



TECHNICAL NOTE

Project: Maylandsea NDP
Paper: Initial Review
Date: February 2022

Introduction

1. This paper presents an initial review of the context for the Neighbourhood Plan, current status of work prepared on the Plan and what this might mean for the focus of the Plan and drafting of policies, as well as suggested next steps.

The Local Plan

2. For a Neighbourhood Plan to be successfully 'made' (i.e.: adopted as Planning Policy by Maldon District Council) it will need to satisfy what are known as the tests of the Basic Conditions. These are set out in the Neighbourhood Planning Regulations and, of particular importance, require the Neighbourhood Plan to be in general conformity with the strategic policies of the development plan. For Mayland Parish this is the Maldon District Council Local Plan.
3. The Local Plan was adopted in 2017. Policies of relevance in this for the Neighbourhood Plan include, but are not limited to:
 - a) Policy S8, Settlement boundaries in the countryside: This identifies Maylandsea as a 'larger village' in the settlement hierarchy, which are those described as 'defined settlements with a limited range of services and opportunities for employment, retail and education. They serve a limited local catchment and contain a lower level of access to public transport.' The policy seeks to protect the countryside for its intrinsic value, with development being restricted in order to maintain the character and attractiveness of the countryside.
 - b) Policy E1 Employment: This policy encourages employment generating developments and investment in the District to support the long term growth vision outlined in the Council's Economic Prosperity Strategy (EPS). Within the Neighbourhood Plan boundary, the Mayland Industrial Estate is to be reserved for employment development.
 - c) Policy S7 Prosperous Rural Communities: This policy seeks to support and facilitate economic development within villages. In particular, the policy acknowledges that rural areas lack sufficient access to modernised information and communication networks. It therefore promotes information and communications technologies, such as high speed broadband in order to encourage home working and support home-based businesses.
 - d) Policy D5 Flood Risk and Coastal Management: Parts of Maylandsea are categorised as Flood Zone 2 or 3. This policy suggests that the Council aims to direct strategic growth towards lower flood risks areas, such as Flood Zone 1.
 - e) Policy H1 Affordable Housing: This policy sets the affordable housing requirement for



each sub-area in the district. Mayland falls within the Rural South sub-area, which requires all housing of more than 10 units or 1,000 sqm to provide 40% or units as affordable housing.

4. The current Local Plan covers the period up to 2029. In February 2021 the District Council commenced a review of the Local Plan which, once adopted, will cover the period up to 2038. Whilst the tests of the Basic Conditions is against the adopted Local Plan, Planning Practice Guidance issued does make clear that where a new Local Plan is being prepared, then strong consideration should be given to the emerging Local Plan, policies and evidence supporting it. This is to ensure that the Neighbourhood Plan has longevity, reflects the most recently available evidence and help avoid policy conflicts between the Neighbourhood Plan and Local Plan. It notes that the local Planning Authority (i.e.: Maldon District Council) should take a proactive and positive approach, working collaboratively with the qualifying body, particularly in terms of sharing evidence.
5. A timeframe for production of the new Local Plan was set out in the Maldon District Local Development Scheme for the period 2021 – 2024. This envisaged initial consultation on 'issues and options' taking place during the Autumn of 2021. However, work on the Local Plan is behind schedule, with the 'issues and options' consultation taking place the time of writing (January – March 2020). This implies that the timeframe through to adoption of the new Local Plan envisaged by the District Council will need to extend, with adoption not likely to happen until the beginning of 2024 at the earliest. The Neighbourhood Plan is some way ahead of this, but it should still consider the potential direction of travel in the new Local Plan. Of particular relevance here is any future growth that might need accommodating within the Parish. However, it is not yet clear what these requirements might be. The District Council is consulting on seven potential growth options for the District as a whole, and has indicated, in conversation with officers, that the outcomes of the current consultation may suggest a 'hybrid' approach, combining aspects of all or some of the options, may be taken forward. It is likely that some growth will need to be accommodated in the Parish over the new Plan period, but until the Local Plan has been developed further, it is unknown what the scale of the requirement might be.
6. The District Council has undertaken a 'call for sites' as part of its new Strategic Housing and Economic Land Availability Assessment (SHELAA) which includes a number of sites within the Parish. It is important to note that the SHELAA is not a statement of policy and is rather a technical report to help indicate potentially suitable development sites, but where allocation is subject to housing requirements and wider tests, relating, for example, to matters such as environmental impacts and provision of infrastructure.
7. To help qualifying groups prepare Neighbourhood Plans the NPPF and Planning Practice Guidance does say that a housing figure can be requested from the District Council, and that this can be used to help allocate a supply of suitable sites in the Neighbourhood Plan. However, and given the status of work on the new Local Plan, the District Council has advised that they are not in a position to provide the Parish with a potential future housing figure to Plan for.
8. Although allocating sites could help provide you with more certainty as to how much development will come forward in the Parish and where, the lack of information from the District on what the housing figures might be will make this difficult for you and could open up



a number of risks: you could end up planning for too few (or too many) new homes for example. Not only this, work on the Plan will need to further consider the suitability of sites and involve land owner consultation and further technical studies, including for example Strategic Environmental Assessment and Habitats Regulation. These will extend the programme for preparation of the Neighbourhood Plan as well as involving significant additional resource.

9. The NPPF and Planning Practice Guidance is though clear that there is no obligation for groups to allocate land for development or new homes in their Neighbourhood Plans. Instead, you may wish to take a pragmatic approach, that accepts that some development will happen in the future, and if it should then it should be appropriate in terms of scale, form and location, and designed to maximise benefits for the local area. A principles based approach to policies can be drafted for inclusion in the Neighbourhood Plan that, although not specifying which sites should be developed, can be used to clearly indicate the preferred direction of growth.
10. Such an approach would allow you to progress the Neighbourhood Plan in a timely fashion, with the principles established being further developed with the District Council to inform their review of and allocation of potential future sites. Principles created should draw upon the character and existing conditions of the area, as well as the vision and objectives you have already drafted for the Parish. Alongside this, production of locally-specific design guidance (through the Locality technical support package) can be used to create design policies that inform and shape new development, reflecting good place-making principles and responding to the qualities of the area. Together, these can be an effective and efficient way of shaping new growth.

Principles for future growth

11. Building upon the above, we now consider possible criteria that may form part of a principles based approach to growth and development policies in the Neighbourhood Plan. This comprises an initial view and will need developing further with you, the wider community and District Council, making use of appropriate evidence where available.
12. The early version of the draft Neighbourhood Plan prepared in January 2016, along with the supporting evidence prepared provide a good basis for developing principles for future growth. These make clear that any future change should reflect the rural character of the area, support access to important assets, including the waterfront, parks and community facilities, help strengthen the local centre and manage traffic conflicts, including the speed of and associated safety issues of traffic within and passing through the area.
13. Spatial growth principles (to be refined) might thus comprise:
 - a) Opportunities to reuse existing brownfield land should be taken in the first instance, including infill sites, vacant plots and buildings within the settlement boundary.
 - b) Where development is proposed outside the settlement boundary, it must be contiguous with the boundary. The use of brownfield sites outside the settlement boundary, and contiguous to it, should be utilised before greenfield sites.
 - c) Development shall be within walking distance of the local centre, school and community facilities, based upon the actual street network as opposed to an 'as the crow flies distance' (note: appropriate distances can be established, e.g.: 400 metres equates to a



- five-minute walking time).
- d) Development sites shall retain access by foot and bicycle to the river frontage and be well connected to the rights of way network.
 - e) Development must be able to demonstrate that vehicular access can be gained from the main street network.
 - f) Development shall not extend the settlement boundary any further south of Steeple Road.
 - g) Development shall avoid areas of Flood Risk 2 and 3.
 - h) Development shall avoid areas of importance for their environmental value, including SSSIs, Ramsar sites, Special Areas of Conservation, Special Protection Areas, Priority Woodland and Coastal Habitats and Improvement Areas.
14. A series of maps and screenshots have been appended to the paper to show how these might begin to influence decisions about future directions of growth.
15. Consideration may also be given to site size and distributing growth around the village, reflecting messages from consultation expressing concern about major growth being focussed in one location.
16. Topic-based policies can then be developed to support these, including, for example:
- a) Design criteria relating to the scale and form of development and key characteristics that define the natural and built environment, including matters such as density, openness, materials and roof-forms etc.
 - b) Approaches to the design and provision of sustainable urban drainage systems.
 - c) Support for 'active and healthy travel' (walking, cycling) and how this should be incorporated in new development.

Wider opportunities

17. Beyond the issue of future growth and development, there are no doubt wider matters of concern that the Parish wish to consider. Where related to land use and development these can form policies in the Neighbourhood Plan. Wider matters can form projects and aspirations. These should be included in the Plan as an expression of the communities manifesto for the area. Importantly, by including these, they can be used to help the funding decisions of public-sector partners, including the District and County Council, influencing where they may focus future initiatives. They can also comprise ideas where any funding received through the neighbourhood portion of the Community Infrastructure Levy might be spent. Based upon work undertaken on the Neighbourhood Plan thus far these might comprise:
- a) Improvements to the setting of and access to the local centre, resolving parking challenges and supporting safe crossing to this. It could comprise a public realm project that helps define this as a central place for the community.
 - b) Retention and improvement of community facilities (e.g.: to the Village Hall), including support for any new community facilities (e.g.: a day centre) to be provided
 - c) Supporting improvements to facilities, including parks and play spaces, such that they are accessible and inclusive spaces that can be used by all.
 - d) Retaining access to the waterfront and enhancing this.



- e) Improving the design of gateways into the village, reducing traffic conflicts and improving safety
- f) Requiring all developments to comply with wider Essex policies in respect of mitigations and to the Essex Coast environment.
- g) Support for bio-diversity net gain measures, including enhancements to areas of planting, verges and the network of dykes and ditches in the Parish.

Next Steps

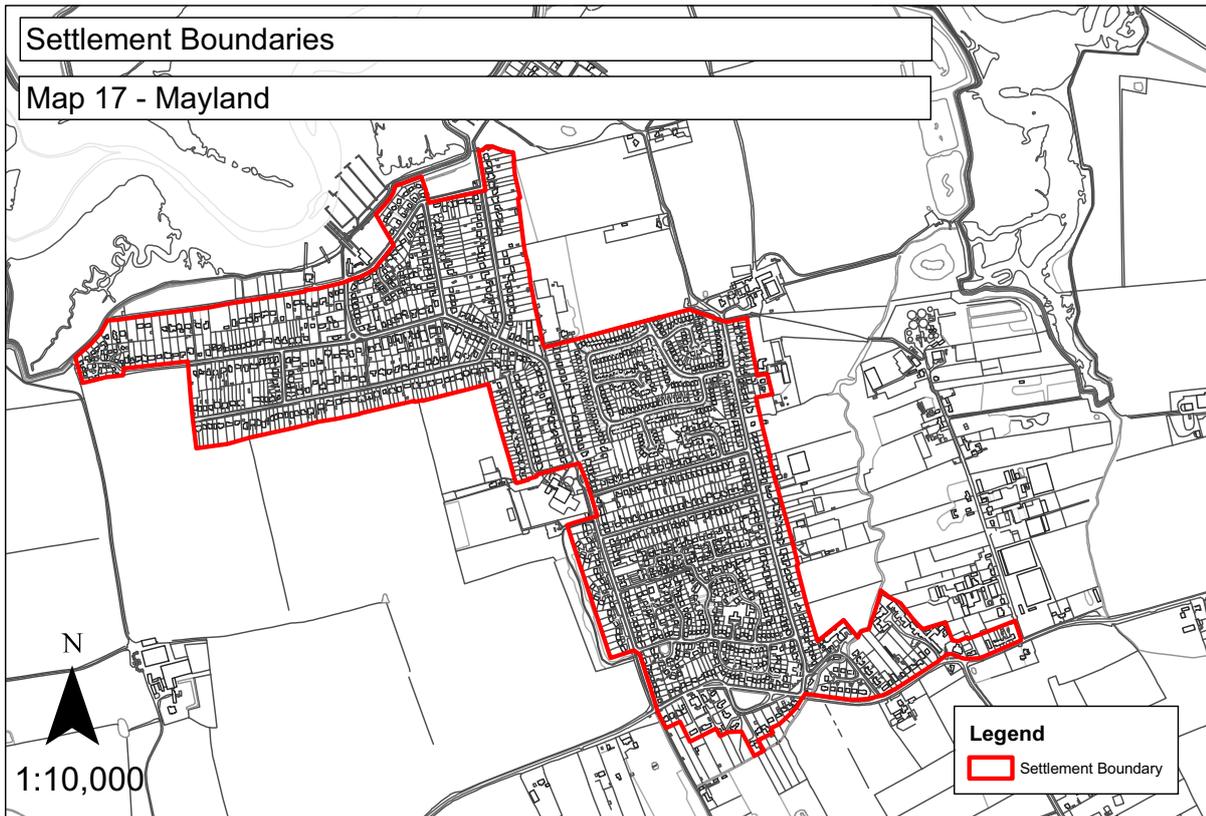
18. Based upon the above, it is suggested that:

- a) Given the status of the emerging Local Plan, it is not clear what the implications of this will be for future growth requirements in the Parish. As such, rather than seek to allocate sites in the Neighbourhood Plan for development, a principles based approach is taken that directs growth to the most appropriate locations in the Parish.
- b) The principles suggested in the Paper should be further developed with you and the District. These can be incorporated in policy in the Neighbourhood Plan and, in parallel to this, be used in discussion with the District to inform the most appropriate choices for allocations in the emerging Local Plan. The Neighbourhood Plan and emerging Local Plan will thus be aligned but, at the same time, the Neighbourhood Plan will also be able to demonstrate conformity with the strategic policies of the currently adopted Local Plan.
- c) Alongside the principles, a set of 'place quality' policies are drafted, building upon the Design Code technical package through Locality, such that when development does come forward, it reflects the best qualities of the built and natural environment.
- d) A series of supporting policies and projects are developed that develop wider aspirations and respond to matters of concern raised through earlier consultation events, such as those in respect of community facilities, access and movement.

19. Text

Settlement boundary

The screenshot below shows the existing settlement boundary. Development should be within or immediately adjacent to and contiguous with the boundary.



Walking distances from the local centre

The screenshot below indicates five minute (in blue) and ten minute (in pink) walking distances from the local centre on Imperial Avenue. Supporting growth within the walking catchment of local facilities will support approaches to sustainable patterns of development. Similar catchments can be applied to other local facilities.

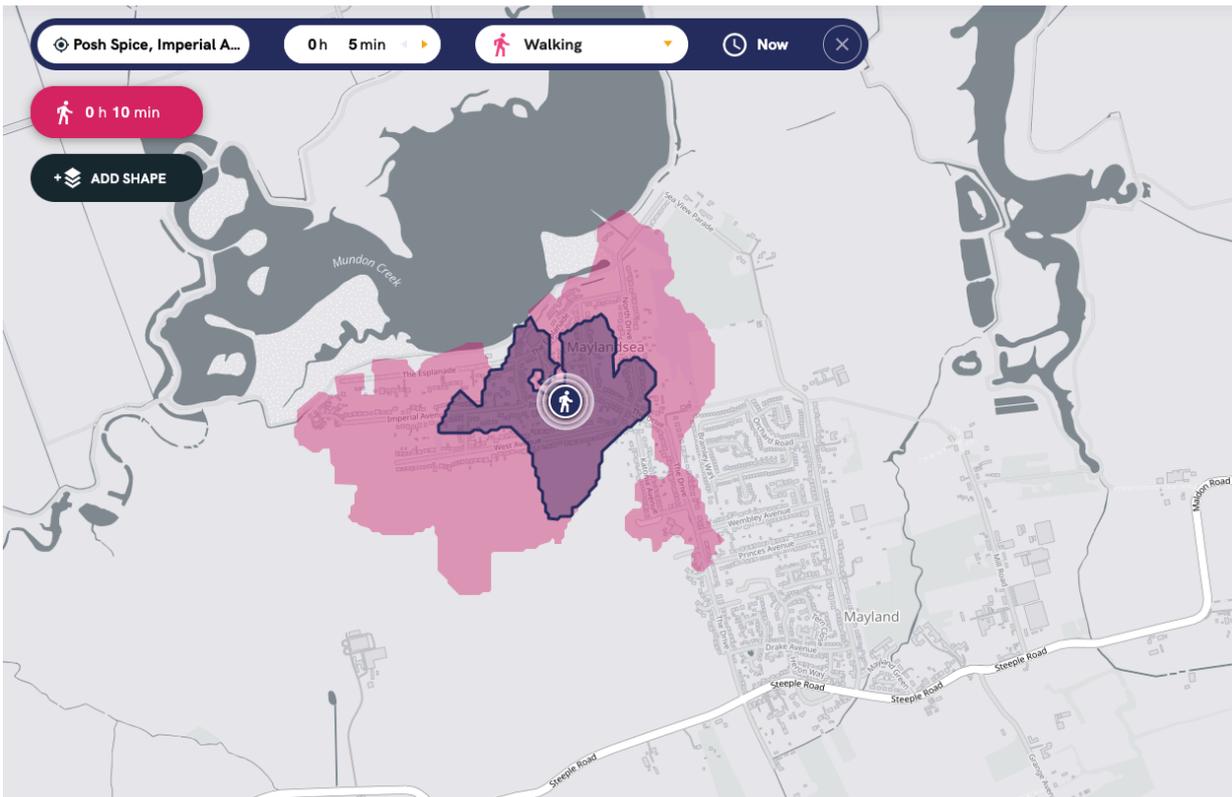
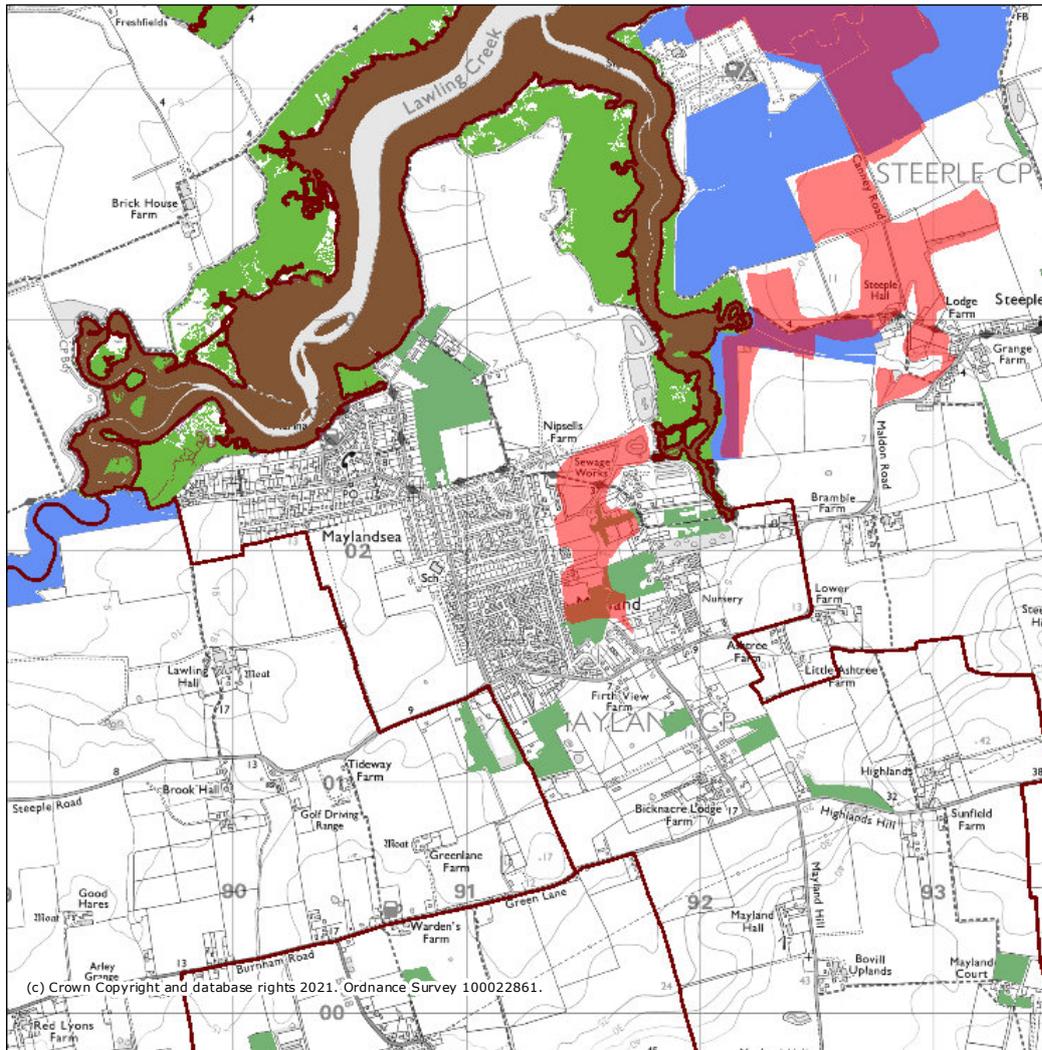


Image generated using <https://app.traveltime.com/>

Priority Habitat Areas

The map below indicates the location and extent of priority habitats within the Parish where development should ideally be avoided

MAGiC Priority Habitats

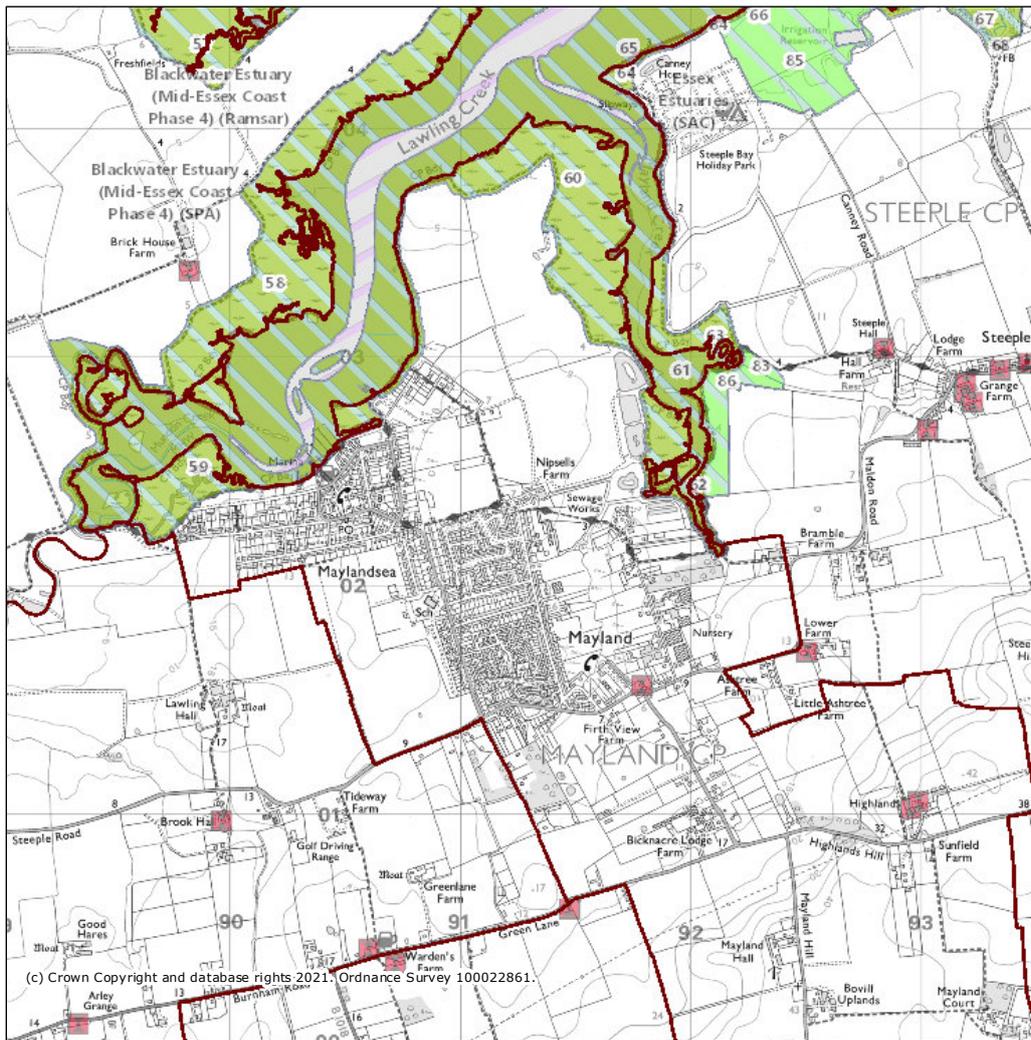


<p>Legend</p> <ul style="list-style-type: none"> Parishes (GB) Refined Coastal and Floodplain Grazing Marsh (England) Priority Habitat Inventory - Coastal Saltmarsh (England) Priority Habitat Inventory - Mudflats (England) Priority Habitat Inventory - Coastal and Floodplain Grazing Marsh (England) Priority Habitat Inventory - Deciduous Woodland (England) 	
	<p>Projection = OSGB36 xmin = 585700 ymin = 199200 xmax = 596900 ymax = 205000</p> <p>Map produced by MAGiC on 18 February, 2022. Copyright resides with the data suppliers and the map must not be reproduced without their permission. Some information in MAGiC is a snapshot of the information that is being maintained or continually updated by the originating organisation. Please refer to the metadata for details as information may be illustrative or representative rather than definitive at this stage.</p>

Environmental Designations

This map shows important environmental areas designated for protection and which development should avoid.

MAGiC Designations



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Legend		0	0.65	1.3
Parishes (GB)	Not Assessed			
Ramsar Sites (England)		Projection = OSGB36		
Sites of Special Scientific Interest Units (England)		xmin = 585700		
Favourable Condition		ymin = 199600		
Unfavourable Recovering		xmax = 596900		
Unfavourable no change		ymax = 205000		
Unfavourable Declining		Map produced by MAGIC on 18 February, 2022.		
Part Destroyed		Copyright resides with the data suppliers and the map must not be reproduced without their permission.		
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Images sourced from: <https://magic.defra.gov.uk/> (Note: Legend omits reference to SAC and SPA)

Green Infrastructure and Access

The screenshot below shows areas of accessible green space, woodlands and the public rights of way network in the Parish. New development should retain these spaces and access to them, and connect into the network of routes. The Plan might also suggest improvements to the network of routes and green spaces.

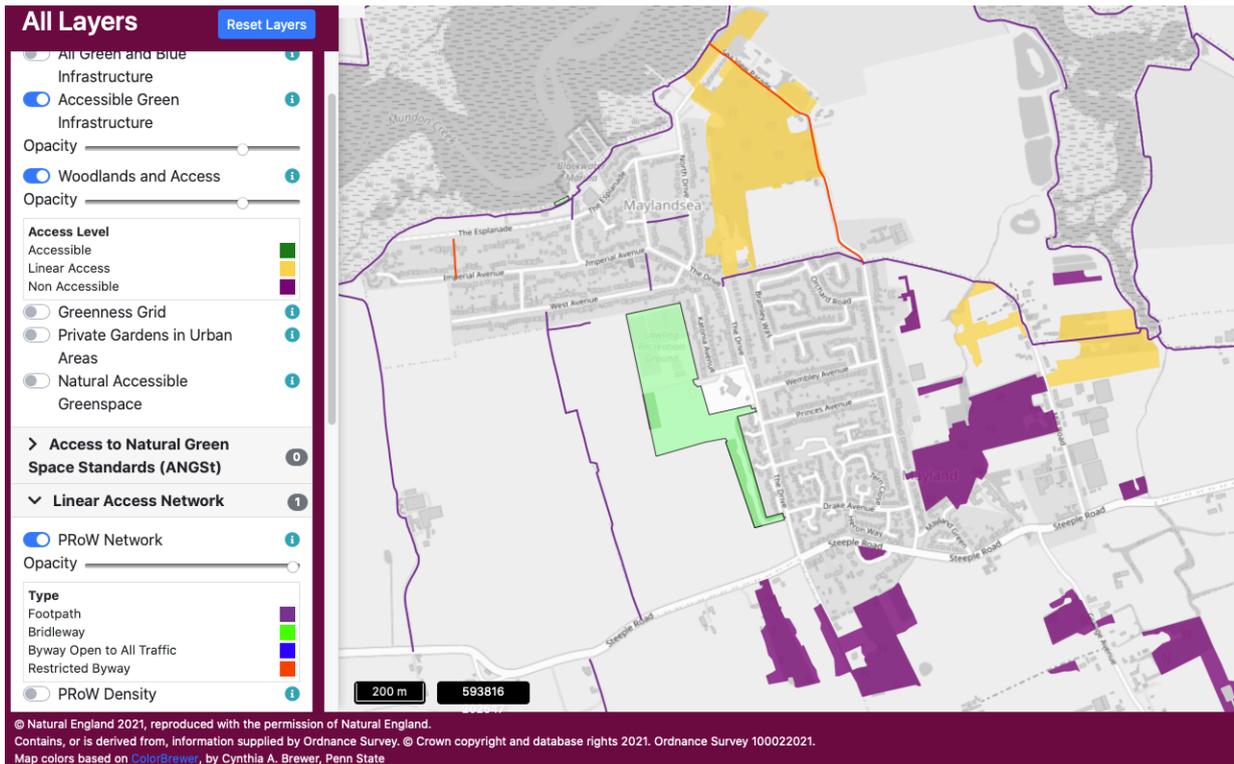
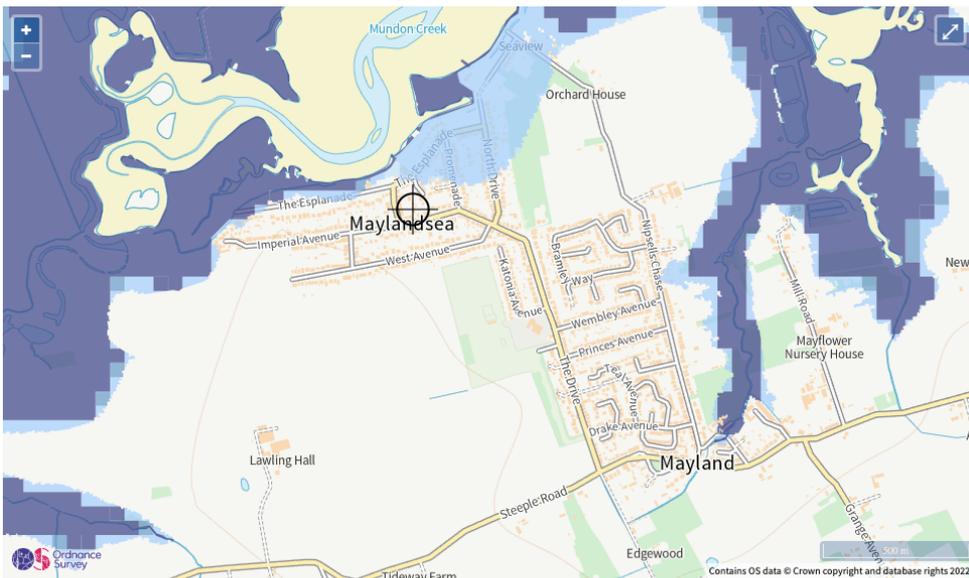


Image sourced from: <https://designatedsites.naturalengland.org.uk/GreenInfrastructure/Map.aspx>

Flooding

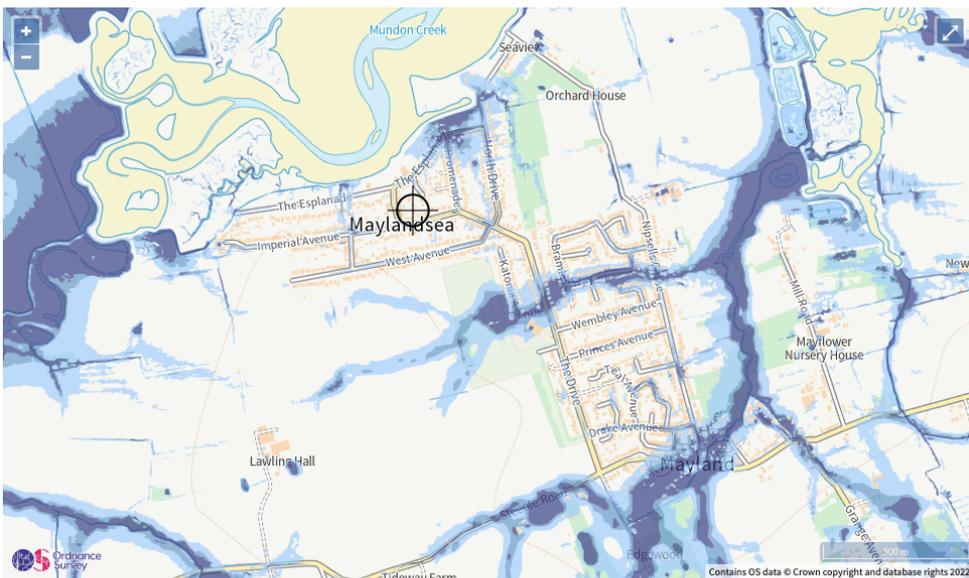
The screenshots below show the extent of fluvial flood risk and surface water flood risk. Development should avoid areas of fluvial flood risk. All should incorporate sustainable urban drainage systems that help manage the risk of flooding, both fluvial and surface. Opportunities may also exist through the maintenance of existing water courses and through the retrofitting of streets and spaces to incorporate measures that help manage the risk of surface water flooding.



Extent of flooding from rivers or the sea

● High ● Medium ● Low ● Very Low ⊕ Location you selected

Map showing extent to fluvial flood risk. Image sourced from: <https://www.gov.uk/check-long-term-flood-risk>



Extent of flooding from surface water

● High ● Medium ● Low ○ Very low ⊕ Location you selected

Map showing extent to surface water flood risk. Image sourced from: <https://www.gov.uk/check-long-term-flood-risk>