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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

i2

c. Proposals map

d. Other section (please specify)

**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, 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.**

If the box is not big enough for your comments, please attach another page marked appropriately.

Our comments are directed to the component of Policy i2 which relates to the delivery of a new Community Hospital or similar healthcare facility and in particular to the purported justification of a potential greenfield location (as an evident exception to policy) with reference to 'enabling' development .

In this context, whilst enabling development is capable of being a material planning consideration, it is considered that the Plan's application of the concept to the delivery of a new healthcare facility is fundamentally unsound and entirely inappropriate.

In particular, we would note the absence of:

- An objectively assessed need for such a facility in the accompanying evidence base , much less the overriding need necessary to warrant an exception to normal restraint policy
- any evidence that such need can only be met via enabling development or the potential scale, nature and deliverability of such development;
- any evidence that healthcare requirements cannot be accommodated on the existing hospital site ( as per Plan para 8.28) or within the settlement envelope ( such that the conclusion cannot reasonably be drawn that greenfield provision would represent the most appropriate strategy when considered against the reasonable alternatives).
- Identification of appropriate site(s)
- assessment of the potential impact of such an approach on Plan strategy .
- meaningful Sustainability Appraisal of the policy.

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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.**

If the box is not big enough for your comments, please attach another page marked appropriately.

Delete reference to greenfield locations and mixed use enabling development in policy i2

Revised wording to read;

The Council will favourably consider proposals for a new Community Hospital or a similar healthcare facility providing primary, secondary and intermediate care services subject to compliance with other Plan policies

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**2.6 Do you consider it necessary to attend and give evidence at the hearing part of the examination? (✓ 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**

If the box is not big enough for your comments, please attach another page marked appropriately.

Policy i2 as currently drafted raises fundamental soundness issues which warrant full & effective interrogation via the Examination Process . appearance at the hearing will facilitate this.

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.