MINUTES OF A MEETING OF THE PARISH COUNCIL HELD ON MONDAY 7 FEBRUARY 2022 AT 7.30 PM AT THE VILLAGE HALL

Present: Chairman: Cllr. F A Delderfield
Councillors: Mrs C Adams, Mrs H R Dundon, A J Gable, J C Gregan, J V Keyes, B S Marshall and District Councillor R Siddall.

Apologies for absence were received from Councillors C L Atkinson and Mrs A V Heaviside.

015.22 DISCLOSURE OF INTERESTS
There were no disclosures.

016.22 ADJOURNMENT FOR THE PUBLIC TO SPEAK
Fourteen members of the public were present. There were no questions.

017.22 MINUTES OF THE PREVIOUS MEETING
The minutes of the Meeting of the Council held on 10 January 2022 were confirmed and signed.

018.22 MATTERS ARISING FROM THE MINUTES
Hedge Cutting: The Vice-Chairman thanked the hedge cutting contractor for making a good job in cutting the hedges.

019.22 CHAIRMAN'S ANNOUNCEMENTS, REPORTS OF OTHER BODIES AND GENERAL CORRESPONDENCE.
Essex County Councillor Mark Durham had sent a written report which is attached to these minutes. Maldon District Councillor Richard Siddall explained the current position of the District Local Plan; the need for prudent budgeting at the District Council over the next few years and that a new Conservative leader has been appointed to the Independent administration. The Chairman thanked Cllr Siddall for his report.

020.22 PLANNING POLICY AND STRATEGY:
Neighbourhood Plan: The Inspector carrying out the examination of the Draft Plan has sent his initial comments that: *The Plan provides a clear and concise vision for the neighbourhood area. The presentation of the Plan is very good. The difference between the policies and the supporting text is very clear. The Plan makes good use of various high-quality photographs and graphs/charts. The maps are particularly clear. The package of supporting information is both clear and helpful. The Village Design Statement is a major achievement for the local community.* He has asked for clarification of certain points and these and the Councils responses are appended to these minutes.
Maldon District Local Development Plan: The Maldon District Plan has sent submissions of possible land for housing allocations which will be examined in detail by a working group against the Great Totham Neighbourhood Plan, now under examination, and a report will be presented at the next meeting of the Council.

021.22 PLANNING APPLICATIONS
Planning Decisions: The Clerk reported on the latest planning decisions of the Maldon District Council.

Latest Applications: Comments on planning applications received up to week ending 4 February 2022 were as follows:

OUT/MAL/21/01330 Outline planning application for the erection of up to 80 dwellings including affordable housing, with public open space, landscaping, sustainable drainage system (SuDS) with vehicular access point. All matters to be reserved, except for means of access. Land Off Maldon Road, Maldon Road

The Council notes this is the third outline application for this site following MAL/14/00936 for up to 115 dwellings (which attracted 190 letters of objection from 378 people) and MAL/15/00688 for up to 96 dwellings. Permission was refused for both and a subsequent appeal for the first dismissed.

The Parish Council strongly objected to the first two applications and strongly objects to this new application. The site is outside of any area intended for development in the current Maldon District Local Development Plan and the draft Great Totham Neighbourhood Plan now at the examination stage. The proposal is contrary to policies within the above mentioned Plans and the guidance and provisions of the National Planning Policy Framework (NPPC) and the adverse impacts would significantly and demonstrably outweigh any benefits. The Parish Councils objections to this application are about the landscape, environmental and sustainability issues and so are not dissimilar to those expressed in response to previous applications.

Although adjoining the edge of existing residential development at Staplers Heath and the Bull Public House on about one quarter of the field boundary, for the most part the boundary the proposal site is against open land or the B1022 road with open farmland beyond. This open aspect is echoed and further reinforced by the Cricket Field opposite presenting a wide open vista before meeting the residential development of Seagers. The proposed development would have an intrusive visual impact upon the area and its surroundings as well as a material detrimental effect on the appearance of the wider countryside which is noted for its landscape value as defined as a Special Landscape Area in the Maldon District Council's saved policies.

The Bull Public House is an historic building and landmark. The Planning Inspectors summary in the appeal decision mentioned above said: *I therefore conclude that the scale and location of the proposed development, by reason of its impact upon the setting of The Bull public house and adjacent stables, would be harmful to the significance of those listed buildings. Accordingly, the proposed development would be contrary to Policy D3 of the LDP which seeks to ensure that all development affecting a heritage asset or its setting should preserve or enhance its special character, setting and townscape/landscape value in a manner appropriate to its significance.*

Located within the Blackwater Ridge the site rests on the mid slopes of the ridge about half a mile from the summit of Beacon Hill, the highest point in the Maldon District and third highest in the historic County. The settlement pattern is largely nucleated, with the main north and south areas of Great Totham separated by open countryside and scattered development along the B1022. Two other smaller settlements are Beacon Hill and Broad Street Green with the latter included under the Essex Review Order 1934. (Note: The two main settlements are both, possibly uniquely, named separately as Great Totham by the

Ordnance Survey although, following the naming of the electoral registers, they are generally referred to as Great Totham North and South). Extending the south settlement generally northwards towards Great Totham North and Beacon Hill as proposed would significantly erode the nuclear balance and thus the nature of Great Totham's charm and character brought about by its historic development.

To describe the impact of this proposed development no better words can be found than those used by the planning inspector in his report dismissing the MAL/14/00936 appeal mentioned above: *I therefore conclude that the loss of open land arising from the scale and location of built development proposed would be seriously harmful to the distinctive character and appearance of the appeal site and of its surrounding area. The development would suburbanise an important part of Great Totham to the detriment of its wider distinctive rural character and appearance.* The Parish Council echoes these words in respect of this application.

The Development would not be sustainable. The Great Totham Primary School at capacity and except for a twice a week morning only outpost of a Witham surgery in the next village, the nearest doctors and dentists are at Maldon, Witham and Tiptree, and they are generally oversubscribed. There is a Post Office/general store in the Village which is well used but their range is necessarily limited and most shopping and use of services involves travelling further afield usually by car. The services and shopping aspects of up to 80 extra dwellings will lead to unacceptable increased traffic.

There are limited employment opportunities in the Village. Most people travel outside to their workplace including to Colchester, Chelmsford and London via Witham which would add to already overstretched roads and public transport. There is no bus service to Witham passing by the application site. Home-working can be carried out as demonstrated in response to the Covid pandemic but on the other hand the Government is now urging people to return to their workplaces to avoid town centre economies collapsing.

Access routes to the centre of the Parish are congested at certain days and times and over part of their lengths with parked vehicles reducing sections to a single track including near the junctions. There is increased traffic due to commuting and the B1022 serving as an access route for southbound traffic from the A12 throughout the day and additional traffic can be expected from current large scale developments at Maldon, Heybridge and southern part of Great Totham along with the proposed relief road.

For the above reasons the Parish Council recommends that the application is refused.

HOUSE/MAL/21/01346 Proposed two storey rear and part two storey and part single storey side extension single storey. Removal of existing front and side extensions and changes to fenestration. 20 Colchester Road – The Council has no Comment.

FUL/MAL/22/00027 Replacement dwelling. Sarell Nursery Captains Wood Road – The Council has no Comment.

HOUSE/MAL/22/00031 Demolition of existing single storey side and rear extensions and construction of single storey side and rear extensions. Dormer roof addition to rear. Detached garage, new hardstanding and changes to fenestration, along with internal alterations. Walnut Cottage 16 Totham Hill Green.-The Council notes that this is a listed building and has no objections provided the proposed additions comply with the views of the Conservation Officer.

LBC/MAL/22/00032 Demolition of existing single storey side and rear extensions and construction of single storey side and rear extensions. Dormer roof addition to rear. Detached garage, new hardstanding and changes to fenestration, along with internal alterations. Walnut Cottage 16 Totham Hill Green.-The Council has no objections provided the proposed additions comply with the views of the Conservation Officer.

RES/MAL/21/00961 Reserved Matters application for the approval of access, appearance, landscaping, layout, and scale covering the details of strategic landscaping and infrastructure for Phase 2 and part of Phase 4 of the approved planning application (15/00419/OUT) comprising:
(i) The landscaping surrounding the eastern section of the Relief Road, and Broad Street Green Roundabout;
(ii) The internal spine road, from Broad Street Green Road to the north-eastern corner of Heybridge Wood (including bus stops);
(iii) The green corridors that surround Parcels 10, 11 and 12;
(iv) The second phase of the acoustic barrier;
(v) The play area (LEAP) that lies south of Parcel 12;
(vi) The internal road and associated attenuation basins to the north of Parcel 8 that serves the Local Centre;
(vii) The proposed pumping station;
(viii)Pedestrian and cycle links falling within this phase of the development.
Together with details pursuant to Condition 18 (tree protection), Condition 19 (acoustic barrier), Condition 27 (bus stops) and Condition 28 (footpaths and cycle routes) of the approved planning application 15/00419/OUT.
Land At Broad Street Green Road And Langford Road And Maypole Road Great Totham Essex – The Council agrees with the views of Heybridge Parish Council and is concerned about the provision of a safe site access and egress, turning operations, to traffic movements and routing of construction related traffic.

For Information
LDP/MAL/22/00003 Claim for lawful development certificate for a proposed single storey rear extension & part garage conversion.
34 Foster Road – Noted.

MLA/MAL/22/00048 Variation of S52 agreement (MAL/408/84) dated 10/10/1984 relating to land at the rear of Seagers and Millways. Land Opposite 34 Hall Road – The Council objects to the variation. The legal (S52) Agreement remains relevant and should remain in place. No variation should be permitted and the terms of the Agreement should be rigorously upheld.

SCR/MAL/22/00188 Screening opinion to determine if the proposal (Outline planning application for the erection of up to 80 dwellings including affordable housing, with public open space, landscaping, sustainable drainage system

(SuDS) with vehicular access point. All matters to be reserved, except for means of access) requires an EIA. Land Off Maldon Road Maldon Road – Permission should be refused for the reasons set out in our response to MAL/21/01330.

022.22 FINANCE
Confirmation of Payments: Payment was confirmed for:

Amount (£)	Payee	Service
1591.08	Maldon District Council	Community Protection Team Oct-Dec £631.08 Grass Cutting 3rd Quarter £960.00
415.54	Sutcliffe Play Ltd	2 New Cradle Swing Seats
605.40	C R Potter	Salary/allowance £570 Postcrete for Notice Board £35.40

Insurance Policy: The insurers have sent a renewal notice for the Council's policy which it was agreed should continue.

023.22 AMENITIES
Report of the Chairman of the Amenities Committee: Cllr Atkinson sent a reported that the new children's swing seats have arrived and will be fitted week beginning 14 February. The new Notice Board has been assembled and erected Councillor Marshall and his sons.

He also reported that the first seat from the entry to the Village at Totham North is in need of repair and he and Cllr. Marshall hope to carry this out later in the month. This seat is the final one under the current series of repairs. The report was received and adopted.

024.22 HIGHWAYS AND TRANSPORTATION
Localism Rangers Work: No further work was identified.

025.22 COMMUNITY POLICING, SAFETY AND REGULATION
Community Protection Team Report: The latest report was not yet to hand [received and circulated after the meeting].
Speedwatch: Cllr. Atkinson sent a report that he has two new volunteers one of which has attended at a session and hopefully the second one will attend next time. A speed check on 28 January where 9 vehicles were reported, 1 of which was clocked at 52 mph

026.22 HM THE QUEEN'S PLATINUM JUBILEE
The next joint meeting of parishes will be held on 14 February at 7.30pm at the Village Hall. Commemorative items will be raised.

027.22 OTHER URGENT BUSINESS & FUTURE AGENDA ITEMS.
There were no items raised.

028.22 EXCLUSION OF THE PUBLIC

It was agreed that due to the sensitive nature of the following business the public should be excluded. The Clerk advised of an on-going matter in the Parish which is subject to police investigation.

The meeting closed at 8.30pm

Essex County Councillor Mark Durham: Parish Report. February 2022

February for local government is largely dominated by budget setting and establishing the council tax, reviews of fees and charges and any other changes that may be necessary to establish a balanced budget.

Local government at all levels has been asking central government for a three year settlement figure for their funding, so that they can plan ahead with some certainty for their future income. However, this has not been forthcoming and only a one year settlement has been provided for the current year ahead. This places pressure on both the district council and Essex County Council and makes balancing the books a very difficult task. Many residents are not aware how their council tax is spent, or indeed who spends it on their behalf. They are of course rightly concerned that an increase in council tax places additional financial strains on the household budget along with increasing costs of living for food, fuels and other expenses.

Local government faces similar problems as the services they procure are also subject to inflation and the recent increase in borrowing costs has compounded the situation. This creates a dilemma for councils as in the main, their income is fixed. This means that councils have few choices open to them to produce a balanced budget. They can either increase their income by raising council tax, reduce costs by cutting services, find efficiencies within their existing services or use their reserves to fill the gap between income and expenditure.

Out of the total council tax paid by the residents approximately 75% is spent by the county council and the remainder is split between the district councils, parish councils and the Police & Fire Service. It is best explained by taking £1 of council tax and showing how much is spend and who by. Each pound of council tax is divided approximately as follows: 74p to Essex County Council; 12p to Maldon District Council; 1p to Parish Councils; 13p to Police & Fire Services

Clearly the largest amount is spent by the county council and this pound is split as follows:
43p for Health & Social Care. (Older people, mental health, learning disabilities etc.)
13p for Children's Services and Early Years
11p for Highways and Sustainable Transport
8p for Waste Reduction & Recycling
9p for Support Services
11p for Capital Finance Costs, Insurance, Reserves, Loan Interest etc.
5p for Other Front Line Services

The costs of health and social care are way higher than any other commitment for the county council, but it is arguably the most important. It accounts for £470m every year but is a service only used by 17,300 residents. However it is arguably the most crucial responsibility that the county council currently has. Children's services spend £136m annually which includes £60m expenditure on its looked after children.
In total 82% of council tax received by ECC is spent on front line services.

Like all levels of local government, ECC has been obliged to look hard at its spending in recent years to balance the drop in central government funding. In the last ten years, ECC has had to cut spending by £600m per year and it currently has an annual budget of nearly £1.1b. This is funded by £770m council tax receipts, £19m revenue support grant, £170m non domestic rates and £123m central government grant.

As we are all acutely aware, the last two years have been difficult for everyone, including local government. The pressures imposed by Covid and increased costs resulting from changes in working practices, loss of income, demands to support businesses etc. have been significant. Although these have been offset by additional grants from government, these are 'one offs' and do not fully make up for the funding gap.

Essex County Council is one of the most financially stable in the UK and it currently has the lowest tax level of all Shire Counties. It is significantly lower than Kent, Suffolk, Norfolk and Hertfordshire. **BUT** for some of the reasons already mentioned, after balancing the books for 2022/23 there remains a significant gap that will need to be met by 2025/26 of approximately £119m. The formal budget for ECC will be debated and agreed at its full council meeting on February 10th.

From a local perspective, my post bag is generally occupied with matters concerning highways and potholes. One of the reasons why I have gone into the details above is to highlight that the money available for highways is both modest and finite. Given the financial constraints that the council has to work under, it is only right and proper that all expenditure is prioritised. Whereas the roads and the transport network are used by the majority of residents, I doubt that anyone would argue against the costs incurred to look after the most vulnerable people in our community being placed ahead of filling potholes. Inevitably with 5,000 miles of roads in the county, there is simply not sufficient money to fill every defect or to carry out works that are not absolutely essential. I totally accept that parishes may get frustrated when a particular defect isn't fixed immediately or that some are simply not deemed bad enough to warrant a repair at that time. However highways officers have to assess each and every reported defect and prioritise to ensure that the money is spent as wisely as possible. I also appreciate that they don't always get this right, but on the whole, they do an excellent job with the resources available to them.

We are expecting the long awaited white paper concerning 'Levelling Up' to be published tomorrow 2nd February. This is likely to lay out the blueprint for the possible reorganisation of local government as well as initiatives to put government funding behind those areas that are in the most need. It is premature to predict what will be in the white paper, but there are ongoing talks across the county to look at potential ways we can follow whatever is directed in the document. There is a distinct possibility that it will herald the change from county councils and district councils to unitary authorities, but we will have to wait and see!

Finally, I would like to mention the Maldon Local Highways Panel again. My reports wouldn't be complete without an appeal for schemes! Most projects that were allocate funding in the current financial year have been completed or will be done soon. Due to Covid, I have agreed that a couple can be carried over into next year, but the funding is secured from last year's budget. The LHP meeting in March is when the panel will agree the schemes that will be funded in 2022/23. These are taken from the list of projects that are currently sitting on the 'schemes awaiting funding' list. Those applications that have been received recently or have not been validated will be assessed whether they go onto the next list which will make them eligible for 2023/24. This highlights one of the shortcomings of the LHP system in that it is entirely possible that an application could take anything up to and over three years before it is carried out. The LHP system is currently being reviewed and I am expecting an update in the coming months. This financial year we also had a boost to our budget of an extra £200,000. At this stage, I am unable to forecast whether this will be available next year, but I am advised that unspent money can be carried over.
The LHP is also sitting on a number of schemes that concern new or amended speed restrictions. The Cabinet Member for Highways has been reviewing the Essex Speed Management Strategy which has meant that we have held over all such schemes until this is published. Therefore we will hold back some funds to allocate to speeding projects when this strategy is published.

It now looks like the pandemic is in decline and things are gradually getting back to a 'new normal'. There is no doubt that we are unlikely to return to the same ways of working as we did pre Covid, but I would like to congratulate everyone for the fantastic way that you adapted to ensure that the important roles you hold were maintained. Parish councils are often overlooked, but you are a vital cog in the machinery of local government.

Cllr. MFL Durham 01/02/2022

Great Totham Neighbourhood Development Plan
Independent Examiner's Clarification Note

Purpose

This Note sets out my initial comments on the submitted Plan. It also sets out areas where it would be helpful to have some further clarification. For the avoidance of any doubt matters of clarification are entirely normal at this early stage of the examination process.

Initial Comments

The Plan provides a clear and concise vision for the neighbourhood area.

The presentation of the Plan is very good. The difference between the policies and the supporting text is very clear. The Plan makes good use of various high-quality photographs and graphs/charts. The maps are particularly clear.

The package of supporting information is both clear and helpful. The Village Design Statement is a major achievement for the local community.

Points for Clarification

I have read the submitted documents and the representations made to the Plan. I have also visited the neighbourhood area. I am now in a position to raise issues for clarification with the Parish Council.

The comments made on the points in this Note will be used to assist in the preparation of my report and in recommending any modifications that may be necessary to ensure that the Plan meets the basic conditions.

I set out specific clarification points below in the order in which they appear in the submitted Plan.

Policy GT01

In general, the policy is both well developed and structured.

However, are the issues in Part C of the policy already addressed by the approach of both the District Council and the County Council towards the need for new development to contribute towards infrastructure?

In any event, is the use of 'as necessary' in the policy wording intended to ensure that any contributions are proportionate to the scale and nature of the development concerned?

Policy GT02

The policy is very effectively underpinned by the excellent Village Design Statement. In the round, it will assist significantly in the delivery of high-quality development.

Section C of the policy reads a process matter rather than as a policy. As such, I am minded to recommend that it is relocated into the supporting text. Does the Parish Council have any observations on this proposition?

Policy GT03

Part A of the policy is written as a statement rather than as a planning policy. Is its intention that new development is designed in such a way as to 'preserve' the identified important views?

Does the Parish Council have any comments on the representation from Gladman Developments on the Cricket Ground?

Policy GT06

The policy addresses this important matter in a positive fashion.

Part B has a universal effect and not all of the matters expected to be delivered will be relevant to every new development. As such, I am minded to recommend that the policy is applied in a proportionate way which takes account of the scale, nature and location of the development proposed.

Does the Parish Council have any comments on this proposition?

Policy GT07

Does Part A of the policy bring any added value to the parking standards already applied by the District Council and the County Council?

Policy GT08

The second sentence of Part B of the policy reads as a statement rather than as a policy.

Please can the Parish Council explain its thinking on this matter?

Policy GT10

This policy takes a suitably positive approach to this matter.

In Part A, I am minded to recommend that the policy wording acknowledges that some development of this type may not need planning permission.

In Part B, I am minded to recommend that the policy includes the wording 'where practicable' to acknowledge that shared facilities may not always be capable of delivery or would apply to certain development proposal.

Does the Parish Council have any comments on these propositions?

Section 9

The non-policy actions are appropriately distinguished from the land use policies in the Plan. This is best practice. In several cases they helpfully overlap with the land use policies.

Representations

Does the Parish Council wish to comment on any of the representations made to the Plan?

In particular, does it wish to comment on the representations made by:

- Phase 2;
- Gladman Developments; and
- Essex County Council?

Protocol for responses

I would be grateful for responses to the points raised by 2 February 2022. Please let me know if this timetable may be challenging to achieve. It is intended to maintain the momentum of the examination.

In the event that certain responses are available before others I am happy to receive the information on a piecemeal basis. Irrespective of how the information is assembled, please could it come to me directly from the District Council. In addition, please can all responses make direct reference to the policy or the matter concerned.

Andrew Ashcroft
Independent Examiner
Great Totham Neighbourhood Development Plan.
17 January 2022

Great Totham Neighbourhood Development Plan
Independent Examiner's Clarification Note
Response by Great Totham Parish Council (GTPC)

Policy GT01
In general, the policy is both well developed and structured.
However, are the issues in Part C of the policy already addressed by the approach of both the District Council and the County Council towards the need for new development to contribute towards infrastructure?
In any event, is the use of 'as necessary' in the policy wording intended to ensure that any contributions are proportionate to the scale and nature of the development concerned?
The point made is acknowledged and it is accepted that these matters are covered adequately by Policy I1 of the Maldon District Local Development Plan 2017. Depending on what the Examiner proposes, GTPC considers it would be helpful if the wording relating to the range of infrastructure required and the ways that developer contribution are secured is included in the supporting text as a minimum (potentially with reference to Local Development Plan Policy I1). This helps to avoid confusion for the reader and provides the link to the relevant strategic policy.

Policy GT02
The policy is very effectively underpinned by the excellent Village Design Statement. In the round, it will assist significantly in the delivery of high-quality development.
Section C of the policy reads a process matter rather than as a policy. As such, I am minded to recommend that it is relocated into the supporting text. Does the Parish Council have any observations on this proposition?
GTPC agrees with this suggested amendment.

Policy GT03
Part A of the policy is written as a statement rather than as a planning policy. Is its intention that new development is designed in such a way as to 'preserve' the identified important views?
The point is acknowledged and GTPC suggests that bringing Part B into Part A would help to address this. The wording could therefore be:

A. Development which impacts on any of the following views must demonstrate through its layout how vistas from public viewpoints will be preserved:
   1. View of Strowling Wood and Mountains Grove from Braxted Lane
   2. View from Beacon Hill…

Does the Parish Council have any comments on the representation from Gladman Developments on the Cricket Ground?
In respect of the review that Gladman Developments commissioned of Policy GTO3 and its evidence base, GTPC would draw the Examiner's attention to a 2015 appeal by Gladman Developments that was dismissed (appeal ref: APP/X1545/W/15/3032632; the appeal decision is included in Appendix A to this response). This appeal was in respect of proposed development of the same site that Gladman Developments is promoting in its Regulation 16 representations. Matters relating to the impact of development on the setting of the cricket ground were a key matter in this appeal. In particular we draw the Examiner's attention to the following paragraphs in the appeal decision:

- Para 31: “The public house, village hall and village cricket pitch to the south all contribute to a distinct sense of place, and all benefit from an essentially open, rural aspect.”
- Para 35: “The scheme would introduce a substantial built form across a large area of open countryside and development of this open field on the scale proposed would undoubtedly change its distinctive character and appearance. That, in turn, would also undermine the existing broader pattern of surrounding open countryside and other open space to which it significantly contributes.” Given the consideration of the inspector in paragraph 31, it follows that the cricket pitch is one such open space that would be undermined.
- Para 36: “The scheme would be visible from the south, from the west, and from various viewpoints along the higher ground to the north, including nearby footpaths. Views of unspoilt open countryside across the appeal site from in and around the public house, and notably from its public garden, are particularly attractive features of the local setting and would be lost.” Given the proximity of the cricket ground to the public house, the impact could be said to be similar.

The appeal inspector, in dismissing the appeal stated at paragraph 95:
“…I place particular weight upon the aims of the Framework. The Framework advises that the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, places importance upon local distinctiveness, and seeks for planning to take account of the different roles and characters of different areas. This includes recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it. All these expectations would be harmed by the scheme.”
The contribution that the cricket ground and the views of the countryside that it provides make to the thriving community of Great Totham is considerable. The review by CSA Environmental states at paragraph 2.7 that the cricket field is bordered by housing “which is particularly prominent to the south”. If it were not for this housing, the cricket field would not have been given to GTPC and would not have been able to have been enjoyed by the local community. GTPC would also observe that the photograph after paragraph 2.7 is quite simply a picture of the Village Hall and the cricket square. In our opinion it does not portray the long distance view that can be seen when the viewer is a short distance away to the North West.
GTPC therefore does not consider that the evidence submitted by Gladman Developments in respect of Policy GTO3 demonstrates that the policy as drafted does not meet the Basic Conditions.
The representations by Gladman Developments propose that the word ‘respected’ should be used instead of ‘preserved’ in Policy GTO3. GTPC disagrees as this lacks precision and clarity as to how the impact of development on a view or vista should be addressed by the decision maker.

Policy GT06

The policy addresses this important matter in a positive fashion.

Part B has a universal effect and not all of the matters expected to be delivered will be relevant to every new development. As such, I am minded to recommend that the policy is applied in a proportionate way which takes account of the scale, nature and location of the development proposed.

Does the Parish Council have any comments on this proposition?

GTPC acknowledges and accepts the point being made and respectfully leaves any alternative wording to the judgement of the Examiner.

Policy GT07

Does Part A of the policy bring any added value to the parking standards already applied by the District Council and the County Council?

GTPC accepts that this is a matter already addressed by Policy T2 of the Maldon District Local Development Plan and the District Council's Vehicle Parking Standards. Reference to this could therefore be deleted from Policy GTO7.

It may be helpful if the reference in paragraph 7.5 to the 2018 Parking Standards refers to this "or any successor document". This will avoid confusion if the 2018 standards are superseded.

Policy GT08

The second sentence of Part B of the policy reads as a statement rather than as a policy.

Please can the Parish Council explain its thinking on this matter?

The intention of the second sentence of Part B is to make clear that development which has no safe footpath access from its boundary is considered to be limited in sustainability terms. In this respect, it is sustainable *movement* that is limited because residents or users of these developments will have little choice but to access them by private car. If the Examiner were so minded, GTPC would be happy for this text (amended or otherwise) to be moved to the supporting text.

Policy GT10

This policy takes a suitably positive approach to this matter.

In Part A, I am minded to recommend that the policy wording acknowledges that some development of this type may not need planning permission.

In Part B, I am minded to recommend that the policy includes the wording 'where practicable' to acknowledge that shared facilities may not always be capable of delivery or would apply to certain development proposal.

Does the Parish Council have any comments on these propositions?

GTPC agrees with both of these proposed amendments.

Representations by Essex County Council

The vision is considered to be appropriate as it reflects the matters of importance that were raised by the local community. To amend the vision at this stage would undermine the plan and no evidence has been presented that this is necessary for the plan to meet the Basic Conditions.

Some of the policy matters raised by ECC are not appropriate for the neighbourhood plan level and are either already addressed through the Maldon District Local Development Plan/national planning policy or are requirements of development in any event (including matters that are considered by ECC as part of its statutory roles). Examples include reference to net gains in biodiversity and sustainable drainage systems (SuDS) and addition of a developer contributions policy.

None of these matters were raised by local residents or consulted on. They are therefore not considered necessary for the plan to meet the Basic Conditions.

Representations by Gladman Developments

In respect of matters related to the relationship to local plans and the spatial strategy (Policy GTO1), these are strategic matters that are best addressed at the district level by Maldon District Council through the review of its Local Development Plan. As identified in paragraph 3.2.1 of the Gladman Developments representations, the Local Plan review is scheduled to conclude in late-Autumn 2023. Given the propensity of local plan timetables to slip, it is not likely that the Local Development Plan review will be concluded for at least another two years. For an emerging neighbourhood plan that has reached the Examination stage to require amendment "to allow for sufficient flexibility so that they will be able to respond positively to changes in circumstance which might arrive through the preparation of the Local Plan review" is unreasonable and not necessary for the Plan to meet the Basic Conditions.

Maldon District Council officers agree with the Parish Council on this point. The Basic Conditions test is that a Neighbourhood Plan should be in general conformity with the strategic policies contained in the development plan for the area. The GTNP meets this test, being in general conformity with the strategic policies in the approved Maldon District Local Development Plan. The Local Development Plan Review is in its early stages. The initial Issues and Options consultation opened on 17 January 2022, after this Examination had commenced. The Issues and Options consultation puts forward a broad range of seven spatial options for the location of new development over the next Local Development Plan period. To expect any Neighbourhood Plan to have 'sufficient flexibility' to respond to this number of spatial options, any of which could become the eventual spatial strategy for the LDP Review, is unreasonable.

GTPC would also note that the Neighbourhood Plan acknowledges the potential need for an early review, depending on the Local Plan review (paragraph 1.15). If the examiner were so minded, this could be updated to reflect the latest position regarding the Local Plan review timetable.

In respect of Policy GTO2, Gladman Developments considers that design policies "should not aim to be overly prescriptive" (para 4.1.12). GTPC does not consider that the requirements of Policy GTO2 are prescriptive, rather they help applicants to design schemes that reflect the distinct character of Great Totham. This allows flexibility to consider relevant design matters on a case-by-case basis, as recommended by Gladman Developments.

GTPC has already addressed matters relating to the setting of Totham cricket field in Policy GTO3. In respect of the more general critique of the approach to establishing the views in Policy GTO3, GTPC considers that the approach was robust. A large number of views in the Plan area were considered. All were surveyed by the Neighbourhood Plan Steering Group (which included a retired, qualified landscape lecturer/consultant) for inclusion in the Plan. All views were visited and assessed by a Planning Officer from Maldon District Council. The five views that are included in the plan were those considered most noteworthy from the 11 that were originally considered.

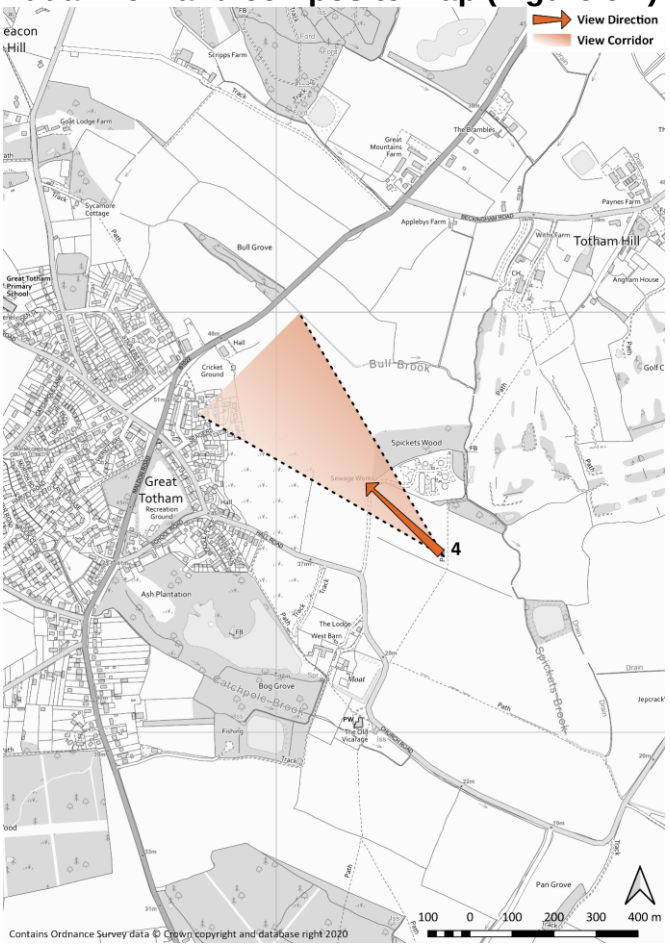
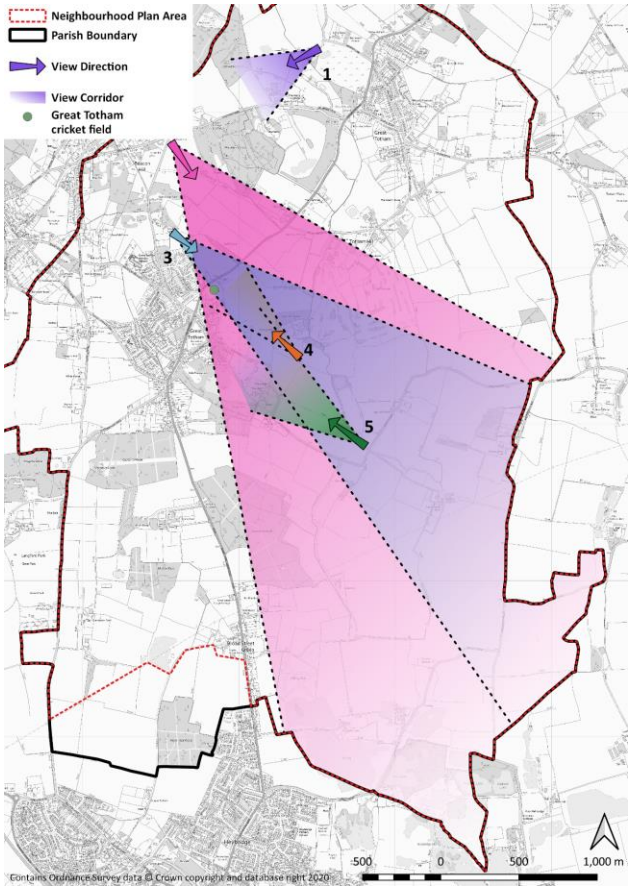
In respect of the detailed assessment undertaken by CSA Environmental, GTPC has the following comments to make:

- View 2 (para 2.2): This states that the village gateway to Great Totham North is enclosed and makes no contribution to the view. GTPC agrees with this statement as it is impossible to see this feature from Beacon Hill and the text in the Plan does not infer this. However, as progress is made along the

footpath to Scripps Farm, the village gateway to Great Totham South comes progressively into view. There are some glimpses of Totham Hill Green from the higher elevations but this feature is in Great Totham North (not South).

- View 3 (para 2.3): GTPC does not recognise the statement of a 'short lived view'. Rather, the description in the GTNP is clear as it implies that the view develops as the viewer moves along the footpath .
- Para 2.3: "It should also be noted that there are similar and far more expansive views available from the Beacon/Goat Lodge Road, from the public footpaths which cross the farmland to the east of Great Totham South and from Maldon Road on the approach to Great Totham". Without referring to the location and direction of the view in question, it is unclear what is meant by this. GTPC agrees that the views from a higher elevation will be more expansive - the beacon at the north end of Goat Lodge Road is at 83m and the footpath halfway down Goat Lodge Road starts at 71m. This path then descends to the Village Hall at 48m while the footpaths to the east of Great Totham South are between 20-30m above sea level.
- View 4 (para 2.4): GTPC agrees that the view corridor shown on Figure 6.2 is incorrect and should be rotated in a more north westerly direction. The description in accompanying paragraph 6.9 of the Plan remains correct however. The corrected view is shown in Appendix B.
- View 4 (para 2.5): From the photographs, it looks like the report author is not in the correct location described in paragraph 6.9 of the Plan. GTPC estimates that there is a difference of 200-250m between the two locations, with the photographer being further south down along the footpath from the photograph in view 4. Indeed, three of the four pictures in the report were taken from very different positions, with different scenes and magnification to those in the Plan.
- View 5 (para 2.6): GTPC agrees that the housing that partially screens the 13/14 century St Peter's Church is more 'modern'; however, the housing in question is The Old Vicarage which is from 1757 (with later additions) and is Grade II listed. Moreover, whilst the author is 'unclear why it is identified as a notably important view', the answer is that it was identified by a large number in the community of Great Totham, through a survey conducted by the Steering Group.

Phase 2 Planning

Phase 2 Planning raises matters concerning the spatial strategy and Policy GTO1. Specifically it states that the plan should provide certainty through the allocation of sites. GTPC disagrees and would observe that the overall spatial strategy is established by the Maldon District Local Development Plan. The Neighbourhood Plan seeks to ensure general conformity with this, reflecting the context of the overall growth needs of the rural communities, as established through the Local Development Plan. The Neighbourhood Plan was under no obligation to allocate sites and this was tested during the development of the plan, working closely with planning officers at Maldon District Council. The spatial strategy reflects the fact that there are potential development opportunities within the settlement boundaries in the parish and that needed development can occur on sites outside the settlement boundaries, subject to certain criteria being met.

Appendix B Amended view 4 – individual view and composite map (Figure 6.2)