

**MALDON DISTRICT COUNCIL  
LOCAL DEVELOPMENT SCHEME  
February 2019 – February 2021**



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## Introduction

1. The Planning and Compulsory Purchase Act 2004, as amended by the Localism Act 2011, requires local planning authorities to prepare and maintain a Local Development Scheme (LDS). The purpose of the LDS is to set out the subject matter, area to be covered and timetable for the preparation and revision of local development documents, including Supplementary Planning Documents (SPDs) as well as other planning policy documents such as development briefs, Conservation Area character appraisals and LDP evidence base documents.
2. In essence, it is a project plan setting out the timetable for work to be undertaken from February 2019 until February 2021. It sets out details of the documents that will be given priority during this period.
3. This LDS has been prepared having regard to the Localism Act 2011, the Government's National Planning Policy Framework (NPPF) 2018, and the Town and Country Planning (Local Planning) (England) Regulations 2012 and the Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2017.
4. Unlike previous related regulations, the Local Planning Regulations 2012 do not contain any specific provisions relating to the preparation of the LDS, giving councils the freedom to report the information that they think most relevant to local people, while maintaining the requirement to keep the public informed about the status of planning documents. In particular, local planning authorities are no longer required to submit the LDS to the Secretary of State.
5. This LDS document will:
  - Provide details on Supplementary Planning Documents, other planning policy documents and Evidence Base documents that the Council intends to produce and a timetable for their preparation up to February 2021;
  - Outline the 'Milestones' to be achieved as part of the process leading to the adoption of the various documents;
  - Provide information on the Authority Monitoring Report;
  - Set out details on the approved Local Development Plan policies that are used to assess planning applications; and
  - Set out the resources available and any constraints.
6. It is important that plans for the future development of the District are produced in a timely and efficient manner. If not, development which is crucial to the social, economic and environmental well-being of the District and its residents may be delayed, the co-ordination of development and infrastructure provision may be difficult to achieve and it puts at risk the Council's ability to defend planning decisions at appeals.

## Maldon District Development Plan

7. The Maldon District Local Development Plan (LDP) together with the Essex Minerals and Waste Local Plans and any 'made' neighbourhood plans are part of the Development Plan for the District. All planning applications should be in accordance with the Development Plan unless material considerations indicate otherwise.

## Maldon District Local Development Plan

8. On the 21 July 2017, the Secretary of State Approved the Maldon District Local Development Plan (LDP). The LDP includes the following components:

- The spatial strategy for future growth within the District over the next 15 years;
  - Strategic development policies;
  - Development management policies; and
  - Land use allocations.
9. The diagram at **Appendix 1** sets out how the LDP sits within the hierarchy of planning policy and supporting documents. The Policies Map supports the LDP, but does not form part of it.
10. On approval, the LDP replaced the 'Saved Policies' in the Replacement Local Plan (2005) and became the development plan document for the District. The approved LDP policies are listed in **Appendix 2**.
11. The LDP will be monitored annually and by July 2022 the Council will complete an assessment of the LDP to identify whether a full or partial review is required. This will ensure that the policies remain relevant and and are effective.

### **Essex Minerals and Waste Local Plans**

12. It should be noted that Essex County Council is the Minerals and Waste Planning Authority for Essex. The Essex Replacement Minerals Local Plan was adopted on the 8 July 2014 and the Replacement Waste Local Plan was adopted on the 11 July 2017.

### **Neighbourhood Plans**

13. Although not produced by the Council, the Burnham-on-Crouch Neighbourhood Plan was 'made' by the Council on the 7 September 2017. Several other Neighbourhood Plans are in the pipeline. Further information on their progress can be found on the Council's website [www.maldon.gov.uk](http://www.maldon.gov.uk)
14. The LDP is supplemented by the following documents:
- a) Community Infrastructure Levy
  - b) Supplementary Planning Documents
  - c) Masterplans, Development Briefs and Design Codes
  - d) Conservation Area Appraisals
  - e) Statement of Community Involvement
  - f) Authority Monitoring Report
  - g) Evidence base

These are discussed in more detail below.

### **Community Infrastructure Levy**

15. The Community Infrastructure Levy (CIL) was introduced by the Planning Act 2008 and defined in the CIL Regulations 2010 (as amended). CIL is a locally set charge on new development that the Council will implement across the District. It is based on the size and type of development and once set in an area is mandatory to be paid and non-negotiable. The funds raised must be used to provide infrastructure which is required to support new development across the area.
16. CIL must be informed by an Infrastructure Delivery Plan and a Whole Plan Viability Assessment. Both were published in 2014 and were subject to scrutiny at the LDP examination, although neither forms part of the LDP.
17. CIL rates are published within a Draft Charging Schedule. The CIL Regulations 2010 (as amended) currently require two stages of consultation to be undertaken before the Draft Charging Schedule can be submitted to government.

18. Consultation for the first stage - the Preliminary Draft Charging Schedule - was undertaken in January - March 2014. Consultation on the second stage - the Draft Charging Schedule - presented the CIL rates which the Council intended to submit for Examination in June - July 2014.
19. It is important that CIL is based on up-to-date evidence. As a result of the delay in the Local Development Plan being approved, the Council decided to review the evidence base to ensure they provide a sound foundation for a Levy. In the meantime the Government have proposed changes to the CIL Regulations. Therefore work on the Maldon CIL is not expected to recommence until the new legislation is published. However, another consultation will be required before the Draft Charging Schedule is submitted, expected to be Summer/Autumn 2019.
20. An examination into the Council's Draft Charging Schedule will then need to take place. This is largely reliant on the availability of a Planning Inspector, but a realistic timeframe is Autumn 2019/Winter 2020.

Document Title	Community Infrastructure Levy Charging Schedule
Role and Content	To establish a charging schedule for the application of a community infrastructure levy on new development
Coverage	Maldon District
Timetable	Consultation: Summer/Autumn 2019 Examination: Autumn 2019/Winter 2020 Adoption: Spring 2020
Chain of Conformity	<ul style="list-style-type: none"> <li>• Relevant Planning Acts and Regulations</li> <li>• National Planning Policy Framework and Planning Practice Guidance</li> <li>• Maldon District Corporate Plan (2019 - 2023)</li> <li>• Local Development Plan</li> <li>• Infrastructure Delivery Plan</li> <li>• Whole Plan Viability assessment</li> </ul>
Resource	<ul style="list-style-type: none"> <li>• Local Plans team;</li> <li>• Other Council Officers;</li> <li>• Co-operation with neighbouring local planning authorities;</li> <li>• Co-operation with relevant stakeholders including infrastructure providers;</li> <li>• Use of technology and web-based communication to assist with consultation; and</li> <li>• Consultancy support to develop, review and update the evidence base and aid with the examination.</li> </ul>

Table 1: Community Infrastructure Levy Charging Schedule - Summary

### Supplementary Planning Documents

21. Supplementary Planning Documents (SPDs) can be produced to build upon and provide more detailed guidance on the policies in the Local Development Plan. SPDs are not subject to independent examination, but are subject to public consultation lasting 6 weeks. On adoption, SPDs will have material weight in decision-making on planning applications.
22. The Council adopted two Supplementary Planning Guidance documents and five SPDs between 2005 – 2007 (in Table 2). Over the last 10 or so years national and local policy has changed significantly. In the last year the Affordable Housing Guide and the Vehicle Parking Standards SPD have been formally revoked and replaced by new SPD's. The five

outstanding documents will be reviewed in 2019 to establish whether their content remains relevant. A formal decision whether to revoke, retain or update these documents will be made by Council in September 2019.

Title	Year of Adoption
Developer Contributions Guide	2006
Children’s Play Spaces	2006
Accessibility to Buildings	2006
Sadd’s Wharf	2007
Heybridge Basin Timber Yard	2007

Table 2: Existing Supplementary Planning Guidance/Documents

23. Seven SPD’s were adopted in 2017-2018.

Title	Year of Adoption
Maldon and Heybridge Central Area Masterplan	2017
Maldon District Design Guide	2017
South Maldon Garden Suburb Masterplan	2018
Renewable and Low Carbon Technologies	2018
Specialist Needs Housing	2018
Vehicle Parking Standards	2018
Affordable Housing and Viability	2018

Table 3: Existing Supplementary Planning Documents

24. The Council proposes to introduce two new Supplementary Planning Documents (see Table 4 overleaf).

<b>Maldon District Green Infrastructure Strategy</b>	
<b>Role and Content</b>	To provide a vision statement, concept plan, core principles and priority action plan to enhance the District’s green infrastructure network, in accordance with LDP Policies N1-N3.
<b>Coverage</b>	Maldon District
<b>Timetable</b>	<ul style="list-style-type: none"> <li>December 2018 – January 2019 Consultation Draft</li> <li>March 2019 – Approval of Final SPD</li> </ul>
<b>Essex Coast Recreational disturbance Avoidance Mitigation Strategy</b>	
<b>Role and Content</b>	<ul style="list-style-type: none"> <li>To set out the approach to securing mitigation necessary to protect the Habitats sites of the Essex Coast from increased recreation pressure associated with new housing in accordance with LDP Policies N1 and N2</li> <li>To identify the level of financial contribution to be sought from residential development;</li> <li>To set out how and when the Council expects financial contributions to be delivered.</li> </ul>

<b>Coverage</b>	Basildon, Braintree, Brentwood, Castle Point, Chelmsford, Colchester, Maldon, Rochford, Southend, Tendring and Thurrock local authority areas
<b>Timetable</b>	<ul style="list-style-type: none"> <li>• June 2019 – Consultation Draft</li> <li>• November 2019 – Approval of Final SPD</li> </ul>
<b>Chain of Conformity for both SPDs</b>	<ul style="list-style-type: none"> <li>• Relevant Planning Acts and Regulations</li> <li>• National Planning Policy Framework and Planning Practice Guidance</li> <li>• Maldon District Corporate Plan (2019 - 2023)</li> <li>• Local Development Plan</li> <li>• Evidence Base</li> </ul>
<b>Resource for both SPDs</b>	<ul style="list-style-type: none"> <li>• Consultants to develop the SPDs;</li> <li>• Local Plans team;</li> <li>• Other Council Officers;</li> <li>• Co-operation with neighbouring local planning authorities;</li> <li>• Co-operation with relevant stakeholders; and</li> <li>• Use of technology and web-based communication to assist with consultation.</li> </ul>

Table 4: Proposed Supplementary Planning Documents

### Masterplans, Development Briefs and Design Codes

25. Table 5 shows the masterplans and design codes that have been endorsed by the Council for use in the consideration of planning applications.

Title	Status
North Heybridge Garden Suburb Strategic Masterplan Framework	Endorsed by Council – October 2014
North Heybridge Garden Suburb Strategic Design Code	Endorsed by Council - February 2017
South Maldon Garden Suburb Strategic Design Code	Endorsed by Council – March 2016

Table 5: Master Plans and Design Codes

26. The Maldon and Central Area Masterplan SPD identifies several projects to deliver the objectives for the Masterplan area. A key project is to produce the North Quay Development Brief to guide the design and development of land in this part of The Causeway, Heybridge.

Title	North Quay Development Brief
<b>Role and Content</b>	To guide the development and regeneration proposals of employment generating mixed-use development within the North Quay area.
<b>Coverage</b>	North Quay, The Causeway and Heybridge Creek
<b>Timetable</b>	<ul style="list-style-type: none"> <li>• September 2019 – Consultation Draft</li> <li>• December 2019 – Approval of Final Brief</li> </ul>
<b>Chain of Conformity</b>	<ul style="list-style-type: none"> <li>• Relevant Planning Acts and Regulations</li> <li>• National Planning Policy Framework and Planning Practice Guidance</li> <li>• Maldon District Council Corporate Plan (2019 - 2023)</li> <li>• Local Development Plan</li> <li>• Maldon and Heybridge Central Area Masterplan SPD</li> <li>• Evidence Base</li> </ul>
<b>Resource</b>	<ul style="list-style-type: none"> <li>• Local Plans team;</li> <li>• Other Council Officers;</li> <li>• Co-operation with relevant stakeholders including landowners, developers, infrastructure providers; and</li> <li>• Use of technology and web-based communication to assist with consultation;</li> </ul>

**Conservation Area Character Appraisals**

- 27. There are 14 conservation areas in the District. Twelve have a character appraisal or statement, which summarises the area's special character and appearance and makes recommendations for its appropriate preservation and enhancement.
- 28. Two conservation areas at Stow Maries Aerodrome and the Chelmer and Blackwater Navigation do not have a review and appraisal - other documents are available which inform their sensitive management. To reflect availability of resources the Council intends to produce a character appraisal for the Chelmer and Blackwater Navigation over this LDS period.

Title	Chelmer and Blackwater Navigation Character Appraisal
<b>Role and Content</b>	To define the 'special architectural or historic interest' of the Conservation Area and identify what it is about the character and appearance of the area that should be preserved or enhanced. It may also identify any features that detract from the character of the area.
<b>Coverage</b>	Chelmer and Blackwater Navigation Conservation Area
<b>Timetable</b>	<ul style="list-style-type: none"> <li>• November 2019 – Consultation Draft</li> <li>• March 2020 – Approval of Final Appraisal</li> </ul>
<b>Chain of Conformity</b>	<ul style="list-style-type: none"> <li>• Relevant Planning Acts and Regulations</li> <li>• National Planning Policy Framework and Planning Practice Guidance</li> <li>• Maldon District Council Corporate Plan (2019 - 2023)</li> <li>• Local Development Plan</li> <li>• Navigation Landscape Character Assessment</li> <li>• Evidence Base</li> </ul>
<b>Resource</b>	<ul style="list-style-type: none"> <li>• Specialist – Conservation &amp; Heritage</li> <li>• Local Plans team;</li> <li>• Other Council Officers;</li> <li>• Co-operation with neighbouring local planning authorities;</li> <li>• Co-operation with relevant stakeholders including Parish Councils; and</li> <li>• Use of technology and web-based communication to assist with consultation</li> </ul>

**Statement of Community Involvement**

- 29. The Statement of Community Involvement sets out how the community will be engaged in the preparation of planning policy documents and in determining planning applications in the District. The Council adopted its Statement of Community Involvement (SCI) in 2018.
- 30. The Council will complete an assessment by October 2023 to assess whether a full or partial review of the SCI is required.

**Authority Monitoring Report**

- 31. The Authority Monitoring Report (AMR) monitors the implementation and performance of policies and proposals in the LDP and will inform whether a LDP review is necessary. The AMR provides further details on the delivery of key LDP targets, including an Annual Position Statement relating to the Council’s annual Five Year Housing Land Supply and an Infrastructure Position Statement relating to infrastructure delivery associated with development identified in the LDP.
- 32. The AMR is produced as a series of factsheets. The Council will update and publish the following aspects of the AMR annually in September each year:
  - A statement on the progress of each document in the LDS project plan;
  - An analysis of how or whether the policies of the LDP are delivering their objectives, including key targets, such as the number of net additional dwellings and the Five Year



- Housing Land Supply figure;
- Details of statutory returns such as the number of applicants on the self build register;
- Details relating to any neighbourhood plans that have been made in the last monitoring year;
- Progress on the Community Infrastructure Levy;
- Progress on infrastructure delivery.

33. The Council aims to will ensure that the monitoring of all other LDP indicators is kept as up to date as possible. But to effectively manage resources, the Council intends to update other elements of the AMR every two years, starting in September 2020.

**LDP Evidence Base**

34. The LDP and other policy documents will be supported by evidence-based documents. These documents do not form part of the Development Plan but provide robust and reliable evidence to inform production of new documents. These documents will also provide the evidence for supporting the Council’s position through the planning application process. The current evidence base is available to view and download from the Council’s website [www.maldon.gov.uk/LDP](http://www.maldon.gov.uk/LDP).

35. Over the next two years the Council intends reviewing the Strategic Housing Market Assessment (SHMA) and the Economic Development Needs Assessment (EDNA). Production of these documents is resource intensive therefore it is intended that consultants will aid the production of these documents. The SHMA and an EDNA will be produced in 2019. The precise timetable will reflect the availability of consultants and the ability of the Council to fulfil its Duty to Cooperate requirements on these projects. The Accessibility of Settlements assessment is likely to be completed in 2020 by officers. Other evidence may be reviewed as resources permit.

**Resources**

36. The Local Plans Team will be responsible for the delivery of the LDP, the production of Supplementary Planning Documents, CIL, the SCI and the AMR. In addition to these resources, there will also be contributions from other officers within the Council. Other documents such as, the Recreational disturbance Avoidance and Mitigation Strategy SPD, the Green Infrastructure Strategy SPD and several evidence base documents will be produced by consultants within allocated budgets.

37. As far as possible, projects will be jointly undertaken by officers to ensure smooth work flow in case of any staff absence. The Council will consider employing consultants if the need arises within allocated budgets.

38. The Council will also continue to work closely with neighbouring authorities in joint working arrangements, such as for the Recreational disturbance Avoidance and Mitigation Strategy SPD, and for evidence base documents and research.

**Risk Assessment**

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

Risk	Impact	Contingency	Responsibility
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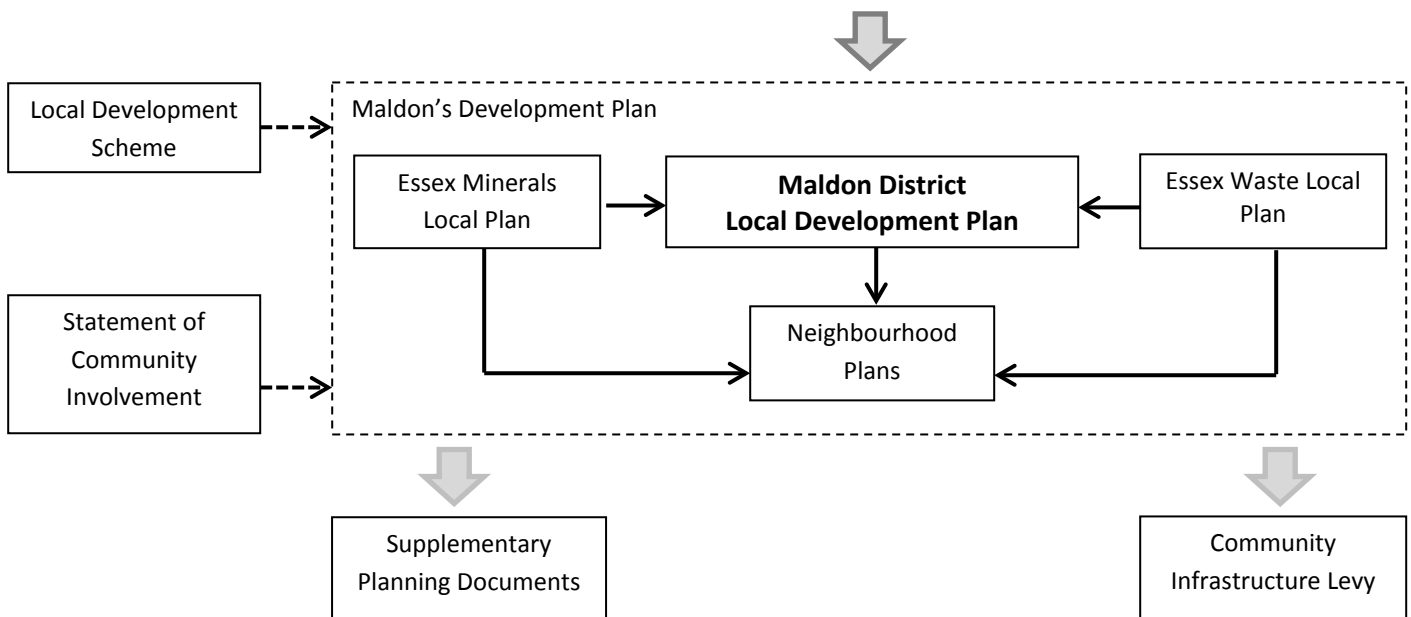
Risk	Impact	Contingency	Responsibility
Revisions to national legislation and planning policy guidance – i.e. PPG	<ul style="list-style-type: none"> <li>Out of date LDP and/or evidence base, lack of guidance available</li> </ul>	<ul style="list-style-type: none"> <li>Monitoring of national planning policy revisions</li> <li>Quick turnaround of updates to evidence base</li> <li>Provision of guidance notes and/or SPDs to provide clarification on specific issues</li> </ul>	<p>Strategy, Policy and Communications Manager</p> <p>Senior Specialist Local Plans</p>
Delays in political agreement	<ul style="list-style-type: none"> <li>Delays in agreeing plans and documents</li> </ul>	<ul style="list-style-type: none"> <li>Use of progress briefings to retain political awareness</li> <li>Use of delegated powers wherever appropriate</li> </ul>	<p>Director of Strategy, Policy and Governance</p> <p>Strategy, Policy and Communications Manager</p>
Consultation fatigue (community being consulted too often on planning documents and by other agencies over a range of issues)	<ul style="list-style-type: none"> <li>Poor response to consultations</li> </ul>	<ul style="list-style-type: none"> <li>Minimise by arranging a coordinated programme and possibly integrating individual engagement activities with other agencies</li> </ul>	<p>Strategy, Policy and Communications Manager</p> <p>Senior Specialist Local Plans</p> <p>Senior Specialist – Communications, Marketing &amp; Engagement</p>
Staff changes or staff loss (staff leaving post/time delays in recruitment)	<ul style="list-style-type: none"> <li>Loss of institutional capacity</li> <li>Inconsistency</li> <li>Knowledge gaps</li> </ul>	<ul style="list-style-type: none"> <li>On-going training and development to improve expertise and encourage staff retention;</li> <li>Loss of staff will be countered by recruiting permanent and where necessary temporary staff</li> </ul>	<p>Director of Strategy, Policy and Governance</p> <p>Strategy, Policy and Communications Manager</p>
Additional unforeseen evidence base requirements	<ul style="list-style-type: none"> <li>Poor evidence base which could lead to applications being challenged</li> </ul>	<ul style="list-style-type: none"> <li>Use of specialist consultants to cover particular gaps in expertise</li> </ul>	<p>Strategy, Policy and Communications Manager</p> <p>Senior Specialist Local Plans</p>
Budget Constraints	<ul style="list-style-type: none"> <li>Insufficient budget to cover costs</li> </ul>	<ul style="list-style-type: none"> <li>Annual budget review to identify budget needs based on LDS</li> <li>Council reserve of a contingency amount to fund additional financial needs.</li> </ul>	<p>Director of Resources</p> <p>Director of Strategy, Policy and Governance</p> <p>Strategy, Policy and Communications Manager</p>

Table 7: Risks

**Appendix 1: Local Development Plan Diagram**

National policy

Maldon District Council Local Development Scheme



**Appendix 2: Maldon District Local Development Plan: Policy List**

Policy	Policy Title
S1	Sustainable Development

Maldon District Council Local Development Scheme

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

## **Appendix 3: Glossary**

### **Authority Monitoring Report**

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

### **Development Plan Documents (DPDs)**

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

### **Development Management Policies**

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

### **Evidence Base**

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

### **Local Development Plan (LDP)**

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

### **Local Development Scheme**

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

### **National Planning Policy Framework (NPPF)**

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

### **National Planning Practice Guidance (PPG)**

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

### **Policies Map**

A visual representation of the policies in the LDP.

### **Statement of Community Involvement (SCI)**

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

### **Supplementary Planning Documents (SPD)**

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