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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>b. Policy
(please specify policy reference) _____</p> | <p>Policy S4</p> |
| <p>c. Proposals Map _____</p> | <p>d. Other section
(please specify) _____</p> | <p>_____</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 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 checked="" 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.

Policy S4: Maldon and Heybridge Strategic Growth

We welcome the reference to archaeological assessment in this policy (in the 11th bullet point on page 27). However, we consider that the archaeological potential of the sites should be established early on, so that any areas of high sensitivity can be identified and remains accommodated as part of the masterplanning process. The current wording of the bullet point suggests that the archaeological assessment could be left until after planning permission is granted (e.g. dealt with through conditions). This does not seem effective or consistent with national policy, specifically paragraph 128 which requires developers to submit appropriate archaeological assessments with their application. Furthermore, it is not consistent with the previous bullet point, which requires detailed ecological surveys to be submitted with development proposals.

This issue is particularly relevant for the strategic allocation at Site S2(g): Park Drive, which lies within 150 metres of a registered battlefield (the site of the Battle of Maldon in 991 between the Saxons and the Vikings). This is a designated heritage asset of the highest significance, and the potential for locations of archaeological interest beyond the boundary of the registered area is high (bearing in mind that the registered area may not represent the complete extent of the battle). Therefore, development proposals should be submitted with comprehensive and detailed archaeological assessments. Such requirements are relevant to all of the Maldon and Heybridge sites as paragraph 2.61 indicates the level of archaeological interest in this area.

It should be noted that Site S2(g) may also have setting issues for the registered battlefield, although that will depend on the detailed design of any proposed scheme. Proposals will need to consider matters such as topography, landscaping, building heights and layout to ensure that development is not visually prominent to a degree which would harm the significance of the registered battlefield when viewed from the battlefield area. Part 4 of Policy S3 should help to ensure that this issue is addressed with any proposals, although it might be helpful to make the battlefield issue explicit for the sake of clarity.

- 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.

Amend the 11th bullet point on page 27 regarding archaeology to read:

“Development proposals must be accompanied by a comprehensive and detailed archaeological assessment”

In addition, consider clarifying the issues regarding the proximity of the registered battlefield to the Park Drive strategic allocation (Site 2(g)).

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 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.