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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	2.63 - 2.69	b. Policy reference	S4
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

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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.

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.

Braintree District Council (BDC) welcomes the opportunity to further comment on the Maldon District Pre Submission LDP. The response below was considered and agreed by Members of the LDF Sub Committee at their meeting on the 6th March.

BDC recognises the requirement for Maldon to meet their full objectively assessed need for housing within the Plan period and is satisfied that the numbers set out in the Plan appear to be appropriate to deliver this need. The Plan proposes that the main locations for housing growth are at Maldon and Heybridge, two of the main towns in the District. However, if further growth is required to be considered in the future, BDC would urge strong consideration of more large scale new developments taking place in the south of the District around towns such as Burham-on-Crouch and Southminister. It is not considered that the evidence base which accompanies the Plan includes any overriding planning reasons why new housing and employment development should not be located in this area of Maldon District (subject to appropriate infrastructure being in place). These areas benefit from being located on the only railway line in the District and development should be further explored to make the most of the opportunities that this sustainable mode of transport can deliver.

Whilst this response should not be considered as an objection to the Plan, BDC has serious concerns about the implications of growth in Maldon and Heybridge on the transport network within our District, in particular at the B1019 and B1137 The Street junction in Hatfield Peverel. These concerns have been expressed by BDC on a number of occasions including in previous consultation responses and therefore BDC welcomes the further transport assessment study which has been carried out on behalf of ECC and MDC which has looked at the wider highways implications of the growth in Maldon District. This report looks at the two areas of particular concern on the highway network. The first is the congestion on the A414 between Maldon and Chelmsford, particularly at Eves Corner in Danbury and the second is the junction of the B1019/B1137 junction in Hatfield Peverel.

The findings of the highways study in relation to Hatfield Peverel are clearly set out in paragraph 3.2 of the study. This states that in the 2013 base, in the AM peak the junction is currently at capacity with some queues on the B1019 arm, whilst in the PM peak there are excessive delays on The Street, western arm. In the 2026 scenario with the Maldon growth factored in, the AM peak will clearly see an increase in delays on the B1019 approach and during the PM peak there would be an increase in delays on The Street western arm, from 150 vehicles in the 2013 base, to a forecast of 432 vehicles. However the report does go on to note that the software which has been used in this study may be exaggerating the delays on the western arm of The Street. The report nevertheless concludes that the level of demand at the junction will lead to congestion in 2026 unless additional capacity can be made available at the junction or more alternative routes become available. The report also considers the possibility of signalising the junction but finds that this will not deliver a satisfactorily solution for the junction, partly due to the narrowness of the pavement and tightly packed buildings. It concludes that work to identify and develop a scheme to mitigate the development impact remains outstanding and such a study needs to be undertaken during the LDP period.

The findings of this report therefore clearly indicate that this junction will face significant congestion in 2026 when the growth from Maldon has been factored in, and this will have serious implications for the residents and businesses who use this junction and in particular those that are located on The Street, with congestion and delays being one issue, alongside environmental impacts of noise and pollution from queuing traffic during peak periods. Safety of the users of the road and pedestrians is also a very important concern and within 300m of the junction, the pavements are very narrow. There are many local facilities situated on or just off The Street including children's nurseries, schools and local shops and facilities and hence significant pedestrian movements throughout the day. Whilst the road does offer a crossing point, 400m away, particularly with large numbers of HGV's using the road, this does pose a serious safety concern to residents. Conversely in the night time period when traffic is lighter speeding drivers are also an issue on this stretch of road. There are further serious safety issues regarding the close proximity of the A12 on/off slip roads, which are quite short, and the increasingly frequent number of nearby accidents which close the A12, with diversions through the village. These safety issues will only be compounded by increased traffic using the road. BDC remains seriously concerns about these impacts and the lack of a deliverable solution to this issue at this time.

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.

BDC agree with Maldon District Council's conclusion that it is likely that the only long term solution to the congestion at this junction is to provide a new road link from the B1019 outside Hatfield Peverel village, directly to the A12. However this is likely to be a costly solution and would not be able to be funded from S106/CIL contributions from the developments in Maldon and Heybridge. It is however considered reasonable that a S106/CIL contribution is sought from the strategic growth locations in Maldon and Heybridge towards a feasibility study of options for the improvements at this junction. As the highways work already carried out has ruled out options for improvements to the existing junction, this further work will need to assess the options for providing a new link road/slip roads to the A12 and should include a detailed feasibility study of each option, including an estimated cost. BDC believe this should be set out within the CIL Regulation 123 list which is also at present out for consultation.

In light of the serious concerns we have expressed above regarding the impacts on Hatfield Peverel, BDC would like to suggest the amended wording to paragraphs 2.67 and 2.68. This is set out on the attached document as this response form does not appear to allow changes in text colour and strikethrough which illustrates our proposed changes.

The impacts of the housing growth which is being proposed in Maldon, on highways infrastructure in both Chelmsford and Braintree District, is an example of a situation which is likely to be replicated throughout Essex, as authorities are increasingly being expected to deliver ambitious figures for new housing and employment growth. It therefore highlights the importance of all authorities in the County, particularly Essex County Council and other infrastructure providers, working together to ensure that the growth being proposed by individual Districts and Boroughs can be appropriately accommodated throughout the County.

BDC confirm that they believe that the Duty to Co-operate has been successfully discharged between the two authorities throughout the production of the Maldon Pre Submission Local Development Plan.

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.