

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

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) _____ | E2 – Retail Provision |
| c. Proposals Map _____ | d. Other section
(please specify) _____ | _____ |

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.

Bentalls Shopping Centre welcomes the identification of:

- Heybridge as Town Centre, along with Maldon and Burnham on Crouch, consistent with national policy and guidance on defining a network and hierarchy of centres (NPPF 23);
- the Town Centre area extending beyond Bentalls Shopping Centre to encourage proposals that improve this retail area, environment and its accessibility (Policy E2 & para 4.20), and
- Bentalls Shopping Centre frontages as providing the Primary Retail Frontages within the Heybridge Town Centre Area

However, the wording to Policy E2 ought to be revised to be compliant with the sequential and impact assessment tests in the NPPF (paras 24-27) which we set out in section 2.5.

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.

To be consistent with NPPF (paras 24-27), we recommend revised wording to Policy E2 to include reference to impact, in addition sequential testing. Suggested revised wording to the policy is set out below, with insertions underlined :

Policy E2

Retail Provision

Town Centre Areas

Proposals for the development of retail, office, tourism, cultural, community, residential and other main town centre uses, as defined by national planning policy, will be permitted within defined Town Centre Areas where :

- 1) The scale and type of development proposed is directly related to the role and function of the centre and its catchment ; and
- 2) There would be no significant adverse impact on the vitality and viability of the centre or other centres

Proposals for town centre uses outside of Town Centre Areas, including significant edge of centre/ out of centre retail development, will be subject to sequential and impact testing as required by national planning policy (NPPF paras 24-27).

Primary Retail Frontages

Within the designated primary retail frontage, ground floor retail units will be protected for a1 Retail Uses. Other types of uses will normally be resisted unless it can be demonstrated that they :

- 1) Will not have a detrimental impact on the function, vitality or viability of the Primary Retail frontages; and
- 2) Will not create a new continuous frontage of three or more units of non A1 Uses

Secondary Retail Frontages

Within the designated secondary retail frontage areas, ground floor retail units will be protected for

A1 Retail Uses but a wider range of other uses may be supported to maintain the diversity and vitality of the surrounding retail area. Proposals for other non A1 Uses within Secondary Retail Frontages must:

- 1) Maintain and enhance the overall attractiveness, viability and vitality of the surrounding retail functions;
- 2) Encourage active shop fronts and avoid detracting from, and isolation of, the dominant retail appearance of the area;
- 3) be capable of attracting a high number of visits from the general public; and
- 4) Not create significant discontinuation to the existing frontage or pedestrian footfall.

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.