

**MALDON DISTRICT COUNCIL
LOCAL DEVELOPMENT SCHEME
February 2018**



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Introduction

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

Maldon Local Development Plan

7. On the 21 July 2017, the Secretary of State Approved the Maldon District Local Development Plan (LDP). The LDP includes the following components:
 - The spatial strategy for future growth within the District over the next 15 years;
 - Strategic development policies;
 - Development management policies; and
 - Land use allocations.
8. The diagram at **Appendix 1** sets out how the LDP sits within the hierarchy of planning policy

and supporting documents. The Policies Map supports the LDP, but does not form part of it.

9. On approval, the LDP replaced the 'Saved Policies' in the Replacement Local Plan (2005) and became the development plan document for the District. The approved policies are listed in **Appendix 2**.
10. The plan will be monitored annually and a review completed 5 years after adoption (2022).
11. The LDP is supplemented by the following:
 - a) **Statement of Community Involvement:** Sets out how the community will be engaged in the preparation of the planning policy documents and in determining planning applications in the District.
 - b) **Authority Monitoring Report:** Monitors the implementation and performance of policies and proposals in the LDP and will inform whether a LDP review is necessary.
 - c) **Evidence base:** These documents should be reliable and up-to-date and help inform the production of the LDP and other planning policy documents.
12. It should be noted that Essex County Council is the Minerals and Waste Planning Authority for Essex. The Essex Replacement Minerals Local Plan (RMLP) was adopted on the 8 July 2014 and the Replacement Waste Local Plan (RWLP) was adopted on the 11 July 2017. Although not produced by the Council, the Burnham-on-Crouch Neighbourhood Plan was 'made' by the Council on the 7 September 2017. These documents, together with the LDP form the Development Plan for the District. When any other neighbourhood plans become 'made' they will also become part of the Development Plan for the District.

Community Infrastructure Levy

13. The Community Infrastructure Levy (CIL) was introduced in the Planning Act 2008 and defined in the CIL Regulations 2010 (as amended). CIL is a locally set charge on new development that the Council will implement across the District. It is based on the size and type of development and once set in an area is mandatory to be paid and non-negotiable. The funds raised must be used to provide infrastructure which is required to support new development across the area.
14. National Planning Practice Guidance on CIL, paragraph 016 states that 'information on the charging authority area's infrastructure needs should be drawn from the infrastructure assessment that was undertaken as part of preparing the relevant Plan [i.e. local plan]. This is because the plan identifies the scale and type of infrastructure needed to deliver the area's local development and growth needs.'
15. The Council prepared an Infrastructure Delivery Plan in 2014, which was subject to scrutiny at the LDP examination, although it does not form part of the LDP. Many of the projects have been delivered, funding for some projects has been secured through S106 legal agreements and/or other initiatives are no longer required.
16. CIL rates are published within a Draft Charging Schedule. The CIL Regulations 2010 (as amended) require two stages of consultation to be undertaken before the Draft Charging Schedule can be submitted to government.
17. The first stage of CIL consultation (the Preliminary Draft Charging Schedule) was undertaken in

January - March 2014. The second stage, (the Draft Charging Schedule), presented the CIL rates which the Council intended to submit for Examination-in-Public. Consultation on the Draft Charging Schedule was undertaken, June - July 2014.

18. It is important that CIL is based on up-to-date evidence. With the delay in the approval of the Local Development Plan, the Council has decided to review its 2014 Infrastructure Delivery Plan and the Draft Charging Schedule to ensure they provide a sound foundation for a Levy. This will require another consultation before the Draft Charging Schedule is submitted, expected to be June-July 2018.
19. An examination into the Council's Draft Charging Schedule will then need to take place. This is largely reliant on the availability of a Planning Inspector, but a realistic timeframe is September-October 2018.

Document Title	Community Infrastructure Levy Charging Schedule
Role and Content	To establish a charging schedule for the application of a community infrastructure levy on new development
Coverage	Maldon District
Chain of Conformity	<ul style="list-style-type: none"> • Relevant Planning Acts and Regulations • National Planning Policy Framework and National Planning Practice Guidance • Maldon District Council Corporate Plan (2015 - 2019) • Local Development Plan • Infrastructure Delivery Plan • Evidence Base
Resource	<ul style="list-style-type: none"> • Planning Policy 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.

Table 1: Community Infrastructure Levy Charging Schedule - Summary

Supplementary Planning Documents

20. Supplementary planning documents (SPDs) can be produced to build upon and provide more detailed guidance on the policies in the Local Development Plan. SPDs are not subject to independent examination, but are subject to public consultation lasting between 4 and 6 weeks. On adoption, SPDs will have material weight in decision-making on planning applications.
21. The Council produced and published five SPDs between 2006 - 2007. A further two SPD's were adopted in 2017: Maldon and Heybridge Central Area Masterplan (November 2017) and the Maldon Design Guide SPD (December 2017). These are illustrated in Table 2.

Supplementary Planning Document	Year of Adoption
Vehicle Parking Standards	2006
Children's Play Spaces	2006
Accessibility to Buildings	2006
Sadd's Wharf	2007
Heybridge Basin Timber Yard	2007
Maldon and Heybridge Central Area Masterplan	2017
Maldon Design Guide	2017

Table 2: Existing Supplementary Planning Documents

22. Prior to the preparation of Supplementary Planning Documents, the Council produced Supplementary Planning Guidance.

Supplementary Planning Guidance	Year of Adoption
Affordable Housing Guide	2005
Developer Contributions Guide	2006

Table 3: Existing Supplementary Planning Guidance

23. Since the adoption of these SPDs and SPGs, some of the policies which they supplemented have been updated, withdrawn or revoked. The Council will, where appropriate update, or withdraw these SPDs and SPGs in due course.
24. The Council proposes five new supplementary planning documents, as set out in Table 4. Unless specified, all will apply to the District only. The chain of conformity is similar for all the SPDs:
- Relevant Planning Acts and Regulations
 - National Planning Policy Framework and National Planning Policy Guidance
 - Maldon District Council Corporate Plan (2015 - 2019)
 - Local Development Plan
 - Evidence Base
25. The following resources will be used for each SPD, although the involvement of different officers and stakeholders may differ slightly to reflect the content and approach taken to each SPD:
- Planning Policy 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.

Supplementary Planning Document	Purpose	Timetable
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Supplementary Planning Document	Purpose	Timetable
Affordable Housing and Viability	<ul style="list-style-type: none"> To provide detailed guidance on the Council's approach to affordable housing provision set out in LDP policies H1, H2 and H5, including: <ul style="list-style-type: none"> What affordable housing mix and tenure the Council expects as part of residential development; Greater clarity about off-site provision and financial contributions; The approach to be taken to Rural Exception Site applications; How the Council expects affordable housing to be delivered. To provide further details on when a viability assessment will be required, including: <ul style="list-style-type: none"> How the Council will take viability into account when considering planning applications; and What supporting information will be required. 	<p>March 2018 – Consultation Draft</p> <p>September 2018 – Approval of Final SPD</p>
Essex Coastal Recreation Avoidance and Mitigation Strategy (see paragraph 26)	<ul style="list-style-type: none"> To set out how each Council will secure financial contributions and other mitigation from new development that has an adverse recreational impact upon Natura 2000 sites in their District, in accordance with LDP policies N1 and N2. 	<p>December 2018 – Consultation Draft</p> <p>May 2019 – Approval of Final SPD</p>
Green Infrastructure Study	<ul style="list-style-type: none"> To provide a vision statement, concept plan, core principles and priority action plan to enhance the District's green infrastructure network, in accordance with LDP Policies N1-N3. 	<p>July 2018 - Consultation Draft</p> <p>December 2018 – Approval of Final SPD</p>
Renewable Energy and Low Carbon Technologies	<ul style="list-style-type: none"> To provide guidance on how to interpret LDP Policies D2 and D4 relating to the provision of renewable energy and to meeting sustainable building standards; To aid the understanding of building regulations by identifying techniques to improve the sustainability performance of buildings through their design, construction and use; To set out the Council expects renewable energy to be delivered and the information required to support a planning application. 	<p>January 2018 – Consultation Draft</p> <p>June 2018 – Approval of Final SPD</p>
Specialist Housing	<ul style="list-style-type: none"> To provide detailed guidance on the Council's approach to providing for older peoples housing in accordance with LDP policies H1, H2 and H3, including: <ul style="list-style-type: none"> What housing mix and tenure the Council expects as part of residential development; Greater clarity about location, accessibility 	<p>March 2018 – Consultation Draft</p> <p>September 2018 – Approval of Final SPD</p>

Supplementary Planning Document	Purpose	Timetable
	and design considerations; <ul style="list-style-type: none"> • Setting out how the Council expects specialist housing to be delivered. • To provide details on the type of information the Council will expect to be submitted with a planning application. 	
Vehicle Parking Standards	<ul style="list-style-type: none"> • To provide guidance on the amount and type of parking required in a range of new development in the District in accordance with LDP policies D1 and T2, including for motor vehicles, cycles and electric vehicles; • To provide details on the design and space requirements for parking provision. 	June 2018 – Consultation Draft December 2018 - Approval of Final SPD

Table 4: Proposed Supplementary Planning Documents

26. The Essex Coastal Recreation Avoidance and Mitigation Strategy SPD will cover the following authority areas: Basildon, Braintree, Brentwood, Castle Point, Chelmsford, Colchester, Rochford, Southend, Tendring and Thurrock. It is being prepared by Essex Place Services (Essex County Council) in partnership with the 11 authorities. The SPD will be designed to conform with each Council's approved or emerging Local Plan.

Masterplans and Design Codes

27. The following masterplans and design codes were approved by the Council prior to the adoption of the LDP. See Table 5 below.

Supplementary Planning Document	Timetable to Approval
North Heybridge Garden Suburb Strategic Masterplan Framework	Endorsed by Council – October 2014
South Maldon Garden Suburb Strategic Masterplan Framework	Endorsed by Council – September 2014
North Heybridge Garden Suburb Strategic Design Code	Endorsed by Council - February 2017
South Maldon Garden Suburb Strategic Design Code	Endorsed by Council – March 2016

Table 5: Master Plans and Design Codes

Statement of Community Involvement

28. The Statement of Community Involvement sets out how the community will be engaged in the preparation of planning policy documents and in determining planning applications in the District. The Council adopted its Statement of Community Involvement (SCI) in 2007. An addendum was approved in 2012.
29. 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. This means that the SCI should be updated in the next year to take into account the adopted LDP, neighbourhood planning and new forms of consultation and engagement.

Supplementary Planning Document	Timetable to Approval
Statement of Community Involvement (SCI)	June 2018 - Draft SCI for public consultation
	November 2018 - Approval of Final document

Table 6: Statement of Community Involvement Timetable

Evidence Base

30. The LDP and other policy documents will be supported by evidence-based documents. These documents do not form part of the Development Plan but provide robust and reliable evidence to inform production of new documents.
31. Evidence base documents are reviewed regularly to ensure they are kept up-to-date and reflect changing local circumstances. These are available to view and download from the Council's website www.maldon.gov.uk/LDP.

Authority Monitoring Report

32. The policies within the LDP will be monitored and reviewed through the Authority Monitoring Report (AMR). This document is publicly available and reports on the delivery of key targets, including a statement relating to the Council's annual Five Year Housing Land Supply. The Council aims to publish the Authority Monitoring Report in September each year.
33. The AMR will include:
 - A statement on the progress of each document in the LDS project plan;
 - An analysis of how or whether the policies of the LDP are delivering their objectives, including key targets, such as the number of net additional dwellings, the number of net additional affordable dwellings for the last monitoring year, and since 21 July 2017 (the date the LDP was approved);
 - Details relating to any neighbourhood plans that have been made in the last monitoring year; and
 - Progress on the Community Infrastructure Levy.

Resources

34. The Planning Policy and Major Projects Team will be responsible for the delivery of the LDP, the production of Supplementary Planning Documents, CIL, the SCI and the AMR. In addition to these resources, there will also be contributions from other teams and departments within the Council. The Recreation Avoidance and Mitigation Strategy SPD will be produced by Essex Place Services in partnership with 10 other Essex authorities.
35. As far as possible, projects will be jointly undertaken by officers to ensure smooth work flow in case of any staff absence. The Council will consider employing consultants if the need arises within allocated budgets.
36. The Council will also continue to work closely with neighbouring authorities in joint working arrangements, such as for the Recreation Avoidance and Mitigation Strategy SPD, as well as for evidence base documents and research.

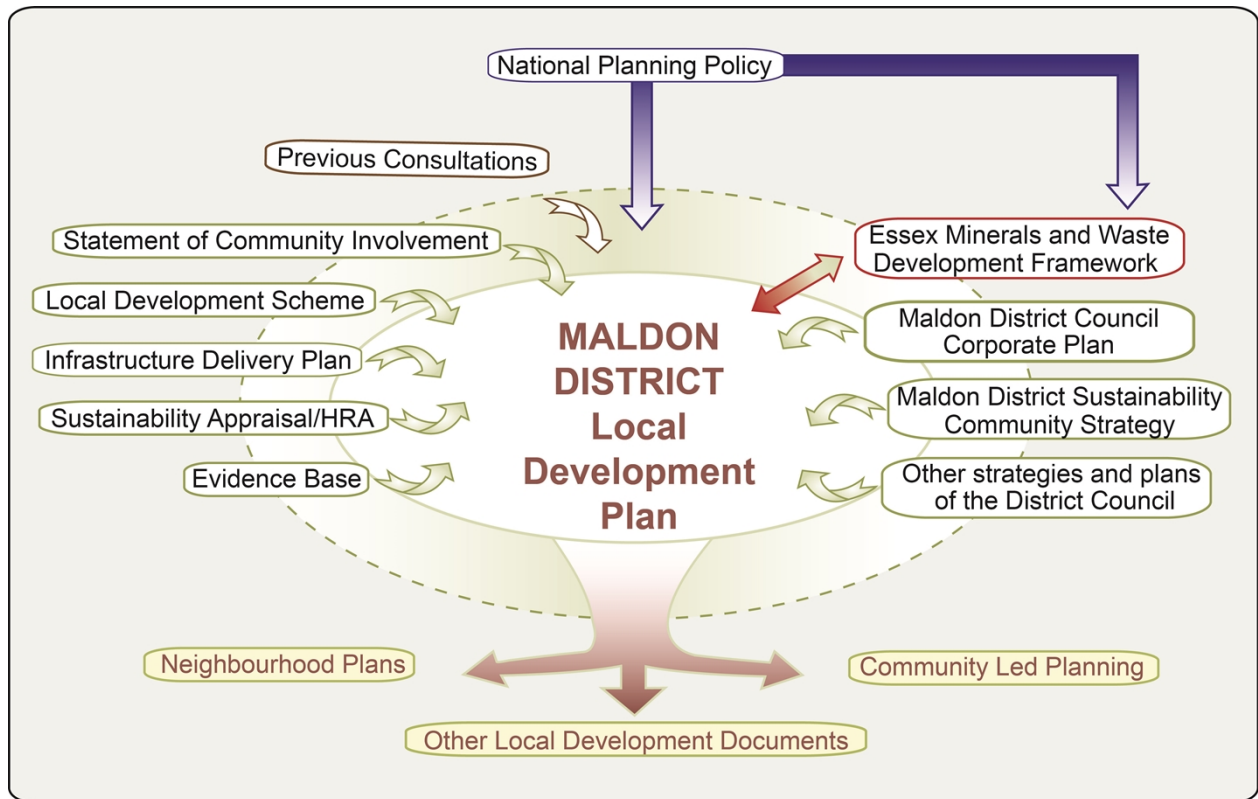
Risk Assessment

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

Risk	Impact	Contingency	Responsibility
Revisions to national legislation and planning policy guidance – i.e. NPPF and Homelessness Reduction Act	<ul style="list-style-type: none"> Out of date LDP and/or evidence base, lack of guidance available 	<ul style="list-style-type: none"> Monitoring of national planning policy revisions Quick turnaround of updates to evidence base Provision of guidance notes and/or SPDs to provide clarification on specific issues 	Planning Policy Manager Principal Planning Policy Officer
Delays in political agreement	<ul style="list-style-type: none"> Delays in agreeing plans and documents 	<ul style="list-style-type: none"> Use of progress briefings to retain political awareness Use of delegated powers wherever appropriate 	Director of Planning & Regulatory Services Planning Policy Manager
Consultation fatigue (community being consulted too often on planning documents and by other agencies over a range of issues)	<ul style="list-style-type: none"> Poor response to consultations 	<ul style="list-style-type: none"> Minimise by arranging a coordinated programme and possibly integrating individual engagement activities with other agencies Update SCI to understand how people want to be consulted – i.e. effective use of website and social media 	Director of Planning & Regulatory Services Planning Policy Manager Communications Manager
Staff changes or staff loss (staff leaving post/time delays in recruitment)	<ul style="list-style-type: none"> Loss of institutional capacity Inconsistency 	<ul style="list-style-type: none"> On-going training and development to improve expertise and encourage staff retention; Loss of staff will be countered by recruiting permanent and where necessary temporary staff 	Director of Planning & Regulatory Services Planning Policy Manager
Additional unforeseen evidence base requirements	<ul style="list-style-type: none"> Poor evidence base which could lead to applications being challenged 	<ul style="list-style-type: none"> Use of specialist consultants to cover particular gaps in expertise 	Director of Planning & Regulatory Services Planning Policy Manager
Budget Constraints	<ul style="list-style-type: none"> Insufficient 	<ul style="list-style-type: none"> Annual budget review to 	Chief Executive

Risk	Impact	Contingency	Responsibility
	budget to cover costs	identify budget needs based on LDS • Council reserve of a contingency amount to fund additional financial needs.	Director of Resources Director of Planning & Regulatory Services Planning Policy Manager

Table 7: Risks

Appendix 1: Local Development Plan Diagram

Appendix 2: Maldon District Local Development Plan: Policy List

Policy	Policy Title
S1	Sustainable Development
S2	Strategic Growth
S3	Place Shaping
S4	Maldon and Heybridge Strategic Growth
S5	Maldon and Heybridge Central Area
S6	Burnham-on-Crouch Strategic Growth
S7	Prosperous Rural Communities
S8	Settlement Boundaries and the Countryside
D1	Design Quality and the Built Environment
D2	Climate Change & Environmental Impact of New Development
D3	Conservation and Heritage Assets
D4	Renewable and Low Carbon Energy Generation
D5	Flood Risk and Coastal Management
D6	Advertisements
E1	Employment
E2	Retail Provision
E3	Community Services and Facilities
E4	Agricultural and Rural Diversification
E5	Tourism
E6	Skills, Training and Education
H1	Affordable Housing
H2	Housing Mix
H3	Accommodation for 'Specialist' Needs
H4	Effective Use of Land
H5	Rural Exception Schemes
H6	Provision for Travellers
H7	Agricultural and Essential Workers Accommodation
H8	Provision for Houseboats
N1	Green Infrastructure Network
N2	Natural Environment and Biodiversity
N3	Open Space, Sport and Leisure
T1	Sustainable Transport
T2	Accessibility
I1	Infrastructure and Services
I2	Health and Wellbeing

Appendix 3: Glossary

Authority Monitoring Report

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

Development Plan Documents (DPDs)

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

Development Management Policies

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

Evidence Base

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

Local Development Plan (LDP)

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

Local Development Scheme

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

National Planning Policy Framework (NPPF)

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

National Planning Practice Guidance (NPPG)

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

Policies Map

A visual representation of the policies in the LDP.

Statement of Community Involvement (SCI)

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

Supplementary Planning Documents (SPD)

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