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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

2.25-2.27; 2.63-2.68

b. Policy reference

S2; 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

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.

Maldon District Council has failed properly to consider the broader highway implications of its planned quantum and location of growth. No detailed reports on the impact of the Council's LDP growth proposals on the highway network to and through Hatfield Peverel and Danbury were seemingly undertaken until the Council had essentially already pre-determined the locations of growth and it remains unclear even whether the reports that were carried out take account of the changes to the LDP that were made before pre-submission.

The Maldon District is a rural district that has significant infrastructure disadvantages that are impossible properly to remedy through housing development. It was presumably for this reason that the District was given a very low allocation of housing development in the previous RSS approach. Poor highway infrastructure and no rail network from the core locations of planned growth make the LDP unsound. To the extent that this level of growth is required, the Council has failed properly to consider locations on and around the railway line to London that runs through the south of the District.

The broader highway implications are so significant as to be intolerable. No mitigation of the implications in Hatfield Peverel is practicable and the only practicable solution proposed in Danbury is only expected partly to mitigate the impact, and is likely to disadvantage local residents in Danbury and Little Baddow to such a degree that they are likely to object to this approach.

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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.

Given the extent of the impact on the broader highway network and the absence of any practicable measures to mitigate this in at least one of the two locations significantly affected, the LDP requires overwhelming changes to be legally compliant and sound. These changes would need to reassess the level of growth and relocate the growth to areas around the District that would lessen the impact on the highway network. This could be through a combination of increased allocations in those areas with a railway line to London and greater rural allocations that will spread the highway usage and impact more evenly.

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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.

The broader highway implications are a critical factor in the soundness of the proposed LDP and have been given scant assessment by MDC in the development of the LDP. It is therefore vital that this failure is addressed properly in the hearing part of the examination to ensure that any LDP adequately addresses the significant highway shortcomings, which have been identified as impractical to mitigate. I may want to call on counsel and/or a highway consultant to represent my views in the hearing sessions in this respect.

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.