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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?

- | | |
|--|---|
| <p>a. Paragraph
(please specify paragraph number)</p> <p>Click here to enter text.</p> | <p>b. Policy
(please specify policy reference)</p> <p>Policy D5</p> |
| <p>c. Proposals Map</p> <p>Click here to enter text.</p> | <p>d. Other section
(please specify)</p> <p>Click here to enter text.</p> |

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

- | | |
|--|---|
| <p>a. Legally compliant
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</p> | <p>Yes <input checked="" type="checkbox"/></p> <p>No <input type="checkbox"/></p> |
| <p>b. Sound
To be 'sound' a Local Plan should be positively prepared, justified, effective and consistent with national policy. This is required by Government guidance</p> | <p>Yes <input checked="" type="checkbox"/></p> <p>No <input type="checkbox"/></p> |

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

- | | |
|--|---------------------------------|
| <p>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</p> | <p><input type="checkbox"/></p> |
| <p>b. Justified
To be justified the plan must be:</p> <ul style="list-style-type: none"> • Founded on a robust and credible evidence base; • The most appropriate strategy when considered against the reasonable alternatives. | <p><input type="checkbox"/></p> |
| <p>c. Effective
To be effective the plan must be:</p> <ul style="list-style-type: none"> • Deliverable; • Flexible; • Able to be monitored. | <p><input type="checkbox"/></p> |
| <p>d. Consistent with National Policy
The Plan must be consistent with Government guidance as set out within the National Planning Policy Framework</p> | <p><input type="checkbox"/></p> |

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.

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

We are pleased to note the reference to tidal, fluvial and surface water flood risk within the policy.

In our previous comments we advised that it would be beneficial for the policy to include taking into account *'the impacts of climate change over the lifetime of the development'*. Whilst this suggested wording has not been included in this policy it is considered that this aspect is addressed in Policy S1, point number 7.

We consider this policy 'sound'.

Policy Clarification

It is our view that it would be very beneficial to clarify within the supporting text (or Policy D5 if deemed appropriate) the need for planning applications to be supported by a Flood Risk Assessment (FRA) together with clearly identified measures to help manage the emergency response to flooding for the people associated with the development. We advise this clarity is provided for completeness. Whilst there is reference to the need for a site-specific FRA as part of the Exception Test, there are also other circumstances where a FRA needs to be submitted as part of a planning application.

- 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.

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.

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

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.