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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, S3

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.

2.4 This Council considers policy S3 unsound for the following reasons:

- 1) The land area identified cannot provide for a continuous development as there are areas of land not likely to be available due to ownership considerations and an ancient woodland. The inability to establish continuous development is in direct conflict with established Garden Suburb planning concepts.
- 2) The entire area has a high water table and is regularly subject to surface-water flooding. The infrastructure costs to provide for flood alleviation both within the proposed Garden Suburb and the existing community of Heybridge and in particular that portion along Holloway Road are unquantified and estimated to be excessive. The response of the Planning Authority to this difficulty would appear to be to suggest even further development in order to provide increased funds from the development further to fund an exacerbated extent of flooding. This Council considers this to be flawed logic, given that there has not been a scheme suggested let alone studied and proven and notes the large amount of available land not subject to flooding exists within the District.
- 3) The existing village of Heybridge presents a natural development border to the East of the proposed site, making communication between the proposed Garden Suburb and the rest of the built environment not reasonably achieved except by the use of a peripheral ring road structure which will direct all Suburb traffic onto roadways which are already congested and which serve to enable communication between the existing village and elsewhere. The outcome of a significant development as a stand-alone inaccessible separate built environment is simply to create another separate community. This is neither sustainable in terms of Heybridge nor desirable in terms of those who might reside in the proposed Suburb.
- 4) The proposed area extends into a neighbouring Parish which has from the outset of this current LDP process expressed concern and its preference that development be placed in some other part of the District which affords both the putative and current residents the opportunity of enjoying an expanded built environment with the potential of coherent expansion rather than a second isolated community immediately adjacent to and physically isolated from an existing village.
- 5) There is no local support. Of the nearly 700 responses from the village, less than 2% expressed any positive interest in the proposals as originally presented when consulted in 2013. Following this consultation, and in contradiction to the general difficulties in generating this Suburb, it was decided without further discussion/consultation to increase the amount of housing by a further 30% percent to a new total of over 1200 minimum. Given the initial difficulties and lack of support, this further unilateral change made without adequate public exposure and debate (in essence to provide extra development funding for the flood alleviation scheme) is considered by this Council to be a clear contradiction of that position originally published and clearly sustained throughout the period of LDP generation.
- 6) This Council believes the plan as finally set out to lack that consultation reasonably expected of such a document.
- 7) As explained above, for these and other reasons this Council considers the draft plan insofar as it concerns Heybridge and related expansion to be unsustainable both in physical and in social dimensions.



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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.

2.5 The introduction of built environment to the extent suggested in the proposed Heybridge Garden Suburb content of this pre-submission LDP should be placed:-

- 1) In an area where flooding and excessive costs to alleviate flooding do not feature. Given the size of the proposed community, consideration should be given to the development of a wholly separate community such as has been proposed by others.
- 2) In such a way as to generate a cohesive and sustainable built environment capable of supporting its own commercial social and educational infrastructure and without compounding to an insoluble extent transportation and access issues.
- 3) In an area where infrastructure development costs are such that they optimise the benefit generally available to the community.

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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.

2.7 The Council expresses an interest in speaking at the public inquiry should the opportunity arise.

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.