



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

**to
PLANNING AND LICENSING COMMITTEE
7 MARCH 2019**

LOCAL DEVELOPMENT SCHEME 2019-2021

1. PURPOSE OF THE REPORT

- 1.1 The purpose of this report is to seek endorsement for an update to the Council's Local Development Scheme (LDS) attached as **APPENDIX 1**. The new LDS will replace the document approved by the Council on 8 February 2018 (Minute No.804 / 2018 refers). The LDS will take into account the timetable for the progression of supplementary planning documents and other planning policy documents required to help deliver the LDP until 2021.

2. RECOMMENDATIONS

- i) That the content of the Local Development Scheme be approved

To the Council:

- ii) That the Local Development Scheme (**APPENDIX 1**) be approved as the project plan for key planning policy documents until February 2021.

3. SUMMARY OF KEY ISSUES

3.1 Local Development Scheme

- 3.1.1 The Planning and Compulsory Purchase Act 2004 (as amended) requires every planning authority to prepare and maintain a LDS. A LDS sets out the programme for the preparation of Local Development Documents (LDDs), including Supplementary Planning Documents (SPDs), as well as development briefs, evidence base documents and the Community Infrastructure Levy (CIL).

- 3.1.2 Effectively, it is a project plan setting out the timetable for work to be undertaken until February 2021. It identifies which documents will be produced, in what order and when, as well as the likely contents, resources needed for their preparation and the likely risks associated with preparing them. The scheme includes milestones to inform the community and stakeholders when consultation and other stages of plan preparation will take place. It will also serve as a project management tool for budgeting and resource planning for the Council.

- 3.1.3 The existing LDS (2018) included the timetables for two new supplementary planning documents, both of which are being prepared – i.e. for Green Infrastructure and the Essex Coast Recreation disturbance Avoidance and Mitigation Strategy. These have been carried forward to the new LDS (2019) which include dates for consultation and adoption.
- 3.1.4 Officers also recommend reviewing five SPDs adopted between 2005-2007 to establish whether their content remains relevant and fit for purpose – these are the Developer Contributions Guide, Children’s Play Spaces, Accessibility to Buildings, Sadd’s Wharf and Heybridge Basin Timber Yard. A formal decision whether to revoke, retain or update these documents will need to be made by the Council.
- 3.1.5 The Maldon and Heybridge Central Area Masterplan sets out a spatial framework for the development and regeneration of the Central Area. A key project focuses on North Quay: promoting employment led mixed use development and regeneration to enhance the local economy. To guide the location, mix, scale and design of new development and the treatment of the public realm and landscape within this area a development brief is proposed. This would also include Sadd’s Wharf and Heybridge Creek. The LDS identifies dates for stakeholder and public consultation.
- 3.1.6 The District’s heritage makes a significant contribution to the character and distinctiveness of Maldon District. The majority of the District’s Conservation Areas have a character appraisal or statement which summarises the area’s special character and appearance and makes recommendations for its appropriate preservation and enhancement. Currently the Chelmer and Blackwater Navigation does not have an appraisal (other documents inform its sensitive management) but for consistency, and to provide an up to date basis from which to assess planning applications an appraisal will be undertaken with the Council’s Conservation Officer.
- 3.1.7 Although the Local Development Plan (LDP) was approved in 2017, and a review is not required until 2022, it is essential that LDP evidence base documents are reviewed regularly to ensure they are kept up-to-date and reflect changing local circumstances. In the next two years the Council intends to review the Strategic Housing Market Assessment and the Economic Development Needs Assessment. It is intended that consultants will aid the production of these documents. Funding will come from existing budgets. The Accessibility of Settlements assessment will be undertaken by officers.

3.2 **Why is a LDS necessary?**

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

4. CONCLUSION

- 4.1 Preparing and putting in place the LDS is a statutory requirement relating to the preparation of Local Development Documents which the Council must comply with. Ensuring the LDS is kept up-to-date will ensure that the community and other stakeholders are kept informed about the documents that the Council intends to prepare and when.
- 4.2 Approving the LDS will provide the Council with a programme for the preparation of planning policy documents and it will form the basis for resource planning and Committee agenda planning.
- 4.3 Having a suite of up-to-date and sound planning documents in place will provide the Council with the means to defend against inappropriate development and secure the best appropriate development to the highest standards.

5. IMPACT ON CORPORATE GOALS

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

6. IMPLICATIONS

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

- (v) **Impact on Resources (human)** – The LDS enables the Council to ensure that it has the most appropriate level of staff resources to deliver planning policy documents. This enables resources to be better managed and focussed on key areas and corporate priorities and ensures that staff are used in a flexible way to support the wider Planning Service as well as other key services, such as housing.

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

Background Papers: Local Development Scheme 2018.

Enquiries to:

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