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## Part 2 - Regulation 19 and 20 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<br>(please specify paragraph number) | 8.27 – 8.28 | b. Policy<br>(please specify policy reference) | 12 |
| c. Proposals Map                                  |             | d. Other section<br>(please specify)           |    |

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

- a. Legally compliant** Yes ☒  
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 No ☐
- b. Sound** Yes ☐  
To be 'sound' a Local Plan should be positively prepared, justified, effective and consistent with national policy. This is required by Government guidance No ☒  
(if you **do not consider the LDP to be sound**, please complete section 2.3. below)

**2.3.** Do you consider the Maldon District LDP to be unsound because it is not (tick 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 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.

Policy I2 and the supporting text at paragraphs 8.27 and 8.28 explain that a new community hospital to serve Maldon would be supported by the Council. It is acknowledged that the St Peter's Hospital site and the current physical condition and the suitability of several of the buildings on the site, are no longer fit for purpose and a new hospital site on the edge of Maldon could provide a suitable replacement.

Policy I2 does not make clear however that if a replacement site were to be found for a hospital, then an alternative use of the St Peter's Hospital site needs to be identified.

Representations were submitted by the Mid Essex Hospital Services NHS Trust to the Draft Maldon District Local Development Plan in October 2013 stating that it is considered that the site has the greatest potential to be redeveloped for residential use, and recommending that this should be reflected in the Local Plan within Policy I2. The Representations also referenced that a new/ updated Development Brief for the St Peter's Hospital Site could be prepared to include a potential alternative use scenario for the site so that the site could be delivered for residential development.

It was also suggested that the final paragraph of the policy should be amended as follows (our amendments inserted in red below):

*"Mixed use proposals or other appropriate enabling development, which could include an appropriate redevelopment of the existing St Peter's hospital site, which will enable the delivery of the new facility will be supported if it can be demonstrated that:*

- a) The quantum of the proposed development is required to enable the provision of the new facility;*
- b) The scale of the proposed development will not hinder the delivery of the LDP's strategic growth strategy;*
- c) The scheme is supported by the NHS and associated bodies; a legal agreement is provided to ensure the delivery of a new facility;*
- d) The proposed development must be in general conformity with other LDP policies; and*
- e) Any redevelopment of the St Peter's Hospital Site should be in accordance with an agreed Development Brief."*

These amendments have not however been included within the Pre-Submission Local Development Plan.

In order for Policy I2 to be considered *justified* as the most appropriate strategy as well as *effective* in delivering development over the plan period, Policy I2 needs to identify/ support a redevelopment scenario or alternative use of the St Peter's Hospital Site if a new location for a hospital is found in Maldon over the Plan period.

Policy I2 and the supporting text are not also considered consistent with the NPPF which emphasises the need to enable the delivery of sustainable development and other core planning principles in the Framework. The NPPF identifies (amongst other guidance) that a proactive approach is needed to drive and deliver new homes and other development to meet local needs; it encourages the existing use of land by reusing previously developed land; promotes mixed use development and requires planning to take account of and support local strategies to improve health such as those being promoted by the NHS and the Mid Essex Clinical Commissioning Group. The failure to identify a redevelopment scenario or alternative use of the St Peter's Hospital Site as part of the Pre-Submission Local Development Plan is considered inflexible and contrary to this approach.

**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.

In order to be considered Sound, the final paragraph of Policy I2 should be amended as follows (our amendments inserted in **red** below):

*“Mixed use proposals or other appropriate enabling development, **which could include redevelopment of the existing St Peter’s Hospital Site,** which will enable the delivery of the new facility will be supported if it can be demonstrated that:*

- a) The quantum of the proposed development is required to enable the provision of the new facility;*
- b) The scale of the proposed development will not hinder the delivery of the LDP’s strategic growth strategy;*
- c) The scheme is supported by the NHS and associated bodies; a legal agreement is provided to ensure the delivery of a new facility;*
- d) The proposed development must be in general conformity with other LDP policies; and*
- e) Any redevelopment of the St Peter’s Hospital Site should be in accordance with an updated and agreed Development Brief.”***

The following additional text should be added to the end of paragraph 8.28 as follows:

*The Council is actively supporting the NHS through the process **and appropriate redevelopment of the existing St Peter’s Hospital Site could be considered, in accordance with an updated and agreed Development Brief to enable delivery of a new facility and healthcare facilities within Maldon.***

**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.

The St Peter's Hospital Site is a significant site within Maldon Town and the proposed Local Development Plan policies have significant implications for the future strategy adopted at the site by the Mid Essex Clinical Commissioning Group and Mid Essex Hospital Services NHS Trust.

**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.**