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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

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.

There is no question that there is a need for more housing in Essex to support the growth in population, so that there will be sufficient houses for our children, grandchildren and beyond. It is for local communities to agree the siting of these houses. What must be clear, however, is the need for the right infrastructure to sustain any new housing. The "Maldon District Council Pre-Submission Local Development Plan" goes into great detail to define the infrastructure and associated costs for the provision of this infrastructure to sustain the proposed development. There is, however a "blind spot" with regard to one aspect of highways provision.

Because of this blind spot, the "Maldon District Pre-Submission Local Development Plan 2014-2029" (Maldon LDP) is certainly unsound and may not be legally compliant as it fails to take account of a major infrastructure problem which will result in excessive transport congestion. This is identified in the "Essex Highways Document dated 10th December 2013-Ref. EB004b (EHD), which is part of the key evidence base for the Maldon LDP.

Failure to resolve this problem will not only result in an unsustainable transport infrastructure but have knock on effects on atmospheric pollution and excessive greenhouse gas emissions.

The above contravenes the National Planning Policy Framework's "solutions which support reductions in greenhouse gas emissions and reduce congestion."

The building of the dwellings described in the Maldon LDP will result in an unsustainable traffic infrastructure as the EHD confirms that the B1019 junction with The Street, Hatfield Peverel is already at capacity at peak times. Further, the development proposed by the Maldon LDP will increase this congestion leading to excessive queuing, particularly at these peak times.

With the new housing in the Maldon LDP, the EHD computer simulations predict over 400 cars queuing at the junction at peak (though Essex Highways believe this may be an over statement – it would need to be an awful lot over stated for it to get down to an acceptable queue). The option to install traffic lights (which is unlikely as there is insufficient space at the junction) would result in a reduction to 229 cars queuing – still unacceptable.

The EDH confirms that an infrastructure solution is required and concludes that a study is required, "funded by the Community Infrastructure Levy (CIL)", to find a solution. The Maldon LDP does not include provision of CIL monies to fund such a study for the B1019/The Street problem and certainly has no costing estimate for implementing a solution.

All other road problems identified in the EHD, for example:

- A414
- B1018 / A414 Heybridge Approach Roundabout
- A414 / Spital Road Roundabout
- A414 / Limebrook Way Roundabout
- A414 Oak Corner Junction

have solutions identified with a total estimated cost of £22,715,000.

The B1019 problem, which is as severe, if not more severe than the other road problems, does not even have funding to identify a solution let alone quantified costs to deliver the solution.

It seems that the B1019 problem comes under the heading of "Too Hard" and therefore it is being "kicked into the long grass". And as most of us have discovered, problems, unlike fine wines, do not improve with age.

The only possible solution mentioned in the EHD and Maldon LDP - a by-pass - is dismissed, in both documents, as "too expensive".

Please see attached 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.

There will be wide support for increasing the housing stock, therefore it is important that there is the infrastructure to ensure the new housing is sustainable.

In order to make Maldon District LDP sound and legally compliant, funding must be made available for Essex Highways to complete a study of the B1019/The Street, Hatfield Peverel junction. Whether funding is from Maldon DC via CIF funds (as stated in the 10th December Essex Highways Document) or from elsewhere is immaterial. The study is needed urgently and needs to define the solution, the cost of the solution and the date by which the solution needs to be delivered, given the phasing of new houses in the Maldon LPD.

Further, there needs to be commitment jointly by Essex CC, Maldon DC and Braintree DC for the funding and delivery of the solution.

In summary the Maldon DC Local Development Plan should be submitted to the Secretary of State only when:

- . A sustainable, costed solution has been designed for the B1019 problem
- . Funding to deliver the solution is committed
- . There is commitment to deliver the solution by the required date

Once this is completed the Maldon LDP will be ready to present to The Secretary of State.

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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.

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.

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.

Continuation Sheet

Without a solution to the B1019 problem, the Maldon LDP is certainly unsound and may not be legally compliant and it must **not be submitted to the Secretary of State** until a sustainable solution is identified and agreed.

The Maldon LDP statement:

“..... seek to reduce the amount of traffic using the B1019 through the identification and implementation of appropriate projects which encourage the use of sustainable transport options”

is absolutely the right thing to do but no one pretends that this provides a sustainable solution to the B1019 problem.

A further Essex Highways Document (EHD2) was issued on 16th January 2014 (Ref EB065) to take account of an additional 335 dwellings being planned around Heybridge (giving a total of 1335). These are at the other end of the B1019 from Hatfield Peverel yet the document did not include an updated assessment for the impact on the B1019/The Street, Hatfield Peverel junction. Therefore, there is no up to date assessment of the impact of the current number of dwellings proposed in the Maldon LDP on this junction but it will inevitably worse than the 400 / 229 car queue lengths predicted in the 10th December EDC.

To put things into context, the Maldon LDP proposes a housing development equivalent to 60% of the size of Hatfield Peverel at the other end of the B1019 from Hatfield Peverel with a further 80% Hatfield Peverel equivalent in other areas within Maldon. In total the proposed new dwellings, in the Maldon LDP, amount to nearly two and a half Hatfield Peverels.

The excessive queuing of vehicles due to increased congestion at the B1019/The Street junction will have adverse environmental impacts by increasing local atmospheric pollution and contributing to greenhouse gas emissions. These impacts are only avoidable by drastically reducing the number of dwellings proposed by the Maldon LDP or by providing a sustainable infrastructure solution to the B1019 problem.

In summary:

- There is no up to date Essex Highways assessment of the B1019/The Street, Hatfield Peverel problem that takes account of the increased number of dwellings proposed in the Maldon LDP for Heybridge (the traffic assessment for the B1019 problem used in the Maldon LDP is based on out of date information).
- Even with the previous (325 fewer) number of dwellings in Heybridge, Essex Highways identified a serious congestion problem at the B1019/The Street, Hatfield Peverel.
- The only possible solution identified to date by Essex Highways (a by-pass) has been dismissed as “too expensive”.
- The CIL funding, required by Essex Highways in the EHD, for an **investigation** of other solutions for the B1019 problem, is **not** included in the Maldon LDP or any supporting funding document.
- The cost of **implementing** a solution to the B1019/The Street, Hatfield Peverel problem is not included in the Maldon LDP or any supporting key evidence document. Therefore this is not included in the “..Overall Funding Gap of £78,733,452...”
- The short term measure proposed in the Maldon LDP “...the identification and implementation of appropriate projects which encourage the use of sustainable transport options “ is not quantified and is not, in any case, a solution.

- Solutions for all other road problems identified in the EHD have been costed in the Maldon LDP. A solution for the B1019/The Street, Hatfield Peverel problem should not be ignored as being “Too Hard” to solve.
- The unacceptable congestion at the B1019 / The Street, Hatfield Peverel junction will lead to increased local air pollution and excessive greenhouse gas emissions.