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**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<br>(please specify paragraph number) _____ | b. Policy<br>(please specify policy reference) _____ | S2 (RE1)/ S4 |
| c. Proposals Map<br>_____                               | d. Other section<br>(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.

**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.

The emerging plan does not propose to meet its full objectively assessed needs as advised in the National Planning Policy Framework (NPPF).

Advice set out in the NPPF (paragraphs 158 and 159) states that Local Planning Authorities (LPAs) should have a clear understanding of housing needs in their area and that they should prepare a Strategic Housing Market Assessment (SHMA) to assess their full housing needs. This should identify the scale, mix and range of tenures needed over the plan period, which meets household and population projections, taking account of migration and demographic change.

The submitted evidence base, in the form of the updated SHMA (2012) identifies a market sector shortfall in housing supply of 825 units per annum over the 15 year plan period including around 580 market dwellings and 245 affordable dwellings per annum. The Pre-Submission Local Development Plan (LDP) suggests that the total housing need for the district is 294 dwellings per annum, based on Sub-National Population Projections (SNPP). This is a significant departure from the SHMA figure, and is justified by the LPA on the basis that the level of need outlined in the SHMA cannot be realistically accommodated.

SNPP figures should be regarded as a minimum, alongside the conclusions of the SHMA, in identifying 'objectively assessed need' for housing.

There is therefore a strong case to argue that the housing target for the district should be increased in the context of the NPPF's objective to 'boost significantly the supply of housing' (paragraph 47) and to reflect the much higher figures in the SHMA update 2012 for market and affordable housing. Further, the Maldon District Annual Monitoring Report 2011-12 identifies that the District at present has a housing land supply of 1.4 years, well below the required 5 years (plus buffer) required by Paragraph 49 of the NPPF.

In order to provide for further flexibility and contingency and ensure the future delivery of the growth strategy, including providing for the objectively assessed need for housing and to provide adequately for a five year supply of deliverable land for housing, the LPA has therefore identified a number of reserve options under Policy S2, including part of the Maldon Hall Farm site (ref. RE1) which it considers has an indicative site capacity of 450 dwellings. The LPA states it will review and determine the need and timing to release such reserve sites on a five-year interval. Where necessary, such a review may be brought forward in light of monitoring.

Whilst we support the proposed allocation of part of the site as a 'reserve' site for housing, and acknowledge that the LPA now formally recognise that the site is, in principle, suitable for development, in view of the pressing need for new housing in Maldon, and the shortfall in the 5 year land supply (together with the well-documented need for a new hospital) it is considered that the proposed allocation should be amended to include the entire extent of the site as a strategic development site under Policy S4 (Maldon and Heybridge Strategic Growth). This would recognise the full potential of the site as a prime location for a new community hospital, together with community facilities and housing as the necessary enabling development.

In terms of the delivery and availability of the subject site, it is available for immediate development, has no constraints and is deliverable in the short term. It has the potential therefore to make a valuable contribution to the LDP's growth strategy and in meeting the shortfall in 5 year land requirement.

**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.

On behalf of our client, Kensington and Edinburgh Estates Limited, we formally request that the land to the west of Spital Road, Maldon be considered for inclusion within the settlement boundary of Maldon and allocated as a mixed-use strategic allocation under Policy S4 of the emerging LDP. The full extent of the site is shown on the accompanying Site Location Plan (ref. 1490-01-X01-B).

Representations were previously submitted at both the LDP Preferred Options and Draft Plan stages to promote the inclusion of the site within the proposed expansion area for Maldon. These representations noted the need for a new hospital and community facilities in Maldon and proposed a comprehensive and sustainable proposal that would bring about delivery of these. Subsequently, our client has received formal pre-application advice from the LPA in September 2013 which acknowledges the potential of this site to provide a comprehensive and sustainable form of development anchored by a community hospital and civic hub. We remain confident that this site presents a significant opportunity to provide such a high quality and sustainable development, that:

- enables the delivery of a new community hospital and associated facilities;
- provides a new civic hub for Maldon, consolidating civic functions at a single site and releasing existing sites for alternative beneficial uses;
- provides a new foodstore to meet an identified local qualitative need;
- assists in meeting the overall housing requirement for Maldon and the shortfall in the 5 year housing land supply;
- meet the pressing open market and affordable housing needs of Maldon;
- create employment, through the construction phase and also in the longer term.

Plans for the proposed development are now well advanced. A screening opinion has been sought and a planning application will be submitted before June 2014. We therefore consider that any formal allocation of the site in the emerging LDP should include reference to a hospital and community facilities, alongside the obvious requirement for new housing.

Accordingly we are instructed to submit further representations to highlight the need for further reconsideration of the contribution that this site can make to the delivery of the new community hospital and civic hub while also contributing towards the strategic growth of Maldon.

We therefore request that the entire Maldon Hall Farm site is included within the settlement boundary for Maldon and allocated for a new mixed-use strategic development under Policy S4, comprising community hospital, civic hub, residential development, local centre, open space and access improvements.

**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.

To enable a full discussion about the representations and the merits of the proposal.