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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 Local Development Plan (LDP) does this representation relate?

- | | |
|------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------|
| <p>a. Paragraph
(please specify paragraph number)</p> <p>Click here to enter text.</p> | <p>b. Policy
(please specify policy reference)</p> <p>S2</p> |
| <p>c. Proposals Map</p> <p>Click here to enter text.</p> | <p>d. Other section
(please specify)</p> <p>Click here to enter text.</p> |

2.2. Do you consider the Maldon District LDP to be... (tick as appropriate):

- | | |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|
| <p>a. Legally compliant
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</p> | <p>Yes <input checked="" type="checkbox"/></p> <p>No <input type="checkbox"/></p> |
| <p>b. Sound
To be 'sound' a Local Plan should be positively prepared, justified, effective and consistent with national policy. This is required by Government guidance</p> | <p>Yes <input type="checkbox"/></p> <p>No <input checked="" type="checkbox"/></p> |

2.3. Do you consider the Maldon District LDP to be unsound because it is not (tick as appropriate):

- | | |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------|
| <p>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</p> | <p><input checked="" type="checkbox"/></p> |
| <p>b. Justified
To be justified the plan must be:</p> <ul style="list-style-type: none"> • Founded on a robust and credible evidence base; • The most appropriate strategy when considered against the reasonable alternatives. | <p><input type="checkbox"/></p> |
| <p>c. Effective
To be effective the plan must be:</p> <ul style="list-style-type: none"> • Deliverable; • Flexible; • Able to be monitored. | <p><input checked="" type="checkbox"/></p> |
| <p>d. Consistent with National Policy
The Plan must be consistent with Government guidance as set out within the National Planning Policy Framework</p> | <p><input type="checkbox"/></p> |

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.

In principle, we support the strategy for accommodating growth as set out in Policy S2. We consider that it is right for the Council to concentrate the majority of development at the most sustainable locations within the District, which is at the major settlements of Maldon and Heybridge, with more limited development at Burnham and the various villages.

The Council has undertaken a thorough assessment of both the capacity and the deliverability of the two Garden Suburbs at Maldon and Heybridge, and compared to previous iterations of the Draft Plan, has arrived at a more appropriate balance of growth between the South Maldon and North Heybridge Garden Suburbs.

However, we have two concerns with Policy S2 as drafted.

Firstly, we note and support the fact that Policy S2 seeks to provide for a minimum of 4,410 new homes by 2029. The key to delivery is making sure that at least 4,410 new homes are not just planned for but are built on the ground by 2029), and if in reality ensuring the target is delivered means that in excess of 4,410 new homes are built, then that is entirely consistent with the requirements of the NPPF to substantially boost housing delivery (particularly in a region where all districts have substantial unmet need, and where the need for housing will inevitably continue beyond 2029. What is not appropriate is to plan to meet a maximum of 4,410 homes, and fail to achieve that target as a consequence.

Within that context, we are concerned that the overall identified capacity is for 4,430 homes from all sources of supply (including windfalls), which means there is not a great degree of flexibility in this Plan.

In order to provide some flexibility for each of the sources of supply, it would be appropriate to make specific reference alongside the table to the effect that the figures given are not intended to be treated as maxima.

Secondly, the proposed phasing in columns 4-6 of the table in Policy S2 should not be seen as prescriptive. We do not seek to suggest that the phasing columns should be removed in their entirety, both because they provide a reasonable estimate of delivery and also a guide which can be used in the future to help assess progress, but the Policy should make clear that the phasing is neither intended to be prescriptive, nor that it will be used as a means to defer development to later in the Plan period. If a site or source of supply is capable of delivering more than the stated number of units in any period, Policy S2 should be supporting that rather than potentially being used to delay delivery. To restrain housing delivery is to restrain the delivery of the associated infrastructure.

The lack of flexibility in the housing supply side, and the phasing provisions, both potentially affect the ability of the Plan to deliver its OAN, and as a consequence render the Plan unsound in terms of its Effectiveness and being Positively Prepared.

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.

In order to remedy the concerns regarding lack of flexibility and phasing restrictions, we propose adding two Footnotes to the table in Policy S2, as follows:

- Footnote to “Total” column:

“Figures show the expected number of units to be delivered from the source of supply, but should not be treated as a maximum in the event that detailed assessment at the application stage identifies additional capacity”.

- Footnote to all phasing columns:

“Figures show expected delivery in the five year period, but should not be treated as maximum figures, with earlier delivery of housing encouraged”.

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.

If the box is not big enough for your comments, please attach another page marked appropriately.

This representation forms part of a suite of inter-related objections by Countryside Properties that relate to the implementation of the North Heybridge Garden Suburb. Countryside Properties are the principal developer for that proposed development.

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.