

P	S	C					/		
---	---	---	--	--	--	--	---	--	--

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
(please specify paragraph number) _____</p> | <p>b. Policy
(please specify policy reference) _____</p> | <p>Policy H1</p> |
| <p>c. Proposals Map _____</p> | <p>d. Other section
(please specify) _____</p> | <p>_____</p> |

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

- | | |
|--|---|
| <p>a. Legally compliant
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. Sound
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>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</p> | <p><input checked="" type="checkbox"/></p> |
| <p>b. Justified
To be justified the plan must be:</p> <ul style="list-style-type: none"> • Founded on a robust and credible evidence base; • The most appropriate strategy when considered against the reasonable alternatives. | <p><input checked="" type="checkbox"/></p> |
| <p>c. Effective
To be effective the plan must be:</p> <ul style="list-style-type: none"> • Deliverable; • Flexible; • Able to be monitored. | <p><input checked="" type="checkbox"/></p> |
| <p>d. Consistent with National Policy
The Plan must be consistent with Government guidance as set out within the National Planning Policy Framework</p> | <p><input checked="" 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 H1 of the emerging Plan requires on-site provision of 40% affordable housing in Burnham-on-Crouch and an objection is raised to this on the grounds that it is not justified, effective, positively planned or consistent with national policy.

It is considered that the proposed percentage of 40% affordable housing for Burnham-on-Crouch is not seeking to plan positively for growth. It will be likely to delay the supply of housing being delivered in that it will place unacceptable viability costs on development. This policy is therefore not considered to be in accordance with paragraphs 47 and 173 of the National Planning Policy Framework (NPPF).

Paragraph 173 of the NPPF relates to ensuring viability and deliverability. This sets out that Plans should be deliverable and therefore the sites and the scale of development identified in the Plan should not be subject to a scale of obligations and policy burdens that their ability to be developed viably is threatened. The proposed 40% affordable housing requirements for Burnham-on-Crouch do not accord with paragraph 173 of the NPPF and for this reason the Plan is not sound.

When considering the issue of housing delivery and viability, it is appropriate for Maldon District Council to liaise with adjoining Council's in relation to affordable housing delivery. As part of the background evidence base documents, reference is made to work undertaken with neighbouring authorities as part of the Heart of Essex Growth Scenarios. The Heart of Essex study included work with Chelmsford and Brentwood Borough Council. It is noted that Chelmsford has adopted a policy of 35% affordable housing and Brentwood has set out a proposal for 35% affordable housing as part of their emerging Local Plan. However a more suitable comparison for Maldon would be the Braintree District, with similar land values, where the adopted policy requires 30% affordable housing.

The proposed 40% affordable housing requirement for Burnham-on-Crouch could result in further stagnation of development across the District, where there is already a significant housing land supply shortage. Policy H1 is not in accordance with national policy and is not positively prepared or effective as required in order to be sound. A maximum of 30% affordable housing target in Burnham-on-Crouch would be a more realistic target and would help to facilitate the delivery in growth.

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.

The proposed 40% affordable housing for Burnham-on-Crouch should be revised to a lower percentage of 30%, so that the housing sites coming forward are not subject to such onerous obligations via the policy that their ability to be economically viable is threatened.

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.

N/A

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.