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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 Pre-Submission Local Development Plan (LDP) does this representation relate?**

a. Paragraph number

b. Policy reference

S2

c. Proposals map

d. Other section (please specify)

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

a. **Legally compliant**

YES

NO

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.

b. **Sound**

YES

NO

To be 'sound' a Local Plan should be positively prepared, justified, effective and consistent with national policy. This is required by Government guidance.

If you do not consider the LDP to be sound, please complete section 2.3 below

**2.3 Do you consider the Maldon District to be unsound because it is not ... (✓ 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, 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.**

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**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.**

If the box is not big enough for your comments, please attach another page marked appropriately.

KLW LLP acts on behalf of Millwood Designer Homes who have an interest in land west of Nipsells Chase, Mayland that was identified in the Strategic Housing Land Availability Assessment as site 9017.

The SHLAA notes that site 9017 is suitable, deliverable and has no obvious constraints to development. It has potential to deliver some road improvements and community benefits and has scope for up to 228 units on 7.6ha.

Policy S2 – Strategic Growth

Paragraph 47 of NPPF seeks to boost significantly the supply of housing. There are two stages the Council need to go through to meet this policy. Firstly they should identify objectively assessed housing needs for market and affordable housing. Having done this they should then examine the other policies in the NPPF to ensure consistency with it. By adopting the lowest growth estimate of 294 households per annum, the Council are not taking a reasonable and objective approach and have overplayed the other policies of the NPPF, which would constrain housing land supply in this particular District.

Objective Needs

The emerging Local Plan seeks to meet housing needs for the period 2104 to 2029. It must not only meet current requirements but plan for population growth. The Strategic Housing Market Assessment at section 5.4 explains the projected population increase. Between 2011 and 2035 the SHMA expects +17.1% or +10,800 increase in people. Paragraph 5.4.1 of this document explains that this is the population increase of the District only. There is predicted to be 10,000 more households in Maldon in 2033 using CLG figures (Table 5-7). Section 5.13 of this document also confirms that some 6,144 people moved to Maldon between 2008 and 2011 (just over 2,000 a year). Outmigration however is noted as being negligible. In relation to affordable housing need the SHMA says that 1,242 households are on the waiting list which is a demand of 6 per every 1 house. In terms of affordable housing some 361 new households per annum are projected (Table 8-6) which over the life span of the plan is 5,415 households.

Section 9 of the SHMA summarises this at Table 9-1. This table notes that the RSS planned for 115 new dwellings per annum but this is much lower than any of the other models currently presented and is now out of date and not a document that has any material weight. Paragraph 2.22 of the emerging Submission Document notes that there is an overall total demand for housing of 687 market units and 242 affordable units per annum. Whilst it is accepted that not all demand should translate into a housing requirement, other models outlined at Table 9-1 of the SHMA suggest that the need could be as high as 437 dwellings per annum (see SHMA). The Council Policy S2 is planning growth at 294 per annum and so is at the lowest end of the scale – the basic reasons for this being the Council's approach to broadly keeping pace with housing demand from within the District only and applying a significant discount on the basis that the policies of the NPPF and environmental constraints justify a lower housing land supply requirement.

The proposed 294 dwellings per annum is much lower than CLG forecasts and lower than the SNPP 2010 figure. In view of the chronic affordable housing need, the amount of housing required per annum is considered to be too low and does not accord with the NPPF which seeks to boost significantly the supply of housing – boost significantly means to increase housing supply towards the upper end of the objectively assessed needs.

The District Council should plan in accordance with its growth projections and that means considering the affect of in migration, backlogs in housing need, and affordable housing need. To maintain 294 per annum is low compared with a range that is towards 437 per annum and higher if the CLG forecast is considered. The under provision makes the document unsound as the growth not provided for will be pushed into other districts which have not adequately planned for this. The Council's historic delivery rate in the plan period 2001 – 2012 is 1,443 dwellings which is 131 dwellings per annum. Since 2001 the highest annual housing delivery has been 184 dwellings in 2004 – 2005 and the lowest was only 36 houses in 2010-11. Against this evidence, it is clear that a step change in delivery is required, the requirement should be closer to the 437 dwellings per annum mark and that housing requirements are front loaded in the plan period.

see continuation sheet

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**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.**

If the box is not big enough for your comments, please attach another page marked appropriately.  
Recommend: Amend S2 to reflect 437 dwellings per annum or 6,555 dwellings to 2029. Identify appropriate increases for the 3 top tier urban extension locations and allocate a pro rata increase to rural allocations including specifying Mayland as a location for 75 to 100 dwellings.

This change will ensure that objectively assessed needs are met and so the Plan will accord with NPPF.

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**2.6 Do you consider it necessary to attend and give evidence at the hearing part of the examination? (✓ 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**

If the box is not big enough for your comments, please attach another page marked appropriately.

As a developer with interests in the local area and who can assist in the delivery of housing via a specific site, it would be beneficial for them to be represented at the Examination.

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.

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## **Policy S2 – Strategic Growth**

Paragraph 47 of NPPF seeks to boost significantly the supply of housing. There are two stages the Council need to go through to meet this policy. Firstly they should identify objectively assessed housing needs for market and affordable housing. Having done this they should then examine the other policies in the NPPF to ensure consistency with it. By adopting the lowest growth estimate of 294 households per annum, the Council are not taking a reasonable and objective approach and have overplayed the other policies of the NPPF, which would constrain housing land supply in this particular District.

### Objective Needs

The emerging Local Plan seeks to meet housing needs for the period 2104 to 2029. It must not only meet current requirements but plan for population growth. The Strategic Housing Market Assessment at section 5.4 explains the projected population increase. Between 2011 and 2035 the SHMA expects +17.1% or +10,800 increase in people. Paragraph 5.4.1 of this document explains that this is the population increase of the District only. There is predicted to be 10,000 more households in Maldon in 2033 using CLG figures (Table 5-7). Section 5.13 of this document also confirms that some 6,144 people moved to Maldon between 2008 and 2011 (just over 2,000 a year). Outmigration however is noted as being negligible. In relation to affordable housing need the SHMA says that 1,242 households are on the waiting list which is a demand of 6 per every 1 house. In terms of affordable housing some 361 new households per annum are projected (Table 8-6) which over the life span of the plan is 5,415 households.

Section 9 of the SHMA summarises this at Table 9-1. This table notes that the RSS planned for 115 new dwellings per annum but this is much lower than any of the other models currently presented and is now out of date and not a document that has any material weight. Paragraph 2.22 of the emerging Submission Document notes that there is an overall total demand for housing of 687 market units and 242 affordable units per annum. Whilst it is accepted that not all demand should translate into a housing requirement, other models outlined at Table 9-1 of the SHMA suggest that the need could be as high as 437 dwellings per annum (see SHMA). The Council Policy S2 is planning growth at 294 per annum and so is at the lowest end of the scale – the basic reasons for this being the Council's approach to broadly keeping pace with

housing demand from within the District only and applying a significant discount on the basis that the policies of the NPPF and environmental constraints justify a lower housing land supply requirement.

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#### Constraints sufficient to reduce the Housing Land Supply Requirement

Having established an objective housing requirement it is then necessary to examine whether there are any policies in the NPPF which would constraint housing development in the District and so justify an approach that does not significantly boost housing land supply or an approach which departs from paragraph 14 of the NPPF. It is material that there is no Green Belt constraints covering the District, and no Areas of Outstanding Natural Beauty. These two designations might reasonably justify departure from paragraph 14 and 47 of the NPPF. Whilst there are estuary areas that are subject to flood risk and protected by other policies and ecological designations, there remains many other areas away from the coastal regions and which are not subject to flood risk. Importantly, these areas coincide with top tier settlements and second tier settlements where housing could go. Consequently, there are no significant constraints to identifying further housing land in sustainable locations which would comply with paragraph 54 and 55 of the NPPF. More housing could be identified and in accordance with the NPPF.

It is recommended that a higher annualised requirement is set down and that this can be met by additional housing at the top 1 and top 2 tier settlements. The rural areas and large villages such as Mayland should attract specific housing allocations.

#### Location

The Council's strategy is that most of the housing growth will go to the top tier settlements should continue to attract most of the housing. However, a proportion of the additional housing growth should be directed at the rural villages. North Fambridge has a current specific amount of 75 dwellings identified and 'other villages' are targeted with 345 dwellings.

Mayland is a large rural village and the fourth largest settlement in the District. It has a medical centre, playing fields, a pub and small range of shops along Imperial Avenue. There is a primary school, village hall and recreation facilities. There is some economic activity fronting the estuary. The village is larger than North Fambridge and has more support facilities. Logically Mayland should be specified as a location for some housing growth, in addition to North Fambridge. If it is not then there is a danger that sites will be promoted in an ad hoc way and in a way which is unplanned and contrary to local people's wishes. In order to meet the additional growth needs, Mayland should be identified as a preferred destination for housing and could accommodate development in the region of 75 to 100 dwellings.

If the Inspector were to conclude that the District should not raise the annualised requirement beyond 294 dwellings then for the reasons noted above, it is felt that Mayland should be identified as a preferred rural housing location in the same way as North Fambridge. This could be in the order of around 40-75 dwellings of the 345 specified.

**Continuation section (see below)**

