use must be seen as both a stand-alone option, as well as part of a wider strategy including SuDS, flood alleviation and water conservation measures, in response to changing climate and increased usage pressures. Whilst water butts fall within the definition of rainwater harvesting, their

use must not be included in any storage calculations, as they rely on their owners emptying them before storm events.

Any rainwater re-use system must have 4 main elements; collection, treatment, storage and distribution of water. Any system must be economic and practical; considering the local rainfall pattern, the size of the collection surface, the surface's materials and their drainage characteristics, sizing and material of piping systems, the levels of pollution of the collection surface and the risk of contaminating the system. Effective rainwater treatment must consider the materials coming into contact with the runoff e.g. traffic/industry. Rainwater must not discharge into open gullies due to potential risk of contamination. Treatment covers several options; removal of coarse particles upstream of the storage, retention of fine particles by sedimentation and flotation in the storage device and filtering downstream of the storage device which depends on the intended use.

Overflows must also have provisions in place to avoid pollution risk. Potential overflows should be accounted for to ensure rainwater harvesting systems do not cause flooding. Storage devices

2. SuDS design requirements

We strongly recommend the use of our SuDS Planning Advice service: <https://flood.essex.gov.uk/new-development-advice/apply-for-suds-advice/>

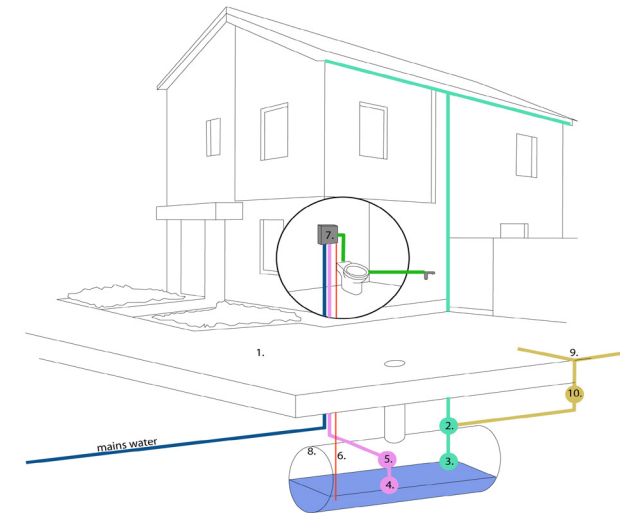
shall be equipped with an overflow to allow excess water to be discharged. Ideally the overflow should be set at a height that would allow the temporary storage of a small event to be slowly released to the main SuDS system, with a high-level overflow which prevents the tank from flooding the property. Any additional excess water should be infiltrated or otherwise evacuated into surface water bodies. The sizing of the volume of the rainwater storage device results from an analysis of the relationship between the rainwater that can be harvested and the demand of the non-potable water. The following factors shall be considered in order to be able to calculate the size of the storage device; namely the rainfall data (amount, intensity, pattern of rainfall, dry periods), the size and type of the collection surface, the number and type of intended applications, both present and future and the hydraulic efficiency of equipment used (e.g. filters).

Storage devices must be protected against frost, extreme temperatures and direct sunlight. The location of an underground storage device must be a minimum distance of 3 m from any tree or plant that develops a significant root system. Site specific factors, such as contamination risk,

must be considered. There must be labelling of systems to distinguish between non-potable water distribution systems and potable water distribution systems. A control and monitoring system must be incorporated into the rainwater system to ensure, as a minimum, that users are aware of whether the system is operating effectively. The system must inform about the status of the water supply and any malfunctions.

A risk assessment must be carried out to determine whether the system is safe and fit for purpose, considering the potential effects on people, the environment and physical assets. Maintenance of the system should be undertaken regularly, and details should be provided on the frequency and type of maintenance within the maintenance plan. Where greywater recycling is proposed, average water use across the site must be demonstrated over a year to show the likely storage capacity provided at any given period of time.

The information provided in this section is based upon BS EN 16941-1:2018 article on On-site non-potable water systems - Part 1: Systems for the use of rainwater.



A typical collection, treatment and storage system.
 1. Rainwater is collected from the roof area or hard standing, 2. Filter system prevents solids from entering the holding tank, 3. Water enters tank through smoothing inlet which stops settled sediment from being disturbed, 4. A suction filter prevents the uptake of floating matter when water is drawn up, 5. A pump pressurises the water, 6. A control unit monitors water levels - if these drop too low mains water will top the system up, 7. An air gap installed in order to prevent back flow of rainwater into the mains, 8. An overflow trap allows floating material to be skimmed off into the storm drain, 9. Rainwater soaking through a permeable pavement can also be collected, 10. Oil trap fitted to prevent contamination entering the system from ground surfaces, though additional filtration and disinfectant might also be needed.

2. SuDS design requirements

We strongly recommend the use of our SuDS Planning Advice service: <https://flood.essex.gov.uk/new-development-advice/apply-for-suds-advice/>

Infiltration

Where possible infiltration must be used in order to prevent increased volumes of water leaving the site.

After reuse, infiltration is the next option within the drainage hierarchy. As the potential for infiltration can vary across the county due to soil types, ground water levels, and topography, sufficient ground investigations and infiltration testing must be undertaken and supplied to support any application.

Any ground investigations must include data from the British Geological Society, intrusive testing such as borehole tests (to determine soil type, depth and the depth of water table), detailed topographic drawings, and infiltration testing in line with the **BRE365** testing procedure.

At the outline stage of the planning process it is accepted that intensive infiltration testing is not always achievable, therefore a preliminary investigation in order on the soil and geology of the site is acceptable. The LLFA would accept borehole testing with the condition that infiltration testing is undertaken at a later stage. If infiltration is the chosen discharge option within an outline application and detailed testing has not been possible, then an alternative approach must also be provided in case subsequent infiltration testing demonstrates that discharge to the ground will not be viable.

Ground stability must be taken into consideration when infiltration is proposed. The base of the soakaway must be 1 metre or higher than the ground water level. Soakaway features must not be within 5 metres of a building, except for those that offer blanket infiltration such as permeable paving and are managing water within 1m of source. In addition, Highways require that point infiltration should not be within 6m of the highway.

Blanket infiltration however, (such as **permeable paving**) can be located as close as possible as long as there is an impermeable barrier between the two.

The minimum acceptable rate of infiltration is 1×10^{-6} . Rates found to be slower than this may potentially have to deliver a **hybrid drainage solution**. If rates are found to be too slow for formal infiltration this does not rule out the possibility of some soakage taking place. Features (for example permeable/porous paving) should be unlined wherever possible regardless of infiltration rates in order to maximise infiltration capacity. This approach must be approached with care, as should all infiltrating sites, when dealing with areas that are subject to previous contamination.



SuDS infiltration basins have been integrated with highways at Ravenswood in Ipswich. The scheme is estimated to have saved over £600,000 in the long term (Ipswich Borough Council, 2011)

2. SuDS design requirements

We strongly recommend the use of our SuDS Planning Advice service: <https://flood.essex.gov.uk/new-development-advice/apply-for-suds-advice/>

Greenfield runoff rates

Runoff rates must be limited the greenfield runoff rate in order to not increase flooding offsite from its natural drainage scenarios.

SuDS networks must be designed to mimic natural drainage routes. When discharging to a watercourse it must be proven that the final discharge location is the same as where it currently drains otherwise runoff is being increased elsewhere due to the development. In addition, where the predevelopment site has multiple discharge locations, a catchment-based approach must be utilised in order to not increase runoff.

Surface water runoff can be discharged in three ways:

Restricting to the 1 in 1-year greenfield rate

The LLFA preference is that runoff must not increase due to the development and all runoff must be first restricted to the greenfield 1 in 1-year runoff rate during all events up to and including the 1 in 100-year rainfall event with climate change.

Restricting to flow matching rates

Alternatively, if restricting to the 1 in 1-year greenfield rate approach is not possible discharge rates can be limited to a range of equivalent greenfield discharge rates. For

example, the 1 in 1-year storm event will be limited to the 1 in 1-year greenfield run off rate, the 1 in 30-year storm event will be limited to the 1 in 30-year storm event and so on. However, if this alternative approach is used then an inclusion of **long-term storage** will be required.

Discharging to a tidal estuary

In instances where the final discharge location is to a tidal estuary then it is accepted that discharge rates are unrestricted. However, evidence must be provided to ensure that the surface water will be managed during a tide locking scenario. This must be demonstrated by showing that the surface water can be managed for a 1 in 100-year pluvial storm event and a 1 in 20 year fluvial/tidal storm event coinciding. Likewise, when discharging to a main river, consideration must be given to a 1 in 20-year fluvial event coinciding with a 1 in 100-year event plus climate change at the development site.

The LLFA do not accept discharge rates being limited to QBAR (mean annual maximum flow rate). The QBAR estimation procedure is based

on higher return periods (>2), and results in higher estimated values for final discharge from the site than 1 in 1 Greenfield runoff rates. There are significant differences in storage volumes and final discharge rates when considering QBAR as an allowable discharge from the site. Further it could have potential increase in risk of surface water flooding due to increased discharge rates that opposed natural greenfield runoff. On these assumptions the LLFA require discharge rates to be limited to 1 in 1 Greenfield rates.

Historically, minimum discharge rates have been limited to 5l/s due to the risk of blockage of outlets with an orifice size of smaller than 50mm. However, through the innovation of vortex flow control devices, orifice sizes can be made larger with discharge rates being limited far below 5l/s without causing an unacceptable risk of blockage. The LLFA require that runoff rates are limited to 1l/s or the 1 in 1 year greenfield rate, whichever is higher unless discharge is via **permeable paving** which is further able to reduce the risk of blockage. If all surface water first goes through permeable/porous paving then the majority of pollution

2. SuDS design requirements

We strongly recommend the use of our SuDS Planning Advice service: <https://flood.essex.gov.uk/new-development-advice/apply-for-suds-advice/>

and debris will be prevented from reaching the outfall, therefore discharge rates will be able to be lower than 1l/s. Additionally to minimise the risk of blockage, we require materials that may cause blockages to be removed from the system as high up the system as possible.

Where it is not possible to limit rates back to the 1 in 1-year greenfield rate because this may cause blockages, additional consideration must be given to **rainwater re-use** to minimise the impact of smaller storm events.

When discharging to a surface water sewer we still expect the 1 in 1-year greenfield runoff rate discharge limit to be met and you must not limit discharge rates to the sewers maximum capacity as given by the provider.



SuDS at Wellesley College are connected to wetlands outside the site boundary to create valuable green corridors for wildlife.

2. SuDS design requirements

We strongly recommend the use of our SuDS Planning Advice service: <https://flood.essex.gov.uk/new-development-advice/apply-for-suds-advice/>

Brownfield runoff rates

Brownfield sites must where possible revert the drainage back to its natural state.

The LLFA expects surface water drainage schemes on brownfield development sites to follow the same principles as if the site is greenfield. If it is unfeasible to restrict runoff rates back to the 1 in 1-year greenfield runoff rate or the alternative flow matching approach, the LLFA will accept discharge rates to be restricted to as close as feasibly possible to the 1 in 1-year greenfield runoff rate with a maximum limit of 50% betterment of the brownfield 1 in 1 year runoff rate. If this approach is to be chosen then it must be clearly evidenced that restricting to the greenfield rate is unfeasible and that the new rate proposed is as close as feasibly possible to the 1 in 1-year greenfield runoff rate. This supporting evidence must include a range of rates and the corresponding storage volumes associated with those rates.

Hybrid drainage plans

Where infiltration can be utilised hybrid solutions may be possible.

Where a site has some infiltration capacity, but rates are too slow to meet formal infiltration requirements for the site (1×10^{-6} m/s), the LLFA accept a well-designed hybrid solution, which uses low level infiltration for smaller storm events and a piped outfall for larger storm events. This maximises the capacity of the **attenuation storage** for larger infrequent events and allows for appropriate half drain times to be met for all events. An example of this would be where a site has demonstrated infiltration rates of 1×10^{-7} m/s. Infiltration could be used for events up to the 1 in 5-year event assuming that 50% of the attenuation capacity of the storage feature is available 24 hours after a storm. Any event larger than the 1 in 5-year event would then discharge via a piped network at the 1 in 1-year greenfield rate.



Rain gardens

2. SuDS design requirements

We strongly recommend the use of our SuDS Planning Advice service: <https://flood.essex.gov.uk/new-development-advice/apply-for-suds-advice/>

Calculating runoff rates

Calculating runoff rates must be completed using the most conservative rates in order to prevent an increase in flooding offsite.

Runoff rates must be calculated based on the full site area subtracting any areas of large open space that will not be draining via the proposed SuDS. Unrestricted rates will only be allowed where the outfall is to a tidal estuary.

The LLFA preference is that greenfield runoff rates must be calculated using the following rainfall data: FSR and FEH, and they should also use the following calculation methods IH124, or ICP SuDS. These should be adjusted as appropriate to site conditions. Calculations of greenfield rates can use a range of calculation methods, as rates and storage requirements will vary depending on different storm criteria it must be demonstrated during the later stages (reserved matters or discharge of conditions) of the planning process that the method selected is the most conservative of the options available. For brownfield sites, the Modified Rational Method must be used to calculate the peak brownfield rate. Alternatively, runoff from a brownfield site can be estimated using the urbanisation methods within the ReFH2 software.

When providing runoff rates, the LLFA require that the calculations and processes used are provided in order to demonstrate that the correct greenfield runoff rates have been provided.

Climate change

An allowance for rainfall intensities changing due to climate change must be incorporated into storage capacities.

In February 2019 the Government updated it's **'Flood risk assessments; climate change allowances'** document. This guidance provides updated climate change figures which must be used for flood risk assessments and drainage strategies to help minimise vulnerability and provide resilience to flooding and coastal change in the future. Within this is an update on the Peak Rainfall Intensity Allowance in small and urban catchments as shown in the table below. The LLFA take a conservative, risk adverse approach to flood and water management and therefore expect the Upper End figures to be used.

Table below shows the peak rainfall intensity allowance in small and urban catchments (use 1961 to 1990 baseline).

Applies across all of England	Total potential change anticipated for the '2020s' (2015 to 2039)	Total potential change anticipated for the '2050s' (2040 to 2069)	Total potential change anticipated for the '2080s' (2070 to 2115)
Upper end	10%	20%	40%
Central	5%	10%	20%

2. SuDS design requirements

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Water quality

All surface water must go through stringent treatment in order to protect water sources and biodiversity.

The level of pollution found within surface water runoff will depend on the nature of the development from which it arises, the time since the last rainfall event, and the duration and intensity of rainfall. An appropriate 'train' of SuDS components must be installed to reduce the risk of pollutants entering watercourses and groundwater. This must incorporate treatment from all sources of pollution, including rooftops. A well planned, and designed SuDS network can be cost effective when the appropriate conveyance, infiltration, and attenuation work harmoniously with surface water treatment.

Interception storage must be utilised as part of the beginning of the treatment train to ensure that pollutants are managed as close to the source as possible. In addition to this sediment must be removed as far upstream in the system as possible. Doing so provides the important removal of a range of contaminants that are adsorbed onto sediment surfaces and at the same time protects downstream components from damage or poor performance due to sediment built up. When selecting

features it is important to minimise the risk of remobilisation of, and washout of any pollutants such as sediments. Although some gullypots and catchpits can trap sediment, their performance is linked closely to the regularity of their maintenance. There is a significant risk of pollutants contained within them being dislodged and washed downstream; and hence the LLFA do not consider these an appropriate form of treatment.

A SuDS system can employ a myriad of processes in order to treat surface water, for example: infiltration, sedimentation, filtration, adsorption, biodegradation, oxidation, reduction, separation. These processes are strongly linked to the hydraulic control of runoff i.e. the velocity control and the retention time. However, with these processes' biodiversity is a sensitive contributing factor and therefore polluted surface water runoff must not run directly into permanent ponds in order to protect biodiversity and amenity, and to prevent maintenance problems caused by heavy silts and oil.

Chapter 26 of **The CIRIA SuDS Manual C753** offers a range of different features and their

treatment values through its Simple Index Approach. To measure and mitigate the potential pollution hazard risk that certain surfaces give, the LLFA require all sites to follow the Simple Index Approach to demonstrate that appropriate treatment is applied to mitigate the impact of new development. When submitting an application, it is necessary to demonstrate that the pollution hazard impact indices being created by the development, are offset by the pollution hazard mitigation indices that the proposed SuDS scheme offers. In addition, when assessing the pollution hazard level, the LLFA recommend that the national trip analysis, which suggests that an average of 5 traffic movements per day per dwelling is used unless a more specific transport risk assessment can be provided. When proprietary systems are proposed (such as vortex separators) the LLFA require details about the level of mitigation provided to be consistent with the Simple Index Approach.

The potential pollution hazard indices and the SuDS features mitigations indices stated within **The CIRIA SuDS Manual C753** can be seen below.

2. SuDS design requirements

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Table below shows pollution hazard indices for different land use classifications.

Land use	Pollution hazard level	Total suspended solids (TSS)	Metals	Hydrocarbons
Residential roofs	Very low	0.2	0.2	0.05
Other roofs (typically commercial/industrial roofs)	Low	0.3	0.2 (up to 0.8 where there is potential for metals to leach from the roof)	0.05
Individual property driveways, residential car parks, low traffic roads (e.g. cul de sacs, home zones and general access roads) and non-residential car parking with infrequent change (e.g. schools, offices) i.e. <300 traffic movements/day	Low	0.5	0.4	0.4
Commercial yard and delivery areas, non-residential car parking with frequent change (e.g. hospitals, retail) all roads except low traffic roads and trunk roads/motorways	Medium	0.7	0.6	0.7
Sites with heavy pollution (e.g. haulage yards, lorry parks, highly frequented lorry approaches to industrial estates, waste sites), sites where chemicals and fuels (other than domestic fuel oil) are to be delivered, handled, stored, used or manufactured; industrial sites; trunk roads and motorways	High	0.8	0.8	0.9

- Motorways and trunk roads should follow the guidance and risk assessment process set out in the Highways Agency (2009).
- Where a site land use falls outside the defined categories, the indices should be adapted (and agreed with the LLFA) or else the more detailed risk assessment should be adopted.

2. SuDS design requirements

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Indicative SuDS mitigation indices for discharges to surface waters:

Mitigation indices			
Types of SuDS component	TSS	Metals	Hydrocarbons
Filter strip	0.4	0.4	0.5
Filter drain	0.4	0.4	0.4
Swale	0.5	0.6	0.6
Bioretention system	0.8	0.8	0.8
Permeable paving	0.7	0.6	0.7
Detention basin	0.5	0.5	0.6
Pond	0.7	0.7	0.5
Wetland	0.8	0.8	0.8

- SuDS components only deliver these indices if they follow design guidance with respect to hydraulics and treatment set out in this guide and The CIRIA SuDS Manual C753.
- Filter drains can remove coarse sediments, but their use for this purpose will have significant implications with respect to maintenance requirements and this should be taken into account in the design and maintenance plan.
- Ponds and Wetlands can remove coarse sediments, but their use for this purpose will have significant implications with respect to the maintenance requirements and amenity value of the system. Sediment should normally be removed upstream, unless they are specifically designed to retain sediment in a separate part of the component, where it cannot easily migrate to the main body of water.
- Where a wetland is not specifically designed to provide significantly enhance treatment it should be considered as having the same mitigation indices as a pond.



SuDS Pond, Western Harbour, Malmo, Sweden

2. SuDS design requirements

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Attenuation storage

Where discharge rates have to be restricted, attenuation storage must be utilised in order to prevent flooding.

The provision of storage helps to reduce flooding whilst helping to control the peak allowable runoff rate. In addition, well-designed SuDS schemes can significantly improve and promote biodiversity and amenity in an area through the use of above ground storage.

Storage must be provided to manage all storms up to and including the 1 in 100-year storm event plus climate change. If this is unfeasible storage must be provided for the all storms up to and including the 1 in 30-year storm event with all excess water (flooding) to be maintained within suitable exceedance areas and routes which avoid risk to people and property whilst containing all flows on site. Above ground storage should primarily be considered in order to enhance biodiversity and green areas. If above ground storage is not proposed the LLFA will need to be satisfied through evidence the reasons why it is not feasible. The provision of SuDS and green infrastructure provides numerous socio-economic benefits and is consistent with national and local policies in seeking to conserve and where appropriate enhance biodiversity. In order to minimise the land take associated with SuDS features in developments wherever possible, above ground storage should be integrated with public open space.

Any site subject to unplanned development, for example through permitted development rights, must account for an additional 10% of roof area within the storage calculations to accommodate for urban creep.

Where necessary, suitable features must be provided upstream of attenuation storage to prevent the build-up of silt and sediment which would have a negative effect on the storage volume provided. This can be achieved through features such as sediment forebays, **permeable paving**,

swales etc. Furthermore, appropriate **maintenance** measures must be in place to retain the capacity within storage features over the longer term.

When developing on a flood plain, either partially or entirely, attenuation storage must be avoided, where possible, from being located within the defined flood plain. If attenuation storage is necessary on a flood plain then it must be designed in a way that does not affect the areas capacity to cope with flooding from fluvial sources.



Swale at Woodverry Down in Hackney, London.

2. SuDS design requirements

We strongly recommend the use of our SuDS Planning Advice service: <https://flood.essex.gov.uk/new-development-advice/apply-for-suds-advice/>

Capacity for consecutive events

Storage features must be able to half drain within 24 hours for all storms up to and including the 1 in 30-year storm.

When sizing **attenuation storage** it is necessary to demonstrate that all storage features have a half drain time, following a 1 in 30-year critical event, of less than 24 hours. If it is not possible to do this the LLFA will require that the feature is capable of storing a subsequent 1 in 10-year event.

Long term storage

Where using flow matching long term storage will be required.

The introduction of new areas of hardstanding as part of development is likely to increase runoff volumes from a site. When limiting all discharge back to the 1 in 1-year greenfield rate the benefit of the reduction in discharge rates for larger events will offset the negative impact that this increase in volume may have. However, if flow matching is used to manage discharge rates from a site then such benefits will not be gained, and it will be necessary to provide additional mitigation for the impact of increased

volumes of water leaving the site. This can be achieved through the use of online long-term storage (LTS). Where ground conditions allow LTS should be delivered in a method similar to the **hybrid approach** mentioned earlier in this document. Infiltration should be used to manage discharge for the initial LTS volume and piped discharge should only be considered when this volume of water has been accounted for. On sites that do not allow this approach LTS volumes should be limited back to 2l/s/ha.

Green spaces/promotion of biodiversity

The implementation of SuDS can greatly benefit green spaces and biodiversity and therefore must be used as much as feasibly possible.

SuDS can become even more advantageous in providing multi-functional benefits where they can deliver green infrastructure and support high quality development. Green infrastructure is defined as being:

“Made up of natural and semi-natural assets and habitat types, of green and blue spaces, and of other environmental features that

maintain and enhance ecosystem services. It provides multi-functional benefits integral to the health and wellbeing of our communities and to the ecology and economy of the county. Green infrastructure is often referred to as a network of these natural and semi-natural assets and spaces, which are joined together connecting urban and rural areas and are habitually strategically planned.” (Emerging Green Essex Strategy, 2019).

Green infrastructure can contribute to making areas less vulnerable to flood risk whilst ensuring development doesn't increase flood risk to third parties. Through its key role in:

- sustainable drainage,
- drought mitigation,
- flood and water stress reduction,
- providing opportunities for attenuation or infiltration that can help to recharge aquifers,
- maintaining levels in watercourses or other blue infrastructure features,
- influence water quality through limiting diffuse pollution in watercourses.

Using SuDS in the context of green infrastructure, especially the end design

2. SuDS design requirements

We strongly recommend the use of our SuDS Planning Advice service: <https://flood.essex.gov.uk/new-development-advice/apply-for-suds-advice/>

solutions offer opportunities to create:

- attractive amenity features with the development,
- provide for habitat and biodiversity enhancement,
- vegetated green open spaces,
- green and blue corridors; and
- deliver multi functions and benefits to a community (e.g. recreational opportunities, improve health and wellbeing and place making).

Place making recognises the character and distinctiveness of different locations and can provide the opportunity to use water management, in the case of SuDS to help deal with flood risks whilst integrating into and enhancing the landscape settings. Especially when natural flood management techniques are considered within the flood management schemes design.

Natural flood management involves techniques that aim to work with natural features and characteristics to manage the sources and pathways of flood waters, rather than through

engineered process. Techniques could include for example:

- The creation of water rain gardens.
- **Green roofs** and walls.
- **Bio retention areas** (i.e. **Swales, infiltration trenches, ponds** and **wetlands**).
- Coastal and estuary management (i.e. saltmarshes).
- Woodland creations and leaky dams.



Sutcliffe Park, London: A common sense approach to health and safety near water (Ian Yarham 2010)

Effective SuDS management should incorporate green infrastructure to maximise the opportunity for flood management and to improve water quality in Essex by:

- Ensuring that SuDS and other urban natural flood management measures are linked into the overall green infrastructure network.
- Create SuDS which are appropriate to the distinctive local context which will enhance landscape character and quality.
- Seek to positively influence urban design and landscape value through provision of green space / blue corridors, vegetation and by integrating water into the built environment, while protecting and conserving the historic environment, and providing opportunities for biodiversity.
- Consider how the retained water from SuDS can be used for active and passive irrigation for urban plants and green spaces, for example by designing green corridors and street trees as stormwater planters.
- Encourage take up of small-scale urban drainage measures such as green roofs, green facades, rain gardens and ponds to be implemented on an individual level by households and businesses.

2. SuDS design requirements

We strongly recommend the use of our SuDS Planning Advice service: <https://flood.essex.gov.uk/new-development-advice/apply-for-suds-advice/>

- Explore possibilities of returning arable land to woodland and grassland in mid and upper catchments to stabilise soils, reduce sediment and nutrient run-off and improve flood management.
- Use of SuDS and other urban flood management measures to be incorporated into new developments and into proposals to refurbish existing neighbourhoods.
- Design SuDS for wildlife and amenity (e.g. by planting native species, providing ponds, green space paths, implementing street/park furniture (i.e. benches, interpretation etc.) where appropriate).
- Natural barriers (e.g. planting) should be introduced to help manage perceived safety risks
- Determine the suitability of SuDS for different soil
- Allow sufficient land take for SuDS when planning the site layout.

Ensure there is an operational and maintenance plan in place and explore funding mechanisms for the long-term management of SuDS and Green infrastructure.

Multiple Phases

When an application proposal is subject to multiple phases, clear information must be provided.

When submitting planning applications with multiple phases of development an executive summary or a technical note must be provided with every application describing how the whole drainage system is linked over the different

phases. This will provide the LLFA with the wider context needed to fully understand how the drainage system works which will make the assessment and review a much smoother and more straight forward procedure.



Cambourne development, Cambridgeshire)

2. SuDS design requirements

We strongly recommend the use of our SuDS Planning Advice service: <https://flood.essex.gov.uk/new-development-advice/apply-for-suds-advice/>

Construction Management

A Construction Management Plan (CMP) must be in provided to ensure that during construction the drainage network and surrounding environments are not impacted negatively.

A CMP is most commonly required at the discharge of conditions stage. Any scheme must ensure that appropriate mitigation procedures are in place to limit the impact of construction works on off-site flooding through surface water run off or on ground water. If left unmanaged the removal of topsoil prior to construction may result in excess water being discharged from site.

Unless temporary drainage solutions are provided during construction all drainage features and SuDS features must be fully maintained and restored to their full intended working capacity. This includes processes such as removing all sediment build up that may have occurred during construction. Care must be used in order to not remobilise these and flush them into the water system. Care must be taken to minimise the compaction of any soil during construction particularly when infiltration is relied upon to manage surface water on site.

Ordinary Watercourse Consent

If works are to be undertaken involving an ordinary watercourse then consent must be given by the LLFA.

The Land Drainage Act 1991 gave Essex County Council the responsibility for ordinary water course consents or section 23 consents (S23 Consents).

This mean that if you are proposing to undertake the following works you will require

ordinary watercourse consent from the Lead Local Flood Authority (Essex County Council) under Section 23 of the Land Drainage Act 1991:

- a) erection of any mill dam, weir or other like obstruction to the flow of any ordinary watercourse or raise or otherwise alter any such obstruction; or
- b) erection of a culvert in an ordinary watercourse, or
- c) alteration a culvert in a manner that would be likely to affect the flow of an ordinary watercourse.



Infiltration basin at Ravenswood, Ipswich, Suffolk.

2. SuDS design requirements

We strongly recommend the use of our SuDS Planning Advice service: <https://flood.essex.gov.uk/new-development-advice/apply-for-suds-advice/>

For works affecting main rivers the prior written consent of the Environment Agency is required under the Water Resources Act 1991 and Environment Agency Byelaws.

Therefore, if you would like to pipe, bridge or alter a watercourse as a part of your application then a S23 Consent is required from the LLFA. However, it must be made clear that a S23 Consent is a separate application and not part of the planning application process. More information on how to apply for consent can be found [here](#).

SuDS Maintenance

All Surface Water Drainage proposals must be accompanied with a stringent maintenance plan in order to ensure its efficiency throughout its intended lifespan.

Every surface water drainage scheme will require a stringent maintenance plan to ensure that the features will work at optimum levels throughout the lifespan of the development. Without this maintenance, the reliability and efficiency of the drainage network will be affected and consequently the risk of flooding and damage to the surrounding environments

will be dramatically increased. Therefore, a maintenance plan detailing what maintenance is required, who will undertake the work, and at what frequency the work will be carried out must be provided. The majority of common SuDS features available have their maintenance requirements and frequencies outlined in the [Ciria SuDS Manual C753](#).

The maintenance plan must incorporate details over who is responsible for the maintenance of individual SuDS features, and how they are to be funded in the long term. Who will be carrying out the maintenance is very important, and there are a range of potential adopters. It must be assured and clear that the design of the features meets both the adopters design criteria and those specified by the LLFA. Where necessary, features may have to be privately adopted.

It must be noted that Highways do not generally adopt SuDS, however this must not be regarded a reason for avoiding their use. Where the use of SuDS is necessary to manage surface water runoff from the highway, features must be located outside the adoptable carriageway and must be privately maintained. Further

information on construction within the Highways can be found within their [Developers Construction Manual](#) and their [Street Materials Guide](#).

Applications which have soakaways/ features serving more than one household (for example, across two gardens) should refrain from assigning maintenance responsibility to homeowners, as in the event of neighbour disputes there is an increased risk of maintenance stands lapsing. Where homeowners are assigned to the maintenance of features, they must be given clear instructions on what needs doing, how it can be done, and how maintenance can be carried out on their behalf by any onsite maintenance company.

Compliance with the proposed maintenance strategy for a site will typically be required by planning condition. Additionally, it is requested that yearly logs are maintained and are made available to the Local Authority upon request. There may also be occasions when compliance is managed via legal agreement in consultation with the local planning authority.

2. SuDS design requirements

We strongly recommend the use of our SuDS Planning Advice service: <https://flood.essex.gov.uk/new-development-advice/apply-for-suds-advice/>

3. Specific design specifications

Each SuDS feature has its own specific design specifications, which are required to be followed unless agreed otherwise with the LLFA.

3.1 Green roofs

A green roof is a multi-layered system that covers the roof of a building with vegetation/ landscaping/ permeable car parking, over a drainage layer. These features will not be considered for adoption by the SuDS Team.

- Designed for interception storage
- Minimum roof pitch of 1 in 80, maximum 1 in 3
- Multiple outlets to reduce risk from blockages
- Lightweight soil and appropriate vegetation.
- There are two types; extensive and intensive
- Extensive green roofs are not usually accessible, think (20-150mm), lightweight, cheap, suitable for retrofits and require little or no need for irrigation and specialised drainage systems.
- Intensive green roofs are accessible as public spaces/garden, thicker, have higher maintenance requirements, have good surface water retention capacity.
- Falls for the green roofs must be designed at a minimum of 1 in 40, they must be consistently graded without deflections or depressions.
- A high quality, robust waterproofing layer is required and is vital.



3. Specific design specifications

We strongly recommend the use of our SuDS Planning Advice service: <https://flood.essex.gov.uk/new-development-advice/apply-for-suds-advice/>

3.2 Soakaways

These are square or circular excavations, filled with aggregate or lined with brickwork, or pre-cast storage structures surrounded by granular backfill.

- Must be designed for the 1 in 100-year rainfall event as a minimum.
- Infiltration testing carried out in accordance with BRE Digest 365.
- Fill material must provide >30% void space.



- Base of soakaway at least 1m from groundwater level.
- Minimum of 5m away from foundations.
- Effective pre-treatment to ensure suitable capacity throughout lifetime.
- Permeability greater than surrounding soil.
- Stability of surrounding ground must be considered.
- Must half drain within 24 hours.
- Must be no closer than 6m to an adjacent highway.
- Best suited for small areas such as individual roof areas or driveways.
- A safety factor of 10 should be used within the calculations.

3.3 Filter Strips

These are vegetated strips of land designed to accept overland sheet flow.

- Recommended minimum width of 6m.
- Recommended depth 1-2m.
- Where infiltration is proposed, there must be a minimum of 1 metre between the invert level and the ground water level.
- Runoff must be evenly distributed across the filter strip.
- Slopes not exceeding 1 in 20, minimum of 1 in 50.
- The peak flow velocity must be lower than 0.3m/s to promote particulate settlement.
- The time of travel of runoff across the filter strip should be at least 9 minutes.



3. Specific design specifications

We strongly recommend the use of our SuDS Planning Advice service: <https://flood.essex.gov.uk/new-development-advice/apply-for-suds-advice/>

3.4 Filter trenches and drains

These are shallow excavations filled with stone to create temporary surface water attenuation.

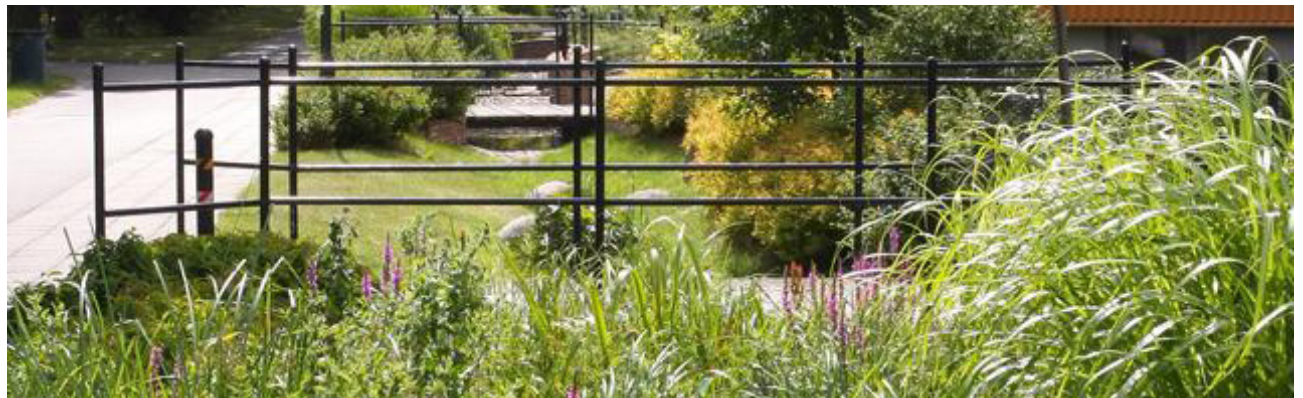
- Excavated trench 1-2m depth filled with stone aggregate.
- Effective upstream pre-treatment to remove sediment and fine silts.
- Infiltration must not be used where groundwater is vulnerable or to drain pollution hotspots.
- Observation wells and/or access points for maintenance of perforated pipe



3.5 Swales

These are linear vegetated features in which surface water can be stored or conveyed. They can be wet or dry. Can be designed to allow infiltration where appropriate.

- Limit velocities during extreme events to 1-2 m/s.
- Maximum side slopes of 1 in 3, 1 in 4 preferred.
- Base width of 0.5-2.0m.
- Must be designed for shallow flows and adequate water quality treatment, whilst preventing flows from concentrating and creating erosion channels.



- Maximum flow velocity must be 0.3m/s to ensure adequate runoff filtration.
- The time of travel of runoff along the swale should be at least 9 minutes.
- Check dams and appropriate pre-treatment systems can be used to improve both hydraulic and water quality performance by reducing velocities increasing resistance time and increasing infiltration/storage.
- Flow velocities for extreme events must be kept below 1m (2m max) to prevent erosion.
- Water should be preferably directed laterally into a swale rather than entering the swale as a single point inflow to minimise erosion and to disperse pollution widely.

3. Specific design specifications

We strongly recommend the use of our SuDS Planning Advice service: <https://flood.essex.gov.uk/new-development-advice/apply-for-suds-advice/>

3.6 Bioretention

These are shallow landscaped depressions or pre-cast units which rely on engineered soil and vegetation to remove pollution and reduce runoff.

- Sufficient area to temporarily store the water quality treatment volume
- The water quality treatment event must half drain within 24 hrs to provide adequate capacity for multi-event scenarios
- Minimum depth to groundwater of 1m, if unlined
- Overflow/bypass facilities for extreme events.
- Maximum recommended area that must drain to a bioretention system is 0.8ha.
- Typically, the surface area of the bioretention system must be 2-4% of the overall site area to be drained to prevent rapid clogging of the bioretention surface



Bioretention



Permeable pavement

3.7 Pervious/permeable pavements

Permeable surface allow rainwater to infiltrate through into underlying layer where it is temporarily stored.

- Pervious sub-base to be structurally designed for site purpose
- Temporary sub-surface storage must provide infiltration and/or controlled discharge
- Geotextile may be specified to provide filtration treatment
- Surface infiltration rates must be an order of magnitude greater than the design rainfall intensity.
- 30% porosity or Type 3 sub-base must be used.
- Unless unfeasible, pervious/permeable pavements must be left unlined to encourage as much infiltration as possible.
- Can be up against buildings
- Are not adoptable by Essex Highways

3. Specific design specifications

We strongly recommend the use of our SuDS Planning Advice service: <https://flood.essex.gov.uk/new-development-advice/apply-for-suds-advice/>

3.8 Geocellular structures

Modular Geocellular systems have a high void ratio that can be used to create below ground infiltration (soakaway) or storage device.

- Standard storage design using limiting discharges to determine storage volume.
- Structural design must be to relevant standards for appropriate surface loadings.
- Use appropriate geotextile (for infiltration) or geomembrane (for storage).
- Effective upstream treatment is crucial to allow the capacity to be maintained and uncompromised by sediment build up.
- Geocellular systems must be at a minimum 1metre above the ground water level.



3.9 Infiltration basins

These are vegetated depressions designed to store runoff and allow infiltration gradually into the ground.

- Pre-treatment is required to remove sediments and fine silts.
- Infiltration must not be used where groundwater is vulnerable or to drain pollution hotspots.



3.10 Detention basins

These are surface storage basins that provide attenuation of stormwater runoff and facilitate settling of particulate pollutants. They are normally dry and may also function as a recreational facility.

- Maximum side slopes of 1:3.
- Bioretention and/or wetland/micro pools at outlets for enhanced pollution control.
- The maximum flow velocity for such an event must be 0.3m/s to ensure adequate runoff filtration.
- The time of travel of runoff from inlet to outlet must be at least 9 minutes.



3. Specific design specifications

We strongly recommend the use of our SuDS Planning Advice service: <https://flood.essex.gov.uk/new-development-advice/apply-for-suds-advice/>

3.11 Ponds

These provide for stormwater attenuation and treatment. Permanent pools to support aquatic vegetation and retention time promotes sediment removal.

- Permanent pool for water quality treatment and temporary storage volume for flow attenuation.
- Sediment forebay to maintain capacity.
- Aquatic benches so support planting, acting as a biological filter and providing ecology, amenity and safety benefits.
- Maximum water depth for open water areas of 1.2m.
- Maximum side slopes of 1:3.



3.12 Wetlands

These are shallow ponds and marshy areas for attenuation and water treatment. Aquatic vegetation and extended detention allow sediments to settle.

- Shallow, temporary storage for attenuation.
- Sediment forebay or equivalent upstream pre-treatment.
- Combination of deep and shallow areas (maximum depth <2m).
- Length: width ratio of greater than 3:1, shallow side slopes.



3. Specific design specifications

We strongly recommend the use of our SuDS Planning Advice service: <https://flood.essex.gov.uk/new-development-advice/apply-for-suds-advice/>

3.13 Rainwater harvesting

Rainwater harvesting is the process of collecting and using rainwater. If designed appropriately the systems can be used to reduce the rates and volumes of runoff.

- Can range from complex district-wide systems to simple household systems linked to a water butt
- Most simple rainwater harvesting systems are relatively easy to manage
- Rainwater harvesting systems can be combined with grey water recycling systems to form an integrated process.
- The sizing of storage tanks for water conservation (supply) systems are either 5% of the annual runoff yield or 5% of the annual property water demand.
- Rainwater harvesting must not be incorporated into site storage calculations due to the efficiency being down to the regular emptying before storm events by the homeowner.
- Primary screening devices used to prevent leaves and debris from entering the tank must be installed to maintain capacity and

to prevent blockages.

- First flush devices can also be used to divert the initial flush of heavily polluted (debris, leaves, bird poo, etc) flush away from the tank/butt.
- They need to have either an inlet valve or an overflow arrangement that conveys excess surface water runoff away from the building without causing damage.

3.14 Greywater recycling

Greywater recycling is the re-use of waste water collected from showers, baths, washbasins, washing machines and kitchen sinks.

- Common features include a tank if storing water, a pump, a distribution system and, where it is needed, some sort of treatment
- Greywater stored for any length of time has to be treated as otherwise it deteriorates rapidly.

3.15 Proprietary treatment systems

Proprietary treatment systems are manufactured systems that can treat surface water. They are usually below ground features which can support landscaped features and storage features.

- They must be accompanied by their simple index approach mitigation indices
- The choice of proprietary systems is dependent on space, access, types of pollutants removed, and the range of flow events for which contaminant removal is desired.
- Must be located as shallow as possible
- Can be considered as pre-treatment devices before certain features.
- Must be considered after above ground and biodiversity friendly methods ruled out.
- To ensure that they work as planned, they may require more frequent and routine maintenance than other methods.

3. Specific design specifications

We strongly recommend the use of our SuDS Planning Advice service: <https://flood.essex.gov.uk/new-development-advice/apply-for-suds-advice/>

Appendix 1



SuDS Water quantity and Quality – LLFA Technical Assessment Proforma

Introduction

This proforma identifies the information required by Essex LLFA to enable technical assessment the Designers approach to water quantity and water quality as part of SuDS design approach in compliance with Essex SuDS Design Guide Local Standards 1 and 2.

Completion of the proforma will also allow for technical assessment against Non-statutory technical standards (NSTS) for Sustainable Drainage.

Please complete this form in full. This will assist with a smoother and quicker application.

Instructions for use

Used the units defined for input of figures

Numbers in brackets refer to accompanying notes.

Wherem³m³/m² are noted – both values should be filled in.

Site details

- 1.1 Planning application reference
- 1.2 Site name
- 1.3 Total application site area ⁽¹⁾ ha
- 1.4 Predevelopment use ⁽⁴⁾ Please select
- 1.5 Post development use Please select
- 1.6 Urban creep applicable Please select
- 1.7 Proposed design life / planning application life
- 1.8 Method(s) of discharge ⁽⁵⁾ Infiltration ☐ Waterbody ☐ Storm sewer ☐ Combined sewer ☐ Reuse ☐
- 1.9 Is discharge direct to estuary / sea Please select
- 1.10 Have agreements in principle (where applicable) for discharge been provided Please select



SuDS Water quantity and Quality – LLFA Technical Assessment

Calculation inputs

2.1	Area within site which is drained by SuDS ⁽²⁾	m ²
2.2	Impermeable area drained pre development ⁽³⁾	m ²
2.3	Impermeable area drained post development ⁽³⁾	m ²
2.4	Additional impermeable area (2.3 minus 2.2)	m ²
2.5	Method for assessing greenfield runoff rate	
2.6	Method for assessing brownfield runoff rate	
2.7	Coefficient of runoff (Cv) ⁽⁶⁾	
2.8	Source of rainfall data (FEH Preferred)	Please select
2.9	Climate change factor applied	%
2.10	Urban creep factor applied	%

Attenuation (positive outlet)

2.11 Drainage outlet at risk of drowning (tidal locking, elevated water levels in watercourse/sewer)
Note: Vortex controls require conditions of free discharge to operate as per manufacturers specification.

2.12	Invert level at final outlet	mAOD
2.13	Design level used for surcharge water level at point of discharge ⁽¹⁶⁾	mAOD

Infiltration (Discharge to Ground)

2.14	Have infiltration tests been undertaken	Please select
2.15	Infiltration rate (where applicable)	m/hr
2.16	Depth to highest known ground water table	mAOD
2.17	Depth of infiltration feature	mAOD
2.18	Method for assessing required infiltration temporary storage	Please select
2.19	Factor of safety used for sizing infiltration storage	



SuDS Water quantity and Quality – LLFA Technical Assessment Proforma

Calculation outputs

Sections 3 and 4 refer to site where storage is provided by full attenuation or partial infiltration. Where all flows are infiltrated to ground go straight to Section 6.

3.0	Proposed maximum rate of runoff from site (incl. CCA and Urban Creep) ⁽⁷⁾		
3.1	1 in 1 year rainfall	l/s/ha,	l/s for the site
3.2	1 in 2 year rainfall	l/s/ha,	l/s for the site
3.3	1 in 30 year rainfall	l/s/ha,	l/s for the site
3.4	1 in 100 year rainfall	l/s/ha,	l/s for the site
4.0	Attenuation storage to manage flow rates from site (incl. CCA and Urban Creep)		
4.1	Storage - 1 in 1 year	m ³	m ³ /m ² (of developed impermeable area)
4.2	Storage - 1 in 30 year ⁽⁸⁾	m ³	m ³ /m ²
4.3	Storage - 1 in 100 year plus 40% CC ⁽⁹⁾	m ³	m ³ /m ²
4.4	50% storage drain down time	hours	
5.0	Controlling volume of runoff from the site ⁽¹⁰⁾		
5.1	Pre development runoff volume ⁽¹²⁾		m ³ for the site
5.2	Post development runoff volume (unmitigated) ⁽¹²⁾		m ³ for the site
5.3	Volume to be controlled (5.2 - 5.1)		m ³ for the site
5.4	Volume control provided by:		
	- Interception losses ⁽¹³⁾	m ³	
	- Rain harvesting ⁽¹⁴⁾	m ³	
	- Infiltration	m ³	
	- Attenuation	m ³	
	- Separate area designated as long term storage ⁽¹⁵⁾		m ³
5.5	Total volume control (sum of inputs for 5.4)		m ³ ⁽¹⁷⁾
6.0	Site storage volumes (full infiltration only)		
6.1	Storage - 1 in 30 year plus CCA ⁽⁸⁾	m ³	m ³ /m ² (of developed impermeable area)
6.2	Storage - 1 in 100 year plus CC ⁽¹¹⁾	m ³	m ³ /m ²



SuDS Water quantity and Quality – LLFA Technical Assessment Proforma

Design Inputs

Proposed site use

Pollution hazard category (see C753 Table 26.2)

Method of risk assessment (see C753 Table 26.1)

Infiltration screening risk assessment required Please select

Are very high pollution risk areas present on site (define use) Please select

High risk area defined as area storing fuels chemicals, refuelling area, washdown area, loading bay.

Design Outputs

List order of SuDS techniques proposed for treatment

Note that gully pots, pipes and tanks are not accepted by Essex LLFA as a form of treatment (for justification see C753 Section 4.1, Table 26.15 and Box B.2)

Infiltration screening risk assessment score
C753 Table 26.5

Are very high pollution risk areas drained separate from SuDS to foul system Please select



SuDS Water quantity and Quality – LLFA Technical Assessment Proforma

Notes

1. All area with the proposed application site boundary to be included.
2. The site area which is positively drained includes all green areas which drain to the SuDS system and area of surface SuDS features. It excludes large open green spaces which do not drain to the SuDS system.
3. Impermeable area should be measured pre and post development. Impermeable surfaces include, roofs, pavements, driveways and paths where runoff is conveyed to the drainage system.
4. Predevelopment use may impact on the allowable discharge rate. The LLFA will seek for reduction in flow rates to GF (Essex SuDS Design Guide).
5. Runoff may be discharge via one or more methods.
6. Sewers for Adoption 6th Edition recommends a Cv of 100% when designing drainage for impermeable area (assumes no loss of runoff from impermeable surfaces) and 0% for permeable areas. Where lower Cv's are used the applicant should justify the selection of Cv.
7. It is Essex County Council's preference that discharge rates for all events up to the 1 in 100 year event plus climate change are limited to the 1 in 1 greenfield rate. This is also considered to mitigate the increased runoff volumes that occur with the introduction of impermeable surfaces. If discharge rates are limited to a range of matched greenfield flows then it is necessary to provide additional mitigation of increased runoff volumes by the provision of Long-term Storage.
8. Storage for the 1 in 30 year must be fully contained within the SuDS components. Note that standing water within SuDS components such as ponds, basins and swales is not classified as flooding. Storage should be calculated for the critical duration rainfall event.
9. Runoff generated from rainfall events up to the 1 in 100 year will not be allowed to leave the site in an uncontrolled way. Temporary flooding of designated areas to shallow depths and velocities may be acceptable.
10. The following information should only be provided if increased runoff volumes are not mitigated by limiting all discharge rates back to the greenfield 1 in 1 year rate.
11. Climate change is specified as 40% increase to rainfall intensity, unless otherwise agreed with the LLFA / EA.
12. To be determined using the 100 year return period 6 hour duration rainfall event.
13. Where Source Control is provided Interception losses will occur. An allowance of 5mm rainfall depth can be subtracted from the net inflow to the storage calculation where interception losses are demonstrated. The Applicant should demonstrate use of subcatchments and source control techniques.
14. Please refer to Rain harvesting BS for guidance on available storage.
15. Flow diverted to Long term storage areas should be infiltrated to the ground or discharged at low flow rate of maximum 2 l/s/ha.
16. Careful consideration should be used for calculations where flow control / storage is likely to be influenced by surcharged sewer or peak levels within a watercourse. Outlets can be tidally locked where discharge is direct to estuary or sea. Calculations should demonstrate that risk of downed outlet has been taken into consideration. Vortex controls require conditions of free discharge to operate as per specification.
17. In controlling the volume of runoff the total volume from mitigation measures should be greater than or equal to the additional volume generated.

Appendix 2

What we require and when

	Is not required
	Can be provided/conditioned if proven necessary
	Is required

With any stage of the application, we would expect submission of all relevant documents from the previous stages. This would help give a full overview of the history of the application and will help the review process.

Outline	Reserved Matters	Full	Discharge of Conditions	Documents Required
Preliminary information is acceptable				The LLFA required Pro Forma
				Flood Risk Assessment (as required in the NPPF)
				Drainage strategy (this can be included within the FRA)
				Preliminary layout drawings showing exceeding routing, and location of discharge points
				Preliminary landscape proposals
				Preliminary Ground investigation report, to show potential viability of infiltration
				Evidence of third-party agreement for discharge to their system (in principle/consent)
				Detailed storage calculations
				Detailed drainage network calculations
				Detailed development layout
				Detailed landscape proposals
				Detailed flood and drainage design engineering drawings
				Full structural, hydraulic and ground investigations, including detailed infiltration testing in line with BRE365, groundwater level
				Development management and construction phasing plan
				Maintenance program and on-going maintenance responsibilities

Appendix 2

We strongly recommend the use of our SuDS Planning Advice service: <https://flood.essex.gov.uk/new-development-advice/apply-for-suds-advice/>

Appendix 3

Minor responses

As LLFA we are now looking to provide comments on minor applications, applying slightly less stringent criteria than we do for major applications. As we have been consulted, we are assuming that there is a potential flood risk on site, therefore we are considering the impact of increased run off rates. The cumulative impacts of minor developments can increase flood risk in an area. Current processes for assessing major applications cannot be applied in the same way to minor applications as reduced orifice sizing to meet the greenfield 1 in 1 rate can increase the risk of blockages and therefore flood risk.

Minor sites must minimise the areas of hardstanding, and where hard surfaces are necessary unlined permeable paving should be used. This allows any infiltration potential on the site to be utilised, reducing off-site run off. This is in line with the drainage hierarchy if water re-use is not possible on the site. If the site is directing water to a single point of infiltration, then we would need to see infiltration testing for that location. However, if the water is being distributed evenly across the site as the rain lands on the ground then we do not require infiltration testing as it is mimicking natural processes.

Information regarding existing surface water risk at the site must be submitted in order for us to make a complete assessment of potential flood risk on the site. Discharge rates must be limited to the 1 in 1-year greenfield rate or 1l/s, whichever is greater. The required storage volume and run off for the site can be calculated using the [UK SUDS website](#). A 10% allowance for urban creep should also be included when calculating the required storage. Where it is not possible to meet the 1 in 1-year greenfield rate, rainwater re-use should be used to reduce the run off rate from the site. It must be demonstrated why this is not feasible if it is not proposed. Please refer back to the section on [rainwater re-use](#) for more information.

All water must have sufficient treatment before leaving the site in line with the Simple Index Approach of the **Ciria SUDS Manual C753**. The use of above ground features is preferable in order to provide treatment on site, and to provide biodiversity and amenity benefits. A maintenance plan detailing the maintenance arrangements of the SUDS features must be submitted including who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies.

A drainage plan must be submitted which includes the site layout, location of features, outfall location and conveyance. The drainage plan must also consider exceedance flows to ensure potential off-site flooding is managed. Engineering drawings of the components being used within the scheme should also be included.

Appendix 3

We strongly recommend the use of our SuDS Planning Advice service: <https://flood.essex.gov.uk/new-development-advice/apply-for-suds-advice/>

Appendix 4

What we offer

SuDS Planning Advice

We strongly recommend the use of our SuDS Planning Advice service. We suggest that you use the SuDS Planning Advice service as early on in the planning process as possible in order to avoid complications and unnecessary delays. Despite best being utilised at the beginning, this service can be used at any stage during the planning application process.

We understand that each application is unique and encounters its own difficulties and challenges, that's why we offer a range of varying services to meet your requirements.

The SuDS Planning Advice Service can:

- indicate whether your SuDS drainage proposal would be unacceptable, saving you the cost of a formal application;
- reduce the time you spend on developing a SuDS drainage strategy;
- confirm all relevant information is included within your SuDS drainage strategy;
- save you time and avoid any unnecessary delays during the planning application process.

To apply for SuDS planning advice, please complete our Flood and Water Management Products and Service Application form. As part of your application, we would require supporting documentation to improve our understanding of your development and maximise the benefits of your planning service. The documents will differ on a case by case basis, but can include:

- A drainage plan, layout or proposal
- A location map
- A site plan
- A draft Flood Risk Assessment (FRA)
- A summary of the site restrictions

To apply for our SuDS Planning Advice service please follow the below link: <https://flood.essex.gov.uk/new-development-advice/apply-for-suds-advice/>

Flood Information Request

We can also provide information on flood and water management in the form of either basic or detailed requests.

Basic Requests

When you make a basic request, we will provide you with all historic flood incidents relating to your site along with any known watercourse issues in the area.

We will also confirm whether your site falls within a Critical Drainage Area (CDA) and if we have carried out any flood investigations within a 5-mile radius.

Examples of information available through a basic request include:

- Sites at risk of flooding as identified on the Essex County Council flood map.
- Surface Water Management Plans (SWMP) for different areas located on the map.
- Critical Drainage Areas in Essex.
- Records of historic flood incidents.
- Information about property flood incidents.
- Highway flood incidents we have recorded.
- Flood investigations we have conducted.
- The types of assets on our asset register.
- The types of watercourses in Essex.
- Designated assets.

Appendix 4

We strongly recommend the use of our SuDS Planning Advice service: <https://flood.essex.gov.uk/new-development-advice/apply-for-suds-advice/>

Detailed Requests

When you make a detailed request, we will provide you with the above information along with any engineer or judgement or commentary on that particular request plus:

- Information about timing;
- Results of reported incidents and;
- Information on rainfall patterns and flooding events. For example, date, time, intensity and location.

To submit a flood information request please follow the below link: <https://flood.essex.gov.uk/know-your-flood-risk/make-an-information-request/>

Guidance on an ordinary watercourse consent

The SuDS team do not comment on watercourse consents. They must be dealt with by the appointed Ordinary Watercourse Consent Engineer. Ordinary watercourse consent forms a separate application.

To apply for ordinary watercourse consent please use the following link: <https://flood.essex.gov.uk/maintaining-or-changing-a-watercourse/apply-for-a-watercourse-consent/>

You can contact us to check if you need consent for your development or whether it could affect the flow of water in an ordinary watercourse. If you do need consent, you will need to:

- Fill in the watercourse consent application form and show that your work will not have a negative effect on the environment or flood risk.
- Attach any required documents such as drawings.
- Make a payment of £50 per structure.

Within the application we will require certain information, and includes:

- A description of your development. We would like you to tell us the purpose of the development / works and the number of structures you need consent for.
- Reasons for it to be built. Please ensure that all proposed works are in line with our Culvert Policy. Please note that applications made for the purpose of gaining garden space will most likely be rejected.

- Construction details. Is your structure permanent or temporary? We will need details of when you plan to carry out the work and how long it will take.
- Planning approvals. You'll need to provide details of planning permissions you may have or are applying for that relate to your development.
- Information on the maintenance of the structure. You must tell us in your application who will be responsible for maintaining the structure during development and after.
- Information on the effect of the watercourse on the environment. We will consider the effects your structure may have on the environment. We will need detailed evidence that shows the impact on the environment and you may need to include an Ecological Statement.
- An assessment to make sure you are meeting the terms of the Water Framework Directive (WFD). Your development proposal must meet the terms of the Water Framework which protects watercourses and wildlife that live in them.

Appendix 4

We strongly recommend the use of our SuDS Planning Advice service: <https://flood.essex.gov.uk/new-development-advice/apply-for-suds-advice/>

We also need detailed information on the design proposals and methodology to include:

1. Site location plan highlighted in Red.
2. Site as existing prior to development.
3. Plans and drawings showing all of the structures, Location and the adjacent watercourse.
4. Sections for the drawings.
5. Photographs.
6. Flood maps.

Essex County Council also offers a pre-app service for ordinary watercourse consent. This is a 1-month process and will require a description of your development and reasons for it to be built. It would also be beneficial to include:

- A site location plan highlighted in Red
- A plan showing the site as existing prior to development
- Plans and drawings showing proposed structures, location and the adjacent watercourse
- Photographs

- Flood maps

The ordinary watercourse consent form can be found on this link <https://flood.essex.gov.uk/maintaining-or-changing-a-watercourse/apply-for-a-watercourse-consent/>

Appendix 4

We strongly recommend the use of our SuDS Planning Advice service: <https://flood.essex.gov.uk/new-development-advice/apply-for-suds-advice/>

Appendix 5

Microdrainage for sites in Essex: Guide on input parameters and required outputs

This document is intended for those applicants proposing to submit MicroDrainage (MD) designs and outputs as part of planning applications for sites within Essex. It will specifically detail the appropriate parameters and settings to use in order to meet the requirements of the Essex Sustainable Drainage Design Guide (2019). In doing so this will allow for the more efficient processing of applications and reduce the likelihood of comments and questions being returned and minimise the risk for design changes to be required.

This document will be given in the form of screenshots from MD (version 2018.1) with correctly completed information to allow for maximum clarity.

The following key MD parameter input stages will be covered:

- Network / System 1: Design Criteria
- Network / System 1: Simulation Criteria
- Network / System 1: Seasonal Return Period Wizard
- Source Control: Global Variables
- Source Control: Rainfall Network Details

- Source Control: Rural Runoff Calculator: ICP SuDS
- Source Control: Quick Storage Estimate

Parameters and the specific values that are required to be used to meet the Essex requirements are given in **RED**. Values that are advised but can be changed from the recommended figures are given in **BLUE**. All other values should be left as defaults. Justification will need to be provided where advised values are changed from those suggested and also where parameters not specifically referred to are changed from their defaults.

Details on the specific outputs Essex Council Councils' SuDS Team require to assess applications will also be given for the following:

- System 1 (drainage network designs)
- Source Control: Storage Design

Pre-application advice can be sought from the SuDS Team at any stage of the development process and it is strongly recommended that this be considered if applicants have any questions or concerns regarding designs and their potential to meet requirements.

Appendix 5

We strongly recommend the use of our SuDS Planning Advice service: <https://flood.essex.gov.uk/new-development-advice/apply-for-suds-advice/>

This section details the input parameters and variable values necessary to design a drainage system that will meet the required Essex SuDS standards.

Network/System 1: Design Criteria

When starting a system design in Network or System 1 the 'Design Criteria' dialogue box automatically pops up. If not, or if changes are required, the dialogue box can be found at the top of the 'Network' drop down box in the command bar. The below screenshot shows parameters correctly completed for Essex, excluding the site-specific rainfall parameters, with further details on the required and recommended parameters listed below:

UK Rainfall: It is advised that FSR rainfall is used unless FEH data has been purchased for the site.

Return Period: Should be set to 1 year as a default.

Map: For FSR Rainfall only. The exact site location should be selected using the in-built map. Justification and supporting evidence should be provided if manual values are entered.

Global Time of Entry (mins): Should be set to 5 minutes as a default.

Max. Rainfall (mm/hr): Should be set to the

maximum enterable value of 550 mm/hr. This caps the maximum rainfall intensity able to enter a system so if a modelled storm has an intensity higher than the input value then all water above this is lost. Whilst few events exceed this, an only for short periods when they do (meaning the volume lost by capping is small), it can still lead to water being unaccounted for. Therefore it is recommended that the maximum value be entered to avoid this. Justification and details must be provided if values less than 150 mm/hr are used.

Volumetric Run-off Coeff: This can be left as the default value but it is preferred to set it to 1 to remove any losses between rainfall landing and reaching the drainage network.

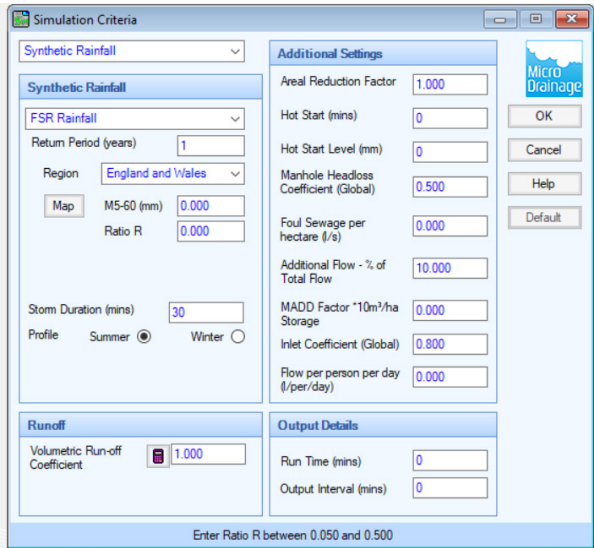
Additional Flow/Climate Change: This should be used to set an appropriate value for urban creep, accepted as 10%. Climate change values should not be entered here.

Appendix 5

We strongly recommend the use of our SuDS Planning Advice service: <https://flood.essex.gov.uk/new-development-advice/apply-for-suds-advice/>

Network / System 1:
Simulation Criteria

'Simulation Criteria' can be found from the 'Site' drop down box and gives the base variables for modelling storm events on a designed system. The below screenshot shows parameters correctly completed for Essex, excluding the site-specific rainfall parameters.



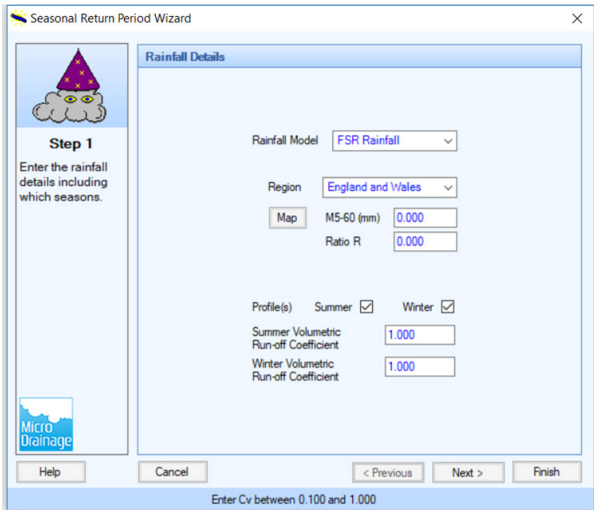
Synthetic Rainfall: It is advised that FSR rainfall is used unless FEH data has been purchased for the site.

Volumetric Run-off Coefficient: This can be left as the default value but it is preferable to set it to 1.

Areal Reduction Factor: Should be left as the default value of 1 unless a site is of a significant size.

Additional Flow - % of Total Flow: This should be used to set an appropriate value for urban creep, accepted as 10%. Climate change values should not be entered here.

MADD Factor: This must be set to 0.



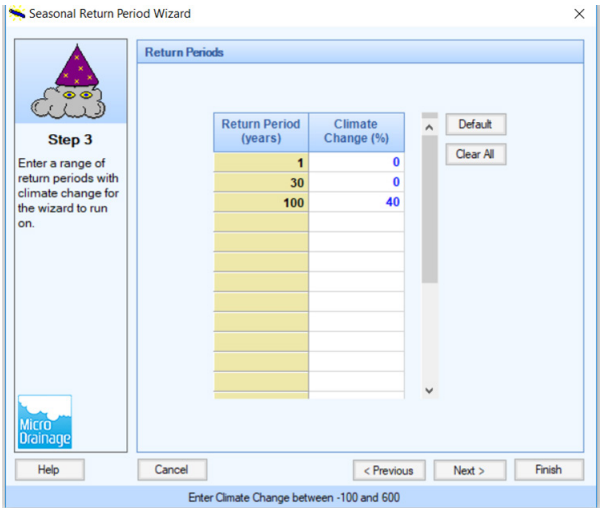
Network / System 1:
Seasonal Return Period
Wizard

The following screenshots set out the parameters that should be entered when modelling the impacts of storms on a designed system using the seasonal return period wizard.

Summer Volumetric Run-off Coefficient: This can be left as the default value but it is preferable to set it to 1.

Winter Volumetric Run-off Coefficient: This can also be left as the default value but it is preferable to set it to 1.

Climate change percentage (40%) should be entered here and only when modelling the 100 year storm.



Appendix 5

We strongly recommend the use of our SuDS Planning Advice service: <https://flood.essex.gov.uk/new-development-advice/apply-for-suds-advice/>

Source Control: Global Variables

When initially opening Source Control the following dialogue box appears. Most inputs will vary by site depending on the specific storage structures and outlets being utilised.

Climate Change: This should be used to set an appropriate value for urban creep, accepted as 10%. Climate change values should not be entered here.

Source Control: Rainfall and Network Details

After clicking 'OK' on the above 'Global Variables' box the 'Rainfall and Network Details' box automatically opens.

UK Rainfall: It is advised that FSR rainfall is used unless FEH data has been purchased for the site.

Return Period: Should be set to 1 year as a default.

Map: For FSR Rainfall only. The exact site location should be selected using the in-built map. Justification and supporting evidence should be provided if manual values are entered.

Cv: These can be left as the default values but it is preferable to set the values for both summer and winter storms to 1.

Storage Volume in Pipe Network (m³): This must be set to 0. If pipes have been deliberately oversized to provide storage this volume will be taken account of in the modelling and this value should still be set to 0.

Rural Runoff Calculator: ICP SuDS

The Rural Runoff Calculator can be found from the 'File' command bar within the Source Control Module. Unless FEH data has been purchased for the site it is recommended that greenfield runoff rates be calculated using the ICP SuDS method.

The IH124 method can also be used, and requires the same parameters as the ICP SuDS method, however all sites less than 50ha must

be scaled appropriately by calculating runoff for a 50ha site and multiplying by the result by the site area divided by 50. Note that the Q (1yrs) (l/s) pre-development runoff values are required to be met by developments in Essex for greenfield sites. For brownfield sites a 50% betterment must be achieved and therefore rates cannot exceed 50% of the calculated pre development runoff rate.

Area (ha): Must be the total pre-development site area, in hectares.

Urban: This must be set to 0 to allow

calculations for an undeveloped site.

Region: This must be set to Region 6. This can be input by selecting from the drop down box or by clicking Essex on the map from the '...' button.

Source Control: Quick Storage Estimate

The Quick Storage Estimate can be found from the 'File' command bar within the Source Control Module.

UK Rainfall: It is advised that the FSR rainfall is used unless FEH data has been purchased for the site.

Return Period: Should be set to an appropriate value to size the storage, most likely 30 or 100

to meet NPPF requirements.

Map: For FSR Rainfall only. The exact site location should be selected using the in-built map. Justification and supporting evidence should be provided if manual values are entered.

Cv (Summer): This can be left as the default value but it is preferable to set it to 1.

Cv (Winter): This can also be left as the default value but it is preferable to set it to 1.

- This is the 1 in 1 year greenfield runoff rate calculated for the site. If the 'Rural Runoff Tool' is not utilised the value should be determined from another appropriate source and justification and evidence of the calculations provided. For brownfield sites a 50% betterment is required and therefore discharge rates cannot exceed 50% of the calculated 1 year rate. Infiltration Coefficient (m/hr): Only values calculated from site infiltration testing should be input here. A specific value can be entered manually or a rate can be calculated by clicking on the calculator to the right and entering the appropriate site test result values. Generic infiltration rates based on publicly available soil and geology data can be used for outline applications and these values and information sources must be clearly stated.

Climate Change: This should be used to set an appropriate value for urban creep, accepted as 10%. Climate change values should not be entered here.

Safety Factor: An appropriate value should be entered here, most likely 2. Safety Factors should align with the contents of the Table 25.2 in section 25 of the CIRIA C753 SuDS Manual, however in Essex it has been agreed that a factor of 10 for infiltration structures has a significant impact on sizing and therefore a value of 2 can be used instead of this.

Outputs

This section provides details on the specific outputs that can be included with planning application submissions to allow the drainage to be appropriately assessed. The listed outputs are the minimum that will be accepted. Whilst additional outputs can be included please note that these will require additional time to assess and therefore may delay an application. Relevant outputs can be selected and generated by clicking 'File' and then 'Print'.

Network / System 1

Within the print dialogue box the following information must be provided for each of the listed sub sections:

Model:

- Design Criteria
- Network Details
- Manhole Schedule
- Area Summary
- Outfall Details
- Simulation Criteria
- Online Controls

- Offline Controls (if these exist within the design)
- Storage Structures

Results:

Summary of Results (for critical storm). The default print style should be used and results should be provided for the 1:1, 1:30 and 1:100 plus 40% climate change storms.

Drawing:

A pdf drawing should be provided showing the layout of the drainage system/s with the pipe and manhole numbers clearly labelled. The locations of all storage and attenuation features should also be clearly shown.

Source Control: Storage Design

Summary of Results (for all modelled events). Separate outputs should be provided for all storage features with half drain times for those incorporating infiltration. Calculations showing how these were reached must also be included.

Appendix 5

We strongly recommend the use of our SuDS Planning Advice service: <https://flood.essex.gov.uk/new-development-advice/apply-for-suds-advice/>

This document is issued by:
Sustainability and resilience
Flood and Water Management Team
Place Services
Essex County Council

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The information contained in this document can be translated,
and/or made available in alternative formats, on request.

Published May 2019.



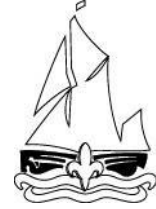
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Question	Answer
Do you think this document clearly explains what an applicant needs to submit as part of the application process?	Yes/No YES
	Explanation: Appendix 2 explains what an applicant needs to submit as part of the application process.
Are there any other key sections that may have been missed/need to be included?	Yes/No YES
	Explanation: Maldon District Council (DC) advocates a landscaped approach to Sustainable Drainage Systems (SuDs) detailed in our Garden Suburb Masterplans. Useable and functional Public Open Space is a requirement of major housing growth and this necessary requirement of new development is often dominated by detention and attenuation basins that render it unusable for informal play and recreation. Tree planting takes up water and could be used as an element of a SuDs technique. Water runs off leaves as it does roofs. Trees shade ground in dry summer months and retain lower canopy plants and damp soil condition. A downpour in the summer hits dry hard ground and cannot get into the soil and bounces off elsewhere. Maldon DC recommend the SuDs Guide refers to other agency's guidance, for example, the Environment Agency's Design Guidance in terms of designing culverts and engineered SuDs elements. As the Essex County Council (ECC) Guide realises, some of the SuDs design may be by another agency's requirements. Maldon DC has experienced SuDs schemes spoilt by concrete culverts and natural watercourses altered to having concrete sides with metal fencing. A softer approach could have used gabions, sand sacks and meadow

Question	Answer
	planted sides that encourage aquatic wildlife and species as detailed in the Environment Agency Design Guidance.
Are there any sections that are incorrect?	Yes/No No
	Explanation:
Is the checklist of what is required clear/helpful?	Yes/No YES
	Explanation: Appendix 2 explains what an applicant needs to submit as part of the application process.
How do you think we should promote this document?	Maldon DC recommend linking the SuDs Design Guide to the Essex Design Guide interactive website as a 'Technical Document' to inform the design process. Keep it digital to allow review and additional content.
Will you promote this document?	Yes/No Yes – The Maldon District Design Guide Supplementary Planning Document (SPD) references ECC as the LLFA and SuDs Authority in Section A06 'Who to talk to' on page 8. The SuDs Design Guide will be referred to in the ' <i>Landscape and Green Infrastructure (including open space, sport and play facilities, biodiversity and trees)</i> ' Technical Document.
Will you use this document?	Yes/No YES

Question	Answer
	Explanation: Maldon DC support the need for a viable Drainage Strategy at the outset of the design process as advocated by this Council's adopted and endorsed Garden Suburb SPD and Strategic Design Code documents.
Do you think there are any sections that require more/less information/explanation?	Yes/No No Explanation:
Were you familiar with the previous suds guide? If so Is this an improvement?	Yes/No/Same YES Explanation Maldon DC support the process for designing SuDs at the outset of development proposals where the onus is on the developer/designer/consultant to think about SuDs as an opportunity rather than a constraint and to be aware of the variety of SuDs solutions.
Do you feel the name reflects what the document includes?	Yes/No YES Explanation
Do you have any further comments?	No, thank you.

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**REPORT of
DIRECTOR OF STRATEGY, PERFORMANCE AND GOVERNANCE**

**to
PLANNING AND LICENSING COMMITTEE
18 JULY 2019**

**LOCAL DEVELOPMENT SCHEME - REVIEW OF 2005 - 2007 SUPPLEMENTARY
PLANNING DOCUMENTS**

1. PURPOSE OF THE REPORT

- 1.1 The report seeks approval to revoke five Supplementary Planning Documents (SPDs) prepared between 2005 and 2007 following review against the current adopted Local Development Plan 2017 and its supporting SPDs, the National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG).
- 1.2 The five SPDs are:
- Children's Play Spaces SPD, Adopted March 2006 (**APPENDIX 1**)
 - Developer Contributions Guide SPD, Adopted September 2006 (**APPENDIX 2**)
 - Accessibility to Buildings SPD, Adopted December 2006 (**APPENDIX 3**)
 - Heybridge Basin Timber Yard SPD, Adopted February 2007 (**APPENDIX 4**)
 - Sadd's Wharf SPD, Adopted September 2007 (**APPENDIX 5**)

2. RECOMMENDATIONS

- (i) That the Committee recommends to the Council the revocation of the five SPDs prepared and approved between 2005 and 2007.

To the Council:

- (ii) That the five Supplementary Planning Documents (as detailed in paragraph 1.2 above) prepared and approved between 2005 and 2007 be revoked.

3. SUMMARY OF KEY ISSUES

- 3.1 The Local Development Scheme (LDS) is approved by the Council (Minute No. 930 refers). The LDS is a statutory requirement relating to the preparation of Local Development Documents which the Council must comply with. The purpose of the LDS is set out in a report to the Committee dated 7 March 2019.

- 3.2 The approved LDS states at Paragraph 22: *The five outstanding documents [SPDs] will be reviewed in 2019 to establish whether their content remains relevant. A formal decision whether to revoke, retain or update these documents will be made by Council in September 2019.*
- 3.3 The 7 March 2019 report to the Committee at Paragraph 3.1.4 recommended a review of the 2005 to 2007 SPDs to test their content and relevance against the adopted Local Development Plan (LDP) 2017, the National Planning Policy Framework (NPPF) (2019) and National Planning Policy Guidance (NPPG) (continually updated). The following paragraphs set out the review of each of the five SPDs in turn.
- 3.4 **Children's Play Spaces SPD, Maldon District Local Development Framework, March 2006 (APPENDIX 1)**
- 3.4.1 The SPD is considered out of date because the policies it supports relate to the 2005 Maldon District Replacement Local Plan. These policies have been superseded by the adopted LDP policies, in particular: *Policy N3 Open Space, Sport and Leisure* and *Policy D1 Design and Built Environment*. The recently adopted Green Infrastructure Strategy SPD supplements LDP Policy N3 and refers to up to date local and national policy. The Maldon District Design Guide SPD Technical Document: *'Landscape and Green Infrastructure (including open space, Sport and Play Facilities, Biodiversity and Trees)* supplements LDP Policy D1 and refers to up to date local and national policy guidance. The national guidance referred to in the 2006 SPD is inconsistent with current national policy and guidance and is superseded by the NPPF (2019) Paragraphs 96-100 and the NPPG (Paragraph 001 ID: 37-001-20140306).
- 3.4.2 There has been a significant shift in the provision and management of children's play spaces since the SPD was adopted. The SPD focusses on the need for children's play spaces in identified parts of the District (as evidenced in the preparation of the SPD) or as required through developments to specific adopted standards (National Playing Fields Association – now Fields in Trust). The children's play spaces are passed to Local Authority services to maintain as stated: *'generally led by Leisure and Recreation Departments'*. The SPD also states: *'The 2005 Replacement Local Plan does not identify any further land for development of new housing'* and *'demand for new play space will arise from the redevelopment of existing sites as identified in the Urban Capacity Study'*. It goes on that NEAPs (Neighbourhood Equipped Areas of Play): *'will be mostly accommodated on land already owned by the District Council'*. These statements are out of date and have been superseded by LDP Policy S3 Place Shaping, requiring the Garden Suburb strategic allocations to provide: *'well managed open spaces'* by land management organisations and through Section 106 (S106) contributions and planning conditions to approved outline applications independent of Council services. Policy S4 Maldon and Heybridge Strategic Growth, LDP requires the Garden Suburb strategic allocations to have *'adequate provision of youth and children's facilities'* funded via S106 contributions.
- 3.4.3 The SPD refers to out of date Census information from 2001 and funding calculations at 2006 levels for the provision of children's play spaces derived from new development. The 2001 Census information is superseded by the 2011 Census information, costs for children's play spaces are calculated at current levels and the Community Infrastructure Levy Regulations 2010 (as referenced in Policy N3, LDP) have been published that allow developers to make a fixed charge levied on new

development to fund identified infrastructure. The Council's and Government's positions on the Community Infrastructure Levy (CIL) are as set out in the report to Committee dated 24 January 2019, paragraphs 3.4 – 3.8.1 and within the LDS Paragraphs 15-20.

- 3.4.4 The SPD relies on the play and recreation strategies of the Council being kept up to date. It is recognised that the Playing Pitch Strategy (Within the Green Infrastructure Study 2011) and Children's Play Strategy (2007) are out of date.
- 3.4.5 The recently adopted Maldon District Green Infrastructure Strategy SPD at *Principle 5: Improving Access, Fitness and Contact with Nature*, identifies the need for the Playing Pitch Strategy to be reviewed ahead of the LDP review. This review will include a review of children's play provision across all the parishes in the District. The outcome of the Playing Pitch Strategy will inform the LDP review. Once the LDP review is completed a decision can be taken on whether any new or revised SPD are required. This will be added to the LDS and it is envisaged it will be carried out in 2021 ahead of the review of the LDP.
- 3.4.6 The 2006 Children's Play Spaces SPD does not comply with local and national policy and the supporting evidence bases require updating, therefore it should be revoked.
- 3.5 **Maldon District Developer Contributions Guide SPD, September 2006 (APPENDIX 2)**
 - 3.5.1 The SPD is considered out of date because the policies referred to relate to the 2005 Maldon District Replacement Local Plan and are superseded by the current and adopted LDP policies, in particular: *Policy 11 Infrastructure and Services*. The regional strategy referred to in the SPD was abolished through The Localism Act 2011. The national guidance referred to in the SPD is inconsistent with current national policy and guidance and has been superseded by the rules for planning obligations in the Community Infrastructure Levy Regulations 2010, as summarised in the NPPF Paragraph 56 and the NPPG (Paragraph 002 Reference ID: 23b-002-20190315).
 - 3.5.2 Section 106 and Section 278 contributions, infrastructure requirements and viability remain relevant in the planning process irrespective of whether the Council has an adopted SPD for developer contributions. The Community Infrastructure Levy Regulations 2010 allow developers to make a fixed charge levied on new development to fund identified infrastructure. The Council's and Government's positions on the Community Infrastructure Levy (CIL) are as set out in the report to Committee dated 24 January 2019, paragraphs 3.4 – 3.8.1 and within the LDS Paragraphs 15-20.
 - 3.5.3 Since adoption of the Maldon District Developer Contributions Guide SPD in 2006, the local picture has changed regarding policy, strategic infrastructure requirements and implementation and monitoring of identified infrastructure needs set out in the adopted LDP. The national picture has changed through the tests for planning conditions and obligations set out in Paragraph 56, NPPF and introduction of CIL in the NPPF and guidance in the NPPG.

The 2006 Developer Contributions Guide SPD does not comply with local and national policy and legislation and should be revoked. Future guidance on ‘Developer Contributions’ may be considered once a decision on CIL is made.

3.6 Accessibility to Buildings SPD, Maldon District Local Development Framework, December 2006 (APPENDIX 3)

- 3.6.1 The SPD is redundant because Policy BE2 Inclusive Access and Accessibility from the 2005 Maldon District Replacement Local Plan was not ‘saved policy’ and does not have an equivalent policy within the adopted LDP. The regional strategy referred to in the SPD was abolished through the Localism Act 2011. The national policy referred to in the SPD is obsolete and superseded by the NPPF (Paragraph 127(f)) and the NPPG (Paragraph 006 Reference ID: 26-006-20140306).
- 3.6.2 The SPD was originally prepared to assist in applying the former BE2 policy that set out specific ‘features’ the Council would expect to see within development proposals where access by people with disabilities was necessary. The intentions of the former BE2 policy are generally considered within current documents: the 2018 Maldon District Vehicle Parking Standards SPD, the 2017 Maldon District Design Guide SPD, *C16 Inclusive and Accessible Design* and its supporting Technical Documents (Older Person’s Housing and Technical Housing Standard – Nationally described space standards). The Building Regulations and national planning policy extant at the time have been superseded by The Building Regulations Part M *Access to and use of buildings* and the NPPG (Paragraph: 012 Reference ID: 26-012-20140306 - *Planning should promote access and inclusion*). However, the onus is on the planning process to apply planning conditions for the level of access required for the use of buildings and how they can be accessed by certain groups.
- 3.6.3 The Building Regulations Part M incorporate former Life Time Homes Standards and new sustainability credentials that replace the Code for Sustainable Homes. Part M ‘Access to and use of buildings’ applies 3 categories or levels of accessibility: M4(1) Category 1: Visitable Dwellings; M4(2) Category 2: Accessible and adaptable dwellings and M4(3) Category 3: Wheelchair user dwellings.
- 3.6.4 There is no adopted policy in the LDP that enables the Local Planning Authority (LPA) to require a developer to comply with the higher standards of The Building Regulations with respect to Part M4. Part M4(2) aims to future-proof housing and ensure that housing is sufficiently adaptable to enable residents to continue to live in a dwelling at a time when they are less mobile rather than being required to move. The Council’s evidence base to the LDP demonstrates that the District has an ageing population and as such the Council may aspire to have a policy basis that would enable a more flexible housing stock to be delivered. This will need to be evidenced and considered through the LDP review.
- 3.6.5 The 2006 Accessibility to Buildings SPD is redundant as it has no adopted policy ‘hook’ in the current LDP and should be revoked.

3.7 Heybridge Basin Timber Yard SPD, Maldon District Local Development Framework, February 2007 (APPENDIX 4)

- 3.7.1 The SPD is redundant because there is no LDP policy to attach it to Policy E3 Mixed Use Development Heybridge Basin Timber Yard from the 2005 Maldon District Replacement Local Plan has been deleted from the adopted LDP. The Heybridge Basin Timber Yard site is not an allocated development site in the LDP to deliver housing.
- 3.7.2 Any future development proposal for this site would be considered against the adopted Maldon District Design Guide SPD, which supplements the LDP Policy D1 Design Quality and Built Environment and informs all development proposals District-wide.
- 3.7.3 Therefore the 2007 Heybridge Basin Timber Yard SPD is redundant and should be revoked.

3.8 Sadd's Wharf SPD, Maldon District Local Development Framework, September 2007 (APPENDIX 5)

- 3.8.1 The SPD is out of date. Preparation of the SPD was focussed on the 2005 Maldon District Replacement Local Plan Policy M/E/4 and PPS12 – Development Plans 2004 to inform a mixed-use development on the Sadd's Wharf site. The purpose of the SPD was *'to assist developers when drawing up proposals for the redevelopment of Sadd's Wharf and if appropriate to market the site.'*
- 3.8.2 The local and national policy position set out in the SPD has been superseded by LDP Strategic Policy S5, Maldon and Heybridge Central Area and the NPPF (Paragraphs 20-23). The Maldon and Heybridge Central Area Masterplan SPD (2017) supplements LDP Policy S5.
- 3.8.3 The North Quay Regeneration Development Brief, that includes the Sadd's Wharf site, will be forthcoming as set out in the approved LDS February 2019 – February 2021, Paragraph 26. An approved Development Brief for the entire North Quay regeneration area will, in effect, supersede the 2007 SPD.
- 3.8.4 The 2007 Sadd's Wharf SPD is out of date and is inconsistent with local and national policy and should be revoked.

4. CONCLUSION

- 4.1 The five SPDs prepared and adopted during 2005-2007 are, following review, deemed out of date or redundant. The five SPDs do not align with the adopted LDP, 2017 or the 2019 NPPF and NPPG.
- 4.2 The five SPDs are ineffective and, as such, have no material weight in decision making on planning applications and should, therefore, be revoked.
- 4.3 A future review of the LDP will identify any new policy or future SPDs are required.

5. IMPACT ON STRATEGIC THEMES

- 5.1 The adopted LDP and its supplementary planning documents principally support the Strategic Theme of Place as set out in the Corporate Plan that aims to protect and improve the environment for residents and visitors and securing sustainable growth and new infrastructure.

6. IMPLICATIONS

- (i) **Impact on Customers** – Relevant and up to date planning policy documents (including SPDs) provide customers with a robust policy and guidance framework for development proposals.
- (ii) **Impact on Equalities** – Planning policy documents have the potential to identify and manage local equalities issues and must be prepared considering relevant equalities legislation. In addition, the SPDs that are proposed to be revoked were written before the 2010 Equality Act and therefore may not incorporate modern considerations on equality issues.
- (iii) **Impact on Risk** – Out of date and ineffective planning policy documents hold no material weight in the planning process and could heighten risks for inappropriate development and not capturing benefits and opportunities from development proposals.
- (iv) **Impact on Resources (human)** – Review and preparation of planning policy documents is programmed to internal work streams and work plans via the Local Development Scheme (LDS) 2019 - 2021.
- (v) **Impact on Resources (financial)** – The LDS 2019 - 2021 provides a comprehensive resource plan for the delivery of planning policy documents.
- (vi) **Impact on the Environment** – Up to date and relevant planning policy documents promote sustainable development and environmental enhancement.

Background Papers:

Maldon District Council Corporate Plan 2019-2023

Maldon District Local Development Plan (2014-2029)

Local Development Scheme (February 2019 – February 2021)

Planning and Licensing Committee Report 7 March 2019

Planning and Licensing Committee Report 19 January 2019

Enquiries to: Jackie Longman, Specialist - Local Plan, (Tel: 01621 875731).

Children's Play Spaces

Adopted Supplementary Planning Document (SPD)
Maldon District Council
March 2006



Children's Place Spaces**Adopted Supplementary Planning Document (SPD)****March 2006****Contents**

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1. The Purpose and Scope of this SPD

- 1.1 The purpose of this SPD is to set out a formula that allows a developer contribution to be calculated for new housing development. The contribution takes account of the requirement to make room for a play space and provide the necessary equipment on larger developments, whilst also requiring a pro-rata contribution from smaller developments so that all proposals share an equal contribution.
- 1.2 This SPD sets out how policy REC3 in the Maldon District Replacement Local Plan will be implemented and is intended for use by developers, the public and other interested parties. The basic principle of policy REC3 is that new housing development should make provision for public play space as an integral part of the development based on National Playing Fields Association standards. This is to prevent new houses being built without enough room for play space so that children have no opportunity to play safely in their neighbourhood. The intention of the policy is that development should make a proportionate contribution to provision of new play space, or upgrading of existing play spaces, (depending on circumstances) to cater for the demands on play space created by the development of new housing.
- 1.3 The SPD indicates the requirements of different types of children's play space, in relation to residential development and sets out the contribution that should be provided for new development. Separately to this document the Council has prepared strategies for play space, green space and sports fields (Play and Recreation Strategies). Those strategies identify the existing level of provision. They indicate any deficiencies that exist and explain the improvements that are needed to bring everything up to the desired standards.
- 1.4 This SPD will be used in conjunction with the play and recreation strategies. The SPD will set out the level of development contribution that will be required. The play and recreation strategies will identify whether a development contribution is actually required in any particular location. The principle is that, if development is proposed in a location which has a deficiency of provision then a contribution will be required. However, if development is proposed in a location which has adequate provision (and the development does not overload the existing facilities), then no contribution will be required. This approach relies on the play and recreation strategies of the Council being kept up to date. Within this framework the SPD reflects current Government advice and draws on corporate strategies prepared by Maldon District Council.
- 1.5 During the last 20 years the District has experienced significant growth in the residential population, notably in the major settlements. The provision of children's play space has not matched population growth. It is therefore necessary to ensure that shortfalls in provision are addressed. The Council will seek to provide a wide range of children's play space facilities for varied

age groups of children in close proximity to as many residential areas as possible.

- 1.6 In 2005 Maldon District Council is updating a survey of existing play space facilities carried out in 2002. The results of which are set out in appendix 6 of the Replacement Local Plan. This shows that the majority of the villages in the District provide some children's play space, although in many cases they do not meet the adopted standards. This is particularly the case in Maldon, where the large area of children's play space at the Promenade Park disguises the lack of facilities elsewhere in the town.

2. **Policy Context**

(i) National planning context

- 2.1 Policy Planning Statement 12 – Development Plans indicates that Supplementary Planning Documents are an important mechanism to ensure that detailed Local Plan policies are implemented. PPS 12 states that SPD may be taken into account as a material consideration when determining planning applications provided that it is;
 - ◆ Saved against an adopted Local Plan Policy
 - ◆ Subject to appropriate consultation in accordance with the regulations
 - ◆ Formally adopted by the Council and
 - ◆ Regularly reviewed as required.
- 2.2 SPD is therefore a significant tool in translating policies and objectives into provision on the ground.
- 2.3 Planning Policy Guidance Note 17 – Planning for open spaces sport and recreation provides the Government's advice on all aspects of open space sport and recreation. It acknowledges the importance of children's play space as one component of public open space requirements in the local community. The national guidance endorses the need for local assessments to identify deficiencies of provision, to assist with securing additional facilities through the planning process. The PPG and the associated document "Assessing needs and opportunities, PPG17 a companion guide", provide guidance on the use of planning obligations and the use and calculation of commuted sums and developer contributions. The general stance encourages the Local Planning Authority to protect existing facilities, enhance and promote qualitative improvements to existing facilities, to provide new facilities giving priority to areas of deficiency and ensure that adequate provision is made in association with new development.

(ii) National standards

- 2.4 The National Playing Fields Association published a revised “Six Acre Standard” in December 2001. This gives national advice on the standard requirements for all types of play space to encourage provision of an adequate amount of useable open space to cater for all aspects of outdoor recreation. Although the current national thinking, reflected in PPG17, is that play space standards should be local standards based on local assessment of provision and need, the NPFA standards are a useful starting point. They provide useful advice on the detailed requirements for different types of children’s play space. The intention is that all children have the opportunity for access to outdoor play space close to home. Therefore this SPD uses and adapts the NPFA standards for outdoor playing space as a basis for defining provision and demand in the District. The definition and requirements arising from this are set out in section 3 of this document.

(iii) Local planning context

- 2.5 Maldon District Replacement Local Plan policy REC3 is the policy in the Replacement Local Plan which is the subject of this SPD. It is set out in full below:

POLICY REC3 Children’s play space associated with new housing developments and elsewhere in the District

Planning permission for new housing will only be granted if:

Play space is provided in accordance with the adopted standards of the District Council; or

Where all or part of the proposed development lies within 400m of the centre of existing play space; enhancement of that play space is carried out in accordance with the needs generated by the proposed new development ; or

A combination of (a) and (b); or

Where the above cannot be fulfilled, a commuted sum is to be paid to the District Council for the provision or enhancement of children’s play space of the same value to level as provision of the facilities.

Planning permission for new housing will only be granted if children’s play space areas are;

Secure and located where there is good visibility on a pedestrian network accessible by local residents to allow supervision and surveillance;

The space will be equipped according to the standards of the District Council;

It does not result in adverse impact on residential amenity or character of the countryside;

The play space is for public use in perpetuity;

Pedestrian access exists or will be provided via a footpath giving safe access to the site.

Development proposals that do not meet the above standards will not be granted planning permission.

- 2.6 This SPD will assist with the Implementation of the Replacement Local Plan policy, aiming to protect and enhance existing play spaces as well as provide additional facilities with new development and to meet identified shortfalls.

(iv) Corporate strategies

- 2.7 The planning system, through the Local Plan and development control is only one mechanism for providing; enhancing and protecting children's play spaces. Management and maintenance of such facilities goes beyond the remit of planning and involves other Local Authority services, generally led by Leisure and Recreation Departments. Maldon District Council has produced the following strategies which have corporately identified issues addressed in this SPD
- ◆ Outdoor Play Facilities Strategy
 - ◆ Community Plan
 - ◆ Playing Pitch Strategy
 - ◆ Cultural Strategy
- 2.8 These documents have informed the background to the policy in the Replacement Local Plan and will be updated and reviewed in order that this SPD can continue to be used in planning decisions.

3. **Requirements and definitions of children's play space.**

- 3.1 Children's play space is usually just one component of larger parks or areas of formal public open space. The Replacement Local Plan has incorporated public open space standards which are based on a local assessment of provision and need. These are derived from the NPFA standards, taking into account local circumstances. The three large towns and majority of large villages in the District are built to a density of less than 30 dwellings per hectare. In the main the District is sparsely populated with a large number of small communities separated by extensive areas of open countryside. As a result this SPD modifies the recommendations of the NPFA to establish standards that relate the rural settlement pattern in the District to the level of appropriate provision. Two standards are adopted, one for the larger key settlements and another for the rural areas. The children's play space component, also follows the NPFA minimum standards, with local variations.
- 3.2 The NPFA standards for children's play space identifies three levels of play provision; LAP, LEAP, NEAP (see below). Each level of play space must be within a minimum walking distance of the area it serves. The minimum requirements based on the modified NPFA standards are also illustrated in Table 1.
- **Local Area for Play (L.A.P)** A small area of unsupervised open space specifically designed for play activities for young children close to where they live. The target users are mainly 4-6 year olds and any equipment provided should be correctly scaled so as to discourage use by older children.
 - **Local Equipped Area for Play (L.E.A.P.)** An unsupervised play area for children of early school age. The target users are mainly accompanied children between 4-8 years of age. Needs of children under 4 as well as those over 8 should also be considered. Areas should be equipped offering at least 5 types of play equipment. In addition seating for accompanying adults should be provided.
 - **Neighbourhood Equipped Area for Play (N.E.A.P.)** An unsupervised site serving a substantial residential area, equipped mainly for older children, but also including opportunities for younger children's play. The target users are mainly unaccompanied and unsupervised children from 8-14 years of age. Consideration should also be given for slightly younger unsupervised children. Play areas should be equipped offering at least 8 types of play equipment suitable for the intended age range. It should also include a kick-about area and wheeled play area (eg skate boarding). Seating should be provided for adults as well as a teenage meeting area.
- 3.3 A full specification for LAPs, LEAPs and NEAPs is included in Appendix 1 of this SPD.

- 3.4 “The Six Acre Standard” (2) published by The NPFA sets out the walking distance from home and size for the three different types of play space. The standards adopted by this Authority and illustrated in Table 1 modify these standards to reflect the particular circumstances of this District. The NPFA standards are shown in brackets.

TABLE1.

Specification	Time	Walking Distance	Radial (Straight Line) Distance.	Minimum Size Activity Zone	Nearest Dwelling	Characteristics And age group
Local area for play (LAP)	1.5 min. (1min)	140m (100m)	100m (60m)	100m ²	5m from Activity Zone ¹	Small, low key games area (may include “demonstrative” play features) Up to 6 years
Local equipped area for play (LEAP)	7.5min (5 min.)	400m (600m)	400m (240m)	400m ²	10m from Activity Zone ²	5 types of play equipment, small games area 4 –8 years
Neighbourhood equipped area for play (NEAP)	15 min.	1,000m (1700m)	1000m (600m)	1,000m ²	30m from Activity Zone ³	8 types of play , opportunities for ball games or wheeled activities Older children

¹ To the forward-most part of dwelling that faces the LAP

² To property boundary

³ To property boundary

¹ Source: “The Six Acre Standard 2001” by the National Playing Fields Association

- 3.5 The NPFA recommends that for settlements in rural areas the following approach be adopted.
- Settlements of 1000 people or more; full provision of LAP’s, LEAP’s and NEAP’s.
 - 250 to 1000; full provision of LAP’s and LEAP’s with priority being given to a LEAP

- 100 to 250 people; provision for a LEAP plus, for existing housing areas, a casual play area of not less than 100m² and, for new developments, LAP's. These should be located as close as possible to the centre of the newly extended settlement. However, it is recognised that within existing communities the only available land may be orientated towards the extremity of the settlement.
 - Less than 100 people; provision of a casual area of play of not less than 100m² for existing housing areas and LAP's in any new developments. These should be located as close as possible to the centre. However, it is recognised that within existing communities the only available land may be orientated towards one end of the settlement.
- 3.6 This standard suggests that a new development should make provision for the full range of play and recreation space as part of a development setting out the threshold population for each type of facility. It suggests a development with a population of 1000 people would require 1 NEAP, 8 LEAP, 16 LAP and one sports field. However taking account of the rural nature of the district and the high quality environment the Council has modified the six acre standard to a more appropriate level of provision as outlined above.

L.E.A.P.'s

- 3.7 Taking account of the rural nature of the district and easy access to countryside the standard adopted for L.E.A.P's varies the N.P.F.A. standard by substituting the "radial line" distance with the "walking line" distance in Table 1. This effectively reduces the frequency of L.E.A.P provision. Calculating the population served by each L.E.A.P. determines those settlements where L.E.A.P's should be provided.
- 3.8 This approach indicates that Maldon, Heybridge, Burnham, Mayland, Tollesbury and Southminster require L.E.A.P's. The remaining settlements are considered to be rural settlements and should be dealt with using a more relaxed formula.

N.E.A.P.'s

- 3.9 Using the methodology adopted for calculating the standard for L.E.A.P.'s, substituting the "radial line" distance with the "walking line" distance in Table 1 and calculating the population by served by each N.E.A.P using a much-reduced housing density figure determines those settlements where N.E.A.P.'s should be provided.
- 3.10 As the area of land required for this type of facility is quite significant and the separation distance between housing and the N.E.A.P. is large it is

considered that these will be mostly accommodated on land already owned by the District Council.

L.A.P's

- 3.11 LAP's should be provided at frequent intervals on small areas of land located on developments. It is expected that developers, as part of the layout process, will provide these play spaces.
- 3.12 Play pitches such as football, cricket and rugby. These should be provided at a district level to cater for older children as well as adults needing access to sport facilities.

4 Provision of Playspaces and Facilities

- 4.1 The Replacement Local Plan 2005 does not identify any further land for development of new housing. The demand for new play space will arise from the redevelopment of existing sites as identified in the Urban Capacity Study. All the identified sites are physically constrained in terms of accessibility and space to include provision of play space as part of any potential development. There are a large number of "small" sites in the district with potential for less than 10 houses. These account for nearly 30% of the supply of housing in Maldon District.
- 4.2 In the absence of provision for new housing development on undeveloped land the Council will not seek the provision of the actual play and recreation space as part of housing development. Developer contributions will be required where the recreation and play strategies identify a lack of provision in the vicinity of the proposed development and the strategy has identifies a site that can be improved or developed. Developer contribution will not be required where the strategies indicate appropriate provision of facilities in the vicinity of the proposed development. The recreation and play strategies therefore indicate the level of developer contribution in any particular location.
- 4.3 The intention of the SPD is that, subject to a need identified in the relevant recreation and play strategy, smaller development should contribute to the full provision of sports and recreation facilities in proportion to the overall level of provision. Thus a development with a population of 10 should contribute 1/100th of the cost of providing the full range of facilities for a population of 1000.
- 4.4 As this SPD refers to a number of mechanisms for securing provision of play space, it is important that methods of implementation are clearly understood and that sound advice exists for calculating developer contributions. The following definitions apply to the implementation of the

SPD. PPG 17 and the Companion Guide includes some advice on these issues, these are referred to here.

- 4.5 Planning Obligations PPG 17 endorses the use of Planning Obligations to secure the provision of additional facilities. It states “Planning Obligations should be used as a means to remedy local deficiencies in the quantity or quality of open space, sports and recreation provision. Local Authorities will be justified in seeking planning obligations where the quantity or quality of provision is inadequate, or under threat, or where new development increases local needs.” It is necessary for local Authorities to have undertaken detailed assessments of need and audits of existing facilities and set minimum standards in order to justify Planning Obligations.
- 4.6 Developers’ Contributions These are capital receipts intended to fund a particular quantity of a particular form of new provision, usually off site. Where contributions are sought there is a need for a normalised capital cost per unit of provision to establish the payment required. This cost can include any or all of the following; Land costs and related legal fees; construction costs where appropriate; essential equipment, e.g. play equipment on a LEAP or NEAP.
- 4.7 Commuted Maintenance Sum Taking account of practical implications of agreeing appropriate maintenance payments the District Council does not intend to ask developers for commuted sums to fund maintenance of play facilities. Instead the Council will ask for contributions, either in cash or by way of direct provision of facilities towards achieving the Outdoor Play Facilities Strategy.
- 4.8 Programming of provision Developer contributions will be used together with funding from the District Council to upgrade existing play spaces and establish new play spaces on land currently under the control of the District Council. These play spaces will be located in the settlements where the under-provision of L.E.A.P.’s or N.E.A.P.’s outlined in section 3 has been identified.
- 4.9 Provision will be prioritised having regard to:
 - ◆ Need as assessed by the lack of facilities in a particular area.
 - ◆ the available financial resources generated by developer and other contributions in each settlement and
- 4.10 The establishment and adoption of LEAP’s or NEAP’s secured through the construction of a large residential development will be in addition to those provided through developer contributions and will be subject to opportunities arising..
- 4.11 Funding

5 Application Of The Play Space Standard and Calculation of Commuted Sums for the provision of Play Spaces.

- 5.1 The play space standard is based on the estimated population that a new development will generate. This population is estimated using the occupancy standards listed in table 2 below. These occupancy standards are used to calculate the threshold figures set out in table 3.

TABLE 2

Dwelling size (No. of rooms excluding hallways larders Etc)	Occupancy (average)
3	1.4
4	1.7
5/6	2.4
7+	2.9

This information is derived from the 2001 census and may be subject to revision.

- 5.2 A development scheme population can be calculated using the information listed in table 3. Developments with a projected occupancy that equates to the threshold population for each of the play space types listed should seek to provide that facility on site.

TABLE 3

Type of play space	Minimum size of facility (excluding buffer zone)	Threshold population (derived from the 6 Acre standard)	m ² per person	m ² per person x dwelling size			
				(no. rooms)			
				3	4	5/6	7+
1 x Youth/Adult	8,100m ²	470	17.0	24	29	41	49
1 x LAP	100m ²	62	1.6	2	3	4	5
1 x LEAP	400m ²	124	3.2	4	5	8	9
1 x NEAP	1,000m ²	1,000	1.0	1	2	2	3
1 x Casual Play Space			1.0	1	2	2	3

- 5.3 It is accepted that some types of accommodation such as sheltered accommodation for the elderly are unlikely to create demand for play space.

This type of development will not be expected to make a contribution to play space provision.

- 5.4 Where the site population of a development scheme falls between or below the threshold for a type of play area (e.g. a site population of 30 would generate a requirement for half a LAP), the following approach will be applied:-
- 5.5 The area of the different play types in excess of the minimum sizes, from the last two columns of table 3 should be treated as follows:
- 5.6 The partial provision of youth/adult, N.E.A.P.'s and L.E.A.P.'s should be used to increase the size and quality of the nearest proposed or existing play area, identified in the Play Space Strategy of Maldon District Council.
- 5.7 Excess identified for LAP's should be used to enlarge a proposed area of casual play to provide a defined play area.
- 5.8 In calculating the provision of play space it is important to take accessibility into consideration. Simply enlarging or up grading the nearest play area may not necessarily increase provision if that play area has a full range of equipment but is shared by a larger community. In such cases developers should seek to work with the Council to identify alternatives where possible.

Commuted Payments For Off Site Provision

- 5.9 The District Council acknowledges that due to the lack of green field development opportunities in the Replacement Local Plan, on site provision may not be feasible, particularly where development is required to provide larger play areas. In such cases, the Council will seek to negotiate a planning obligation under Section 106 of the Town and Country Planning Act 1990. This obligation enables developers to make a contribution towards the provision of suitable off site play space in lieu of direct provision within the development site where there are identifiable and appropriate opportunities for providing new play space or upgrading existing play space in accordance with the Play Space Strategy (see table 4). In calculating commuted sums, the Council will have regard to existing facilities that could serve the development.
- 5.10 Where existing play facilities with sufficient capacity to absorb the increased level of use generated by the proposed development meet the Council's play space requirements; the Council will not require duplicate provision.

TABLE 4

LAP	It will not be possible to commute provision of LAPs as they cannot functionally be located outside of the development.
LEAP/NEAP	Commutated payments will be accepted where there are appropriate and identifiable opportunities for providing new or improved play space.
YOUTH/ADULT	It will be unlikely that youth/adult play space will be provided on site except on the largest developments. In most cases therefore, the Council will negotiate a commuted payment for off site provision. All residential development is therefore required to make provision for this type of provision, irrespective of any existing facilities within the locality.

Calculating Commuted Sums Required

- 5.11 The amount of contribution sought will be based on estimated costs for land, design, layout and equipment calculated as a figure per dwelling type for youth/adult facilities, L.E.A.P.'s and N.E.A.P.'s. In cases where a proposed development is sufficiently large enough to provide an element of on site play space provision to the minimum size and design requirements, then these will be discounted from the commuted sums to avoid duplication of provision.
- 5.12 Table 5 sets out the level of commuted sums. This information is correct at the time of publication of this document and will be reviewed annually to take account of increases in costs, and any future changes at national level or in the Council's own policies regarding health and safety inspections. The purpose of table 5 is to provide a baseline for negotiation.

TABLE 5

Dwelling type/ No. rooms	Average occupancy*	Youth/ adult play	NEAP	LEAP	Total**
		£	£	£	£
3	1.4	178	176	845	1,199
4	1.7	216	213	1,026	1,455
5/6	2.4	305	301	1,448	2,054
7+	2.9	368	364	1,750	2,482

*2001 Census

- 5.13 To calculate the appropriate amount of commuted sum payment for a particular scheme developers should:
- ◆ identify the total population of the proposed site and level of play space required using table 3,
 - ◆ identify which of the full range of required play spaces are able to be provided on site,
 - ◆ identify the level of requirement required off site, and, together with officers of the Council identify whether there are any existing play facilities (see appendix 1 and plan 1) which fulfil the relevant play space requirements
 - ◆ check distances and times as set out in table 1, and have the capacity to cater for the demand generated by the proposed development.
- 5.14 Where provision for play space cannot be accommodated on site, or at appropriate existing facilities, developers should:-
- ◆ Establish, together with officers of the Council, whether there are any viable opportunities for alternative facilities to be provided off site in locations which would fulfil the relevant play space requirements as set out in table 1.
 - ◆ Calculate the appropriate commuted sum by multiplying the number of dwellings by the sum given in table 5 for the play space types that it has been agreed can be provided off site.
- 5.15 Monies collected via commuted sum payments will be held in a discrete fund. Payments for N.E.A.P.'s and L.E.A.P.s will be spent on the most appropriate facility to the proposed site. Payments for youth/adult provision will be used to fund borough wide projects.
- 5.16 Financial Contributions The contributions collected will be used to finance the provision of either LAP's, L.E.A.P.'s or N.E.A.P.'s or the upgrading from a LEAP to a NEAP located within the same settlement as the development making the contribution in accordance with the Play Space Strategy.
- 5.17 Specified villages where developments are the subject of commuted sums. Developers will be expected to contribute to the cost of providing these facilities in relation to the number of dwellings being constructed either by:
- (a) Making a financial contribution to cover the cost of providing a site and equipping the site to NPFA standards as well funding the future maintenance of the site or
 - (b) Providing a site for a play space and equipping it to NPFA standards or

(c) Providing the necessary improvements directly to an existing play facility in accordance with the Outdoor Play Facilities Strategy.

- 5.18 A combination of (a) (b) and (c) allowing the developer to satisfy the LPA's requirement with a mix of fixed assets and funding.
- 5.19 If the funds collected cannot be used within five years of occupation of the development they will be returned.

6 Abstract of Play Space Strategy.

- 6.16 Contributions will be required in Maldon, Heybridge, Mayland, Southminster, Burnham on Crouch and Tollesbury. Contributions will only be used to support the creation of play spaces in the villages where the development takes place.
- 6.17 Rural Communities. In those settlements not large enough to support the provision of a LEAP or NEAP the District Council will assist in funding either the provision of new facilities or the improvement of existing facilities under a Grant Scheme operated by this Authority. In these instances funding assistance will be determined following the receipt of an application from the Parish Council. The applications will be considered in relation to the District Councils capital expenditure programme for the following financial year. Decisions on those applications will also be made having regard to the following priorities
- 6.18 Provision of play facilities in settlements where no facilities currently exist will have the highest priority

APPENDIX 1

Specification for Local Area for Play (L.A.P.)

It caters for children for up to 6 years of age

It is within 1min walking distance from home.

To be positioned beside a pedestrian pathway on a route that is well used.

It occupies a reasonably flat site that is well drained with grass or a hard surface

It has an activity zone a minimum of 100m² in area

It contains features that enable children to identify the space as their down domain, for example, a footprint trail, a mushroom style seat or a model of an animal or insect

A buffer zone of 5 metres minimum depth, is provided between the activity zone and the forward most part of the nearest dwelling that faces a LAP. Gable end or exposed walls should be protected from use for ball games by, for example, providing a strip of dense planting of 1 metre in depth.

The buffer zone includes planting to enable children to experience natural scent, colour and texture.

Some individual seats provided for parents and carers

It has a 600mm high guard-rail or similar low level fence around the perimeter (either within or adjacent to areas of planting) to prevent access to the play area by dogs.

It has a barrier to limit the speed of child entering or leaving the facility.

It has a sign to indicate that the area is solely for use by children, that adults are not allowed unless accompanied by children and that dogs should be excluded.

It is overlooked by nearby houses.

The area of the activity zone contributes to meeting the children's playing space part of the Six Acre Standard.

Specification for Local Equipped Area for Play (L.E.A.P.)

It caters for children of 4-8 years in age.

It is within a walking time of 5 minutes from home

To be positioned beside a pedestrian pathway on a route that is well used.

It occupies a site that is well drained with grass or a hard surface and features an appropriate impact-absorbing surface beneath and around the play equipment.

It has an activity zone a minimum of at least 400m² in area.

It contains at least 5 types of play equipment, of which at least two are individual pieces rather than part of a combination. Each item is designed to stimulate one of the following

Balancing e.g. beams, stepping logs, clatter bridges, or graphic line elements.

Rocking e.g. see-saw or spring animals

Climbing or agility, e.g. frames, Dnets, overhead bars, or angled climbers.

Sliding, e.g. traditional slides, straight or angled "fire fighters" poles.

Social play, e.g. sheltered areas or child seating

Additional items might focus upon rotating, swinging, jumping, crawling, viewing, (e.g. ground graphics) counting or touching (e.g. sand and water)

There is adequate space around the equipment to enable children to express their general exuberance and play games of "tag" and "chase".

It has fencing, if the site is not already adequately enclosed, of at least 1 metre in height around the perimeter of the activity zone with two, outward opening and self closing , pedestrian gates on opposite sides of the space (to deter entry by dogs and to restrict opportunities for bullying).

It has a barrier to limit the speed of the child entering or leaving the facility

Privacy of neighbouring residential gardens is protected

A buffer zone, not less than 10 metres in depth, is provided between the edge of the activity zone and the boundary of the nearest property containing a dwelling. Normally a minimum of 20 metres should be provided between the activity zone and the habitable room façade of the dwelling. Where the minimum distances apply, careful consideration needs to be given to

The design of the means of enclosure planting scheme and/or other physical features on the boundary of the residential property and

The siting of the play equipment within the activity zone (to preclude opportunities for overlooking nearby gardens and a consequential loss of privacy for residents.

The buffer zone includes planting to enable children to experience natural scent, colour and texture.

Some seats are provided for carers and parents

It has a notice to indicate:

That the area is solely for use by children

That adults are not allowed unless accompanied by children.

That dogs should be excluded

The name and telephone number of the operator of the facility to report any incident or damage to the play equipment.

It has a litter bin.

The area of the activity zone contributes to meeting the children's playing space part of the Six Acre Standard

Specification for Neighbourhood Equipped Area for Play (N.E.A.P.)

It caters for predominately older children

It is well within a walking time of 15 minutes from home.

It is positioned beside a pedestrian pathway on a route that is well used.

It occupies a site that is well drained with grass or a hard surface and features an appropriate impact-absorbing surface beneath and around the play equipment.

It has an activity zone a minimum of 1000m² in area that is divided in two parts; one containing a range of play equipment and the other provided with a hard surface of at least 465m² (the minimum area needed to play five-a-side football).

It contains at least 8 types of play equipment comprising:

At least 1 item to stimulate rocking, touch, social or developmental play among younger children.

At least 2 items to facilitate, sliding, swinging or moderate climbing.

At least 5 items, of which at least 3 are individual pieces rather than in combination, to encourage either more adventurous climbing, single point swinging, balancing, rotating, or gliding (e.g. aerial runway).

There is adequate space around the equipment to enable children to express their general exuberance and play games of “tag” and “chase”.

It has fencing, if the site is not already enclosed, of at least 1 metre in height around the perimeter of the activity zone with two, outward opening and self-closing, pedestrian gates on opposite sides of the space (to deter entry by dogs and to restrict opportunities for bullying)

It has a barrier to limit the speed of a child entering or leaving the facility

A buffer zone, of 30 metres minimum depth is provided between the activity zone and the boundary of the nearest property containing a dwelling. A greater distance may be needed where purpose-built skateboarding facilities are provided.

The buffer zone includes planting to enable children to experience a part of the “natural” environment.

Some individual seats are provided for parents or carers in the vicinity of the play equipment and other seating is provided within the hard surfaced games area.

It has a notice to indicate:

That the area is solely for use by children.

That adults are not allowed in the equipped space unless accompanied by children

That dogs should be excluded

The name and telephone number of the operator of the facility to report any incident or damage to the play equipment.

The location of the nearest public telephone.

It has litter bins at each access point and in proximity of each group of seats.

It has convenient and secure parking facilities for bicycles.

The area of the activity zone contributes to meeting the children’s playing space part of the Six Acre Standard

APPENDIX 2**Catchment Areas for LEAP's and NEAP's and funding requirements.**

In order to determine whether the provision of a play space can be justified in terms of "user intensity," the SPG aims to establish a population threshold for the provision of children's play facilities. The determination of the threshold relies on a modification of the of the NPFA standards for the provision of LEAP's and NEAP's.

To reflect the particular circumstances of this District and ensure a balance between frequency of provision and intensity of use in established residential areas the "walking distance" stated in Table 1 has been used as the "radial line distance".

Catchment Areas**L.E.A.P.'s**

Area served (1)	400m from centre of play space comprising 50 ha.
Dwelling density (2)	30 dwellings per hectare
Occupancy rate	2.6 persons per dwelling

Minimum population served by L.E.A.P. 3900 persons

N.E.A.P.'s

Area served (1)	1000m from centre of play space comprising 314ha..
Dwelling density (3)	15 dwellings per hectare
Occupancy rate	2.6 persons per dwelling

Minimum population served by N.E.A.P. 9400 persons

- (1) The area served in both cases uses the walking line distance stated in the NPFA standards to determine the area served by the respective play areas.
- (2) Density reflects the low end of the density range suggested by PPG3.
- (3) Density reduced to reflect the fact that in this District an area of 300ha is likely to be developed at a density of no more than 15 dwellings to the

hectare.

Relating these statistics shows that L.E.A.P's can only be justified in the settlements of Maldon, Heybridge, Mayland, Burnham, Southminster and Tollesbury.

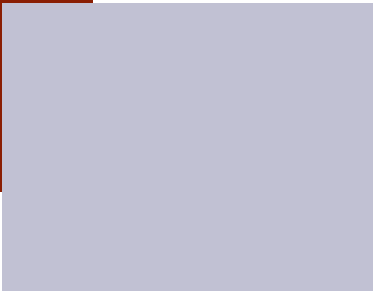
N.E.A.P's require a larger investment and serve a larger population and only 5 or 6 N.E.A.P's are required in the District located in the major population centres.

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MALDON DISTRICT
**Developer
Contributions
Guide**



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Introduction

Developer contributions are normally secured through planning obligations under section 106 of the Town and Country Planning Act 1990 which are typically agreements between local authorities and developers negotiated in the context of granting planning consent. They were introduced to secure improvements not coming forward under conditions of planning permission.

Through this mechanism developers contribute towards sustainable communities and help ensure the success of new developments. They can make cash or in-kind contributions towards a range of infrastructure and services including local roads and public transport schemes, public spaces, community facilities and affordable housing.

The purpose of this document is to set out Maldon District Council's approach to seeking developer contributions when considering planning applications. It brings together the policy approach of Central Government and the development plan context as in the adopted Maldon District Replacement Local Plan and the Essex and Southend-on-Sea Replacement Structure Plan.

The document represents a guide to Maldon District Council's adopted position in relation to negotiations it will undertake to secure appropriate developer contributions as part of planning approvals.

The guide is consistent with current national planning policy and guidance and with the Development Plan. It has not been adopted as a supplementary document under the Planning and Compulsory Purchase Act 2004 as it does not elaborate existing adopted policy. Rather it represents an interim guide reflecting Maldon District Council's current adopted policy position with regard to Developer Contributions.

The District Council has now commenced preparation of a Local Development Framework part of which will be the adoption of a Core Strategy by October 2008. Following this adoption the District Council have timetabled the production of a Developer Contributions Supplementary Planning Document which will elaborate policy within the Core Strategy.

This interim guidance will therefore apply to saved Development Plan policy until replaced by the Core Strategy of the Local Development Framework. As the guide does not elaborate policy it has not been the subject of additional consultation, outside the Development Plan consultation processes, other than with key stakeholders.

Central Government Legislation and Guidance

The Government views developer contributions as a means of enabling a proposed development to proceed and to meet any increased needs of the local community associated with the new development. It is seeking to improve the operation of the system of obligations, by promoting greater speed, certainty, openness and accountability. The statutory basis of developer contributions is section 106 of the 1990 Planning Act, which allows anyone interested in land to enter into an obligation (legal agreement) that regulates the development of the land in some way or requires a financial contribution.

This is further elaborated in ODPM Circular 05/2005 'Planning Obligations' July 2005 which states that developer contributions should only be sought where they meet the following tests:

1. relevant to Planning;
2. necessary ie they are necessary to make a proposal acceptable in land use planning terms;
3. directly related to the proposed development;
4. fairly and reasonably related in scale and kind to the proposed development;
5. reasonable in all other respects.

Developer contributions may relate to matters other than those covered by a planning permission, provided there is a direct relationship with the planning permission. However, they should not be sought where this connection does not exist or is considered too remote. There should be a functional or geographical link between the development and the item being provided as part of the contribution.

Acceptable development should never be refused because an applicant is unwilling or unable to offer unrelated benefits. Unacceptable development should never be permitted because of unnecessary or unrelated benefits offered by the applicant.

All planning applications must be determined on their own merits and contributions sought only if they are necessary to proceed. Developers should not be expected to pay for facilities that are needed solely in order to meet existing deficiencies. In summary contributions aim to mitigate the impact of proposals where the development itself is in other respects acceptable.

Central Government Legislation and Guidance

The Government has addressed transparency issues through 'Town and Country Planning (General Development Procedure) (Amendment) (England) Order 2002 [Statutory Instrument 2002 no 828]' which came into effect on 1 July 2002 and requires details of the planning obligations for each development to be published in both Parts I and II (before and after the grant of planning permission as appropriate) of the local planning authority's Planning Register. In recent years the Government has also issued a number of consultation papers with a view to reforming developer contributions.

Given the statutory basis there are two ways in which the seeking of contributions must be justified - planning policy and need. These are elaborated in sections 3 and 4.

A developer may apply to modify a Section 106 agreement and has the ability to appeal to the Secretary of State against a Council's refusal to modify a section 106 agreement after 5 years. This replaces the need to go through the Lands Tribunal set out in an earlier Circular (01/97).

The Local Planning Policy Context

The development plan represents the current adopted planning policy position for which this guide is written.

The Essex and Southend-on-Sea Replacement Structure Plan (adopted April 2001) provides the relevant development plan policy context at county level for development proposals in Maldon District. Policy BE5 identifies the need for developers to contribute towards the infrastructure costs of their proposals.

POLICY BE5 states:

'Development will not be permitted unless it makes provision for community facilities, public services, transport provision, infrastructure, environmental works and any other requirements which are made necessary by and are directly related to the proposed development. The requirements will be set out in adopted local plans, Local Transport Plans and/or development briefs and will be negotiated when determining planning applications.

Developers will be required to finance the full cost or if appropriate a contribution towards the full cost of all such provision which is fairly and reasonably related in scale and kind to the proposed development and its impacts on the wider environment. This provision will be subject to planning obligations which will be secured prior to the issue of planning permission. These obligations will specify the nature and timing of all provision, both on and off a development site, made necessary by the development concerned '.

The policy is supported within paragraphs 8.15 - 8.17 of the Structure Plan.

The adopted Maldon District Replacement Local Plan (2005) adopts a more focussed approach to directing the specific use of developer contributions in relation to a number of topic based policies. These are:

- CC1 Development Affecting an Internationally Designated Nature Conservation Site
- CC2 Development Affecting a Nationally Designated Nature Conservation Site
- H9 Affordable Housing
- REC3 Children's Play Space Associated with New Housing Developments and Elsewhere in the District
- PU1 Provision of Education Facilities

These policy priorities are explained in more detail in section 6 of this guidance.

Need

Local needs identified via the Local Strategic Partnership are important when considering the nature of developer contributions. These are set out within the Maldon District Community Plan. The priority issues arising from consultation in this community planning process have been distilled into six themes presented in the Community Plan itself as follows:

COMMUNITY SAFETY

To reduce both the level and the fear, of crime to make our community a safer place to live, work and relax.

HEALTH, SOCIAL CARE & HOUSING

To maintain and improve the health, wellbeing and quality of life of everyone in Maldon District, especially amongst those whose health is poorest. To improve access to appropriate local housing.

TRANSPORT & ACCESS

To improve the provision and integration of all modes of transport and access to services and facilities within the District.

EDUCATION, TRAINING & EMPLOYMENT

To enhance educational achievement, lifelong learning and training and to support a thriving local economy that provides jobs.

ENVIRONMENT & PLANNING

To improve our quality of life and enhance, protect and preserve both our local and the wider environment for now and future generations.

LEISURE & RECREATION

To provide everyone with high quality opportunities for leisure, recreation, relaxation and culture throughout the District.

The Community Plan is being reviewed with the intention of producing a new Plan in early 2007. As part of this process needs may be expressed differently in future.

Need

In May 2006, the District Council adopted a new corporate vision of "Creating a District which takes pride in itself". This new vision is supported by the following four key external priorities:

SUPPORTING AN ACTIVE LOCAL ECONOMY

PROTECTING OUR RURAL HERITAGE

INCREASING THE AFFORDABLE HOUSING SUPPLY

PROMOTING CIVIC PRIDE

The new vision will underpin production of the Local Development Framework. Together with the new objectives, it supports many of the policies and proposals in the adopted Maldon District Replacement Local Plan.

Other plans and strategies have been used to help define development plan policy and can assist in providing background to issues when assessing developer contributions. These are usually topic based and will include:

- the Maldon District Housing Strategy;
- the Maldon District Recreation Strategy;
- the Maldon District Playing Pitch Strategy;
- the Essex Local Transport Plan (LTP2);
- the Essex Biodiversity Action Plan.

Such strategies provide a rationale and justification for both the principle and the relevant mitigation measures contained in a developer contribution and will be referred to as appropriate.

Making a Contribution

The assessment of need is carried out according to the subject. The steps in assessing the need and scale of developer contributions are:

- determining the nature, extent and timing of the impacts;
- establishing appropriate infrastructure standards;
- identifying those areas where there are infrastructure shortfalls or spare capacity and measuring the extent of the shortfalls or spare capacity;
- measuring impacts against standards in order to calculate appropriate mitigation;
- costing the mitigation measures and determining the timing of their delivery.

A developer contribution is established within an agreement between a developer and the District Council, and other parties as necessary. It can identify activities or work to be carried out on-site or financial contributions, revenue or capital, to be made. Where available it should be based on standard charges or formulae, elsewhere by negotiation on a case by case basis.

Where unacceptable impacts are identified on public infrastructure, contributions will be required by public agencies to address these. In some cases the developer will be asked to undertake the work directly. In other cases a facility may be required that is then run by a public or other agency. Some contribution to these running costs or in other cases maintenance costs may be required.

It is open to a developer or other interested person to make a contribution by way of a unilateral undertaking. This does not require the agreement of the local authority. These are appropriate for financial contributions in certain circumstances. In other respects the considerations set out in this guide apply.

The developer contribution process must be transparent, efficient, consistent and effective. The developer contribution will be finalised within a section 106 agreement, or unilateral undertaking, prior to a report on a planning application being placed before the planning committee. Exceptions to this procedure are only likely where the development is particularly complex or large. The scale and scope of a contribution will be negotiated, in relation to the specific circumstances of the development, including viability. Where a developer indicates that infrastructure costs are considerable and a S106 contribution will make the development of the site unviable or a lesser degree

Making a Contribution

of provision is being promoted by the developer, then the Council will require documentary evidence of those infrastructure costs or other unforeseen costs that are put forward at the time of any preliminary discussions. An 'open-book' approach to financial assessment will be encouraged.

The contributions will in each case be related directly to the scale of the impact or scale of development. A major development will trigger thresholds of provision in its own right. Smaller developments may make a quantifiable impact that cumulatively with other small developments will trigger a threshold. In such cases a contribution will be called for and pooled until provision is cost effective.

In some circumstances contributions may be a significant factor in development viability. However they remain a necessary cost of development and need to be identified as such by potential developers. Hence it will be expected that the likely cost of contributions be fully reflected in negotiations from the start of the development process. In limited circumstances, if a developer considers that the cost of the contribution, renders the project unviable then the Council, at its own discretion, may review the range and nature of contributions that would normally be sought. Such a review is likely to be considered where a development is seen as offering planning benefits separate to those normally required by a contribution. In order for this review to take place the developer will be required to make available the financial appraisal that gave rise to the conclusion. The Council will require its reasonable costs in reviewing the viability to be met by the party seeking review. Where a developer indicates that infrastructure costs are considerable and an S106 contribution will make the development of the site unviable or a lesser degree of provision is being promoted by the developer, then the Council will require documentary evidence of those infrastructure costs or other unforeseen costs that are put forward at the time of any preliminary discussions.

The Council will expect its reasonable costs in drawing up the agreement and in monitoring the agreement to be met by the developer. The Council will use its best endeavours to minimise these costs to specify them at the earliest possible opportunity in the application process and wherever possible set out a timetable for the steps it will take in dealing with the application and agreement.

Making a Contribution

The main features of the approach are:

- potential developer contributions will be raised at pre-application discussions;
- planning applications will be assessed against planning policy and expressed need in order to identify appropriate contributions;
- developers will be invited to discuss contributions early in the process;
- draft agreements will be prepared for the agreement of developers when registering an application other than in exceptional cases.

Maldon District Priorities

6.1 Environment

The adopted Structure Plan includes policies that seek to protect the quality of the County's environment against inappropriate development, **Policy NR1 requires development to respect its setting**. Development will not be permitted that would cause permanent destruction or damage to the character of the landscape. Other relevant policies include:

- NR6: Development that would adversely affect designated sites will not be permitted. If there is a risk of damage, obligations may be sought to secure future site management or to made compensatory provision elsewhere.
- NR7: Additional natural habitat sites will be protected by identification in the local plan, or during the consideration of development proposals.

The Maldon District Replacement Local Plan sets out the District Council's commitment to enhancing and safeguarding the environment. Two policies, focussed on the District's most prized wildlife sites refer to the potential use of developer contributions to seek environmental benefits. These are:

'CC1 DEVELOPMENT AFFECTING AN INTERNATIONALLY DESIGNATED NATURE CONSERVATION SITE

Development likely to have a direct or indirect effect on a Ramsar site, Special Protection Area or Special Area of Conservation will not be permitted unless it is necessary for reasons of overriding public interest. Any such proposals will be subject to the most rigorous examination. Where development is permitted the use of conditions or planning obligations will be considered, to avoid and/or minimise harm to the site, to enhance the sites nature conservation interest and to secure any compensatory measures and appropriate management that may be required.

CC2 DEVELOPMENT AFFECTING A NATIONALLY DESIGNATED NATURE CONSERVATION SITE

Development likely to have a direct or indirect effect on a National Nature Reserve, Site of Special Scientific Interest or Environmentally Sensitive Area will not be permitted unless the need for the development clearly outweighs the importance of the site or the effects can be satisfactorily mitigated. Where development is permitted the use of conditions or planning obligations will be considered, to avoid and/or minimise harm to the site, to enhance the sites nature conservation interest and to secure any compensatory measures and appropriate management that may be required'.

Maldon District Priorities

In pursuing policies CC1 and CC2 the District Council may seek agreements to regulate land use in the interests of the Environment, or seek capital contributions to secure mitigation, compensatory provision or enhancement of existing sites and resources.

The identification of specific mitigation measures to address the potential impact of a proposed development on the nature conservation and amenity value of the development site and the wider area will be assessed on a site-by-site basis. Impacts on the environment are directly related to the detailed nature of a particular proposal, and in most cases, given the policy requirement for an Environmental Statement to accompany any application that adversely affects the environment, both the impact and proposed extent of mitigation will be identified by the applicant.

The District Council will assess the appropriateness of the proposed mitigation as part of its normal consideration of the application. A developer may select to undertake the mitigation works. Alternatively it may be appropriate for the developer to make a financial contribution to the District Council. In this instance, a fully costed appraisal will need to be prepared by the applicant, to include provision for the long term maintenance should this be appropriate.

Contributions may be used to:

- secure compensatory habitat provision to mitigate the impacts of development;
- secure improvements to a site as part of a development proposal;
- secure proper provision for the long-term future of a site and its maintenance;
- secure contributions towards the management and maintenance of a site that is adversely affected by a development proposal;
- secure the use of appropriate sustainable development technologies and techniques;
- secure improvements to the setting or environs of the development including enhancements to the public realm and historic structures;
- secure facilities for waste management or their enhancement.

The financial contributions referred to above will relate to a particular off-site scheme and the planning application will be required to be accompanied by a statement to clarify the precise nature of the mitigation works required to address the impacts associated with the development.

Maldon District Priorities

6.2 Affordable Housing Circular 6/98 Planning and Affordable Housing and Planning Policy Guidance 3 (PPG3): Housing 2000 sets out the Government's policy on how the planning system can contribute to the overall supply of affordable housing. It should be noted that the Government is shortly to be issuing revised guidance in the form of PPS 3.

Affordable housing need is a material consideration in considering planning applications and should be taken into account in formulating development plan documents.

Maldon District Council seeks to balance the needs of the community by ensuring there is adequate affordable housing provision for households whose incomes are not sufficient to enable them to purchase or rent suitable accommodation in the local market.

To this end the District Council has produced a separate guide addressing the provision of Affordable Housing, adopted in December 2005 and it should be read in conjunction with this guide in considering development contributions for affordable housing.

The Affordable Housing Guide includes reference to the District Council's stated policy position within the Maldon District Adopted Local Plan (Policy H9 Affordable Housing).

6.3

Children's Play Spaces Maldon District Council is concerned that effective play space provision is in place to recognised standards for the children and young people of the District. The District Council expects that new development will make an appropriate contribution to that provision particularly where deficiencies are identified.

In March 2006 the District Council adopted a Children's Play Spaces Supplementary Planning Document to elaborate policy REC3: 'Children's Play Space Associated with New Housing Developments and Elsewhere in the District' within the adopted Maldon District Replacement Local Plan.

The SPD is designed to ensure adequate facility provision is contributed alongside new development or is already in place before development goes

Maldon District Priorities

ahead. It identifies the strategy used in identified need, the standards to be applied and a calculation of contribution. This guide should therefore cross refer to the SPD when considering the provision of Children's Play Spaces.

6.4

Transport Infrastructure The need to mitigate the impact of development on transport infrastructure and to improve road safety, reduce travel and encourage sustainable means of transport are fundamental to the good planning of the District and have a high Government priority.

Any development proposal will be expected to provide for safe and convenient access for all appropriate modes to a high standard. In many cases this will be achieved within the development site and will be addressed via planning conditions. Elsewhere, the scale or location or nature of the use may necessitate off site intervention in order to enable the development to go ahead. In some of these cases a condition, precluding development until such investment has been made may be appropriate. In other cases a financial contribution will be sought that will enable the improvements to the infrastructure to proceed prior to or in parallel with the proposal. The Highway Authority may allow the developer to carry out such works on highway land in certain circumstances, in lieu of a financial contribution.

Structure Plan policy BE 5 is the overarching policy requiring developer contributions for transport provision and infrastructure 'set out in adopted local plans, Local Transport Plans and/or development briefs.

Strategic transport priorities for Maldon District are set out in detail in the Essex Local Transport Plan 2006/11 (LTP2). Maldon District lies within the 'Chelmsford and the Heart of Essex' area focussing on Chelmsford as a regional interchange centre. The key priorities for Maldon District are:

- public transport improvement particularly accessibility to town services and amenities from remoter rural areas. Continued focus is required on the Dengie Village Link and Blackwater bus links;
- congestion issues on the A414, B1018 and junctions associated with the urgent need to link the Maldon area effectively with the A12/Great Eastern corridor;

Maldon District Priorities

- renewed focus on the promotion of the Crouch Valley Community Rail Partnership.

LTP2 considers the role of Development Control Funding and specifically states:

'...at least £10 million a year is realised (across Essex) either as money passed to the County Council or as works undertaken by the developer. This level will increase over the life of the second LTP given the scale and the level of completions presently coming through the planning process'.

Policy T2 of the adopted Maldon District Local Plan 'Transport Infrastructure in New Developments' identifies more local transport requirements of development:

1. The layout of new developments will where appropriate provide for:
 - (a) Safe access to and from the highway including adequate visibility and junction capacity;
 - (b) Off site improvements to the highway;
 - (c) Facilities giving priority to public transport, pedestrians and cycling;
 - (d) Road layouts which are appropriate to the location and provide a safe and pleasant environment;
 - (e) Improvements to rail infrastructure;
 - (f) Links to the adjacent or nearby foot/cycle path network and the road system;
 - (g) Promotion of social inclusion and accessibility.
2. Larger scale development that requires a travel assessment must include and implement a Green Travel Plan.

In addition to Policy T2, Policies T4 Cycle Routes, T5 Cycle Parking provision in new developments, T6 Improvement to Pedestrian Facilities, and T7 Shared Car Parking in New Development are also relevant,

A developer may also enter into a planning obligation with the Local Highway Authority and the Local Planning Authority for improvement works to local roads.

Maldon District Priorities

Contributions from major development proposals (more than 10 dwellings or 1000 sq. m.) will be based on a package approach related to corridors, as set out in the LTP. This will continue to form the basis of the approach to the assessment of development impact and mitigation measures.

6.5 Education

The basis for developer contributions for education is policy BE5 of the adopted Structure Plan. The detailed approach to considering contributions for education is contained in the Essex County Council Supplementary Planning Guidance (SPG), 'Developer Contribution Guidelines'. The District Council has not adopted the SPG as its own policy but will apply the principles in the SPG as an expression of Structure Plan policy, in appropriate cases. The County's SPG should therefore be referred to in such cases.

Competing Demands on Development Contributions

When considering the emphasis to be placed on each of the priorities set out in section 6 in an assessment of appropriate developer contributions Maldon District Council will adopt the following approach.

1. For housing applications contributions will generally be prioritised in the following order:
 - Affordable Housing
 - Infrastructure
 - Environment
 - Children's Play Spaces
 - Education
2. For most other applications contributions will be prioritised towards infrastructure and environment
3. An element of discretion will be retained to consider applications which have specific or unusual characteristics for which the above prioritisation may not be appropriate.

It is considered that by setting out the above approach to developer contributions it will be clear to developers and other interested parties the areas to which Maldon District Council gives highest priority.

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DESIGNED AND PRODUCED BY

MALDON DISTRICT COUNCIL

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This document is available in
larger print, braille and audio. It
can also be viewed on our
website: www.maldon.gov.uk

APPENDIX 2

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Accessibility to Buildings

APPENDIX 3



MALDON
DISTRICT
LOCAL
DEVELOPMENT
FRAMEWORK

ADOPTED
SUPPLEMENTARY
PLANNING
DOCUMENT
(SPD)



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Accessibility to Buildings**Contents**

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Introduction 1

MALDON DISTRICT LOCAL DEVELOPMENT FRAMEWORK | Supplementary Planning Document:
Accessibility to Buildings

1 Introduction

- 1.1** It is a strategic objective of the Maldon District Replacement Local Plan to create a sustainable and accessible environment in which living, working and leisure encourages pride in the District, recognising its important historic qualities. (Objective Svii).
- 1.2** The Local Plan requires that all new development should include access for disabled people i.e:

Policy BE2: Inclusive Access and Accessibility

Development where access by people with disabilities is necessary must incorporate the following features:

- a. Car parking specifically designed and allocated close to the entrance of the building in accordance with the adopted standards;
- b. Access from the car park and other access routes to the entrance of the building designed for use by people with disabilities, including wheelchair users;
- c. The layout of any associated street furniture suitable for use by people with disabilities;
- d. Facilities that take into account the needs of people with disabilities for transport to and from the site.

- 1.3** The purpose of this Supplementary Planning Document (SPD) is to encourage all parties involved in the planning and development process to recognise the benefits of, and bring about, inclusive design to ensure that no individual or group is disadvantaged by our built environment.
- 1.4** The Local Plan contains a number of statements and policies which seek to ensure that Maldon has accessibility at the forefront of its considerations. Development in Maldon is also governed by detailed Regulations made under the Building Act 1984 and there is a wide range of advice and recommendations in BS 8300:2001 *"Design of Buildings and their approaches to meet the needs of disabled people – Code of practice."*
- 1.5** This SPD builds upon the Local Plan policies and makes reference to those detailed documents but it does not seek to repeat their content. It seeks to ensure that anyone carrying out development in the District is aware of the aims of the Council to achieve an inclusive environment. It sets out the procedures adopted by the Council to ensure that all development proposals are considered from the outset with accessibility in mind and focuses on the role of developers and the Council in ensuring that our built and natural environment is accessible to all who live in, work in or visit the Maldon District.

1 Introduction

MALDON DISTRICT LOCAL DEVELOPMENT FRAMEWORK | Supplementary Planning Document:
Accessibility to Buildings

- 1.6** The initial draft of this SPD was the subject of an informal consultation with the local access group as listed in Appendix 1. The SPD was then the subject of a formal consultation and the representations received from the consultation document and the Council's response to them are set out in Appendices 2 and 3. The SPD has also been the subject of a Sustainability Appraisal, see Appendix 4.

Status of this Supplementary Planning Document 2

MALDON DISTRICT LOCAL DEVELOPMENT FRAMEWORK | Supplementary Planning Document:
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2 Status of this Supplementary Planning Document

- 2.1** Planning Policy Statement 12: *Local Development Frameworks* (PPS 12) indicates that supplementary planning documents (SPDs) form part of the planning framework for an area. PPS 12 indicates that SPDs may be thematic and may expand policy or provide further detail to policies in a development plan document.
- 2.2** This SPD accords with those purposes and:
- is consistent with national and regional policies and the policies within the development plan;
 - is clearly cross referenced to the saved policy in the adopted Local Plan which it supplements;
 - will be reviewed on a regular basis;
 - was prepared through a transparent process and a statement of community involvement was published with it.
- 2.3** For these reasons this SPD conforms with the guidance for the preparation of SPD as set out in PPS 12 and therefore it will be afforded significant weight in the determination of planning applications.

3 Policy Context

MALDON DISTRICT LOCAL DEVELOPMENT FRAMEWORK | Supplementary Planning Document: Accessibility to Buildings

3 Policy Context

National Policy

- 3.1** Planning Policy Statement 1: *Delivering Sustainable Development* (PPS1) underpins all national planning policy. At paragraph 16 it states that development plans should promote development that creates socially inclusive communities and that plan policies should address accessibility (both in terms of location and physical access) for all members of the community to jobs, health, housing, education, shops, leisure and community facilities. It goes on to indicate that planning policies should take into account the needs of all of the community including particular requirements relating to, amongst other things, age and disability.
- 3.2** More specific national policy guidance can be found in Planning Policy Guidance Notes (PPGs) and Planning Policy Statements (PPSs) on Housing, Town Centres, Transport, The Historic Environment, Open Space, Sport and Recreation and Flooding.
- 3.3** In addition to the policies in PPGs and PPSs in March 2003 the Office of the Deputy Prime Minister (ODPM) published *Planning and access for disabled people: a good practice guide*. The foreword to that document states:

The Government is fully committed to an inclusive society in which nobody is disadvantaged. An important part of delivering this commitment is breaking down unnecessary physical barriers and exclusions imposed on disabled people by poor design of buildings and places. Too often the needs of disabled people are considered late in the day and separately from the needs of others.
- 3.4** The guide sets out a range of good practice points and this SPD sets out to translate those points into local policy.

Regional Policy

Regional Spatial Strategy - The East of England Plan (RSS)

- 3.5** One of the objectives of the East of England Plan is to improve social inclusion and access to employment, services, leisure and tourist facilities among those who are disadvantaged.

Policy Context 3

MALDON DISTRICT LOCAL DEVELOPMENT FRAMEWORK | Supplementary Planning Document:
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Sub-regional Policy

Essex and Southend-on-Sea Replacement Structure Plan 2001

- 3.6** Until the approval of the RSS, the Structure Plan remains part of the development plan. Policy T3 – *Promoting Accessibility* encourages new development to be designed so as to make provision for access by those whose mobility is impaired.

Local Policy

Maldon District Replacement Local Plan

- 3.7** The Local Plan indicates that the strategy of concentration of development within the development boundaries requires new developments to enhance the quality of design in the towns and villages including recognition of the need for accessibility for all potential users, regardless of age, disability, gender, religion or financial circumstances.
- 3.8** Paragraph 6.19 of the local plan states:
- ‘The Council is committed to promoting an inclusive society that offers opportunity for everyone. All new development, and particularly that intended for general public use must promote accessibility both into and within (buildings) and make appropriate safe provision in terms of access, egress and parking. An environment designed to be accessible to disabled people will be more accessible and user friendly for everybody, including wheelchair and pushchair users, people with physical and sensory impairments and elderly people. Easy access is part of good design and is beneficial to local business. The appropriate stage to consider accessibility is in the initial design not as an afterthought. This is particularly important with regard to development and alterations to existing and historic buildings’.
- 3.9** The *Maldon District Adopted Local Development Scheme First Review 2006* indicates that the Council will prepare a supplementary planning document on accessibility to and from buildings.
- 3.10** This SPD has been prepared to assist in the interpretation of the Maldon District Replacement Local Plan and in particular the application of local plan policy BE2 *Inclusive Access and Accessibility* which sets out features which the Council will expect to see within development where access by people with disabilities is necessary.

4 Implementation of Policy

MALDON DISTRICT LOCAL DEVELOPMENT FRAMEWORK | Supplementary Planning Document: Accessibility to Buildings

4 Implementation of Policy

4.1 The Local Plan indicates the need to be aware of the implications of an accessible environment early in the development process. The need to design buildings and spaces to accommodate those using wheelchairs is now widely accepted and understood, but only a small part of the range of conditions that can create difficulties in moving around the built environment. Those involved in the design of buildings and spaces should be equally alert to the needs of those who have impaired vision or hearing, those who use walking sticks or crutches, the increasing number of elderly people and those who have to control prams or buggies. All of these groups benefit from a more accessible environment which results from inclusive design and providing for those who are disabled improves access for all.

Pre-application Advice

4.2 In the past it was not uncommon for planners and developers to regard accessibility as a Building Regulation matter to be resolved once planning permission had been granted. But the Building Regulations only deal with minimum standards of design within and in relation to access to buildings. The regulations do not always apply to changes of use and in the case of extensions to buildings can only require that the accessibility of an extension is no worse than the host building.

4.3 Whilst the application of Part M of the Building Regulations makes an important contribution to the creation of accessible buildings it remains the responsibility of the developer and the local planning authority to ensure that developments create an inclusive environment both within and around buildings.

4.4 Not all applications for planning permission will have implications for accessibility. However, all proposals for new dwellings, places of employment and buildings to which the public have access will be expected to be accompanied by a statement, known as an “Access Statement” which sets out the way in which the proposal responds to the principles of inclusive design both within and outside buildings.

4.5 The Council has prepared advice leaflets and employs an access officer who can provide advice and guidance both to developers and other Council staff. In cases where an access statement is needed the applicant is encouraged to discuss the proposal with the planning case officer prior to the submission of the application. By considering inclusive access at this stage, steps can be taken in the design process to ensure that proposals are suitable for use and accessible by everyone. Failure to consider the design of buildings and spaces in an inclusive way can result in unsatisfactory solutions which compromise both accessibility and design.

Implementation of Policy 4

MALDON DISTRICT LOCAL DEVELOPMENT FRAMEWORK | Supplementary Planning Document: Accessibility to Buildings

- 4.6** The Access Statement should set out the philosophy of the development as regards inclusive access and should include detailed information about buildings and the spaces between them. The Statement should have regard to the physical nature of the development site, including for example site levels, existing points of access and the presence of vegetation. It should also indicate the way in which the proposal responds to the principles of inclusive design both within and outside buildings. It should indicate whether the design of the building would comply with the advice in BS 8300:2001 and should identify any constraints which may have inhibited full compliance with that document. The Statement should include details of the materials to be used in all external access ways and parking areas and any other aids to mobility such as handrails should be specified. Where development is on sloping ground, levels and gradients should be indicated.
- 4.7** The Access Statement will form a central part of the documentation of a development proposal and will inform the consultation process. It should therefore be submitted as part of the planning application. An example of an Access Statement is included in Appendix 5.
- 4.8** Even minor proposals, such as front porches can have significant implications for accessibility and will often create opportunities to improve accessibility through the provision of level thresholds or carefully designed ramped access. For this reason the Council includes a reference to accessibility on its notes for guidance which accompany planning application forms and includes a question about accessibility on those forms.

Consideration of Applications

- 4.9** Accessibility is a material consideration in the determination of planning applications. S 38(6) of the Planning and Compulsory Purchase Act 2004 indicates that when making planning decisions the determination must be made in accordance with the development plan unless material considerations indicate otherwise. There will therefore be an expectation that the Policies in the Local Plan and the content of this SPD will be taken into account when planning applications are determined.
- 4.10** When considering the merits of applications planning officers will have regard to the desirability of achieving inclusive access. All planning officers will be alert to the implications of inclusive development. Where it is considered that a proposal raises issues for inclusive development it will be the subject of consultation with the access officer and where there are significant implications it will be the subject of consultation with the local advisory group.
- 4.11** Where a proposal raises fundamental issues for inclusive access for which no solution is apparent the Council may refuse to grant planning permission.

4 Implementation of Policy

MALDON DISTRICT LOCAL DEVELOPMENT FRAMEWORK | Supplementary Planning Document: Accessibility to Buildings

- 4.12** If it appears that measures can be taken to provide inclusive access, the Council will consider the imposition of planning conditions, where appropriate, in accordance with the tests in Circular 11/95 "The Use of Conditions in Planning Permissions." Where a proposal raises accessibility issues which range beyond the application site or which cannot be resolved through the imposition of planning conditions the Council, will consider the need to negotiate a planning obligation under S106 of the Act.

Working with Building Control

- 4.13** Most new building work and some changes of use of buildings is subject to the Building Regulations 2002 made under the Building Act 1984. Through these regulations a developer has a statutory obligation to secure building regulation consent. This can either be done by the submission of an application to the Council's Building Control Service or to an approved inspector who will assess the proposal and either approve or reject it, as appropriate.
- 4.14** Part M of the Regulations requires that reasonable provision should be made for access to and use of buildings by disabled people. The Approved Document which accompanies Part M shows applicants ways in which the requirement of reasonable provision can be met, however, these are not necessarily best practice solutions and a more inclusive design may often be achieved with fewer cost implications if considered at an earlier stage in the design process. To avoid having to rethink the design of a building or its surroundings late in the process there should be early discussion between all parties. Where approved inspectors are to be used by developers they should be encouraged to contact the Council's planning officers to enable inclusive solutions to be developed.

The Historic Environment

- 4.15** The provision of inclusive access in relation to historic buildings and areas creates its own challenges. Within Maldon District there are approximately 1100 Listed Buildings and many more historic buildings within our 12 Conservation Areas that do not satisfy modern accessibility standards.
- 4.16** Planning Policy Guidance Note 15: *Planning and the Historic Environment* in paragraph 3.28 states that "It is important in principle that disabled people should have dignified easy access to and within historic buildings". It indicates that if a flexible and pragmatic approach is taken, it should normally be possible to plan suitable access for people with disabilities without compromising a building's special interest. The Council's Conservation Officer works closely with the Access Officer and has regard to good practice elsewhere. In particular, attention is drawn to the English Heritage publication "*Easy Access to Historic Buildings*" which includes a range of examples of good practice.

Implementation of Policy 4

MALDON DISTRICT LOCAL DEVELOPMENT FRAMEWORK | Supplementary Planning Document: Accessibility to Buildings

- 4.17** Proposals for the extension or alteration of listed buildings and buildings in Conservation Areas or the change of use of such buildings to allow public access should be accompanied by an Access Statement. This should indicate the measures proposed to provide an inclusive access environment and how this has been achieved whilst maintaining the integrity of the historic building or area.

Spaces Between Buildings

- 4.18** In an inclusive environment careful consideration must be given to the spaces between buildings. The layout and design of the space around buildings must be considered as an integral part of the design process and not designed to fit after the design and position of the building has been established. Only by adopting this approach can a fully inclusive environment be developed.
- 4.19** In considering any development proposal the Council will be concerned to know how people will get from public places – such as roads and footpaths – into buildings and key issues for planners and developers are levels and gradients and the nature of surface materials.
- 4.20** The use of design features, colour, lighting and materials and clear desire lines can assist in drawing attention to the position of the entrance to buildings thereby assisting those who may have impaired visibility. The use of shallow gradients, easy curves, and appropriate surfacing combine with aids such as handrails assist those whose mobility is restricted.

Vehicle Parking

- 4.21** The Council's vehicle parking standards require that provision is made for disabled car parking. An extract from the adopted Supplementary Planning Document, which is based on the Essex Planning Officers' Association publication "*Vehicle Parking Standards*" dated August 2001, is appended at Appendix 7.
- 4.22** Whilst generally the Council's approach to car parking indicates a maximum provision, in line with the advice in PPS3 Housing, the Local Plan states that a minimum standard of car parking provision for parking for people with disabilities will be required on or as close to the site as practicable in order to promote inclusive access and accessibility.
- 4.23** In order to ensure that an inclusive and accessible environment is achieved parking spaces suitable for people with disabilities should be conveniently located to serve the main entrance to the building or other facility served by the car park and should be linked via a route which can be easily negotiated by wheelchairs. Loose materials and steep gradients should be

4 Implementation of Policy

MALDON DISTRICT LOCAL DEVELOPMENT FRAMEWORK | Supplementary Planning Document: Accessibility to Buildings

avoided and the provision of handrails is encouraged to assist both the ambulant disabled and those with impaired vision. Wherever possible, routes between parking spaces for disabled people and buildings should be segregated from areas used by vehicles.

- 4.24** Landscaping within car parks can enhance their appearance but care should be taken to ensure that planting in the vicinity of access routes is of an appropriate species so as to avoid the growth of prickly plants or those which may have low branches which may create hazards for those of impaired sight or mobility.

Shop Fronts

- 4.25** A high proportion of the shops within Maldon District lie within the historic cores of our towns and villages. By their nature many of these are sited at the edge of the public pavement where there is little space to improve public access. However, the Council receives a number of applications to replace shop fronts and this creates an opportunity to improve accessibility. When submitting any application to replace a shop front the Council will expect the applicant to show how the proposal takes account of the need to promote inclusive development.
- 4.26** All applications for new shop fronts should include cross sections of the thresholds and the access route from the public highway and should clearly indicate how access doors are proposed to open and how rainwater will be dispersed from the floor. Proposals for ATMs should satisfy the design advice in *Access to "ATMs: UK design guidelines"* published by the Centre for Accessible Environments.
- 4.27** The Council has produced an information leaflet to guide developers when they are considering the installation of new shop fronts and the Access Officer will give advice on individual proposals.

Public Open Spaces

- 4.28** Inclusive communities must ensure that access is available to recreational facilities including public open space and it is an objective of the Local Plan to improve access to and the provision of sport and leisure facilities and enhance tourism for all. (Objective S vi). Proposals for new areas of open space should include an Access Statement indicating the measures proposed to create an inclusive environment. Within Maldon District a high proportion of public open space is managed by Town and Parish Councils and the Council's Access Officer will provide advice to these bodies on measures which they can take to improve accessibility.
- 4.29** Where parking is provided to serve public open space it should include designated parking spaces for people with disabilities and these should be linked to the open space via a surface which can be negotiated by wheelchair users.

Implementation of Policy 4

MALDON DISTRICT LOCAL DEVELOPMENT FRAMEWORK | Supplementary Planning Document:
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Roads and Footways

- 4.30** Responsibility for roads and pavements within the Maldon District lies with Essex County Council but Maldon District Council works in partnership with the County Council to deliver a seamless service through the Area Highways Team. Where entrances to buildings such as shops are close to the pavement development proposals may have a direct effect on the public highway. Maldon District Council will work closely with the Area Highways Team in order to achieve an inclusive access solution which both maintains the safety and convenience of all highway users and the character and appearance of the street.
- 4.31** In considering applications for the development of places of employment or entertainment the Council will have regard to the links between the proposal and the public transport infrastructure, in the form of bus stops and railway stations. The Council will consider the need to improve access to this infrastructure and may seek contributions from developers for the upgrading of access ways and structures, such as surface treatments, hand rails and bus shelters.

4 Implementation of Policy

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Appendix 1: Informal Consultation

MALDON DISTRICT LOCAL DEVELOPMENT FRAMEWORK | Supplementary Planning Document:
Accessibility to Buildings

Appendix 1: Informal Consultation

The following was consulted informally in the initial preparation of this document:

- Maldon District Access Group

Appendix 2: Formal Consultation

MALDON DISTRICT LOCAL DEVELOPMENT FRAMEWORK | Supplementary Planning Document:
Accessibility to Buildings

Appendix 2: Formal Consultation

The formal consultation stage for the Access to Buildings SPD took place between Monday 9th October and Monday 20th November 2006. The following were consulted formally on this document:

- English Heritage
- Environment Agency
- Highways Agency
- Disabled Persons Transport Advisory Committee
- Disability Rights Commission
- Essex Disability Equality
- Help the Aged
- Maldon & District Disabled Sports Club
- Centre for Accessible Environments
- Natural England
- Maldon District Access Group

Appendix 3: Responses to Consultation

MALDON DISTRICT LOCAL DEVELOPMENT FRAMEWORK | Supplementary Planning Document:
Accessibility to Buildings

Appendix 3: Responses to Consultation

Table 1 Responses to formal consultation and the Council's response

Name	Organisation	Section	Comment	Response
Mr David Rookard	Maldon District Access Group	Introduction	The definition of Accessibility shown is the incomplete version and therefore inadequate as it does not mention access to buildings.	Agree. Change definition to match one found in Adopted Replacement Local Plan Nov. 2005
Mr David Rookard	Maldon District Access Group	Appendix 8	Insert note given in BS8300:2001 (Page 16) about interpolating between the maximum gradients.	Agree
Mr David Rookard	Maldon District Access Group	Appendix 9	For clarification 2 nd paragraph – dimensions do not match diagram. Believe text refers to the on-street parking guidelines.	Agree subject to clarification
Carol Reid	Natural England	General	Thank you for the above documents. English Nature does not wish to comment further.	Noted
Wai-Kit Cheung	Fairview New Homes Limited	Page 5 (Planning Contributions)	Fairview request that the document recognises the impact that	No change. The provision for access to buildings by

Appendix 3: Responses to Consultation

MALDON DISTRICT LOCAL DEVELOPMENT FRAMEWORK | Supplementary Planning Document:
Accessibility to Buildings

Name	Organisation	Section	Comment	Response
			planning obligations can have on the viability of development. As such, the following text should be included in the document: “The Council will have regard to the impact of planning contributions on the viability of development and will ensure that they are necessary to allow consent to be given for a particular development and that they are fairly and reasonably related in scale and kind to the proposed development, and reasonable in all other respects”	people with disabilities is a requirement under the Disability Discrimination Act. It is therefore necessary for development to be in accordance with said Act.

Appendix 4: Sustainability Appraisal

MALDON DISTRICT LOCAL DEVELOPMENT FRAMEWORK | Supplementary Planning Document:
Accessibility to Buildings

Appendix 4: Sustainability Appraisal

The Access to Buildings Sustainability Appraisal Report is available upon request or can be viewed on the Council's website: [http://www.maldon.gov.uk/Planning & Building Control/Local Development Framework/SPD Access to Buildings](http://www.maldon.gov.uk/Planning%20&%20Building%20Control/Local%20Development%20Framework/SPD%20Access%20to%20Buildings)

Appendix 5: Access Statement

MALDON DISTRICT LOCAL DEVELOPMENT FRAMEWORK | Supplementary Planning Document:
Accessibility to Buildings

Appendix 5: Access Statement

Table 2 Maldon District Council - Access Statement

	Applicant		Agent
Name		Name	
Address		Address	
Postcode		Postcode	
Telephone		Telephone	
Address of development			Is Council's Building Control Service to be used? Yes / No
Description of proposal			
Access issues of the proposal and constrains			
Measures proposed to achieve inclusive access			
Pre-application discussion and consultation			
Additional information			

Appendix 6: Access Ramps

MALDON DISTRICT LOCAL DEVELOPMENT FRAMEWORK | Supplementary Planning Document:
Accessibility to Buildings

Appendix 6: Access Ramps

- If a change of level on an access route is unavoidable it is necessary to provide a sloped access for wheelchair users. But as some ambulant disabled have difficulty using ramps an alternative access should also be provided.
- When designing ramps it is important to ensure that they are not too steep and no individual ramp should be more than 10m long to ensure that the distance between landings is not excessive to enable wheelchair users and their helpers to rest. Ramps should be designed in accordance with the advice in BS 8300:2001.
- If a ramp is more than 2m long between landings or if there is no stepped access handrails should be provided on both sides. If a ramp is less than 2m at least one handrail should be provided.
- Ramps should not be used to rise a total of more than 2m and their gradients should not exceed the recommendations in BS 8300:2001 which are set out in the table below.

Table 3 Limits for ramp gradients

Length of Ramp	Maximum Gradient
10m	1:20
5m	1:15
Not exceeding 2 m	1:12
Note: For going between 2m and 10m, it is acceptable to interpolate between the maximum gradients, i.e. 1:14 for a 4m going or 1:19 for a 9m going.	
Further information on the design of ramps can be found in BS8300:2001.	

Appendix 7: Extract from Adopted Car Parking Standards

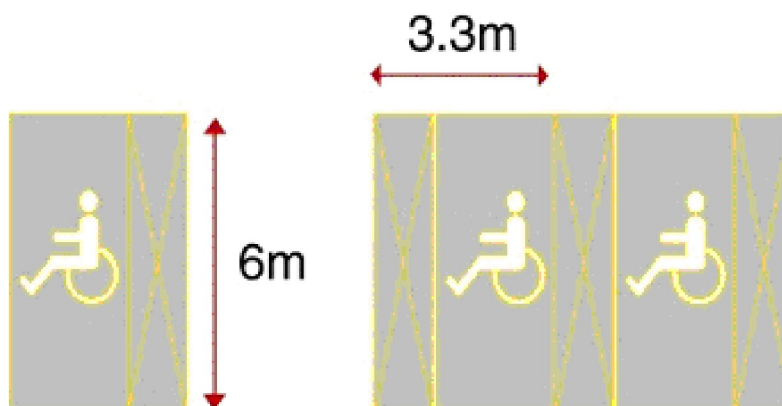
MALDON DISTRICT LOCAL DEVELOPMENT FRAMEWORK | Supplementary Planning Document: Accessibility to Buildings

Appendix 7: Extract from Adopted Car Parking Standards

Disabled Parking Provision

- Guidance on the amount of parking provision that should be supplied for disabled people is outlined in the DETR's Traffic Advisory Leaflet 5/95 – Parking for Disabled People, published in April 1995.
- Disabled parking spaces should be at least 3.3m wide and 6.0m long in order to allow the driver or passenger to get in and out of the vehicle safely, and to provide access to the rear of the vehicle for wheelchair storage. Where direct access is provided to a footway at the side or rear, spaces should be at least 2.7m or 4.8m respectively (see diagram below).

Figure 1 Disabled parking provision



Appendix 7: Extract from Adopted Car Parking Standards

MALDON DISTRICT LOCAL DEVELOPMENT FRAMEWORK | Supplementary Planning Document:
Accessibility to Buildings

Parking standard for disabled car parking

PARKING STANDARDS FOR DISABLED CAR PARKING	
Car Park Used For:	
Employees and visitors to business premises	
Car Park Size: Up to 200 Bays	
Individual bays for each disabled employee plus 2 bays	
or 5% of total capacity, whichever is the greater	
Car Park Size: Over 200 Bays	
6 bays plus 2% of total capacity	
Car Park Used For:	
Shopping, recreation and leisure	
Car Park Size: Up to 200 Bays	
3 bays or 6% of the total capacity, whichever is the greater	
Car Park Size: Over 200 Bays	
4 bays plus 4% of total capacity	

Appendix 8: Bibliography

MALDON DISTRICT LOCAL DEVELOPMENT FRAMEWORK | Supplementary Planning Document:
Accessibility to Buildings

Appendix 8: Bibliography

- *PPS 1; Delivering Sustainable Development* (ODPM, now Department of Communities & Local Government [CLG] 1997)
- *The Essex & Southend on Sea Replacement Structure Plan* (Essex County Council, 2001)
- *Vehicle Parking Standards* (EPOA, 2001)
- *BS 8300:2001 Design of buildings and their approaches to meet the needs of disabled people – Code of Practice*. (October 2001, British Standards Institute)
- *Access to ATMs: UK design guidelines 2002* (2002, Centre for Accessible Environments)
- *Planning and access for disabled people: a good practice guide* (March 2003, ODPM, now Department of Communities & Local Government [CLG])
- *Easy Access to Historic Buildings* (July 2004, English Heritage)
- *PPS 12; Local Development Frameworks* (CLG, 2004)
- *Planning Policy Guidance 15; Planning & the Historic Environment* (OPDM, now Department of Communities & Local Government [CLG] 2004)
- *Maldon District Replacement Local Plan* (MDC, 2005)
- *Maldon District Adopted Local Development Scheme* (MDC, 2006)
- *The East of England Plan* (Go East)

Heybridge Basin Timber Yard

APPENDIX 4



MALDON
DISTRICT
LOCAL
DEVELOPMENT
FRAMEWORK

ADOPTED
SUPPLEMENTARY
PLANNING
DOCUMENT
(SPD)

FEBRUARY 2007

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MALDON DISTRICT
COUNCIL

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1 Introduction

Picture 1. Heybridge Basin seen from the air



Background

- 1.1** The Timber Yard at Heybridge Basin became vacant in 1988. Shortly afterwards a planning application was approved for the redevelopment of most of the open storage area on the site. That was developed and is now known as Blackwater Close.
- 1.2** The remaining part of the site that included the old sawmill buildings remained undeveloped. That land was allocated for employment use in the 1996 Review of the Local Plan. The land has not been developed and in 2004 the Inspector at the Replacement Local Plan Inquiry recommended the land be developed for mixed use in accordance with a development brief to be prepared by the Council. The development brief is being prepared as a Supplementary Planning Document under Policy E3 of the Maldon District Replacement Local Plan.

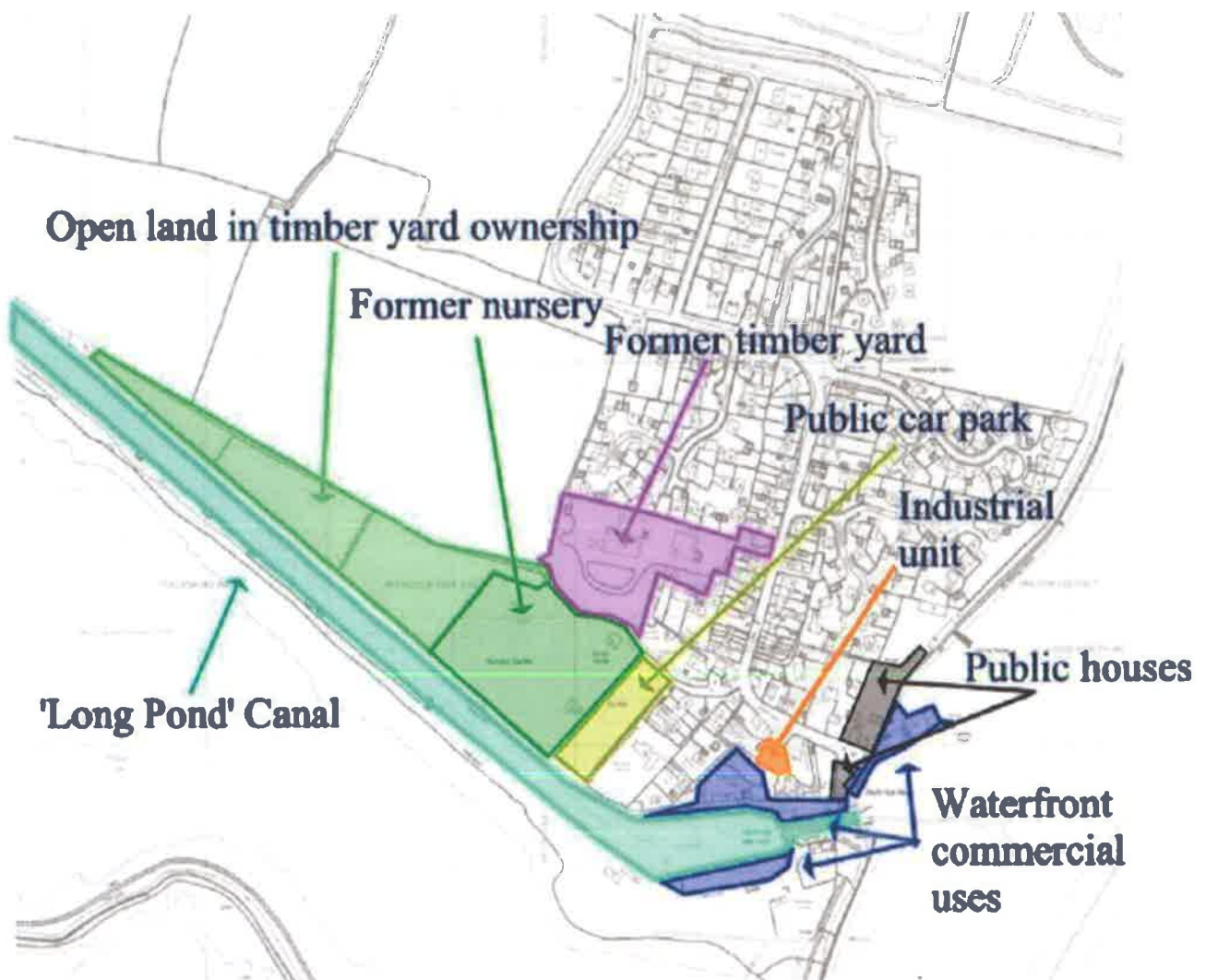
1 Introduction

MALDON DISTRICT LOCAL DEVELOPMENT FRAMEWORK | Supplementary Planning Document:
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Area covered by the brief

- 1.3** This brief only covers the area of the former Timber Yard site (shaded pink) as shown on this map.

Picture 1.1 Location and context



Purpose of the brief

- 1.4** The purpose of the brief is as follows:

- The brief provides a vision for the area to act as a framework for future development proposals.

Introduction 1

MALDON DISTRICT LOCAL DEVELOPMENT FRAMEWORK | Supplementary Planning Document:
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- The brief identifies development opportunities and provides guidance on land uses, site planning and building scale, form and detailing to make more efficient use of the land, help achieve development quality and ensure that new development improves the relationship between the Timber Yard and the historic built form in the area. The guidance provides greater certainty for the land owner and prospective developers.
- The document will provide guidance for the District Council to assist in the determination of any future planning application.
- The consultation exercise on this brief has provided a forum for the Parish Council, local amenity societies and local people to influence the evolution of a key development in the heart of the village.

Status of this document

- 1.5** This document will be adopted as a Supplementary Planning Document in accordance with the commitments set out in the Adopted Local Development Scheme.
- 1.6** It has been subject to extensive public consultation and community engagement. In autumn 2005, the District Council invited members of the local community who represented the majority of local interests to take part in a Stakeholder Group. This met a number of times including a public meeting held at St George's Church in Heybridge Basin. There was also a community web based "blog" consultation. This process helped inform the content of the final document which is proposed to be formally adopted by the District Council as a Supplementary Planning Document. As adopted guidance the document will carry significant weight in the determination of future planning applications.

2 Planning Policy Context

MALDON DISTRICT LOCAL DEVELOPMENT FRAMEWORK | Supplementary Planning Document:
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2 Planning Policy Context

Government guidance

- 2.1** The key tenets of Government guidance are contained in Planning Policy Statements (PPS) and Planning Policy Guidance Notes (PPG) as follows:

PPS 1	Delivering Sustainable Development
PPS 3	Housing
PPS 6	Planning for Town Centres
PPS 23	Planning and Pollution Control
PPS 25	Development and Flood Risk
PPG 13	Transport
PPG 15	Planning and the Historic Environment

- 2.2** The objective of Government policy and guidance is to encourage sustainable development through social progress, maintaining the economy, environmental protection and prudent use of resources. It promotes high quality design to enhance the quality of urban life and encourages the efficient use of land particularly where close to local facilities and public transport connections. The guidance recognises that well planned green spaces can help create pleasant urban environments.
- 2.3** PPG 13 advises that local authorities should make maximum use of sites which are highly accessible by public transport. PPS 3 promotes more sustainable patterns of development by focusing future housing development, in the first instance, within urban areas, and requiring that efficient use is made of previously developed land.
- 2.4** PPG 15 reinforces the provisions of the Planning (Listed Building and Conservation Areas) Act 1990, which requires local authorities to have regard to the desirability of preserving the setting of listed buildings. It also places an obligation on local authorities to preserve and enhance the special character of conservation areas. In relation to conservation areas that include the commercial centres of villages, the guidance stresses that local authorities should not seek to prevent new development, rather they should seek to protect character by managing change positively to allow the area to remain alive and prosperous.

Planning Policy Context 2

MALDON DISTRICT LOCAL DEVELOPMENT FRAMEWORK | Supplementary Planning Document:
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- 2.5 PPS 23 requires that potential for contamination to be present must be considered in relation to the existing use and circumstances of the land, the proposed new use and the possibility of encountering contamination during development. The potential for contamination and any risks arising must be properly assessed and that the development incorporates any necessary remediation and subsequent management measures to deal with unacceptable risks, including those covered by Part IIA of the EPA 1990.
- 2.6 PPS 25 requires that Local Planning Authorities (LPAs) prepare Local Development Documents (LDDs) that set out policies for the allocation of sites and the control of development which avoid flood risk to people and property where possible and manage it elsewhere, reflecting the approach to managing flood risk in this PPS 25:
- where climate change is expected to increase flood risk so that some existing development may not be sustainable in the long-term, LPAs should consider whether there are opportunities in the preparation of LDDs to facilitate the relocation of development, including housing to more sustainable locations at less risk from flooding;
 - flood risk should be considered alongside other spatial planning issues such as transport, housing, economic growth, natural resources, regeneration, bio-diversity, the historic environment and the management of other hazards. Policies should recognise the positive contribution that avoidance and management of flood risk can make to the development of sustainable communities, including improved local amenities and better overall quality of life. They should be integrated effectively with other strategies of material significance such as Regional Economic Strategies.
- 2.7 In determining planning applications LPAs should:
- have regard to the policies in PPS 25 as material considerations which may supersede the policies in their existing development plan, when considering planning applications for developments in flood risk areas before that plan can be reviewed to reflect PPS 25;
 - ensure that planning applications are supported by site-specific flood risk assessments (FRAs) as appropriate;
 - apply the sequential approach at a site level to minimise risk by directing the most vulnerable development to areas of lowest flood risk, matching vulnerability of land use to flood risk;
 - give priority to the use of Sustainable Urban Drainage Systems (SUDS); and
 - ensure that all new development in flood risk areas is appropriately flood resilient and resistant, including safe access and escape routes where required, and that any residual risk can be safely managed.

2 Planning Policy Context

MALDON DISTRICT LOCAL DEVELOPMENT FRAMEWORK | Supplementary Planning Document:
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Essex and Southend-on-Sea Replacement Structure Plan (April 2001)

- 2.8 The Essex and Southend-on-Sea Replacement Structure Plan forms part of the Approved Development Plan for the area. Its policies encapsulate recent Government guidance regarding sustainability and making efficient use of previously developed land.
- 2.9 Policies CS1 and BE1 seek to achieve significant enhancement of the vitality and viability of the urban environment. They require that efficient use is made of accessible land within existing urban areas that is well served by public transport. Policies CS1, BE2 and H4 promote mixed land uses.
- 2.10 Policy BE1 and CS2 establish a framework for protecting the character and townscape of the urban environment generally. Policies HC2 and HC3 provide extra protection for sites within defined conservation areas and the setting of listed buildings.
- 2.11 Policy BIW4 provides the basis for safeguarding employment sites currently in use from encroachment by other land uses.
- 2.12 Policy BE5 provides a framework for new development to provide/contribute to necessary improvements to community facilities, public services, transport provision and other essential infrastructure which is made necessary by the proposed development.

Local Plan (2005)

- 2.13 At the local level the strategy for the District recognises the importance of protecting the coast and countryside whilst achieving a better balance between new homes and jobs within the District. The policy background is set by the Maldon District Replacement Local Plan (2005). The overall Strategic Objective regarding employment is to:

Si To make provision for sustainable employment opportunities.

Policy E3 Mixed Use Development - Timber Yard, Heybridge Basin

Within the former timber yard site in Heybridge Basin shown on the Proposals Map, planning permission will be granted for a mixed-use development of housing and Class B1 employment uses provided:

- a. The extent of Class B1 uses promotes the objectives of the Employment Strategy
- b. Flood risk measures satisfy the requirements of the Environment Agency

Planning Policy Context 2

MALDON DISTRICT LOCAL DEVELOPMENT FRAMEWORK | Supplementary Planning Document:
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- 2.14** The Council acknowledges this policy is challenging and will not be easy to deliver. It reflects the difficult circumstances that face the community in an area of high environmental capital but poor economic links that may lead to socially and environmentally damaging patterns of long distance commuting for work.

3 The Site in Context of the Surrounding Area

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Heybridge Basin Timber Yard

3 The Site in Context of the Surrounding Area

- 3.1** The site has an area of 1.9 ha and is a former timber yard that was associated with the canal. It continued to trade after the canal ceased commercial operations and was in operation until about 1988. It used to include the area of what is now Blackwater Close as part of the open air storage of bulk timber.
- 3.2** Access to the site was via the Basin Road entrance which is very constrained for HGV traffic and may in part have contributed to the closure of the former timber yard.
- 3.3** To the immediate south of the site there is the Heybridge Basin Conservation Area, which was designated to recognise the contribution of the old lock and basin to the character of the historic fabric of the area. To the immediate west there is open countryside with the adjacent settlement boundary on the west boundary of the site.
- 3.4** To the east and south there is the River Blackwater SSSI which was designated for its mudflats and estuarine wildlife.
- 3.5** The site is surrounded by residential development and the access along Basin Road does not include a footpath. The site has difficult access for HGV traffic, which acts as a constraint for prospective employment use that may require deliveries and collections.
- 3.6** The Conservation Area is unique in that it is applied to a relatively recent settlement, which was only created after the construction of the canal. As such it is a very recent built form.

The Site in Context of the Surrounding Area 3

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Map 3.1 Site analysis as existing



4 Development Opportunities and Constraints

MALDON DISTRICT LOCAL DEVELOPMENT FRAMEWORK | Supplementary Planning Document:
Heybridge Basin Timber Yard

4 Development Opportunities and Constraints

Development Opportunities and Constraints

- 4.1 The most significant constraint on the potential development of the site is the flood risk as set out in the Environment Agency Flood Maps. These show the site as having a 'moderate chance of flooding from the sea' i.e. a greater than 1 in 200 years risk. Initial Flood Risk Analysis carried out by the developers and agreed by the Environment Agency (EA) indicates the most significant risk of flooding is from a tidal event.
- 4.2 An initial Flood Risk Assessment (FRA) indicates the most significant risk is from an unexpected breach or overtopping of the sea defences leading to inundation of the site and surrounding area. Tidal overtopping of the defences has been examined and discounted as a significant risk on account of a number of factors including the limited volume of water that could flow over the sea wall during a high tide event.
- 4.3 However, overtopping is not necessarily separate from breach and it is possible that an overtopping event could lead to a breach. The risk in this situation is that the breach would not be predictable. On account of that the EA has taken a precautionary approach and sought initial flood protection measures that are based on the limited modelling work carried out to date.
- 4.4 In the absence of further information the EA has stipulated that all ground floor accommodation should not be enclosed and leave adequate opportunity for escape to upper floors. This places a considerable burden on developing the site insofar as the lower levels of any potential development must be discounted from development returns thereby placing a financial burden on any potential development.
- 4.5 Separately to the above, the Department for Environment, Food and Rural Affairs (DEFRA) has recently introduced new priority scoring procedures for flood defence spending. The new scoring process weighs the cost of maintaining the sea defence against the value of the area that is protected. The Basin is protected by 7 km of sea walls and is part of a flood cell that stretches from Heybridge to Goldhanger in which there are about 400 homes in total. The scoring process will determine whether the EA will continue to maintain the sea wall.
- 4.6 Given the location of the site in the proximity to the Heybridge Basin Conservation Area any potential development must be designed to enhance the setting of the Conservation Area.

5 Land Use

Land Use issues and guidance

- 5.1** The Council is promoting the regeneration of this site to address the visual impact on the landscape of Heybridge Basin. The Council does not need to use this site to meet strategic housing requirements as it has already identified sufficient land to deliver the housing allocation as set out in the Approved Development Plan.

Mixed-uses

- 5.2** Any new residential development will be served by existing local retail centres at Heybridge and Maldon. The poor proximity of the site to existing workplaces, public transport and facilities limits the extent to which this site can be predominantly residential. Non-residential uses integrated with residential will help to maintain a mixed-use character, generate activity throughout the day and help to enliven the locality in general. Subsidised use of areas at ground level, targeted at local need and making a positive impact on local waterfront activities which are being eroded due to lack of affordable spaces for them to continue will be welcomed.
- 5.3** On this site, the Council will seek mixed-uses to meet the following objectives:
- Creation of a sustainable residential neighbourhood;
 - Creation of a safe, lively character with a variety of activity.

Development Requirements

Table 1 Development requirements

<i>Amount of non residential floorspace</i>	Minimum 30% of the developed floorspace. This is seen as a minimum practical amount of non-residential floor space to promote effective mixed use.
<i>Preferred location of non-residential uses for diversity, street level interest and safety.</i>	The Council will seek non-residential uses at ground floor level on the site in order to contribute to the diversity of uses and to address flood issues and create focal points for activity.
<i>Adaptable units</i>	The Council will accept attractive, open-fronted, high ceiling, mergable / sub-divisible, flexible-use units, capable of accommodating alternative non

5 Land Use

MALDON DISTRICT LOCAL DEVELOPMENT FRAMEWORK | Supplementary Planning Document:
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	residential uses, in the interests of creating a business character, meeting unforeseen demand and for future economic sustainability.
<i>Appropriate intensity of use and satisfactory built form.</i>	The Council wants to avoid segregated uses. It will not accept single storey buildings and detached, single-use buildings. Residential developers will be encouraged to develop mixed-use buildings.

Possible Land Uses

- 5.4** New development should complement the existing surrounding uses and exploit the close association with the setting of the canal. The Council envisages that new residential and employment uses will be complementary to the existing grain of the conservation area.
- 5.5** Within the possible land uses outlined below, distinctions are drawn between uses that the Council consider are essential, desirable or acceptable. All the uses stated below are compatible with each other as long as they are carefully integrated within the overall development scheme and surrounding area, attending to possible excessive impact in terms of traffic, noise and activity.

Table 2 Possible land uses

Private residential Use Class C3	Taking account of the EA's concerns over flooding together with the difficult access to the village a minimum number of mixed tenure, mixed size residential units, is preferred, (subject to comments relating to B1 use). The Council will seek affordable housing in accordance with the adopted Local Plan which may be in the form of commuted payments instead of on site provision.
Business ** Use Class B1	The inclusion of Class B1 use within the area covered by the brief is an essential requirement to meet the employment objectives of the adopted Local Plan. The Council will accept different types of accommodation including: - premises for small and medium size B1 businesses; - managed workspace for small enterprises sharing resources;

Land Use 5

MALDON DISTRICT LOCAL DEVELOPMENT FRAMEWORK | Supplementary Planning Document:
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	- flexible use A1/B1 workshops and studios; - flexible use community or low value artisan activity associated with the nearby canal and waterside facilities. An intensive employment use such as headquarters offices would be not desirable due to the local transport infrastructure.
Professional services Use Class A2	Non-retail uses serving visiting members of the public will be acceptable, (architects, accountants, public relations etc).
Restaurants & Cafes Use Class A3	A Class A3 use is acceptable provided it is integrated with new living and working accommodation and complements the setting of the canal and maritime history of the village / neighbourhood.
Drinking Establishments Use Class A4	A Class A4 use may be acceptable provided it is integrated with living and working accommodation and management processes can be introduced to control access and noise. It must also complement the setting of the canal and maritime history of the village / neighbourhood.
Hotel Use Class C1	A hotel would be acceptable to promote the tourist offer in the district.
Non-residential institutions Use Class D1	Community uses such as place of worship or arts, meeting rooms, educational and cultural uses are encouraged subject to a needs assessment. However due to flood risk, permitted development rights for use as health, daycare, crèche / nursery resources will be withdrawn by planning conditions.

** With regards to employment, Heybridge Basin has poor links to the general economy due to the location on a riverside with only one access road which itself is off a B Class road that is not part of the main highway network. The Council accepts that its peripheral location is unlikely to attract high value added business that can afford to build or occupy new units that are flood resilient. Regardless of the type of business that occupies the site the issue of flooding must still be addressed.

5 Land Use

MALDON DISTRICT LOCAL DEVELOPMENT FRAMEWORK | Supplementary Planning Document:
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Table 3 Unacceptable use form or development

Large space single storey premises	Low intensity buildings that create a weak urban form.
Development heavily reliant on motor vehicle usage	Motor vehicle oriented uses would conflict with design and sustainability objectives.
Residential institutions Use Class C2	Residential accommodation for special needs is not considered acceptable on account of the flood risk and the undesirability of locating vulnerable people in an area of risk.

Traffic and Circulation 6

MALDON DISTRICT LOCAL DEVELOPMENT FRAMEWORK | Supplementary Planning Document:
Heybridge Basin Timber Yard

6 Traffic and Circulation

Network requirements

- 6.1** The Council will expect the design of any scheme to be founded upon an enhanced pedestrian / cycleway network:
- A pedestrian / cycle link to facilitate movement between the site and Heybridge as expressed in Policy T4 of the adopted Local Plan.
- 6.2** The most important objective for the development of this area is overcoming the barriers to pedestrian links with the main settlements of Heybridge and Maldon. These links are essential to help justify low car parking requirements and encourage use of public transport. This will require creating routes through the development site, but will also involve exploring with adjoining owners the possible integration with linkages across adjoining land.
- 6.3** The Council will assist by enabling:
- Changes to the existing canal towpath to facilitate a cycle route to extend into the site by working in partnership with the Highways Authority to provide relevant Traffic Regulation Orders.
 - Creating the framework to provide for developer contributions to finance the works.

Acceptable access points

- 6.4** The site has two access points; the original site entrance on Basin Road and the potential entrance on Blackwater Close. The Council wish to see access divided so that neither access point takes all the movement associated with the site. The Council will expect to see permeability and through access but that such access will be managed so that the site does not become a “Rat Run” for egress from the Basin. It will be necessary to control HGV traffic during the construction and development of the site to ensure the protection of the local community.

Circulation within the development

- 6.5** Access and circulation to buildings, within private and public spaces must be suitable for people with disabilities.

6 Traffic and Circulation

MALDON DISTRICT LOCAL DEVELOPMENT FRAMEWORK | Supplementary Planning Document:
Heybridge Basin Timber Yard

- 6.6 Pedestrian routes should be direct, legible, safe and attractive. Cycle routes should be indicated by paving materials of different colour or levels and be open and attractive with good forward visibility. Vehicle routes should follow the pedestrian network and be designed to regulate traffic flows and speeds.

Vehicle servicing needs

- 6.7 All uses should provide suitable arrangements for off-street servicing and refuse collection. The Council will require details of the types of vehicles and frequency of visit for each use to ensure satisfactory provision. Service access for existing surrounding buildings should be maintained.

Vehicle parking

- 6.8 Car parking provision will be assessed with reference to Maldon District Council Vehicle Parking Standards Supplementary Planning Document (SPD) 2006. In new residential development this requires, a maximum of one space per dwelling for off-street car parking. (This document is available on the Maldon District Council Web site at www.maldon.gov.uk).
- 6.9 For non-residential development, parking provision should aim to accord with the standards set out in the Vehicle Parking Standards SPD together with its amendments. The Council will encourage well thought out, multiple and shared use design solutions to car parking provision.
- 6.10 The potential impact on car parking for existing properties should be assessed in the light of the Council's transport policies.

Cycle parking

- 6.11 Cycle parking provision will be assessed with reference to Maldon District Council Vehicle Parking Standards SPD 2006. In residential and workplace development, there is a need for secure, covered storage for bikes at ground level. Cycle parking spaces in underground garages would be acceptable provided that a lockable enclosure is included.

Design Principles 7

MALDON DISTRICT LOCAL DEVELOPMENT FRAMEWORK | Supplementary Planning Document:
Heybridge Basin Timber Yard

7 Design Principles

- 7.1** Redevelopment will offer the opportunity to complete the built form of the Basin. The principal need is to integrate development with the surrounding urban form by means of routes and views through as well as repairing and enhancing the appearance of existing streets and respecting existing residential amenities. Key principles will include:

Existing buildings

- 7.2** The buildings on the site have become closely associated with the Timber Yard's historic links with the canal in its former use. Although they are now beyond economic repair the replacement of the existing buildings should be carefully considered in the formulation of development options and proposals. The Council would like existing buildings to be seen as an asset and a positive development opportunity.
- 7.3** The redevelopment of the site should be based around the existing bulk and form of the old industrial sheds which are now part of the fabric of the village. This offers the opportunity to create a new built form that respects the history of the community and area.

Building form following routes

- 7.4** Building masses should be arranged around and shaped by routes between the potential access and egress locations on site. Routes should be legible, pleasant and safe.

Built edges

- 7.5** The development should have well-defined built edges. The following provides guidance as to the most likely locations: (see drawing on Chapter 8 Implementation)

Main building 1

Replacement on existing footprint utilising existing ridge height to inform new built form.

Main building 2

Replacement building using existing footprint but allowing more height in roof to provide accommodation above.

Possible new building 1

Linear form to follow Southern boundary and edge of existing hard standing.

7 Design Principles

MALDON DISTRICT LOCAL DEVELOPMENT FRAMEWORK | Supplementary Planning Document:
Heybridge Basin Timber Yard

Possible new building 2

Square large bulk building to replicate form and treatment of main buildings 1&2.

Frontages to new routes and spaces

All buildings should face forwards where they adjoin public paths, roads and spaces. Street level elevations must be varied and attractive.

Surface treatment and finish

Finishing treatment (including weatherboarding / shiplap, rough sawn bulk timber not fine detailed and polished etc.) that makes reference to the maritime and historical features of the Basin is preferred.

Fenestration

In keeping with the industrial historical style of the site.

Location and quality of public open space

- 7.6 Open spaces should be located where they are visible and accessible from the surrounding area. An area of community public amenity space would be desirable, although other open space arrangements may be acceptable. Open spaces should be located and shaped to help create a sense of location and community ownership. The Council will welcome open spaces designed to promote bio-diversity generally and wildlife habitats in particular.
- 7.7 The triangle of "*open land in timber yard ownership*" to the north of the canal which is separate from this site (shown in the drawing on page two) may offer the opportunity for public amenity space.
- 7.8 Public space should be attractive with a high degree of casual surveillance from surrounding properties to encourage good levels of usage. Well-lit public cycle and pedestrian routes that provide a safe and secure environment will be encouraged. The Council will encourage shared access, parking, amenity play spaces, on the "home-zone" principle, subject to management and maintenance arrangements.
- 7.9 All footways must be convenient and comfortable for all users, allowing level access to building entrances and usable by wheelchair users.

Design Principles 7

MALDON DISTRICT LOCAL DEVELOPMENT FRAMEWORK | Supplementary Planning Document:
Heybridge Basin Timber Yard

Layout within the site

- 7.10 The layout within the site should recognise the layout and orientation of the existing industrial layout. It should allow for views into and through the development.
- 7.11 Building massing based on the use of large blocks with outward facing continuous frontages and secluded private areas is acceptable.
- 7.12 Orientation of building fronts and backs should ensure privacy for occupants and adequate surveillance of streets, pedestrian and cycle links and public spaces. The site may be laid out to facilitate shared access to the Chapel Lane dwellings if this delivers urban design benefits including better access for emergency services.

Car parking design

- 7.13 Car parking should be provided in a mixture of different forms. Taking account of the existing flood risk underground car parking, ground level parking under the rear of buildings or parking hidden behind buildings are acceptable.
- 7.14 Boulevard parking on street space between the fronts of buildings and parking squares designed as public realm may also be possible. Car and cycle parking areas should have good surveillance and designed to deter crime.

Drainage

- 7.15 In conjunction with car parking and open / circulation space the site will need to adopt Sustainable Urban Drainage Systems (SUDS) in order to minimise the flood risk from fluvial events.

8 Implementation

MALDON DISTRICT LOCAL DEVELOPMENT FRAMEWORK | Supplementary Planning Document:
Heybridge Basin Timber Yard

8 Implementation

8.1 The Council want the advice in this brief firstly to assist prospective developers with clear planning guidance. The Council anticipates that developers will bring forward schemes for the redevelopment of the site, having regard to the contents of this brief.

Planning application requirements

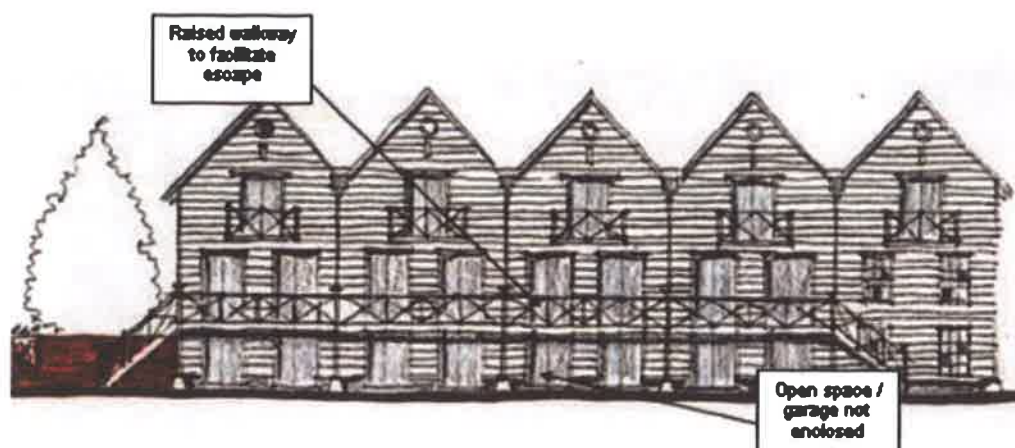
8.2 The following applies:

- A planning application may be made for full or outline permission. If an outline application is submitted, the application should be accompanied as a minimum by a Master Plan showing the proposed layout, key urban design principles, and mix of uses proposed.
- The initial planning application should relate to the whole of the area covered by the brief. In order to ensure the entire site is developed, proposals for development of part of the site will not be acceptable.
- Any application should be accompanied by evidence in respect of the impact of the development on the following matters:
 1. Full compliance with PPS 25:
 2. Access, transport and parking;
 3. Urban Design approach;
 4. Ground Condition Survey;
 5. An independent appraisal of wildlife and fauna on site to include effect on the nearby Blackwater SSSI;
 6. Environmental Assessment if the proposal is likely to have a significant effect on the environment;
 7. Contamination study and programme of remedial works in compliance with PPS 23.
- A planning application should be accompanied by a feasibility study examining the most appropriate means of achieving pedestrian / cycleway improvements between the site and the main settlement areas at Heybridge and Maldon.

Implementation 8

MALDON DISTRICT LOCAL DEVELOPMENT FRAMEWORK | Supplementary Planning Document:
Heybridge Basin Timber Yard

Map 8.1 Possible layout



Note: This drawing is not intended to show acceptable massing height finish or layout nor in any way to indicate the type of building that may be acceptable.

8 Implementation

MALDON DISTRICT LOCAL DEVELOPMENT FRAMEWORK | Supplementary Planning Document:
Heybridge Basin Timber Yard

Appendix 1: Adopted Replacement Local Plan Policies

MALDON DISTRICT LOCAL DEVELOPMENT FRAMEWORK | Supplementary Planning Document:
Heybridge Basin Timber Yard

Appendix 1: Adopted Replacement Local Plan Policies

Explanation of Employment Strategy Si

Employment Objectives

- Ei. To encourage employment growth opportunity and prosperity in a sustainable manner, which caters for both the needs of the urban and rural areas of the District whilst protecting the environment.
- Eii. To promote the use of suitable buildings in the countryside for employment uses.
- Eiii. To protect from changes to other uses all the existing large employment sites and allocations which are major generators of employment.
- Eiv. To encourage new firms and opportunities for the growth of local firms.
- Ev. To provide sufficient land for employment development to meet the requirements of the Structure Plan.
- Evi. To improve the quality and encourage the maximum use of existing allocated employment areas, increasing the potential for employment opportunities and providing a high quality environment.
- Evii. To encourage the use of land and buildings in connection with tourism.
- Eviii. To provide an appropriate level of employment opportunities in the smaller settlements and the countryside.

Appendix 1: Adopted Replacement Local Plan Policies

MALDON DISTRICT LOCAL DEVELOPMENT FRAMEWORK | Supplementary Planning Document:
Heybridge Basin Timber Yard

Preamble to Policy E3:

This site is located close to the Heybridge Basin Conservation Area. Development must conserve or enhance the setting of the conservation area. It is within a tidal flood risk area and development must satisfy the requirements of the Environment Agency. Access is constrained by the capacity of Basin Road and the junction on the Goldhanger Road. The employment component of a mixed-use development must make a contribution to the employment strategy of the Local Plan.

POLICY E3 Mixed Use Development - Timber Yard, Heybridge Basin

Within the former timber yard site in Heybridge Basin shown on the Proposals Map, planning permission will be granted for a mixed-use development of housing and Class B1 employment uses provided:

- a. The extent of Class B1 uses promotes the objectives of the Employment Strategy.
- b. Flood risk measures satisfy the requirements of the Environment Agency.
- c. Development conserves and enhances the setting of the nearby Conservation Area.

POLICY CON1 Development in Areas at Risk from Flooding

Development in areas at risk of flooding as shown by the latest Flood Risk Maps will only be permitted where:

1. There are no alternative sites suitable for the type of proposed development at lower risk of flooding taking account of all sustainability criteria; and
2. It would not have an adverse impact on the function of the flood zone; and
3. It would not increase the risk of flooding elsewhere.

Appendix 1: Adopted Replacement Local Plan Policies

MALDON DISTRICT LOCAL DEVELOPMENT FRAMEWORK | Supplementary Planning Document:
Heybridge Basin Timber Yard

With regards to building Policy BE1 applies:

POLICY BE1 Design of New Development and Landscaping

Development Proposals will be permitted if:-

- a. They are compatible with their surroundings, and/or improve the surrounding location in terms of :**
 - i. Layout**
 - ii. Site coverage**
 - iii. Architectural style**
 - iv. Scale / bulk / height**
 - v. External materials**
 - vi. Visual impact**
 - vii. Effect on the safety and/or amenity of neighbouring properties or the occupiers therein**
 - viii. Relationship to mature trees**
 - ix. Relationship to important landscape or open spaces**
 - x. Traffic impact and access arrangements.**
- b. Within defined development boundaries they harmonise with the general character of the area in which they are set;**
- c. Outside defined development boundaries they make a positive contribution to the landscape and open countryside;**
- d. Measures to protect important nearby features such as trees and historic buildings during the construction process are included;**
- e. Landscaping is included as an integral part of the overall design;**
- f. Amenity space is provided appropriate to the type of development.**

DESIGNED AND PRODUCED BY

APPENDIX 4

**MALDON DISTRICT COUNCIL
PRINCES ROAD
MALDON
ESSEX CM9 5DL**

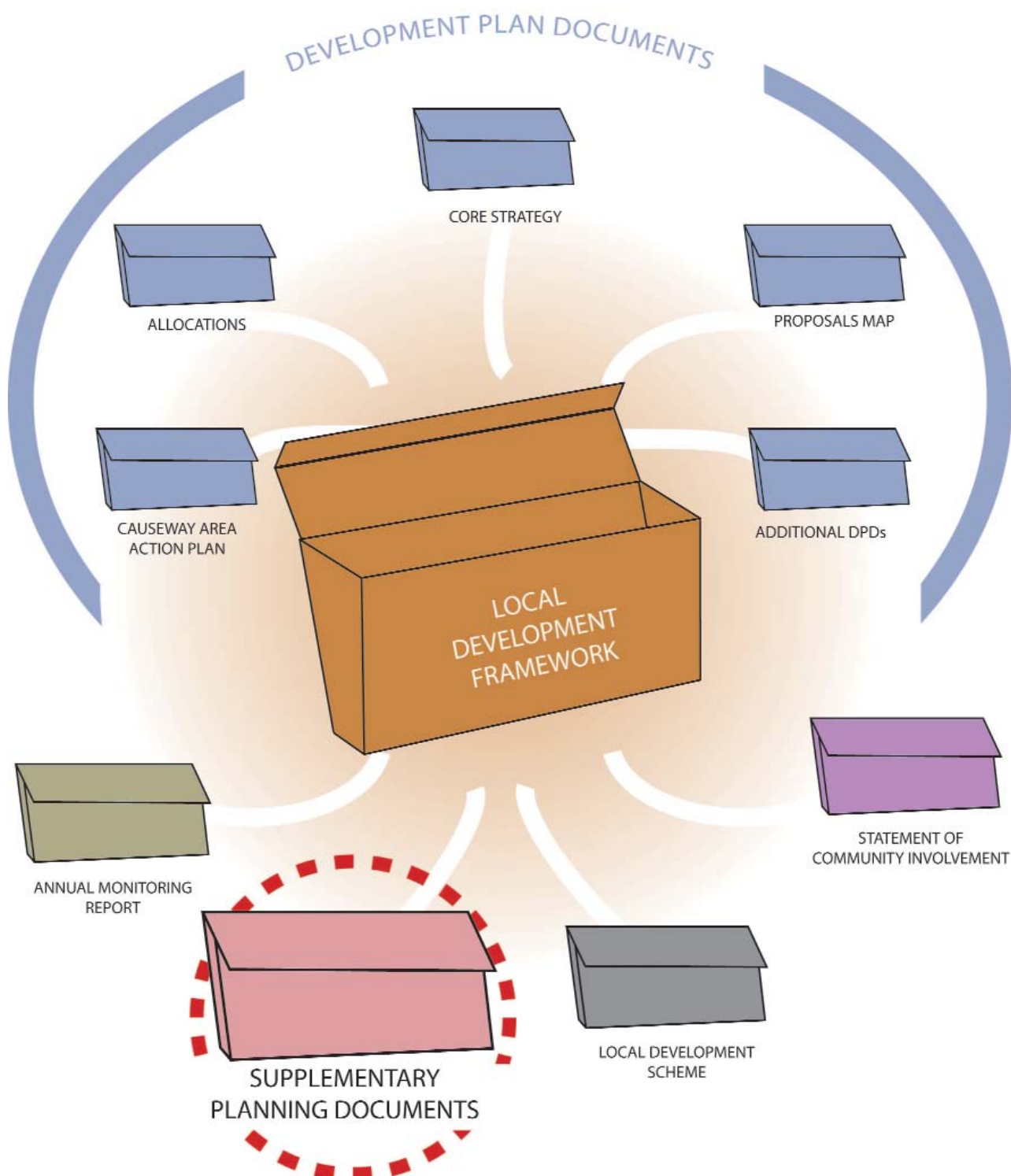
This document can be made available, on request, in larger print, braille and audio and languages other than English. To obtain a copy in an alternative format please contact The Spatial Planning Team on 01621 876202. It can also be viewed on our website: www.maldon.gov.uk



MALDON DISTRICT
LOCAL DEVELOPMENT
FRAMEWORK

Sadd's Wharf
ADOPTED
SUPPLEMENTARY
PLANNING DOCUMENT









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	Adopted Maldon District Replacement Local Plan - Relevant Policy	



SADD'S WHARF AND IMMEDIATE SURROUNDINGS - AN AERIAL VIEW



1.1 Background

The former Sadd's Timber Wharf forms part of the 'Causeway' Industrial Area running between Maldon to the south and Heybridge to the north. The wharf faces the town of Maldon across the River Chelmer and currently lies derelict.

In accordance with its adopted Replacement Local Plan and Local Development Scheme, Maldon District Council is preparing a Supplementary Planning Document (SPD) for the regeneration of Sadd's Wharf, Maldon for mixed office, residential and leisure uses.

Sadd's Wharf may be considered as the premier, or showcase, development site within Maldon District. Consequently the District Council is looking for a visionary approach to the site's development not only to make the most of the site's location, but also to act as a catalyst to further regeneration in the area and to demonstrate best practice in mixed use development.

The Council's vision therefore is of a comprehensive, high quality redevelopment of the site resulting in a vibrant, attractive place to be, offering new opportunities for people to live, work and enjoy their leisure time.

1.2 Purpose of the brief

This Supplementary Planning Document (SPD) has been prepared to assist developers when drawing up proposals for the redevelopment of Sadd's Wharf and if appropriate to assist in marketing the site. The site's recent history is one of under-use and dereliction, and Maldon District Council is keen to see its redevelopment. Central Government through advice in Planning Policy Statements (PPSs) encourages urban regeneration and the re-use of previously developed land.

Maldon District Council considers that a development brief is required for the site in order to set out in sufficient detail the relevant planning matters that elaborate the Council's Local Plan Policy as well as other important policy or contextual issues that have a bearing on the site. In particular it will guide an appropriate mix of uses.

Sadd's Wharf occupies a prominent position on Maldon's waterfront and offers a significant opportunity to act as a catalyst for wider regeneration of the Causeway area within which the site is situated. This wider regeneration is programmed to be the subject of a future Causeway Area Action Plan under the emerging Maldon District Local Development Framework.

The brief identifies development opportunities and provides guidance on land uses, site planning and building scale, form and detailing to make more efficient use of the land, help achieve development quality and ensure that new development improves and enhances the relationship between the site and the surrounding area.

The development brief has been prepared by Maldon District Council in accordance with PPS12 - Development Plans (2004). This development brief is consistent with national and regional planning policy and guidance, as well as the policies set out in the adopted development plan.

The consultation on this SPD provides an opportunity for any organisation or individual to influence the evolution of a key development opportunity in the heart of the Maldon



waterfront. Views will be particularly welcomed from key stakeholders and community representatives such as the Town Council, local amenity societies and other local groups and individuals as well as the site owners, nearby businesses and local residents who live next to or near the site. The draft will be amended to take into account the representations received.

1.3 Status of this document

This document will be adopted as a Supplementary Planning Document in accordance with the commitments set out in the adopted Local Development Scheme. It is the subject of public consultation and community engagement in accordance with the District Council's Statement of Community Involvement, found to be sound by the Planning Inspectorate in December 2006 and adopted by the District Council on 15 February 2007. As an adopted SPD, the guidance will carry significant weight in the determination of future planning applications at the Sadd's Wharf site.

The SPD elaborates Maldon District Replacement Local Plan policy and will be taken into account as a material consideration when considering applications for the site. The Government gives substantial weight to SPD which is consistent with the development plan and has been prepared in the proper manner. The SPD is accompanied by a Sustainability Appraisal for which a Scoping Report has been prepared and issued for consultation.

2.1 Government guidance

Key Government policy and guidance is contained in Planning Policy Statements (PPS) and Planning Policy Guidance (PPG). The following are considered to have relevance for the Sadd's Wharf, Maldon SPD:

PPS1:	Creating Sustainable Communities
PPS3:	Housing
PPG4:	Industrial, Commercial Development and Small Firms
PPS7:	Sustainable Development in Rural Areas
PPS9:	Biodiversity and Geological Conservation
PPS12:	Local Development Frameworks
PPG13:	Transport
PPG15:	Planning & Historic Environment
PPG17:	Planning for Open Space, Sport and Recreation
PPG21:	Tourism
PPS25:	Development and flood risk

The objective of Government policy and guidance set out in PPS1 is to encourage sustainable development through social progress, maintaining the economy, environmental protection and prudent use of resources. It promotes high quality design to enhance the quality of urban life and encourages the efficient use of land particularly where close to local facilities and public transport connections. The guidance recognises that well planned green spaces can help create pleasant urban environments.

PPS3 promotes more sustainable patterns of development by focusing future housing within urban areas, and requiring that efficient use is made of previously developed land. PPG 13 advises that local authorities should make maximum use of sites which are highly accessible by public transport.

PPG15 reinforces the provisions of the Planning (Listed Building and Conservation Areas) Act 1990, which requires local authorities to have regard to the desirability of preserving the setting of listed buildings. It also places an obligation on local authorities to preserve and enhance the special character of conservation areas.

PPS25 indicates that Local Plans should outline the consideration which will be given to flood issues. They should apply the precautionary principle to the issue of flood risk, using a risk-based search sequence to avoid such risk where possible and managing it elsewhere and developers should fund the provision and maintenance of flood defences that are required because of the development. Attention is drawn to Annex D of PPS25 and for the requirements of the 'sequential test' to be met in relation to the whole development, and for the 'exception test' to be met in respect of any residential component of the scheme.



2.2 Essex and Southend-on-Sea Replacement Structure Plan April 2001

The Essex and Southend-on-Sea Replacement Structure Plan forms part of the approved Development Plan for the area. Its policies interpret for Essex recent Government guidance regarding sustainability and making efficient use of previously developed land.

Policies CS1 and BE1 seek to achieve significant enhancement of the vitality and viability of the urban environment. They require that efficient use is made of accessible land within existing urban areas that is well served by public transport. Policies CS1, BE2 and H4 promote mixed land uses. Policy BE1 and CS2 establish a framework for protecting the character and townscape of the urban environment generally. Under Policy BE5 new development should provide/contribute to necessary improvements to community facilities, public services, transport provision and other essential infrastructure which is made necessary by the proposed development.

2.3 Maldon District Replacement Local Plan November 2005

The strategy for the District recognises the importance of protecting the coast and countryside whilst achieving a better balance between new homes and jobs within the District. The policy background is set by the adopted Maldon District Replacement Local Plan 2005.

Appendix 1 sets out the range of policies which may have a bearing on the development of Sadd's Wharf and specific reference should be made to these alongside this development brief. Of particular relevance are constraint policies CON1 as the site lies within a flood risk area and CON3 as the site has a coastal location; both these policies will require an acceptable mitigation response to deal with these constraints.

Policy CC1 requires development at the site to have no adverse impacts on the adjacent internationally important nature conservation site of the Blackwater Estuary.

Housing policies H6 and H9 guide requirements for site density and the expected level of affordable housing respectively.

The key policy for approaches to design and landscaping is BE1. Adherence to policy BE2 will ensure access for all. Policy REC3 guides provision of children's play spaces in conjunction with housing and policy T8 refers to parking provision requirements. Both are elaborated in adopted Supplementary Planning Documents. Policy T2 guides appropriate transport infrastructure in new developments.

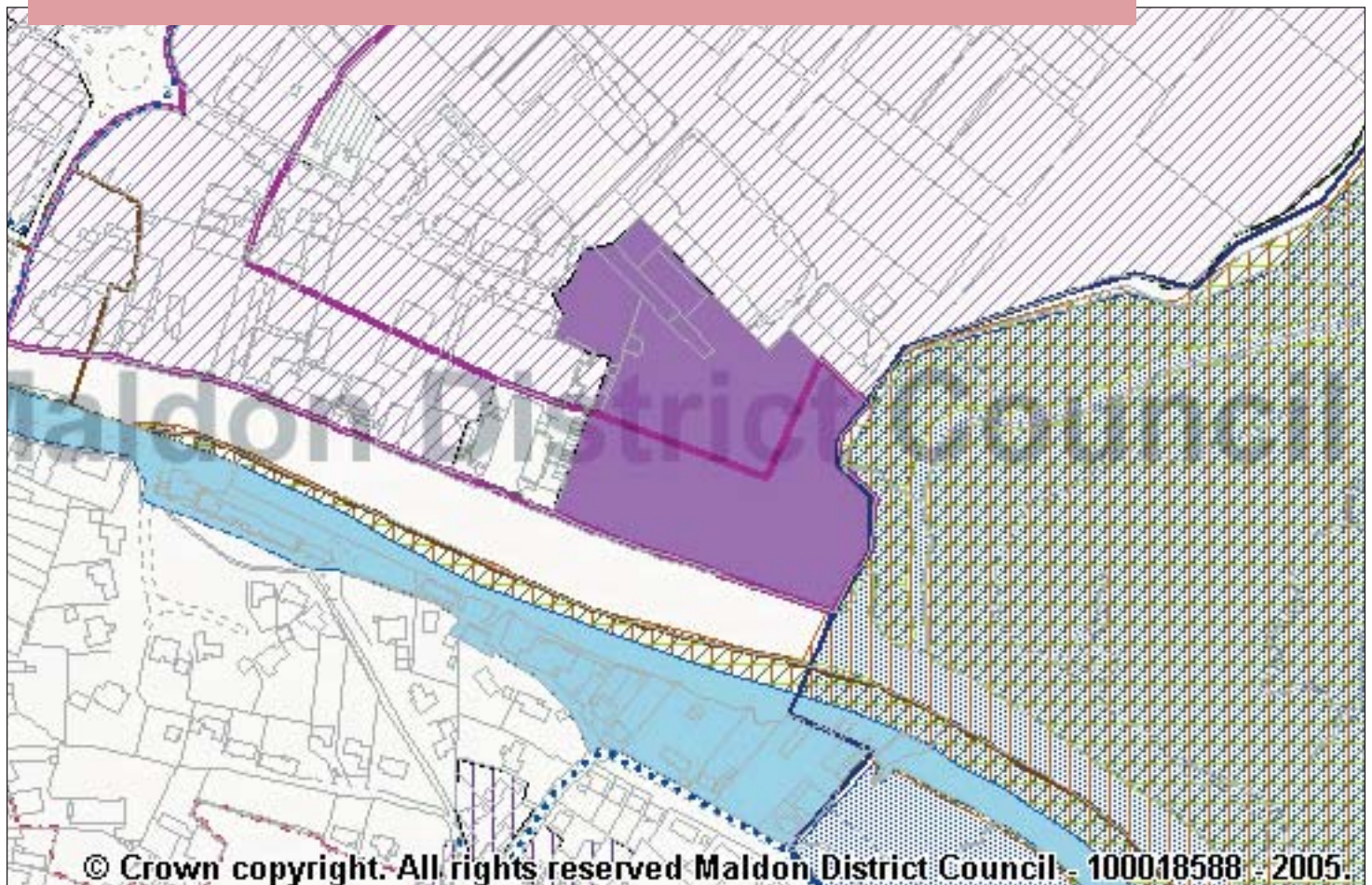
The specific policy that this SPD will elaborate is policy E4 within the Maldon District Replacement Local Plan as follows:

POLICY M/E/4 Mixed Use Development - Sadd's Wharf.

On the site of Sadds Wharf, Station Road, Maldon shown on the Proposals Map, planning permission will be granted for a mix of uses including offices, housing and leisure provided;

- (a) The design form and scale of the buildings permitted and the materials used in their construction shall be compatible with:
 - (i) the adjacent buildings known as 'The Granaries,'
 - (ii) the character of the buildings located within the designated Conservation Area to the south, and
 - (iii) the scale of the adjacent estuarine landscape.
- (b) Development does not lead to highway impacts that have an adverse impact on the existing employment uses in Station Road.
- (c) Flood risk measures satisfy the requirements of the Environment Agency.

LOCATION OF SADDs WHARF - EXTRACT FROM MALDON DISTRICT REPLACEMENT
LOCAL PLAN INTERACTIVE PROPOSALS MAP - NOT TO SCALE





3.1 Site History

The site has a history as a timber yard and was owned and developed by the Sadd family. Imported timber was transferred by barges and lighters from larger vessels in the Blackwater Estuary. Timber was also stored by floating it in the adjacent River Chelmer. There was a packet boat service from the wharf to London until 1851. The steam powered sawmill at the site was destroyed by fire in 1909 to be replaced by two buildings, one for logs, the other for planning and re-sawing. Electricity was also generated on site.

The Sadd's contribution to the second world war effort should also not be understated. Motor launches and torpedo boats were launched from the site and remnants of the slipway can still be seen at the site.

The decline of the timber wharf came towards the later 20th century with the site cleared and then lying derelict to the present day. It is understood that the site was last actively used in the mid-1980s.

3.2 Site context

The Sadd's Wharf site extends to 2.2 hectares.

The site has vehicular access from Station Road to the west, from where there is good linkage via Fullbridge and the A414 to the Maldon by-pass. The trunk road network is then reached via the B1019 to the A12 at Hatfield Peverel.

The immediate access along Station Road is currently congested and in need of improvement. This will need to be addressed as part of the Sadd's Wharf site redevelopment.

The site has been largely cleared of buildings and the ground surface broken up and any significant vegetation removed. The site is largely level becoming more elevated towards the northern boundary.

The site is bounded to the south by the River Chelmer representing the former wharf frontage, to the north, by the Causeway industrial area, to the east by Heybridge Creek and to the west by residential conversions of former granaries.

The wider context of the site is particularly important. To the immediate south of the site across the River Chelmer there is the Maldon Conservation Area and the visual relationship between the site and the Conservation Area is very strong. To the immediate east is the Blackwater Estuary designated as being of international importance for its mudflats and estuarine wildlife as a Site of Special Scientific Interest, Ramsar site, Special Protection Area and Special Area of Conservation. This also stretches to the south of the site along the River Blackwater and Chelmer.

The site is also within the Causeway Industrial Area, itself the subject of a future proposed Area Action Plan Development Plan Document within the Local Development Framework. A successful regeneration of Sadd's Wharf has the potential to act as a catalyst to the wider regeneration of the Causeway Area.



4.1 Site Prominence / Design / Built Environment

The greatest development opportunity presented by the site stems from its location at the junction of the River Chelmer and the Blackwater Estuary facing the historic town of Maldon. This setting requires a positive design approach in order to maximise the unique development opportunity offered.

The Maldon Conservation Area is immediately across the river and development must be designed to enhance its setting. Views to the site from the Conservation Area will be an especially important consideration. Development will need to respect that found within the Conservation Area and around the Blackwater/Chelmer waterfront.

4.2 Access

Existing site access for vehicles, cyclists and pedestrians is from Fullbridge along Station Road. Current level of use and parking means the road is congested and therefore in its existing condition is inappropriate to service the Sadd's Wharf site.

There is the opportunity for pedestrian and cyclist access to the waterfront areas of the site and also by a new link across the River Blackwater to Maldon. In addition access to the wider Causeway Area, particularly waterfront areas, is likely to be a future opportunity in conjunction with the proposed Causeway Area Action Plan. This will also apply to vehicular traffic between the site and the wider Causeway area. An opportunity for an alternative site access for vehicular traffic may also be presented by regeneration of the wider Causeway area.

4.3 Contaminated Land

The site's former industrial use means land contamination may be a development constraint.

The minimum requirements to be submitted with any planning application for the redevelopment of this site are identified in Paragraph 2.43, Annex 2 of PPS23. In accordance with Paragraphs 6 and 17 of PPS23, these studies must be undertaken prior to the determination of any planning application and will be especially important considering the close proximity of this redevelopment site to the Blackwater Estuary SPA/SAC/SSSI/Ramsar Site.

In relation to this site, the Environment Agency are only concerned with contamination issues relating to controlled waters and waste. Maldon District Council's Environmental Services department should also be consulted with regard to human health concerns.

Given the previous use of the site, it is likely that an intrusive site investigation will be required. The Environment Agency would therefore urge any applicants to submit the minimum requirements to them for comment prior to submitting a planning application.

4.4 Flood Risk

The most significant constraint on the potential development of the site is the flood risk as set out in the Environment Agency Flood Maps. The site is situated within Flood Zone 3 - High Probability as defined in Table D1 of Annex D, PPS25.

A strategic flood risk assessment is being prepared for Maldon District which will include the Sadd's Wharf site. This will give further detail on the likely nature of flood risk at the site together with an indication of potential mitigation measures.

A flood risk assessment will be required to accompany a development proposal to meet part C of the PPS25 exception test.

Flood risk investigation must take account of tidal flooding, fluvial flooding and tide-locking.

Due to the complex hydrological elements in the Maldon area, any investigation into the flood risk for this site must take into account tidal flooding, and also any possible effects of fluvial flooding and a tide-locking scenario.

The sea defence in this area has a standard of protection of 1 in 191. Given this, the Sadd's Warf area is not adequately defended in a 1 in 200 year tidal flood event, thus an overtopping analysis must be included in any assessment of flood risk. The overtopping analysis must take into account the increase in sea level resulting from climate change as indicated in Table B.1 of PPS25 as appropriate for the development type (60 years for commercial and 100 years for residential). It cannot be assumed that the existing sea defence will be maintained or improved to adequately defend development in this area for its lifetime. We have permissive powers, but not a statutory duty, to carry out or maintain flood defence works in the public interest.

For the 1 in 200 year overtopping analysis, the results should be used to determine whether there would be a safe access/egress route between the site and local facilities that are likely to be used as places of assembly during flooding. It is preferable that such routes remain dry and, if that is not possible, then they must satisfy the white cells of Table 13.1 of FD2320.

Additionally, investigation into flood risk should include the results of an overtopping scenario for a 1 in 1000 year tidal flood event. The results of the 1 in 1000 year overtopping scenario will enable the Local Authority to consult the emergency services and emergency planners regarding evacuation from the site.

An assessment of potential surface water flooding must be addressed within the flood risk assessment. The Environment Agency would expect to see the use of Sustainable Drainage Systems (SUDS) in any surface water management plan produced for this site. Annex F of PPS25 provides further information on this subject. It is important to note that the design of this surface water management system may be reliant on the outcome of the contamination studies also required at this site (see 4.3).

In addition to the above, the Environment Agency is also in the process of preparing the Blackwater and Colne Estuarine Strategy. This document will identify

the most sustainable flood management strategy for the estuaries for the next 50 years, having considered socio-economic, environmental and hydrodynamic factors. The strategy will include an identification of areas for future managed realignment and where the existing defence must be maintained. Not much information is available at this stage, however the Environment Agency is very concerned over the future sustainability of developing this site.

Due regard should be given to the vulnerability classifications of the proposed development types on-site and their compatibility with flood risk. According to Table D.2 of PPS25, the uses proposed for Sadd's Warf regeneration have the following vulnerability classifications:

GENERAL TYPE OF USE	SPECIFIC TYPE OF USE	VULNERABILITY CLASSIFICATION
Private Residential	-	More vulnerable
Business	-	Less vulnerable
Professional Services	Architects, accountant, consultancies, etc.	Less vulnerable
Restaurants/Cafes	-	Less vulnerable
Drinking Establishments	-	Less vulnerable
Non-Residential Institutions	Children's day care, crèche/nursery	More vulnerable
	museum, art gallery, exhibition space	Less vulnerable

In light of the above, it must be acknowledged that private residential uses are only appropriate where the sequential test and the exception test are passed.

Anglian Water require confirmation on land use in order for the site to be modelled to determine the foul water drainage strategy and any necessary improvement works.

Due to the site location Anglian Water need confirmation that any formal flood risk assessment for the site as required under PPS25 will ensure that any potential flooding of the site will not impact on the foul drainage system.

4.5 Natural Environment

The site lies adjacent to the Blackwater Estuary of international significance as a Site of Special Scientific Interest, Special Protection Area, Ramsar Site and the Essex Estuaries Special Area of Conservation. Development will have potential disturbance on over-wintering birds and increase the number of people using and living on the boundary of the statutory protected sites. The sensitivities involved to the estuary both during and after construction will be an important consideration at Sadd's Wharf and potential constraint to development options.

There is a possibility that the site hosts invertebrates and reptiles.



5.1 Mix of land uses

The District Council recognises the site's history as an employment site and wishes to ensure replacement employment uses predominate within the future mix of uses on the site recognising both the site's surrounding uses and the limitations for the scale of future housing development imposed by the site's flood risk. Conversely it is acknowledged that some housing at the site may be necessary to make the site's development viable.

The District Council has sought initial expert advice on the process of establishing the economic viability of the site's development. Sadd's Wharf presents many variables for determination of viability and the District Council is of the view that these costs should primarily be borne the developer. As part of good planning for the site preferred percentages of residential and office or other business uses are identified under 5.2 'Development Requirements' below. Should a developer propose to depart from these preferred percentages on grounds of economic viability, a clear case will need to be made within a planning application and this will be assessed as part of the application process.

Assessments other than those for economic viability may also impact on the final percentages for mix of land uses (in particular Flood Risk Assessment). Again such assessments will be used to inform a final decision as part of the planning application process.

The site's prominent waterfront location makes it attractive to other uses and a proportion of leisure uses that utilise this are also considered appropriate.

Policy E4 of the Local Plan specifically refers to offices being the appropriate type of employment use to be provided on the site. The District Council will, however, give favourable consideration to other uses falling within the scope of the Business (B1) Use Class (research and development, and light industry) where this helps to deliver a comprehensive, viable and vibrant scheme and where urban design objectives and requirements are also met.

In summary the Council will seek mixed uses to meet the following objectives:-

- Creation of sustainable employment as the predominant site use;
- Creation of a sustainable residential neighbourhood;
- Creation of a safe, lively character with a variety of leisure activity;
- High quality design.

5.2 Development Requirements

Amount of non residential floorspace

The Council will seek a minimum of 50% of the developed floorspace for office or other Business use (Class B1) to ensure continued employment use of the site predominates within the mixed use approach.

**Preferred location of non-residential uses**

The Council will seek non-residential uses at ground floor level on the site in order to contribute to the diversity of uses and to address flood risk issues and create focal points for activity.

Amount of residential floorspace

Sufficient residential floorspace to ensure the viability of the redevelopment of the site is acknowledged as appropriate by the Council. This is not anticipated to be greater than 40% of developed floorspace and must include affordable housing amounting to at least 30% of the number of dwellings permitted on site. A residential density of 30-50 units per hectare is considered appropriate. Greater residential density may be appropriate subject to acceptable flood risk and access mitigation.

Adaptable units

The Council will accept attractive, open-fronted, high ceiling, mergeable/sub-divisible, flexible-use units, capable of accommodating alternative non residential uses, in the interests of creating a business character, meeting unforeseen demand and for future economic sustainability.

Appropriate intensity of use and satisfactory built form

The Council wants to avoid segregated uses. It will not accept single storey buildings and detached, single-use buildings unless it can be demonstrated that these form part of comprehensive development proposals and such stand-alone uses integrate with and are complementary to the remainder of the site. Residential developers will be encouraged to develop mixed-use buildings.

Leisure provision

The Council wishes to ensure the vitality of the site's development and considers up to 30% of developed floorspace appropriate for leisure uses.

5.3 Appropriate Land Uses

New development should complement the existing surrounding uses and exploit the close association with the river frontage. The Council envisages that new office, residential and leisure uses will be complementary to the existing grain of the nearby Conservation Area.

As part of a mixed use development of Sadd's Wharf careful consideration should be given to the retention of a wharf facility along the River Chelmer frontage. Such a wharf facility might cater for leisure use or for instance mooring of Thames Barges as occurs at the Hythe in Maldon or alternatively a level of transshipment. The scale and use of the wharf should complement or conform with the mix of uses identified in any development solution and should not impact adversely on navigation in the River Chelmer.

Possible appropriate land uses are outlined below. All the uses are compatible with each other as long as they are carefully integrated within the overall development scheme and surrounding area, attending to possible excessive impact in terms of traffic, noise and activity.

Private residential
Use class C3

Mixed tenure, mixed size residential units, are an essential requirement proportionate with ensuring the development viability of the site. The Council will seek affordable housing in accordance with Policy H9 of the adopted Replacement Local Plan.

Business
Use class B1

B1 office uses not covered under A2 are appropriate. The Council will accept different types of accommodation including:

- premises for small and medium size B1 offices or businesses;
- managed space for small business enterprises sharing resources;
- flexible use studios;
- flexible use community or low value activity;
- large business occupier;
- non-office B1 uses - there is scope on the site for a B1b/c block, perhaps to the rear (N) of the site which could include managed workspace.

Professional services
Use class A2

Non-retail uses serving visiting members of the public will be acceptable (architects, accountants, consultancies, etc).

Restaurants and Cafes
Use class A3

A class A3 use is acceptable provided it is integrated with new living and working accommodation and complements the setting of the site.

Drinking establishments
Use class A4

A class A4 use may be acceptable provided it is integrated with living and working accommodation and management processes can be introduced to control access and noise. It must also complement the setting of the site.

Non residential institutions
Use class D1

These will be supported where they support and complement the main proposed uses of the site (eg museum, art gallery, exhibition space). A museum or gallery linked to the local history of the site or surrounding area would be particularly appropriate.



6.1 Site Access and Connections

The site has a range of existing and potential connections to its surroundings. These are summarised in the plan at the end of this section. It will be a requirement of site development proposals to maximise and improve access and connections wherever possible.

6.2 Vehicular Access

Vehicular site access from Fullbridge is along Station Road. This road is already congested with the current level of use and parking and road widening in conjunction with improved traffic management measures and environmental improvements will be required in order for Station Road to become an adequate access for the site which is attractive to pedestrians and cyclists as well as motor vehicles. The improvement of Station Road will therefore be a requirement by way of a section 106 agreement in conjunction with the development proposals for Sadd's Wharf.

Essex County Council Highways and Transportation Department will require submission of a full Transport Assessment to review the junctions in the area and examine public transport, walking/cycling connections and links to the public rights of way network. They will also require details of car parking provision within the Sadd's Wharf development. The scope of the Transport Assessment would need to be agreed with the Highway Authority.

Observations show Station Road is unclassified/private. If planning permission was granted the Highways and Transportation Department would seek improvements to the road ideally leading to its adoption and it becoming maintainable at public expense together with regulation of car parking along Station Road.

In addition consideration should be given via site layout to wider access to the Causeway Area from the site via the proposed Causeway Area Action Plan. Of particular relevance is the potential for a future second access route to the site which may avoid the congestion difficulties in Station Road and give more direct access to the A414.

6.3 Access for Pedestrians and Cyclists

Access for pedestrians and cyclists will be via Station Road but opportunity may also exist by way of a possible new pedestrian footbridge to link the site across the River Chelmer to Maldon. Such a link could help facilitate the sustainable development of the site by bringing Sadd's Wharf within close walking/cycling range of Maldon town centre.

Additional external funding is likely to be required for this and sufficient space would need to be included within a design layout to accommodate a bridge crossing on both the southern and northern banks of the river. Landowner agreement would be needed on an acceptable location at the southern river bank. Bridge works would also require Environment Agency Consent under the Land Drainage Act 1991/Water Resources Act 1991 and approval from the Maldon Harbour Improvement Commissioners as Harbour Authority. Any bridge design would need to accommodate river traffic needing to move



upstream along the River Chelmer to Fullbridge. With a sensitive bridge design there may be an opportunity to enhance landscape character.

The proposed Causeway Area Action Plan is of relevance to pedestrian and cyclist traffic between the site and the wider Causeway area. In addition to the potential bridge link above wider access along the bank of the River Chelmer to the west and Heybridge Creek to the north should be considered in design layout of Sadd's Wharf.

6.4 Circulation within the development

Access and circulation to buildings, within private and public spaces must be suitable for people with disabilities. 'Access for all' will be a requirement of any development proposal. A full access statement will need to be submitted with a planning application.

Pedestrian and cyclist access should be provided to all waterfront areas of the site.

Pedestrian routes should be direct, legible, safe and attractive. Cycle routes should be indicated by paving materials of different colour or levels and be open and attractive with good forward visibility. Vehicle routes should follow the pedestrian network and be designed to regulate traffic flows and speeds.

The standards of the highway authority, Essex County Council, are set out in the Essex Design Guide for Mixed Use and Residential Areas (1997). This has been adopted by Maldon District Council as Supplementary Planning Guidance.

6.5 Vehicle servicing needs

All uses should provide suitable arrangements for off-street servicing and refuse collection. The Council will require details of the types of vehicles and frequency of visit for each use to ensure satisfactory provision. Service access for existing surrounding buildings should be maintained.

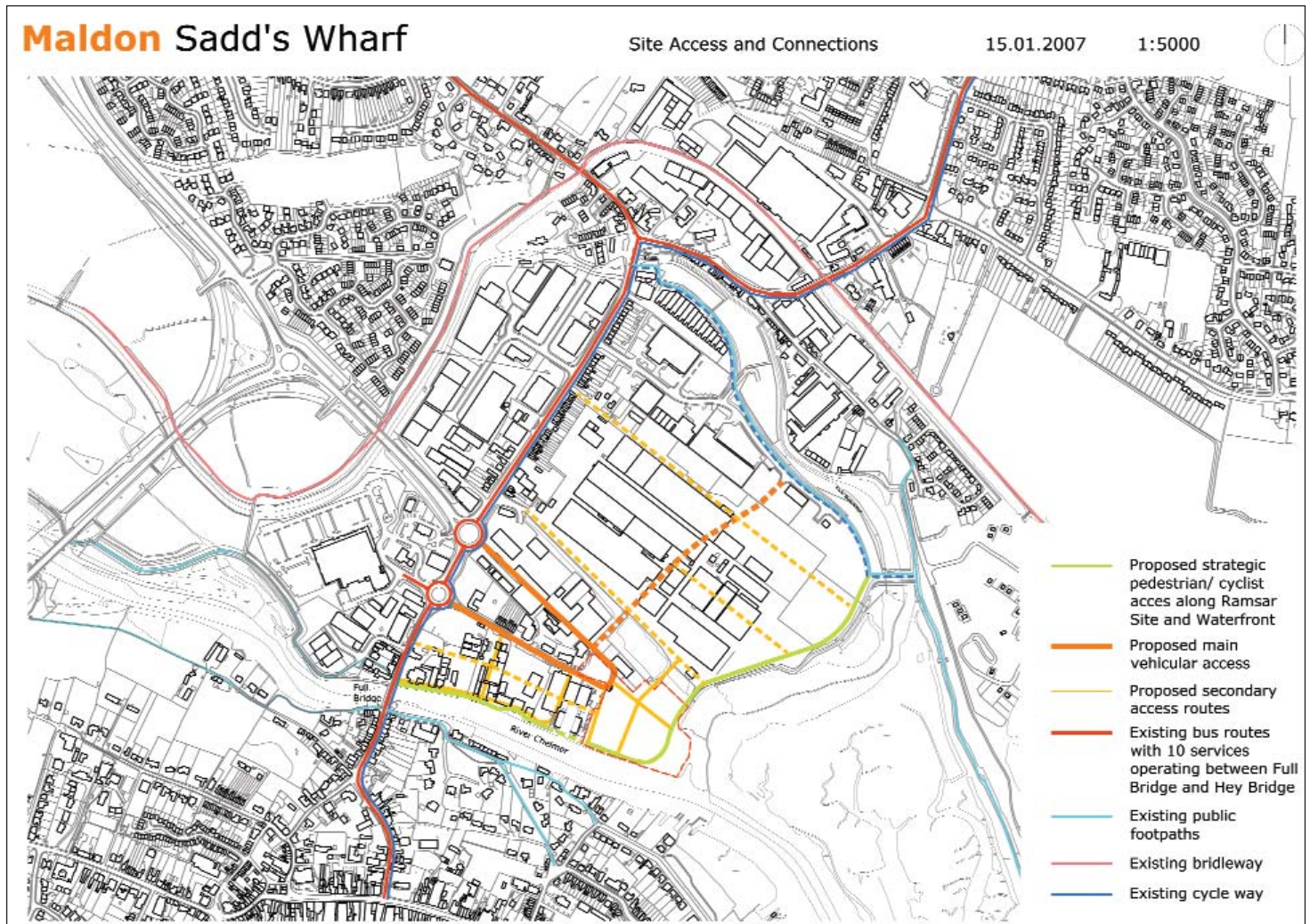
6.6 Vehicle parking

Car parking provision will be assessed with reference to Maldon District Council Vehicle Parking Standards Supplementary Planning Document 2006. In new residential development this requires, a maximum of one space per dwelling for off-street car parking. (This document is available on the Maldon District Council web site at www.maldon.gov.uk)

For non-residential development, parking provision should aim to accord with the standards. The Council will encourage well thought out, multiple and shared use design solutions to car parking provision.

6.7 Cycle parking

Cycle parking provision will be assessed with reference to Maldon District Council Vehicle Parking Standards Supplementary Planning Document 2006. In residential and workplace development, there is a need for secure, covered storage for bikes at ground level. Cycle parking spaces in underground garages would be acceptable provided that a lockable enclosure is included.





7.1 Design ethos

Redevelopment of Sadd's Wharf will offer the opportunity to regenerate a derelict site and thereby bring it into active use. Design solutions will need to maximise the potential offered by the site's highly visible waterfront location but must respect the historic setting, in particular the nearby Maldon Conservation Area. The opportunity exists, however to make a bold design statement which provides a positive enhancement to the town and may itself act as a catalyst to wider regeneration of the Causeway area.

7.2 Block Structure/Urban Design

The attached plans at the end of this section set out graphic information on expected block structure and urban design. There are key views in and out of the site particularly along the waterside boundaries of the site. These in turn inform the approach to defining key frontages which are also shown as relating to waterfront elevations and also to the site entrance. The corner of the site where the river meets the estuary presents a significant opportunity for a landmark feature as does, to a lesser extent, the site entrance. Any development within a 9 metre zone of the water frontage will require Environment Agency Consent under the Land Drainage Act 1991/Water Resources Act 1991.

Reference to the Essex Design Guide and Urban Place Supplement is also appropriate and recommended when considering urban design and layout options. These documents will be incorporated into a Maldon Design Guide SPD to be prepared and adopted during 2007 at which time it will become a material consideration for the layout and more detailed design of the site.

The close proximity to the Maldon Conservation Area and nearby granary buildings means any potential development must be designed to enhance its setting. Views to the site from the Conservation Area will be an especially important consideration with implications for the form, scale, massing and construction detailing of new development which will need to respect that found within the Conservation Area and around the Blackwater/Chelmer waterfront. It is likely that development over more than three storeys will be inappropriate. This general restriction might be relaxed on the waterfront corner of the site to create a landmark feature.

7.3 Location of public open space

Public open spaces should be located where they are visible and accessible from the surrounding area. They should be located and shaped to help create a sense of location and community ownership. The Council will welcome open spaces designed to cater for public leisure activity relating to enjoyment of the sites waterfront location (see block structure/urban design plan). A significant amount of this space must be located adjacent to the waterfront.

All footways must be convenient and comfortable for all users, allowing level access to building entrances and usable by wheelchair users.



Wherever possible public open space should be multifunctional. It should contribute to the biodiversity/ecological value of the site, aid in flood risk mitigation by contributing to a SuDS scheme and be integrated into the pollution prevention scheme for the site.

7.4 Car parking design

Car parking should be provided in a mixture of different forms. Taking account of the existing flood risk ground level parking under the rear of buildings or parking hidden behind buildings are acceptable.

Boulevard parking on street space between the fronts of buildings and parking squares designed as public realm may also be possible.

7.5 Sustainable Construction and Energy Efficiency

As the District's 'showcase' site, the development of Sadd's Wharf will make a significant contribution to energy efficiency, water efficiency, flood risk management and waste minimisation in its own right as well as offering an example of good practice to development in the district. The following statement is drawn from the Maldon District Replacement Local Plan:

'...the Council recognises that new development has an impact on the environment by way of energy and water use as well as the production of waste, (both in the construction process and afterwards when the development is occupied). Careful attention to these issues can reduce the impact on the environment in much the same way that good design can make a positive contribution. In the same way that the quality of design is now a material consideration in development control decisions the Council will start to consider the water, energy and waste implications of development in the development control process'.

'Carbon neutral' development is becoming increasingly important at Government level to the extent that all new housing development will need to be carbon neutral by 2016. Maldon District Council will encourage a carbon neutral development at Sadd's Wharf.

Development should seek to minimise the use of resources and the production of waste by incorporating, for example, passive systems using natural light, air movement and thermal mass. High levels of energy and water efficiency should be ensured in the redevelopment. It will therefore be important to ensure that the new development incorporates water efficiency measures. The Government's expectations for water efficiency in new buildings are set out in the DCLG publication 'Water Efficiency in New Buildings'.

In addition to the above, the Government's objectives for achieving zero carbon developments are set out in "Building a Greener Future: Towards Zero Carbon Development".

The above approach ties in with the newly published "Code for Sustainable Homes". As a minimum a 3 star rating should be sought under the Code for Sustainable Homes for any development proposals.



A BREEAM Assessment should also be submitted for the non-residential elements of the redevelopment and must be submitted with any planning application. When undertaking this assessment, the highest possible standards for water efficiency, energy efficiency, surface water drainage and waste minimisation must be sought.

Sustainable Construction and Energy Efficiency matters will be incorporated into the forthcoming Maldon District Design Guide SPD during 2007 at which time it will become a further material consideration for the layout and more detailed design of the site.

7.6 Biodiversity

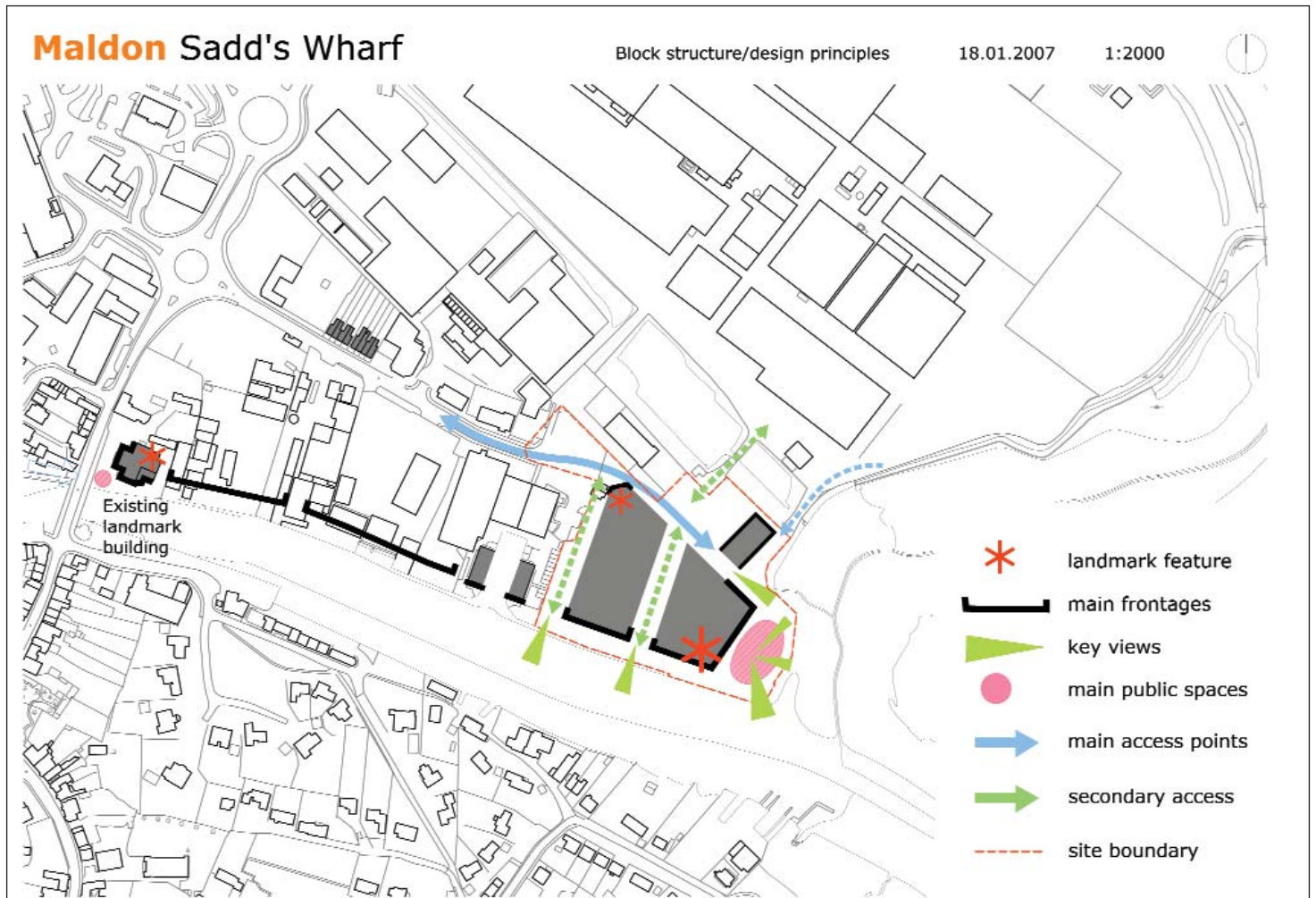
Development should consider incorporating biodiversity enhancements into the new development. Consideration should also be given to provision of functional linkages for movement of species between existing and newly created habitats. Where possible enhancements should seek to meet Biodiversity Action Plan targets.

7.7 Designing out crime

Orientation of building fronts and backs should ensure privacy for occupants and adequate surveillance of streets, pedestrian and cycle links and public spaces.

Public space should be attractive with a high degree of casual surveillance from surrounding properties to encourage good levels of usage. Well-lit public cycle and pedestrian routes that provide a safe and secure environment will be encouraged. The Council will encourage shared access, parking, amenity play spaces, on the "home-zone" principle, subject to management and maintenance arrangements.

Car and cycle parking areas should have good surveillance and designed to deter crime.



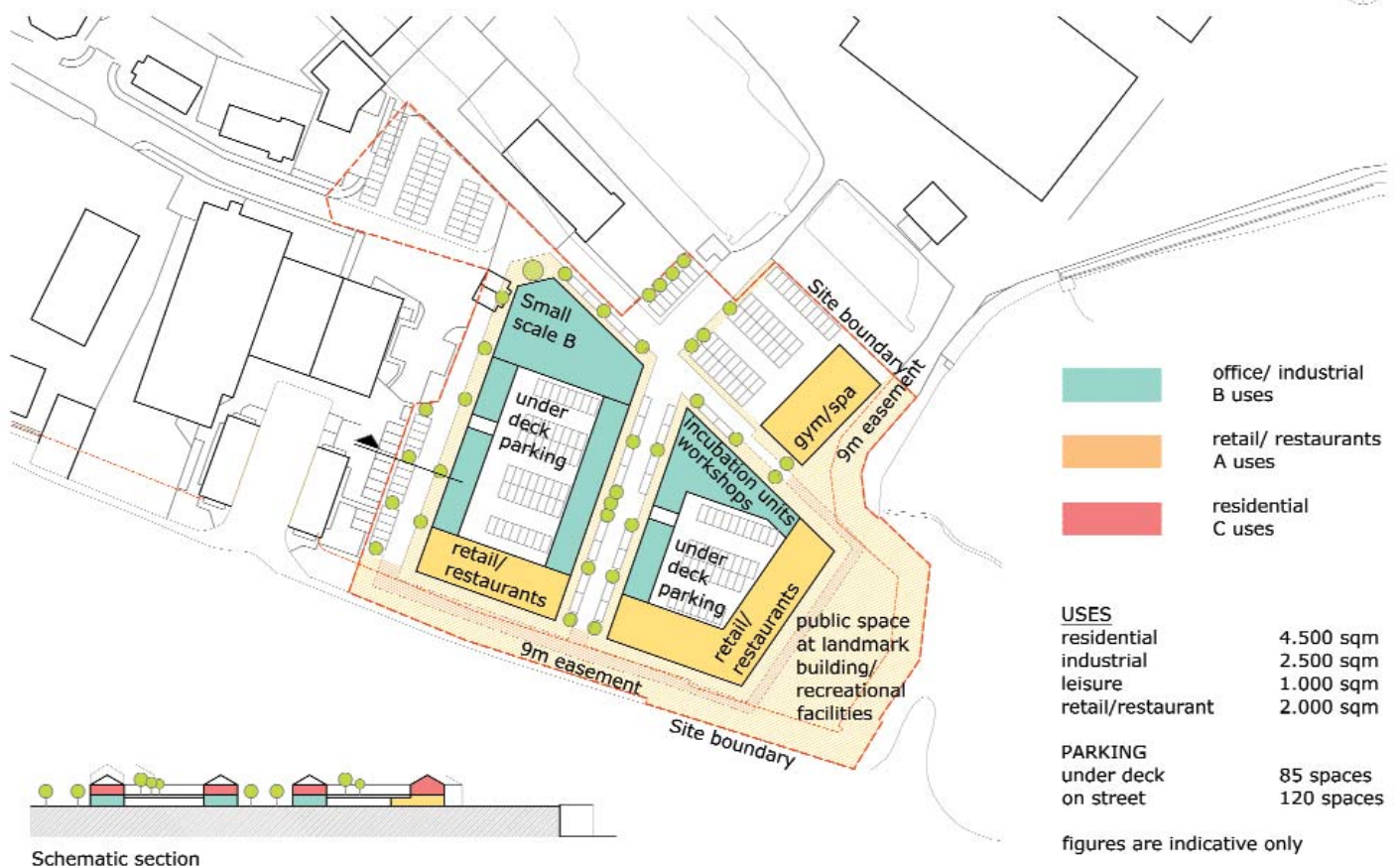
GROUND FLOOR SECTION

Maldon Sadd's Wharf

Ground floor/ section

18.01.2007

1:1000





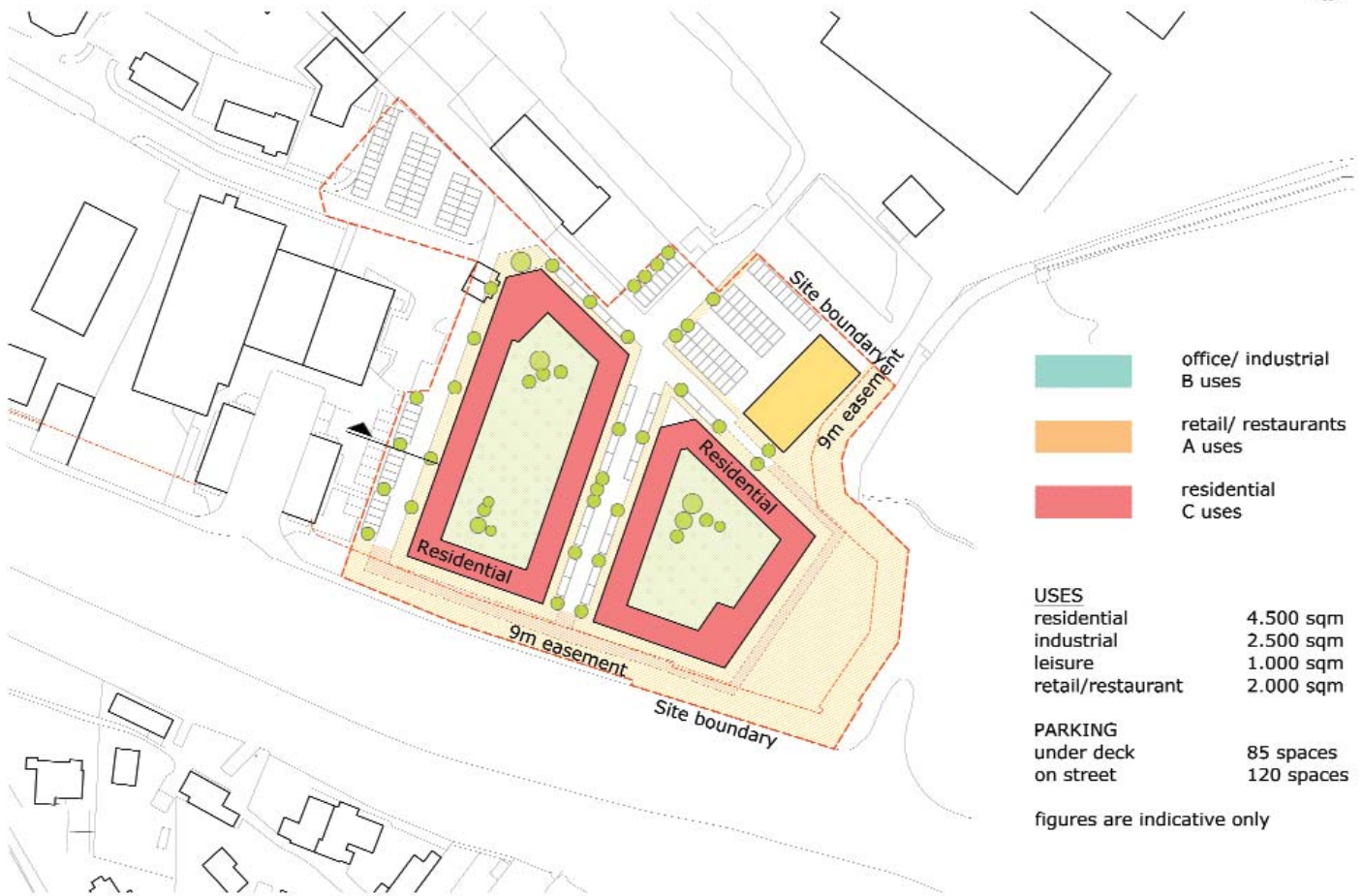
FIRST FLOOR SECTION

Maldon Sadd's Wharf

First Floor/Upper Floors

18.01.2007

1:1000



Maldon District Council will apply the following planning application requirements:

- A planning application may be made for full or outline permission. If an outline application is submitted, the application should be accompanied as a minimum by a Master Plan showing the proposed layout, key urban design principles, and mix of uses proposed.
- The initial planning application should relate to the whole of the area covered by the brief. In order to ensure the entire site is developed, proposals for development of part of the site will not be acceptable.
- Any application should be accompanied by evidence in respect of the impact of the development on the following matters:
 1. Flood Risk Assessment;
 2. Access, transport and parking;
 3. Travel Assessment;
 4. Travel Plan;
 5. Design and Access Statement including Urban Design approach;
 6. Ground Condition Survey with decontamination plan if necessary;
 7. An independent appraisal of wildlife and fauna on site and effect of development on other nature conservation interests. This should also include an enhancement/mitigation scheme for the site;
 8. Environmental Assessment if the proposal is likely to have a significant effect on the environment.
- A developer will be expected to enter into a section 106 agreement with the District Council for the following matters:
 1. Affordable housing provision;
 2. Necessary highway improvements;
 3. Environmental improvements to Station Road;
 4. Cycleway provision to the site including along Station Road;
 5. Provision of public domain areas to also cover management arrangements.

Adopted Maldon District Replacement Local Plan - Relevant Policy

The following policies may be relevant to the development of Sadd's Wharf. For full details refer to the Maldon District Replacement Local Plan.

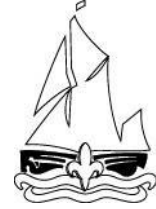
POLICY S1	Development Boundaries and New Development
POLICY CON1	Development in Areas at Risk from Flooding
POLICY CON2	Sustainable Drainage Systems
POLICY CON3	Coastal Defence
POLICY CON5	Pollution Prevention
POLICY CON6	Contaminated Land
POLICY CON7	Development Affecting Airports
POLICY CC1	Development Affecting an Internationally Designated Nature Conservation Site
POLICY CC2	Development Affecting a Nationally Designated Nature Conservation Site
POLICY CC3	Development Affecting Locally Designated Nature Conservation Sites
POLICY CC5	Protection of Wildlife at Risk on Development Sites
POLICY CC9	Maldon Riverside Area
POLICY CC10	Historic Landscape Features
POLICY CC11	The Coastal Zone
POLICY CC12	Maldon Waterside Area
POLICY H1	Location of New Housing
POLICY H3	Housing Provision
POLICY H4	Land Allocated for Residential Development
POLICY H6	Housing Density
POLICY H9	Affordable Housing
POLICY H11	Special Family Needs
POLICY H13	Houseboats
POLICY E1	Protection of Existing Allocated Employment Sites
POLICY E4	Mixed Use Development - Sadd's Wharf
POLICY E5	Frontage to the River Chelmer
POLICY E8	Working from Home
POLICY BE1	Design of New Development and Landscaping
POLICY BE2	Inclusive Access and Accessibility
POLICY BE3	Public and Private Amenity Spaces
POLICY BE4	Designing a Safe Environment

POLICY BE5	Parking Areas
POLICY BE7	Design of Shop Fronts
POLICY BE8	Lighting
POLICY BE9	Advertisements on Buildings
POLICY BE13	Development in Conservation Areas
POLICY BE18	Control of Development at a Site of Local Archaeological Value
POLICY REC1	Allocation of Land for Formal Public Open Space
POLICY REC3	Children's Play Space Associated with New Housing Developments and Elsewhere in the District
POLICY REC4	Allocation of Land for Informal Open Space
POLICY REC5	Provision of Informal Open Space
POLICY REC6	Provision of Amenity Areas
POLICY REC8	Open Spaces in Towns and Villages
POLICY REC9	Indoor Sports, Leisure and Recreation Facilities
POLICY REC10	Public Rights of Way
POLICY REC16	Permanent Uses of Land or Water for Sport
POLICY REC17	Water Recreation Facilities
POLICY REC19	Hotel and Guest House Accommodation
POLICY T1	Sustainable Transport and Location of New Development
POLICY T2	Transport Infrastructure in New Developments
POLICY T4	Cycle Routes
POLICY T5	Cycle Parking Provision in New Developments
POLICY T6	Improvement to Pedestrian Facilities
POLICY T7	Shared Car Parking in New Development
POLICY T8	Vehicle Parking Standards.
POLICY PU2	Recycling Facilities in New Developments
POLICY PU6	Renewable Energy

MALDON DISTRICT COUNCIL
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This document can be made available, on request, in larger print, braille and audio and languages other than English. To obtain a copy in an alternative format please contact The Spatial Planning Team on 01621 876202. It can also be viewed on our website: www.maldon.gov.uk





**REPORT of
DIRECTOR OF STRATEGY, POLICY AND GOVERNANCE**

**to
PLANNING AND LICENSING COMMITTEE
18 JULY 2019**

**CONSULTATION RESPONSE TO THE DRAFT NATIONAL FLOOD AND
COASTAL EROSION RISK MANAGEMENT STRATEGY**

1. TO PURPOSE OF THE REPORT

- 1.1 To make Members aware of a national consultation undertaken by Environment Agency on the Draft National Flood and Coastal Erosion Risk Management Strategy for England. (Strategy) which aims to create a nation resilient to flooding and coastal change to the year 2100.
- 1.2 To advise Members that a response, as set out in **APPENDIX 1**, has been submitted on behalf of Maldon District Council. Due to the limited timescales of the consultation this has been shared with the Chairman of this Committee as the consultation ended prior to the date of this Committee.

2. RECOMMENDATION

That Members note the formal response to the consultation as set out in **APPENDIX 1** on behalf of Maldon District Council and any further comments from Members are forwarded to ECC for inclusion in Maldon District Council's response.

3. SUMMARY OF KEY ISSUES

- 3.1 The Environment Agency has a statutory duty to develop, maintain, apply and monitor a national flood and coastal erosion risk management strategy. This is a requirement of Section 7 of the Flood and Water Management Act (FWMA) 2010.
- 3.2 The Act also lists what the strategy must cover, states it requires public consultation and the Secretary of State must approve it.
- 3.3 The consultation was undertaken with the public, partners and businesses and the Environment Agency aims to publish the final Strategy in 2020.
- 3.4 The Strategy is a commitment outlined in the government's 25 year environment plan released in January 2018. It sets out how the nation together will reduce the risk of harm to people, the environment and the economy from flooding and coastal change.
- 3.5 The Strategy outlines roles and responsibilities for those managing flood and coastal change. In particular District Councils who are key partners in delivering local flood

risk management. The consultation response makes it clear that along with these responsibilities there needs to be appropriate access to funding from either national or local sources to fulfil the aims of the Strategy.

- 3.6 The Strategy suggests that Local Authorities' can carry out flood risk management works to ordinary watercourses however, since the amendment to the Land Drainage Act 1991, without the enforcement provisions any works that the Council undertakes would be at its own costs. As there are no current budgets for this type of proactive or emergency works this has been reflected in the consultation response.
- 3.7 The Strategy looks at various tools to be tailored to the worst flood risk areas Cumbria, Thames Barrier, Norfolk Coast, Leigh, Humber and Future Fens.
- 3.8 A range of new funding tools are also discussed which include getting beneficiaries, the people, businesses, infrastructure providers and others who benefit from Coastal Change action to contribute towards the costs. The consultation response pays reference to the requirement of funding if these plans are to be successful.
- 3.9 The response is set out in an online questionnaire split into five sections as detailed in **APPENDIX 1** including the Council's response by question.

4. CONCLUSION

- 4.1 The Strategy is high-level document and sets out some enthusiastic aims for future flood risk management which are clearly supported. The focus is heavily directed towards resilience rather than protection and places reliance on partnerships to deliver this. Whilst funding tools are discussed it is unclear how these will be applied. The Council's response clearly refers to its concerns about the availability and allocation of funding. Without the clarity on this, it is difficult to see how the Strategy will achieve the vision, the steps along the way and what it is hoping to achieve to implement them.

5. IMPACT ON STRATEGIC THEMES

- 5.1 There is likely to be an impact on the thematic strategies of Place, Community and Prosperity. If funding and funding tools are not accessible within the District the outcomes within these strategies could be restricted. The Strategy relies on working in Partnership with Risk Management Authorities and the Council will need to carefully target its resource to ensure we maximise any opportunities that arise.

6. IMPLICATIONS

- (i) **Impact on Customers** – None at this stage as this is only a consultation response at this stage.
- (ii) **Impact on Equalities** – None.
- (iii) **Impact on Resources (financial)** –None.

- (iv) **Impact on Resources (human)** – None.
- (v) **Impact on the Environment** – None.
- (vi) **Impact on Strengthening Communities** – None.

Background Papers: None.

Enquiries to: Shirley Hall, Lead Specialist Community, (Tel: 01621 875817).

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Consultation response to the Draft National Flood and Coastal Erosion Risk Management Strategy

Opened 9 May, closes 4 July

High level consultation focused on what can be done to be resilient to flood risk over the next 10 to 30 years to support the longer-term ambitions for change needed by 2100.

The direction of the EAs previous Strategy document focused on protection rather than resilience which appears to be the main focus of this strategy. Lot more reliance on Risk Management Authorities although no details of likely funding mechanisms or availability for District and Boroughs.

Heavy reliance on Coastal Districts such as Maldon although not on those that actually drain to it i.e. Braintree/Chelmsford. The point needs to be made that there should be a shared responsibility for the resultant impacts of upstream water flows into Coastal Districts.

The Strategy outlines roles and responsibilities for those managing flood and coastal change. In particular, for District Councils who are key partners in delivering local flood risk management. It is unclear that along with this responsibility there has to be appropriate access to funding either nationally or locally. It goes on to mention that LAs can carry out flood risk management works to ordinary watercourses BUT without the legal mechanism to do this to recover costs this is unlikely to happen as there are no budgets for this type of proactive or emergency works. (Clarity required in relation to 'Coastal Protection Authorities (CPA)' due to the reference that District councils are also the CPAs? (Page 10) We need to understand what is expected of us as a district.

The Strategy looks at various tools to be tailored in particular places with the worst flood risk areas i.e. Cumbria, Thames Barrier, Norfolk Coast, Leigh, Humber and Future Fens. There are a range of new funding tools discussed which include getting beneficiaries, the people, businesses, infrastructure providers and others who benefit from Coastal Change action to contribute towards the costs.

The Consultation response on this draft strategy is a questionnaire broken down in two 5 distinct areas including:

Introduction – Strategic overview of the Environment Agency and what the focus of the Agency should be going forward

Climate Resilient Places – Strategic objectives and measures planning for and adapting to flooding and coastal change across a range of climate features.

Today Growth & Infrastructure – resilient to tomorrow's climate – How new development will be resilient to flooding and coastal change

Nation of climate champions, able to adapt to flooding and coastal change through innovation – Raising awareness in younger people and providing the tools to teachers to do this.

Environmental Assessment – Standard assessment to see how the strategy impacts on the environment. These impacts included, biodiversity, population and human health, resource management, water, climatic factors, material assets, cultural heritage and landscape.

There is a parcel of questions/statements and the proposed measures to address these and the answers include an option as to what extent we agree with it i.e between a range of no agreement to completely agree. Also a text box to give an explanation if necessary.

The consultation is an online response which I have tabled below and where a response is felt appropriate this has been included in the answer boxes to each question.

To be clear, where complete agreement is provided it is unnecessary to include text.

INTRODUCTION

Question	Answer
1. To what extent do you agree with the vision: a nation ready for, and resilient to, flooding and coastal change – today, tomorrow and to the year 2100?	<i>No agreement / Some limited agreement (I can agree in part, but not entirely) / Basic agreement (I can live with it) / Strong agreement (I can support it) / Complete agreement (I can support it wholeheartedly) / I don't know / Not applicable</i>
	Please explain your answer:
The following question relates to the strategic overview role of the Environment Agency. This draft strategy is a good example of what we can achieve by working together and providing a strategic direction for flooding and coastal change management in England. In continuing to shape the direction of flooding and coastal change, we need to continue to build effective partnerships and improve the performance of all risk management authorities. This will need clear leadership – not direction or control, but a coalition of partners. We can do this within the current legal framework through the Environment Agency making stronger use of its strategic overview role of all sources of flooding and coastal erosion. We think the focus of the Environment Agency's strategic overview should continue to: provide national data, information and tools on flooding and coastal change, to be shared publicly, appropriate for the decisions that risk management authorities need to make in helping everyone understand the risks we're managing	

Question	Answer
• lead effective partnerships that enable place-shaping, to manage flooding and coastal change • provide timely and effective information and warnings • exercise a general supervision of flooding and coastal change in England and change to include: • leading flooding and coastal change as part of broader climate resilience contributing to integrated solutions to the environmental and societal challenges the nation faces • overseeing the collaboration, sharing and monitoring between flooding and coastal change infrastructure owners • providing reporting and assurance that the final strategy's objectives and measures are being progressed	
2. To what extent do you agree with the Environment Agency's proposed strategic overview role as set out in the chapter 'setting the context for the draft strategy'?	<i>No agreement / Some limited agreement (I can agree in part, but not entirely) / Basic agreement (I can live with it) / Strong agreement (I can support it) / Complete agreement (I can support it wholeheartedly) / I don't know / Not applicable</i>
	Please explain your answer
Climate resilient places We are asking for views about all of the strategic objectives and measures, however please do not feel you must answer all of these questions. If you don't have views to share, please leave the question blank.	
3a. To what extent do you agree with strategic objective 1.1: Between now and 2050 the nation will be resilient to future flood and coastal risks. Over the next year the	<i>No agreement / Some limited agreement (I can agree in part, but not entirely) / Basic agreement (I can live with them) / Strong agreement (I can support them) / Complete agreement (I can support them wholeheartedly) / I don't know / Not applicable</i>

Question	Answer
Environment Agency will work with partners to explore and develop the concept of standards for flood and coastal resilience?	Please explain your answer:
3b. Please provide comments on the measures described under strategic objective 1.1, and tell us about any additional measures you think there should be, and who could implement them.	
Measure 1.1.1: By 2021 the Environment Agency will enhance the appraisal guidance for flooding and coastal change projects, so that investment decisions better reflect a range of climate change scenarios. Measure 1.1.2: By 2022 the Environment Agency will work with partners to explore, develop and consult on standards for flood and coastal resilience and a national suite of tools that can be used in combination to deliver flood and coastal resilience in places.	
Please provide comments on the measures described under this ambition, and tell us about any additional measures you think there should be and how they might be delivered.	
4a. To what extent do you agree with strategic objective 1.2: Between now and 2050 risk management authorities will help places plan and adapt to flooding and coastal	<i>No agreement / Some limited agreement (I can agree in part, but not entirely) / Basic agreement (I can live with them) / Strong agreement (I can support them) / Complete agreement (I can support them wholeheartedly) / I don't know / Not applicable</i>

Question	Answer
change across a range of climate futures?	Please explain your answer: We will continue to strengthen our strategies and development plans to help places adapt to flooding and coastal change
4b. Please provide comments on the measures described under strategic objective 1.2, and tell us about any additional measures you think there should be, and who could implement them.	Agree
Measure 1.2.1: By 2021 the Environment Agency and risk management authorities will identify frontrunner places for developing adaptive approaches for a range of different scales and social contexts, working with local places and partners. Measure 1.2.2: By 2024 the Environment Agency will publish a new picture and evidence of current and future flood risk that will help places better plan and adapt for climate change. Measure 1.2.3: By 2024 the Environment Agency will develop a national framework to help risk management authorities, people, businesses and public bodies identify the steps and decisions needed to take an adaptive approach to planning for flood and coastal resilience in a place. Measure 1.2.4: By 2025 the Environment Agency will produce a new set of Long Term Investment Scenarios to inform future policy and investment choices for delivering flood and coastal resilience. Measure 1.2.5: By 2026 lead local flood authorities will update their local flood risk strategies to incorporate adaptive approaches to planning for flood and coastal resilience in a place.	
5a. To what extent do you agree with strategic objective 1.3: Between now and 2030 all those involved in managing water will embrace and embed adaptive approaches to enhance the resilience of our environment to future flooding and drought?	No agreement / Some limited agreement (I can agree in part, but not entirely) / Basic agreement (I can live with them) / Strong agreement (I can support them) / Complete agreement (I can support them wholeheartedly) / I don't know / Not applicable

Question	Answer
	Please explain your answer: How will this be managed/driven going forward and Districts and Boroughs will rely on national funding to make this a reality.
5b. Please provide comments on the measures described under strategic objective 1.3, and tell us about any additional measures you think there should be, and who could implement them.	Measure 1.3.1 badly worded, poor understanding of what this means for RMAs
Measure 1.3.1: From 2021 the Environment Agency will use the lessons learned from the Defra £15m natural flood management projects and other pilot projects to expand and mainstream working with natural processes by all risk management authorities. Measure 1.3.2: From 2021 the Environment Agency will work with farmers, landowners and others to identify opportunities for using agricultural practices (through funding, advice and regulation) to manage flooding and coastal change. Measure 1.3.3: From 2020 risk management authorities will seek to better align long term planning for flood and coastal change with water company business planning cycles to identify opportunities for managing both floods and droughts.	
6a. To what extent do you agree with strategic objective 1.4: Between now and 2030 risk management authorities enhance the natural, built and historic environments so we leave it in a better state for the next generation?	<i>No agreement / Some limited agreement (I can agree in part, but not entirely) / Basic agreement (I can live with them) / Strong agreement (I can support them) / Complete agreement (I can support them wholeheartedly) / I don't know / Not applicable</i>
	Please explain your answer: Short timescale and potentially outside control of RMAs
6b. Please provide comments on the measures described under strategic objective 1.4, and tell us about any additional measures you think there should be, and who could implement them.	1.4.1 – funding permitting 1.4.3 – The measure is very vague and ambitious. Again the measure will be heavily reliant on the availability of funding.

Question	Answer
Measure 1.4.1: From 2021 risk management authorities will contribute to improving the natural, built and historic environment through their investments in flood and coastal projects. Measure 1.4.2: From 2021 risk management authorities will work with partners and others to identify how the nature recovery network, the northern forest and other habitat improvements can help to manage flood risk and coastal change. Measure 1.4.3: From 2021 risk management authorities will help to ensure that 75% of all water bodies are in natural or near-natural condition within 25 years.	
7a. To what extent do you agree with strategic objective 1.5: Between now and 2030, risk management authorities will use funding and financing from new sources to invest in making the nation resilient to flooding and coastal change?	<i>No agreement / Some limited agreement (I can agree in part, but not entirely) / Basic agreement (I can live with them) / Strong agreement (I can support them) / Complete agreement (I can support them wholeheartedly) / I don't know / Not applicable</i>
	Please explain your answer: 7a – It is unclear what is meant by funding and financing from new sources? In principle we support making the nation resilient to flooding and coastal change but we need to understand where the new sources of funding referred to is coming from?
7b. Please provide comments on the measures described under strategic objective 1.5, and tell us about any additional measures you think there should be, and who could implement them.	
Measure 1.5.1: By 2021 the Environment Agency will work with the government on its green finance strategy to explore new options for funding and financing flooding and coastal change that deliver more private funding in the future. Measure 1.5.2: By 2025 risk management authorities will test whether it is feasible to use upfront financing to deliver an adaptive approach in a place which will need very significant investment in future.	
Please provide comments on the measures	Measure 1.5.2, again it needs to be clear on where the 'upfront' financing is coming from.

Question	Answer
Today's growth and infrastructure - resilient to tomorrow's climate We are asking for views about all of the strategic objectives and measures, however please do not feel you must answer all of these questions. If you don't have views to share, please leave the question blank.	
8a. To what extent do you agree with strategic objective 2.1: Between now and 2030 all new development will contribute to achieving place based resilience to flooding and coastal change?	<i>No agreement / Some limited agreement (I can agree in part, but not entirely) / Basic agreement (I can live with them) / Strong agreement (I can support them) / Complete agreement (I can support them wholeheartedly) / I don't know / Not applicable</i>
	Please explain your answer:
8b. Please provide comments on the measures described under strategic objective 2.1, and tell us about any additional measures you think there should be, and who could implement them.	Measure 2.1.1 This measure will be reliant on the availability of resources
Measure 2.1.1: From 2021 risk management authorities will invest in planning skills and capabilities to ensure they can advise planners and developers effectively to enable climate resilient places. Measure 2.1.2: From 2025 the Environment Agency and lead local flood authorities will advise local planning authorities on how adaptive approaches should inform strategic local plans.	
9a. To what extent do you agree with strategic objective 2.2: Between now and 2030 all new development will seek to support environmental net gain in local places?	<i>No agreement / Some limited agreement (I can agree in part, but not entirely) / Basic agreement (I can live with them) / Strong agreement (I can support them) / Complete agreement (I can support them wholeheartedly) / I don't know / Not applicable</i>
	Please explain your answer: Concerns about value of replacement habitat and replacement of one habitat type for another.

Question	Answer
9b. Please provide comments on the measures described under strategic objective 2.2, and tell us about any additional measures you think there should be, and who could implement them.	2.2.1 –This may not be possible to achieve biodiversity net gain in all programmes and projects, depending on the project concerned, for example, due to site specific circumstances, or the scale of the project.
Measure 2.2.1: From 2021 all risk management authorities will achieve biodiversity net gain in all programmes and projects. Measure 2.2.2: From 2021 all risk management authorities will seek to work with developers and planners to achieve environmental net gain as part of strategic development proposals.	
10a. To what extent do you agree with strategic objective 2.3: Between now and 2030 all risk management authorities will contribute positively to local economic regeneration and sustainable growth through their investments in flooding and coastal change projects?	<i>No agreement / Some limited agreement (I can agree in part, but not entirely) / Basic agreement (I can live with them) / Strong agreement (I can support them) / Complete agreement (I can support them wholeheartedly) / I don't know / Not applicable</i>
	Please explain your answer:
10b. Please provide comments on the measures described under strategic objective 2.3, and tell us about any additional measures you think there should be, and who could implement them.	
Measure 2.3.1: From 2021 the Environment Agency will identify ways in which flood and coastal infrastructure projects can better contribute to local economic regeneration and sustainable growth.	
11a. To what extent do you agree with strategic objective 2.4: Between now and 2050 places affected by flooding and coastal change will be 'built back better' and in better places?	<i>No agreement / Some limited agreement (I can agree in part, but not entirely) / Basic agreement (I can live with them) / Strong agreement (I can support them) / Complete agreement (I can support them wholeheartedly) / I don't know / Not applicable</i>
	Please explain your answer: This will depend on financing and insurance companies. However not always possible to build in better places.

Question	Answer
11b. Please provide comments on the measures described under strategic objective 2.4, and tell us about any additional measures you think there should be, and who could implement them.	
Measure 2.4.1: By 2025 the Environment Agency will work with government, insurers and financial institutions to review the legal, policy and behavioural changes needed to 'build back better and in better places' and improve the resilience of homes and business. Measure 2.4.2: By 2021 coast protection authorities and the Environment Agency will refresh the shoreline management plans and keep them under review.	
12a. To what extent do you agree with strategic objective 2.5: Between now and 2030 all flooding and coastal infrastructure owners will understand the responsibilities they have to support flood and coastal resilience in places?	<i>No agreement / Some limited agreement (I can agree in part, but not entirely) / Basic agreement (I can live with them) / Strong agreement (I can support them) / Complete agreement (I can support them wholeheartedly) / I don't know / Not applicable</i>
	Please explain your answer: How will be managed and delivered?
12b. Please provide comments on the measures described under strategic objective 2.5, and tell us about any additional measures you think there should be, and who could implement them.	
Measure 2.5.1: By 2021 the Environment Agency will work with lead local flood authorities and other expert bodies to develop guidance setting out best practice on local flood infrastructure management and record keeping. Measure 2.5.2: By 2024 the Environment Agency will require risk management authorities to report on the resilience of their flood and coastal change infrastructure in a nationally consistent way. Measure 2.5.3: By 2024 the Environment Agency will work with risk management authorities to develop recommendations for flooding and coastal change infrastructure owners that enable greater collaboration, sharing and monitoring between them	

Question	Answer
13a. To what extent do you agree with strategic objective 2.6: Between now and 2050 the Environment Agency and risk management authorities will work with infrastructure providers to ensure all infrastructure investment is resilient to future flooding and coastal change?	<i>No agreement / Some limited agreement (I can agree in part, but not entirely) / Basic agreement (I can live with them) / Strong agreement (I can support them) / Complete agreement (I can support them wholeheartedly) / I don't know / Not applicable</i>
	Please explain your answer:
13b. Please provide comments on the measures described under strategic objective 2.6, and tell us about any additional measures you think there should be, and who could implement them.	
Measure 2.6.1: By 2021 the Environment Agency and risk management authorities will work with infrastructure providers to ensure all infrastructure investment is resilient to future flooding and coastal change. Measure 2.6.2: By 2021 the Environment Agency will establish a Flood and Coastal Infrastructure Task Force to better align the long term investment planning of publicly funded infrastructure bodies.	
A nation of climate champions, able to adapt to flooding and coastal change through innovation We are asking for views about all of the strategic objectives and measures, however please do not feel you must answer all of these questions. If you don't have views to share, please leave the question blank.	
14a. To what extent do you agree with strategic objective 3.1: Between now and 2030 young people at 16 should understand the impact of flooding and coastal change, but also recognise the potential solutions for their place, and opportunities for career development?	<i>No agreement / Some limited agreement (I can agree in part, but not entirely) / Basic agreement (I can live with them) / Strong agreement (I can support them) / Complete agreement (I can support them wholeheartedly) / I don't know / Not applicable</i>
	Please explain your answer:

Question	Answer
14b. Please provide comments on the measures described under strategic objective 3.1, and tell us about any additional measures you think there should be, and who could implement them.	
Measure 3.1.1: By 2021 flooding and coastal change materials will be provided to help teachers deliver existing elements of the national curriculum.	
Please provide comments on the measures described under this ambition, and tell us about any additional measures you think there should be and how they might be delivered.	
15a. To what extent do you agree with strategic objective 3.2: Between now and 2030 people will understand the potential impact of flooding and coastal change on them and take action?	<i>No agreement / Some limited agreement (I can agree in part, but not entirely) / Basic agreement (I can live with them) / Strong agreement (I can support them) / Complete agreement (I can support them wholeheartedly) / I don't know / Not applicable</i>
	Please explain your answer:
15b. Please provide comments on the measures described under strategic objective 3.2, and tell us about any additional measures you think there should be, and who could implement them.	
Measure 3.2.1: By 2022 government and risk management authority research programmes will identify how best to help people and businesses understand, accept and take responsibility for their risk to flooding and coastal change. This will help all risk management authorities better shape the way they work with people and businesses. Measure 3.2.2: By 2021 all risk management authorities will develop and use digital tools to better communicate flooding and coastal change. This will help achieve greater awareness and responsibility of the risks people face.	

Question	Answer
16a. To what extent do you agree with strategic objective 3.3: Between now and 2030 people will receive a consistent and coordinated level of support from all those involved in response and recovery from flooding and coastal change?	<i>No agreement / Some limited agreement (I can agree in part, but not entirely) / Basic agreement (I can live with them) / Strong agreement (I can support them) / Complete agreement (I can support them wholeheartedly) / I don't know / Not applicable</i>
	Please explain your answer:
16b. Please provide comments on the measures described under strategic objective 3.3, and tell us about any additional measures you think there should be, and who could implement them.	
Measure 3.3.1: By 2021 the Environment Agency will work with government and risk management authorities to clarify roles in relation to surface water flooding. Measure 3.3.2: By 2022 the Environment Agency will have expanded their flood warning service to all places at a high risk of flooding from rivers and the sea. Measure 3.3.3: By 2025 the Environment Agency will work with government to better join up the organisations involved in providing incident response and recovery to provide a consistent and coordinated service.	
17a. To what extent do you agree with strategic objective 3.4: Between now and 2030 the nation will be recognised as world leader in managing flooding and coastal change, as well as developing and attracting talent to create resilient places?	<i>No agreement / Some limited agreement (I can agree in part, but not entirely) / Basic agreement (I can live with them) / Strong agreement (I can support them) / Complete agreement (I can support them wholeheartedly) / I don't know / Not applicable</i>
	Please explain your answer: How are you going to guarantee delivery and measure?

Question	Answer
17b. Please provide comments on the measures described under strategic objective 3.4, and tell us about any additional measures you think there should be, and who could implement them.	
Measure 3.4.1: By 2022 the Environment Agency will continue to work with standards setting organisations to encourage flood resilience requirements to be incorporated into the building and materials standards for homes and businesses built in places at risk of flooding. Measure 3.4.2: By 2025 the flooding and coastal change sector, including risk management authorities, will influence universities and colleges to ensure they develop the capabilities and skills required for both the public and private sectors. Measure 3.4.3: By 2025 all public and private organisations in the flooding and coastal change sector including risk management authorities, will support development programmes that enable their professionals to continue to develop their flood and coastal risk management knowledge.	
Environmental Assessment Do you agree with the conclusions of the environmental assessment?	Yes / No
	If not, please explain why:
Are there any further significant environmental effects (positive or negative) of the draft strategy you think should be considered?	Yes / No
	If yes, please describe them:
Are there further mitigations for potential negative effects or opportunities to achieve positive effects that should be considered for the final national FCERM strategy?	Yes / No
	If yes, please give details: