

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)	8.2-8.13	b. Policy (please specify policy reference)	Policy I1 (Infrastructure and Services) and Table 1 Developer Contributions Pooling Arrangements for Strategic Infrastructure
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.

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

**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.

Chelmsford City Council (CCC) welcomes the opportunity to comment on Maldon District Council's Pre-Submission Draft Local Development Plan (January 2014). If it is possible for CCC to agree mitigation measures to overcome the significant impacts at Eves Corner junction (and potentially A414 Well Lane mini-roundabout) with MDC and ECC, the LDP must be more robust and provide certainty about the delivery of these mitigation measures for negotiations with developers. Given the IDP's specific reference to the requirement for traffic mitigation measures at the A414 in Danbury, this should be included as a Section 106 requirement of at least the strategic S2 (a) South of Limebrook Way and S2 (d) North of Heybridge rather than be left for potential CIL funding. This requires amendment to Policy I1 (Infrastructure and Services) and Table 1 of the LDP. This will ensure that highway mitigation measures in Danbury become a requirement of the planning permission and that financial contributions are ringfenced for this specific purpose. This will ensure delivery of the highway mitigation scheme in Danbury, whereas, because CIL is not ringfenced for any particular project there is no certainty of delivery. Please see also CCC's response to Policy S2, Policy S4 and paragraphs 2.25-2.27, 2.63-2.66 and 2.70.

**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.

See 2.4 above.

**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 aspect of the Maldon Local Development Plan (LDP) has direct implications for Chelmsford City Council's Area. It is not certain if any changes will be made to be LDP before it is submitted or if Chelmsford City Council's objections/ concerns will be overcome. Therefore, this authority requests the opportunity to appear at an Examination and to take part in a round-table discussion of this issue.

**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.**