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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<br/>(please specify paragraph number)</p> | <p><a href="#">Click here to enter text.</a></p> | <p>b. Policy<br/>(please specify policy reference)</p> | <p>S3</p>  |
| <p>c. Proposals Map</p>                                   | <p><a href="#">Click here to enter text.</a></p> | <p>d. Other section<br/>(please specify)</p>           | <p><a href="#">Click here to enter text.</a></p> |

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

- |  |   |
|--|---|
| <p><b>a. Legally compliant</b><br/>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>b. Sound</b><br/>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><b>a. Positively prepared</b><br/>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 type="checkbox"/></p>            |
| <p><b>b. Justified</b><br/>To be justified the plan must be:</p> <ul style="list-style-type: none"> <li>• Founded on a robust and credible evidence base;</li> <li>• The most appropriate strategy when considered against the reasonable alternatives.</li> </ul> | <p><input checked="" type="checkbox"/></p> |
| <p><b>c. Effective</b><br/>To be effective the plan must be:</p> <ul style="list-style-type: none"> <li>• Deliverable;</li> <li>• Flexible;</li> <li>• Able to be monitored.</li> </ul>  | <p><input checked="" type="checkbox"/></p> |
| <p><b>d. Consistent with National Policy</b><br/>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.

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

We support the general thrust of Policy S3 and the need for the new Garden Suburbs to be of a high standard of design.

We also support the statement of intent at the end of the Policy in respect of masterplanning and the recognition that this will involve partnership working between the Council, stakeholders and the developers, and we support the fact that collaborative work has already begun. As part of that initial work, it has generally been accepted that these documents should be at the level of "Strategic Masterplan Frameworks" rather than detailed Masterplans, and we suggest therefore that the LDP text should use this same terminology.

Bearing in mind that Strategic Masterplan Frameworks are to be prepared, our concern with Policy S3 as drafted is that, in places, the policy is either unduly prescriptive as to the form of those documents, or alternatively in some places not sufficiently clear as to what is required.

Specifically, our concerns are as follows:

Criterion 2 – We feel that the term "active citizenship" is unclear as to its meaning and practical implication. We understand that one of the principles underpinning the original Garden Cities was community ownership, and we certainly see the potential with the new Garden Suburbs for there to be a mixture of privately owned, community owned, and publically owned spaces. We also agree that the Strategic Masterplan Frameworks and detailed design of the developments should create public areas that are safe, that encourage active use and interaction, and that are practical in terms of their future management. We are unclear whether or not design and management principles such as these are part and parcel of "active citizenship" or whether the term means something else.

Criterion 3 – Whilst we support the references to strong landscape character, well-managed open space, and other landscaping/natural areas, we do not agree with the reference to "tree-lined streets". It may well be the case that principal routes within the Garden Suburbs will be tree-lined, but equally other forms of landscape treatment may be appropriate in places, and it will not be appropriate for every street to be tree lined. In our view, it should be for the Strategic Masterplan Frameworks and indeed subsequent detailed proposals to establish the correct landscape treatment, and where new tree planting should be. We would certainly want to avoid an implication that every route is tree lined. We suggest that these words be deleted.

Furthermore, we question the inclusion of the wording "and to address the effects of climate change" at the end of Criterion 3. It is not clear whether by use of the word 'and' this wording is intended to represent an additional requirement for the Garden Suburbs, in which case its meaning is not clear, or whether the 'and' is a typographical error and the intention was to suggest that part of the role of the new landscaping and green spaces is to address climate change by introducing more carbon capturing plants, in which case the wording needs to be changed to reflect that intent.

Criterion 4 – We agree that the historic environment will be a factor in shaping the form and design of the Garden Suburbs, and that, where necessary and appropriate, heritage assets will be protected, managed and enhanced. As currently worded, however, this clause appears to give primacy to the historic environment above other relevant considerations (for example by use of the word "instrumental"). In order to ensure a balanced approach to planning and design, we suggest that a more appropriate form of wording would be as follows:

“Recognition of the historic environment and its role in shaping landscape character and providing a sense of place and identity, including where appropriate the protection, management and enhancement of heritage assets”;

Criterion 5 – This criterion, which requires a “clear” and “harmonious” relationship between town and country, is unclear in its meaning and requirements. A “clear” relationship could arguably be a hard urban edge followed by open countryside, but this might be the opposite of a harmonious relationship. Ultimately, it should be for the Strategic Masterplan Frameworks and detailed design processes to establish the correct treatment of the development edges, and this may vary in different locations. We suggest in the interests of clarity that this criterion is deleted.

Criterion 7 – We agree that the local centres should form the community focus for the Garden Suburbs, but the content of the local centres, the routes for public transport, and any connections with the town centres are matters that will need to be determined through the Strategic Masterplan Frameworks and subsequent design process. In addition, we note that this provision is duplicated in the fourth bullet point on Page 27 as part of Policy S4. As currently worded, this criterion appears to be too prescriptive, and we suggest either that it be deleted, since it appears in S4, or in the alternative that it states:

“Local centres will act as the community focus with the Garden Suburbs, with a mix of uses;”

Criterion 11 – We agree that the Garden Suburbs should provide a range of dwellings to meet a range of needs, and that this will include homes suitable for the elderly. However, meeting the need for housing for the elderly cannot be addressed by the Garden Suburbs alone, and providing a balanced mix of homes that is both viable from a development/infrastructure delivery perspective and which helps to meet the housing needs of the elderly will need to be the subject of further discussion and negotiation between the various parties. In that context, we object to the specific wording “as identified and required by the Council”.

In summary, whilst we support the principles of Policy S3, it is necessary that the wording is both clear in its requirements to enable delivery (and for the Plan to be Effective), and that its provisions are the most appropriate (Justified). For the reasons above, we consider parts of the Policy are not Justified or Effective, but that with the amendments proposed the Policy would be sound.

Finally, we note that there is a degree of repetition between Policies S3 and S4. In particular, we note that the last two bullet points at the bottom of Page 26 in Policy S4 (which relate to walking/cycling and public transport) are effectively repeats of Criteria 8 and 9 of Policy S3, and to avoid repetition (and possible confusion), we suggest that these two bullet points are deleted, either from S3 or S4. Bearing in mind our comments on S4 in respect of consistency with Table 1, it may be practical to delete criteria 8 and 9, or merge them in to a single criterion that refers more generically to establishing links and movement by non-car modes.

**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.

- Generally refer to “Strategic Masterplan Frameworks” rather than Masterplans;
- Removal or explanation of the term “active citizenship” in Criterion 2;
- Deletion of the words “tree lined” in Criterion 3;
- Deletion of explanation of the words “and to address the effects of climate change” in Criterion 3;
- Amendment of Criterion 4 to:  
“Recognition of the historic environment and its role in shaping landscape character and providing a sense of place and identity, including where appropriate the protection, management and enhancement of heritage assets”;
- Deletion of Criterion 5;
- Deletion of amendment of Criterion 7 to state:  
“Local centres will act as the community focus with the Garden Suburbs, with a mix of uses;”  
Delete of merge criteria 8 and 9 to provide a more generic statement on access and movement (to avoid repetition with Policy S4);
- Deletion of the words “as identified and required by the Council” in Criterion 11.

**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.**