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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

H7

c. Proposals map

d. Other section (please specify)

Policy Maps

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 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.

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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.

Please see my letter of representation dated 11 March 2014 on behalf on landowners attached

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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.

Please see my letter of representation dated 11 March 2014 on behalf on landowners attached



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2.6 Do you consider it necessary to attend and give evidence at the hearing part of the Examination-in-Public? (✓ 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-in-Public, please outline why you consider this to be necessary

Please see my letter of representation dated 11 March 2014 on behalf on landowners attached

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.

Your Reference: Planning Policy Team
 Please Quote: MDC/Rep/01
 Date: 11 March 2014



Land and Property Professionals

Maldon District Council
 Planning Services
 Council Offices
 Princes Road
 Maldon
 Essex
 CM9 5DL

Robinson & Hall LLP
 Broomvale Business Centre
 Little Blakenham
 Ipswich IP8 4JU

t. 01473 831531
 f. 01473 832200
 e. ipswich@robinsonandhall.co.uk

robinsonandhall.co.uk

Dear Sir/Madam

Maldon District Pre-Submission Local Development Plan Consultation and Community Infrastructure Levy Preliminary Draft Charging Schedule Consultation 22 January 2014 – 12 March 2014.

I write with regard to the above and wish to object to the proposed policy changes, Policy H7 'Agricultural Workers Accommodation', as contained within the Maldon District Pre-Submission Local Development Plan Consultation (2014-2029).

I am acting on behalf of the following clients who I have previously submitted representations in response to the Public Consultation Questionnaire for the Maldon District Local Development Plan (LDP) back in October 2013:-

1. Messrs L P Sampson, Land adjacent to 'Panorma', Barnhall Road, Tolleshunt Knights, Essex
2. Messrs L P Sampson, Land adjacent to 'Higham', Barnhall Road, Tolleshunt Knights, Essex
3. Mr I Ferguson & Sons, The Street, Latchingdon, Essex
4. Mr I Ferguson & Sons, Land to the South of Button's Hill, Althorne, Essex
5. North Maldon Growers Ltd, Goldhanger, Essex
6. Seabrook Ltd, Chapel Road, Tolleshunt D'Arcy, Essex
7. Mr I Ferguson & Sons, Burnham Road, Latchingdon, Essex
8. Mr G Bunting, Blind Lane, Goldhanger, Essex
9. Jap Contracts, The Old Dairy, Broad Street Green, Great Totham/Heybridge, Essex
10. In addition to the above, we now act for Mr and Mrs Frost at Land off Colchester Road, Goldhanger, Essex

Policy H7 suggests that a dwelling will only be granted if in the first instance temporary accommodation is approved for a 3 year period. We have pursued a number of appeals against a similar stance taken by other authorities. In each case the Planning Inspectorate has observed that while it is more usual for temporary accommodation to be provided in the first place, it is the needs of the holding which must prevail. If that need justified a dwelling without the recourse to three years of temporary accommodation, then the Council's approach could not be justified. The appeals were therefore allowed.

Partners*: S W Home Ltd D J Jones Ltd A J Capel Ltd R J Franklin Ltd D P Brooks Ltd C J Leney Ltd A H Barr Ltd
 Local Partners*: S R Patrick BSc MRICS D J Sawford BSc MRICS A B R Jenkinson BSc MRICS FAAV Consultant Partner: P W Goakes Ltd

Associates: S R W Smith BSc MRICS FAAV A R Toussaint P K T Sewell MSc MRICS FAAV Offices at Bedford, Buckingham, Colchester & Ipswich
 Robinson & Hall LLP is a limited liability partnership, registered in England, number: OC310546 Registered office: 118 Bromham Road, Bedford MK40 2QN

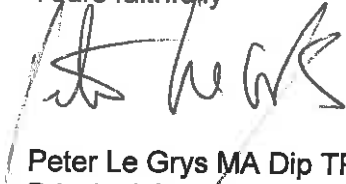
*The term partner is used to refer to a member of the LLP, the director of a corporate member of the LLP, or a person of similar standing Regulated by RICS



The Council's approach is therefore considered to be inappropriate and inconsistent with decisions elsewhere. As such, the inflexible nature of the policy is considered to be ill-conceived, unjustified and intransigent, while failing to be positively prepared.

As significant changes have been made to the Maldon District Pre-Submission Local Development Plan, it is requested that our representation be made at the public examination in front of the Planning Inspector to ensure that our client's case is heard.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Peter Le Grys', written over a faint circular stamp.

Peter Le Grys MA Dip TP MRTPI
Principal Chartered Town Planner
For and on behalf of Robinson & Hall LLP