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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

D5

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 submission

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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 submission

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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.

Maldon District Pre Submission Local Development Plan

Timber Yard, Heybridge Basin, Heybridge

Introduction

1. These representations are prepared on behalf of One Property Group Ltd (OPG) in respect of the land at the former Timber Yard, Heybridge Basin, Heybridge.
2. These representations relate to the following policies within the Pre-Submission Local Plan:
 - Policy S8 (Settlement Boundaries and the Countryside);
 - Policy D5 (Flood Risk and Coastal Management); and
 - Proposals Map (North West).

Representation

Policy S8

3. Policy S8 is supported. The policy seeks to support sustainable development within the defined settlement boundaries. This would support residential development on previously developed land within the settlements. The former Timber Yard site is previously developed land that is located within the settlement boundary of Heybridge Basin and therefore its redevelopment for residential purposes is supported by the policy.
4. The policy also contains a hierarchy to group settlements by size and function. However, we agree that the hierarchy does not in itself dictate the levels of growth for individual settlements. Rather, it is a reflection of the current status and function of the villages within the District. This approach is supported.

Policy D5

5. There is an objection to Policy D5 as drafted as we believe the word “or” needs to be inserted between criteria 2 and 3 of the policy. This is because a compatible use would not require demonstration of the sequential and/or exception test.
6. The policy requires these amendments to be sound i.e. consistent with national planning policy.

Proposals Map (North West)

7. We do not support the proposals map for Heybridge Basin as it does not include the full extent of the former Timber Yard site within it. The Proposals Map for Heybridge Basin currently shows an unexplained arbitrary diagonal line from the ditch at the southern point of the Timber Yard site running in a north west direction. This clearly does not correlate with what is on the ground. Further, the site specific Heybridge Basin Timber Yard SPD clearly shows the entire site as falling within the allocation under Policy E3 of the Local Plan.
8. The whole site is brownfield previously developed land within the settlement and marked by clearly defined natural boundaries (the ditch watercourse). The principle of developing brownfield sites is accepted. Therefore the minor areas excluded from the settlement boundary should be corrected.
9. These changes are required to make the Local Plan sound as it is currently not justified (not the most appropriate strategy) or consistent with national planning policy and is consequently unsound without these changes.