



**REPORT of  
DIRECTOR OF PLANNING AND REGULATORY SERVICES**

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**to  
PLANNING AND LICENSING COMMITTEE  
25 JANUARY 2018**

**LOCAL DEVELOPMENT SCHEME 2018**

**1. PURPOSE OF THE REPORT**

- 1.1 The purpose of this report is to seek endorsement for an update to the Council's Local Development Scheme (LDS) following the approval of the Maldon District Local Development Plan (LDP) in July 2017. The new LDS will replace the document approved by Council on 16 February 2017 (Minute No.1001/2017). The LDS will take into account the timetable for the progression of supplementary planning documents and other planning policy documents required to help deliver the LDP over the next 12 months.

**2. RECOMMENDATIONS**

- (i) To seek the Committee's approval for the content of the Local Development Scheme

To the Council:

- (ii) that the Local Development Scheme be approved as the project plan for key planning policy documents over the next 12 months.

**3. SUMMARY OF KEY ISSUES**

**3.1 Local Development Scheme**

- 3.1.1 The Planning and Compulsory Purchase Act 2004 (as amended) requires every planning authority to prepare and maintain a Local Development Scheme (LDS). A LDS sets out the programme for the preparation of local development documents (LDDs), including Supplementary Planning Documents (SPDs) and the Statement of Community Involvement (SCI).

- 3.1.2 Effectively, it is a project plan setting out the timetable for work to be undertaken until January 2019. It identifies which LDDs will be produced and in what order and when, as well as the likely contents, resources needed for their preparation and the likely risks associated with preparing them. The scheme includes milestones to inform the community and stakeholders when consultation and other stages of plan preparation will take place. It will also serve as a project management tool for budgeting and resource planning for the Council.

- 3.1.3 The existing LDS (2017) included the timetables for new supplementary planning documents, all of which are being prepared – i.e. for Renewable Energy, Affordable Housing and Vehicle Parking Standards. These have been carried forward to the new LDS (2018) and include dates for consultation and adoption.
- 3.1.4 Officers also recommend preparing a new Specialist Housing SPD to address the specific requirements associated with delivering older people’s housing. Proposals for this type of housing are increasing and can have specific needs: a SPD would provide greater clarity about location, accessibility and design considerations for different types of older people’s housing and the type and level of supporting information required when submitting a planning application.
- 3.1.5 The Council is also participating in an Essex Coastal Recreation Avoidance and Mitigation Strategy with 10 other Essex local authorities. One of the outcomes of this project is a SPD which will set out how each Council (with a protected Natura 2000 wildlife site in its boundary) will secure financial contributions and other mitigation from new housing development (in and outside their administrative boundaries) to mitigate any adverse recreational impacts identified. A SPD is required to ensure that financial contributions and mitigation can be sought from developers in a consistent, clear and transparent way.
- 3.1.6 The Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2017 will come into force in Spring 2018. A requirement will be that local authorities update their Statement of Community Involvement (SCI) every five years. The Council’s SCI was approved in 2007, albeit subject to an addendum in 2012. A review is therefore necessary. It would take account of new forms of communication and engagement, Neighbourhood Planning and any other changes required as a result of revisions to national and local policy.

### **3.2 Why is a LDS necessary?**

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

## **4. CONCLUSION**

- 4.1 Preparing and putting in place the LDS is a statutory requirement relating to the preparation of Local Development Documents which the Council has to comply with. Ensuring the LDS is kept up-to-date will ensure that the community and other stakeholders are kept informed about the documents that the Council intends to prepare and when.

- 4.2 Approving the LDS will provide the Council with a programme for the preparation of planning policy documents and it will form the basis for resource planning and Committee agenda planning.
- 4.3 Having a suite of up-to-date and sound planning documents in place will provide the Council with the means to defend against inappropriate development and secure the best appropriate development to the highest standards.

## 5. IMPACT ON CORPORATE GOALS

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

## 6. IMPLICATIONS

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

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

Background Papers: Local Development Scheme, 2017

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