

UPDATED



MALDON DISTRICT
COUNCIL

APOLOGIES Committee Services
Email: Committee.clerk@maldon.gov.uk

DIRECTOR OF STRATEGY,
PERFORMANCE AND
GOVERNANCE
Paul Dodson

10 January 2022

Dear Councillor

You are summoned to attend the meeting of the;

COUNCIL (EXTRAORDINARY)

on **TUESDAY 18 JANUARY 2022 at 7.30 pm**

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

Please Note that as an extraordinary meeting of the Council the Public Participation Protocol does not apply. However, the meeting will still be live streamed via the [Council's YouTube channel](https://www.maldon.gov.uk/watchlive) (<https://www.maldon.gov.uk/watchlive>) for ease of viewing.

A copy of the agenda is attached.

Yours faithfully

Director of Strategy, Performance and Governance





**AGENDA
COUNCIL (EXTRAORDINARY)**

TUESDAY 18 JANUARY 2022

1. **Chairman's notices**
2. **Apologies for Absence**
3. **Declaration 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).

4. **Leaders and Composition of Political Groups** (Pages 5 - 8)

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

5. **Langford and Ulting Neighbourhood Plan - Decision on Examiners' Report** (Pages 9 - 80)

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

6. **Council Tax Base 2022 / 23** (Pages 81 - 88)

To consider the report of the Director of Resources, (copy enclosed).

7. **Vacancies on Committees, Working Groups and Outside Bodies** (Pages 89 - 92)

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

NOTICES

Recording of Meeting

Please note that the Council will be recording and publishing on the Council's website any part of this meeting held in open session.

Fire

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

Health and Safety

Please be advised of the different levels of flooring within the Council Chamber. There are steps behind the main horseshoe as well as to the side of the room.

Closed-Circuit Televisions (CCTV)

Meetings held in the Council Chamber are being monitored and recorded by CCTV.



REPORT of DIRECTOR OF STRATEGY, PERFORMANCE AND GOVERNANCE

**to
COUNCIL (EXTRAORDINARY)
18 JANUARY 2022**

LEADERS AND COMPOSITION OF POLITICAL GROUPS

1. PURPOSE OF THE REPORT

- 1.1 To appoint to the Leader and Deputy Leader of the Council for the remainder of the Municipal year (to May 2022).

2. RECOMMENDATIONS

- (i) That the Council considers ratification of the Leader-designate as Leader of the Council;
- (ii) That the Council elects the Deputy-Leader of the Council.
- (iii) That the Council appoints to any associated vacancies after appointment, ratifying nominations as set out in section 3.3.

3. SUMMARY OF KEY ISSUES

- 3.1 As required by the Local Government and Housing Act 1989, the Strategy, Performance and Governance Manager has been notified that the compositions of the political Groups on the Council are as follows:

Leader of the Independent Group (Leader Designate)	Councillor Richard Siddall
Independent Group	Councillor Mark Bassenger
	Councillor Brian Beale MBE
	Councillor Vanessa Bell
	Councillor Michael Edwards
	Councillor Mark Heard
	Councillor Carlie Mayes
	Councillor Flo Shaughnessy
	Councillor Nick Skeens
	Councillor Emma Stephens
	Councillor Mrs Jeanette Stilts
	Councillor Christopher Swan
Leader of the Conservative Group	Councillor Mrs Penny Channer
Conservative Group	Councillor Miss Anne Beale
	Councillor Bruce Heubner
	Councillor Mark Durham
	Councillor Mrs Jane Fleming
	Councillor Anne Hull

Non-Aligned Members	Councillor John Keyes
	Councillor Clive Morley
	Councillor Mrs Maddie Thompson
	Councillor Miss Sue White
	Councillor Bob Boyce MBE
	Councillor Richard Dewick
	Councillor Adrian Fluker
	Councillor Michael Helm
	Councillor Kevin Lagan
	Councillor Chrisy Morris
	Councillor Stephen Nunn
	Councillor Wendy Stamp

3.2 In accordance with the Council's Political Parties and Associated Arrangements, Councillor R H Siddall is therefore recognised as Leader-designate

3.3 If Councillor Siddall is appointed as Leader of the council, the following Vacancies will also need to be appointed to nominations for the group are set out below. For the Joint Standards Committee he holds a seat but group leaders cannot sit on the Committee, and the Corporate Governance Working group specifies a seat for the Leader and Councillor Siddall was allocated a seat at the Statutory Annual meeting in May 2021.

Seat:	Nomination:
Joint Standards Committee	Councillor B S Beale MBE
Corporate Governance Working Group	Councillor C Swain

3.4 There are working group, outside body and committee seats associated with Leader and Deputy leader roles as set out in our Statutory Annual Council papers, this will be updated to the leader and deputy appointed by the Council as a matter of course.

4. CONCLUSION

4.1 The information is provided for Members to appoint to the posts of Leader and Deputy Leader of the Council.

5. IMPACT ON STRATEGIC THEMES

5.1 The posts of Leader and Deputy Leader of the Council work across all strategic themes, but specifically help to contribute to Performance and Efficiency, with Maldon District Council (MDC) working with partners.

6. IMPLICATIONS

- (i) **Impact on Customers** – The Leader of the Council will be the Council's figure head and promote customer engagement.
- (ii) **Impact on Equalities** – Not applicable (NA).
- (iii) **Impact on Risk** – Appointment to posts underpins good governance and reduces risk.

- (iv) **Impact on Resources (financial)** – NA.
- (v) **Impact on Resources (human)** – NA.
- (vi) **Impact on the Environment** – NA.
- (vii) **Impact on Strengthening Communities** - The Leader of the Council will be the Council's figure head and promote community engagement.

Background Papers: None.

Enquiries to: Cheryl Hughes, Programmes, Performance and Governance Manager.

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

to
COUNCIL (EXTRAORDINARY)
18 JANUARY 2022

**LANGFORD AND ULTING NEIGHBOURHOOD PLAN - DECISION ON EXAMINER'S
REPORT**

1. PURPOSE OF THE REPORT

- 1.1 To inform Members of and seek their approval for the recommended modifications made in the Examiner's Report (at **APPENDIX 1**) for the Langford and Ulting Neighbourhood Plan; and to seek Member's approval for the Neighbourhood Plan to proceed to Referendum.

2. RECOMMENDATIONS

- (i) that the Examiner's modifications be agreed and that subject to these modifications the Neighbourhood Plan is determined to meet the Basic Conditions and other legislative requirements;
- (ii) that the draft Decision Statement attached at **APPENDIX 2** be approved to be published on the Council's website; and
- (iii) that the Langford and Ulting Neighbourhood Plan be agreed as modified (at **APPENDIX 3**) enabling it to proceed to a local Referendum based on the boundary of Langford and Ulting Neighbourhood Area as recommended by the Examiner.

3. NEIGHBOURHOOD PLAN INTRODUCTION

- 3.1 Neighbourhood planning is part of the Government's initiative to empower local communities to take forward planning proposals at a local level¹. Neighbourhood Plans, once made, form part of the Development Plan. Following an update to Neighbourhood Planning guidance in response to the Covid-19 pandemic, a Neighbourhood Plan will now carry significant weight in decision making when it is approved to proceed to Referendum.
- 3.2 Neighbourhood planning is led by a town or parish council or neighbourhood forum, in this case the preparation of the Neighbourhood Plan has been undertaken by Langford and Ulting Parish Council.
- 3.3 The Neighbourhood Plan was originally examined in spring 2016. However, following the Examiner's Report, the Parish Council took the decision to revise the Neighbourhood Plan, taking it back to the Regulation 14 stage to enable community consultation on the revised Plan.

¹ Section 116 of the Localism Act

3.4 The production of a Neighbourhood Plan must follow a regulatory process summarised below:

Key Stage	Action	Date
1. Neighbourhood Area designation	Langford and Ulting Neighbourhood Plan Area designation requested by Langford and Ulting Parish Council and approved by Maldon District Council. This sets the area the Neighbourhood Plan will apply to.	23 April 2013
2. Pre-Submission Consultation	Regulation 14 consultation organised by the Parish Council (minimum six weeks).	05 November – 16 December 2019
3. Submission	Langford and Ulting Parish Council (LUPC) submitted the Neighbourhood Plan to Maldon District Council (MDC)	25 November 2020
4. Publication	Regulation 16 consultation organised by MDC (6 weeks)	15 January - 12 March 2021
5. Examination	Independent Examiner reviews the Plan against the statutory Basic Conditions. The Examiner either recommends that a Neighbourhood plan does not proceed to Referendum, or can proceed Referendum, with or without modifications, and recommends the extent of the area the Referendum applies to.	Examiner's report received 09 September 2021
6. Plan Proposal Decision	Maldon District Council considers the Examiner's report, including the recommended modifications, and if satisfied with the Plan proposal, agrees for it to proceed to Referendum.	16 December 2021
7. Referendum	Organised and funded by Maldon District Council. Where 50% or more of those voting are in favour of the Neighbourhood Plan, it comes into force, and must be 'made' by the Council and it forms part of the statutory Development Plan.	To Be Confirmed (TBC) Early 2022

4. EXAMINATION

- 4.1 Following the Regulation 16 consultation, an Independent Examiner was appointed by Maldon District Council, with consent of the Parish Council, to carry out the examination of the Neighbourhood Plan. The Examiner, Andrew Ashcroft BA (Hons) MA, DMS, MRTPI, examined the Plan by written representations, and undertook an unaccompanied site visit of the Neighbourhood Plan area.
- 4.2 The role of the Examiner is to assess whether the Neighbourhood Plan meets certain legal requirements:
- the policies relate to the development and use of land for a designated neighbourhood plan area; and
 - the Plan must specify the period to which it has effect, must not include provision about development that is excluded development, and must not relate to more than one neighbourhood area²; and

² Requirements under Section 38B of the Planning and Compulsory Purchase Act 2004

- the Plan has been prepared for an area that has been designated³ and has been developed and submitted for examination by a qualifying body, in this case by Langford and Ulting Parish Council.
- 4.3 The Examiner must consider whether the submitted Plan meets the Basic Conditions⁴. To comply with the basic conditions, the Plan must:
- Have regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the neighbourhood plan
 - The making of the neighbourhood plan contributes to the achievement of sustainable development
 - The making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area
 - The making of the neighbourhood plan does not breach, and is otherwise compatible with, European Union obligations and the European Convention on Human Rights (ECHR)
 - Regulation 32 of the Neighbourhood Planning (General) Regulations set out an additional condition to be considered: the making of the neighbourhood plan is not likely to have a significant effect on a European site or a European offshore marine site either alone or in combination with other plans or projects.
- 4.4 The Basic Conditions that refer to EU obligations have not been updated. The European Union (Withdrawal) Act 2018 converts much of EU law into domestic law. The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 make changes to the statutory instruments that transpose the Habitats and Wild Bird Directives into UK law, so that they continue to work following the UK's exit from the EU. The intention is to ensure habitat and species protection and standards as set out under these Directives are implemented in the same way or an equivalent way when the UK exits the EU. There is no change to national policy. Current references to "European site", "European Marine Site", "Special Area of Conservation" and "Special Protection Area" are retained in legislation. The ECHR is an international treaty the UK signed in 1950. EU Exit will have no direct impact on the UK's obligations under the ECHR.
- 4.5 The Examiner has now issued his report and recommends a number of modifications which are necessary to ensure that the Langford and Ulting Neighbourhood Plan meets the basic conditions. A copy of the Examiner's report is attached at **APPENDIX 1**.
- 4.6 The Examiner's conclusion is that, subject to the modifications recommended in the report, the Langford and Ulting Neighbourhood Plan meets the basic conditions and other statutory requirements outlined in the report. The Examiner recommends that, subject to the modifications proposed in the report, the Langford and Ulting Neighbourhood Plan can proceed to Referendum.

³ Designated under Section 61G of the Localism Act

⁴ Basic conditions are set out in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990

5. THE LOCAL PLANNING AUTHORITY'S ROLE

- 5.1 The Local Planning Authority is responsible for determining whether the plan meets the basic conditions, with or without modifications, and for whether the Neighbourhood Plan should proceed to Referendum. It must also decide on whether the Referendum area should be extended beyond the Neighbourhood Area.
- 5.2 Once the Council has received the Examiner's report it must decide what action to take. Regulation 18 of the Neighbourhood Plan (General) Regulations 2012 (as amended) states that the local planning authority must decide:
- (a) to decline to consider a plan proposal;
 - (b) to refuse a plan proposal;
 - (c) what action to take in response to the recommendation of an examiner made in a report;
 - (d) what modifications, if any, they are to make to the draft plan;
 - (e) whether to extend the area to which the Referendum (or Referendums are) to take place; or
 - (f) that they are not satisfied with the plan proposal.
- 5.3 There are no grounds to decline to consider the Neighbourhood Plan under part (a) as this relates to repeat proposals; or to refuse to consider the Plan under part (b) as the legislative requirements have been met.
- 5.4 In relation to part (c), the Examiner has made a series of recommendations; the local authority needs to consider what action to take in relation to these. This is discussed in section 6 of this report. If the authority proposes to make a decision which differs from that recommended by the Examiner then a six week period must be given for people to make representations. If the local authority considers it appropriate, then the issue can be referred to further examination.
- 5.5 The local authority must also consider, under part (d) whether there are any other modifications which are required to ensure the basic conditions are met; to ensure the Neighbourhood Plan is compatible with the Convention rights, to ensure the requirements of legislation are met, and to correct errors. Minor modifications, for example to correct errors in the Plan's text are permissible, as they do not impact on the Plan itself. However, if the Council makes other modifications, for example by changing policy, those modifications will be subject to a six-week consultation period, and the Council's decision could be open to legal challenge. Officers are not recommending that further modifications are made to the Plan.
- 5.6 The local authority must consider whether to extend the area to which the Referendum is held under part (e). this is discussed in section 7 of this report.
- 5.7 If the local authority is not satisfied that the plan meets the basic conditions, is not compatible with Convention rights or requirements of legislation are not met then they must refuse the Neighbourhood Plan under part (f). This is not the case with this Neighbourhood Plan.
- 5.8 The Neighbourhood Plan (General) Regulations 2012 state that a Local Planning Authority must publish the actions which will be taken in response to the recommendations of the Examiner. This is known as a 'Decision Statement'.

6. CONSIDERATION OF THE EXAMINER'S REPORT AND PROPOSED MODIFICATIONS

- 6.1 The Examiner has recommended modifications to ensure that the Plan meets the basic conditions and have the clarity required by national guidance and ensure that the policies do what they are intended to do.
- 6.2 The Examiner recommends detailed changes to some of the policies, so that they comply with the NPPF (2021). In addition, significant changes are recommended to two policies:
- 'Policy 1: Landscape Features' is re-written to comply with the NPPF, whilst still achieving the original intent of the policy
 - 'Policy 8: Working from Home' is re-written for clarity, and to ensure that proposals for working from existing houses is considered in the same context as new dwellings.
- 6.3 Having considered each of the recommendations made in the Examiner's Report and the reasons for them, Officers agree that the Examiner has undertaken a fair examination of the submitted Neighbourhood Plan, properly considering all duly-made representations. Officers recommend that the Council accept all of the Examiner's modifications to the draft Plan.
- 6.4 Langford and Ulting Neighbourhood Parish Council has advised that it has agreed with the modifications recommended by the Examiner.
- 6.5 The Examiner's modifications and Officers' recommendations for each of these are set out Table 1 in the draft Decision Statement attached at **APPENDIX 2**.
- 6.6 Officers have considered whether any other modifications are required to ensure that the Neighbourhood Plan meets the required conditions. It is not considered that any additional modifications are required.
- 6.7 Officers consider that, subject to the Examiner's modifications being made to the Plan, the Langford and Ulting Neighbourhood Plan meets the basic conditions set out in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990 (as amended), is compatible with the Convention Rights and meets the requirements of paragraph 8(1) of Schedule 4B to the Town and Country Planning Act (as amended).

7. REFERENDUM

- 7.1 It is recommended that Members agree that the modifications to the Plan are made and that the modified Neighbourhood Plan proceeds to Referendum. The Neighbourhood Plan incorporating the Examiner's modifications is attached at **APPENDIX 3**.
- 7.2 It is recommended that Members agree the Decision Statement and that this is published as soon as possible and publicised in a manner to meet publicity requirements in the Regulations.
- 7.3 The Examiner's required modifications have been made to the Langford and Ulting Neighbourhood Plan.
- 7.4 In relation to the Referendum area, the Examiner concluded that there is no reason to alter, or extend the Plan area, for the purpose of holding a Referendum. Officers

agree with this recommendation and therefore recommend to Council that the area for the Referendum should be the Langford and Utling Neighbourhood Area as approved by Maldon District Council on 23 April 2013 (shown in **APPENDIX 3**). The Neighbourhood Area is the same as the parish area.

- 7.5 Once the Council has published the Decision Statement detailing its intention to send a Neighbourhood Plan to Referendum, the plan can be given *significant weight* in decision-making. Therefore, once the Decision Statement has been published, the Council's Development Management team will be able to use the Langford and Utling Neighbourhood Plan, in determining planning applications within the Langford and Utling Neighbourhood Area.
- 7.6 Subject to the decision of Council recommended in this Report, arrangements will be made for the Referendum to be held in Langford and Utling Parish in early 2022.
- 7.7 Following the Referendum, if more than 50% of those voting, vote 'yes' then the Neighbourhood Plan comes into force and must be 'made' within 8 weeks of the Referendum.

8. CONCLUSION

- 8.1 The Langford and Utling Neighbourhood Plan has been examined by an Independent Examiner. The Examiner has found that subject to modification, the plan meets the relevant legal, procedural and planning tests and can proceed to Referendum.
- 8.2 The Council has a statutory duty to decide whether to progress the plan to Referendum, with or without modifications, or to refuse the plan. The Council must publish a decision statement setting out the reasons for that decision as soon as possible after making it. The Council must consider each of the Examiner's recommendations, and the reasons for them, and decide what action to take in response.
- 8.3 It is recommended that the Examiner's recommendations are implemented, and that the modified Plan proceeds to Referendum.
- 8.4 Once a Decision Statement is approved and published, a Neighbourhood Plan is given significant weight in decision-making, for determining planning applications within its Neighbourhood Area.
- 8.5 If Council decides that the Neighbourhood Plan can proceed to Referendum, the Referendum will be arranged for early 2022. A Neighbourhood Plan comes into force once it has been approved at Referendum. It has the same legal status as the Local Development Plan and will be used by Development Management to help determine applications for planning permission that are located within the parish boundary.

9. IMPACT ON STRATEGIC THEMES

- 9.1 The Neighbourhood Plan supports the three themes of Prosperity, Place and Community through its policies that support business, protect the natural and built environment and protect community facilities in the neighbourhood area.

10. IMPLICATIONS

- (i) **Impact on Customers** – The Neighbourhood Plan provides additional localised planning policies for future development in Langford and Ulting. It will help to protect the residential amenity of existing and future residents in Langford and Ulting.
- (ii) **Impact on Equalities** – There are no negative impacts identified.
- (iii) **Impact on Risk** – The decision on the Examiner's Report and whether or not the Plan proceeds to Referendum create certainty over the status of the Neighbourhood Plan.
- (iv) **Impact on Resources (financial)** – The Council is required to pay for the Examination and the Referendum. Normally, a Council can apply for a LPA grant once the Referendum date has been set. Under the Covid Regulations 2020, once a Council has approved and published the Decision Statement, the Council can apply for the grant, at the next available application window.
- (v) **Impact on Resources (human)** – The Referendum is a statutory requirement that will be actioned by the Elections Team.
- (vi) **Impact on the Environment** – The Neighbourhood Plan once made becomes part of the statutory Development Plan for the district. It provides locally specific policies to assess planning applications against. It should have positive impacts on the environment.
- (vii) **Impact on Strengthening Communities** – The Neighbourhood Plan has been prepared through community engagement and refined through public consultation. The Plan, as modified, provides a local layer of planning policy to support the community's aspirations for the neighbourhood area.

Background Papers:

- Information on the Langford and Ulting Neighbourhood Plan Area designation, Reg14 and 16 consultations and the Examination can be found on the MDC website at: https://www.maldon.gov.uk/info/20048/planning_policy/8112/community_led_planning_and_neighbourhood_plans/7

Enquiries to: Leonie Alpin Specialist – Local Plans

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Langford and Ulting Neighbourhood Development Plan 2014-2029

**A report to Maldon District Council on the Langford
and Ulting Neighbourhood Development Plan**

**Andrew Ashcroft
Independent Examiner
BA (Hons) M.A. DMS M.R.T.P.I.**

Director – Andrew Ashcroft Planning Limited

Executive Summary

- 1 I was appointed by Maldon District Council in July 2021 to carry out the independent examination of the Langford and Ulting Neighbourhood Development Plan.
- 2 The examination was undertaken by written representations. I visited the neighbourhood area on 23 July 2021.
- 3 The Plan includes a range of policies and seeks to bring forward positive and sustainable development in the neighbourhood area. There is a very clear focus on safeguarding its local character and its landscape setting.
- 4 The Plan has been underpinned by community support and engagement. It is clear that all sections of the community have been actively engaged in its preparation.
- 5 Subject to a series of recommended modifications set out in this report I have concluded that the Langford and Ulting Neighbourhood Plan meets all the necessary legal requirements and should proceed to referendum.
- 6 I recommend that the referendum should be held within the neighbourhood area.

Andrew Ashcroft
Independent Examiner
9 September 2021

1 Introduction

- 1.1 This report sets out the findings of the independent examination of the Langford and Ulting Neighbourhood Development Plan 2014-2029 (the 'Plan').
- 1.2 The Plan has been submitted to Maldon District Council (MDC) by Langford and Ulting Parish Council (LUPC) in its capacity as the qualifying body responsible for preparing the neighbourhood plan.
- 1.3 Neighbourhood plans were introduced into the planning process by the Localism Act 2011. They aim to allow local communities to take responsibility for guiding development in their area. This approach was subsequently embedded in the National Planning Policy Framework (NPPF) in 2012 and its updates in 2018, 2019 and 2021. The NPPF continues to be the principal element of national planning policy.
- 1.4 The role of an independent examiner is clearly defined in the legislation. I have been appointed to examine whether or not the submitted Plan meets the basic conditions and Convention Rights and other statutory requirements. It is not within my remit to examine or to propose an alternative plan, or a potentially more sustainable plan except where this arises as a result of my recommended modifications to ensure that the plan meets the basic conditions and the other relevant requirements.
- 1.5 A neighbourhood plan can be narrow or broad in scope. Any plan can include whatever range of policies it sees as appropriate to its designated neighbourhood area. The submitted plan has been designed to be distinctive in general terms, and to be complementary to the development plan in particular. It has a clear focus on maintaining the character and appearance of the neighbourhood area and safeguarding its natural and heritage assets.
- 1.6 Within the context set out above this report assesses whether the Plan is legally compliant and meets the basic conditions that apply to neighbourhood plans. It also considers the content of the Plan and, where necessary, recommends changes to its policies and supporting text.
- 1.7 This report also provides a recommendation as to whether the Plan should proceed to referendum. If this is the case and that referendum results in a positive outcome the Plan would then be used to determine planning applications within the Plan area and will sit as part of the wider development plan.

2 The Role of the Independent Examiner

- 2.1 The examiner's role is to ensure that any submitted neighbourhood plan meets the relevant legislative and procedural requirements.
- 2.2 I was appointed by MDC, with the consent of LUPC, to conduct the examination of the Plan and to prepare this report. I am independent of both MDC and LUPC. I do not have any interest in any land that may be affected by the Plan.
- 2.3 I possess the appropriate qualifications and experience to undertake this role. I am a Director of Andrew Ashcroft Planning Limited. In previous roles, I have over 35 years' experience in various local authorities at either Head of Planning or Service Director level. I am a chartered town planner and have significant experience of undertaking other neighbourhood plan examinations and health checks. I am a member of the Royal Town Planning Institute and the Neighbourhood Planning Independent Examiner Referral Service.
Examination Outcomes

- 2.4 In my role as the independent examiner of the Plan I am required to recommend one of the following outcomes of the examination:
- (a) that the Plan as submitted proceeds to a referendum; or
 - (b) that the Plan should proceed to referendum as modified (based on my recommendations); or
 - (c) that the Plan does not proceed to referendum on the basis that it does not meet the necessary legal requirements.
- 2.5 The outcome of the examination is set out in Sections 7 and 8 of this report.

Other examination matters

- 2.6 In examining the Plan I am required to check whether:
- the policies relate to the development and use of land for a designated neighbourhood plan area; and
 - the Plan meets the requirements of Section 38B of the Planning and Compulsory Purchase Act 2004 (the Plan must specify the period to which it has effect, must not include provision about development that is excluded development, and must not relate to more than one neighbourhood area); and
 - the Plan has been prepared for an area that has been designated under Section 61G of the Localism Act and has been developed and submitted for examination by a qualifying body.
- 2.7 I have addressed the matters identified in paragraph 2.6 of this report. I am satisfied that the submitted Plan complies with the three requirements.

3 Procedural Matters

- 3.1 In undertaking this examination I have considered the following documents:
- the submitted Plan;
 - the Basic Conditions Statement;
 - the Consultation Statement;
 - the various supporting documents including the Landscape Character Assessment and the Site Assessment (April 2018);
 - the SEA/HRA screening report;
 - the representations made to the Plan;
 - the Parish Council's responses to the Clarification Note;
 - the adopted Maldon District Local Development Plan;
 - the National Planning Policy Framework (July 2021);
 - Planning Practice Guidance (March 2014 and subsequent updates); and
 - relevant Ministerial Statements.
- 3.2 I visited the neighbourhood area on 23 July 2021. I looked at its overall character and appearance and at those areas affected by policies in the Plan in particular. My visit is covered in more detail in paragraphs 5.9 to 5.16 of this report.
- 3.3 It is a general rule that neighbourhood plan examinations should be held by written representations only. Having considered all the information before me, including the representations made to the submitted plan, I was satisfied that the Plan could be examined without the need for a public hearing. I advised MDC of this decision once I had received the responses to the clarification note.

4 Consultation

Consultation Process

- 4.1 Policies in made neighbourhood plans become the basis for local planning and development control decisions. As such the regulations require neighbourhood plans to be supported and underpinned by public consultation.
- 4.2 In accordance with the Neighbourhood Planning (General) Regulations 2012 LUPC has prepared a Consultation Statement. The Statement sets out the mechanisms used to engage all concerned in the plan-making process. The events have taken place over an extensive period which began in the Summer of 2013. This reflects an earlier submission of the Plan which was withdrawn after examination. The Statement also provides specific details about the consultation process that took place on the pre-submission version of the Plan (November to December 2019). It captures the key issues in a proportionate way.
- 4.3 The Statement sets out details of the comprehensive range of consultation events that were carried out at the initial stages of the Plan. They included:
 - the various Focus Group meetings and other opportunities for local residents to become engaged in the Plan;
 - the meetings with landowners (2013 and 2014);
 - the landowners survey (March 2014);
 - the business survey (July 2014);
 - the call for sites (June/July 2017); and
 - the housing needs survey (April 2019).
- 4.4 The Statement also provides details of the way in which LUPC engaged with statutory bodies. It is clear that the process has been proportionate and robust.
- 4.5 Appendix B of the Statement provides specific details on the issues raised during the consultation on pre-submission version of the Plan. It helpfully describes how the Plan was revised to take account of comments made at that stage (and which now feature in the submitted Plan).
- 4.6 It is clear that consultation has been an important element of the Plan's production. Advice on the neighbourhood planning process has been made available to the community in a positive and direct way by those responsible for the Plan's preparation.
- 4.7 From all the evidence provided to me as part of the examination, I can see that the Plan has promoted an inclusive approach to seeking the opinions of all concerned throughout the process. MDC has carried out its own assessment that the consultation process has complied with the requirements of the Regulations.

Representations Received

- 4.8 Consultation on the submitted plan was undertaken by MDC and ended on 12 March 2021. This exercise generated comments from the following organisations:
 - National Grid
 - Sport England
 - Natural England
 - CML Microsystems
 - Historic England;
 - Essex County Council.
 - National Grid

- Watsons Farms
- Anglian Water Services
- Woodham Walter Parish Council

- 4.9 I have taken account of the various representations in examining the Plan. Where it is appropriate to do so I make specific reference to the individual representations in Section 7 of this report.

5 The Neighbourhood Area and the Development Plan Context

The Neighbourhood Area

- 5.1 The neighbourhood area consists of the combined parishes of Langford and Ulting. Its population in 2011 was 328 persons living in 127 houses. It was designated as a neighbourhood area on 24 April 2013. It is located to the south-east of Witham and the A12 and to the north-west of Maldon/Heybridge. The neighbourhood area is predominantly rural in nature and much of its area is in agricultural use.
- 5.2 The principal settlement in the neighbourhood area is Langford. It is an attractive village based around the intersection of Maldon Road (B1019) and Witham Road (B1018). Its environment is dominated by St Giles Church, the Mill House and the Museum of Power (the former Essex Water Company). The Langford Conservation Area occupies the centre of the village and adjoins the Chelmer and Blackwater Navigation Conservation Area. The other settlement in the neighbourhood area is Ulting. It is smaller than Langford and has a dispersed settlement pattern. It has a close relationship with the River Chelmer which it overlooks from slightly higher ground. It is located in the Chelmer and Blackwater Navigation Conservation Area.
- 5.3 The remainder of the neighbourhood area consists of a very attractive agricultural landscape. The River Chelmer and the River Blackwater dominate its landscape which sits comfortably in the rural landscape to the west of Maldon/Heybridge.

Development Plan Context

- 5.4 The Maldon District Local Development Plan was approved in July 2017. It sets out the basis for future development in the District up to 2029. Langford is identified as one of a series of smaller villages in the Plan's settlement hierarchy (Policy S8). The Plan identifies smaller villages as defined settlements containing few or no services and facilities, with limited or no access to public transport, very limited or no employment opportunities. Ulting is identified as one of a series of other villages with no defined settlement boundary.
- 5.5 Policy S8 of the Local Development Plan offers support for sustainable developments within defined settlement boundaries. It also comments that the countryside will be protected for its landscape, natural resources and ecological value as well as its intrinsic character and beauty. In this context outside of the defined settlement boundaries, the Garden Suburbs and the Strategic Allocations, planning permission for development will only be granted where the intrinsic character and beauty of the countryside is not adversely impacted upon and provided it is for the limited range of development set out for such locations in national policy. Langford has its own defined settlement boundary which closely follows the existing built-up area of the village.

- 5.6 The following other policies in the Local Development Plan are also particularly relevant to the Langford and Ulting Plan:

Policy S7	Prosperous Rural Communities
Policy D1	Design Quality and Built Environment
Policy D2	Climate Change and Environmental Impact of New Development
Policy E3	Community Services and Facilities
Policy E5	Tourism
Policy H2	Housing Mix
Policy N2	Natural Environment and Biodiversity
Policy T1	Sustainable Transport
Policy T2	Accessibility

- 5.7 Section 3 of the Basic Conditions Statement usefully highlights the key policies in the development plan and how they relate to policies in the submitted Plan. This is good practice. It provides confidence to all concerned that the submitted Plan sits within its local planning policy context. In doing so it has relied on up-to-date information and research that has underpinned previous and existing planning policy documents in the District. This is good practice and reflects key elements in Planning Practice Guidance on this matter.
- 5.8 MDC has now embarked on a review of the Local Development Plan (LDP). Consultation on an Issues & Options Report will take place later this year. MDC anticipates that the Plan will be adopted in the latter part of 2023. It has sent letters to parish councils about the potential implication of the LDP Review on neighbourhood plan work. Given that the LDP review is at a very early stage it has no direct impact on the examination of the neighbourhood plan itself. However, it may have an impact on the monitoring and review of the neighbourhood plan in the event that it is made. I address this matter later in this report.
- Unaccompanied Visit*
- 5.9 I visited the neighbourhood area on 23 July 2021.
- 5.10 I drove into Langford from the A12/Hatfield Peverel to the west. This gave me an initial impression of its setting and character in general, and its relationship to the strategic highways network in particular. I saw the scale and location of Oval Park as I approached the village.
- 5.11 I parked in John Thresh Way. I saw the interesting designs of the modern housing and the Museum of Power and its various artefacts.
- 5.12 I walked into the centre of the village. I saw the significance of St Giles Church in the wider context of the village. I also took the opportunity to look at the details of its Norman apse. I also saw the importance of the Mill House in this part of the village.
- 5.13 I also saw the importance of the River Blackwater in the heart of the village.
- 5.14 I then drove to the south east to Heybridge so that I could understand the relationship between the neighbourhood area and Heybridge/Maldon.
- 5.15 I then drove back through Langford and onto Ulting. I saw that it had a different character to that of Langford with a dispersed settlement pattern. I saw All Saints Church and its very distinctive belfry. I also saw its relationship with the River Chelmer.
- 5.16 I finished my visit by driving to Woodham Walter. This helped me to understand the relationship between the different settlements in this part of the District. It also highlighted the significance of the River Chelmer in the neighbourhood area.

6 The Neighbourhood Plan and the Basic Conditions

- 6.1 This section of the report deals with the submitted neighbourhood plan as a whole and the extent to which it meets the basic conditions. The submitted Basic Conditions Statement has helped considerably in the preparation of this section of the report. It is a well-presented and informative document. It is also proportionate to the Plan itself.
- 6.2 As part of this process I must consider whether the submitted Plan meets the Basic Conditions as set out in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990. To comply with the basic conditions, the Plan must:
- have regard to national policies and advice contained in guidance issued by the Secretary of State;
 - contribute to the achievement of sustainable development;
 - be in general conformity with the strategic policies of the development plan in the area;
 - be compatible with European Union (EU) obligations and the European Convention on Human Rights (ECHR); and
 - not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017 (7).
- 6.3 I assess the Plan against the basic conditions under the following headings.
National Planning Policies and Guidance
- 6.4 For the purposes of this examination the key elements of national policy relating to planning matters are set out in the National Planning Policy Framework (NPPF) issued in July 2021. The approach in the submitted Basic Conditions Statement is based on the 2019 version of the NPPF which was in force when the Plan was submitted. Where necessary I make specific comments in Section 7 of the report where there are differences between the two versions of the NPPF.
- 6.5 The NPPF sets out a range of core land-use planning issues to underpin both plan-making and decision-taking. The following are of particular relevance to the Langford and Ulting Neighbourhood Plan:
- a plan led system– in this case the relationship between the neighbourhood plan and the adopted Maldon District Local Development Plan;
 - delivering a sufficient supply of homes;
 - building a strong, competitive economy;
 - recognising the intrinsic character and beauty of the countryside and supporting thriving local communities;
 - taking account of the different roles and characters of different areas;
 - highlighting the importance high quality design and good standards of amenity for all future occupants of land and buildings; and
 - conserving heritage assets in a manner appropriate to their significance.
- 6.6 Neighbourhood plans sit within this wider context both generally, and within the more specific presumption in favour of sustainable development. Paragraph 13 of the NPPF indicates that neighbourhoods should both develop plans that support the strategic needs set out in local plans and plan positively to support local development that is outside the strategic elements of the development plan.
- 6.7 In addition to the NPPF I have also taken account of other elements of national planning policy including Planning Practice Guidance and ministerial statements.
- 6.8 Having considered all the evidence and representations available as part of the examination I am satisfied that the submitted Plan has had regard to national planning policies and

guidance in general terms subject to the recommended modifications included in this report. It sets out a positive vision for the future of the neighbourhood area within the context of its role in the settlement hierarchy. In particular it includes a policy on landscape character areas, and other policies to safeguard its special natural and built environment. The Basic Conditions Statement maps the policies in the Plan against the appropriate sections of the NPPF.

- 6.9 At a more practical level the NPPF indicates that plans should provide a clear framework within which decisions on planning applications can be made and that they should give a clear indication of how a decision-maker should react to a development proposal (paragraph 16d). This was reinforced with the publication of Planning Practice Guidance in March 2014. Paragraph ID:41-041-20140306 indicates that policies in neighbourhood plans should be drafted with sufficient clarity so that a decision-maker can apply them consistently and with confidence when determining planning applications. Policies should also be concise, precise and supported by appropriate evidence.
- 6.10 As submitted the Plan does not fully accord with this range of practical issues. The majority of my recommended modifications in Section 7 relate to matters of clarity and precision. They are designed to ensure that the Plan fully accords with national policy.

Contributing to sustainable development

- 6.11 There are clear overlaps between national policy and the contribution that the submitted Plan makes to achieving sustainable development. Sustainable development has three principal dimensions – economic, social and environmental. It is clear that the submitted Plan has set out to achieve sustainable development in the neighbourhood area. In the economic dimension the Plan includes policies for infill housing development (Policy 12), to support small businesses (Policy 7) and for home-working (Policy 8). In the social role, it includes policies on community facilities (Policies 10 and 11), and on broadband and mobile phone infrastructure (Policy 13). In the environmental dimension the Plan positively seeks to protect its natural, built and historic environment. It has specific policies on wildlife and biodiversity (Policy 2), and on design (Policy 5). The Parish Council has undertaken its own assessment of this matter in the submitted Basic Conditions Statement.

General conformity with the strategic policies in the development plan

- 6.12 I have already commented in detail on the development plan context in Maldon in paragraphs 5.4 to 5.8 of this report.
- 6.13 I consider that the submitted Plan delivers a local dimension to this strategic context. The Basic Conditions Statement helpfully relates the Plan's policies to policies in the development plan. Subject to the recommended modifications in this report, I am satisfied that the submitted Plan is in general conformity with the strategic policies in the development plan.

European Legislation and Habitat Regulations

- 6.14 The Neighbourhood Plan General Regulations 2015 require a qualifying body either to submit an environmental report prepared in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004 or a statement of reasons why an environmental report is not required.
- 6.15 In order to comply with this requirement MDC undertook a screening exercise (October 2020) on the need or otherwise for a Strategic Environmental Assessment (SEA) to be prepared for the Plan. The report is thorough and well-constructed. As a result of this

process, it concluded that the Plan is not likely to have any significant effects on the environment and accordingly would not require SEA.

- 6.16 The screening report also included a separate Habitats Regulations Assessment (HRA) of the Plan. The HRA report is both thorough and comprehensive. It takes appropriate account of the significance of the Essex Estuaries SAC, the Blackwater Estuaries SPA/Ramsar and the Dengie SPA/Ramsar.
- 6.17 It concludes that the Plan is not likely to have significant environmental effects on a European nature conservation site or undermine their conservation objectives alone or in combination taking account of the precautionary principle. As such Appropriate Assessment is not required. The HRA advises that the principal reasons for this conclusion are:
- there are no sites identified for development in the Neighbourhood Plan;
 - the neighbourhood plan focuses on protecting the quality of the village and its environment and it is considered that the Plan's likely impact will have a positive effect on the environment;
 - the scale of the development supported by the Neighbourhood Plan is minor, and it is not expected to result in significant effects on the protected sites

The wider process provides assurance to all concerned that the submitted Plan takes appropriate account of important ecological and biodiversity matters.

- 6.18 Having reviewed the information provided to me as part of the examination, I am satisfied that a proportionate process has been undertaken in accordance with the various regulations. In the absence of any evidence to the contrary, I am entirely satisfied that the submitted Plan is compatible with this aspect of European obligations.
- 6.19 In a similar fashion I am satisfied that the submitted Plan has had regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights (ECHR) and that it complies with the Human Rights Act. There is no evidence that has been submitted to me to suggest otherwise. In addition, there has been full and adequate opportunity for all interested parties to take part in the preparation of the Plan and to make their comments known. On the basis of all the evidence available to me, I conclude that the submitted Plan does not breach, nor is in any way incompatible with the ECHR.

Summary

- 6.20 On the basis of my assessment of the Plan in this section of my report I am satisfied that it meets the basic conditions subject to the incorporation of the recommended modifications contained in this report.

7 The Neighbourhood Plan policies

- 7.1 This section of the report comments on the policies in the Plan. In particular, it makes a series of recommended modifications to ensure that they have the necessary precision to meet the basic conditions.
- 7.2 My recommendations focus on the policies themselves given that the basic conditions relate primarily to this aspect of neighbourhood plans. In some cases, I have also recommended changes to the associated supporting text.
- 7.3 I am satisfied that the content and the form of the Plan is fit for purpose. It is distinctive and proportionate to the Plan area. The wider community and the Parish Council have spent time and energy in identifying the issues and objectives that they wish to be included in their Plan. This sits at the heart of the localism agenda. In particular it has refined its approach after the examination of an earlier version of the Plan.

- 7.4 The Plan has been designed to reflect Planning Practice Guidance (Section 41-004-20190509) which indicates that neighbourhood plans must address the development and use of land. It includes a separate section on non-land use aspirations.
- 7.5 I have addressed the policies in the order that they appear in the submitted plan. Where necessary I have identified the inter-relationships between the policies.
- 7.6 For clarity this section of the report comments on all policies whether or not I have recommended modifications in order to ensure that the Plan meets the basic conditions.
- 7.7 Where modifications are recommended to policies they are highlighted in bold print. Any associated or free-standing changes to the text of the Plan are set out in italic print.

The initial section of the Plan (Sections 1-3)

- 7.8 These initial parts of the Plan set the scene for the range of policies. They do so in a proportionate way. The Plan is presented in a professional way. It makes a very effective use of well-selected photographs and maps. A very clear distinction is made between its policies and the supporting text. It also highlights the links between the Plan's objectives and its resultant policies.
- 7.9 Section 1 sets the background to the Plan. It comments about how the Plan has been prepared and how it will be used within the Plan period. It defines both the neighbourhood area (in Map 1) and the Plan period (in paragraph 1.5). It also sets out the key consultation events that took place during the Plan's evolution. This part of the Plan overlaps with the Consultation Statement. This section also comments about how the Plan will fit into the wider planning system. In this context Diagram 1 is very helpful and informative.
- 7.10 Section 2 describes the neighbourhood area. It does so in a very effective fashion. It is comprehensive in its coverage and includes information on its location, its demographic profile, its accessibility and its economic base. It helpfully sets the scene for the Plan. It concludes by setting out a series of key issues (in paragraph 2.36). This provides both a summary for this section of the Plan and a context for the remainder of the Plan.
- 7.11 Section 3 sets out a comprehensive vision and ten related objectives for the Plan. A key strength of the Plan is the way in which the objectives provide the basis for the resultant policies. In all cases the objectives are distinctive to the neighbourhood area. It is clear that the policies flow from the evidence base and the supporting text.
- 7.12 The remainder of this section of the report addresses each policy in turn in the context set out in paragraphs 7.5 to 7.7 of this report.

Policy 1 Landscape Features

- 7.13 The policy is underpinned by LUPC's production of a Landscape Character Assessment. It identifies the particular features that make up the character of the parish. The Assessment identifies five distinct Character Areas as follows:
- Chelmer and Blackwater Navigation;
 - Langford Conservation Area;
 - Ulting;
 - Fields; and
 - Parkland

The supporting text (paragraphs 4.9 to 4.25) identifies important features for each of the character areas. This is a very impressive and distinctive part of the Plan.

- 7.14 The resulting policy has a close relationship with the character assessment work. It comments that planning permission will be granted for development proposals that do not result in unacceptable harm to natural landscape features that are important to the character and appearance of the area. It continues by commenting that harm or loss of these features will not be permitted unless a landscape strategy, which would compensate for the loss or harm, is secured or where there are overriding public benefits arising from the development.
- 7.15 The intention of the policy flows from the supporting text. However as submitted it does not have the clarity required by the NPPF for a development plan policy. In particular it attempts to comment about the decision which MDC will make on relevant planning applications rather than to set out a policy to assist in that process. I also recommend additions to the supporting text so that its relationship with the policy is clearer. Otherwise, the approach meets the basic conditions. It will do much to deliver the environmental dimension of sustainable development in the parish.

Replace the policy with:

‘Development proposals should be designed to respect the natural landscape features that are important to the character and appearance of the area and as described in the Landscape Character Assessment.

Development proposals which would result in an unacceptable harm to the relevant natural features will not be supported unless appropriate mitigation to compensate for the loss or harm is incorporated in the planning application concerned or where there are overriding public benefits arising from the development’

At the end of paragraph 4.25 add: ‘Policy 1 seeks to ensure that development proposals take full account of the character and appearance of the Character Area in which they are located’

Policy 2 Protecting and Enhancing Biodiversity

- 7.16 This policy is based around the importance of two key wildlife corridors which form important components of a district-wide ecological network. The Chelmer and Blackwater Navigation is a west-to-east river and canal corridor also featuring a towpath and linear banks which are important green infrastructure routes for leisure users and wildlife. The Blackwater Rail Trail is the route of the dismantled railway which links Maldon to Witham and is a significant corridor for wildlife movement. While not a statutory right of way, the Rail Trail has potential to become an important walking and cycling route in the future. Other locally designated ecological assets include Local Wildlife Sites as identified by Essex Wildlife Trust, designated Ancient Woodlands and water bodies.
- 7.17 The policy comments that all development should protect and where possible enhance biodiversity by complying with six criteria. They include matters such as veteran trees and sustainable drainage. The second part of the policy comments the opportunity for mitigation and the implications for applications which do not follow the approach in the earlier part of the policy.
- 7.18 The approach taken is entirely appropriate. However, the majority of development in the Plan period will be of a minor or domestic nature and will not present the opportunity to provide the types of connections anticipated by the policy. As such I recommend that the first part of the policy is modified so that it can be applied on a proportionate basis. In coming to this judgement, I have taken account of LUPC’s responses to the clarification note.
- 7.19 The second part of the policy is hybrid in its nature. It overlaps with the criteria in the first part and comments about the potential for mitigation. It also indicates that proposals which cause

unacceptable harm to biodiversity will not be supported. I recommend that this element of the policy is simplified and that the overlaps with the first part are removed. Otherwise, the approach meets the basic conditions. It will do much to deliver the environmental dimension of sustainable development in the parish.

At the beginning of the first part of the policy add: ‘As appropriate to their scale, nature and location’

Replace the second part of the policy with: ‘Development proposals which would unacceptably harm biodiversity or wildlife will not be supported unless appropriate mitigation or compensatory measures are incorporated into the wider proposal’

Policy 3 Recreational Disturbance Avoidance and Mitigation

- 7.20 This policy takes account of an innovative local initiative. The Maldon District Local Development Plan, together with neighbouring local planning authorities’ local plans and neighbourhood plans are likely to adversely affect the integrity of European designated nature conservation sites (‘European Sites’) due to increased recreational pressure from a growing population. Maldon District Council has worked with the other Greater Essex Local Planning Authorities and Natural England on the Essex Coast Recreational Disturbance Avoidance and Mitigation Strategy (RAMS).
- 7.21 The Essex Coast RAMS focuses on the mitigation that is necessary to protect the wildlife of the Essex coast from the increased visitor pressure associated with new residential development, in combination with other plans and projects, and how this mitigation will be funded.
- 7.22 MDC adopted the RAMS Supplementary Planning Document in August 2020. In particular it sets out the guidance to be followed in the determination of planning applications and formalises the arrangements for securing the developer contributions for new qualifying residential development.
- 7.23 I am satisfied that the submitted policy is appropriate for the submitted Plan to address this important strategic issue. It reflects the collaborative approach being taken by the relevant local authorities. The incorporation of a policy of this nature will ensure a positive outcome within the submitted Plan to an important strategic matter. It meets the basic conditions.

Policy 4 Footpaths and Bridleways

- 7.24 The policy makes a connection between access and new development. It comments that new developments should integrate with the current green infrastructure network, and seek to improve the connectivity between wildlife areas and green spaces. It identifies measures such as improving and extending the existing footpath and cycle path network, allowing greater access to housing, schools, work places and retail facilities, green spaces, public open spaces and the countryside.
- 7.25 The approach taken is entirely appropriate. However, the majority of development in the Plan period will be of a minor or domestic nature and will not present the opportunity to provide the types of connections anticipated by the policy. As such I recommend that the policy is modified so that it can be applied on a proportionate basis. Otherwise, it meets the basic conditions.

At the beginning of the second part of the policy add: ‘As appropriate to their scale, nature and location’

Policy 5 Design and Character

- 7.26 The policy seeks to ensure that new buildings should be sympathetic to their surroundings and that alterations to existing buildings should also be carried out sensitively taking account of the location and character of the host property and those around it. It responds positively to the increasingly important national design agenda.
- 7.27 The policy comments that new proposals must plan positively for the achievement of high-quality and inclusive design reinforcing the locally-distinctive and aesthetic qualities of the buildings and landscape in the Parish. It identifies five factors which define good design in the parish.
- 7.28 The policy takes a distinctive approach to this important matter. In general terms it meets the basic conditions. I recommend detailed modifications to the wording used both in the initial part of the policy and in the various design criteria. In turn they will bring the clarity required by the NPPF for a development plan policy.
- 7.29 The Plan was submitted before the publication of the most recent version of the NPPF. The principal changes between the 2019 and 2021 versions of the NPPF relate to design matters. Given that the detailed contents of this policy and the way in which it includes locally-distinctive design criteria and provides clear guidance for developers I am satisfied that the submitted Plan continues to have regard to national policy. Nevertheless, I recommend that the supporting text is expanded to address the 2021 version of the NPPF.
- 7.30 Otherwise, the policy meets the basic conditions. It will assist significantly in delivering the environmental dimension of sustainable development and high-quality design in the parish.

Replace 'must' with 'should'

In each of the criteria replace 'will' with 'should'

In b) replace 'will be discouraged' with 'should be avoided'

At the end of paragraph 4.42 add: 'This approach is consistent with the design-led approach as captured in national planning policy. The Plan sets out the Council's approach towards a clear design vision and expectations for development sites. This will ensure that applicants have as much certainty as possible about what is likely to be acceptable'

Policy 6 Historic Environment

- 7.31 This policy applies the approach in the NPPF to the historic environment. The supporting text comments about the diversity and range of the heritage assets in the parish.
- 7.32 The policy has been well-constructed. It meets the basic conditions.

Policy 7 Supporting and Encouraging Small Businesses

- 7.33 This policy offers support to employment space for small businesses. It identifies two particular development types. The policy takes account of the rural nature of the parish where there are a number of small businesses and home workers. Small businesses are defined as those employing up to ten people. The policy takes a positive approach to business development in rural areas. It meets the basic conditions.
- 7.34 CML Microsystems PLC comment that the policy should be broadened so that it offers support to employment development irrespective of the size of the business concerned and its number of employees. Whilst such an approach would have merit it is already captured in national planning policy (paragraphs 84 and 85 of the NPPF). In any event the neighbourhood plan process is designed to allow a qualifying body to include planning policies which it feels to be most relevant to the neighbourhood area concerned.

Policy 8 Working from home

- 7.35 Given the rural nature of the parish and the contribution that home workers can make, the policy positively promotes home working opportunities. It does this through encouraging the design of new homes or buildings to incorporate options and possibilities for creating a home office or workspace area.
- 7.36 I recommend that the first part of the policy is modified so that it is fully expressed as a policy. As submitted, it includes elements of supporting text (by way of the examples in the policy)
- 7.37 I recommend that the second part of the policy is reconfigured and then incorporated into the first part. It will ensure that proposals for working from existing houses can be considered in the same context.

Replace the policy with: 'New dwellings should be designed to enable a home office to be accommodated through the conversion of a garage or roof space or a workspace area or by arranging the internal layout to provide appropriate or dedicated workspace. Development proposals to facilitate home working should retain car parking spaces or provide for replacement or additional parking spaces'

Policy 9 Farm and Other Rural Businesses

- 7.38 This policy offers support to the reuse of farm and other rural buildings for business or tourism purposes. It is a criteria-based policy.
- 7.39 The policy takes an appropriate approach to this matter and which has regard to national policy. I recommend a series of modifications so that the wording used both in the initial part of the policy and in the criteria have the clarity required by the NPPF for a development plan policy. Otherwise, it meets the basic conditions. It will assist significantly in delivering the economic dimension of sustainable development.

In the opening part of the policy replace 'permitted' with 'supported'
In a) replace 'result in harmful effects' with 'have an unacceptable impact'
Replace b) with 'can be satisfactorily accommodated within the local road network'
In c) replace 'have an acceptable relationship with' with 'be compatible with'
In d) replace 'adversely' with 'unacceptably'

Policy 10 Community Facilities and Services

- 7.40 This policy recognises the important of community facilities to the well-being of the neighbourhood area. It comments that proposals to retain and enhance existing community facilities and services or to provide new ones will be supported. It is a criteria-based policy.
- 7.41 I recommend a detailed modification to the first of the three criteria to bring the clarity required by the NPPF. Otherwise, it meets the basic conditions. It will assist significantly in delivering the social dimension of sustainable development.

In a) replace 'not conflict or cause harm' with 'not cause unacceptable harm'

Policy 11 Protecting Community Facilities and Services

- 7.42 This policy continues the approach taken in Policy 10. It comments that proposals for the change of use of premises or the redevelopment of sites that provide community facilities or services will only be permitted in certain circumstances.

- 7.43 As submitted the policy requires that any such application satisfies both of the criteria. However, this may not always be practicable. In any event the two criteria are themselves exceptional circumstances which would warrant supporting the proposed development.
- 7.44 I also recommend a detailed modification to the wording used in the initial part of the policy. Otherwise, it meets the basic conditions. It will assist significantly in delivering the social dimension of sustainable development.

In the opening part of the policy replace 'permitted' with 'supported'

At the end of the first criterion replace 'and' with 'or'

Policy 12 New Housing

- 7.45 The policy sets out the Plan's approach to infill development. It comments that small-scale infill residential development within the settlement boundary of Langford that does not impact adversely on the character and appearance of the surrounding area or living conditions of future occupiers and neighbouring occupiers will be supported. In particular it requires that proposals should respect the characteristics and local distinctiveness of the Langford Conservation Area. Proposals will be expected to have a direct highway frontage
- 7.46 It is a comprehensive policy which takes account both of the work on the Character Appraisal and the importance of the Langford Conservation Area. I recommend a detailed modification to the wording used in the policy. Otherwise, it meets the basic conditions. It will provide a clear context for infill development.
- 7.47 CML Microsystems PLC comments that a modest amount of housing can be secured at Oval Park which will secure further employment use, comply with the mixed-use provisions of Local Plan Policy E1 and have a significant affordable component. Whilst the representation acknowledges that the site is outside the settlement limit of the village, it asserts that it can offer sustainability benefits through integrating employment and residential use and that accessibility can be significantly enhanced. An additional element of the policy is proposed in the representation.
- 7.48 I have considered this matter very carefully. In doing so I have taken account of LUPC's response to the invitation to comment on the representations in the clarification note. Based on all the information available to me I am not convinced that the proposed additional element of the policy is either necessary or appropriate. MDC has determined a series of planning applications for residential development at Oval Park based on national and local planning policies. In any event Oval Park is remotely-located in relation to Langford (approximately 800 metres to its north west). Any housing on the site would be self-contained both within the context of Langford village and the wider neighbourhood area.

Replace 'impact adversely' with 'unacceptably impact'

Policy 13 New Broadband and Mobile Infrastructure

- 7.49 The policy has two related parts. The first offers support for new broadband and mobile phone infrastructure. The second comments that all new residential and commercial developments should be designed to be served by a fast and reliable broadband connection to the premises.
- 7.50 The policy responds positively to this increasingly important matter. In particular it builds in appropriate environmental and operational safeguards. Some elements of such infrastructure benefit from permitted development rights or are administered through the prior

notification regime. I recommend modifications to the policy to address these matters. Otherwise, it meets the basic conditions. It will assist significantly in delivering the economic and the social dimensions of sustainable development.

Replace the opening element of the first part of the policy with: ‘Insofar as planning permission is required proposals for the installation of new Broadband and mobile phone infrastructure will be supported provided that:’

Community Aspirations

7.51 The Plan includes a series of Aspirations. They are issues where the residents of the parish have expressed a strong view, but which are not land use based. They are included in a separate part of the Plan in accordance with national guidance.

7.52 The Aspirations are as follows:

- a 30mph speed limit on B1019/1018 through the whole of Langford including Maldon Road, Hatfield Road and Witham Road. With the additional 11 houses at the old waterworks site and two more large houses by the railway bridge this becomes more feasible;
- a 30mph speed limit on Maypole Road. This may well be achieved with the advent of the North Heybridge Garden Suburb development; and
- a reduced speed limit on B1019 between the Langford and Ulting village gateways.

7.53 I am satisfied that the aspirations are both appropriate to the parish and locally distinctive.

Monitoring and Review

7.54 Section 5 of the Plan (and paragraphs 5.4 and 5.5 in particular) addresses the way in which a ‘made’ Plan would be monitored and reviewed. They comment that a full or partial review of this Plan may be triggered by changes to legislation, changes to national or District-wide planning policies or significant planning issues being raised by the local community which cannot be dealt with effectively by a combination of national, district and/or existing Neighbourhood Plan policies. Throughout the Plan period, the Parish Council indicates that it will seek to maintain and develop its working relationship with MDC and other organisations as well as engaging with its residents and the community. This is best practice.

7.55 In its response to the clarification note LUPC provided a copy of a letter to parish councils from MDC on the implications of its review of the Local Development Plan (LDP). Plainly only time will tell the extent to which a ‘made’ neighbourhood plan (assessed against the existing LDP) would remain in general conformity with the review of the Plan. This is an important matter as the planning system attaches greatest weight to the plan which has most recently become part of the development plan where there is any conflict between the various sets of policies. In this context I recommend a modification to Section 5 so that the review of the LDP is specifically addressed together with the importance of LUPC assessing the need or otherwise for a review of the neighbourhood plan at the point at which the LDP Review is adopted.

At the end of paragraph 5.4 add: ‘The District Council has now embarked on a review of the Local Development Plan. It is anticipated that the Plan will be adopted in late 2023. This will be an important event for the local planning policy context. The Parish Council will assess the need for a review of the neighbourhood plan within six months of the adoption of the emerging Local Development Plan Review’

Other matters – General

7.56 This report has recommended a series of modifications both to the policies and to the text in the submitted Plan. Where consequential changes to the text are required directly as a

result of my recommended modification to the policy concerned, I have highlighted them in this report. However other changes to the general text may be required elsewhere in the Plan as a result of the recommended modifications to the policies. It will be appropriate for MDC and LUPC to have the flexibility to make any necessary consequential changes to the general text. I recommend accordingly.

Modification of general text (where necessary) to achieve consistency with the modified policies.

8 Summary and Conclusions

Summary

- 8.1 The Plan sets out a range of policies to guide and direct development proposals in the period up to 2029. It is distinctive in addressing a specific set of issues that have been identified and refined by the wider community.
- 8.2 Following my independent examination of the Plan I have concluded that Langford and Ulting Neighbourhood Development Plan meets the basic conditions for the preparation of a neighbourhood plan subject to a series of recommended modifications.

Conclusion

- 8.3 On the basis of the findings in this report I recommend to Maldon District Council that subject to the incorporation of the modifications set out in this report that the Langford and Ulting Neighbourhood Development Plan should proceed to referendum.

Referendum Area

- 8.4 I am required to consider whether the referendum area should be extended beyond the Plan area. In my view, the neighbourhood area is entirely appropriate for this purpose and no evidence has been submitted to suggest that this is not the case. I therefore recommend that the Plan should proceed to referendum based on the neighbourhood area as originally approved by Maldon District Council on 24 April 2013.
- 8.5 I am grateful to everyone who has helped in any way to ensure that this examination has run in a smooth and efficient manner.

Andrew Ashcroft
Independent Examiner
9 September 2021

DRAFT DECISION STATEMENT**Maldon District Council
Langford & Ulting Neighbourhood Plan Decision Statement****Summary**

1. Following an independent examination, Maldon District Council confirms that the Langford & Ulting Parish Neighbourhood Plan, as recommended to be modified by the Examiner, will proceed to a Neighbourhood Planning Referendum.
2. This 'decision statement' sets out Maldon District Council's response to each of the Examiner's recommendations.
3. The Referendum will be held in early 2022.

Background

4. The Langford & Ulting Parish Neighbourhood Plan relates to the area that was designated by the Council as a Neighbourhood Area on 24 April 2013. This area is coterminous with the Langford & Ulting Parish boundary and is entirely within the Local Planning Authority area.
5. Langford & Ulting Parish Council undertook pre-submission consultation on the draft Plan in accordance with Regulation 14 (November – December 2019).
6. Following the submission of the Langford & Ulting Neighbourhood Plan to the Council in November 2020, the Council publicised the draft Plan for a six-week period and representations were invited in accordance with Regulation 16. The publicity period ended on 12 March 2021.
7. The Council appointed Mr Andrew Ashcroft, with the consent of Langford & Ulting Parish Council, to undertake the examination of the Langford & Ulting Neighbourhood Plan. The Examiner's Report was sent to the District Council and Langford & Ulting Parish Council on 09 September 2021.

Decision and reasons

8. The Examiner's Report concludes that subject to making the recommended modifications, the Plan meets the basic conditions set out in the legislation and should proceed to a Neighbourhood Planning Referendum. The Examiner also recommends that the Referendum area is based on the Neighbourhood Area that was designated by the Council in April 2013.

9. The Neighbourhood Planning (General) Regulations 2012 (as amended) requires in Regulation 18 for the local planning authority to outline what action to take in response to the recommendations of an Examiner in relation to a Neighbourhood Plan.
10. Having considered each of the recommendations in the Examiner's report and the reasons for them, the Council, with the agreement of Langford & Ulting Parish Council, has decided to accept the recommended modifications to the Langford & Ulting Parish Neighbourhood Plan set out in Table 1 below. This decision was made at Council on 16 December 2021.
11. The Council considers that subject to the modifications set out in Table 1 below, the Plan meets the basic conditions set out in the legislation.
12. The Council is also required to consider whether to extend the area to which the Referendum is to take place under Regulation 18(1e). The Examiner recommended that the Neighbourhood Plan should proceed to a Referendum based on the area that was designated by Maldon District Council as a Neighbourhood Area. The Council has considered this recommendation and the reasons for it and has decided to accept it.
13. The Referendum on the Langford & Ulting Neighbourhood Plan will be based on the designated Langford & Ulting Parish Neighbourhood Area (see map on page 8)
14. To meet the requirements of the Localism Act 2011, a Referendum which poses the question "*Do you want Maldon District Council to use the Neighbourhood Plan for Langford & Ulting to help it decide planning applications in the neighbourhood area?*", will be held in early 2022.

16 December 2021

Table 1 LUNP Independent Examiner's recommended changesKeyUnderlined text is new text

Crossed out text (example) is deleted

Section/ policy	Examiner's recommended changes	Local Authority decision and reason
Para 4.25	<p>At the end of the policy add:</p> <p><u>Policy 1 seeks to ensure that development proposals take full account of the character and appearance of the Character Area in which they are located.</u></p>	<p>Agreed. The additional text makes the relationship between the supporting text and the policy clearer.</p>
Policy 1 Landscape Features	<p>Replace policy:</p> <p><u>Development proposals should be designed to respect the natural landscape features that are important to the character and appearance of the area and as described in the Landscape Character Assessment.</u></p> <p><u>Development proposals which would result in an unacceptable harm to the relevant natural features will not be supported unless appropriate mitigation to compensate for the loss or harm is incorporated in the planning application concerned or where there are overriding public benefits arising from the development.</u></p>	<p>Agreed. The replacement text provides the policy clarity, as required by the NPPF</p>
Policy 2 Protecting and Enhancing Biodiversity	<p><u>As appropriate to their scale, nature and location</u> all development should protect and where appropriate enhance biodiversity by:</p> <ul style="list-style-type: none"> a) protecting designated sites, protected species and ancient and species-rich hedgerows, grasslands and woodlands; and b) preserving ecological networks, and the migration and transit of flora and fauna; and c) protecting ancient trees or veteran trees of arboricultural value, or ancient woodlands; and d) promoting the mitigation, preservation, restoration and recreation of wildlife habitats, and the protection and recovery of priority species; and e) providing a net gain in flora and fauna; and f) adopting best practice in sustainable drainage. 	<p>Agreed. Any policy requirements need to be in proportion to the development proposed.</p> <p>Replacement text is clearer and more concise</p>

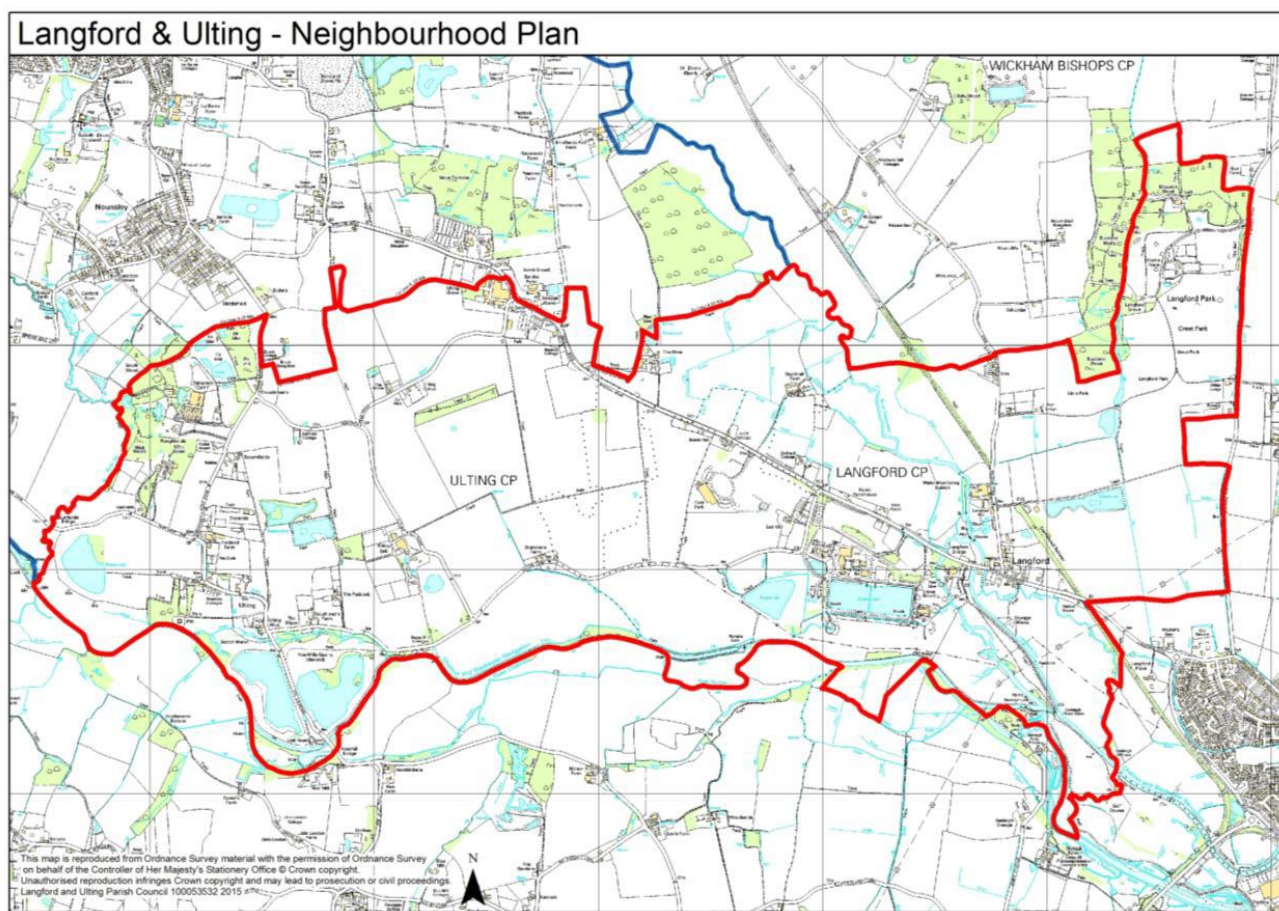
Section/ policy	Examiner's recommended changes	Local Authority decision and reason
	<p><u>Development proposals which would unacceptably harm biodiversity or wildlife will not be supported unless appropriate mitigation or compensatory measures are incorporated into the wider proposal.</u></p> <p>Proposals will demonstrate that ecological considerations have been properly assessed in relation to the application site and those adjacent to it where appropriate. Where necessary appropriate mitigation or compensatory measures will be carried out. Where this is not possible and the development would harm biodiversity applications will be refused unless material considerations dictate otherwise.</p>	
Policy 4 Footpaths and Bridleways	<p>Existing footpaths, cycle routes and bridleways provide good opportunities for well-connected access to local destinations by sustainable modes of transport across the parish and provide a high level of recreation and amenity value.</p> <p><u>As appropriate to their scale, nature and location</u> new developments should integrate with the current green infrastructure network, seeking to improve the connectivity between wildlife areas and green spaces through measures such as improving and extending the existing footpath and cycle path network, allowing greater access to housing, schools, work places and retail facilities, green spaces, public open spaces and the countryside.</p>	Agreed. Any policy requirements need to be in proportion to the development proposed
Para 4.42	<p>At the end of paragraph 4.42 add: <u>This approach is consistent with the design-led approach as captured in national planning policy. The Plan sets out the Council's approach towards a clear design vision and expectations for development sites. This will ensure that applicants have as much certainty as possible about what is likely to be acceptable.</u></p>	Agreed The policy conforms with the 2021 version of the NPPF.
Policy 5 Design and Character	<p>Proposals must <u>should</u> plan positively for the achievement of high quality and inclusive design reinforcing the locally distinctive and aesthetic qualities of the buildings and landscape in the</p>	Agreed The policy conforms with the 2021 version of the

Section/ policy	Examiner's recommended changes	Local Authority decision and reason
	<p>Parish. This means that:</p> <p>a) new buildings, alterations and extensions to existing buildings, will <u>should</u> be individually designed but take their cue from the scale and character, form and materials of existing buildings, and where relevant the host building; and</p> <p>b) traditional boundary treatments will <u>should</u> be respected and reinforced and high walls and fences <u>should be avoided</u> will be discouraged; and</p> <p>c) plot sizes and widths and gardens will <u>should</u> reflect the existing grain and pattern of development in the locality; and</p> <p>d) good quality materials will <u>should</u> be used; and</p> <p>e) new development will <u>should</u> respect the historic environment of our Parish</p>	NPPF.
Policy 8 Working from Home	<p>Replace policy:</p> <p><u>New dwellings should be designed to enable a home office to be accommodated through the conversion of a garage or roof space or a workspace area or by arranging the internal layout to provide appropriate or dedicated workspace. Development proposals to facilitate home working should retain car parking spaces or provide for replacement or additional parking spaces.</u></p>	<p>Agreed</p> <p>The policy is clearer and ensures that proposals for working from existing houses is considered in the same context as new dwellings.</p>
Policy 9 Farm and Other Rural Businesses	<p>The reuse of farm and other rural buildings will be permitted <u>supported</u> for business or tourism purposes provided that the proposed use:</p> <p>a) would not result in harmful effects <u>have an unacceptable impact</u> on the surrounding landscape; and</p> <p>b) would have an acceptable impact on the road network; <u>can be satisfactorily accommodated within the local road network</u> and</p> <p>c) would have an acceptable relationship with <u>be compatible with</u> agricultural and other land based activities; and</p> <p>d) would not adversely <u>unacceptably</u> harm the amenities of adjoining or nearby residential occupiers; and</p> <p>e) the building in question can be converted to a</p>	<p>Agreed</p> <p>There may be other issues that preclude the granting of planning permission/prior approval</p>

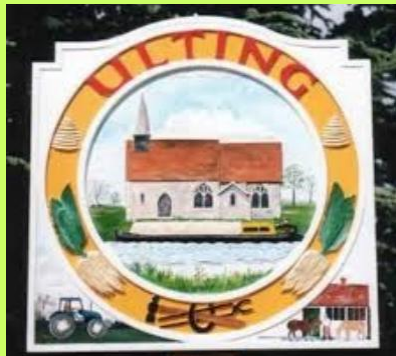
Section/ policy	Examiner's recommended changes	Local Authority decision and reason
	high standard using materials sympathetic to the local palette.	
Policy 10 Community Facilities and Services	<p>Proposals to retain and enhance existing community facilities and services or to provide new ones will be supported provided that:</p> <p>a) the service or facility does not conflict or cause harm <u>not cause unacceptable harm</u> to the amenity of nearby residential uses; and</p> <p>b) the proposal would not lead to unacceptable traffic congestion or adversely affect the free-flow of traffic; and</p> <p>c) access arrangements are satisfactory and an appropriate level of parking can be provided.</p>	<p>Agreed</p> <p>The policy conforms with the 2021 version of the NPPF.</p>
Policy 11 Protecting Community Facilities and Services	<p>The change of use of premises or redevelopment of sites that provide valued community facilities or services will only be permitted <u>supported</u> where:</p> <p>a) the premises or site cannot be readily used for, or converted to any other community facility; and or</p> <p>b) the facility or service which will be lost will be adequately supplied or met by an existing or new facility in the locality or settlement which shall be equivalent to or better than the facility that is being lost in terms of both quantity and quality</p>	<p>Agreed</p> <p>There may be other issues that preclude the granting of planning permission/ prior approval. Some types of development benefit from permitted development rights. Either of the criteria would warrant supporting proposed development; a proposal does not need to satisfy both criteria.</p>
Policy 12 New Housing	<p>Small-scale infill residential development within the settlement boundary of Langford that does not impact adversely <u>unacceptably impact</u> on the character and appearance of the surrounding area or living conditions of future occupiers and neighbouring occupiers will be supported where it complies with other policies in the Neighbourhood Plan and the Maldon District Local Development Plan. In particular proposals should respect the characteristics and local distinctiveness of the Langford Conservation Area. Proposals will be expected to have a direct highway frontage.</p>	<p>Agreed</p> <p>The policy conforms with the 2021 version of the NPPF</p>
Policy 13 New	<p>Support will be given to the installation of new infrastructure provided that: <u>Insofar as planning</u></p>	<p>Agreed</p> <p>Some elements of</p>

Section/ policy	Examiner's recommended changes	Local Authority decision and reason
Broadband and Mobile Infrastructur e	<p><u>permission is required proposals for the installation of new Broadband and mobile phone infrastructure will be supported provided that:</u></p> <ul style="list-style-type: none"> • Infrastructure is fully integrated into the design of future development proposals; and • Where new masts or structures are required, they should be sympathetic to their surroundings. <p>All new residential and commercial developments should be designed to be served by a fast and reliable broadband connection to the premises. Connection should include the installation of appropriate cabling within the homes or business units as well as a fully enabled connection of the developed areas to the full main telecommunications network to provide the fastest available broadband access.</p>	infrastructure benefit from permitted development rights or are administered through the prior notification regime.
Monitoring and review	<p>At the end of paragraph 5.4 add: <u>The District Council has now embarked on a review of the Local Development Plan. It is anticipated that the Plan will be adopted in late 2023. This will be an important event for the local planning policy context. The Parish Council will assess the need for a review of the neighbourhood plan within six months of the adoption of the emerging Local Development Plan Review.</u></p>	Agreed. This updates the NP by referencing the LDP Review.
Other matters	Recommend modification of general text (where necessary) to achieve consistency with the modified policies.	Noted This provides flexibility to make consequential changes to the general text as needed.

Langford and Ulting Neighbourhood Plan Area



Langford & Ulting Neighbourhood Plan 2014 - 2029





C. S.

Foreword

Langford and Ulting are two very small villages historically closely linked to agriculture and in more recent times to the water company. The rural history is still reflected in the community today and the water company is still very much in evidence. It is a green and very pleasant place to live with the Chelmer and Blackwater Conservation Area at its heart and many interesting, beautiful and historic buildings scattered through the two communities.

In 2011 the Localism Act was introduced and a couple of years later the Parish Council decided that we should produce a Neighbourhood Plan to give us a voice in the future of our communities' development. Thus it was that I was asked to set up a Steering Group with Jenny Clemo, our Parish Clerk, and so our journey began.

Over the years we have engaged with our community with questionnaires, focus groups and engagement meetings at our annual art shows, village picnics and at any event where residents gathered in any number. We have, over the years, experienced real enthusiasm from a large number of people many of whom have given their help generously and we have been able to use their many talents freely. We have had great help from the Rural Community Council of Essex, Planning Aid, AECOM and Locality – the latter through their extremely good Planning Camps which were so informative and useful. Our most recent task has been to update all of the information contained within the Plan to bring it right up to date.

The very reason we started on this journey, being a small community, has turned out to be a benefit. The results of the surveys, questionnaires and other community engagement events showed that a large majority of residents wanted the same things for the future in our villages and this makes it possible for the final plan to really deliver the aspirations and aims of our communities; to embrace and manage change whilst allowing Langford and Ulting to continue to be a green and pleasant place to live.

Vicky Anfilogoff

Chairman

Langford & Ulting Parish Council and Neighbourhood Plan Steering Group

Contents

Section 1 - Introduction	4
Section 2: About Langford & Ulting Today	9
A Short History	9
Village Descriptions	10
Housing	11
Population	12
Health	14
Economic Activity	14
Section 3: Our Vision for Langford & Ulting.....	16
Section 4: The Neighbourhood Plan Policies	17
A High Quality Natural and Built Environment	17
Design and Character of New Development	23
Historic Environment	24
The Economy and Business	25
Community Facilities and Services	27
Housing	28
Broadband and Mobile Connectivity	30
Section 5: Monitoring and Review	32
Section 6: Proposals Not Forming Part of the Plan.....	33
Appendix A: Evidence Base Documents	34

Section 1 - Introduction

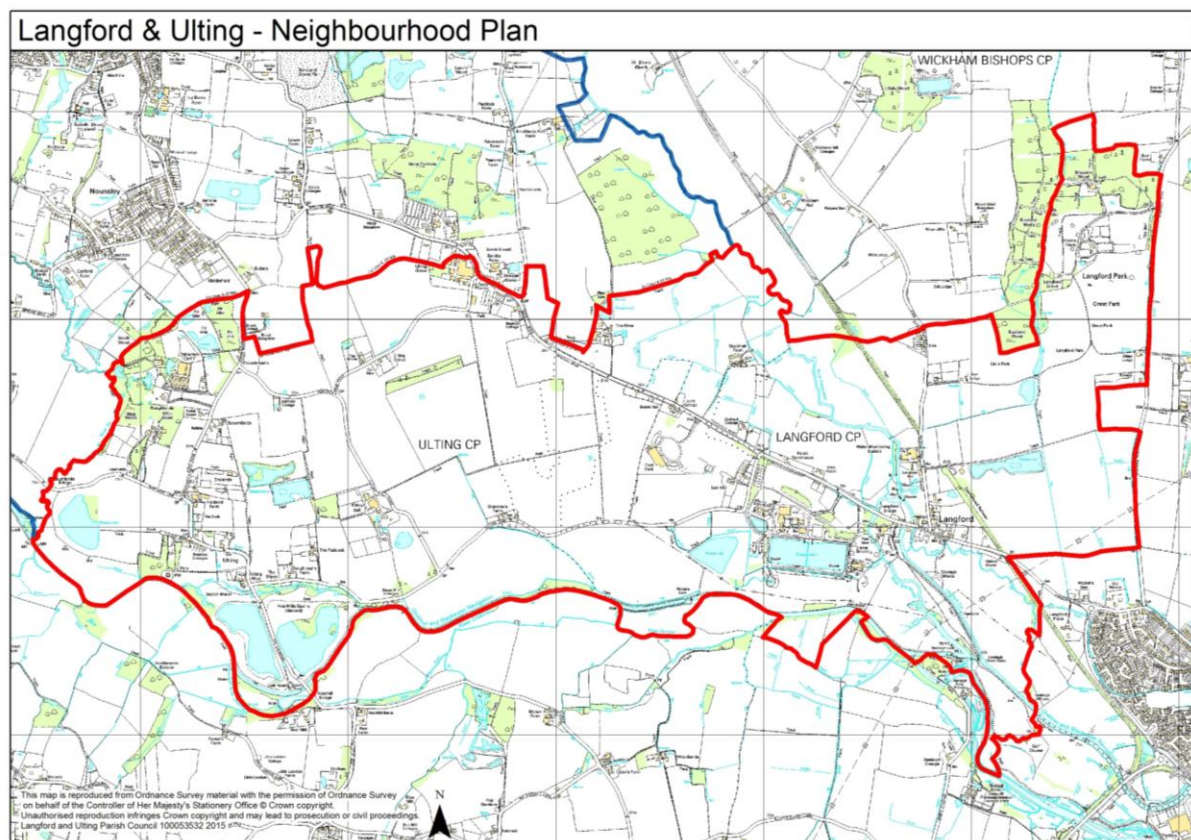
What is Neighbourhood Planning?

- 1.1 “The Localism Act 2011 introduced statutory Neighbourhood Planning in England. It enables communities to draw up a Neighbourhood Plan for their area and is intended to give communities more of a say in the development of their local area within certain limits and parameters”.
- 1.2 Neighbourhood planning provides the local community with a powerful tool to guide the long-term future of Langford and Ulting and its surrounding countryside for the period 2014 to 2029.

Which Area does The Neighbourhood Plan cover?

- 1.3 The Langford & Ulting Neighbourhood Plan covers all of Langford & Ulting parish and is contiguous with the parish boundary. An application for the Neighbourhood Plan area designation was approved by Maldon District Council in a letter dated 24th April 2013. See: <https://e-voice.org.uk/langford-ulting/assets/documents/designation-letter>
- 1.4 It should be noted that a small part of the Neighbourhood Plan area at its eastern end includes part of the North Heybridge Garden suburb urban extension. The North Heybridge Garden Suburb Strategic Masterplan Framework and policies of the Local Development Plan will apply.

The Plan area is shown in the map below:



Map 1 – Langford & Ulting Neighbourhood Plan Area

What Time Period does The Neighbourhood Plan cover?

1.5 The Plan covers the period from 2014 to 2029. This 15-year period has been selected to coincide with Maldon District Approved Local Development Plan 2014 – 2029. (LDP)

Why do we want a Neighbourhood Plan?

1.6 Neighbourhood planning provides the opportunity for communities to set out a positive vision for how they want the neighbourhood area to develop in ways that meet identified local need and make sense for local people. Langford & Ulting Parish Council therefore decided to set up a Neighbourhood Plan Steering Group which would consult with the community and prepare a Neighbourhood Plan that would take into account local people's views on the appropriate amount and type of development in Langford and Ulting over the next 15 years.

Your Involvement in the Neighbourhood Plan Process

1.7 Community consultation events have included two residents' surveys (Autumn 2012 and May 2014), which were hand delivered to all properties in the parish. Two focus group events were held, one in Langford in June 2013 and another in Ulting in July 2013, where residents were able to comment on their vision for the future of Langford and Ulting.

1.8 Residents were also given the opportunity to make comments at the Village Art Shows in 2013 and 2014 and at the Ulting Village Picnic in June 2014.

1.9 A survey of local businesses was carried out in the summer of 2014.

1.10 From the analysis of the 2014 residents' survey, it was decided that more information was required and a Housing Needs Survey was hand delivered to all residents in November 2014.

1.11 Subsequent to the withdrawal of the Neighbourhood Plan in October 2016, a Call for Sites form was circulated to residents and landowners in June 2017. This was with the intention of possibly allocating housing through the Neighbourhood Plan. A Site Assessment Report prepared by AECOM was received in April 2018.

1.12 Before finalising the policies in the Neighbourhood Plan a further Housing Needs Survey was delivered to all residents by hand in February 2019.

1.13 Detailed information on the community consultation process can be found in the Consultation Statement.¹

1.14 The Neighbourhood Plan Steering Group has taken the following steps to create the Neighbourhood Plan: (see next page).

¹ The Consultation Statement and related Evidence Base documents are available online (<https://e-voice.org.uk/langford-ulting/langford-ulting-neighbourhood/>)

The Neighbourhood Plan Process

2012

April 2012	Neighbourhood Planning Regulations published
Autumn 2012	Early engagement (first resident survey)

2013

Spring 2013 onwards	Understanding the area – Data and evidence collection and interpretation
March 2013	Art Show – Opportunity for members of the public to make comments
June /July 2013	Focus Groups in Langford and Ulting

2014

April 2014	Art Show – Opportunity for members of the public to make comments
May 2014	Second survey – testing ideas for the future development of the village and the surrounding countryside
June 2014	Ulting Village Picnic – opportunity to talk to residents about the Plan
July 2014	Business Survey
November 2014	Housing Needs Survey
November 2014	Landscape Character Assessment
Autumn 2014	Plan Creation – Bringing together all the evidence and consultation results

2015

March/April 2015	Draft Neighbourhood Plan Pre-submission consultation - testing proposals for future development of the village and surrounding countryside (Draft Plan – 6 weeks)
July 2015	Plan amendment and finalisation
Winter 2015	Submission consultation (Final Plan – 6 weeks)

2016

March/April 2016	Examination – an Independent Examiner tested the plan
October 2016	The Parish Council agreed to withdraw the Neighbourhood Plan

2017

June 2017	Call for Sites
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2018

November 2018	Plan amendments agreed by Parish Council
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2019

February 2019	Housing Needs Survey
August/September 2019	SEA/HRA consultation
October/November 2019	Draft Neighbourhood Plan Pre-submission consultation - testing proposals for future development of the village and surrounding countryside

2020

February/August 2020	Plan amendment and finalisation
Winter 2020	Submission consultation (Final Plan – 6 weeks)

2021

February/March 2021	Examination – an Independent Examiner will test the plan
May 2021	Referendum
July 2021	Adoption – If approved at Referendum then Plan given full weight by Maldon District Council to determine planning applications

How the Neighbourhood Plan fits into the Planning System (see Diagram 1 below)

1.15 Although the Government's intention is for local people to decide what goes on in their parish, all Neighbourhood Plans must:

- have appropriate regard to national planning policy and guidance;
- contribute to the achievement of sustainable development;
- be in general conformity with strategic policies in the development plan for the local area;
- be compatible with EU obligations and human rights requirements; and
- the making of the neighbourhood plan is not likely to have a significant effect on a European site² or a European offshore marine site³ either alone or in combination with other plans or projects.

1.16 The Neighbourhood Plan must be in general conformity with the strategic policies of the LDP. In order to future-proof the Neighbourhood Plan, the Steering Group has ensured that the Neighbourhood Plan is appropriately in line with the up-to-date evidence, strategic needs identified for the area and the Local Development Plan.

1.17 Essex County Council is the Waste Planning Authority for the Plan area and is responsible for preparing planning policies and assessing applications for waste management development. The Essex and Southend-on-Sea Waste Local Plan (WLP) was adopted in July 2017 forming part of the statutory Development Plan and should be read alongside the Maldon District Local Development Plan. The WLP cover the period from 2017 to 2032. It sets out where and how waste management developments can occur and contains the policies against which waste management planning applications are assessed.

1.18 Essex County Council is the Minerals Planning Authority for the Plan area and is responsible for preparing planning policies and assessing applications for mineral development. The Essex Minerals Local Plan 2014 (MLP) forms part of the statutory Development Plan and should be read alongside the Maldon District Local Development Plan. Active and unworked sand and gravel deposits are subject to a Minerals Safeguarding policy (MLP Policy S8), which seeks to prevent deposits being sterilised by non-mineral development. A large proportion of the Neighbourhood Plan area is covered by sand and gravel deposits, and any development of 5ha or more may require a minerals resource assessment to be undertaken, as required by Policy S8. The MLP also designates Mineral Consultation Areas at a distance of 250m around active quarries, mineral infrastructure and mineral deposits permitted for extraction. ECC must be

² As defined in the Conservation of Habitats and Species Regulations 2012

³ As defined in the Offshore Marine Conservation (Natural Habitats, &c.) Regulations 2007

consulted on all non-mineral related development proposed within these Consultation Areas.



Diagram 1: Planning Policy Hierarchy in Relation to Langford & Ulting Neighbourhood Plan

What is in The Neighbourhood Plan?

1.19 The Plan is for the parish as a whole and looks at a wide range of issues, including:

- achieving high quality development which fits well with the location;
- protecting the rurality of the parish as well as the surrounding countryside including the landscape, views and habitats;
- meeting local housing needs;
- promoting local businesses;
- public rights of way; and
- broadband and mobile connectivity.

How this Plan is Organised

1.20 The Plan is divided into five sections:

- **Section 1 - Introduction**
- **Section 2 - About Langford & Ulting Today:** a brief description of the parish today and the key issues that have influenced the Plan.
- **Section 3 - Our Vision for Langford & Ulting:** over the next 15 years.
- **Section 4 - Neighbourhood Plan Policies:** this sets out policies to support the overall vision and objectives.
- **Section 5 - Monitoring and Review:** how the Plan will be monitored and reviewed.

Section 2: About Langford & Ulting Today

A Short History

- 2.1 The parish of Langford was so named because of the long ford along the side of the River Pant, or Blackwater, 'lang' in Saxon meaning 'long'. It is a tiny rural village with many iconic listed buildings. Its Mill was recorded in the Domesday Book although not the 11th Century church, St. Giles, which is unique for having the only extant western apse in the county and, possibly, England.
- 2.2 Langford Hall was built during Tudor times and was used as the manor house for many years. It was acquired by the Wescomb family in 1680 and in 1782 Nicholas Wescomb built Langford Grove, now demolished, letting out the Hall to tenants. In the 1890s it housed the Cleveland Bay stud. It was he who built a cut through from the Mill to the River Chelmer to take his grains and flour to London via Maldon. However, with the building of the Chelmer and Blackwater Navigation Canal in 1793, The Cut became redundant, was filled in and today serves as a 'hazard' on the golf course. Two of the Wescomb daughters married cousins of Lord Byron and the village came under the Byron family control for a while. They eventually took up their seat in Nottinghamshire and left the village.
- 2.3 In 1848 the Langford and Ulting Halt was opened on the Witham-Maldon railway branch line and was closed by Dr. Beeching in 1964 as part of his programme of extensive cuts.
- 2.4 The village became prominent in 1927 when it was chosen as the site for a new Steam Water Pumping Station giving many jobs to villagers; the emphasis changing from agricultural to industrial for a while. In 1963 the steam operation closed and an electric pumping system was installed, with the old steam pumping station becoming a scheduled ancient monument in 1986 and is now the Museum of Power.
- 2.5 A village school ran from 1875 to 1920 and was then used as the Village Hall until 1993 when it was sold into private ownership. The old Victorian cowshed in the centre of the village was purchased by the Parish Council and converted into a new Village Hall. This is a vibrant part of village life where many varied activities take place, including a pre-school nursery and the annual Art Show.
- 2.6 Ulting is also a very rural parish with many scattered listed buildings. Agriculture continues to be at its heart with many residents now running small businesses from home.
- 2.7 The parish church of All Saints was built beside the River Chelmer in c.1150 with major restoration work in the 1870s. The cult of 'Our Lady of Ulting' began when a chantry of the Virgin Mary was established there and it became a place of pilgrimage ranking with Walsingham and other famous shrines.
- 2.8 In 1832 the first sugar beet factory in England was built in Ulting by Robert and James Marriage. They believed that refining sugar from locally grown beet would reduce the need to import sugar and, thereby, the need for slave labour. They built a steam mill – at a cost of £2,000 – adjacent to the current site of Sugar Mill Cottages and employed thirty men, women and children. Their enterprise and hopes were cut short by the import of cheap cane sugar.

2.9 In 1898, Ernest Doe started his business by taking over the lease of the blacksmith's shop in Ulting, at what is now known as 'Doe's Corner' and from this modest start Doe's has become a large, successful and well recognised agricultural business.

2.10 This is a very brief history but a longer version can be found at <https://e-voice.org.uk/langford-ulting/history-of-langford-ulting/>

Village Descriptions

2.11 **Langford** is a small parish lying approximately 3 kilometres in a northwesterly direction from the picturesque market town and port of Maldon in Essex. The village is set in relatively low-lying countryside straddling the river Blackwater with the Chelmer and Blackwater Navigation forming the southern boundary.

2.12 The centre of the village is within the Langford Conservation Area which adjoins the Chelmer and Blackwater Navigation Conservation Area. Maypole Wood, Eastlands Wood and Langford Cut Meadows are designated as Local Wildlife Sites⁴.



2.13 "The settlement comprises a scatter of houses around the T-junction formed by the B1018 which runs north to Wickham Bishops"⁵ and the B1019 which joins Heybridge to Hatfield Peverel. There are 76 dwellings which vary from cottages to substantial houses in their own grounds.

2.14 There are 19 listed residential properties with 11 listed other buildings and features which include a garden temple, walled garden, bridge and weir, a pump and railings. The predominant building materials are timber framed and plastered or red brick with handmade red plain tile roofs and red brick chimneystacks⁶. The village has many houses built between the 16th and 19th centuries. The more recent 20th century additions are either rendered or red brick with tiled roofs with a few exceptions. There are 8 listed structures associated with the Chelmer and Blackwater Navigation.

2.15 "The village has important open spaces within it, notably the grounds of the Museum of Power"⁷ which houses Langford Water Pumping Station, a Scheduled Ancient Monument, the closed and open churchyards in the centre of the village and the wide vistas along the rivers Chelmer and Blackwater. There is a significant amount of open space between buildings and boundary treatment is sensitive to the rural setting including natural hedges, trees and low picket fences.

2.16 Visitor attractions include the Museum of Power, Maldon Golf Club, the Blackwater Rail Trail and the Chelmer and Blackwater Navigation. The Grade II* listed St Giles church is also of interest.

⁴ Maldon District Local Wildlife Sites Review – Essex Ecology Services Ltd, December 2007

⁵ Langford Conservation Area Appraisal 2006, p3

⁶ EB024 Building Materials

⁷ Langford Conservation Area Appraisal 2006, p13

2.17 Langford has the following facilities:

- community shop run by volunteers (open 2 hours daily)
- Parish Church
- village hall
- mobile library (Once every 3 weeks stops at Ulting Lane green, Langford)

2.18 **Ulting** is a small parish lying approximately 5 kilometres in a west northwesterly direction from the picturesque market town and port of Maldon in Essex. "It is predominately rural in character with a dispersed settlement pattern. The southern part of the parish comprises the flood plain of the River Chelmer and this area of low-lying land rises gently to the north.

2.19 The main settlement, little more than a hamlet, overlooks the river on this higher ground,"⁸ and is included in the Chelmer and Blackwater Navigation Conservation Area. Wick and Fairwinds Woods are designated as Local Wildlife Sites⁹ and are protected by a Tree Preservation Order.



2.20 There are 58 dwellings which vary from cottages to substantial houses in their own grounds and two narrow boats.

2.21 There are 17 listed residential properties with 14 listed other buildings and features including Ulting School, garden wall and railings. The predominant building materials are timber framed and plastered or red brick with handmade red plain tile roofs and red brick chimneystacks¹⁰. The village has many houses built between the 16th and 19th centuries. The more recent 20th century additions are either rendered or red brick with tiled roofs with a few exceptions. There are 2 listed structures associated with the Chelmer and Blackwater Navigation. All Saints Church which is situated in a peaceful setting by the Chelmer and Blackwater Navigation is Grade II* listed.

2.22 Ulting has the following facilities:

- Parish Church

Housing

2.23 Overall there are 134 properties, including two narrow boats moored at Hoe Mill, Ulting, in the parish. Between 2001 and 2011 two agricultural buildings in Ulting were converted into dwellings. Under the Town and Country Planning (General Permitted Development Order) 2015, a further five agricultural buildings in Ulting and one in Langford have been granted permission to be converted into dwellings. Maldon District Council granted planning permission for 11 large family homes on a piece of land adjacent to the Museum of Power in Langford. Building work commenced on these homes in December 2014, 9 are now occupied and work on the remaining two is almost complete. In March 2015, planning permission for 2 large family homes on a plot in Langford Conservation Area was granted and these have been completed.

⁸ Maldon District Local Plan First Review, adopted August 1996. p 206

⁹ Maldon District Local Wildlife Sites Review – Essex Ecology Services Ltd, December 2007

¹⁰ EB024 Building Materials

2.24 In the 2011 Census Langford had 63 dwellings with a predominance of family housing (84% of homes have 3 bedrooms or more), 89% of homes are owned, with 6% available for social rent and 5% private rent.



2.25 In the 2011 Census Ulting had 56 dwellings and 2 narrow boats with a predominance of family housing (78% of homes have 3 bedrooms or more), 78% of homes are owned, with 3% available for social rent, 14% private rent and 5% rent free.



2.26 The residents' survey carried out in May 2014 revealed that residents would prefer development on individual plots rather than one large housing estate.

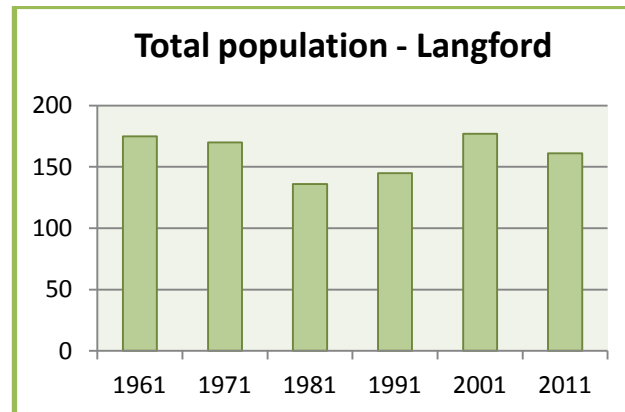
2.27 The Housing Needs Surveys undertaken in November 2014 and April 2019 revealed a local need for market and affordable housing but there is pressure from developers for Langford to accommodate significantly more housing than is necessary to meet local housing need.

Population

2.28 From the 2011 Census, the total population of the parish of Langford & Ulting was 328.

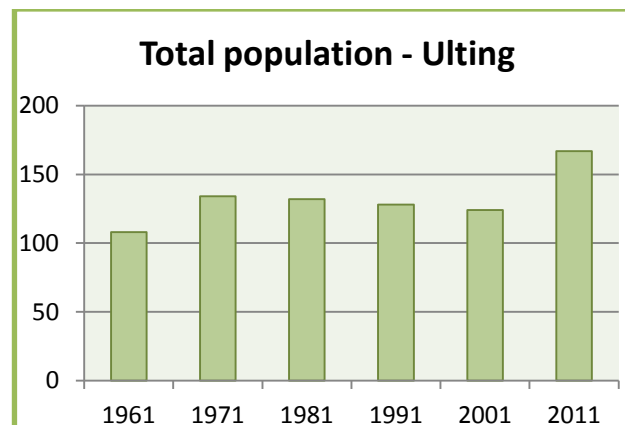
Langford

2.29 “The population decreased by 3% between 1961 and 1971 and then decreased by a further 20% to 136 in 1981. In 1991 the population estimate was 145”¹¹ with four houses having been built in the previous 10 years. In 2001 the population was 177 and this had decreased by 9% to 161 in 2011. The population is also ageing with the share of residents above 60 years of age moving from 21% in 2001 to 30% in 2011. There are a significant lack of residents between the ages of 25 and 39 (6%).



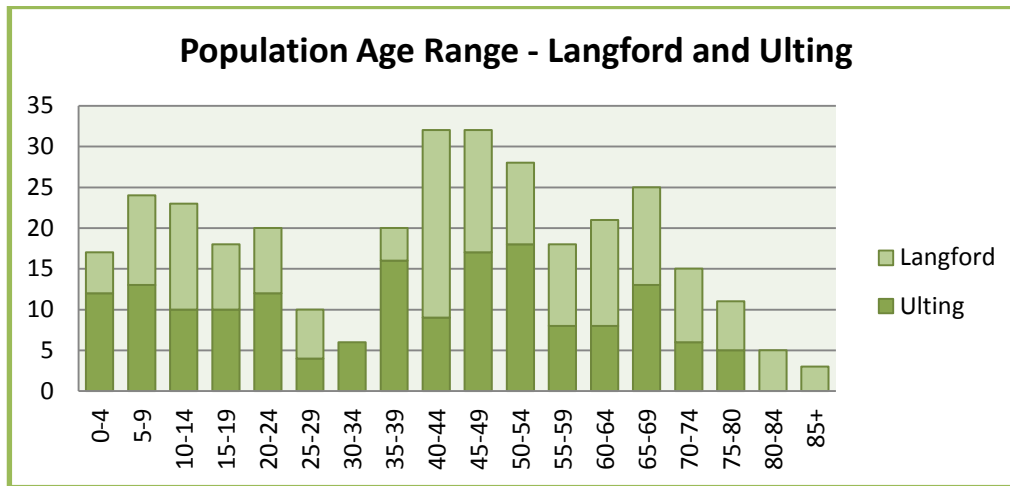
Ulting

2.30 “The population increased from 108 in 1961 to 134 in 1971, but remained virtually static over the next ten years with a total of 132 in 1981”¹². In 2001 the population was 124 but by 2011 the population had increased by 35% to 167. The proportion of residents above 60 years of age has remained fairly constant at approximately 19% between 2001 and 2011. There are a significant lack of residents between the ages of 25 and 34 (6%).



¹¹ Maldon District Local Plan First Review, adopted August 1996. p 130

¹² Maldon District Local Plan First Review, adopted August 1996. p 206



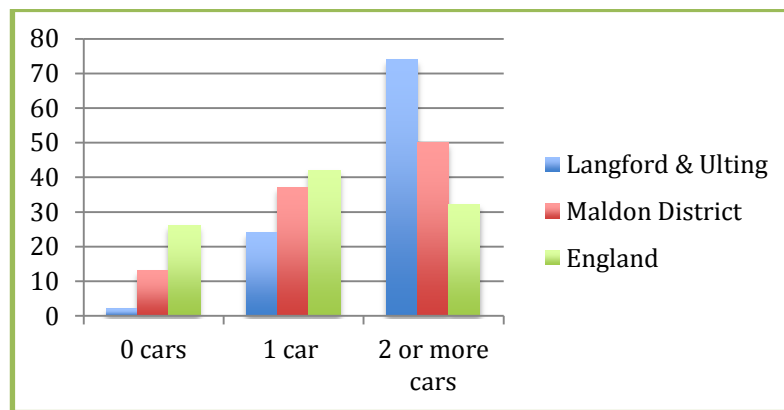
Health

2.31 86% of residents are in very good or good health according to the 2011 Census.

Transport

2.32 In 2011 there were 285 cars or vans available in Langford and Ulting. Two households (2%), did not own a car or van compared with England - 26% and Maldon District - 13%. 24% of households had one car compared with England - 42% and Maldon District - 37%. 74% of households in Langford and Ulting had 2 or more cars. This compares with an average of 32% for England and 50% for Maldon District.

2.33 Of the 163 residents who were in employment in 2011, 69% travelled to work by car. 11% travelled by train, but as it is approximately 4 miles from Langford to Hatfield Peverel station and 2.5 miles from Ulting, a car is almost certainly the usual way of getting to the station. 13.5% worked mainly from home and 2% caught a bus, coach or minibus.



Car Ownership Comparison

2.34 There is a two to two and a half hourly bus service running six times on weekdays and Saturdays between Maldon and Chelmsford which has three stops along the B1019, Doe's Corner, Ulting Lane and Langford village.

Economic Activity

2.35 Of the 245 people economically available in the parish, 68% are economically active. Of these, 67% are employed either full or part time and 30% are self-employed either full or part time. Of the 32% who are economically inactive, 57% are retired, 17% are students and 18% are looking after the home or family.

Key Issues

2.36 The Steering Group identified a number of key issues derived from the statistical content above and the results of the household questionnaire surveys, (2012 and 2014), the business survey (2014) and housing needs surveys (2014 and 2019), as follows:

- achieving high quality development which fits well with the location;
- protecting the rurality of the parish as well as the surrounding countryside including the landscape, views and habitats;
- meeting local housing needs
- promoting local businesses;
- public rights of way; and
- broadband and mobile connectivity.

2.37 These reflect the issues the community sought to see resolved in the neighbourhood planning process and have shaped and influenced the Langford & Ulting Neighbourhood Plan

Section 3: Our Vision for Langford & Ulting

3.1 Our **vision** is:

Langford & Ulting will continue to be a friendly and neighbourly place to live and work in. Future development will meet the needs of this rural community whilst retaining the special qualities of our countryside and waterway setting and reflecting the historically dispersed nature of and diversity of styles in the evolution of our parish.

3.2 Following on from consultation and engagement with the community, the majority view is that we support the following **objectives**:

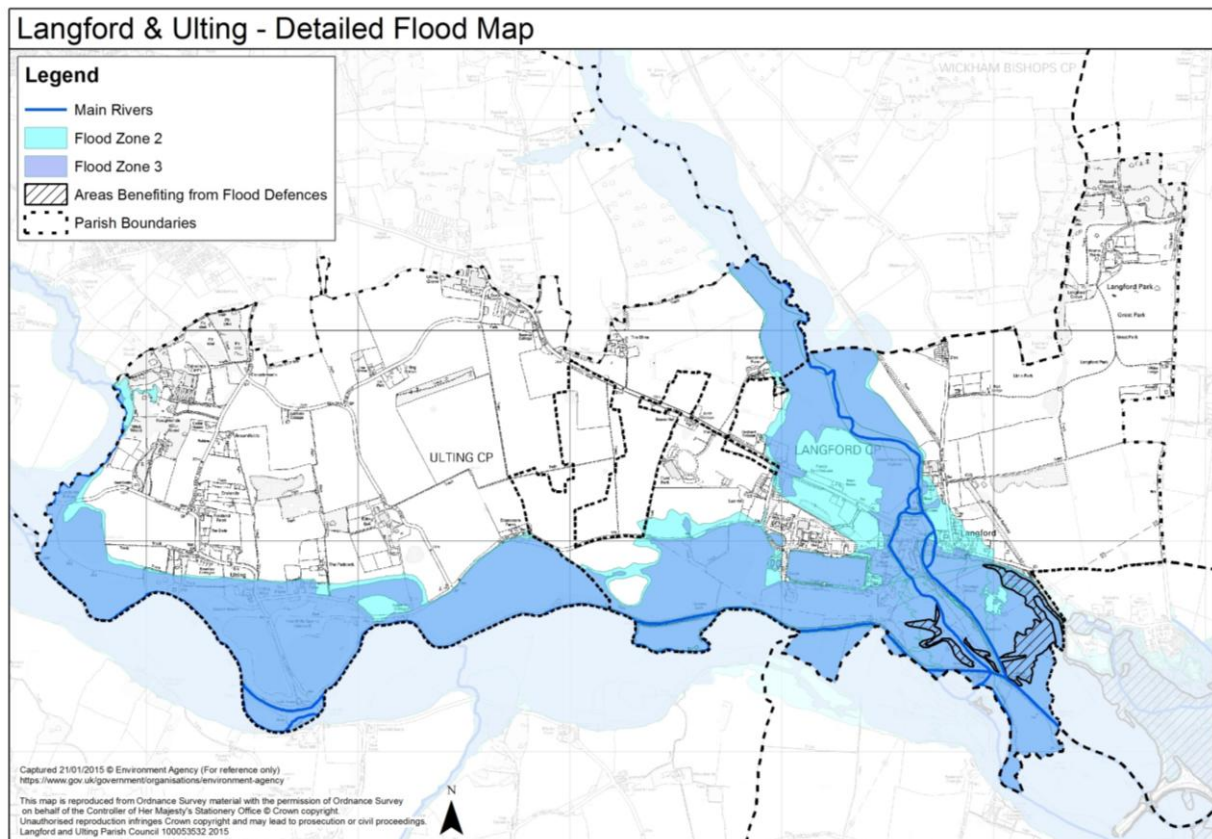
- to enhance the friendliness and neighbourliness of our community by increasing connectivity and providing opportunities for community engagement;
- to protect the parish's special landscape and countryside attributes;
- to protect and enhance the historic features that make our place unique;
- to achieve a high standard of design in new development;
- to adhere to the principles of sustainable development;
- to meet local housing needs;
- to support and encourage businesses through rural and agricultural diversification, the provision of suitable premises and tourism;
- to enhance the quality of life for residents;
- to protect and support local facilities and services; and
- to encourage healthy lifestyles.

Section 4: The Neighbourhood Plan Policies

- 4.1 This part of the Plan contains the policies that will help to realise the community's vision and objectives for Langford & Ulting and address key issues that have been raised during consultation. Policies in this section relate to the use and development of land.
- 4.2 Once the Plan has been made by Maldon District Council these policies will be taken into account by the District Council in determining planning applications.
- 4.3 Each policy is preceded by a short introductory section which outlines the background and intent of the policy and refers to relevant evidence. The evidence documents are also listed in Appendix A and are available to read on the Parish Council's website or Maldon District Council's website.

A High Quality Natural and Built Environment

- 4.4 The distinctive nature of the parish is defined by, and intrinsically linked to, the countryside and environment within which it is located. Many residents clearly value the rural feel of the area. The Residents' Surveys gave strong support to managing wildlife habitats in the parish.
- 4.5 It must also be acknowledged that the Environment Agency Flood Plain Extents map in the Mid Essex Strategic Flood Risk Assessment shows large areas surrounding the River Blackwater to be designated as Flood Zone 3b "Functional Floodplain". This is defined as "land where water has to flow or be stored in times of flood". According to Table 3 of the NPPF, 'more vulnerable' land uses (such as residential development) should not be permitted in this zone. This means that the Plan area is constrained in terms of flood risk. Whilst Map 2 shows the extent of the flood plain at the time of writing, reference should be made to the most up to date information on the Environment Agency's website.



Map 2 – Detailed Flood Map

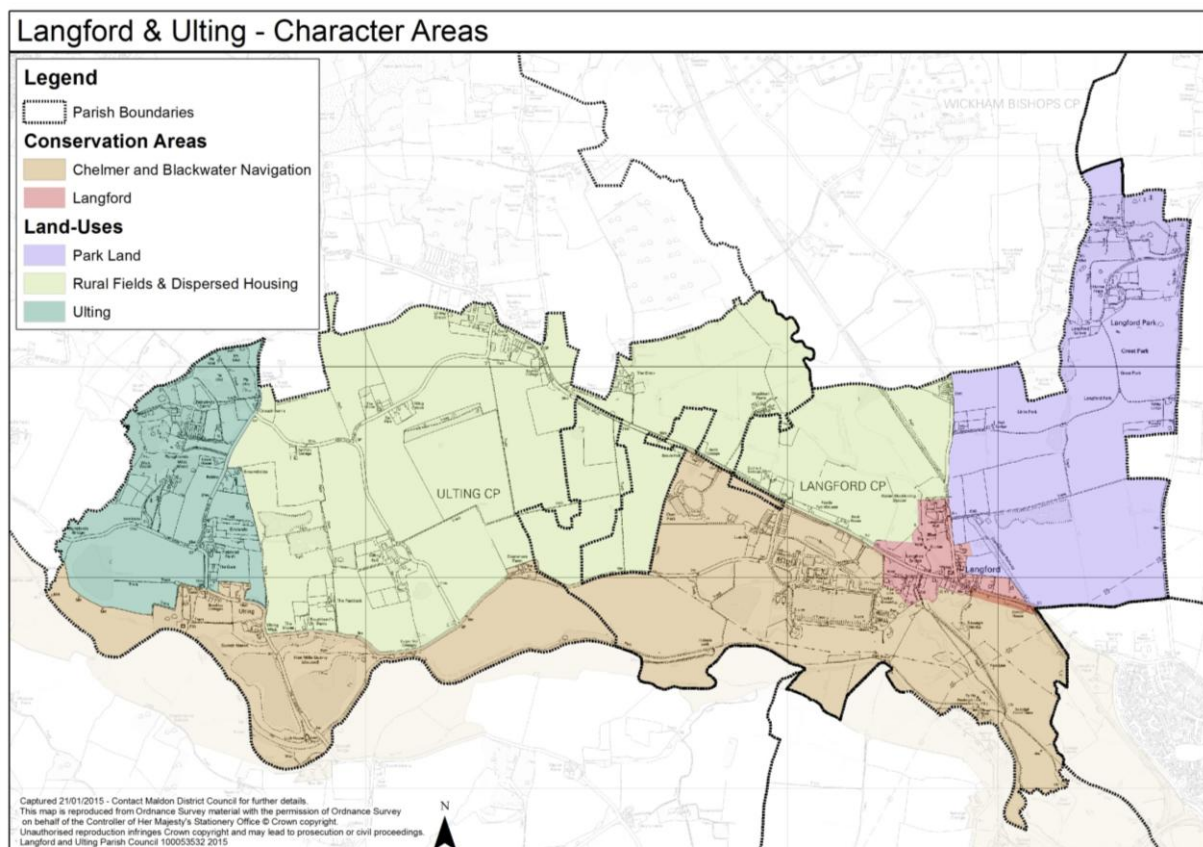
Landscape Features

4.6 The Government's National Planning Practice Guidance underpins the NPPF and states: 'One of the core principles in the NPPF is that plans should recognise the intrinsic character and beauty of the countryside. This includes designated landscapes but also the wider countryside.' The guidance emphasises that landscape should be taken into account in plan-making and decision-taking on planning applications.

4.7 A Landscape Character Assessment has been carried out to help identify the particular features that make up the character of Langford & Ulting. The work on the assessment was undertaken by volunteers in the community and specifically developed as part of the Neighbourhood Plan evidence base in 2014. The assessment draws on the existing published documents available including the Braintree, Brentwood, Chelmsford, Maldon and Uttlesford Landscape Character Assessments, the Chelmer and Blackwater Conservation Area – Landscape Character Assessment, Langford Conservation Area Review and Appraisal and the Maldon District Historic Environment Characterisation Project.

4.8 The Landscape Character Assessment identified five distinct Character Areas, which are shown on the map below. A brief description of the attributes of each Character Area is given below, but further information is available from the Character Assessment document. The Character Areas are:

- Chelmer and Blackwater Navigation
- Langford Conservation Area
- Ulting
- Fields
- Parkland



Map 3 – Character Areas

- 4.9 The key-defining characteristic of the **Chelmer and Blackwater Navigation** Character Area is its beautiful open countryside.
- 4.10 Positive aspects are the excellent walks along the canal and numerous footpaths and the magnificent views to be had. Hawthorn and blackthorn hedges provide a froth of blossom in the Spring and there are blackberries and sloes to pick in the Autumn. Sugar Mill Cottages stand as a testimony to the first sugar beet mill in England that was built in Ulting in 1832 by Robert and James Marriage in their attempt to promote the abolition of slavery by producing sugar by 'free labour'. Sadly the plantation owners and cheap imported sugar scuppered this venture. There is a marker on the canal bank to show where the mill once stood.
- 4.11 Negative aspects include the pylon routes crossing the Lower Chelmer/Blackwater valleys which are detrimental to the open character of the area and speeding vehicles on the narrow lanes.
- 4.12 The key defining characteristics of the **Langford Conservation Area** are its landmark features. The church is unique in Essex in having the only extant original western apse and is a lively working building with regular services and other social events. It now houses a small non-profit making community shop in the vestry.
- 4.13 The old General Stores and Homestead, which was once the village shop, is very poorly maintained and detracts greatly from the beauty of the Conservation Area.
- 4.14 The Southend Waterworks Company bought the Mill, designed by the architect Frederick Chancellor in 1879. In 1924 the machinery was removed and an extraction pump was installed. It is unfortunate that this very large building could not be used to more benefit for the village. A proposal to turn the building into flats sadly came to nothing as the ceiling heights do not comply with building regulations and access is still required to the pump.
- 4.15 The Mill House, once the residence of the Miller, has had many incarnations since the mill fell silent. In the 1980s it became an old people's home, then in the 1990s it housed asylum seekers, and is now back in use as a hotel.
- 4.16 The Museum of Power was the original steam pumping engine house for the waterworks, which came to the village in 1927. This materially altered the make-up of the village and transformed the rural village into an important water-pumping centre for the Southend area until 1963 when an electrical pumping station by the reservoirs replaced it. It is now open to the public, and although it is a positive feature that the building has been retained as a social and educational centre, it is unfortunate that, for security reasons in 2006, the museum had to install a high chain link fence and gates to the front boundary and high security railings to the east boundary, which although necessary, have a negative impact on the Conservation Area.
- 4.17 The lane from the Museum up to Beeleigh is well used by golfers, hikers and dog walkers, but is not well maintained. Unfortunately large ditches have been dug to stop travellers from setting up camp here. Although they are necessary, these and the problem of fly tipping along the lane, ruin the appearance of the open space which could be more appealing to walkers and visitors to the Museum. Many of the Museum's signs at the entrance to the Museum could also be replaced and improved.
- 4.18 The **Ulting Character Area** is totally rural and wonderfully 'out of the way'. It is characterised by the openness of the fields and the extensive vistas across them to hills and woodlands beyond. There is also a peacefulness here, which is quite wonderful, especially alongside All Saints Church, which sits beside the canal.

- 4.19 Negative aspects are the dilapidated buildings at the Nounsley end of Crouchmans Farm Road, which are an eyesore that detracts from the beauty of the surrounding countryside. In this group of buildings there are two dilapidated houses, which could easily be brought back into use. Although these are actually in the Braintree District Area and therefore outside the parish, they are very visible and detrimental to the rural scene.
- 4.20 There is also a problem with 'wild swimming' and sometimes unsocial behaviour on the canal by the Church in the summer months which is a great nuisance to residents.
- 4.21 **The Fields** is a beautiful open area with lots of space and the feeling of countryside. The fields are large with few hedges giving the feel of an expansive rural open space with beautiful old buildings. Although the road through this area is of good quality it is nevertheless liable to flood at the Langford end.
- 4.22 The **Parkland** character area is differentiated by its open spaces and long views with some occasional ancient pollarded oaks. The area has an open agricultural feel with arable fields either side of the road.
- 4.23 At times of traffic congestion in Heybridge, Maypole Road is used as a short cut by speeding traffic, which impacts on the otherwise peace and tranquility of this area.
- 4.24 In summary, the parish is characterised by a quiet and peaceful rural, agricultural quality.
- 4.25 As a result, the Neighbourhood Plan includes a suite of policies designed to enhance the natural and built environment of the parish. Policy 1 seeks to ensure that development proposals take full account of the character and appearance of the Character Area in which they are located.

Policy 1 Landscape Features

Development proposals should be designed to respect the natural landscape features that are important to the character and appearance of the area and as described in the Landscape Character Assessment.

Development proposals which would result in an unacceptable harm to the relevant natural features will not be supported unless appropriate mitigation to compensate for the loss or harm is incorporated in the planning application concerned or where there are overriding public benefits arising from the development.

- 4.26 The National Planning Policy Framework refers to the impacts that new development could have on the natural environment and wider area including:
- mitigating and reducing to a minimum potential adverse impacts resulting from noise from new development and avoiding noise giving rise to significant adverse impacts on health and the quality of life;
 - protecting tranquil areas which have remained relatively undisturbed for their amenity value;
 - limiting the impact of light pollution from artificial light on local amenity; intrinsically dark landscapes and nature conservation.

Biodiversity

- 4.27 There are two key wildlife corridors which form important components of a district-wide ecological network. The Chelmer and Blackwater Navigation is a west-to-east river and canal

corridor also featuring a towpath and linear banks which are important green infrastructure routes for leisure users and wildlife. The Blackwater Rail Trail is the route of the dismantled railway which links Maldon to Witham and is a significant corridor for wildlife movement. While not a statutory right of way, the Rail Trail has potential to become an important walking and cycling route in the future.

- 4.28 Other locally designated ecological assets include Local Wildlife Sites as identified by Essex Wildlife Trust, designated Ancient Woodlands and water bodies. Any locally important designated assets identified in the future should also be considered by this policy.
- 4.29 The National Planning Policy Framework states that impacts on biodiversity should be minimised. Given that climate change will have a major impact on biodiversity, the impacts of development should be minimised through the use of sustainable drainage systems (unless there is clear evidence that this would be inappropriate), whilst paying high regard to ecological networks.

Policy 2 Protecting and Enhancing Biodiversity

As appropriate to their scale, nature and location all development should protect and where appropriate enhance biodiversity by:

- a) protecting designated sites, protected species and ancient and species-rich hedgerows, grasslands and woodlands; and
- b) preserving ecological networks, and the migration and transit of flora and fauna; and
- c) protecting ancient trees or veteran trees of arboricultural value, or ancient woodlands; and
- d) promoting the mitigation, preservation, restoration and recreation of wildlife habitats, and the protection and recovery of priority species; and
- e) providing a net gain in flora and fauna; and
- f) adopting best practice in sustainable drainage.

Development proposals which would unacceptably harm biodiversity or wildlife will not be supported unless appropriate mitigation or compensatory measures are incorporated into the wider proposal.

Recreational disturbance Avoidance and Mitigation

- 4.30 The Maldon District Local Development Plan, together with neighbouring Local Planning Authorities' Local Plans and Neighbourhood Plans are likely to adversely affect the integrity of European designated nature conservation sites ('European Sites') due to increased recreational pressure from a growing population. Maldon District Council has worked with the other Greater Essex Local Planning Authorities and Natural England on the Essex Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMS).
- 4.31 The Essex coast RAMS focuses on the mitigation that is necessary to protect the wildlife of the Essex coast from the increased visitor pressure associated with new residential development in-combination with other plans and projects, and how this mitigation will be funded.
- 4.32 Financial contributions will be sought for all residential development, which falls within the zones of influence for the Essex coastal European Habitat sites, towards a package of measures to avoid and mitigate likely significant adverse effects on these sites. Details of the zones of

influence and the necessary measures are included in the Essex Coast RAMS Supplementary Planning Document (SPD)¹³.

4.33 The Essex Coast RAMS was adopted by Maldon District Council on 6th August 2020.

4.34 Proposals within the zones of influence for recreational disturbance to European Sites will need to carry out a project level Habitat Regulations Assessment and implement bespoke mitigation measures to ensure that in-combination recreational disturbance effects are avoided and/or mitigated.

Policy 3 Recreational disturbance Avoidance and Mitigation

All residential development within the zones of influence of European Sites are required to make a financial contribution towards mitigation measures, as detailed in the Essex Coast RAMS, to avoid adverse in-combination recreational disturbance effects on European Sites.

All residential development within the zones of influence will need to deliver all measures identified (including strategic measures) through project level Habitat Regulations Assessment (HRAs), or otherwise, to mitigate any recreational disturbance impacts in compliance with the Habitat Regulations and Habitats Directive.

Footpaths and Bridleways

4.35 Footpaths, cycle routes and bridleways crisscross the parish and are an established means of providing access to the countryside. This provides a recreational resource, but also opportunities for social interaction and the promotion of healthy lifestyles and social wellbeing. They therefore make an important contribution to the quality of life and are valued by the community.

Policy 4 Footpaths and Bridleways

Existing footpaths, cycle routes and bridleways provide good opportunities for well-connected access to local destinations by sustainable modes of transport across the parish and provide a high level of recreation and amenity value.

As appropriate to their scale, nature and location new developments should integrate with the current green infrastructure network, seeking to improve the connectivity between wildlife areas and green spaces through measures such as improving and extending the existing footpath and cycle path network, allowing greater access to housing, schools, work places and retail facilities, green spaces, public open spaces and the countryside.

¹³ https://www.maldon.gov.uk/info/20048/planning_policy/8114/other_local_plan_documents/9

Design and Character of New Development

- 4.36 The National Planning Policy Framework, states that ‘good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities’. It continues by stating that ‘plans should set out a clear design vision and expectations’ and that, ‘design policies should be developed with local communities so they reflect local aspirations, and are grounded in an understanding and evaluation of each area’s defining characteristics’. Neighbourhood plans can play an important role in identifying the special qualities of each area and explaining how this should be reflected in development. This is one way that sustainable development can be achieved and the quality of life can be improved and is reflected in the NPPF, to always seek to secure high quality design, sympathetic to local character and history, and a good standard of amenity for all existing and future occupants of land and buildings.
- 4.37 There was very strong unanimous support in the community that any new buildings should be sympathetic to their surroundings and that alterations to existing buildings should be carried out sensitively taking account of the location and character of the host property and those around it.
- 4.38 Comments emphasised the diversity of styles in the village and indicated this is what makes it special. A clear lack of support for pastiche and “sameness” bore this out. Turning this into a policy means that high quality design development which responds to the character of the existing parish and which reflects and respects the diversity of styles will be supported.
- 4.39 The parish has a dispersed settlement pattern which has evolved over time. With a rich plethora of listed buildings and Conservation Areas, the character is gained from the variety and diversity of building styles and materials. More recent developments have been architecturally undistinguished and have added dwellings of similar design together in one place rather than reflecting the range and diversity of existing architecture.
- 4.40 The Character Assessment work that the community has carried out together with the Langford Conservation Area Appraisal and Management Plan describes and explains the distinctive character of the parish.
- 4.41 There is an opportunity to enhance the built environment and improve the quality of design, but also to embrace diversity and add to the richness of the parish’s character.
- 4.42 This policy intends to provide clear guidance to those preparing proposals for development that the community wishes to celebrate diversity and variety in any new buildings and an overall high quality. This approach is consistent with the design-led approach as captured in national planning policy. The Plan sets out the Council’s approach towards a clear design vision and expectations for development sites. This will ensure that applicants have as much certainty as possible about what is likely to be acceptable.

Policy 5 Design and Character

Proposals should plan positively for the achievement of high quality and inclusive design reinforcing the locally distinctive and aesthetic qualities of the buildings and landscape in the Parish. This means that:

- a) new buildings, alterations and extensions to existing buildings, should be individually designed but take their cue from the scale and character, form and materials of existing buildings, and where relevant the host building; and
- b) traditional boundary treatments should be respected and reinforced and high walls and fences should be avoided; and
- c) plot sizes and widths and gardens should reflect the existing grain and pattern of development in the locality; and
- d) good quality materials should be used; and
- e) new development should respect the historic environment of our Parish.

Historic Environment

4.43 The residents' surveys gave strong support to the importance of living within a historic and beautiful environment.

4.44 There is evidence for settlement in the Langford and Ulting area from the Mesolithic period onwards. There are significant areas of cropmarks, including a round-barrow cemetery beside the river and Roman settlement, including a possible temple, on the gravel terraces. In total, 199 historic sites are recorded on the Historic Environment Record, of which 138 are undesignated. See also Langford Historic Settlement Assessment Report, 2006¹⁴.

4.45 The parish includes a number of designated heritage assets including three Grade II* listed buildings – Ulting Hall (which is located outside the boundaries of the Conservation Areas), the Church of St. Giles, Langford (which is located within the boundary of the Langford Conservation Area) and the Church of All Saints, Ulting (which is located within the boundary of the Chelmer and Blackwater Conservation Area). There are a total of 55 Grade II listed buildings, most of which are located within the Conservation Areas, but there is also a significant minority located outside the Conservation Areas. There is one Scheduled Monument – Langford Pumping Station.

4.46 In the Neighbourhood Plan area, there are also a number of 'non-designated heritage assets'. These are historic buildings and structures which, although they may not meet the criteria for national listing, possess local value because of their architectural and historic interest. Local Planning Authorities are encouraged to identify 'non-designated heritage assets' against consistent criteria and recognise them in 'local lists'. The preparation of a local list for Langford and Ulting is programmed for 2020.

¹⁴ <https://e-voice.org.uk/langford-ulting/assets/documents/langford-historic-settlement-a>

Policy 6 Historic Environment

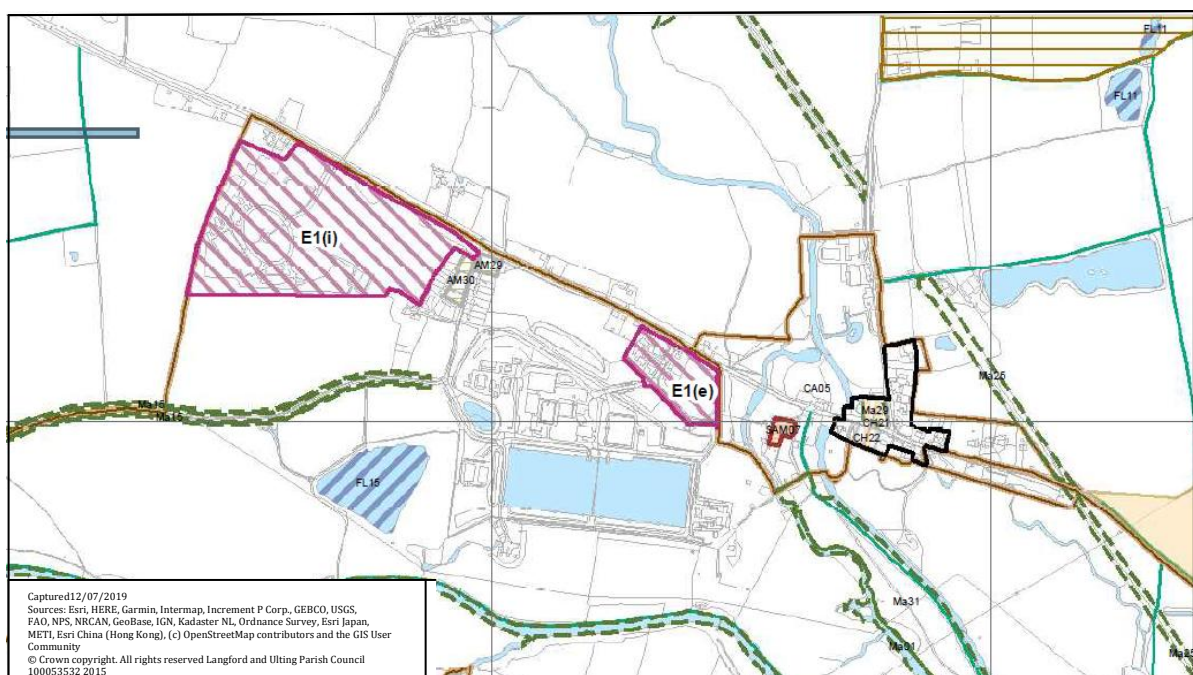
Any designated heritage assets in the Parish and their settings, will be conserved or enhanced for their historic significance and their importance with particular regard to their local distinctiveness, character and sense of place.

Proposals for development that affect non-designated heritage assets will be considered taking account of the scale of any harm or loss and the significance of the heritage asset.

The Economy and Business

4.47 Maldon District is predominately rural in nature and has over 70 miles of coastline. Its natural landscape is dominated by two estuaries and the plain along the Rivers Blackwater and Crouch. Historically much of the economy was based on agriculture and land related activities, but in recent decades there has been a shift towards a more mixed economy with an increased service sector. The District Council recognises that the villages and rural areas make an important contribution to the overall economical strength of the District.

4.48 The District Council recognises that one of the District's key strengths is its entrepreneurial base with relatively high levels of self-employment. However, with changes to the global market, more constrained public sector investment and the need to improve competitiveness, building upon the strengths and diversity of the economy to provide a range of employment opportunities is key. Within the parish, there are three notable employers; Ernest Doe & Sons Ltd, CML Microsystems Plc and Essex & Suffolk Water. 11.75 hectares of the CML Microsystems site at Oval Park is allocated in the LDP for B1 and B2 development and also has an extant planning consent for future employment generating development to the benefit of the local economy. The allocated area at Oval Park is identified on the excerpt from the LDP Policies Map (North West) as E1(i) below:



Map 4 – Local Development Plan Policies Map

4.49 The Business Survey showed that the majority of businesses in the area operate from home. There was a wide mixture of businesses ranging from farming and agriculture to construction, knowledge based, retail and service industries and repair and manufacturing. Whilst the majority of businesses trade locally, some of the businesses within the parish operate nationally and internationally. Many of the businesses employ a significant number of people and over 60% of these people are local.

4.50 Of the things that made business life tougher, many were non-planning issues that are not appropriate for the Neighbourhood Plan and will need to be addressed through other mechanisms. Nevertheless there was a clear indication that slow internet speed was a key issue and that local businesses would support an increase in population to help generate more jobs and to ensure that they can operate on equal terms with those in towns.

4.51 National planning policy highlights the need for planning policies to support economic growth in rural areas to help create jobs and prosperity and to take a positive approach to sustainable new development.

Small Business Use

4.52 Given the rural nature of the parish there are a number of small businesses and home workers. This is borne out by the Business Survey. They are important to the parish and therefore this policy supports and encourages the establishment or growth of small businesses in suitable locations and those working from home. Small businesses are defined as those employing up to ten people.

4.53 This policy helps to provide a supply of suitable space for businesses to locate and grow within the parish bringing welcome employment opportunities to the parish and District as a whole.

Policy 7 Supporting and Encouraging Small Business

The provision of employment generating space for small businesses will be supported. This can take the form of:

- new buildings or extensions to existing premises provided that they are of a high quality design, suitably accessed and would not adversely harm the amenities of adjoining or nearby residential occupiers or
- the change of use of an existing building which is sympathetically converted, in an accessible location and which would not adversely harm the amenities of adjoining or nearby residential occupiers.

Working from Home

4.54 There has been a significant increase over the last ten years or so in home working. This ranges from more people working from home, perhaps for a day a week or by basing their business from home. Often working from home is regarded as a non-planning issue because planning permission is not required in most situations. However, the encouragement of working from home has much potential in contributing to the achievement of sustainable development. It can reduce out-commuting and help to boost local economies by enhanced spending power through lower levels of commuting costs and more use being made of local facilities and services.

4.55 Given the rural nature of the parish and the contribution that home workers can make, the policy positively promotes home working opportunities. It does this through encouraging designers of new homes or buildings to incorporate options and possibilities for creating a home office or workspace area. This can be achieved for example, by discouraging open plan

layouts or designing garages or roof spaces that are capable of conversion into suitable work areas.

Policy 8 Working from Home

New dwellings should be designed to enable a home office to be accommodated through the conversion of a garage or roof space or a workspace area or by arranging the internal layout to provide appropriate or dedicated workspace. Development proposals to facilitate home working should retain car parking spaces or provide for replacement or additional parking spaces.

Farm and Other Rural Buildings

4.56 There are a number of farm and other rural buildings within the parish that could provide opportunities for new or existing businesses to remain in, or locate to, the parish. This includes tourism uses. Subject to satisfactory design and location and the impact on the road network and any nearby residential occupiers, the reuse of such buildings can help to strengthen the local economy.

Policy 9 Farm and Other Rural Buildings

The reuse of farm and other rural buildings will be supported for business or tourism purposes provided that the proposed use:

- a) would not have an unacceptable impact on the surrounding landscape; and
- b) can be satisfactorily accommodated within the local road network; and
- c) would be compatible with agricultural and other land based activities; and
- d) would not unacceptably harm the amenities of adjoining or nearby residential occupiers; and
- e) the building in question can be converted to a high standard using materials sympathetic to the local palette.

Community Facilities and Services

4.57 Langford has a parish church, community shop run by volunteers, a village hall and a mobile library once every three weeks. Ulting has a parish church. Langford residents valued the village hall. The importance of village clubs and groups was also highlighted and both churches and the village hall are important in providing meeting places and for wider social interaction. The Museum of Power is also an important visitor attraction and has a café facility.

4.58 The National Planning Policy Framework promotes the retention and development of local services and community facilities in villages highlighting local shops, meeting places, sports venues, cultural buildings, public houses and places of worship.

4.59 The policies aim to retain existing facilities and services and support the appropriate development of new ones.

Policy 10 Community Facilities and Services

Proposals to retain and enhance existing community facilities and services or to provide new ones will be supported provided that:

- a) the service or facility does not cause unacceptable harm to the amenity of nearby residential uses; and
- b) the proposal would not lead to unacceptable traffic congestion or adversely affect the free-flow of traffic; and
- c) access arrangements are satisfactory and an appropriate level of parking can be provided.

Policy 11 Protecting Community Facilities

The change of use of premises or redevelopment of sites that provide valued community facilities or services will only be supported where:

- a) the premises or site cannot be readily used for, or converted to any other community facility; or
- b) the facility or service which will be lost will be adequately supplied or met by an existing or new facility in the locality or settlement which shall be equivalent to or better than the facility that is being lost in terms of both quantity and quality.

4.60 Development proposals will be required to ensure the provision of all new community assets and open spaces, are designed for multi-purpose use, and link to the green infrastructure network.

Housing

Langford

4.61 The residents' survey confirmed that most respondents felt the amount of existing housing in Langford was 'about right'. However, support for a 'few more houses' was also given. Together these two categories of response accounted for 97%. This was also confirmed in responses to another question in the survey which asked about the number of new homes which should be built over the next 15-year period. Responses to this question which offered a wide range of options from '0' to '100+', indicated that 'up to 10' was most popular but some respondents favoured from '11 – 50', which equates to 5 new houses a year. A large majority of respondents preferred development on individual plots and were against one large estate with only one respondent being in favour.

4.62 The survey also asked about other aspects of housing. In relation to tenure across privately owned, privately rented, sheltered and housing association, again respondents felt that the existing spread of tenure was 'about right', but privately owned housing came out top in relation to the 'few more needed' category. This response was again consistent with another question in the survey on the variety of housing in Langford.

4.63 In relation to type and size of property, support was given for smaller houses and bungalows with greatest support for low cost and affordable housing.

Ulting

4.64 The residents' survey confirmed that most respondents felt the amount of existing housing in Ulting was 'about right'. However, there was support for a 'few more houses'. Together these two categories of response accounted for 88%. This was also confirmed in responses to another question in the survey which asked about the number of new homes that should be built over the next 15-year period. Responses to this question which offered a wide range of options from '0' to '100+', indicated that 'up to 10' was most popular but some respondents favoured from '11 – 50'. A large majority of respondents preferred development on individual plots and were against one large estate.

4.65 The surveys also asked about other aspects of housing. In relation to tenure across privately owned, privately rented, sheltered and housing association, again respondents felt that the existing spread of tenure was 'about right', but privately owned housing came out top in relation to the 'few more needed' category. This response was again consistent with another question in the survey on the variety of housing in Ulting.

4.66 In relation to type and size of property, support was given for smaller houses and bungalows with greatest support for low cost and affordable housing.

Providing to Meet Local Housing Need

4.67 Langford and Ulting form part of Maldon District's rural area for the purposes of housing land supply. Langford is identified as a smaller village in the LDP's settlement hierarchy and for the first time will have an identified settlement boundary within which housing development will be acceptable. The nature of Langford is such however, that opportunities for development will be small scale principally on individual plots and small areas of land. The village and parish contribution to housing land supply will therefore be limited to small scale development and is likely to amount to an average of 1 or 2 dwellings per year over the plan period.

Policy 12 New Housing

Small-scale infill residential development within the settlement boundary of Langford that does not unacceptably impact on the character and appearance of the surrounding area or living conditions of future occupiers and neighbouring occupiers will be supported where it complies with other policies in the Neighbourhood Plan and the Maldon District Local Development Plan. In particular proposals should respect the characteristics and local distinctiveness of the Langford Conservation Area. Proposals will be expected to have a direct highway frontage.

4.68 It is recognised that the District as a whole is very rural in nature and many live in dispersed rural communities. Whilst Langford and Ulting are small dispersed settlements they do have a number of services and facilities and many businesses. The community does not want to see the villages, or the parish as a whole, stagnate. In contrast, there is a desire to see the strong community identity of the parish and these two settlements reinforced and strengthened. For this reason the parish is keen to see that the needs of those already living and working in the parish are met.

4.69 However, the characteristics of the local area are also paramount. There are residents who have spent many years in the parish in family housing who now wish to move to more suitable accommodation but do not wish to leave family, friends and familiar surroundings by having to

move further afield. There are also younger families who wish to locate to the parish but cannot do so and young people born and brought up in the parish with no wish to leave but who cannot find suitable accommodation to rent or purchase.

- 4.70 The parish as part of its evidence base carried out a Housing Needs Survey in November 2014. Undertaken independently by the Rural Community Council of Essex (RCCE), the document is available as part of the supporting information for this Plan. This comprehensive survey found that there was an identified need for some affordable housing.
- 4.71 A second Housing Needs Survey was undertaken by the RCCE in April 2019. This survey also showed that there was an identified need for some affordable housing.
- 4.72 The Parish Council received technical support from AECOM and a call for potential sites was carried out in June 2017, with the intention of possibly allocating housing through the Neighbourhood Plan. Unfortunately, reduced Sites 9 and 10 as recommended in the Call for Sites Assessment report were no longer available.
- 4.73 The Parish Council feel that such affordable housing as defined in the National Planning Policy Framework can be supported through the rural exceptions route and that it is not necessary to either repeat higher level national and local policies on this or to identify and allocate sites in this Plan as this would in any case, go against the grain of an exception site.

Broadband and Mobile Connectivity

- 4.74 High-speed broadband and better mobile connectivity can make a significant difference to those living and working in villages and rural areas. Both the householder and business surveys confirmed that broadband speed in some parts of the parish is slow. This affects the ability of residents and businesses to maximise their future potential as broadband is a key method of communication and contributes to quality of life. In addition, parts of the Parish have none or a very poor mobile signal.
- 4.75 In line with Broadband Delivery UK, part of the Department for Culture, Media and Sport, the Government is keen to see improvements to broadband and mobile infrastructure. The National Planning Policy Framework supports high quality communications infrastructure. It specifically states that the development of high-speed broadband technology and other communication networks plays a vital role in enhancing the provision of local community facilities and services.
- 4.76 The District Council also recognises the benefits of high speed broadband in encouraging home based working within the rural areas.
- 4.77 High-speed broadband will help to address these issues and bring additional opportunities for our communities.
- 4.78 The policy tries to ensure that developers have early regard to the connectivity of their proposals and that provision is factored into decisions about cost and investment. Opportunities to provide ducting during infrastructure works should be taken where possible.

Policy 13 – New Broadband and Mobile Infrastructure

Insofar as planning permission is required proposals for the installation of new broadband and mobile phone infrastructure will be supported provided that:

- Infrastructure is fully integrated into the design of future development proposals; and
- Where new masts or structures are required, they should be sympathetic to their surroundings.

All new residential and commercial developments should be designed to be served by a fast and reliable broadband connection to the premises. Connection should include the installation of appropriate cabling within the homes or business units as well as a fully enabled connection of the developed areas to the full main telecommunications network to provide the fastest available broadband access.

Section 5: Monitoring and Review

- 5.1 Once the Neighbourhood Plan has been ‘made’ by Maldon District Council, the Council will determine all applications and other proposals in the light of policies set out in the plan.
- 5.2 There is no statutory requirement for the impact of this Plan and its policies to be monitored. Langford & Ulting Parish Council will periodically monitor the impact of policies on change in the Parish by considering the policies’ effectiveness in the planning application decision-making process. The Parish Council will do this by referring to this Plan when reviewing planning applications. The Parish Clerk will keep a record of the application, any applicable policies, and comment from the Parish Council together with the eventual outcome of the application.
- 5.3 Applicants will be expected to demonstrate in their applications how they conform to the Neighbourhood Plan policies.
- 5.4 A full or partial review of this Plan may be triggered by changes to legislation, changes to national or District-wide planning policies or significant planning issues being raised by the local community which cannot be dealt with effectively by a combination of national, district and/or existing Neighbourhood Plan policies. The District Council has now embarked on a review of the Local Development Plan. It is anticipated that the Plan will be adopted in late 2023. This will be an important event for the local planning policy context. The Parish Council will assess the need for a review of the neighbourhood plan within six months of the adoption of the emerging Local Development Plan Review.
- 5.5 Throughout the implementation of the Neighbourhood Plan period, the Parish Council will seek to maintain and develop its working relationship with Maldon District Council and other organisations as well as engaging with its residents and the community.

Section 6: Proposals Not Forming Part of the Plan

6.1 This section covers non-planning matters that are aspirations that we want to keep in mind for the future.

- 30mph speed limit on B1019/1018 through the whole of Langford including Maldon Road, Hatfield Road and Witham Road. With the additional 11 houses at the old waterworks site and two more large houses by the railway bridge this becomes more feasible.
- 30mph speed limit on Maypole Road. This may well be achieved with the advent of the North Heybridge Garden Suburb development.
- Reduced speed limit on B1019 between the Langford and Ulting village gateways.

Appendix A: Evidence Base Documents

1. Neighbourhood Plan Evidence Base Documents can be found on the Parish Council website:
<https://e-voice.org.uk/langford-ulting/assets/documents/>

- EB001** Terms of Reference
- EB002** Designation Letter
- EB003** Website
- EB004** Newsletter Articles
- EB005** Village Plan 2010
- EB006** Questionnaire 2012
- EB007** First Residents' Survey
- EB008** Art Show 2013
- EB009** Langford Focus Group
- EB010** Ulting Focus Group
- EB011** SHLAA Owner's Letter
- EB012** Landowner Letter
- EB013** Landowner Map
- EB014** Art Show 2014
- EB015** Langford Questionnaire 2014
- EB016** Ulting Questionnaire 2014
- EB017** Second Residents' Survey
- EB018** Business Questionnaire
- EB019** Business Survey 2014
- EB020** Housing Needs Survey 2014
- EB021** Statutory Consultee Email
- EB022** Reg 14 Comment Form
- EB024** Building Materials
- EB025** Landscape Character Assessment
- EB026** Site Assessment Report
- EB027** Housing Needs Survey 2019
- EB028** Screening Opinion on need for SEA and HRA Assessment

2. The documents referred to below can be accessed by clicking on the link unless otherwise stated:

Approved Maldon District Local Development Plan

- https://www.maldon.gov.uk/info/20048/planning_policy/9712/approved_local_development_plan_21_july_2017

Landscape Character Maldon District

- Landscape Character Assessment 2006:
<https://www.maldon.gov.uk/publications/LDP/pre-submission/2%20Design%20and%20Climate%20Change/EB009a%20Landscape%20Character%20Assessment.pdf>
- Landscape and Visual Impact Assessment 2010:
<https://www.maldon.gov.uk/publications/LDP/pre-submission/2%20Design%20and%20Climate%20Change/EB021%20Landscape%20and%20Visual%20Impact%20Assessment.pdf>
- Historic Designed Landscapes of Essex, Part 4, The District of Maldon, Essex Gardens Trust, 2010 (pp 51-58): <https://www.maldon.gov.uk/publications/LDP/pre->

[submission/1%20Spatial%20Vision%20and%20Development/EB024%20Historic%20Design%20Landscapes%20of%20Essex.pdf](#) (Langford Grove)

Langford Historic Settlement Assessment Report, T O'Connor, ECC & MDC, 2006

- <https://e-voice.org.uk/langford-ulting/assets/documents/langford-historic-settlement-a>

Maldon District Historic Environment Characterisation Project:

- Historic Designed Landscapes <https://www.maldon.gov.uk/publications/LDP/pre-submission/2%20Design%20and%20Climate%20Change/EB018%20Maldon%20District%20Historic%20Environment%20Characterisation%20Project.pdf>

Conservation Areas

- Langford Conservation Area Appraisal and Management Plan: https://www.maldon.gov.uk/publications/LDP/pre-submission/2%20Design%20and%20Climate%20Change/EB022e%20Conservation%20Area%20Review%20and%20Appraisal_Langford.pdf
- Chelmer and Blackwater Conservation Area Character Assessment (1999): https://www.maldon.gov.uk/downloads/file/10254/chelmer_and_blackwater_navigation_design

Employment Land Assessment

- Maldon District Employment Land Review: <https://www.maldon.gov.uk/publications/LDP/pre-submission/3%20Economic%20Prosperity/EB035a%20Maldon%20District%20Employment%20Land%20Review%20Report.pdf>

Strategic Housing Land Availability Assessment

- Strategic Housing Land Availability Assessment June 2012: <https://www.maldon.gov.uk/publications/LDP/pre-submission/4%20Housing/EB056a%20Strategic%20Housing%20Land%20Availability%20Assessment%20Report.pdf>
- Strategic Housing Land Availability Assessment Site Schedules: <https://www.maldon.gov.uk/publications/LDP/pre-submission/4%20Housing/EB056b%20Strategic%20Housing%20Land%20Availability%20Assessment%20Site%20Schedules%202012.pdf>
- Strategic Housing Land Availability Assessment Site Maps: <https://www.maldon.gov.uk/publications/LDP/pre-submission/4%20Housing/EB056c%20Strategic%20Housing%20Land%20Availability%20Assessment%20Site%20Maps%202012.pdf>
- Maldon District Council Historic Rate of Windfall Delivery: <https://www.maldon.gov.uk/publications/LDP/pre-submission/1%20Spatial%20Vision%20and%20Development/EB001a%20Maldon%20District%20Council%20Historic%20Rate%20of%20Windfall%20Delivery.pdf>

Strategic Housing Market Assessment

- Strategic Housing Market Assessment Update 2012: <https://www.maldon.gov.uk/publications/LDP/pre-submission/4%20Housing/EB010c%20Strategic%20Housing%20Market%20Assessment%20Update%202012.pdf>

- Strategic Housing Market Assessment Update Explanatory Note 2013
<https://www.maldon.gov.uk/publications/LDP/pre-submission/4%20Housing/EB010d%20Strategic%20Housing%20Market%20Assessment%20Update%20Explanatory%20Note%202013.pdf>
- Strategic Housing Market Assessment Update 2014:
<https://www.maldon.gov.uk/publications/LDP/pre-submission/4%20Housing/EB010e%20Strategic%20Housing%20Market%20Assessment%20Update%202014.pdf>
- Five Year Housing Land Supply Statement 2013/14:
<https://www.maldon.gov.uk/publications/LDP/pre-submission/7%20Implementation%20and%20Monitoring/EB096b%20Five-Year%20Housing%20Land%20Supply%20Statement%20May%202014.pdf>
- LDP Evidence, Maldon District Council, Final Advice Note:
<https://www.maldon.gov.uk/publications/LDP/pre-submission/1%20Spatial%20Vision%20and%20Development/EB051%20Maldon%20District%20LDP%20Evidence%20PAS%20Final%20Advice%20Note.pdf>

Strategic Flood Risk Assessment

- Strategic Flood Risk Assessment Appendix D Maldon Supplementary Report May 2008:
<https://www.maldon.gov.uk/publications/LDP/pre-submission/2%20Design%20and%20Climate%20Change/EB031%20Mid%20Essex%20Strategic%20Flood%20Risk%20Assessment%20Maldon%20Report.pdf>

Affordable Housing

- Affordable Housing Guide December 2005:
<https://www.maldon.gov.uk/publications/LDP/pre-submission/4%20Housing/EB057%20Maldon%20District%20Affordable%20Housing%20Guide.pdf>

Older Person's Housing

- Older Persons' Housing Strategy: <https://www.maldon.gov.uk/publications/LDP/pre-submission/4%20Housing/EB071%20Maldon%20District%20Older%20Persons'%20Housing%20Strategy.pdf>

Green Infrastructure

- Maldon District Green Infrastructure Survey September 2011:
<https://www.maldon.gov.uk/publications/LDP/pre-submission/5%20Natural%20Environment%20and%20Green%20Infrastructure/EB041a%20Maldon%20District%20Green%20Infrastructure%20Study%20Report.pdf>
- Maldon District Local Wildlife Sites Review December 2007:
<https://www.maldon.gov.uk/publications/LDP/pre-submission/5%20Natural%20Environment%20and%20Green%20Infrastructure/EB047%20Maldon%20District%20Local%20Wildlife%20Sites%20Review.pdf>

Maldon District Infrastructure Delivery Plan

- Maldon District Infrastructure Delivery Plan Part 1 – Baseline:
<https://www.maldon.gov.uk/publications/LDP/pre-submission/7%20Implementation%20and%20Monitoring/EB059a%20Maldon%20District%20Infrastructure%20Delivery%20Plan%20Baseline%20Report.pdf>

- Maldon District Infrastructure Delivery Plan Update – December 2013:
<https://www.maldon.gov.uk/publications/LDP/pre-submission/7%20Implementation%20and%20Monitoring/EB059c%20Maldon%20District%20Infrastructure%20Delivery%20Plan%20December%20Update.pdf>

Miscellaneous

- Maldon District Rural Facilities Survey February 2011:
<https://www.maldon.gov.uk/publications/LDP/pre-submission/8%20General%20Other/EB038%20Maldon%20District%20Rural%20Facilities%20Survey.pdf>
- Maldon District Rural Facilities Survey January 2016:
<https://www.maldon.gov.uk/publications/LDP/pre-submission/8%20General%20Other/EB038b%20Maldon%20District%20Rural%20Facilities%20Survey.pdf>
- Ward Profile – Wickham Bishops and Woodham:
https://www.maldon.gov.uk/publications/LDP/pre-submission/8%20General%20Other/EB046q%20Ward%20Profile_Wickham%20Bishops%20and%20Woodham.pdf
- Maldon District Vehicle Parking Standards SPD 2018:
https://www.maldon.gov.uk/info/20048/planning_policy/8114/other_local_plan_documents/5



REPORT of DIRECTOR OF RESOURCES

to
COUNCIL (EXTRAORDINARY)
18 JANUARY 2022

COUNCIL TAX BASE 2022 / 23

1. PURPOSE OF THE REPORT

- 1.1 The Council is required to set the tax base for Council Tax by the 31 January in the financial year preceding that to which the tax base applies.
- 1.2 The Council has to notify its tax base calculations to Essex County Council, Essex Fire Authority and the Police and Crime Commissioner for Essex and Parish/Town Councils by 31 January.

2. RECOMMENDATION

That in accordance with the Local Authorities (Calculation of Tax Base) Regulations 2012 the amount calculated by Maldon District Council as its council tax base for the 2022/23 year shall be set at 25,524.3.

3. SUMMARY OF KEY ISSUES

- 3.1 The Local Government Finance Act 1992 amended by s84 of the Local Government Act 2003 set out the requirements allowing each local authority to make its arrangements for adopting the Council Tax base. The Local Authorities (Calculation of Council Tax Base) (England) Regulations 2012 (SI 2012:2914) provides amended statutory guidance to incorporate the changes resulting from the introduction of the Local Council Tax Support Scheme (LCTSS).
- 3.2 The Council Tax varies between the different bands according to proportions laid down in legislation. These proportions are based around Band D and are fixed so that the bill for a dwelling in Band A will be a third of the bill for a dwelling in Band H. Applying the relevant proportion to each band's net property base produces the number of Band D equivalent properties for the area.
- 3.3 The Council is required to approve the Council Tax Base figure for 2022 / 23 by 31 January 2022. The Council Tax Base figure is an integral part of the calculations for setting the level of Council Tax, and is the number of chargeable properties adjusted for certain factors, e.g. single persons' discounts, local council tax support, exemptions etc.
- 3.4 The tax base is calculated as determined in The Local Authorities (Calculation of Council Tax Base) (England) Regulations 2012, with Local Council Tax Support information as at 13 September 2021, and discounts and exemptions as at 4 October 2021. **APPENDIX A** shows the calculation of the tax base whilst **APPENDIX B** sets out the tax base for each Parish/Town Council.

- 3.5 The Parish / Town Councils will be notified of their individual estimated tax base so that they can set their Parish / Town precepts that they wish to and calculate their Band D Council Tax for 2022 / 23. The deadline for the receipt of Parish / Town Council precepts is 7 January 2022.
- 3.6 It should be noted that whilst calculated and shown separately in **APPENDIX B** the following Parishes tax bases are combined to set their precept and therefore their Band D Council Tax.
- Asheldham and Dengie
 - Hazeleigh and Woodham Mortimer
 - Langford and Ulting
- 3.7 The collection rate used in the tax base calculation for 2022 / 23 is 97.3%; which is higher than the budgeted collection rate of 97.0% set for the current year, due to a trend of small improvement in collection since the lifting of restrictions caused by the Coronavirus pandemic.
- 3.8 Local council tax support has improved slightly from last year by 44 band D equivalents.
- 3.9 The Council Tax Base figure set for the current year (2021 / 22) is 24,959.1, so the new figure for the forthcoming year represents an increase of 565.2 or 2.26%. The key reason for the increase is a rise in the number of chargeable properties, with an improved collection rate and decrease in LCTS also contributing. An annualised estimate of the number of new dwellings that are expected will be added to the valuation list and becoming chargeable during 2022 / 23 has also been included (165.7 band D equivalents).

4. CONCLUSION

- 4.1 The annual setting of the Council's tax base is a prerequisite to the setting of the council tax for the following year.

5. IMPACT ON STRATEGIC THEMES

- 5.1 Declaration of the Councils tax base is a technical exercise necessary to meet statutory obligations rather than strategic themes. The generation of additional income through the maximisation of the Council's tax base indirectly supports all corporate goals.

6. IMPLICATIONS

- (i) **Impact on Customers** – None identified.
- (ii) **Impact on Equalities** – None identified.
- (iii) **Impact on Risk** – There are no risks associated with this report.
- (iv) **Impact on Resources (financial)** – The increase in tax base will increase the Council's council tax revenue for 2022 / 23.

(v) **Impact on Resources (human)** – None identified.

(vi) **Impact on the Environment** – None identified.

Background Papers: None.

Enquiries to: Lance Porteous, Lead Finance Specialist.

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MALDON DISTRICT COUNCIL - COUNCIL TAX BASE 2022/23

			Band A Disabled Reduction	Band A	Band B	Band C	Band D	Band E	Band F	Band G	Band H	Total
Line 1	Total Chargeable Dwellings			2,413.0	3,830.0	8,275.0	5,456.0	4,522.0	2,954.0	1,598.0	182.0	29,230.0
Lines 2+3	Less Exempt Dwellings			144.0	54.0	78.0	46.0	36.0	11.0	9.0	0.0	378.0
Line 4	Chargeable Dwellings			2,269.0	3,776.0	8,197.0	5,410.0	4,486.0	2,943.0	1,589.0	182.0	28,852.0
Line 5	Less Disabled Reductions			4.0	15.0	34.0	24.0	29.0	18.0	11.0	8.0	143.0
Line 6	Plus Revised Bands due to Disabled Reductions Chargeable Dwellings - Revised		4.0	15.0	34.0	24.0	29.0	18.0	11.0	8.0	0.0	143.0
Calc	Less Number of dwelling equivalents where discounts and premiums apply		0.5	349.5	436.1	650.0	335.1	191.5	89.0	48.0	0.0	2,099.8
Line 27	Number of dwellings equivalents after applying discounts and premiums to calculate tax base		3.5	1,930.5	3,358.9	7,537.0	5,079.9	4,283.5	2,847.0	1,538.0	174.0	26,752.2
Line 28	Less Local Council Tax Support Scheme		1.4	513.9	556.3	802.2	221.2	81.5	28.3	8.3	0.0	2,213.1
Line 29	Equivalent of Chargeable Dwellings		2.1	1,416.6	2,802.6	6,734.8	4,858.7	4,202.0	2,818.7	1,529.7	174.0	24,539.2
Line 30	Ratio to Band D		5/9	6/9	7/9	8/9	9/9	11/9	13/9	15/9	18/9	
Line 31	Band D Equivalents		1.2	944.4	2,179.8	5,986.5	4,858.7	5,135.8	4,071.5	2,549.5	348.0	26,075.4
	Adjustment for Parish-level roundings											-8.5
	Add Estimated Growth	165.7										165.7
	Band D Equivalents											26,232.6
	Non-Collection Rate	2.7%										-708.3
	Estimated Council Tax Base for 2022/23	97.3%										25,524.3

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Maldon District Council**2022/23 Council Tax Base by Parish/Town Council**

Parish Council	2022/23 Estimated Tax Base with Growth
Althorne	511.5
Asheldham	64.3
Bradwell	340.7
Burnham-on-Crouch	3,465.4
Cold Norton	504.3
Dengie	49.1
Goldhanger	313.9
Great Braxted	175.2
Great Totham	1,276.5
Hazeleigh	60.6
Heybridge	2,813.3
Heybridge Basin	272.0
Langford	90.8
Latchingdon	470.1
Little Braxted	82.2
Little Totham	196.1
Maldon	5,541.6
Mayland	1,493.9
Mundon	149.0
North Fambridge	435.5
Purleigh	578.3
Southminster	1,618.8
St. Lawrence	591.7
Steeple	189.9
Stow Maries	86.2
Tillingham	395.7
Tollesbury	998.9
Tolleshunt D'Arcy	450.7
Tolleshunt Knights	421.8
Tolleshunt Major	276.1
Ulting	74.2
Wickham Bishops	1,004.4
Woodham Mortimer	259.6
Woodham Walter	271.9
TOTAL	25,524.3

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

**to
COUNCIL (EXTRAORDINARY)
18 JANUARY 2022**

VACANCIES ON COMMITTEES, WORKING GROUPS AND OUTSIDE BODIES

1. PURPOSE OF THE REPORT

- 1.1 To appoint to vacancies associated with Councillor Stephen Nunn's and Councillor Kevin Lagan's recent withdrawal from Committees, working groups and outside bodies and Councillor Karl Jarvis' resignation as a District Councillor.

2. RECOMMENDATIONS

- (i) That the Council ratifies the group nominations for committee vacancies set out in section 3.4 and appoints a member to fill the non-aligned vacancies;
- (ii) That the Council ratifies a member representative for each of the outside body vacancies set out in section 3.8 below;
- (iii) That the Council ratifies a member representative for each of the working group vacancies set out in section 3.12 below.

3. SUMMARY OF KEY ISSUE

- 3.1 Councillor S P Nunn resigned as Deputy Leader of the Council on 10 November 2021. All positions associated with the Deputy Leader position will be managed as part of the Deputy Leader appointment, but and at the same time Councillor Nunn has resigned from:

- Joint Standards Committee;
- Performance, Governance and Audit Committee;
- Investigating and Disciplinary Panel.

- 3.2 Councillor K M H Lagan has also resigned from his Committee position on:

- Strategy and Resources Committee.

- 3.3 Further to this, Councillor K W Jarvis resigned as a District Councillor at the end of December 2021. He held seats on:

- Performance, Governance and Audit Committee (PGA);
- Strategy and Resources Committee;
- Licencing Committee;
- Investigating and Disciplinary Panel.

- 3.4 Owing to Member Group numbers and political balance provision, one seat is to be filled by the Conservative Group as set out in the following table, with the group nominations are set out below, and the non-aligned Member to be appointed by Council.

Committee	Vacancy Allocation	Nomination
Performance, Governance and Audit (2 vacancies)	Non aligned x2	To be appointed at the Council meeting
Strategy and Resources (2 vacancies)	Non aligned x2	To be appointed at the Council meeting
Joint Standards (2 vacancies)	Conservative x1	Councillor Mrs M E Thompson
	Non aligned x1	To be appointed at the Council meeting
Investigating and Disciplinary panel (2 vacancies)	Non aligned x2	To be appointed at the Council meeting
Licencing Committee	Non aligned	To be appointed at the Council meeting

- 3.5 Outside bodies not associated with the Deputy Leader position that Councillor Nunn has also resigned from are:

- Essex Flood Partnership Board;
- Maldon High Street Focus Group;
- Southend Airport Consultative Committee;
- Stow Maries Aerodrome Consultative Committee;
- Action for Family Carers Liaison Board;
- Civilian and Military Partnership Board.

- 3.6 Outside bodies that Councillor Lagan has resigned from are:

- Blackwater Estuary Siltation Steering Group
- Bradwell B Community Forum
- Bradwell Local Community Liaison Council
- Stow Maries Aerodrome Consultative Committee

- 3.7 Outside bodies that Councillor Jarvis served on Maldon Citizens Advice Bureau Liaison (this was as a PGA Committee member, and will be dealt with at the next Committee meeting).

- 3.8 The nominations from the two Groups for these positions are set out below:

Outside body	Member nominations
Action for Family Carers Liaison Board	Councillor N G F Shaughnessy
Blackwater Estuary Siltation Steering Group	Councillor C Mayes
Bradwell B Community Forum	Councillor Miss S White
Bradwell Local Community Liaison Council	Councillor B S Beale MBE
Civilian and Military Partnership Board	Councillor B B Heubner
Essex Flood Partnership Board	Councillor Miss S White <i>Substitute: Councillor C Swain</i>

Outside body	Member nominations
Maldon High Street Focus Group	Councillor J V Keyes
Southend Airport Consultative Committee	Councillor N J Skeens
Stow Maries Aerodrome Consultative Committee	Councillors Mrs J L Fleming and Miss S White

3.9 Working Groups not associated with the Deputy Leader position that Councillor Nunn has also resigned from are:

- Leisure Contract Task and Finish Working Group;
- Air Quality Management (Market Hill) Member Officer Working Group.

3.10 The Working Groups that Councillor Lagan has resigned from are:

- Finance Member working group
- Bradwell 'B' Power Station Working Group
- Corporate Plan Task and Finish Working Group

3.11 Councillor Jarvis' resignation has left a vacancy on the Corporate Governance Working Group and the Leisure Task and Finish Working Group.

3.12 The nominations from the two groups for these positions are set out below:

Working Group	Member Nominations
Air Quality Management (Market Hill) Member Officer Working Group	Councillor Mrs J C Stilts
Bradwell 'B' Power Station Working Group	Councillor M F L Durham CC
Corporate Governance Working Group	To be confirmed
Corporate Plan Task and Finish Working Group	Councillor C Swain
Finance Member working group	Councillor Mrs P A Channer
Leisure Contract Task and Finish Working Group (2 vacancies)	Councillor C Swain To be confirmed

4. CONCLUSION

4.1 The report aims to address the associated vacancies from Councillor Jarvis, Councillor Nunn and Councillor Lagan's recent resignations to them

5. IMPACT ON STRATEGIC THEMES

5.1 Effective appointments support the Council's performance and value objectives

6. IMPLICATIONS

- Impact on Customers** – Many of the appointments will be important in how we serve our customers.
- Impact on Equalities** – Not applicable (NA).

- (iii) **Impact on Risk** – NA.
- (iv) **Impact on Resources (financial)** – N/A.
- (v) **Impact on Resources (human)** – This paper deals with vacancies to ensure Members represent the posts.
- (vi) **Impact on the Environment** – Several of the appointments work towards this goal.
- (vii) **Impact on Strengthening Communities** – Many of the appointments will work towards this goal.

Background Papers: None.

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