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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 Local Development Plan (LDP) does this representation relate?

- |   |  |                  |
|---|--|------------------|
| <p>a. Paragraph<br/>(please specify paragraph number) _____</p> | <p>b. Policy<br/>(please specify policy reference) _____</p> | <p>Policy S2</p> |
| <p>c. Proposals Map _____</p>                                   | <p>d. Other section<br/>(please specify) _____</p>           | <p>_____</p>     |

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

- |  |   |
|--|---|
| <p><b>a. Legally compliant</b><br/>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</p> | <p>Yes <input checked="" type="checkbox"/></p> <p>No <input type="checkbox"/></p> |
| <p><b>b. Sound</b><br/>To be 'sound' a Local Plan should be positively prepared, justified, effective and consistent with national policy. This is required by Government guidance</p>                               | <p>Yes <input type="checkbox"/></p> <p>No <input checked="" type="checkbox"/></p> |

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

- |  |  |
|--|--|
| <p><b>a. Positively prepared</b><br/>To be positively prepared the plan should be prepared on a strategy which seeks to meet objectively assessed development and infrastructure requirements</p>  | <p><input type="checkbox"/></p>            |
| <p><b>b. Justified</b><br/>To be justified the plan must be:</p> <ul style="list-style-type: none"> <li>• Founded on a robust and credible evidence base;</li> <li>• The most appropriate strategy when considered against the reasonable alternatives.</li> </ul> | <p><input checked="" type="checkbox"/></p> |
| <p><b>c. Effective</b><br/>To be effective the plan must be:</p> <ul style="list-style-type: none"> <li>• Deliverable;</li> <li>• Flexible;</li> <li>• Able to be monitored.</li> </ul>  | <p><input checked="" type="checkbox"/></p> |
| <p><b>d. Consistent with National Policy</b><br/>The Plan must be consistent with Government guidance as set out within the National Planning Policy Framework</p>   | <p><input type="checkbox"/></p>            |

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.

This representation has been prepared by Strutt & Parker LLP on behalf of Strutt and Parker Farms Ltd relating to the land to the east of Pippins Road (East of Burnham) in response to the Pre-Submission Local Development Plan (LDP) Consultation.

Policy S2 sets out the strategic growth for the District. In general the principle of the re-distribution of growth around Burnham-on-Crouch on more than one site is supported as it is considered to be a more appropriate and sustainable response to the housing needs of the existing settlement. Furthermore, there is general support for the inclusion of reserve site RE3 in recognition of the need to provide flexibility.

However, taking into account the environmental constraints of the strategic allocated sites within Burnham-on-Crouch, and the queries relating to the deliverability of housing numbers on these sites (see the comments submitted in relation to Policy S6), it is considered that the land to the east of Burnham should also be included as a strategic allocation for the provision of 75 dwellings.

The reliance on three sites which all have environmental constraints is not considered to be the most appropriate strategy to secure the provision of the much needed housing numbers over the Plan period, particularly the 390 dwellings to be provided in the first 5 years of the Plan. For this reason, it is considered that the Plan will not be effective as the housing numbers are not deliverable. For these reasons, the Plan is considered to be unsound.

**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 make the Plan sound in respect of being justified and effective, it is considered that the land to the east of Burnham (identified in the Pre-Submission draft as RE3) should be included within the Plan as a strategic residential allocation and not as a reserve site.

When considered against the suggested alternatives for residential development in Burnham-on-Crouch (S2 i, j and k), the land to the east of Burnham (east of Pippins Road) is considered to represent a more appropriate strategy for development. Documents have previously been submitted to the District Council which demonstrates that the site is able to accommodate up to 75 dwellings without any adverse visual impact on the landscape setting of the site and within the infrastructure of Burnham including highways capacity.

The rate of delivery across the three draft strategic sites for Burnham is questioned. In order to ensure that the Plan is effective and deliverable over its period, particularly the first 0-5 years, it is considered that the land to the east of Burnham should be included. An outline planning application has been submitted to the District Council which demonstrates that the site is immediately capable of delivering market and social housing, associated infrastructure as well as community benefits.

**The land to the east of Burnham should be included as a strategic allocation.**

**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.

It is important to speak at the Examination in order to clearly put forward the rationale for including the land to the east of Pippins Road as a strategic site for residential development in the Plan, and to clearly understand the rationale from Maldon District Council as to why this site has not been included.

**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.**