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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

All

b. Policy reference

All

c. Proposals map

All

d. Other section (please specify)

All

**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.

The plan is unsound for a number of reasons.

It appears to have been based on the district's allocation of numbers of houses by central government rather than a broad and credible infrastructure assessment followed by an assessment of how much, where and how growth might be most successfully achieved both in the immediate term and beyond the NPPF "preferred" 15 year horizon.

There has not been adequate consultation on road infrastructure (notably Hatfield Peverel, Danbury and Little Baddow ). Para.2.67 appears to show they may not yet have consulted neighbouring districts on those issues.

The Plan is not founded on a sufficiently robust and credible evidence base.

It suggests that the options, infrastructure and gains are all be deliverable. But, much of the infrastructure requires involvement of other parties such as Essex County Council, Chelmsford Council, NHS, Essex Highways etc and there does not seem to be evidence of active involvement, discussion with and decisions made by all of these agencies. The Plan cannot deliver the infrastructure improvements to the highways network which are essential to the SUSTAINABILITY of the development strategy and is thus seriously undermined.

There are no realistic ways of alleviating already existing problems for the A414 through Danbury, the B1019 through Hatfield Peverel, the B1022 northwards, or routes via the B1018 through Wickham Bishops to the regional rail and road networks. Paragraph 2.67 of the pre-submission Plan now notes that what the LPA consider to be the most effective solution is not deliverable at this time, and no evidence is provided that it would be deliverable in the foreseeable future. And the main assessment into the wider transport implications was not completed until December 2013, meaning that the plan had been produced BEFORE the full impact assessments had been conducted.

There appears no credible consideration or evident regional co-operation regarding transport, road and rail infrastructure, accessibility of airports and regional hospitals. For example, there is no evidence provided of planned co-operation with Chelmsford City Council regarding the increase in traffic on the A414 between the A12 and Oak Comer. Suggested solutions to congestion of utilisation of public transport, walking routes or cycle paths (Paragraph 2.68 and 2.69) are unrealistic and lack adequate evidence base.

The strategy regarding transport is inconsistent. For example, paragraph 7.3 states that 'the Crouch Valley Line provides an opportunity to ease the District's reliance on the private car for transport'. However, the plan involves developing the majority of the houses away from this railway. Paragraph 7.4 states that 'The Council will encourage and support proposals which help to provide sustainable access and travel choice for residents of the District'. I do not believe this plan delivers these choices.

The plan is superficial and lacks enough detail to make it 'sound'. In November 2007, the Planning Officers Society (POS) service undertook an appraisal of Maldon's LDF process, focussing on the Issues and Options 2 Core Strategy document. The POS stated that "a fundamental concern...that the treatment of these matters is often superficial and lacks sufficient depth. This is evident in the lack of detailed discussion of many issues, and failure to articulate a realistic range of choices and actions". In November 2008 a Report of Head of Planning Services stated that "unfortunately this issue has not yet been fully addressed and unless remedial measures are taken, the LDF would be unlikely to be considered 'sound' at examination". I believe that the issues are still dealt with in a superficial way throughout the plan and therefore it remains "unsound". For example, Paragraph 2.68 suggests it can solve the traffic problems in Hatfield Peverel but provides no solid examples of how this will be achieved other than the 'use of sustainable transport options'. This requires more detail.

There was inadequate consultation with the public. Residents were not given the opportunity to give their opinions on the options for the district as a whole, only on the final plan. From my investigations it appears that it was the 'members' who decided on the strategy to concentrate the growth in Maldon and Heybridge. This is unfair.

There were leading or misleading questions in the consultations. For example, Q11 of the draft plan consultation last summer asked 'would you support an appropriate greenfield location at the edge of Maldon if it were to deliver a new Community Hospital'. To answer that you agree with a new hospital you had to agree to the development. Very BAD question bordering on fraudulent. Also, the Council cannot promise hospitals.

CONTINUED ON CONTINUATION DOCUMENT pg 1 & 2

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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.

I am not a Lawyer so cannot comment accuracy on compliance with the law, but question the 'legitimacy' of this plan based on the fact that there was NOT adequate consultation with the residents or sufficient impact assessment or consideration of the options.

The plan suggests that there were no alternative or realistic options other than the plans 'Preferred options'. But there are reasonable alternatives. For instance a settlement to accommodate the major requirement for growth in the District in the Crouch corridor between Woodham Ferrers and Althorne is a reasonable, achievable alternative for growth but appears not to have been adequately considered.

The residents should be consulted on the options for the whole district. I know there must be houses built. I am not against the houses just against the plan that results in the majority being built in Maldon and Heybridge, putting massive pressure on the infrastructure particularly the roads.

The plan should be changed to either disperse the growth near the existing train stations or a new settlement South of the district between Woodham Ferrers and Althorne, not just of 1000 houses as indicated in a previous plan, but of all the required houses. This would make the infrastructure requirements more viable.

If the plan goes ahead as it is then the following must be implemented:

- Either reinstate the Maldon train station or get an undertaking from Essex Highways that a new relief road to the A12 will be provided within the Plan period. The small relief roads in the current plan are insufficient.
- Evidence of co-operation with Chelmsford City Council to look at mitigation measures for the increase in traffic on the A414
- Confirmation and detail on improvements in public transport with involvement of Essex County Council.
- Agreement that the other infrastructure will be delivered at the right time not at the end of the development when all the houses have been built.
- More detail and evidence of commitment by the CCG to expand and build new medical facilities
- An analysis of the traffic implications at other key junctions that have not currently been assessed e.g. Acacia Drive / Spital Road and St Giles Crescent / Spital Road. These junctions are overburdened at present and even if the All Saints and Wentworth schools are not expanded the increased volume of traffic on Spital road during school run periods will cause severe congestion.
- A realistic approach to the disadvantage of the overburdening of the inadequate transport infrastructure
- Cooperation between Chelmsford, Rochford and Southend regarding road, rail infrastructure, accessibility of airports and hospitals.
- Liaison with English Nature and other relevant bodies regarding impact on the Blackwater Estuary, Site of Special Scientific Interest and RAMSAR.
- The plan needs to think beyond the 15 year National Planning Policy Framework timescales and look at the strategic aims of the district over a longer time frame.

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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.

Continuation Document – Matthew Vale – LDP response

**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.**

**Answer continued:**

Also, the residents were not given enough information to allow them to make informed and educated decisions regarding the plan. For example, the only evidence I can find of the consideration of different 'options' suggests that one option was 'concentrated' growth in the main towns. However, I don't believe it was ever made clear to the public that concentrating the growth would result in such large numbers of houses in the towns so if they said yes to this option, they would not necessarily be saying yes to what ended up as the final plan. In addition, an option for a 1000 house settlement South of the district was the only option given for a new settlement. Why not a larger town containing the majority of the houses further only the Crouch corridor? But the public were never given the option to comment on these decisions. Or given any information to suggest that other options were available. Therefore the public consultation in this area is void in my opinion.

The plan does not accommodate long term growth which exceeds predictions nor would it deliver the necessary infrastructure for growth below expectations, either within a 15 year time frame or for the foreseeable future . It allows for no long term 'either or' scenario whereby monitoring might be of practical use for planning, given the proactive nature of the concept of 'planning', and especially given the difficulty that such things as health and education provision tend to be reactive rather than proactive.

The Plan is not consistent with Government guidance as set out within the National Planning Policy Framework in many detailed respects but also when the policy is considered as a whole.

The National Planning Policy Framework ministerial forward states: " The purpose of planning is to help achieve sustainable development. Sustainable means ensuring that better lives for ourselves don't mean worse lives for future generations" which means that the plan does not meet the aim.

The plan appears to contradict recent national policy announcements from the Planning Minister, Nick Boyles suggesting that planners will be blocked from building on areas at risk of flooding. Although the development zones are outside the current Environment Agency flood

warning areas, they are very very close so it is incredibly risky if you take into account issues such as sea level rises and the level of run off from this level of development.

The plan will have an adverse impact on the distinctive character of the historic country towns and their attractiveness as places to live or as a destination to visit as a tourist. Growth, where it is currently planned, will have an adverse impact on the attractiveness of Maldon as a place in which, or from which, to carry on business such that, amongst other factors, the cost of congestion might outweigh the benefits of growth.