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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>5.14 to 5.17</p>                              | <p>b. Policy<br/>(please specify policy reference)</p> | <p><a href="#">Click here to enter text.</a></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 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 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.

This representation has been prepared by Strutt and Parker LLP on behalf of Crest Nicholson Eastern relating to land south of Park Drive, east of Mundon Road, Maldon in response to the Pre-Submission Local Development Plan (LDP) Consultation.

Paragraph 5.14 of the LDP indicates that the Council are seeking to plan for and accommodate the needs of an ageing population and young people with a higher proportion of smaller one and two bed units over the life of the Plan.

Whilst the Council's initiatives in this regard are understood and acknowledged, rigid adherence to this requirement may hinder the ability of sites to come forward having regard to market signals, site constraints or characters, local demand and the need in certain locations to cater for a range of different households. Paragraph 50 of the NPPF confirms that LPA's are required "to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities".

Against this background, it is considered that there should be recognition for a need for flexibility to enable sites to come forward whilst having regard to the Council's objectives. It would be particularly important for the Council to recognise the need to continuously monitor existing and future trends for household types to be able to assess whether the continuation of trends, the Council's expressed requirements continue to meet the need and demand for housing over the plan period.

- 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.

Having regard to the representations made at 2.4 above and the paragraph 50 of the National Planning Policy Framework, it is recommended that:-

1. 5.14 of the Plan be substituted with the following paragraph:-

**It is important that the Council provide a choice and mix of housing across the District in order to create balanced and sustainable communities. Widening housing choice broadens the appeal of an area and helps in meeting the needs of existing residents. The Council will expect new residential schemes to reflect the latest evidence of need subject to local character considerations and viability.**

This is on the basis that the preference of the Council towards smaller units is dealt with in para 6.16 set out.

2. 5.16 of the Plan include the following:-

After District, 6<sup>th</sup> line insert – **subject to an assessment of local character and viability.**

3. 5.17 of the Plan include the following:-

After required insert – **These documents will be continuously reviewed and updated to respond to market signals and market conditions, assessments of all household groups and needs.**

**3.1.** 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

**3.2.** If you wish to participate at the hearing part of the examination, please outline why you consider this to be necessary.

**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.**