

For Official Use Only

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Part 2 - Regulation 19 and 20 Town and Country Planning (Local Planning) (England) Regulations 2012 "Pre-Submission LDP" consultation

Please note that all comments on the Pre-Submission LDP consultation should be provided by completing Part 2 of this form. A separate completed Part 2 should be provided for each comment made within a representation.

2.1. To which part of the Maldon District Pre-Submission Local Development Plan (LDP) does this representation relate?

- | | |
|---|--|
| <p>a. Paragraph (please specify paragraph number) _____</p> | <p>b. Policy (please specify policy reference) <u>S2</u></p> |
| <p>c. Proposals Map _____</p> | <p>d. Other section (please specify) _____</p> |

2.2. Do you consider the Maldon District Pre-Submission LDP to be (tick as appropriate):

- a. Legally compliant** Yes
 To be 'legally compliant' the LDP has to be prepared in accordance with the Duty to Co-operate and legal and procedural requirements. This is required by Government guidance No
- b. Sound** Yes
 To be 'sound' a Local Plan should be positively prepared, justified, effective and consistent with national policy. This is required by Government guidance No
 (if you **do not consider the LDP to be sound**, please complete section 2.3. below)

2.3. Do you consider the Maldon District LDP to be unsound because it is not (tick as appropriate):

- a. Positively prepared**
 To be positively prepared the plan should be prepared on a strategy which seeks to meet objectively assessed development and infrastructure requirements
- b. Justified**
 To be justified the plan must be:
- Founded on a robust and credible evidence base;
 - The most appropriate strategy when considered against the reasonable alternatives.
- c. Effective**
 To be effective the plan must be:
- Deliverable;
 - Flexible;
 - Able to be monitored.
- d. Consistent with National Policy**
 The Plan must be consistent with Government guidance as set out within the National Planning Policy Framework

On the following pages, please explain why you think the Plan is unsound or not legally compliant, and set out any changes you feel should be made to the Plan to make the Plan sound or legally compliant.

Please note: As there will not normally be a subsequent opportunity to make further representations based on your representation at this stage, please include all the information, evidence and supporting information necessary to support/justify your representation and the suggested change(s) to the Plan. After this stage, further submissions will only be invited at the request of the Planning Inspector, based on the matters and issues the Inspector identifies for examination.

2.4. If you consider the Maldon District LDP to be unsound or not legally compliant please explain why in the box below.

Please be as precise as possible. Please also use this space for any comments in support of the LDP.

Objection is made to the Heybridge Swifts Football Club site (site ref: S2 (h)) being identified as a strategic allocation on the basis that policy S2 or the related strategic sites policy S4 does not make it a policy pre-requisite that the football club would need to be satisfactorily relocated to enable this development to proceed. The policy is also objected to because a suitable alternative site for relocating the football club has not been identified in the local development plan. It is acknowledged that paragraph 2.29 of the policy's supporting text refers to allocation S2(h) helping to facilitate the relocation of the football club and that reference is made to the Council working with the club and relevant stakeholders to facilitate this scheme. However, these references do not provide the required policy pre-requisite or allocate a replacement site. Without policies S2 or S4 requiring the satisfactory relocation of the club to be a pre-requisite of development of this site and allocating a replacement site for the club, the local plan would not provide the required certainty that the club could be relocated which would be essential to facilitate the redevelopment of this site. While Sport England is aware that the football club and the Council have been working to find an alternative site, unless the local plan allocated a suitable replacement site, there would be no certainty in planning policy terms that the current site could be satisfactorily relocated in practice. Sport England has had experience of sports grounds being allocated for development in local plans which due to inadequate consideration being given to replacement provision in the local plan policies has resulted in development allocations not being delivered or replacement provision not being made in practice which has had the consequence of clubs becoming homeless which in some cases has pre-empted the demise of sports clubs which formed an important part of community sports facility provision.

Policy S2 is considered to unsound because the allocation of site S2(h) would not meet the effective test of soundness. This is because without the certainty of a replacement site allocation for the football club and the inclusion of a development pre-requisite in the policy that the club would need to be satisfactorily relocated there is no certainty offered that the site allocation would be deliverable in terms of being able to provide 100 homes within the first five years of the plan. Without the certainty of a suitable replacement site being identified, there is no certainty that the club would be able to relocate in practice within these timescales which in turn would be expected to prevent the site coming forward for residential development. Due to the redevelopment of the site being dependent on a major off-site scheme being deliverable the policy needs to be amended to ensure that it is effective in practice. In Sport England's experience identifying a site allocation for a replacement club facility is necessary because of the difficulties in finding suitable sites for sports grounds especially senior football club stadia due to the infrastructure required to support such facilities and the planning implications associated with stadia development. Without these matters being addressed in the local plan, a potential scenario may arise where the strategic housing provision proposed in allocation S2(h) will not be delivered within the expected timescales which will have consequential implications for the delivery of the plan's housing strategy.

2.5. Please explain in the box below what change(s) you consider necessary to make the Maldon District LDP legally compliant and sound.

Please be as precise as possible. Please explain why this change will make the Maldon District LDP legally compliant and sound. It will be helpful if you are able to put forward any suggested revised wording of the policies or supporting text.

To address these concerns, it is requested that policy S2 and/or S4 confirms that as a pre-requisite of policy allocation S2(h), that Heybridge Swifts Football Club are relocated to an identified alternative site where replacement facilities are provided which are at least equivalent in terms of quantity and quality of provision. The policy should not permit any residential development until the replacement site is completed and operational in order to ensure continuity of facility provision for the club. . This approach would be consistent with Government policy in paragraph 74 of the NPPF and policy N3 of the pre-submission Local Development Plan as well as Sport England's playing fields policy www.sportengland.org/facilities-planning/planning-for-sport/development-management/planning-applications/playing-field-land/ The local plan should also make provision (in a policy and on the proposals map) for a related site allocation for the replacement site for the football club.

2.6. Do you consider it necessary to attend and give evidence at the hearing part of the examination? (tick as appropriate)

No, I wish to communicate through written representations

Yes, I wish to speak to the Inspector at the hearing sessions

Please note: The Inspector will determine the most appropriate procedure to hear those who have indicated that they wish to participate at the hearing part of the examination

2.7. If you wish to participate at the hearing part of the examination, please outline why you consider this to be necessary.

To assist the Inspector's understanding of the issues by providing impartial and specialist advice on the subject of sports facility planning. As the Government's sports development agency and a statutory consultee on planning applications, Sport England is regularly invited to attend local plan examinations where policies involving sport are discussed to assist in the understanding of the issues.

This is the end of Part 2 (Regulation 19 and 20) of the response form. Please complete this form for each representation you wish to make. You only need to complete Part A once. Please submit all of your response forms together.

