



**MINUTES of  
STRATEGY AND RESOURCES COMMITTEE  
16 SEPTEMBER 2021**

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**PRESENT**

Chairman	Councillor R H Siddall
Vice-Chairman	Councillor C Swain
Councillors	R G Boyce MBE, Mrs P A Channer, M F L Durham, CC, K M H Lagan, N G F Shaughnessy, W Stamp, CC, Mrs M E Thompson and Miss S White
In attendance	Councillor C Morris

**274. CHAIRMAN'S NOTICES**

The Chairman welcomed everyone to the meeting and went through some general housekeeping arrangements for the meeting.

The Chairman then made a brief statement, referring to the Council's newly established Equalities, Diversity and Inclusivity Working Group which had recently met and agreed an action plan to be presented to this Committee later in the year. He advised Members that his title at the Committee was Chairman although he preferred Chair but noted this was not a convention of the Council. The Chairman expressed concern regarding behaviour at the last meeting of this Committee where he was not shown respect as the Chairman and hoped this did not happen again.

In response to the statement from the Chairman, Councillor Mrs P A Channer asked that it be noted that she was not present at the last meeting of this Committee.

**275. APOLOGIES FOR ABSENCE**

An apology for absence was received from Councillor K W Jarvis.

**276. MINUTES - 15 JULY 2021**

**RESOLVED** that the Minutes of the Strategy and Resources Committee held on 15 July 2021 be approved and confirmed.

**277. DISCLOSURE OF INTEREST**

Councillor R G Boyce declared a non-pecuniary interest in Agenda Item 7 - Affordable Housing and Commuted Sum Strategy as he was Chairman of an Almshouse Trust which may be affected by this item of business.

Councillor M F L Durham declared a non-pecuniary interest in relation to Agenda Item 7 - Affordable Housing and Commuted Sum Strategy as a Member of Essex County Council.

Councillor Mrs P A Channer disclosed that she was trustee of a Almshouse Charity which related to Agenda Items 7 - Affordable Housing and Commuted Sum Strategy and 8 - Local Development Plan Review Issues and Options.

Councillor Mrs W Stamp declared a non-pecuniary interest as a Member of Essex County Council.

## **278. PUBLIC PARTICIPATION**

No requests had been received.

## **279. APPROVAL OF DUTY TO CO-OPERATE STRATEGY**

The Committee considered the report of the Director of Strategy, Performance and Governance seeking consideration of feedback received from the Draft Duty to Co-Operate Strategy (the Strategy) consultation and the changes considered necessary to address the feedback. Following consideration of this Members were asked to approve the Strategy to support the delivery of a lawful and sound Maldon District Local Development Plan (LDP) Review.

The report provided background information regarding the Draft Strategy and subsequent consultation. A Statement of Consultation setting out the comments received and the recommended changes was attached as Appendix 1 to the report and was transposed into the final Duty to Co-Operate in Appendix 2. The Strategy, Policy and Communications Manager advised that since the report was written, further comments had been received from Braintree District Council, although these would not amount to any changes to the Strategy. The Officer also advised that Appendix 2 should refer to September 2021 and not June 2021 as detailed.

The Chairman put the recommendations as set out in the report and this was duly seconded.

In response to a question and following clarification, the Chairman advised that approval of the Maldon District Duty to Co-Operate Strategy would be a recommendation to the Council. The Chairman amended his earlier proposal to reflect this and the amendment was duly seconded.

The Strategy, Policy and Communications Manager, in response to a query, explained that the preparations for a Greater Essex Local Nature Partnership were underway, although Government approval was required, and how the Partnership would have a similar status in the planning arena to that of the South East Local Enterprise Partnership (SELEP).

## **RESOLVED**

- (i) That the Committee notes the responses received to the Duty to Co-Operate Strategy targeted consultation and recommended changes as summarised in the Maldon District Duty to Co-Operate Statement of Consultation as set out in Appendix 1 to the report;

## RECOMMENDED

- (ii) that the updated Maldon District Duty to Co-Operate Strategy as set out in **APPENDIX 1** to these Minutes, be approved.

Councillor Mrs M E Thompson joined the meeting during this item of business.

### 280. AFFORDABLE HOUSING AND COMMUTED SUM STRATEGY

The Committee considered the report of the Director of Strategy, Performance and Governance seeking adoption of the Affordable Housing and Commuted Sum Strategy (attached as Appendix 1 to the report).

Members were reminded that the Council did consider accepting financial contributions (commuted sums) from developers where it was justified that affordable housing could not be delivered on site or when the District's affordable housing needs could be better satisfied through this route. The Strategy had been brought forward to provide clarity and certainty for Developers, the Council and the General Public. It was not prescriptive but set out principles to be followed whilst undertaking viability assessments and determining an appropriate commuted sum.

The Chairman moved the recommendation as set out in the report and this was duly seconded.

A debate ensued and in response to questions raised, the Lead Specialist Place provided Members with further background information and the following:

- A requirement for any contribution to be provided in a specific village, Ward etc. would be against the Council's Planning Policy.
- The Council's Affordable Housing Policy was clear that to meet the needs of the District, Commuted Sums were not required to be used. To include this within the Strategy would conflict with the Council's Local Development Plan Policy.
- In respect of Development Management the Council's policy required on-site affordable housing but allowed Commuted Sums for exceptional circumstances. The Strategy would provide clarity for the Council's Housing Services as to how the policy could be interpreted and when a Commuted Sum may or may not be accepted. It was noted that this would not affect the planning process.
- Financial contributions were part of an adopted Supplementary Planning Document, facilitated through planning policies and the Strategy would not impact on the level of these it purely referred to them.
- A number of the elements highlighted within the Strategy had been brought forward from Housing Services in response to the work had they observed in relation to Affordable Housing.
- The Strategy would mean that the Council was able to defend itself (at Appeals etc.) and ensure it could provide housing for the residents of the District.

During the debate Councillor R G Boyce reminded Members of his earlier declaration of interest.

The Director of Resources clarified that any financial contributions received were externally audited and detailed within the Council's balance sheets.

The Chairman put the recommendation which was duly agreed. Councillor K M H Lagan asked that his dissent to this be recorded.

**RECOMMENDED** that the Affordable Housing and Commuted Sum Strategy attached at **APPENDIX 2** to these Minutes, be adopted.

## **281. LOCAL DEVELOPMENT PLAN REVIEW ISSUES AND OPTIONS**

The Committee considered the report of the Director of Strategy, Performance and Governance seeking Members' consideration of the Issues and Options Document (attached as Appendix 1 to the report) with a view to it going out for public consultation. It was noted that this would support the delivery of a lawful and sound Maldon District Local Development Plan (LDP) Review.

The report provided detail of the LDP Review agreed, the proposed timetable and work undertaken by Officers since the Review had been agreed. The report summarised the contents of the Issues and Options document and an equality impact assessment which had been prepared was attached at Appendix 2.

The Chairman moved the recommendations as set out in the report and this was duly seconded.

The Strategy, Policy and Communications Manager, in response to a question, confirmed that consideration had been given to the consultation timeline and the Christmas period. Members were advised depending on when the consultation started, assuming approval by the Council, the minimum length of time it had to run for was six weeks but because of the Christmas period this could and should be extended. The Chairman confirmed that Christmas was therefore being counted as a non-working week for the purpose of the consultation.

A debate ensued and some Members raised a number of points regarding the consultation document including:

- Rail provision within the District;
- Incorrect reference to 'towns' in the east of the District as there was only one;
- No mention of railways stations outside the District in relation to settlements in the north of the District or connection with strategic routes such as the A12;
- Affordable housing in areas other than those details in the document'

In response the Strategy, Policy and Communications Manager advised that the Planning Policy Working Group had discussed the Settlement Hierarchy and Spatial Options on a number of occasions, as well as the Issues and Options Document. He suggested that Officers could reflect on the comments made and make changes to the document in consultation with the Chairman of the Committee, prior to the document being agreed by the Council. It was noted that Members were not precluded from responding to the public consultation.

Further debate ensued and in response to further comments and questions, additional information was provided by Officers including:

- how in response to the Call for Sites the Council had received more land submitted than it had a need for. However, the Officer reminded Members that these were subject to further appraisal to determine whether they were suitable and sustainable. Officers were also expecting the Issues and Options document to generate more land submissions as part of the consultation.

- It was noted that Essex County Council (ECC) had commented it would not support 'pepper-potting' and the Strategy, Policy and Communications Manager advised that 'pepper-potting' was an approach to growth used in the planning system that should at least be considered by the Council. Although ECC had indicated they would not support it, it would be able to make that point in its formal consultation response, hopefully with its detailed reasons behind this stance. When queried on the appropriateness of the phrase 'pepper-potting', he advised Members not to look to remove this terminology from the document as it was an easier way to describe a technical approach to the public in the consultation.
- Climate change considerations and questions were included in the document and there was ongoing work to determine how far the LDP Review could go to support the Council's complimentary work on its Climate Action Strategy.

The Chairman proposed that the recommendations be amended, and the Issues and Options document went back to the Working Group for their review and then to the Council. The Director of Strategy, Performance and Governance clarified however that this approach was not possible and therefore this proposal was not supported.

Following further discussion, the Chairman proposed that further feedback from Members be sent to the Strategy, Policy and Communications Manager and Lead Specialist – Planning Policy and Implementation to allow them to make any amendments, in consultation with the Chairman of this Committee, prior to the updated document being put to the Council for approval. This proposal was duly seconded and agreed. The Chairman advised the Committee that any comments should be received by the end of the following week (Sunday 26 September) and all Committee Members would receive an email to remind them of this.

#### **RESOLVED**

- (i) That the progress made in the preparation of the Local Development Plan Review be noted;
- (ii) That Members of the Strategy and Resources Committee provide any further feedback to the Strategy, Policy and Communications Manager and Lead Specialist – Planning Policy and Implementation by the end of Sunday 26 September and the Issues and Options Document be amended in consultation with the Chairman prior to its presentation to the Council for approval.

#### **RECOMMENDED**

- (ii) That subject to any amendments as detailed in (ii) above, the Regulation 18 LDP Issues and Options Document for public consultation in accordance with the Regulations and the Maldon District Statement of Community Involvement 2021 (as set out in **APPENDIX 3** to these Minutes) be approved.

### **282. APPROVAL TO CONSULT ON THE WOODFIELD COTTAGES CONSERVATION AREA PROPOSAL AND THE DRAFT WOODFIELD COTTAGES LOCAL LISTED BUILDING CONSENT ORDER**

The Committee considered the report of the Director of Strategy, Performance and Governance presenting for approval the Woodfield Cottages Conservation Area Proposal and Character Appraisal (attached as Appendix 1 to the report) and Local Listed Building Consent Order (Appendix 2).

The report provided background information to Nos. 116 – 156 Woodfield Cottages, Heybridge and the initiatives proposed to help improve the character and condition of the cottages. Appendix 3 set out the support for these initiatives received from Historic England.

The Chairman thanked the Conservation and Heritage Specialist for his fantastic report which he commented showed the Officer's enthusiasm for conservation. These comments were reiterated by other Members of the Committee. The Chairman then moved the recommendations as set out in the report which were duly seconded.

#### **RESOLVED**

- (i) that the Woodfield Cottages Conservation Area Proposal and Character Appraisal (attached as Appendix 1 to the report) is approved for public consultation;
- (ii) that the Draft Woodfield Cottages Local Listed Building Consent Order (attached as Appendix 2 to the report) is approved for public consultation.

#### **283. RESPONSE TO ROCHFORD DISTRICT COUNCIL - DEVELOPMENT CAPACITY LETTER - AUGUST 2021**

The Committee considered the report of the Director of Strategy, Performance and Governance seeking consideration of a request made under the Duty to Co-Operate from neighbouring Rochford District Council (RDC) concerning their development capacity and Maldon District's ability to help accommodate housing needs. The letter from RDC was attached as Appendix 2 to the report.

The report provided background to the request from RDC and set out the following matters for consideration:

- The Duty to Co-operate;
- Stage of plan-making in RDC and Maldon District Council'
- Green belt;
- Housing market area geographies;
- Existing agreement or protocols.

The Chairman moved the recommendation as set out in the report and this was duly seconded.

It was noted that the letter would be sent from the Director of Strategy, Performance and Governance.

**RESOLVED** that the response to Rochford District Council's letter be approved as set out in Appendix 1 to the report.

#### **284. SUPPLEMENTARY ESTIMATES, VIREMENTS AND USE OF RESERVES**

The Committee considered the report of the Director of Resources reporting Virements and Supplementary Estimates agreed under delegated powers where they were below the levels requiring approval by the Committee. The report also set out procurement exceptions granted and reported on the Use of Reserves during the year.

It was noted that there were no supplementary estimates, procurement requests or drawdown from Reserves in this period. Members attention was drawn to two Virements set out in the report, one requiring Committee approval and the other for information only.

The Chairman moved the recommendations as set out in the report. This was duly seconded and agreed.

## **RESOLVED**

- (i) That Virement 1) as set out below, be approved;
- (ii) That Virement 2) as set out below, be noted.

<b>Cost Centre To</b>	<b>Directorate/ Service</b>	<b>Cost Centre From</b>	<b>Directorate/ Service</b>	<b>Budget Amount</b>	<b>Description</b>
1) 172	Strategy, Performance and Governance (SPG) / Salaries	301	SPG / Local Development Plan (LDP) Project	£232,300	Separating out the salaries part of approved LDP budget.
2) 103	SPG / Communication	171	Resources/ Staffing	£9,600	Virement to correct miscoding.

## **285. EXCLUSION OF THE PUBLIC AND PRESS**

**RESOLVED** that under Section 100A (4) of the Local Government Act 1972 the public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Act, and that this satisfies the public interest test.

## **286. LEASE AGREEMENT**

The Committee considered the report of the Director of Service Delivery seeking Members' approval to enter into a 25-year lease with a Maldon Sports Club (the Club).

The report provided background information regarding the lease agreement and proposal to enter into a new lease.

The Chairman moved the recommendation as set out in the report and this was duly seconded.

Councillor Miss S White disclosed an interest in this item of business as she supported this type of sports club.

A lengthy debate ensued, during which a number of comments and questions were raised, including the terms and negotiations around proposed new lease, the benefits of the Club to the local community, costs required for the Council to breakeven. In response, the Commercial Manager and Director of Resources provided Members with further information.

Following further discussion the Chairman proposed an amendment that the annual rental figure be raised to £150 per annum and that the recommendations as set out in

the report be agreed subject to this change. This amendment was duly seconded and agreed.

Councillor R G Boyce asked that his abstention from voting on this item of business be recorded.

**RESOLVED**

- (i) That the Director of Service Delivery be authorised to enter into a 25-year lease with the Sports Club identified in the report on the terms contained within this report and subject to an annual rental figure of £150 per annum;
- (ii) That a figure of £7,000 is included within the 2022 / 23 budget to fund the one-off grant to the Club.

There being no other items of business the Chairman closed the meeting at 9.29 pm.

R H SIDDALL  
CHAIRMAN



## **Maldon District Council**

### **Local Development Plan Review**

Duty to Co-operate Strategy

Temporary Cover

September 2021

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## 1. Our Strategy

- 1.1. The Localism Act 2011 established a legal duty on all local authorities and prescribed bodies as defined in Town and Country Planning (Local Development) (England) Regulations 2012) to co-operate with each other to address strategic matters relevant to their areas.
- 1.2. This Strategy establishes MDC's commitment, as a 'strategic policy-making authority' to implement the Duty to Co-operate (DTC) for its Local Development Plan Review (LDP Review).
- 1.3. It sets out a framework of who we will make every effort to co-operate with, how we will seek to cooperate with them, when we will co-operate and what mechanisms we will put in place to record and ensure that co-operation occurs 'constructively, actively and on an on-going basis' as required by Section 110 of the Localism Act 2011.
- 1.4. Although the DTC is not a duty to agree, the Council understands the value to the District and the wider geographic area of seeking co-operation on strategic and cross-boundary planning matters in a focused, positive and structured way.
- 1.5. Concurrently, MDC will continue to work 'constructively, actively and on an on-going basis' with nearby strategic policy-making authorities on their own statutory Local Plan preparation or reviews, as well as other prescribed bodies.

## Impact of Planning Reform

- 1.6. The Government's Planning White Paper: Planning for the Future was published in 2020 setting out a series of proposals to reform the planning system in England, with the intention on streamlining and modernising the planning process. Proposal 3 included removing the Duty to Co-Operate test, albeit that the Government announced that it would be giving further consideration to the way in which strategic, cross boundary issues can be adequately planned for. A new Planning Bill was announced in the Queen's Speech 2021.
- 1.7. For as long as there remains a legal duty to co-operate with other prescribes bodies, this Strategy will be the approach used to deliver those obligations so as not to delay plan-making in Maldon District. Any changes to legislation or national policy that follows as a result of planning reforms will be considered at a later date.

## Consultation

- 1.8. This Strategy was subject to a 6-week targeted consultation with all other bodies subject to the legal duty and the feedback received was used to shape the final strategy, as documented in its Statement of Consultation.

## 2. Our Approach

### Maldon District Corporate Plan

- 2.1. Maldon District Council's Corporate Plan 2021-2023 provides a renewed framework of council priorities. It sets out 19 outcomes that focus the council's work across four strategic themes – Place, Prosperity, Community and Performance & Value. Given its cross-cutting nature, many of the outcomes can be connected to the work of the LDP Review. Outcome 18: Meaningful Engagement establishes that MDC will “*use engagement with our residents, businesses, partners and staff to inform our decision-making*”.
- 2.2. The Corporate Plan also sets out Core Values which MDC will use at all times to deliver its outcomes, including “Collaborate to Deliver”. This demonstrates that by co-operating with others we already recognise the difference it can make to our communities.

### National Policy & Guidance

- 2.3. The National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG) set out specific requirements or advice for how the DTC can be effectively discharged.
- 2.4. The DTC seeks to ensure that councils deliver effective strategic planning through their local plans by working with other councils beyond their administrative boundaries. This is to help to ensure that social, environmental and economic issues are addressed having considered the most relevant spatial scale, rather than just administrative boundaries. There is also recognition that the outcomes of the DTC for these issues require positive, constructive and continuous partnership working between councils.
- 2.5. MDC has taken the NPPF and PPG into account in preparing this Strategy including:
  - As a strategic policy-making authority, MDC will collaborate to identify relevant strategic matters to address in the LDP Review;
  - Recognising that effective and on-going joint working between strategic policy-making authorities and relevant bodies is integral to the production of a positively prepared and justified strategy, determining where additional infrastructure is necessary and how development needs will be planned for;
  - Preparing, maintaining and publishing Statements of Common Ground, documenting the cross-boundary matters being addressed and progress in co-operating between bodies to address them.
- 2.6. The timetable for preparing the LDP Review and other policy and guidance is set out in the latest [Local Development Scheme](#) (LDS).
- 2.7. The NPPF identifies strategic policies (and therefore strategic issues) as those which set the overall strategy for the pattern, scale and quality of development and make sufficient provision for:

- a. Housing (including affordable), employment, retail, leisure and other commercial development;
- b. Infrastructure for transport, telecommunications, security, waste management, water supply, wastewater, flood risk and coastal change management, and the provision of minerals and energy (including heat);
- c. Community facilities (such as health, education and cultural infrastructure); and
- d. Conservation and enhancement of the natural, built and historic environment, including landscapes and green infrastructure and planning measures to address climate change mitigation and adaptation.

2.8. Strategic matters are therefore those which are larger than local issues that cannot be dealt with by one local planning authority alone.

### Purpose of Strategy

2.9. The Strategy therefore describes to neighbouring and nearby local planning authorities (See Map in **Appendix 2**) and prescribed bodies what co-operation and engagement arrangement they can expect from MDC on any strategic, cross boundary planning matters identified and how they can participate in ensuring they are adequately considered to ensure that they can positively influence the evolution of the LDP Review and shape the proposals as they emerge.

## 3. Our Audience

- 3.1. The Strategy is aimed at neighbouring and nearby local planning authorities, Essex County Council and a range of other prescribed bodies as defined in legislation and guidance. These are listed in **Appendix 1** and these bodies are reciprocally required to co-operate with MDC on strategic, cross-boundary planning matters of concern.
- 3.2. The Strategy should be helpful to other relevant bodies that MDC might need to co-operate with when preparing the LDP Review. These include the Local Enterprise Partnership, NHS Clinical Commissioning Group and private sector utility and infrastructure providers as set out in **Appendix 1**. These other bodies could have a key role in supporting the Council in its LDP Review, developing the evidence base, testing development options and commenting on draft policies.
- 3.3. The Strategy is not aimed at other important LDP Review consultees such as statutory consultees (that are not Duty to Cooperate bodies) such as local residents, community groups, Parish & Town Councils, landowners, developers, utility providers or emergency services as these are not specifically listed as DTC bodies by Regulations. However, MDC will engage and consult these people and organisations on its LDP Review, Supplementary Planning Documents and when considering planning applications, it receives. How this will take place is set out in a separate statutory document called the [Statement of Community Involvement](#) (SCI).

## 4. Our Approach to Duty to Cooperate

- 4.1. Co-operation on preparing the LDP Review will be a two-way process between different authorities and bodies. Our timetables for strategic documents will not always be aligned and we must respect the differences in each other's organisation's responsibilities.

### Scoping Strategic & Cross-Boundary Issues

- 4.2. We will seek to scope out the strategic cross boundary issues facing the District as early as possible in the plan-making process. We will engage the Duty to Cooperate bodies individually and through any existing forums, as frequently as is necessary through formal meetings, informal meetings (virtual where possible), in writing and by commenting on plans and strategies developed by each other; so we can help shape each other's direction.
- 4.3. Throughout the LDP Review process, the list of strategic cross boundary matters and opportunities for joint working between prescribed bodies will be kept under review by MDC and influence the engagement and cooperation activities promoted.

### Engagement Arrangements

- 4.4. MDC will build-on existing and established joint working mechanisms that exist at an officer/member level (or both), as set out in **Appendix 3** and will only seek to establish a new engagement approach where there is a gap to ensure strategic issues are not disjointed from other strategic conversations.
- 4.5. Co-operation arrangements MDC propose to consider using include:
- Joint Member Meetings, Committees and Working Groups;
  - Joint Officer Meetings, Boards and Associations;
  - Commissioning of joint evidence base studies and reports;
  - Joint or aligned plans across Council areas;
  - Joint mechanisms for considering unmet housing or Gypsy & Traveller needs;
  - Memorandums of Understanding as a framework for co-operation;
  - Getting key decisions in writing from other authorities/ bodies;
  - Confirming understanding/ intentions in writing;
  - Partnership agreements or joint statements of policy/ strategy; and
  - Iteratively prepared Statements of Common Ground.
- 4.6. These arrangements will be undertaken in addition to statutory LDP Review and planning application consultations and any general correspondence issued by MDC.
- 4.7. MDC will seek to ensure that co-operation and engagement is undertaken by both Members and Officers. It will also ensure that arrangements for co-operation are fit for purpose and reasonable and will consider any feedback it receives from another prescribed body if they should feel that the co-operation is not being successful.

## Disagreement

- 4.8. MDC recognises that there may be future instances where an offer of co-operation from MDC to another party is declined, or agreement on shared-policy outcomes or approach cannot be achieved. Although the DTC is not a duty to agree, MDC will make every effort to ensure that strategic cross-boundary planning matters are properly identified and addressed as the LDP Review develops through its preparation stages and that any major disagreements are resolved, as far as practically possible, before submission to the Secretary of State for Examination in Public by the Planning Inspectorate.
- 4.9. Where it is considered necessary, MDC will use an independent arbitrator to try to reach a resolution with other parties.

## 5. Demonstrating Compliance

### Comprehensive & Robust Evidence

- 5.1. The DTC is a legal requirement and is the first thing the Planning Inspectorate will assess before considering whether the Plan is sound. To do this, the Planning Inspectorate will require comprehensive and robust evidence to demonstrate that the duty has been met, which will be considered at the Examination in Public in 2022/2023.

### Statements of Common Ground

- 5.2. The PPG expects councils to prepare a single Statement of Common Ground covering all strategic-plan making authorities. MDC consider that in practice this could become a rather complex process to manage given the different discussions and strategic issues, vary authority to authority. To be pragmatic, where possible, MDC propose to have a common first section of the Statement of Common Ground (SOCG), which is shared between all strategic plan-making authorities<sup>1</sup>. This would be supplemented with all detailed strategic cross-boundary matters addressed issue by issue between individual authorities or groups of authorities.
- 5.3. For the remainder of the SOCGs, MDC will seek to use an iterative, three-phased steps to a SOCG as illustrated in **Appendix 4** to record its engagement in co-operating. SOCGs will detail key information, provide clear signposting and links to evidence on websites where at all possible.

1. **Scoping SOCG** – these will set out the initial parties in discussion, the geographic area covered, the governance arrangements that are available, the strategic cross-boundary matters that exist between the authorities and any existing cooperation arrangements that exist that could continue to apply. These would be developed during policy and evidence activities undertaken to support Regulation 18 of the Town and Country Planning (Local Development) (England) Regulations 2012.

2. **Draft SOCG** – these will be version-controlled documents building on the Scoping SOCG and establish the matters agreed, outstanding matters, the process that are proposed to be used to seek a resolution or reach an agreement where possible, any potential additional signatories whose help may be needed to address the strategic issue and when the review of the SOCG can be expected. These would be developed during policy and evidence activities undertaken to support Regulation 18 and 19 of the Town and Country Planning (Local Development) (England) Regulations 2012.

3. **Final SOCG** – these will be the version which sets out the matters agreed, any matters which cannot be agreed, the governance arrangements to manage them into the future and all signatories party to them. These would be developed during policy activities undertaken to support Regulation 22 and 24

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<sup>1</sup> The Marine Management Organisation will only be an additional signatory



of the Town and Country Planning (Local Development) (England) Regulations 2012.

5.4. It is proposed that the final versions of SOCG will:

- Describe and show on a map the geographical areas the statement applies to;
- Set out the key strategic matters addressed;
- Set out the plan-making authorities and signatories responsible for joint-working arrangements;
- Detail the governance arrangements for the cooperation process and how it will be kept up to date;
- Set out how strategic cross boundary issues concerned with development needs of the District, the capacity of the area to meet those needs and the proposed distribution. If there is any unmet need, it will set out the extent and what agreement has been reached (or not) about how needs could be redistributed;
- Set out how the strategic cross boundary issues which relate to environmental or infrastructure assets regulated, owned or maintained by other public bodies subject to the DTC have been considered in the context of development needs and whether any agreements have been reached on the principles of mitigation or long-term management;
- Include a record of where agreement have or have not been reached on key strategic matters, including the process used to reach them; and
- Confirm whether each Statement relates to any other Statements covering the same or part of the same area.

5.5. SOCG will remain in draft form until they are signed by all signatories, which may mean they are not published until the submission of the Local Development Plan or its Examination in Public. Drafts will be water-marked to aid clarity.

## Record Keeping & Reporting

5.6. MDC will regularly record and report on co-operation and engagement activities, what decisions have been reached and why and what outcomes have been reached for LDP Review. These will be reported in summary form annually in the Authority Monitoring Report (AMR) and may be reported through other formal mechanisms, such as to through reports to the Strategy & Resources Committee or Council.

5.7. For the LDP Review, this evidence will be set out in a DTC Statement of Compliance submitted to the Secretary of State alongside the LDP Review. This will highlight to the Planning Inspector how preferred strategic approaches and policies have resulted from effective cooperation and joint-working.

## Appendix 1 – Relevant Duty to Cooperate Bodies

1.1. The following 'Duty to Cooperate' bodies as set out in the Town & Country Planning (Local Planning) (England) Regulations 2012 (as amended) are relevant to the preparation and implementation of the Maldon District Local Development Plan Review:

- Essex County Council
- Neighbouring and Essex local planning authorities including Braintree, Chelmsford, Colchester, Rochford, Tendring, Uttlesford, Basildon, Castle Point, Harlow, Southend-on-Sea, Thurrock, Brentwood and Epping Forest;
- Civil Aviation Authority;
- NHS Mid & South Essex Clinical Commissioning Group;
- Environment Agency;
- Essex County Highways Authority;
- Highways England;
- Historic England (as the Historic Buildings and Monuments Commission for England)
- Homes England;
- Natural England;
- NHS England (as the National Health Service Commissioning Board);
- Marine Management Organisation;
- Mayor of London (Greater London Authority);
- Office of Road and Rail; and
- Transport for London.

1.2. In addition, Planning Practice Guidance (Paragraph 030 Reference ID: 61-030-20190315), whilst Local Enterprise Partnerships and Local Nature Partnerships are not subject to the requirements of the duty, LPAs, county councils and prescribed bodies must cooperate with them. LPAs must also have regard to their activities when they are preparing their Local Plans, so long as those activities are relevant to plan-making.

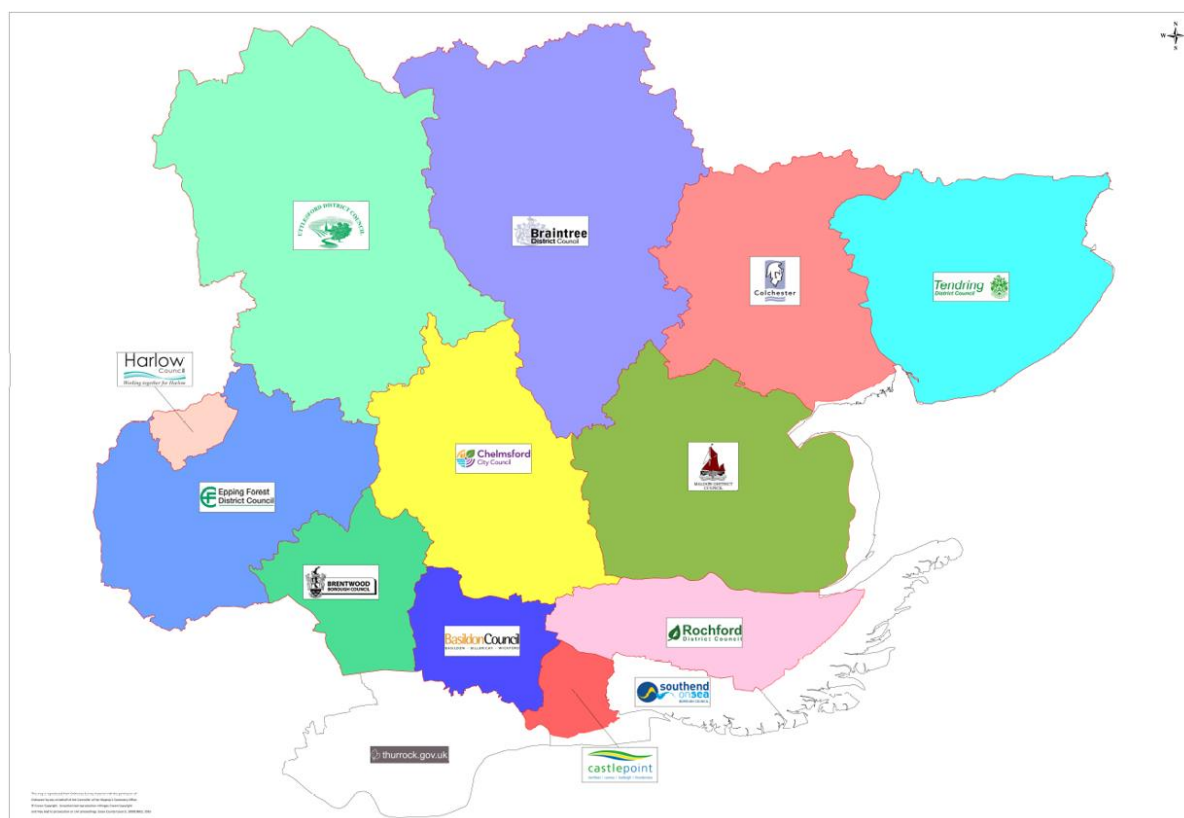
1.3. Therefore, to comply with the PPG, MDC will also cooperate with the:

- Greater Essex Local Nature Partnership<sup>2</sup>; and
- South East Local Enterprise Partnership.

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<sup>2</sup> Once it is formally established by the Government

## Appendix 2 – Strategic Policy Authorities Context Map



(Source: Essex County Council)

## Appendix 3 – Existing Co-Operation Governance Mapping

Public Body	Name of Existing Cooperation Arrangements	Level (Member/Officer)	Strategic Cross Boundary Theme <sup>3</sup>
<b>Essex County Council</b>	MDC & ECC LDP Review Strategic Liaison Group (SLiG)	Officer	ECC statutory functions relating to highways, public transport, minerals and waste planning, flood risk, education, public health & adult social care.
	MDC & ECC Transport Coordination Group (TCG)	Officer	Highways and Public Transport project coordination and delivery
<b>Neighbouring and other Essex Local Authorities</b>	Essex Partnership Board	Member & Officer	Local Government Administration
	Essex Chief Executives' & Leaders' Group (15 LAs)	Member & Officer	Local Government Administration (including Planning, Housing, Economy, Transport, Regeneration) etc.
	Essex Planning Policy Portfolio Holder & Chairman's (14 LPAs and ECC)	Member	Planning, Growth, Design, Infrastructure, Housing
	Essex Planning Officers' Association (14 LPAs and ECC)	Officer	Planning, Growth, Design, Infrastructure, Housing
	North Essex Economic Board (Uttlesford, Chelmsford, Maldon, Braintree, Tendring and Colchester)	Member & Officer	Economy
	Transport East (LGA)	Member & Officer	Strategic Road and Rail Connections & Investment
	Essex Coastal Forum	Member & Officer	Coastline Management & Essex RAMS
	Essex Flood Partnership Board	Member	Flood Risk, Drainage & Investment
	Essex Air Quality and Pollution Group	Officer	Environmental Pollution
	Superfast Essex Steering Board	Member	Broadband Investment

<sup>3</sup> Not intended to be exhaustive – all strategic cross boundary issues relevant to MDC will be set out in Statements of Common Ground

Public Body	Name of Existing Cooperation Arrangements	Level (Member/Officer)	Strategic Cross Boundary Theme <sup>3</sup>
	Health & Wellbeing Forum	Member & Officer	Public Health
<b>Civil Aviation Authority</b>	n/a	n/a	Airport Regulation & Airspace Management
<b>Environment Agency</b>	Essex Flood Partnership Board; Maldon District Strategic Flooding Projects Group	Member & Officer	River Catchment Management, Shoreline Management, Water, Flood Risk Mitigation
<b>Essex Highways Authority</b>	Local Area Highways Panel	Member	Highways
<b>Highways England</b>	A12 Chelmsford to A120 Widening Scheme Regional Delivery Partnership	Member & Officer	A12/A120 Strategic Routes
<b>Homes England</b>	MDC & Homes England Liaison Meetings	Officer	Housing, Regeneration, Development, Investment
<b>Historic England</b>	None	n/a	Historic environment
<b>Local Nature Partnership</b>	TBC	n/a	Natural environment
<b>Natural England</b>	None	n/a	Natural environment
<b>NHS England</b>	None	n/a	Public Health
<b>Mid &amp; South Essex NHS Clinical Commissioning Group</b>	Maldon Operational Group Maldon & MSE CCG Liaison Meetings	Member & Officer	Primary and Acute Health Care
<b>Marine Management Organisation</b>	None	n/a	Marine Planning
<b>Mayor of London (Greater London Authority)</b>	Wider South East Political Steering Group (LGA)	Member	Opportunities & impacts of Greater London on Wider South East
<b>Office for Road and Rail</b>	None	n/a	Road and Rail Regulation
<b>SELEP</b>	Essex Business Board	Member	Economy
	Coastal Communities Working Group	Officer	Coastal Communities
	Rural Working Group	Officer	Rural Communities
<b>Transport for London</b>	Wider South East Political Steering Group (LGA)	Member	Opportunities & impacts of Greater London Transport system on Wider South East

## Appendix 4 – Model Final Statement of Common Ground

<p><b>Front Cover</b></p> <p>Maldon District Local Development Plan Review Statement of Common Ground</p> <p>Signatories Logos</p>
<p><b>1. Main Parties:</b> <i>A list of bodies which have engaged in the SOCG – short summary of each body to aid contextual understanding)</i></p>
<p><b>2. Applicable Strategic Geography</b> <i>including a map, short description and justification for the strategic planning area that covers the SOCG.</i></p>
<p><b>3. Strategic Matters Considered</b> <i>Define and agree on the strategic/ cross boundary issues</i></p> <p><i>Establish the matters where a policy approach has been <u>agreed</u>, including any support for evidence or complimentary projects or initiatives, or additional partners.</i></p> <p><i>Establish any matters that are <u>outstanding</u>, noting the implications for strategic/cross boundary context and what process will happen to seek to resolve them before the SOCG is finalised, including any arbitration.</i></p>
<p><b>4. Governance Arrangements</b> <i>Define any specific governance arrangements that will be used to make decisions on delivering activities set out in the SOCG</i></p>
<p><b>5. Timetable for review and ongoing cooperation</b> <i>Establish a target date for agreeing the SOCG or when a review may need to be considered.</i></p> <p><i>Establish how strategic issues will be managed on an ongoing basis after plan adoption, any specific mechanisms or partnerships that will be used and how it will be monitored by all signatories.</i></p>
<p><b>6. Signatories</b></p> <p><b><i>Name of Lead Officer and Lead Committee/ Cabinet Member/ Board Member of each Organisation.</i></b></p>

## Affordable Housing and Commuted Sum Strategy

### 1. Introduction

- 1.1 The aim of Maldon District Council's (MDC) Affordable Housing Policies and guidance is to ensure the development of balanced and integrated communities and to deliver good quality affordable housing. The need for subsidised, affordable housing provision has long been recognised. The cost of good quality private sector housing in the right location means that significant numbers of households lack the income to meet the market cost of housing. Without subsidised housing, these households can fail to obtain housing of an acceptable standard.
- 1.2 This strategy explains MDC's approach to the delivery of affordable housing where these homes cannot be delivered as part of a development on-site, or where the delivery of the affordable homes elsewhere is more sustainable than on-site. In these circumstances a monetary alternative is provided to fund this off-site provision as a commuted sum. In accordance with the NPPF this guidance is not prescriptive, rather it sets out principles which should be followed whilst undertaking viability assessments and determining an appropriate commuted sum. This provides flexibility when dealing with housing proposals that vary significantly in location, scale, type and tenure.
- 1.3 Acceptance of a commuted sum has been a very rare occurrence for the council as affordable housing has generally been delivered on-site. There is a likelihood that in the future commuted sum payments will happen on a more regular basis and, whilst individually these sums may be relatively small, the total value of commuted sum receipts will continue to grow.
- 1.4 A legal agreement under section 106 of the Town and Country Planning Act 1990 (S.106) may require the council to spend, or commit to spend, commuted sums received within a specified timescale. If they have not been used or allocated for use, a developer may, after the specified period, seek a return of a commuted sum payments. As a non-stock holding authority, affordable housing in the District is provided by Housing Associations who rely on public subsidy towards the capital costs of development; this adds an additional layer of complexity to the use of any commuted sums received.

## Affordable Housing and Commuted Sum Strategy

- 1.5 It is therefore important for the council to have an agreed approach to enable timely and appropriate use of these monies.
- 1.6 The provision of affordable housing is considered to be in accordance with the Council's Corporate Plan (2021-2023); particularly 'Deliver the housing the District needs' and 'Deliver sustainable growth and new infrastructure through development'.

## 2. Definition of Affordable Housing

- 2.1 The NPPF Annex 2 defines Affordable Housing as:

*"Affordable housing: housing for sale or rent, for those whose needs are not met by the market (including housing that provides a subsidised route to home ownership and/or is for essential local workers); and which complies with one or more of the following definitions:"*

*"a) Affordable housing for rent: meets all of the following conditions: (a) the rent is set in accordance with the Government's rent policy for Social Rent or Affordable Rent, or is at least 20% below local market rents (including service charges where applicable);(b) the landlord is a registered provider, except where it is included as part of a Build to Rent scheme (in which case the landlord need not be a registered provider); and (c) it includes provisions to remain at an affordable price for future eligible households, or for the subsidy to be recycled for alternative affordable housing provision. For Build to Rent schemes affordable housing for rent is expected to be the normal form of affordable housing provision (and, in this context, is known as Affordable Private Rent)."*

*"b) Starter homes: is as specified in Sections 2 and 3 of the Housing and Planning Act 2016 and any secondary legislation made under these sections. The definition of a starter home should reflect the meaning set out in statute and any such secondary legislation at the time of plan-preparation or decision-making. Where secondary legislation has the effect of limiting a household's*



**Affordable Housing and Commuted Sum Strategy**

*eligibility to purchase a starter home to those with a particular maximum level of household income, those restrictions should be used.”*

*“c) Discounted market sales housing: is that sold at a discount of at least 20% below local market value. Eligibility is determined with regard to local incomes and local house prices. Provisions should be in place to ensure housing remains at a discount for future eligible households.”*

*“d) Other affordable routes to home ownership: is housing provided for sale that provides a route to ownership for those who could not achieve home ownership through the market. It includes shared ownership, relevant equity loans, other low cost homes for sale (at a price equivalent to at least 20% below local market value) and rent to buy (which includes a period of intermediate rent). Where public grant funding is provided, there should be provisions for the homes to remain at an affordable price for future eligible households, or for any receipts to be recycled for alternative affordable housing provision, or refunded to Government or the relevant authority specified in the funding agreement.”*

- 2.2 Social rented, affordable rented and intermediate housing, provided to eligible households whose needs are not met by the market. Eligibility is determined with regard to local incomes and local house prices. Affordable housing should include provisions to remain at an affordable price for future eligible households or for the subsidy to be recycled for alternative affordable housing provision.
- 2.3 Social rented housing is owned by local authorities and private registered providers (as defined in section 80 of the Housing and Regeneration Act 2008), for which guideline target rents are determined through the national rent regime. It may also be owned by other persons and provided under equivalent rental arrangements to the above, as agreed with the local authority or with the Homes and Communities Agency.

## **Affordable Housing and Commuted Sum Strategy**

- 2.4 Affordable rented housing is let by private registered providers of social housing to households who are eligible for social rented housing. Affordable Rent is subject to rent controls that require a rent of no more than 80% of the local market rent (including service charges, where applicable).
- 2.5 Intermediate housing is homes for sale and rent provided at a cost above social rent, but below market levels subject to the criteria in the Affordable Housing definition above. These can include shared equity (shared ownership and equity loans), other low cost homes for sale and intermediate rent, but not affordable rented housing.

### **3. Definition of Commuted Sum**

- 3.1 A commuted sum is an amount of money, paid by a developer to Maldon District Council, where the size or scale of a development triggers a requirement for affordable housing, but it is not possible to deliver affordable housing on site. The sum will be used to provide affordable housing on an alternative site in the local authority.
- 3.2 The requirement for a commuted sum to be paid in lieu of on-site delivery of affordable housing is secured S.106 legal agreement. It is necessary to adhere to any specific constraints such as a time limit for the sum to be spent, or restrictions around locality for alternative provision.
- 3.3 The council can, in appropriate circumstances seek a legal agreement as part of a planning permission for a development. The Local Planning Authority must ensure that a S.106 obligation meets the relevant tests set out in the Community Infrastructure Levy Regulations 2010 (CIL).
- 3.4 It must be satisfied that the obligation is necessary to make the development is:
- Acceptable in planning terms;
  - Directly related to the development and fairly; and

## Affordable Housing and Commuted Sum Strategy

- Reasonably related in scale and kind.

### 4. Maldon District Council's Affordable Housing Policy

- 4.1 The Council's Local Development Plan (LDP) seeks to deliver market and affordable housing that meets the needs and aspirations of existing and future residents, of different demographic groups and needs, over the plan period (2014-2029). Specifically, the affordable housing policy positions is defined by LDP Policies H1: Affordable Housing, Policy H2: Housing Mix, H3: Accommodation for 'Specialist' Needs and both the 'Specialist Needs Housing Supplementary Planning Document' and 'Affordable Housing and Viability' Supplementary Planning Documents.
- 4.2 All housing development of 10 or more units or 1,000m<sup>2</sup> are required to contribute towards affordable housing provision to meet the identified needs of the District. Policy H1 of the LDP sets out the affordable housing requirements for each sub-area in the District. These are shown in the table below as the percentage of affordable required in each development where required:

Sub-area Requirements	
North Heybridge Garden Suburb:	25%
North of Heybridge - S2(d)	40%
North of Holloway Road - S2(e)	40%
West of Broad Street Green Road - S2(f)	40%
South Maldon Garden Suburb	40%
Strategic Allocations at Maldon, Heybridge and Burnham-on-Crouch	40%
All other developments:	
Northern Rural, Maldon Central and South and Rural South	40%
Maldon North and Rural South East Higher	30%
Rural South East Lower	25%

- 4.3 Since adoption of the Local Development Plan, the Government has set a national threshold of 10 units and maximum combined floor space of 1,000 sqm, beyond which, contributions to affordable housing provisions can only be

## Affordable Housing and Commuted Sum Strategy

sought. This is a material consideration that MDC gives significant weight to through the Development Management process.

- 4.4 The Council does consider accepting financial contributions (commuted sums) from developers where it is justified that affordable housing cannot be delivered on-site or when the District's affordable housing needs can be better satisfied through this route.

### Examples of where Commuted Sums may be acceptable

- 4.5 The Council expects on-site affordable housing to be provided on-site. Applicants should not automatically assume that a financial contribution in lieu of on-site affordable housing will be acceptable. However, it is accepted that, at times, it may be more beneficial to accept a financial contribution to better meet the District's affordable housing need. It is considered that these situations will include:
- The location of the proposed development is not in a sustainable suitable location (in relation to access to local services e.g. health, education and public transport).
  - The location of the site is not considered appropriate for affordable housing.
  - Delivery of on-site affordable housing in an area where there is already a dominance of a particular tenure of affordable housing.
  - Where the applicant can demonstrate that no registered provider is interested in purchasing the proposed affordable housing element.
  - There is a limited demand for this type of accommodation in the area, the type or tenure is considered to be unfavourable, there would be an overconcentration of a specific type or tenure of accommodation
  - When the contribution would make up part of a flat block and/or when the size of the units may be unattractive to a registered provider (This would normally only be relevant when considering the conversion of an existing building rather than the provision of a new development).

## Affordable Housing and Commuted Sum Strategy

- It can be demonstrated by the applicant that delivery is not possible because of viability constraints (an accompanying viability assessment will be required).

How will the Commuted sum be calculated

- 4.6 On sites where the Council has decided to take a financial contribution the Council will calculate the payment to be made. The formula used to work out the commuted sum is set within Maldon District Council's 'Affordable Housing and Viability Supplementary Planning Document (SPD)'. All contributions will be based upon this formula:

**Developer contribution:  $A = B \times C$**

**A:** the affordable dwelling payment.

**B:** the average price for an affordable dwelling (by size and tenure).

**C:** policy requirement number of units.

## 5. How will the Commuted Sums be spent

- 5.1 The Local Authority will use financial commuted sums in a number of ways and will require the flexibility to do so to be reflected in its approach and in the s.106 agreement. Where the contributions are accepted they will be used to provide an additional affordable housing enabling tool aimed at meeting the housing needs of the District. Commuted sums will be earmarked to enable the provision of affordable housing through a variety of means such as:

- To support and facilitate the delivery of affordable housing led development;
- To support the delivery of new build affordable housing;
- To create additional, larger or a different tenure mix within the existing affordable housing provision;
- To provide funding in order to make it possible for a higher proportion of affordable homes on a site than is required by policy;

**Affordable Housing and Commuted Sum Strategy**

- To fund extra units of affordable housing on alternative sites or additional units outside of those secured under the S106 agreement;
- For the deliver of affordable housing schemes that meet the specific hosing needs of the residents of the District;
- Acquisition of single dwellings that can be used for affordable housing units when opportunities arise.
- Secure long-term temporary accommodation.

**6 Conclusion**

- 6.1 Commuted sums provide a valuable opportunity for the councils to ensure that where delivery of affordable housing on a site is not possible, alternative provision can contribute towards the councils' aims of delivering affordable homes to meet local need.
- 6.2 There is a need for guidance to be approved for the spending of commuted sums, which allows for the appropriate and timely use of these payments to provide new-build affordable housing that meets the housing needs of the District.

**MALDON DISTRICT  
LOCAL DEVELOPMENT PLAN REVIEW**

**REGULATION 18**

**ISSUES AND OPTIONS DOCUMENT**

**DRAFT JULY 2021**

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## 1.0 ISSUES AND OPTIONS CONSULTATION BACKGROUND

### 1.1 Maldon District's Local Development Plan (LDP)

All councils have to prepare a Development Plan called a Local Plan; this document is, along with the National Planning Policy Framework (NPPF) used in the determination of planning decisions. It sets out how an area can meet its growth needs for things such as new housing and employment development. All local plans include a spatial strategy which directs where this growth will go and allocates land so that it can be developed. They also contain more detailed policies to guide how councils will make decisions on planning applications. The plan covers all types of development, from housing to employment, shops, infrastructure (roads, schools, green spaces) and community facilities, with a few exceptions including how waste and minerals related development will be catered for.

Maldon District Council's Local Development Plan (LDP) was approved following an Examination in Public by the Planning Inspectorate in 2017 and it covered the period 2014 to 2029. The LDP applies to the whole of Maldon District.

### 1.2 Why does the LDP Need Reviewing?

Policy S3 in the approved LDP had a trigger set out in it for an early review, in para 2.16 of the LDP it states;

*"The Council will monitor housing delivery against the housing trajectory for the District using the indicators specified in the Monitoring Framework set out in the LDP. If the Authority Monitoring Report (AMR) demonstrates that the Garden Suburbs and Strategic Allocations deliver less than 75% of their projected housing completions in three consecutive years (based on the trajectories set out in Figure 4 of this Plan), the Council will undertake a partial review of this Plan. In undertaking this review, the Council will ensure that sufficient infrastructure capacity is available and that the potential allocation of additional housing sites will not prejudice delivery of the infrastructure required by the Plan."*

The council has also been monitoring development every year since the LDP was approved. Monitoring in 2019/2020 showed that the trigger had been met for the first time.

Additionally, the evidence base, which supports the LDP is now becoming out of date and the District does not have a 5 year supply of housing land which helps residents with choice in their accommodation needs. National policy has also been amended since the LDP was approved and there are some aspects which are no longer in conformity with it, which reduces its effectiveness in managing development in the District. Finally, in February 2021, the Council declared a Climate Emergency and many of the policies in the LDP do not provide the best foundation from which to help manage and mitigate the effects of climate change on the District.

It is therefore considered an appropriate time for a review of the document. The reviewed LDP will start to carry some weight as it progresses through the plan making stages and on adoption will carry full legal weight and fully supersede the current LDP.

### 1.3 Timetable for the Review of the Local Plan

The updated Plan will cover the period up to at least 2038, fifteen years from the expected date of adoption in 2023. The council has published a timetable for updating the Plan in its statutory Local Development Scheme. The timetable is outlined below:

DOCUMENT TITLE	REVIEW OF THE LOCAL DEVELOPMENT PLAN
Role and Content	To provide an update to the Adopted Local Development Plan 2014 – 2029 this will provide a planning policy framework and development strategy for Maldon District up to 2038
Coverage	Maldon District
Timetable	Consult on Issues and Options – Autumn 2021 Consult on the Preferred Strategy LDP (Reg 18) – Summer 2022 Publish Draft LDP (Reg 19) – Early Spring 2023 Submit to the Secretary of State for Examination – Late Spring 2023 Adoption – Late Autumn 2023
Chain of Conformity	Relevant Planning Acts and Regulations National Planning Policy Framework and Planning Practice Guidance Maldon District Corporate Plan Local Development Plan Evidence base
Resource	Local Plans team; Other Council Officers; Co-operation with neighbouring local planning authorities; Co-operation with relevant stakeholders including infrastructure providers; Use of technology and web-based communication to assist with consultation; and Consultancy support to develop, review and update the evidence base and aid with the Examination.

#### 1.4 **Why are the Council consulting on an Issues and Options document now?**

As outlined in the timetable above, the LDP update process has a number of formal statutory stages to pass through which will take place over the next few years. This includes consultation on draft versions of the Plan. This Issues and Options document is the first formal but non-statutory consultation in the plan making process. Its main purpose is to ensure that the Plan had identified the main key issues for those parts of the Plan that the Council are reviewing and that all suitable options for accommodating change are considered. This is your opportunity to feed into the LDP Review process at an early stage and help shape the future changes to the Plan.

#### 1.5 **Will the Review of the Local Plan Impact on Neighbourhood Planning?**

For some Parish Councils in Maldon District, Neighbourhood Planning has enabled them to come together to produce a statutory plan for their local area to influence how development should be managed. Neighbourhood Plans have the same status in the planning process as Local Plans, but they must be in conformity with the Local Plan and also legislation, national planning policy & guidance.

Whilst any Neighbourhood Plans that have been formally 'made' (that is, they have been brought into effect for use in the District's planning policy framework) will continue to form part of the Development Plan for their areas, the most up to date plan takes precedence and therefore the LDP Review may supersede parts of Neighbourhood Plans which do not comply with it.

It is recommended that new and developing Neighbourhood Plans should, as far as it is possible, take into account the LDP Review as they are developed and that any 'made' Neighbourhood Plans may need to be reviewed themselves by Parish Councils in light of any changes coming forward. The council will support communities through this process.

#### 1.6 **Making Comments on this Consultation**

The consultation will run from XXXX to 5.30pm on the XXXX.

Representations should arrive no later than 5.30pm on XXXX. All representations received will be made available to view publicly.

The consultation document and supporting documents can be found on the council website at: [www.maldon.gov.uk/Issues-and-Options](http://www.maldon.gov.uk/Issues-and-Options)

If you would like to make comments, please reference specific questions, sections or paragraph numbers and be as specific as possible. You are not required to comment on all of the questions in the Issues and Options document and you can complete as many questions as desired.

Please send your comments in one of the following ways:

XXXXXX

## 2.0 **THE DISTRICT OF MALDON - A SPATIAL PICTURE**

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- 2.1 The District covers an area of 36,000 hectares and has over 70 miles of unique coastline. Compared to other locations in Essex, the District has a relatively low crime rate, good quality housing stock, a unique retail offer with quality high streets in both Maldon and Burnham-on-Crouch. The District's natural landscape is dominated by the

two estuaries and the extensive flat and gently undulating alluvial plain along the Rivers Blackwater and Crouch and their relationship with the North Sea. The area has strong associations with fishing and marine trades, and more recently sailing.

- 2.2 The District has strong spatial connections with a number of important regional growth areas including, the Haven Gateway, the Thames Gateway, London, Chelmsford, the M11 corridor, M25; as well as Stanstead and Southend Airports.
- 2.3 The settlements of Maldon, Heybridge and Burnham-on-Crouch are important drivers for the local economy. The District is home to approximately 27,500 jobs generated from 3,681<sup>1</sup> businesses. The villages and rural areas also make a considerable contribution to the District's economy with a high performance in agricultural and farming related activities, including viticulture. Historically, the economy was based on agricultural production, coastal trade and manufacturing. However, in recent decades there has been a shift towards a mixed economy with an increased service sector, tourism and advanced engineering and manufacturing businesses.
- 2.4 Tourism is an important sector in the wider Essex economy contributing £3.4bn of value. Maldon District is an important contributor of this diverse appeal with its offering of heritage, unique landscapes, recreation areas and marine culture all within close proximity to London and the wider region. These qualities have made the District increasingly attractive to the TV and film industry as a production location, which itself is attracting more people to the area as they search for the places they see on their screens. To the Maldon District, tourism contributes around 17% of all employment and brings over £178m in visitor spend to the local economy<sup>2</sup>.
- 2.5 The District has a unique heritage including a maritime heritage with more than 1,000 entries on the statutory list of buildings of architectural or historic interest, 21 Scheduled Monuments, one Registered Park and Garden, and one Registered Battlefield. There are also 14 designated Conservation Areas which incorporate the historic cores of towns and villages, eight miles of waterway incorporating the Chelmer and Blackwater Navigation and the 24 buildings and open space of a nationally important World War One Aerodrome in Stow Maries.  
  
The District is 211th (out of 317 English local authority areas) in terms of its overall ranking in the Index of Multiple Deprivation. However, its score with regard to barriers to housing is lower with 149 out of the 317 English Local Authorities, which is most likely an indicator of the high cost of housing and the lack of rental housing supply especially in the south of the District.
- 2.6 In 2021, the District of Maldon had a population of approximately 65,800. By 2038, this is estimated to have increased to approximately 72,000. Whilst the District's population has doubled over the last 40 years, it still has one of the lowest population densities in Essex at approximately 182 residents per square kilometre. As with other locations in Essex, the population of the District is ageing and it is projected that between 2021 and 2038, the population aged between 65 and 84 years is expected to increase by approximately 45%; whilst those aged over 85 years is expected to double. There is also projected to be a decline in the ratio of working age people, which could have a future impact on employment vacancy rates.

<sup>1</sup> Cambridge Economics within the Maldon District Economic Study – Hatch 2020

<sup>2</sup> Destination Research – Economic Value of Tourism 2020

2.7 The District's natural landscape is dominated by the two estuaries and the extensive flat and gently undulating alluvial plain along the Rivers Blackwater and Crouch, these areas have fragile habitats and biodiversity with many of the areas being of international, national and local importance and subsequently have been designated as Ramsar Sites, Sites of Special Scientific Interest (SSSI), Special Protection Areas (SPA), Special Areas of Conservation (SAC) and National Nature Reserves (NNR). There are significant areas of semi-natural habitat that make an important contribution to the area's diverse landscape character and offers key landscape views across the estuaries. The presence and distribution of these habitats is strongly influenced by geology and landform and include woodland, grassland, estuary, salt marsh, mudflats, and freshwater and open water habitats.

2.8 The District is geographically split into three distinctive areas which are the Central Area (Maldon and Heybridge), the North and West Area and the South and East Area. The areas are described in more detail below and illustrated on Map X. (to be inserted)

### 2.9 The Central Area (Maldon and Heybridge)

Maldon and Heybridge are interdependent in terms of how residents use their services and facilities, though the River Blackwater runs between the two, connecting them by Fullbridge and the A414. These two settlements have a combined population of approximately 23,000 and account for over a third of the District's population. They have an important commercial, retail, leisure and service centre function that serves the whole District, assisting the growing tourism sector with museums, places of architectural interest and parks, including the renowned Promenade Park.

2.10 Maldon is a medieval market town that was first mentioned in AD 913 in the Anglo Saxon Chronicle. As one of the oldest towns in Essex, its rich history is reflected in the quality of its architectural heritage. There are 185 Listed Buildings in the Maldon Conservation Area alone. Maldon is also known internationally for its sea salt production and as a centre for Thames Sailing Barges. Unfortunately, its two railway stations were closed in the 1960s and some parts of the old railway line have since been built over.

Maldon is also home to the South Maldon Garden Suburb which was allocated for strategic growth in 2017 and is currently being built in phases, which will include new community facilities, including an NHS health hub, a new primary school and relief road.

Heybridge has two distinctive parts, a large urban area and the riverside area of Heybridge Basin. The urban area is characterised by its manufacturing heritage, which has had an important impact upon the urban grain and architecture of the area. The Basin area is quite different and is characterised by its relationship to the Chelmer and Blackwater Navigation that was opened in 1797. Many of its buildings can trace their links back to a maritime heritage and date from the development of the commercial waterway in the late eighteenth and early nineteenth centuries, with some twentieth century replacement buildings.

### 2.11 The North and West Area

2.12 In this area lies the settlements of Great Totham, Great Braxted, Purleigh, Tollesbury, Tolleshunt D'Arcy, Wickham Bishops, Woodham Mortimer and Woodham Walter, Little Totham, the Broad Street Green area and the area of Beacon Hill, Tollesbury, North Fambridge, Cold Norton, Stow Maries, and Cock Clarks.

- 2.13 This area is characterised by its distinctive settlements, ponds, reservoirs and wooded areas. North Fambridge is located in the south of the area and has its own railway station on the Southminster branch line that terminates at Wickford with onwards services into London Liverpool Street and Southend Victoria. There are golf courses, wooded walks, a linear country park along the route of the former Maldon to Witham railway line and the settlement of Stow Maries includes an important World War One Aerodrome.

Tollesbury is an historic settlement with a strong relationship with the River Blackwater and its economy was traditionally based on oyster dredging and agriculture. The hinterland is mainly comprised of marshland and saltings.

- 2.14 The Broad Street Green area, because of its close connection with the main settlement of Maldon and Heybridge was one of the areas the LDP allocated for strategic growth in 2017 and will in the future be the location of the North Heybridge Garden Suburb with its associated new community facilities, including a GP practice and primary school.

#### 2.15 **The South and East Area**

- 2.16 In this area lies the following settlements; Burnham-on-Crouch, Southminster, Dengie, Bradwell-on-Sea, Asheldham, Bradwell Waterside, Mayland, Maylandsea, St Lawrence, Althorne, Tillingham and Steeple.

- 2.17 This area incorporates the Dengie Peninsula with its rural character, open big skies, tranquillity, marshland and mudflats. This area also incorporates Burnham-on-Crouch which is the second largest town in the District, after Maldon and Heybridge, connected to other places with a railway station. Burnham-on-Crouch is predominantly known for its coastal trading history and sailing activities. It is associated with its maritime connections including oyster trading and yachting, with a number of clubs which include the Crouch Yacht Club, the Royal Corinthian Yacht Club and the Royal Burnham Yacht Club.

- 2.18 The settlement of Southminster also lies in this area and contains several historic buildings including St Leonard's Church. The settlement also has its own railway station, which is the terminus of the Crouch Valley branch line.

- 2.19 A third railway station is located at Althorne, though the station is physically separated from the main settlement, which lies instead on a rise in the land and this gives it wide open views to the River Crouch and its landscape.

- 2.20 Bradwell-on-Sea on the Dengie Peninsula is a settlement with a history of national significance. It contains the remote Chapel of St Peter-on-the-Wall, which is one of the oldest chapels in England being constructed in AD 654 from Roman ruins when St Cedd was sent from Lindisfarne to spread the Gospel in East Anglia.

**Would you agree with the above spatial picture of the District?**



## 3.0 NATIONAL CONTEXT

### 3.1 Planning System & National Issues

The Government has highlighted its ongoing commitment to the plan-led system, seeing it as a key way of delivering many of its objectives including an increase in house building nationally and raising the standard of design in new developments. By law, the LDP Review will need to be in conformity with new legislation including national policy and guidance and take account of any changes that the Government makes to the system whilst the LDP Review is evolving.

Alongside the Planning Bill, proposed in HM The Queen's Speech 2021, other topical issues that could affect the Maldon District as the LDP Review is delivered include:

- The introduction of the Future Homes Standard meaning a ban from installing fossil-fuel boilers in domestic properties from 2025;
- The introduction of a Future Buildings Standard to the Building Regulations, to improve the energy efficiency of non-domestic buildings;
- The ban on new petrol and diesel engines by 2040 and the need to increase alternatives; and
- The roll-out of Biodiversity Net-Gain schemes via development.

### 3.2 Nationally Significant Infrastructure Projects

It is important to remember that not all planning decisions are determined by Maldon District Council. Some projects, which are deemed by the Government to be in the national interest are instead planned and determined through a separate policy and determination process called National Policy Statements (NPSs), Nationally Significant Infrastructure Projects (NSIPs) and Development Consent Orders (DCOs).

There are two NSIPs currently underway for the Maldon District. These are:

- Bradwell B New Nuclear Power Station
- A12 Junction Upgrade and Widening Scheme

#### Bradwell B New Nuclear Power Station

Maldon District has been identified by the Government as the location for a potential new nuclear new build site at Bradwell on-Sea, known as Bradwell B. Bradwell is no stranger to nuclear development and is also the site of the decommissioned Bradwell A Magnox power station. Whilst the current developer promoting the project paused work on the Development Consent Order (DCO) in January 2021, Bradwell-on-Sea is still an identified site in the National Policy Statement for Energy Infrastructure (EN-6)<sup>3</sup>, which the LDP Review cannot change and according to the Government it remains available and potentially suitable, in principle, for nuclear energy development.

3.3 Planning policies for NSIPs are set out in NPSs and do not form part of the LDP. The Council does however have to give them consideration when reviewing the LDP.

3.4 When determining DCO applications for NSIPs the Government will consult the Council. The Council will then prepare a Local Impact Report, to which the Planning

<sup>3</sup> [National Policy Statements for energy infrastructure - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/policies/national-policy-statements-for-energy-infrastructure)

Act 2008 states that the Secretary of State must have regard to when determining the DCO. The LDP Review can therefore play a crucial role in helping to inform the Local Impact Report along with any other evidence and considerations.

- 3.5 The Council will, however, be the decision-maker for any ancillary development linked to the NSIP (but not included in the DCO) under its powers as LPA. Any such development will be considered against the LDP and the NPS.
- 3.6 There may also be occasions where supporting or preliminary work for NSIPs is required before the DCO work. If this happens any proposals will be considered in line with the policies in LDP.
- 3.7 **The A12 Junction Upgrade & Widening Scheme**  
On the north-west of the District is a proposal by Highways England to upgrade a stretch of the A12 between Chelmsford and Colchester (junction 19 Boreham Interchange to junction 25 Marks Tey Interchange). Some very small stretches of the road are physically in the Maldon District.
- 3.8 MDC has been engaged in the process since 2017 and together with our Highway Authority partners in Essex County Council and our neighbouring authorities, we have been working to identify ways to improve road conditions on connections into the A12 which Maldon District residents and businesses use.

#### 4.0 KEY ISSUES FOR MALDON DISTRICT

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##### 4.1 District Wide

It is important in the review to reconsider the issues that face the District and ensure that they are still relevant. These should be short and high level and relate to matters that relate to the District. In the current LDP approved in 2017, the main issues that were to be addressed were as follows;

- 4.2 **Housing** – In-migration and lack of supply meant that demand was significantly higher than the amount of housing that was being built. This increased the affordability issue of housing, meaning more people were finding themselves not being able to afford to continue to live in the District and some who had lived here all their lives were moving out to find somewhere more affordable to live. This was exacerbated by the fact that a large proportion of the working population out-commuted to London and there was a difference in the wages between those that worked locally. There was a high need for affordable housing across the District exacerbated by a lack of supply with an imbalance in the requirement against the delivery of the type and size of housing. There was also a growing requirement for the delivery of additional Gypsy and Traveller sites.
- 4.3 **Economy** - With the exception of few large-scale companies, the economy of the District was generally defined by a large number of small firms. Whilst there was overall prosperity across the District, there was a skills shortage with a high proportion of the working age population possessing no qualifications and a significant proportion of the population out-commuting to work. This resulted in a disparity in income levels of local workers, versus those who commuted, exacerbating issues of affordability and quality of life.



- 4.4 The Natural and Built Heritage** - The Maldon District was characterised by a diverse and distinct natural, historic and built heritage which made a significant contribution to the quality of life in the area. There was a need for the planning policy framework to optimise these assets whilst maintaining an appropriate balance with the requirement to also meet development needs. Due to the coastal and low-lying topography around the estuaries, the District was considered to be particularly vulnerable to the impacts of climate change and flooding. The vulnerability of new development needed to be minimised to ensure that this risk was not worsened for future generations.
- 4.5 Accessibility** - The District has direct links to the A12 trunk road via the A414 and the B1019. Many roads within the District comprised B and C class country roads. There is one railway branch line (the Crouch Valley Line) along the south of the District connecting Southminster, Burnham-on-Crouch, Althorne and North Fambridge to South Woodham Ferrers (in Chelmsford City area) and onto London, via Wickford. Bus and taxi services were the only other transport option for the rest of the District and there were issues around the level and frequency of bus service provision in some rural locations, though 78% of the District's settlements have either a shopper or commuter bus service. The rural character and relatively poor accessibility across the District impacted upon the ability of individuals, particularly young people without access to their own transport to access things like education, work and social activities, which also affected older people's access to key services.
- 4.6 People and Communities** - The provision of infrastructure and facilities was considered to be a vital component in addressing the sustainability and well-being of communities and all new development needs were planned to be supported by the provision of adequate infrastructure. Facilities such as village shops, post offices, community halls and pubs located in the more rural settlements had a key role in securing the cohesiveness of the local communities. Engaging people through sports, arts, leisure and cultural activities was recognised to strengthen communities and was considered that it could help to reduce problems of anti-social behaviour and exclusion. All parts of the District needed to have the opportunities to access activities and facilities and there was a need for investment in strategic community infrastructure across the District to enable and improve provision.

#### **Question - Are These Issues Still Relevant?**

#### **4.8 Strategic & Cross Boundary Issues**

In September 2021, the council approved a Duty to Cooperate Strategy that stipulates how it meet its legal obligations with other specific bodies that it must cooperate with on strategic and cross-boundary matters. These include organisations such as Essex County Council, Highways England, the NHS, the Marine Management Organisation, Natural England and the Environment Agency.

Thematically these strategic and cross boundary issues can be summarised as:

#### **Highways**

- A12 widening and junction improvements at Hatfield Peverell, Rivenhall and Witham
- Delivery of local highway infrastructure identified in the current LDP including the South Maldon and North Heybridge Relief Roads

**Environment**

- Synergy between the South East Marine Plan and the LDP Review
- Impacts of continued growth in Maldon & Heybridge on Air Quality Management Area in Maldon & Danbury (within Chelmsford City area)
- Impact of residential growth on protected habitats in Essex
- Impact of growth on the water cycle

**Housing**

- Housing market area changes - Maldon is now in a Housing Market Area with Chelmsford and Braintree
- The need and provision of Gypsy & Traveller Transit Sites in Essex

**Education**

- Primary and secondary education provision and capacity due to growth

**Health**

- Delivery of strategic infrastructure projects including NHS Health Hubs, GP surgeries and relief roads for Maldon and Heybridge

**Question - Do you consider these to be the extent of strategic and cross boundary issues applicable for the Maldon District?****4.9 LDP Review - The Issues**

- 4.10 The previous LDP issues as set above may be still relevant, however there is the need to take into account that whilst the District has been building more housing in recent years, there is still a shortfall between the amount needed and the pace of delivery. There is also still a shortage of affordable housing and the out-commuting levels are still very high. The previous issues did not reflect the climate change emergency that the Council declared in February 2021, though they were considered in the LDP's accompanying Sustainability Appraisal but not emphasised as strongly in policy development.

- 4.11 A revision of the key issues are considered to be the following;

**1) Reducing emissions and adapting to climate change**

- New development is not doing enough to reduce emissions and adapt to the climate change increasing the amount of development that contributes to unsustainable travel patterns, resource usage and increased emissions of carbon and other greenhouse gases.
- Human interaction has the potential to increase flood risk, air, water and soil pollution which could have damaging consequences for the residents of the District.
- Lack of funding could compromise the ability of the Council and other Risk Management Authorities to bring forward viable flood risk mitigation schemes that could support existing and new communities.
- Whilst strategically, new partnership arrangements with other Essex authorities are building funding opportunities for mitigating development pressures on the most protected coastal habitats including those in the Maldon District, new developments are failing to bring forward genuine local mitigation measures to help improve the natural environment.

- Maldon District is in one of the driest areas of the country, water resources are scarce and require greater consideration in the planning process to reduce water wastage and capture and improve water efficiency in new development.

#### **4.12 2) Resident-centred places to live**

- The District possess' very attractive qualities for people living locally and as the District grows, it needs to ensure that by both design and delivery, the new places to live are resident focused.
- Median housing prices to earnings ratio is 11.87 (2019) which is the highest in Essex, this is considerable up from 4.2 in 1997 when the ONS started collecting this data and 10.82 in 2017. This is continuing to put a strain on affordability across the District.
- Because of the extensive rural nature of the District, there is a limited supply of brownfield land for development, which will inevitably mean that whilst the priority should continue to see land that has previously been developed brought forward for new places to live to be built, development will have to take place on more greenfield sites in the future.
- There are some settlements in the District which are much more isolated in terms of their distance from bigger settlements and their services and facilities. This places pressure on those settlements which are nearer in terms of location and public transport connectivity to take more growth.
- There remains an over-reliance on larger-scale developments to bring forward housing, which with hindsight may have contributed to some of the supply issues the District now sees, where those developers that have multiple sales outlets in the area are managing their construction resources differently than first intended, or where enabling works to larger sites are taking time to come to fruition. This will mean that going forward the council will need to consider allocating more smaller sites that could be built out by small-medium size builders that are not always constrained by the same issues.
- There is a continued need to support different types and sizes of housing, including perpetual First Homes, self-build/custom build homes and Gypsy & Traveller pitches.

#### **4.13 3) A stronger, more resilient and inclusive local economy**

- Population change in the District is driven by net-inward migration with some net international migration. The population is ageing with an expected decrease in the working-age population aged between 16 – 64, which could lead to an increasing labour shortage to local businesses by 2040. If nothing changes, this could see some sectors currently based in Maldon District relocate, or see a further increase of in-commuting into the District for work, which could increase congestion and pollution.
- There is growing competition for employment growth from larger employment centres around Maldon District such as Basildon and Chelmsford, whilst this could reduce land pressures, it could increase commuting and pollution.
- The District has a proliferation of smaller niche businesses but the LDP Review needs to be flexible enough to encourage and support them to grow-on when

they want to, as they provide valuable jobs many of which have higher wage offerings.

- Though 78% of settlements are connected by either a shoppers or commuters bus service, there is a perceived lack of a robust, interconnected multi-modal public transport system which leads to an increase in car usage, and a disconnect between where residents can live, work and access services. This could be affecting quality of life, business investment and the environment. It also means the District's lucrative and growing tourism industry is overly reliant on private vehicles as the means of travel.
- Whilst agriculture and tourism remain dominant employment sectors, both of these can be influenced by seasonal variations and this can undermine the number of full-time jobs available in the District. It is predicted that there will be a fall in agricultural jobs during the plan period, in line with national trends, but with 4 million visitors a year, tourism is a growing sector of the District's economy. Nevertheless, a lack of accommodation, restaurants and activities that maximise the District's coastal and estuarine location could hold it back from sustained growth as this lack of facilities does not encourage people to stay longer than a day.
- The current LDP allocated land equivalent to 11 football pitches for new employment development, however, the land that has been allocated employment land is not being built out as quickly as it could have been, which means it could become at risk of being lost to employment land uses if demand for other land use increases. This would mean the District would be at risk of not being able to react as well to the demand fluctuations expected in economic cycles, nor attract inward investment when opportunities arise.
- Our residents' qualifications profile is lower than the rest of Essex and the national average. The lack of skilled workers available locally can therefore deter inward investment and does not help to encourage aspiration in careers and jobs in our younger residents. This in turn limits their ability to rent or purchase homes and exacerbates out migration.
- The present LDP does not do enough to support small and medium sized construction firms who are more likely to be local and support local employment, economy and the local supply chain. It is estimated that for every dwelling built 3.1 local jobs are generated and through policy choices the LDP Review could look to diversify the share in the future.

#### **4.14 4) Thriving, Distinctive Rural Communities for all ages**

- There is a conflict between respecting the distinct character of the District's rural communities, whilst supporting improvements to rural housing, services and the economy
- The affordability of housing in rural communities leads to a lack of housing for younger people and families meaning they may have little choice but to move out to where they can afford. This has the effect of ageing the rural population, increasing isolation and leading to a decline in rural services and facilities if it is not more proactively managed.

- The perceived lack of a robust multi-modal public transport for both shoppers and commuters leads to more rural isolation and disconnectivity to settlements which support greater levels of employment and service provision.
- Many of the niche businesses in the District lie within our rural area and there is a forecast loss of manufacturing jobs during the plan period, this means there could be an impact on the rural economy.

#### **4.15 5) Protecting and Enhancing our Diverse Natural Environment**

- There are 211 kilometres of shoreline in Maldon District. The area of coastal designated sites is 7,815 hectares, representing 18 % of the total land area of the District. There are two National Nature Reserves (NNRs); with the Blackwater Estuary composed of the Tollesbury Flats and Old Hall Marshes. The Flats are an important feeding area for waterfowl and are an important habitat for a number of invertebrates. The Old Hall Marshes are also known to be a breeding ground and over-wintering site for waterfowl and are home to a number of important plant and invertebrate species. Sea level rise is having a serious impact on our coastal habitats due to coastal squeeze and the erosion of salt marsh.
- The unique biodiversity of the District is under pressure from climate change, land use and coastal squeeze – we move forward by ensuring development has the least impact as possible and invests in habitat improvement and biodiversity net-gain where it can be a success.
- The District has a reasonable level of ancient woodland concentrated in the west of the District; which plays host to numerous flora and fauna and is an important source of biodiversity which is under threat nationally.
- There are large numbers of prominent landscape areas and features within the District, with distinct contrasts between the well-wooded, higher land to the west and the flat marsh and pasture landscape of the valleys to the east. The natural rural environment is generally tranquil and undisturbed in character with a sense of remoteness, tranquillity and big dark skies which can be eroded by development.

#### **4.16 6) Making the Built Environment Beautiful**

- Much of Maldon District's archaeology, particularly that located along the coast, is susceptible to erosion due to sea level rise and climate change. This places these remains at significant risk.
- A Historic Environment Characterisation Project was undertaken in 2008 which identified 59 Historic Landscape Character Zones. We can already see the majority of zones have the potential for deposits, as well as being susceptible and sensitive to change. This means we need to take extra caution when looking at development locations and also consider where development could bring opportunities to understand and record our heritage for future generations...

- The unique heritage assets of the District can become at risk where they fall into disrepair or from nature forces; there are at present 7 sites on the Historic England at Risk Register.
- Whilst growth is an inevitability to ensure that future residents have good quality housing in sustainable rural communities and a robust economy, it is even more important that the design and setting of that growth enhances the rural and urban environments, otherwise the District is at risk of looking and feeling the same as everywhere else.

#### 4.17 7) Ensuring that infrastructure meets residents, visitors and business needs

- There is a shortfall on infrastructure funding from what was forecast to be available in the previous LDP, which has led to delays to key infrastructure in Maldon, Heybridge and Burnham-on-Crouch. We need to be realistic when developing the LDP Review that we choose a growth option that can better support infrastructure delivery.
- Maldon District has a higher than average ageing population and this brings with it issues around accessibility and access to health services. With the District being largely rural in nature the needs of the private vehicle will always be important. Parts of the District are more isolated from access to public transport infrastructure, leading to rural isolation. This can place pressure on wider services which have to service more residents remotely or over a broader area.
- With a continuing increase in population comes an increased pressure on existing infrastructure and public service delivery leading to a conflict between infrastructure delivery and growth. We need to work with infrastructure commissioners and providers to ensure that the District's growth options have affordable and viable solutions for upgrades where they are needed to continue to serve peoples' needs.

**Q1. Are these key issues the right ones or are there any key issues that you think have been missed?**

## 5.0 SPATIAL VISION

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5.1 In the 2017 Local Development Plan the Vision was set out as follows:

*The District's unique heritage and countryside will be protected by maintaining high design standards and adhering to the principles of sustainable development. Over the Plan period the District will grow sustainably to meet objectively assessed housing needs, taking into account environmental and infrastructure constraints. This approach will maintain the quality of life for the community and ensure the delivery of new affordable homes and infrastructure. It will also protect our local services, provide for our District's business needs, and retain the identity of our villages.*

*Growth will be concentrated in the most sustainable, accessible and appropriate locations taking into account constraints and the need to protect valued local countryside. The District's strong associations with the coast and our natural, historic and built heritage will make it a location of choice for people, businesses, day visitors*



*and tourists. We will ensure the sustainable growth of the tourism sector by protecting our designated sites, internationally important wildlife, our estuarine environment, salt marshes, unique heritage, beautiful countryside and picturesque towns and villages. Our economy will be based on a highly productive skilled workforce ensuring success in the local, national and global economy. Maldon Town will be a focus for regeneration in order to ensure its continuing success as the District's main economic, social and cultural hub.*

- 5.2 This vision was originally created in 2014 and though as set out above the issues within the District have not altered significantly, there has been a global pandemic and the impact that has had on both the national and local economy, a change of emphasis and direction for the Council, moving climate change higher up the corporate agenda. Affordability and the delivery of housing has become a higher priority and there is now a greater national emphasis on building beauty into development. Therefore, it is proposed to amend the Vision for the review of the LDP to reflect the global, national and local issues and line the Vision up with the issues in the District. It is also proposed to set the vision out more clearly and succinctly so that success can be measured more accurately against it and the delivery objectives.

5.3 **A proposed amended Vision is as follows;**

*By 2043 Maldon will be a district with;*

- 1) A commitment translated into local action which adapts to and reduces the risks of climate change, including supporting the transition to a low carbon economy.*
- 2) A network of sustainable, inclusive and healthy communities where all residents are able to enjoy a high quality of life, and where new housing and economic development balances the needs of communities, the economy and the environment.*
- 3) A diverse and competitive economy which supports the existing employment base but also delivers growth opportunities across a range of sectors that reduces the need for out-commuting, attracts and retains people of working-age and raises overall levels of aspiration and attainment for young people.*
- 4) A high-quality environment that protects the special merits of the District, particularly the historic environment, open landscapes, protected natural environment and unique biodiversity and geodiversity.*
- 5) Joined-up infrastructure in the right place and at the right time to increase overall connectivity and mobility for the needs of both residents, business and visitors.*

## 6.0 OBJECTIVES

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- 6.1 To achieve the Vision of the Local Development Plan it will deliver the following objectives.

- 6.2 *1) A commitment translated into local action which adapts to and reduces the risks of climate change, including supporting the transition to a low carbon economy.*

*We will;*

- Ensure that new development will be as energy efficient as possible in its design, materials and local energy sources in order to reduce emissions of carbon and other greenhouse gases.

- Reduce the impact of flood risk, air, water and soil pollution.
- Ensure new development is water efficient to reduce and mitigate against the effects of climate change and drought.
- Support development that minimises traffic generation and provides for sustainable transport solutions without compromising the ability of our rural communities who still need to use cars to access essential services and facilities to thrive and prosper.
- Positively support renewable energy development where it can support the District's move to carbon neutrality and net zero emissions.

6.3 *2) A network of sustainable, inclusive and healthy communities where all residents are able to enjoy a high quality of life, and where new housing and economic development balances the needs of communities, the economy and the environment.*

*We will;*

- Define a pattern of settlements and identify broad areas for growth.
- Allocate sufficient housing to meet the District's housing needs to 2043.
- Increase and support the supply of affordable housing, including affordable home ownership.
- Provide housing choice through self-build and custom build housing and housing to meet the differing needs of the District's residents.
- Develop where possible on previously developed land.
- Support the work of communities in neighbourhood planning.
- Ensure that development positively contributes to improving places and spaces for all and that "beauty" high quality and inclusivity is reflected in the design of the built environment.

6.4 *3) A diverse and competitive economy which supports the existing employment base but also delivers growth opportunities across a range of sectors that reduces the need for out-commuting, attracts and retains people of working-age and raises overall levels of aspiration and attainment for young people.*

*We will;*

- Maintain a diverse, competitive and resilient economy, underpinned by an ambitious and skilled local labour force.
- Encourage business start-up, expansion, diversification and investment opportunities.
- Encourage development that supports the enhancement of education, skills and employment opportunities for all residents, with a particular focus on those furthest from the labour market.
- Facilitate the development of rural and coastal businesses and protect and enhance rural community and service provision across the District.
- Ensure the delivery of regeneration and enhancement of the Central Area (incorporating Maldon Central, The Causeway Regeneration Area and the Leisure Quarter).
- Protect, enhance and where necessary reinvigorate the town centres within the District to broaden their appeal as attractive places for residents, businesses and visitors.



- Develop and support sustainable tourism that builds on the unique natural assets of the District's countryside, coast and estuarine location, including supporting accommodation, restaurants and visitor attractions.

6.5 *4) A high quality environment that protects the special merits of the District, particularly the historic environment, open landscapes, protected natural environment and unique biodiversity and geodiversity.*

*We will;*

- Protect and enhance the distinctive natural, and historic environment of the District.
- Improve and manage the natural environment to ensure that the impact of any development is offset by mitigation opportunities.
- Support the linking of areas of biodiversity importance to assist in the preservation of habitats and provide an improved network of green infrastructure.
- Ensure the protection of strategic gaps between development areas and settlements to safeguard their unique character and wider natural landscape setting.
- Work with owners, partners and developers to conserve and enhance heritage assets and their settings.

6.6 *5) Joined-up infrastructure in the right place and at the right time to increase overall connectivity and mobility for the needs of both residents, business and visitors.*

*We will;*

- Work with partners to maintain, improve and co-ordinate public transport provision, and promote sustainable modes of transport and movement where all users feel equally safe.
- Facilitate and work in partnership with commissioners and providers for the delivery of new infrastructure to meet the needs of all residents, business and visitors
- Ensure through our development choices we can maximise what infrastructure is provided at the right time to cater for changing demands.
- Ensure that the residents of new development can safely access education and health services and facilities.

- 1) **Do you agree with the objectives for the review of the LDP?**
- 2) **Are there other objectives that the LDP needs to aim to achieve?**

## **7.0 POLICIES TO BE REVIEWED AND WHY**

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7.1 National Planning Policy has changed since the adoption of the current Local Development Plan, paragraphs 20, 21, 22 and 23 of the NPPF lays out how local plans should be set out. They should consist of strategic policies which set the overall

strategy of pattern, scale and quality of development and make sufficient provision for housing, including affordable housing, employment, retail, leisure and other commercial development. Strategic policies should also cover infrastructure for transport, telecommunications, flood risk and coastal change management, conservation and enhancement of the natural, built and historic environment.

- 7.2 Strategic policies should not extend to detailed matters which should be set out in non-strategic policies. Most of the policies within the current Local Development Plan were non-strategic with some strategic policies throughout the Plan. The review of the LDP will look different because it has to incorporate this change in national policy.

## 8.0 MEETING THE HOUSING NEEDS FOR THE FUTURE

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- 8.1 The 2021 NPPF (paragraphs 60-67) requires local authorities to meet locally established needs. This should be informed by a local housing needs assessment, (LHNA) conducted using the standard method in national guidance unless exceptional circumstances justify an alternative approach. It also requires local authorities to take into account any needs that cannot be met from surrounding local authorities.
- 8.2 It is therefore necessary, as the NPPF indicates, to establish the appropriate scale of development for the next plan period 2023 – 2043. A key piece of evidence in this determination has been the “Maldon District Local Housing Needs Assessment” published in July 2021, this document is available on the Councils website at [www.maldon.gov.uk](http://www.maldon.gov.uk) (put the one that links to the document in This study was independently conducted on behalf of the Council by ICENI utilising the methodology requirements described by the NPPF and the accompanying Planning Practice Guidance. The report looks at the anticipated requirements for both economic development and housing. The technical details of the data below are fully described within the report. One of the conclusions in the document is that Maldon District lies within a Housing Market Area with Chelmsford and Braintree. National guidance requires us to take account of any unmet housing need of neighbouring authorities within Housing Market Areas. At present there is no evidence of any unmet housing need in these neighbouring local authority areas which would potentially need to be considered as to how it might be addressed.
- 8.3 The Government’s current standard method for assessing housing need takes the 2014 – based Household Projections and applies an upward adjustment based on the median house price to earnings ratio. Applying the standard method in Maldon District results in a minimum local housing need of 308 homes per annum. A review of the recent demographic data, including up-to-date projections and a range of data about past trends does not suggest that there is a strong case for the Council to move away from the standard method figure (in either an upward or downward direction).
- 8.4 Since the start of the current plan period in 2014 to 2021, the District has delivered 1,909 homes. The target for the same period was 2,170 homes, leaving a shortfall of 261 homes. Any housing shortfall should be carried over into the next plan period. It is also important to include a contingency figure or buffer on top of minimum amount of housing growth. This is to ensure that there is a range of different types of sites, large, medium and small and that there is a continuous

supply of housing over the plan period and beyond. Using the 308 homes annual target from the standard method as set out in paragraph 8.3 above the District will need to ensure that there is the potential for housing growth as a minimum for a further 4,492 homes from 2023 to 2043. This figure can fluctuate depending on the number of housing completions and permissions granted up to the moment of the submission of the Plan to the Secretary of State for its examination. It is also important to include a contingency figure or buffer on top of minimum amount of housing growth. This is ensure that there is a range of different types of sites, large, medium and small and that there is a continuous supply of housing over the plan period and beyond.

**Table 1 – Proposed Housing Figure for the Period 2023 - 2043**

<b>2023 - 2043</b>	
308 homes per annum	6,160
Plus 20% buffer	1,232
<b>Subtotal</b>	<b>7,392</b>
Less existing commitments	-3,161
<b>Sub total</b>	<b>4,231</b>
Plus, shortfall on completions from 2014	+261
<b>Total</b>	<b>4,492</b>

**1) Do you agree with the Council using the standard methodology in the calculation of its housing target for the period 2023 – 2043.**

**2) Should the Council have a contingency or buffer figure in its housing target to ensure that it always has a continuous supply of housing over the plan period and if so what should that buffer be?**

**3) Should the plan period be longer than 15 years, should the period be 20 years, so that infrastructure can be planned in over a longer period**

## **9.0 OPTIONS FOR GROWTH**

### **9.1 The Settlement Pattern**

9.2 As part of the work for the review of the Local Development Plan, the Council has prepared an updated Settlement Pattern which lists the settlements within the District in order of the how sustainable they appear to be, in terms of their available services and facilities, their location to other settlements which provide services and facilities, and their links to public transport networks.

9.3 The Settlement Pattern is a snapshot in time of the Districts' settlements and forms a baseline as to how they function and relate to one another. It is also a golden thread that runs through the plan in terms of clarity and what development is going to be supported in which tier of the pattern.

- 9.4 It is important to note that where a settlement is in the pattern does not necessarily dictate where growth is going to go in the future. This is because the policies in the LDP should do that, but it can help to see how successful those policies are. So, for instance if a policy sets out that a settlement is going to grow and provide additional services and facilities, it should in time, if the policy is positively working, move up the settlement pattern. Maldon/Heybridge and Burnham on Crouch are the District's two towns and therefore do not feature in the table below. The updated Settlement Pattern is listed below and the details behind it can be found on the Council's website at [www.maldon.gov.uk](http://www.maldon.gov.uk) – out the right link in ;

SETTLEMENT NAME
<b>Large villages</b>
Southminster
Tollesbury
Maylands
Latchingdon
Wickham Bishops (including Beacon Hill)
Tillingham
Tolleshunt D'Arcy
Great Totham South - clusters with Great Totham North
Cold Norton
Purleigh
<b>Medium Villages</b>
Bradwell-On-Sea
Althorne
Woodham Walter
St.Lawrence
Langford
Tolleshunt Knights
North Fambridge
Heybridge Basin
Steeple
Goldhanger
<b>Small Villages</b>
Tolleshunt Major
Great Totham North - clusters with Great Totham South
Little Totham
Great Braxted
Ulting
<b>Hamlets</b>
Woodham Mortimer
Stow Maries
Dengie
Mundon
Southminster - Old Heath Road
Asheldham
Hazeliagh
Little Braxted
Bradwell Waterside
Cock Clarks

- 1) Do you agree with the updated Settlement Pattern and how the settlements in the District have been grouped together?
- 2) If you do not agree, how should they be grouped and on what basis?
- 3) Referring to the table on the Council's website which sets out all the services and facilities for each settlement – are there any comments about this or matters which need to be altered or changed.

## 9.5 Options for Growth in the Review of the LDP

- 9.6 The current approved LDP concentrated housing growth in sustainable extensions to Maldon, Heybridge and Burnham-on-Crouch in the form of Garden Suburbs and Strategic Allocations. The plan did not allocate growth in the District's smaller settlements but relied on existing commitments (sites with planning permission already) and windfall sites (not planned) coming forward within settlement boundaries.
- 9.7 This strategy, whilst being considered at the time as the one able to deliver positive growth for the District it has however caused a number of issues, which are prudent to reflect on:
- Small and medium building companies have found it difficult to build in Maldon District because of the lack of smaller allocated sites and windfall opportunities; this could be having an effect on job availability, growth and skills in this sector. It could also be slowing down the opportunity to bring forward housing more quickly on smaller sites.
  - Though the plan had a windfall allowance in it, there was not a policy setting out how that was going to be delivered so it has not been as effective in tapping into this source of supply.
- 9.8 The Plan included settlement boundaries around most settlements. Whilst these appeared to be a way of protecting settlements, they have caused inflexibility in regard to housing coming forward. This is because settlement boundaries restrict development to within a defined settlement area. This has led to a lack of available land supply for windfall sites, which help support housing supply and this ultimately is one of the contributing factors to the District not having a 5 year supply of housing from 2021. The other negative impact of settlement boundaries is that all housing is constrained or squeezed into the settlements. This means that important green gaps, backland development and infill development have a presumption to be supported within the settlement boundary. This ultimately leads to a loss of the very unique character of some settlements, that it was an LDP objective to protect; especially the ones with larger properties and large gardens that can be subdivided. Over time, a continuation of this policy is likely to exacerbate this issue and the impact on the uniqueness of settlements will become more prevalent, as land is squeezed in them to fulfil housing demand.
- A lack of rural housing in the sustainable rural villages is failing to support transport provision and rural business improvements; this ultimately could lead to a loss of services and facilities and increased rural isolation and accessibility.

- Rural settlements have either had housing approved through the appeal system or have not grown sufficiently enough to ensure some affordable housing delivery is a tangible benefit. This could, if left unchecked, lead to an out-migration of younger people who cannot afford to live near their families, though it is hoped that the new “First Homes” may address some of this issue, the plan needs policies to accommodate this national change to policy.
- 9.9 At the time of the current approved LDP, national planning policy did not direct how much growth local planning authorities should place in settlements, but left the decision-making to each relevant authority. In 2019, national policy changed and acknowledged that small and medium sized sites can also make a positive contribution to wider housing delivery and offer other opportunities to local housing markets, SME builders and local supply chains. It is now envisaged by national policy that at least 10% of housing allocations will be delivered on sites which are no larger than 1.0 hectare.
- 9.10 The Council also has to consider the possibility that the Bradwell B Nuclear Power Station development will start to come forward during the plan period, in the event it is granted its DCO. This is a NSIP so the decision concerning it is not within the Council’s remit, but will be made by the Planning Inspectorate.
- 9.11 It would not be in the wider interests of the District if the Council did not give this project due consideration during the LDP Review. It needs to reflect on the possibility that it may have an impact on the District negative, neutral and positive. There may be other development needs arising from the Bradwell B project that the LDP needs to consider now, such as impacts on housing market, tourism and infrastructure. A silent LDP could be very damaging to the District leaving it vulnerable to development that the Council has very little control over. Therefore, each of the options outlined below is also accompanied by the following paragraph;
- 9.12 *“The LDP Review will have a major infrastructure project policy included which will consider the impacts of, and plan for, the Bradwell B Nuclear Power Station, should it proceed under the NSIP process. This policy will set out in broad terms the way the Council will deal with any growth needs arising from both the construction and the operation of the power station. It may look to allocate additional sites to manage this and these could be in the towns or large villages in the east of the District and/or along the rail line that terminates at Southminster. The policy will also set out how the Council will consider applications connected with any growth arising from the Power Station in terms of material planning considerations. This policy will only be activated if the Power Station receives consent and additional growth arises.”*
- 9.13 By placing the prospect of the Power Station into a major infrastructure project policy, it also enables the Council to be prepared if any other major infrastructure project comes forward in the District.

**Question - Do you agree with the approach set out above for major infrastructure projects?**

- 9.14 The Council is therefore asking for consideration to be given to the following housing growth options;



**9.15 *OPTION 1 – Retain the option in the LDP approved in 2017 – focus growth in the settlements of Maldon/Heybridge and Burnham on Crouch***

This option would continue the principles set out in the present approved LDP 2017 with most of the growth being allocated in Maldon/Heybridge and Burnham on Crouch, these are the main towns of the District. This could ensure the economies of scale necessary to generate a wide range of community facilities in these areas, a supported public transport network, business and employment opportunities and a supported retail offer. The only alteration would be encompassing national planning policy changes with regard to 10% of any housing allocation should be on smaller sites.

This scenario is characterised by the following;

- Urban extensions on greenfield sites adjacent to the main towns;
- 10% of the District's housing allocation on smaller sites would also be directed to Maldon/Heybridge and Burnham on Crouch;
- Promotion of new employment opportunities in the main towns;
- Continuation of the policy of having settlement boundaries;
- Development restricted in the other settlements to sites within the settlement boundaries;
- Development in the countryside restricted to that which supports the local economy and tourism.

**9.16 *OPTION 2 – A strong focus on the towns and larger sustainable villages***

This option would focus the majority of growth on the two towns in the District, Maldon/Heybridge and Burnham on Crouch and the larger sustainable villages. The larger sustainable villages in the context of this option will most likely be the top three/four/five (yet to be determined) large villages as set out in the settlement hierarchy with a good range of services and facilities and connectivity. This would ensure the economies of scale necessary to generate a wide range of community facilities, a supported public transport network, business and employment opportunities and a supported retail offer that could not only support their own populations but also spread benefits to their surrounding rural communities. It could also increase opportunities for small, medium building enterprises to develop housing in the District.

This scenario would be characterised by the following;

- Urban extensions on greenfield sites;
- 10% of the District's housing allocation being directed to the other sustainable large villages in the settlement pattern;
- A windfall policy for housing for the towns and large villages;
- A windfall policy for housing for the medium and small villages;
- Most affordable housing would be provided in the towns and with 'exceptions sites' being supported in the larger sustainable villages other large, medium and small villages, subject to identified need;
- Promotion of new employment opportunities in the towns and large villages;
- Increased new housing and business development in the more sustainable settlements (i.e. those with sufficient services and facilities to support themselves and surrounding smaller villages) sufficient to support their own role and meet the needs of smaller villages;

- Development in the countryside restricted to that which supports the local economy, including tourism.

**9.17 *OPTION 3 – Growth generally focused on the towns Maldon/Heybridge and Burnham on Crouch and all the large villages of the Settlement Hierarchy***

This option would focus on the most sustainable settlements within the District, with the allocated growth going in the towns Maldon/Heybridge and Burnham on Crouch and the large villages. The amount of growth will be proportioned out with the housing allocated being proportional to the number of houses already in each settlement.

This scenario would ensure the economies of scale necessary to generate a wide range of community facilities, a supported public transport network, business and employment opportunities and a supported retail offer for anticipated population growth.

The scenario would be characterised by the following;

- Urban extensions of greenfield sites;
- 10% of the District's housing allocation being directed to the medium villages;
- There will be a windfall policy for the towns and large villages;
- There will be a windfall policy for the medium and small villages;
- Most affordable housing would be provided in the towns and large villages with 'exceptions sites' being supported in the medium and small villages;
- Promotion of new employment opportunities in the towns and large villages;
- Increased new housing and business development in the more sustainable villages (i.e. those with sufficient services and facilities to support themselves and surrounding smaller villages) sufficient to support their own role and meet the needs of the smaller villages;
- Development in the countryside restricted to that which supports the local economy, including tourism.

**9.18 *OPTION 4 – Pepper pot growth throughout the Settlement Hierarchy (Spread the growth across all the sustainable settlements in the District)***

All growth will be pepper potted across the towns, large, medium and small villages this would include major and minor site allocations. This means that all settlements would get some growth and it would be based on a percentage proportion of the number of homes in each settlement, so larger settlements will receive more growth.

The scenario would be characterised by the following;

- Housing allocations in all towns, large, medium and small villages in the hierarchy, spreading the visual burden of growth across the settlements of the District.
- It may lead to an inability to provide essential infrastructure because of a lack of economies of scale and inevitably more smaller sites being brought forward.
- It would provide a quality of choice of sites across the District in different settlements which could support small, medium construction firms.
- There could be a decline in the amount of affordable housing coming forward because of smaller sites being allocated.
- May help support the sustainability of smaller settlements and encourage business and growth in those places.



- There will be a windfall policy for sites coming forward that are not allocated during the plan period.

**9.19 *OPTION 5 – Create a new satellite settlement or large urban extension bolted onto one of the towns, larger villages and/or settlement adjacent to the District boundary***

The satellite settlement or large urban extension would accommodate all allocated growth excepting 10% and a 20% buffer. This would ensure the economies of scale necessary to generate a wide range of community facilities, a supported public transport network, business and employment opportunities. The 10% and 20% buffer of growth would be allocated to the remaining towns and large villages.

The option would be characterised by the following;

- Urban extensions on greenfield sites in the new satellite settlement;
- 10% and the 20% buffer of the District's housing allocation being directed to the other towns and large villages, this will allow housing to come forward whilst the strategic allocations are preparing their applications and starts on site;
- A windfall policy for the towns and large villages;
- A windfall policy for housing for the medium and small villages;
- Most affordable housing would be provided in the satellite settlement or urban extension with 'exceptions sites' being supported in the other large, medium and small villages;
- Promotion of new employment opportunities in the towns and large villages if appropriate in the satellite settlement or urban extension;
- Increased new housing and business development in the more sustainable villages (i.e. those with sufficient services and facilities to support themselves and surrounding smaller villages) sufficient to support their own role and meet the needs of the smaller villages;
- Development in the countryside restricted to that which supports the local economy, including tourism.

**9.20 *Option 6 – Focus growth in the north of the District to link into the service and facilities available in Tiptree, Witham and Maldon/Heybridge.***

This option would focus major allocations in the settlements in the north of the District. These settlements have a relationship with the settlements of Tiptree and Witham which lie outside of the District, and Maldon/Heybridge in the District. They look to these settlements for the majority of their higher-order services and facilities. Maldon/Heybridge is not included in this scenario for strategic growth allocations because of the amount of growth it has previously received, the amount of existing commitments it already has but are still to come forward and the lag in infrastructure coming forward in the town. Maldon/Heybridge requires a period of time in order for planned infrastructure to be delivered and existing commitments to be built out without additional pressure from new strategic growth.

10% of allocated growth on smaller sites would be in the remaining large villages and Towns.

This option is characterised by the following;

- Urban extensions on greenfield sites in and adjacent to the settlements in the North of the District, and those that border the District in Braintree and Chelmsford.
- 10% of the District's housing allocation being directed to the remaining large villages and Towns.
- A windfall policy for the towns and remaining large villages
- A windfall policy for the medium and small villages
- Most affordable housing would be provided in the northern settlements of the District with 'exceptions sites' being supported in the medium and small villages;
- Promotion of new employment opportunities in the towns and if possible in the northern settlements of the District;
- Increased new housing and business development in the more sustainable villages (i.e. those with sufficient services and facilities to support themselves and surrounding smaller villages) sufficient to support their own role and meet the needs of the smaller villages;
- Development in the countryside restricted to that which supports the local economy, including tourism.

#### **9.21 *OPTION 7 – Focus growth along the rail line to Althorne, North Fambridge and Southminster***

This option would focus major allocations to Althorne, North Fambridge and Southminster because they have railway stations with a connection to London. Sites making up the 10% of housing allocations to be delivered on sites no larger than 1.0 hectare will be directed to Maldon/Heybridge, Burnham-on-Crouch and the remaining large villages. Though Burnham-on-Crouch has a railway station it is not included in this scenario for strategic growth because of the amount of growth in both allocations and windfall development it has previously received and the lag in infrastructure coming forward in the town. Burnham-on-Crouch requires a period of time in order for planned infrastructure to be delivered without additional pressure from new strategic growth.

This option is characterised by the following;

- Urban extensions on greenfield sites in and adjacent to Althorne, North Fambridge and Southminster;
- 10% of the District's housing allocation being directed to the District's towns and large villages (including Burnham on Crouch);
- A windfall policy for the towns and remaining large villages
- A windfall policy for the medium and small villages
- Most affordable housing would be provided in Althorne, North Fambridge and Southminster with 'exceptions sites' being supported in the medium and small villages;
- Promotion of new employment opportunities in the towns;
- Increased new housing and business development in the more sustainable villages (i.e. those with sufficient services and facilities to support themselves and surrounding smaller villages) sufficient to support their own role and meet the needs of the smaller villages;

- Development in the countryside restricted to that which supports the local economy, including tourism.

#### **Please Note**

- 9.22 All options outlined are reliant on the fact that there will be sufficient land in the areas summarised for delivery of the strategic growth target.

**1) Which growth option do you consider to be the most appropriate for the District of Maldon? Please set out your reason for this view.**

**2) Do you believe that there is another suitable growth option for the District, perhaps a combination of any of the above – please set out your views.**

**3) Do you think it is appropriate to include in the LDP review a policy dealing with major infrastructure projects such as the Bradwell B Nuclear Power Station, to be activated if this type of project comes forward?**

### **10.0 EFFECTIVE USE OF LAND**

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- 10.1 The majority of housing in Maldon District is inevitably going to be delivered on greenfield sites because the District does not have a legacy of industrial landscapes laying derelict and would otherwise provide ideal brownfield sites for redevelopment. Housing can however be delivered in ways which utilises land more effectively and the Council would ask that you consider the following questions;

**1) Would you consider the delivery of housing appropriate on areas of land where there are disused agricultural buildings, or derelict land in or adjacent to large, medium and small villages?**

**2) Housing can be delivered in larger quantities, but using less greenfield land, by building at higher densities. Would you consider this appropriate if sites with higher densities were designed to ensure they achieved a high quality of design?**

**3) Would you support minimum density standards to uplift the delivery of housing and ensure land in Maldon District was used as efficiently as possible, or do you think design, or other factors should dictate density on housing sites?**

**4) Would you consider higher density housing appropriate in large, medium and small villages, if the design was to a higher standard and the character of the settlement was still respected?**

**5) Is it appropriate to develop land for housing that has been previously used for commercial uses such as employment and retail which is otherwise vacant, underused and derelict ?**

## 11.0 HOUSING IN THE MEDIUM AND SMALL VILLAGES

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- 11.1 Inevitably housing will come forward and be developed in the large, medium and small villages, either through site allocations or as windfall development. The Council understands that the character of many of these settlements is very important to local people and whilst the rural settlements had settlement boundaries in the approved Local Plan, as discussed above, it is believed that these have not allowed for enough flexibility in the delivery of housing and this has contributed to the present lack of a 5-year supply of housing land and a squeeze on the character and uniqueness of the District's settlements.

**1) Should the medium and small settlements retain some form of a settlement boundary, albeit more flexibly drawn?**

**2) Should the Council develop a windfall policy for all or specific settlements, potentially capping the number of units for each site coming forward and ensuring the protection for key views, green infrastructure gaps and the historic environment in each village.**

## 12.0 FUTURE HOMES FOR GYPSY, TRAVELLER AND TRAVELLING SHOWPEOPLE

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- 12.1 As with reviewing the needs for general housing, the Council has a duty to consider the needs of the District's Gypsy, Traveller and Travelling Showpeople. There are currently two public sites in the District which meet the needs of Gypsies and Travellers who do not own land, but rather have housing needs that are met locally on a rental basis. These sites are owned by Essex County Council. There are also a further 17 sites that are privately owned and home to a number of Gypsy, Traveller and Travelling Showpeople households.
- 12.2 The current LDP established Policy H6 which is a criteria-based policy to make provision for new Gypsy, Traveller and Travelling Showpeople pitches/plots to meet District needs, which in 2017 stood at an additional 9 pitches.
- 12.3 The Council will be updating its Gypsy, Traveller and Travelling Showpeople Accommodation Assessment (GTAA) in 2021/2022 to ensure any further provision of pitches and plots in the District is based on up to date and robust information collected locally and project the future need forward to the at least 2043 as the existing GTAA only looked forward to 2033.
- 12.4 This will help us to understand if there have been any changes in local households since the last GTAA was prepared in 2016, such as older children needing a pitch of their own, in-migration, or new households forming within the community. The GTAA update will also help us review whether any of the District's Gypsy, Traveller or Travelling Showpeople households are currently living in over-crowded conditions or are concealed households due to social mobility or a lack of provision, to determine if there is a need in the LDP Review to identify existing sites that could safely be intensified or expanded, new sites allocated in the plan, or stronger policies that can support meeting the need.
- 12.5 Work remains underway by all Essex Local Planning Authorities through the Duty to Cooperate to establish whether there is a specific need for Transit Sites to be built in Essex to cater for Gypsies and Travellers who continue to travel to the county but have no-where authorised to pitch-up. This has been underway since 2018, however it has been impacted

by Covid-19 and a fall in travelling lifestyle amongst the Gypsy & Traveller community due to lockdowns and a lack of work. The Council will remain part of this project during the LDP Review.

**1) In the event of an increase of need, should the Council work look to establish both private and public sites for Gypsies and Travellers in the future, recognising that not all needs can be catered by one tenure of provision?**

**2) In the event of an increase of need, should the Council seek to intensify or expand existing Gypsy, Traveller and Travelling Showpeople sites as much as possible, where it is otherwise safe and suitable to do so?**

**3) In the event of an increase of need, should the Council consider how it could use its Settlement Hierarchy, Rural Exception Sites and/or Windfall Policy (if implemented) to support the increased provision of new sites in sustainable locations that can serve the community's needs better?**

**4) Is there anything else the Council should be considering for homes for Gypsies, Travellers and Travelling Showpeople?**

### **13.0 SELF-BUILD/CUSTOM BUILD HOUSING PLOTS**

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13.1 The Council does not currently have a high number of registrations on its statutory Self-Build and Custom Housebuilding Register, however there were 430 people on the Buildstore Register looking to self-build in Maldon District and of those, 127 live in the District. There is therefore an indication that self/custom build, as a form of housing provision, is of interest to local people. The council has a legal duty to provide plots equivalent to the number of people who have joined the statutory register. To ensure compliance with this in the future, the council could therefore consider allocating specific sites for self-build/custom build, or encourage them to be brought forward on smaller sites in the District

**1) Should the Council seek a proportion of self-build/custom build plots on larger housing sites.**

**2) In addition to the above, should the Plan also allocate specific sites in the LDP Review exclusively for self-build/custom build, either put forward by people who want to self-build or caveated by policy that they can only be brought forward by self-builders.**

### **14.0 A BEAUTIFUL BUILT ENVIRONMENT**

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14.1 The Council would like the LDP Review to prioritise attractive places and spaces when making choices around future land allocations and policies. Attractive places and spaces are, by their nature, subjective, but they often reflect local character and what is special or distinctive about a place. The National Design Guide illustrates how well-designed places that are beautiful and successful can be achieved in practice and supports local design guidance that meets the priorities of local communities. The Building Better, Building Beautiful Commission is an independent body set up to advise the government on how to promote and increase the use of high-quality design for new build homes and neighbourhoods. Its report sets out the importance of considering beauty at three scales during the planning process. These are:

- Beautifully placed (sustainable settlement patterns, sitting in the landscape)
  - Beautiful places (streets, squares and parks, the "spirit of place")
  - Beautiful buildings (windows, materials, proportion, space)
- 14.2 The Commission defines a beautiful place as 'a place in which people wish to walk, rather than a place that the car helps them to avoid... buildings that reflect the history, character and identity of their community and that belong in their surroundings: somewhere, not anywhere... a walkable settlement, in which the streets are an improvement on what preceded them, even when what preceded them was open countryside'.
- 14.3 The Council wish to ensure that these are the kinds of places that we want to plan for and the LDP should help to deliver them. Maldon District Council already has an adopted Design Guide Supplementary Planning Document that seeks to achieve better design through developments, but it could go further than that by working to endorse the wider Essex Design Guide.
- 1) Designing beautiful spaces and buildings, how important do you think it is that we should actively plan to create beautiful spaces and buildings?**
- 2) What do you think about the design policy in the LDP 2017 and the Design Guide Supplementary Planning Document 2018? Do they need amending? If so, how and why?**
- 3) Should the Council seek to endorse the Essex Design Guide with a Maldon District supplementary section? Would this be a more flexible approach to design?**
- Please provide comments below on design matters you consider to be particularly important. We would be especially interested in your views on whether we should include general design guidance on relevant site allocations.

## 15.0 TACKLING CLIMATE CHANGE

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- 15.1 Climate change is one of the biggest threats that we face both as a district, nationally and globally. Extreme weather events and rising sea levels are more common and the rate of species extinction is increasing. These impacts will affect Maldon District, especially as it does have an issue with flood risk and is rural, with agriculture as one of its main employment sectors. Taking bold and decisive action over the next 15 years (or sooner) will be critical if we are to avoid global temperature rising beyond 2 degrees Celsius, which is identified as a critical level, above pre-industrial levels.
- 15.2 To this end the Council can in its review of the LDP significantly strengthen its policies in connection with climate change. This however, could come at a cost in terms of how much developers may be able to provide in other funding contributions for infrastructure such as affordable housing, and community funding. One of the main requirements of a local plan is its policies must not make development unviable or unaffordable to build. The Council tests this by carrying out a viability appraisal on all its policies. In connection with climate change the Council is interested in the following;
- 1) Should the LDP Review make climate change one of its key priorities?**



2) What do you consider to be important in terms of development and climate change? Are on site renewables such as photovoltaics, ground source heat pumps, etc as important/more important as off-site renewable energy projects such as on-land wind farms, solar farms, district heating networks, etc?

3) Should we plan for net-zero carbon from plan adoption in 2023? - This would require all new development to be net-zero carbon upon adoption of the plan. Would the Council need to bring forward any additional guidance to support this?

4) Should we plan for net-zero carbon from a specific future date? - This would require all new development to achieve net zero carbon from a future date in the plan process, set out in policy. It could allow time for the development industry to adjust to the higher standards and may mean we can secure more affordable housing and community benefits from development, earlier on in the plan process.

## **16.0 ENHANCING AND GROWING THE ECONOMY**

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- 16.1 Enabling the creation of a prosperous economy is an important objective of plan making. The provision of high quality employment land works to attract business and enterprise to an area, which in turn creates and diversifies employment opportunities, increases the addition of value and ultimately strengthens the local economy.
- 16.2 A high quality retail offer is attractive to residents and visitors alike, but the nature of the high street has rapidly changed within a very short period of time, this has been accelerated with the Covid pandemic and the closure of some key national anchor retail outlets.
- 16.3 In a rural area the prosperity and success of the rural economy can help with job growth and retention when other sectors are struggling and Maldon district has a high number of self-employed residents as well as a high number of niche rural businesses. These types of employment also link into the continuing sustainability of smaller rural settlements providing some local employment, in some cases providing higher wages and the opportunity for younger people to stay and work in their communities.
- 16.4 The Bradwell B site is designated in the current National Policy Statement for Energy Infrastructure (EN-6) for large scale nuclear, a policy position that the Council supports if it can be demonstrated that nuclear sector development and associated major infrastructure projects would make a meaningful contribution to a low carbon economy and bring potentially significant economic benefits to the area.

**1) Should the local plan policies strongly support the economy in terms of a transition to a low carbon economy, ensuring development and growth opportunities are supported through this process?**

**2) Should the local plan allocate employment land so that it extends existing employment premises / areas in the District by working with existing businesses to ascertain their future need?**

**3) Should the Council contain a policy preventing the redevelopment of employment premises to residential units? If so, should the scope of such a policy be limited in any way? Please explain the rationale for your answer.**

**4) How important is the rural economy? How do you believe the rural economy can be supported through policy?**

**5) Should the nature, size and type of policy support for Maldon and Burnham-on-Crouch's High Streets' change? How would you like the high street to change?**

## **17.0 THE VISITOR ECONOMY**

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**17.1** The visitor economy is covered by policy E5 in the current Local Plan. This policy supports development which contributes positively to the growth of local tourism in a sustainable manner and realise opportunities that arise from the District's landscape, heritage and built environment. Development for new tourist attractions, facilities and accommodation should demonstrate an identified need for the provision proposed and have good connections with other tourist destinations. The policy supports existing tourism development.

**1) Do you believe this policy requires modification? If so how would you like to see it changed?**

**2) Do you believe this policy encourages tourism or is it too restrictive?**

## **18.0 PROTECTING AND ENHANCING THE ENVIRONMENT**

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**18.1** Maldon District is blessed with an outstanding natural landscape. The two estuaries that it lies on form a distinctive characteristic and form an attractive lure for visitors. Many of the areas are of international, national and local importance and subsequently have been designated as Ramsar Sites, Sites of Special Scientific Interest (SSSI), Special Protection Areas (SPA), Special Areas of Conservation (SAC) and National Nature Reserves (NNR). Development can result in unacceptable negative impacts on areas of wildlife value. It is for this reason that new housing already pays a financial contribution in the District to mitigate impacts that would otherwise occur through increased user pressure.

**1) Should the Council consider having protected landscape views in the District, even though this may place development pressure elsewhere?**

## **19.0 ACCESS AND SUSTAINABLE TRANSPORT**

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**19.1** The Government define sustainable transport as "any efficient, safe and accessible means of transport with overall low impact on the environment, including walking and cycling, low and ultra-low emission vehicles, car sharing and public transport". Promoting sustainable transport in new development can have multiple benefits – these include reducing traffic congestion, reducing carbon dioxide emissions, improving air quality, and improving both physical and mental health.

**19.2** Though, Maldon District is rural in character, it does not mean that some rural settlements do not have access to services and facilities in towns and larger settlements. The Council is supportive, in principle, of how it could integrate the 15/20-minute neighbourhood



concept<sup>4</sup> into the planning for growth, recognising however, that this is not practicable in some of the District's more rural locations. Most of the District has access to a reasonably regular bus service with shopper and commuter benefits and the District has four train stations all with access to London and regional connections, via Wickford.

- 19.3 Aside from the A12 and A414 both outside and inside the District, the road network is generally provided on lower-order B and C class roads. Whilst not comparable to some of the larger urban locations like Chelmsford and Colchester, this could be seen as a positive feature because it adds to the character of the District and is part of the attraction for those residents and visitors who seek a quiet rural idyll. However, some settlements find they have little or no footpath provision running alongside their rural roads, which can deter people to walk to services for safety reasons.
- 19.4 The current LDP sought to provide the following highway and public transport infrastructure to support the growth in the LDP, linked to Strategic Allocations throughout the District, which continue to remain relevant:
- North Heybridge Relief Road (part of North Heybridge Garden Suburb);
  - South Maldon Relief Road (part of South Maldon Garden Suburb);
  - Upgrades to B1018 Langford Road/ Heybridge Approach and A414 roundabout;
  - Improvements to B1010 and B1021 junction in Burnham on Crouch;
  - A414 Oak Corner and Spital Road junction improvements;
  - Eves Corner Junction changes in Danbury; and
  - Passenger transport improvements in South Maldon, North Heybridge and Burnham on Crouch.
- 19.5 In developing the LDP Review, it will be important that consideration is given how the above schemes can continue to be catered for and any additional highway and transportation impacts that any new spatial strategy and policies may lead to and the appropriate mitigation to minimise these impacts.
- It will also be important as to what other initiatives should be exploited to help improve access and transport in the District, including complementary measures such as developing place-based Transport Strategies to manage various competing demands for roadspace, parking and public transport in specific areas more effectively and in a coordinated manner; securing a District-wide Local Cycling and Walking Implementation Plan (LCWIP); and investing in project development such as the Department for Transport's Restore Your Railways Ideas Fund that could support the introduction of new movement corridors to support model shift.
- 19.6 The Council intend to commission a Highways and Transport Modelling Study that will help evaluate the impacts and test the mitigation necessary to reduce the impact. This will include reviewing appropriate opportunities to promote sustainable transport modes and a shift in people's behaviour of how they look to travel in the future, including a greater take-up of active travel choices (such as walking and cycling), reviewing any significant impacts from new development on the capacity and congestion on the transport network, any issues concerning highway safety and mitigation costs.
- 1) In terms of access and sustainable transport in the District, what is most important to you?**
- 2) Should the Council focus future growth on those areas with higher levels of commuter access either by bus or train?**

<sup>4</sup> [The 20-minute neighbourhood | Town and Country Planning Association \(tcpa.org.uk\)](https://www.tcpa.org.uk)

- 3) Should all new development be linked to its settlement by a footpath wide enough to accommodate a wheelchair or double buggy/pram?
- 4) Should development have to demonstrate that it can provide footpath/cycle links, which incorporate green infrastructure and support active travel choices?
- 5) Should the council continue to explore and support complementary projects delivered outside the planning system that can support travel choice and modal shift in the District?

## 20.0 SECURING INFRASTRUCTURE

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- 20.1 The Government is clear in national policy that the LDP Review should set out a strategic policy which makes sufficient provision of infrastructure including transport, telecommunications [including digital and broadband], security, water supply, wastewater, flood risk and coastal change management and the provision of minerals and energy. It also stresses that community facilities such as health and education must also form part of the development of the future planning strategy for the District.
- 20.2 The LDP Review will put expectations on new developments to deliver high quality development with infrastructure to support the local community. These requirements, commonly known as S106 contributions or Community Infrastructure Levy (CIL) will have financial implications for development. Our policies in the LDP Review should therefore be clear so that developers do not pay too much for a piece of land then determine that they cannot afford to meet our policy requirements. All policy requirements are important but no requirement can be so high that it makes development unviable, so if one is raised, another may need to reduce. To help us set our policy requirements at a level that is viable for development to go ahead, the Council will be commissioning an update to its Viability Assessment.
- 20.3 In the delivery of the first five years of the current LDP, not all infrastructure has come forward at the pace envisaged. It is acknowledged that there are perceptions that there have been delays in expanding The Plume secondary school and the construction of the South Maldon Relief Road in Maldon, for example. Whilst the upgrades have not yet taken place, this is not down to the infrastructure not being planned for or S106 contributions not coming forward from development that has been constructed, rather there has been a slower than anticipated delivery of housing units in the Garden Suburbs and on other strategic allocations, which has in turn, not brought in enough S106 contributions yet to fund their delivery; but with further time and demand created when the new housing is built, triggers to release more funding from the developments will be hit.
- 20.4 The LDP Review will therefore be an important opportunity to consider how development in the District can best meet the needs of new and existing residents and businesses supported by necessary infrastructure. This will include considering if certain spatial options (as set out earlier in Section 9), or development phasing offer a better chance of securing the necessary infrastructure upgrades, given advantages over critical mass and how existing capacities are being managed by infrastructure commissioners or providers and how these relate to national standards or benchmarking.

- 20.5 There is a need for high quality digital connectivity to continue to support the District's residents, businesses, transport infrastructure and key services, such as schools and GP practices. Through work undertaken by Superfast Essex, more of the District's rural locations have access to superfast broadband, but connection in more remoter places can be limited. The Government is currently considering requiring all new build residential developments to be fitted with full fibre digital connections, which the LDP Review will support as far as possible.
- 20.6 Whilst the Council is the local planning authority for the District, it is not responsible for the commissioning or delivery of many of the forms of infrastructure that communities depend on. It is imperative therefore that the Council continues to work with all relevant infrastructure stakeholders, including Essex County Council to prepare an update to the Maldon District Infrastructure Delivery Plan (IDP) to ensure all developments have the best chance of being supported by the required infrastructure that offsets its impact on the District. This will include a review of infrastructure costings and help inform how development can be sustainably phased and reflected in the LDP Review policies. The IDP should also be able to continue to be used to consider whether a Community Infrastructure Levy (CIL), or any future replacement would help bring in additional contributions from more developments that otherwise have an impact.
- 20.7 Finally, moving forward, it will also become more important for the council to chase every penny of external funding and lobby Government and other funding bodies when infrastructure delivery either falls short of expectations, or cannot be funded fully/ at all by development.
1. **Should the Council focus future growth on those areas which stand to offer the better chance of securing infrastructure upgrades due to critical massing of development in particular locations?**
  2. **Affordable housing is often the biggest influence on viability, so should the Council continue to prioritise this policy requirement over infrastructure contributions or design quality across the District?**