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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

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.

SEE ATTACHED COMMENTS

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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.

SEE ATTACHED SUGGESTED
AMENDMENTS

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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.

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.

ALAN COOK CONSULTANCY

REPRESENTATIONS ON BEHALF OF LODESTAR PROPERTIES LTD

LEIGH INDUSTRIAL ESTATE THE CAUSEWAY MALDON ESSEX

PRE SUBMISSION DRAFT LOCAL DEVELOPMENT PLAN

11 March 2014

Policy S1 Sustainable Development

When considering proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF .There are 13 key principles of which, 1) covers business use by providing sufficient space and 2) to deliver sustainable levels of housing growth.

Comment

We object.

Whilst the LDP repeats the economic, social and environmental roles implicit in the NPPF it does not demonstrate how this can be achieved.

The LDP relies too much on the concepts of Strategic Allocations and Garden Suburbs to achieve housing targets despite the constraints of flood risk areas.

On strategic growth the Council will promote sustainable development to deliver economic and residential growth and meet the objectively assessed housing need.

Strategic growth will be focused at the main settlements mainly in the form of Garden Suburbs and Strategic Allocations.

There will also be rural allocations and windfall allowances.

Since the abolition of the East of England Plan the NPPF requires LPAs to set housing targets locally which are based on projections in the Sub National Population Projections (SNPP), the Greater Essex Demographic Forecasts Study and the SHMA. The Heart of Essex Housing Growth Scenario Study then tested a number of housing growth scenarios.

The objectively assessed housing need is considered to be met by the latest 2010 update to the SNPP at 294 dwellings per annum or 4,410 homes in total as a minimum (para 2.24).

Para 2.30 addresses committed supplies and windfall sites defined as previously developed sites that unexpectedly become available. Maldon DC had had a regular supply of such sites at an average of 22 per annum and a total of 330 windfall dwellings are assumed in the plan period.

Greater weight should be given to windfall sites especially those in sustainable urban locations to prevent the sterilisation of urban land.

The changes made by MDC to draft policy after the Draft LDP Consultation do not address our concerns.