



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

to
STRATEGY AND RESOURCES COMMITTEE
16 SEPTEMBER 2021

**ISSUES AND OPTIONS FOR CONSULTATION IN REGARD TO THE WORK OF THE
LOCAL DEVELOPMENT PLAN REVIEW**

1. PURPOSE OF THE REPORT

- 1.1 The purposes of this report are for the Committee to consider the Issues and Options document with a view to it going out for public consultation for a minimum period six weeks. This is to support the delivery of a lawful and sound Maldon District Local Development Plan (LDP) Review. The Issues and Options Document is appended to this report at **APPENDIX 1**.

2. RECOMMENDATIONS

- (i) That the progress made in the preparation of the Local Development Plan Review be noted;

To the Council:

- (ii) That the Regulation 18 Issues and Options Document for public consultation in accordance with the Regulations and the Maldon District Statement of Community Involvement 2021 (**APPENDIX 1**) be approved.

3. BACKGROUND

- 3.1 On 23 February 2021, the Council approved a review of the Maldon District Local Development Plan (LDP) (Minute No. 282 refers). The timetable to be followed was set by Council in the update to its statutory Local Development Scheme 2021 - 2024. It is 30 months and is due to be completed by Winter 2023.
- 3.2 There is considerable flexibility open to Local Planning Authorities in how they carry out the initial stages of local plan production, provided they comply with the specific requirements in Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012. This Regulation sets out that the Local Planning Authority must notify specific organisations and persons that they propose to prepare a local plan and to invite them to make representations about what the local plan ought to contain. The vehicle for complying with Regulation 18 is the production for consultation and wide engagement of an Issues and Options Document.
- 3.3 As part of the work of the Local Development Plan Review, the Council has set up a cross party Working Group. This Group has now met on a number of occasions and on 21 and 23 June 2021 there were two all Member workshops which examined a variety of themes and issues spanning different policy areas, which have been identified as either strengths, weaknesses, opportunities or threats to the

development of the District. The feedback from these workshops and the LDP Review Member Working Group has assisted in the creation of the Issues and Options Document.

3.4 Since the approval review the LDP, Council Officers has also;

- established a Planning Policy Programme Board to ensure adequate corporate oversight of project governance, partner engagement, risks/issues and budget assurances.
- prepared and consulted on an update to the Maldon District Statement of Community Involvement to ensure the consultation and engagement standards for the LDP Review reflect legislation and best practice;
- prepared and consulted on a Duty to Cooperate Strategy to form the framework for engagement and discussion with specific public bodies around strategic and cross boundary issues affecting the Maldon District;
- established new project relationships with Essex County Council, Chelmsford City Council, Homes England and the Mid Essex NHS Clinical Commissioning Group to address issues as they arise, reduce the chance of objection to the LDP Review and support multi-agency delivery;
- undertaken an initial Call for Sites exercise to identify new land across the District which developers and landowners would be willing to bring forward for new development over the plan period. This exercise has also assisted in the formulation of the Spatial Growth Options in the Issues and Options Document.
- carried out a desktop and on-site survey of all the settlements in the District to create an updated Settlement Hierarchy.
- started the process toward developing an up to date and robust evidence base (through in-house studies and specific commissions) to inform and underpin the LDP Review's development.

3.5 Developing a LDP Review should be shaped by early, proportionate and effective engagement between the Council and communities, local organisations, businesses, statutory consultees, infrastructure providers and operators. The Council is using this stage of the LDP Review process to undertake a significant public engagement exercise to seek the views of the District's varied communities and stakeholders about the future for the 20-year period 2023 to 2043. This would see the lifespan of the LDP extend by 14 years from the approved 2017 version. This stage in the process also provides an opportunity for the council to consult on a wide range of Spatial Options to accommodate the District's development needs and on which to base its reviewed planning policies.

4. SUMMARY OF KEY ISSUES

4.1 The Issues and Options sets out the following;

- A spatial picture of the District.
- The issues purporting to affect the District.
- A Vision for the District to 2043.
- A series of objectives or goals which are linked to the delivery of the Vision. These should be clear so that they can assist in the monitoring of the effectiveness in terms of delivery of the policies in the Plan.

- The Plan Period of the Local Development Plan. The consultation document sets out a plan period of 20 years, 2023 – 2043.
- The Housing Delivery Target for the plan period utilising the Government's standard method for its calculation and tested through the 2020 Maldon District Local Housing Needs Assessment which can be found on the Councils Website.
- Revised draft Settlement Hierarchy.
- A wide range of Spatial Options for the delivery of both housing and economic growth over the plan period
- A series of consultation questions associated with the key subjects of the review and their issues.

4.2 The purpose of the public engagement with regard to the Issues and Options Document is to start a discussion with our communities, businesses and statutory partners about what the future of the District might look like? It is intended to focus on core issues and questions, rather than covering every eventuality or issue, or focussing on technical planning or statutory requirements.

4.3 This document is not necessarily something we all feel completely comfortable with because its main purpose is to test through consultation a wide range of issues and options and shape the LDP Review through that consultation process. The Spatial Options set out in Section 9 of the document should according to national policy be aspirational, but also realistically deliverable. Apart from the Housing Target, the document is what is called "policy-off" in that it does not take account of the policies in either the present LDP or national policy and it also does not take account of environmental constraints, nor infrastructure requirements or capacity. This stage will come later when we drill down into exploring fewer options and test them against their sustainability, environmental constraints and infrastructure requirements.

4.4 It is also important to ensure that the Issues and Options Documents includes all realistic options and the maximum plan-period because if they are not considered at this early stage in the process, they will not be able to be considered at a later date without a further round of consultation. It is important that the community also start to reimagine what their local neighbourhoods might look like in the future, and share with us what they value most now, so it can be enhanced in the revised vision and objectives as necessary.

4.5 For the purposes of the Council's obligations to the Equality Act 2010 and the Human Rights Act 1998, an Equality Impact Assessment has been prepared for the Issues and Options Document – **APPENDIX 2**. This Assessment will be updated, iteratively, as the LDP Review is prepared through its various stages and as its policies get designed and developed.

5. CONCLUSION

5.1 Subject to Council approval, the Issues and Options Document will be put out for public consultation and engagement as soon as reasonably possible. The minimum period for consultation will be six weeks. The public consultation will follow the requirements of the council's Statement of Community Involvement and Regulations in order to meet the legal tests for the local plan.

6. IMPACT ON STRATEGIC THEMES

- 6.1 The Strategic Themes of Place, Prosperity and Community seek to manage the Council's response to strategic issues facing the District. The Issues and Options Document consultation will assist the Council to produce a LDP Review which reflects the concerns and aspirations of those that engage with it.

7. IMPLICATIONS

- (i) **Impact on Customers** – The Issues and Options Document consultation enables those that wish to engage in the Local Development Review process to do so effectively and influence the creation of a robust reviewed plan.
- (ii) **Impact on Equalities** – The LDP Review will include an Equalities Impact Assessment (EQIA) as part of its evidence base to inform preparation of policies that meet the requirements of the Equality Act 2010. **APPENDIX 2** sets out the initial assessment for the Issues and Options Document.
- (iii) **Impact on Risk** – The Issues and Options consultation helps to reduce the risk that the LDP Review will fail its legal duties with regard to the engagement process, this would not be resolvable at the Examination in Public and could result in the Plan being withdrawn. It also ensures that the project maximises opportunities presented to the Borough by growth and the planning system.
- (iv) **Impact on Resources (financial)** – The LDP Review and Local Development Scheme had a programme budget agreed at Council on 23 February 2021. The Issues and Options Document consultation is included in that budget and does not increase the need for resources.
- (v) **Impact on Resources (human)** – The Issues and Options Document consultation will not cause a negative impact on human resources, but it will be supported and delivered by existing officers and Members.
- (vi) **Impact on the Environment** – The Issues and Options Document consultation will help to ensure any environmental issues and questions are raised at this early stage in the LDP Review process and can be considered in the formulation of the final plan.
- (vii) **Impact on Strengthening Communities** - The Issues and Options Document consultation will help to maximise engagement with communities and ensures that their issues and concerns can be considered in the formulation of the LDP Review.

Background Papers: None.

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