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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
(please specify paragraph number) _____ | b. Policy
(please specify policy reference) _____ | |
| c. Proposals Map
_____ | d. Other section
(please specify) _____ | Please see detail below
_____ |

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.

The approach to spatial options appears to have been based on the district's allocation of numbers of houses by central government rather than a broad and credible infrastructure assessment followed by an assessment of how much, where and how growth might be most successfully achieved both in the immediate term and beyond the NPPF "preferred" 15 year horizon. There has not been adequate consultation on road infrastructure issues of concern to (notably Hatfield Peverel, Danbury and Little Baddow) Parishes within the Braintree and Chelmsford Districts. Indeed from para.2.67 of the pre-submission Plan it appears they may not yet have consulted neighbouring districts on those issues. The Plan cannot deliver the infrastructure improvements to the highways network which are essential to the SUSTAINABILITY of the development strategy and is thus seriously undermined. There are no realistic ways of alleviating already existing problems for the A414 through Danbury, the B1019 through Hatfield Peverel, the B1022 northwards, or routes via the B1018 through Wickham Bishops to the regional rail and road networks. Paragraph 2.67 of the pre-submission Plan now notes that what the LPA consider to be the most effective solution is not deliverable at this time, and no evidence is provided that it would be deliverable in the foreseeable future. And the main assessment into the wider transport implications was not completed until December 2013, meaning that the plan had been produced BEFORE the full impact assessments had been conducted. There appears no credible consideration or evident regional co-operation regarding transport, road and rail infrastructure, accessibility of airports and regional hospitals. For example, there is no evidence provided of planned co-operation with Chelmsford City Council regarding the increase in traffic on the A414 between the A12 and Oak Corner. Claims for amelioration of local road transport and congestion problems via public transport, walking routes or cycle paths (Paragraph 2.68 and 2.69) are unrealistic and lack adequate evidence base. The strategy regarding transport is inconsistent. For example, paragraph 7.3 states that 'the Crouch Valley Line provides an opportunity to ease the District's reliance on the private car for transport'. However, the plan involves developing the majority of the houses away from this railway. Paragraph 7.4 states that 'The Council will encourage and support proposals which help to provide sustainable access and travel choice for residents of the District'. I do not believe this plan delivers these choices. The plan is superficial and lacks enough detail to make it 'sound'. In November 2007, the Planning Officers Society (POS) service undertook an appraisal of Maldon's LDF process, focussing on the Issues and Options 2 Core Strategy document. The POS stated that "a fundamental concern...that the treatment of these matters is often superficial and lacks sufficient depth. This is evident in the lack of detailed discussion of many issues, and failure to articulate a realistic range of choices and actions'. In November 2008 a Report of Head of Planning Services stated that "unfortunately this issue has not yet been fully addressed and unless remedial measures are taken, the LDF would be unlikely to be considered 'sound' at examination". I believe that the issues are still dealt with in a superficial way throughout the plan and therefore it remains "unsound". For example, Paragraph 2.68 suggests it can solve the traffic problems in Hatfield Peverel but provides no solid examples of how this will be achieved other than the 'use of sustainable transport options'. This requires more detail. There was inadequate consultation with the public. Residents were not given the opportunity to give their opinions on the options for the district as a whole, only on the final plan. It appears that it was the 'members' who decided on the strategy to concentrate the growth in Maldon and Heybridge. This is unfair. There were leading or misleading questions in the consultations. For example, Q11 of the draft plan consultation last summer asked 'would you support an appropriate greenfield location at the edge of Maldon if it were to deliver a new Community Hospital'. To answer that you agree with a new hospital you had to agree to the development. Poorly worded and clearly a leading question. Also, the Council cannot promise hospitals. The plan does not accommodate long term growth which exceeds predictions nor would it deliver the necessary infrastructure for growth below expectations, either within a 15 year time frame or for the foreseeable future. It allows for no long term 'either or' scenario whereby monitoring might be of practical use for planning, given the proactive nature of the concept of 'planning', and especially given the difficulty that such things as health and education provision tend to be reactive rather than proactive. The Plan is not consistent with Government guidance as set out within the National Planning Policy Framework in many detailed respects but also when the policy is considered as a whole. If the whole aim of the National Planning Policy Framework might be expressed in its ministerial forward: "The purpose of planning is to help achieve sustainable development. Sustainable means ensuring that better lives for ourselves don't mean worse lives for future generations" then the plan does not meet the aim. The plan appears to contradict recent national policy announcements from the Planning Minister, Nick Boyles suggesting that planners will be blocked from building on areas at risk of flooding. Although the development zones are outside the current Environment Agency flood warning areas, they are very very close so it is incredibly risky if you take into account issues such as sea level rises and the level of run off from this level of development. The plan will have an adverse impact,

both short term and long term, upon the distinctive character of the historic country towns and their attractiveness as places to live or as a destination to visit as a tourist. Growth, where it is currently planned, will have an adverse impact on the attractiveness of Maldon as a place in which, or from which, to carry on business such that, amongst other factors, the cost of congestion might outweigh the benefits of growth. The planned housing will increase the population of the town of Maldon by around 30% with insufficient transport infrastructure. There will be a disproportionate loss of arable land and wildlife habitat. It will no create the vibrant neighbourhood as claimed by the Council.

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.

I am not in a position to comment on the accuracy on compliance with the law, but question the 'legitimacy' of this plan based on the fact that there was NOT adequate consultation with the residents or sufficient impact assessment or consideration of the options. The plan suggests that there were no alternative or realistic options other than the plans 'Preferred options'. But there are reasonable alternatives. For instance a settlement to accommodate the major requirement for growth in the District in the Crouch corridor between Woodham Ferrers and Althorne is a reasonable, achievable alternative for growth but appears not to have been adequately considered. The residents should be consulted on the options for the whole district. If the plan goes ahead as it is then the following must be implemented: Reinstate the Maldon train station. The small relief roads in the current plan are insufficient. Evidence of co-operation with Chelmsford City Council to look at mitigation measures for the increase in traffic on the A414 Confirmation and detail on improvements in public transport with involvement of Essex County Council. Agreement that the other infrastructure will be delivered at the right time not at the end of the development when all the houses have been built. More detail and evidence of commitment by the CCG to expand and build new medical facilities. An analysis of the traffic implications at other key junctions that have not currently been assessed e.g. Acacia Drive / Spital Road and St Giles Crescent / Spital Road. These junctions are overburdened at present and even if the All Saints and Wentworth schools are not expanded the increased volume of traffic on Spital road during school run periods will cause severe congestion. A realistic approach to the disadvantage of the overburdening of the inadequate transport infrastructure. The plan needs to think beyond the 15 year National Planning Policy Framework timescales and look at the strategic aims of the district over a longer time frame.

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.

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.