

For Official Use Only

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Part 2 - Regulation 19 and 20 of the 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 Local Development Plan (LDP) does this representation relate?

- | | | | |
|---|---------------------------|--|---------------------------|
| a. Paragraph
(please specify paragraph number) | Click here to enter text. | b. Policy
(please specify policy reference) | S2 |
| c. Proposals Map | Click here to enter text. | d. Other section
(please specify) | Click here to enter text. |

2.2. Do you consider the Maldon District 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

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 be unsound because it is not consistent with Government policy in the NPPF. Paragraph 74 of the NPPF makes it clear that existing sports buildings and playing fields should not be built unless the loss would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location. Policy N3 of the local plan seeks to protect sports facilities in accordance with paragraph 74 of the NPPF. Policy S2 does not make explicit provision for Heybridge Swifts FC's site to be relocated and does not offer certainty that an equivalent/better replacement facility could be provided in practice as no site has been identified which would allow an informed assessment to be made against the criteria in paragraph 74. Due to the lack of certainty provided about replacement provision there is a concern that the implementation of this policy will not deliver a replacement facility that would accord with paragraph 74 or policy N3 of the local development plan.

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.