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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>Figure 5a</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 checked="" type="checkbox"/></p> <p>No <input 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 checked="" 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.

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.

The representation sets out our clients general support for the LDP, particularly in so far as it relates to the identification of the site as a Strategic Allocation for housing at Policy S2, reference S2 (g).

These representations should be read in conjunction with the supporting documents and plans submitted to Maldon District Council (MDC) at the LDP Preferred Options consultation stage in August 2012. These documents comprised :-

- Delivery Statement
- Landscape Appraisal
- Transport Appraisal
- Flood Risk Assessment Report
- Utilities Report
- Phase I Habitat Survey
- Archaeology Study

Since that submission, work has been continuing on the various topic areas in consultation with Officers at the Council. In particular, the work has reaffirmed that the site is deliverable and that its identification as a Strategic Allocation is soundly based on a thorough review of constraints and opportunities to be in accordance with recent Planning Practice Guidance for Housing and Economic Land Availability Assessment.

In the Delivery Statement of August 2012, it was proposed that the area of the former landfill site, to the east of Maldon Town Football Club, could come forward to the Council as public open space as part of the development of the site. However, at the meeting of the Council's Community Services Committee on 21st January 2014 it was resolved by MDC that no further discussion take place on this matter. The allocation of the site for housing is not dependent on the delivery of this area as acknowledged in LDP. Site S2 (g) is proposed for housing to contribute to the required housing supply for the Plan period and this is supported by my clients.

- 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.

N/A

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.

We would wish to participate at the hearing sessions to support the Council in its proposed allocation of site S2(g).

In the alternative, we would be willing to provide a Statement of Common Ground to the Examination in consultation with the Council confirming that the allocation meets the tests of soundness to contribute to the Council's identified housing requirements set out in Policy S2.

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.