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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 Pre-Submission Local Development Plan (LDP) does this representation relate?

a. Paragraph number

b. Policy reference

c. Proposals map

d. Other section (please specify)

2.2 Do you consider the Maldon District Pre-Submission LDP to be ... (✓ as appropriate)

a. Legally compliant

YES ☐

NO ☐

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.

b. Sound

YES ☐

NO ☐

To be 'sound' a Local Plan should be positively prepared, justified, effective and consistent with national policy. This is required by Government guidance.

If you do not consider the LDP to be sound, please complete section 2.3 below

2.3 Do you consider the Maldon District to be unsound because it is not ... (✓ 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, 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.

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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.

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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.

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2.6 Do you consider it necessary to attend and give evidence at the hearing part of the examination? (✓ 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.

Gladman Developments Ltd

Representations on

Maldon District Council Local Development Plan

Pre-Submission Consultation



March 2014

1 INTRODUCTION

- 1.1.1 Gladman specialise in the promotion of strategic land for residential development with associated community infrastructure. This submission provides Gladman’s representations on Maldon District Council’s Pre-Submission Local Development Plan and follows our previous comments in response to the Council’s Draft Local Development Plan Consultation in October 2013, prepared on our behalf by consultants GL Hearn.
- 1.1.2 Through our previous representations Gladman highlighted our fundamental concerns that the proposed Local Development Plan target to provide 4,410 dwellings in Maldon between 2014 and 2029 had not been identified in accordance with the requirements of the National Planning Policy Framework (the Framework). In particular we submitted that the proposed Plan target had not been derived from a Strategic Housing Market Assessment, with the Council instead choosing to rely on a requirement drawn from evidence prepared the Essex Planning Officers Association in 2013. We further submitted that the emphasis on the Strategic and Rural Allocation underpinning the Plan would result in a shortfall in housing delivery and questioned the basis for excluding Southminster as a specific location for further growth.
- 1.1.3 Reviewing the Council’s Pre-Submission Local Development Plan Gladman are therefore concerned to see that the Council are continuing to progress a Plan largely unchanged from their Draft Local Development Plan document and which is therefore inherently unsound. **Critically we submit that the proposed Local Development Plan housing requirement is not based on a Framework compliant evidence base and fails to correctly identify the objectively assessed needs for the district.** Significantly the Local Development Plan continues to overlook Southminster as a Strategic Growth location.
- 1.1.4 The National Planning Policy Framework sets out four test that must be met for Local Plans to be considered sound. In this regard we submit that as proposed the Revised Local Plan **is not:**
- **Positively Prepared** – It will not meet the full objectively assessed needs for housing within the borough
 - **Justified** – It has not been informed by an adequate objective assessment of Maldon’s future housing needs taken from a Framework compliant SHMA, and fails to recognise Southminster as a Strategic Growth location
 - **Effective** – It will fail to deliver the required level of homes to meet the district’s housing needs

- **Consistent with national policy** – In a number of instances the Local Development Plan contradicts the requirements of the Framework

- 1.1.5 In light of our significant concerns over the Council's continued approach to setting its housing requirement, Gladman have commissioned consultants Roger Tym and Partners to undertake an independent, objective assessment of Maldon's housing needs. This work is being prepared in accordance with the requirements of the Framework and the NPPG on the Assessment of Housing and Economic Needs and will provide an independent, critical assessment of the housing needs for the district.
- 1.1.6 Work on the independent objective assessment of Maldon's future housing needs commissioned by Gladman is currently ongoing, however given our fundamental concerns over the inadequacy of the Council's proposed housing requirement through these representations, we reserve the right to submit this study alongside our submissions to the Local Development Plan Examination in Public. We look forward to comparing the results of this independent assessment against the Council's proposed housing requirement target in the future.
- 1.1.7 Given the significant issues raised through these submissions Gladman would wish to attend the Local Development Plan Examination in Public.

2 NATIONAL PLANNING POLICY

- 2.1.1 The National Planning Policy Framework (The Framework) has been with us now for almost two years and the industry is starting to get to grips with its application and some fundamental changes to the way the planning system functions. The Framework sets out the Government's goal to 'significantly boost the supply of housing' and how this should be reflected through the preparation of Local Plans. In this regard it sets out specific guidance that local planning authorities must take into account when identifying and meeting their objectively assessed housing needs:

"To boost significantly the supply of housing, local planning authorities should:

- *Use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area*
- *Identify and update annually a supply of specific deliverable sites sufficient to provide five years' worth of housing against their housing requirements..."*
- *Identify a supply of specific, developable sites or broad locations for growth, for years 6-10, and where possible for years 11-15" (Paragraph 47)*

- 2.1.2 The starting point of identifying objectively assessed housing needs is set out in paragraph 159 of the Framework, which requires Local Planning authorities to prepare a Strategic Housing Market Assessment, working with neighbouring authorities where housing market areas cross administrative boundaries. It is clear from the Framework that the objective assessment of housing needs should take full account of up-to-date and relevant evidence about the economic and social characteristics and prospects of the area, with local planning authorities ensuring that their assessment of and strategies for housing and employment are integrated and take full account of relevant market and economic signals (paragraph 158).
- 2.1.3 Once a Council had identified its objectively assessed needs for housing these needs should be met in full, unless any adverse impacts would significantly and demonstrably outweigh the benefits of doing so (paragraph 14). Local planning authorities should seek to achieve each of the economic, social and environmental dimensions of sustainable development, and net gains across all three. Adverse impacts on any of these dimensions should be avoided. Where adverse impacts are unavoidable, mitigation or compensatory measures may be appropriate (paragraph 152).
- 2.1.4 As the Council will be aware the Government published its final suite of draft National Planning Practice Guidance (NPPG) on the 6th March 2014, clarifying how specific elements of the Framework should be interpreted when preparing their Local Plans. The NPPG on the Assessment of Housing and Economic Development Needs in particular provides a clear indication of how the Government expects the Framework to be taken into account when identifying their objectively assessed housing needs. Key points from this document include:
- Household projections published by the Department for Communities and Local Government should provide the starting point estimate of overall housing need
 - Plan makers should not apply constraints to the overall assessment of need, such as limitations imposed by the supply of land for new development, historic underperformance, infrastructure or environmental constraints.
 - Household projection based estimates of housing need may need adjusting to reflect factors affecting local demography and household formation rates which are not captured by past trends, for example historic suppression by under supply and worsening affordability of housing. The assessment will need to reflect the consequences of past under delivery and the extent to which household formation rates have been constrained by supply.
 - Housing needs indicated by household projections should be adjusted to reflect appropriate market signals, as well as other market indicators of the balance between the demand for and supply of dwellings.

- The more significant the affordability constraints (as reflected in rising prices and rents, and worsening affordability ratio) and the stronger other indicators of high demand (e.g. the differential between land prices), the larger the improvement in affordability needed, and the larger the additional supply response should be.
- The total affordable housing need should be considered in the context of its likely delivery as proportion of mixed market and affordable housing developments, given the probable percentage of affordable housing to be delivered by market housing led developments. An increase in the total housing figures included in the local plan should be considered where it could help to deliver the required number of affordable homes.

3 HOUSING REQUIREMENTS 2014-2029

Policy S2 – Strategic Growth

- 3.1.1 Policy S2 sets out an overall requirement for 4,410 dwellings in Maldon for the Plan period 2014-2029, equating 294 dwellings per annum. This requirement has been derived from the Greater Essex Demographics Forecast Study reports, part of a suite of evidence documents that provide an indication of the authority's future housing needs.
- 3.1.2 Reviewing the Council's supporting justification and taking the requirements of the Framework and NPPG into account, Gladman submit that the Council are continuing to advance a housing requirement that is inherently unsound. The Framework is clear that the starting point of identifying objectively assessed housing needs is to prepare a SHMA to assess the full needs for market and affordable housing in the housing market area. Although the Council published the latest update to its SHMA in 2012, this has not formed the basis for setting its housing requirement. We submit that the Council's approach is fundamentally flawed.
- 3.1.3 The Council's housing requirement does not take account of the Framework's requirements or the NPPG on the Assessment of Housing and Economic Needs in identifying the level of homes required in Maldon. It is based on demographic projections alone and does not have regard to wider factors that could indicate the need to increase the level of homes that will be required in Maldon, such as economic growth forecasts, market signals of housing demand and affordability or the historic undersupply of housing. In this regard we note that a an overall requirement of 437 dpa is suggested by economic forecasts in the 2012 Phase 3 Greater Essex Demographics Forecast Study, whilst the 2012 SHMA points to a shortfall of 580 market units each year and an affordable need for 245 dpa. Meeting the district's affordable housing need in full particularly suggests the need to plan for a significantly higher housing target.

- 3.1.4 To be considered sound Gladman submit that the Council must revisit its housing requirement to ensure this consistent with the process set for identifying objectively assessed needs, as set out in §47, §159, §152 and §14 of the Framework. The Council should begin by identifying its full objectively assessed needs through an up-to-date SHMA, which takes account of the requirements set out in the NPPG on the Assessment of Housing and Economic Development Needs and up-to-date, then test whether any adverse impacts would significantly and demonstrably outweigh the benefits of meeting these needs in full. We further submit that the population, household and economic forecasts and projections that underpin the Council's evidence base are now likely to need updating.
- 3.1.5 Gladman note that in evidencing a housing need of 294 dpa linked to the 2010 Sub-National Population Projections the Council's evidence refers to rescaling official headship rates to be consistent with data on occupied properties for each local authority taken from Council Tax statistics. In this regard we remind the Council of the interim conclusions on the South Worcestershire Development Plan Examination, which highlighted the fundamental shortcomings of using Council Tax data to recalibrate household representative rates (HRR) when concluding that this did not provide a reliable basis for identifying housing needs:

"Whilst the objective may have been to calibrate HRR to a fixed dataset, the adjustment introduces a degree of inconsistency into the household projection process. This is because an individual occupied property, as considered for Council tax purposes, may contain more than one household as defined in the Census and other official population and household statistics"

Alternative Assessment of Objectively Assessed Needs

- 3.1.6 In light of our significant concerns over the Council's continued approach to setting its housing requirement, Gladman have commissioned consultants Roger Tym and Partners to undertake an independent, objective assessment of Maldon's housing needs. This work is being prepared in accordance with the requirements of the Framework and the NPPG on the Assessment of Housing and Economic Needs and will provide an independent, critical assessment of the housing needs for the district.
- 3.1.7 Work on the independent objective assessment of Maldon's future housing needs commissioned by Gladman is currently ongoing, however given our fundamental concerns over the inadequacy of the Council's proposed housing requirement through these representations, we reserve the right to submit this study alongside our submissions to the Local Development Plan Examination in Public. We look forward to comparing the results of

this independent assessment against the Council's proposed housing requirement target in the future.

- 3.1.8 In the process of preparing these representations Gladman have referred to the What Homes Where? Toolkit in order to benchmark the Council's proposed requirement against the outputs from this model. The What Homes Where? Toolkit has been prepared by a number of major professional bodies with an interest in planning for housing in England and has been referred to by Inspectors, for example during the Examination of the West Northamptonshire Joint Core Strategy, when local authorities are evidencing their housing requirements.
- 3.1.9 Although noting that the What Homes Where? Model is predicated on demographic projections alone, the starting point of an objective housing assessment, and that its outputs may need reviewing to take account of other projections and forecasts, we note that the model also indicates a need to deliver 389 dpa in the district, a higher level of homes than currently being planned for by the Council.

4 HOUSING DELIVERY AND DISTRIBUTION

Policy S2 – Strategic Growth

- 4.1.1 Policy S2 sets out how the majority of new strategic growth in the district will be focussed on the District's main centres and delivered through sustainable urban extensions to Maldon, Heybridge and Burnham on Crouch in the form of Garden Suburbs and strategic allocations, with a further proportion of development directed to rural villages. The policy proposes the delivery of 2,610 homes through the South Maldon and Heybridge Garden Suburbs, directs a further 670 towards Strategic Allocations in Burnham on Crouch, Maldon and Heybridge, and makes provision for the delivery of 420 dwellings in the district's rural settlements.
- 4.1.2 Through our previous representations on the draft Local Development Plan Gladman strongly questioned the Council's approach to distributing and meeting its housing requirements. We particularly submitted that the Council had over-estimated the number of dwellings proposed to be delivered through the Maldon, Heybridge, Burnham-on-Crouch and Rural allocations in the first five years of the Plan. We further questioned the locations for further growth in the district, submitting that the Council had critically failed to recognise the village of Southminster, one of district's most sustainable settlements, as a location for further growth due to unfounded concerns over environmental and infrastructure capacity.

- 4.1.3 Reviewing the Pre-Submission Local Development Plan Gladman are therefore concerned to see that other from increasing the levels of growth directed towards the South Maldon and Heybridge Garden Suburbs, the Council is continuing to progress an unchanged distribution and delivery strategy. With the retained emphasis on the delivery of these large sites in particular, we again submit that there is a need to plan for the release of further housing sites, and in particular during the first five-years of the Plan period, to ensure the district's housing needs can be met. This need will be increased further in light of the need to meet the Council's full, objectively assessed needs.
- 4.1.4 Whilst generally supporting the principle of the Council's decision to direct the majority of new development towards the district's main, and in particular Burnham-on-Crouch, Gladman further continue to question the basis for omitting Southminster as a specific strategic growth location in Policy S2. Alongside the district's main towns, we reiterate that Southminster represents an inherently sustainable location for further development and there is no justification for overlooking the village as a Strategic Growth area to meet the district's housing needs.
- 4.1.5 The Local Development Plan should recognise that each of the districts settlement, whether large or small, will have development needs that should be met. The amount of growth deemed acceptable in each settlement should be based on the ability to achieve sustainable development, including the availability of services and infrastructure and the role that new housing development could have in ensuring their continued vitality.

Southminster

- 4.1.6 The 2012 Maldon Local Development Plan Preferred Options document describes the consideration given to Southminster when identifying the preferred growth locations for the district. It sets out how consideration was given to the results of previous consultations which gave a clear steer as to where strategic growth should be concentrated, including "*Strong support for housing growth in Southminster*", and the eventual reasons for discounting Alternative Spatial Distribution Option 1: Concentrated Growth at Southminster. Under this option 500 dwellings would have been delivered at various sites around the village, however the Preferred Options document states that all sites were discounted because of "*significant infrastructure and environmental constraints*", and most pressing "*significant exiting sewerage capacity constraints that would be extremely challenging to overcome*".
- 4.1.7 In July 2013 the Council further considered eight spatial growth scenarios identified as possible options to deliver the agreed housing target of 4,410 dwellings, included in the draft Local Development Plan as Appendix 6. Growth Scenario 7 identified the delivery of

700 new dwellings in Southminster, however this scenario was also discounted, with the view appearing to be taken that the viability of growth in the village is highly dependent on surface water flooding and sewerage infrastructure requirements. The consideration of alternative growth scenarios highlighted that the following key issues were considered in respect of Southminster in particular:

- Growth to Southminster would provide greater potential for developer contributions to include appropriate SuDS measures, healthcare facilities, education facilities, affordable housing and open space
- The train station at Southminster provides the opportunity for sustainable modes of transport for local residents
- The level of sewerage upgrades required could significantly reduce the financial viability of development at Southminster
- Suitability of Southminster to accommodate additional growth.

4.1.8 In light of the above it is therefore significant that Gladman are currently in the process of advancing a planning application for up to 240 homes on Land off North End, Southminster. Pre-application discussions undertaken with the Council in May 2013 and at that time for a proposal of 190 dwellings on part of the site, clearly illustrate how this site is considered to be located in a sustainable location based on distance to facilities and transport connections. Gladman's current application, including supporting technical reports and discussions with infrastructure providers, further demonstrates this point. Significantly discussions with Anglian Water demonstrate that there would be no sewerage capacity constraints of bringing a proposal forward, whilst other site specific matters can be satisfactorily addressed to provide a highly sustainable proposal.

4.1.9 Paragraphs 2.25 and 2.26 of the Pre-Submission Local Development Plan summarise the Council's decision making that has led to its strategy of concentrating development on the District's main settlements, namely Maldon, Heybridge and Burnham-on-Crouch. The Local Development Plan states that the Council's strategic approach is based on the consideration of development capacity, environmental and infrastructure constraints, land availability and local opportunities, as well as advice from both statutory and non-statutory bodies and organisations. It describes how by containing the majority of future growth within and adjacent to the main settlements there will be more opportunities for sustainable transport, maximising the potential of walking, cycling and public transport.

4.1.10 It is evident that when tested against the Council's criteria for identifying strategic growth locations and the analysis presented above that there is no basis for overlooking Southminster as a sustainable location for further development in the district.

It is clear from the characteristics of Land off North End that there are no issues with regard to development capacity, environmental or infrastructure constraints, land availability or local opportunities that would preclude development from coming forward. Furthermore, unlike Maldon or Heybridge, the village benefits access to a railway station with regular services that link to Liverpool Street in London.

- 4.1.11 Taking the above analysis into account Gladman strongly submit that the inherent sustainability and suitability of Southminster and Land off North End for residential development should be recognised through the Local Development Plan. Accordingly we submit that Policy S2 should be amended to identify Southminster as a Strategic Growth location and Land off North End as a strategic housing allocation. There is no justifiable basis for the Council's decision to overlook the specific need for further development in Southminster, the third largest settlement in the district and its ability to accommodate sustainable development.
- 4.1.12 Directing residential development to Southminster would help to address the current deficiency in the amount and distribution of new housing proposed in Local Development Plan, ensuring the village's and district's future housing needs are met. In particular there are no insurmountable issues that would preclude development on Land off North End from coming forward to deliver housing in the early part of the Plan period.

Burnham-On-Crouch

- 4.1.13 Gladman are generally supportive of the Council's decision to direct development to Burnham-on-Crouch as one of the borough's main settlements. The second largest town in the district, as set out in the supporting text for Policy S6, the town is a significant centre for employment, retail provision and community facilities and benefits from access to the Crouch Valley railway line, making it one of the most sustainable locations in the district for housing growth.
- 4.1.14 Taking its sustainability credentials into account, Gladman submit that Burnham-on-Crouch represents a suitable location for further residential development. In light of meeting the Council's full objectively assessed needs and providing a supply of deliverable and developable sites over the Plan period, we submit that the Council should identify further, deliverable housing sites within the town.

Reserve Housing Sites

- 4.1.15 In instances when housing sites do not come forward as planned Policy S2 of the Pre-Submission Local Development Plan identifies three reserve housing sites to provide contingency and flexibility, ensuring the authority's housing needs and the requirement to

demonstrate a five year housing land supply are met. It states that the Council will review and determine the need to release of these sites on a five year interval, and where necessary such a review may be brought forward in light of monitoring.

- 4.1.16 Whilst supporting the principle of contingency sites Gladman question the ability of the identified reserve sites to address an immediate shortfall of housing in the early part of the plan period, given the likely lead in times for the preparation of proposals and planning applications. We submit that it would be more appropriate to address any shortfalls through the delivery of suitable and sustainable sites such as those at Land off North End, Southminster and Land at Southminster Road, Burnham-on-Crouch, which can deliver housing in the immediate short term.

Policy S8 – Settlement Boundaries and the Countryside

- 4.1.17 Policy S8 sets out a settlement hierarchy for the district, grouping settlements by their current size, level of service provision, local character as well as identified opportunities and constraints.
- 4.1.18 The settlement hierarchy in particular categories Southminster as a Larger Village. In this regard and in light of our above submissions, we submit that this policy should recognise that Southminster provides a highly sustainable location for further development, reflecting its role as the third largest settlement in the district and its range of services and facilities. In particular the hierarchy should reflect Southminster's ability to be designated as a Strategic Growth location, rather than identifying the village alongside other rural villages in the district for the purposes of distributing growth.

5 DISTRICT-WIDE POLICIES

Policy D2 – Climate Change

- 5.1.1 Policy D2 sets out that all residential development should achieve a minimum of Code Level 4, subject to viability. Whilst acknowledging the aspiration of this requirement we submit that the Code for Sustainable Homes is a non-statutory scheme and should not be used to set policy targets. The Council not seek to set onerous policy obligations that would only serve to restrict the supply of new homes in the district.

Policy T1 – Sustainable Transport

- 5.1.2 Gladman are generally supportive of the principles set out in this policy and particularly support the reference to the Couch Valley Line in paragraph 7.3 of the supporting text. In accordance with the aspirations of this policy, we submit that new development in Southminster and Burnham-on-Crouch, in particular on Land off North End and

Southminster road respectively, will benefit from access to this line as an alternative to car travel. Development of both sites could help to improve the viability of train services and supporting infrastructure through increased patronage.

Policy I1 – Infrastructure and Services

- 5.1.3 Policy I1 sets out the Council's approach to seeking infrastructure associated with new development. In the first instance Gladman submit that infrastructure improvements should only be sought where this is necessary to make a development acceptable and sustainable. In this regard we remind the Council of the role of planning obligations and the circumstances in which they can be required in accordance with the 2010 CIL regulations. In accordance with paragraph 173 of the Framework we further remind the Council that *"the sites and the scale of obligations in the Plan should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened"*.
- 5.1.4 Whilst recognising the need for joint working on infrastructure matters, Gladman remind the Council that planning obligations should not be sought to negate the responsibilities of statutory undertakers to provide infrastructure, for example water and sewage works, in accordance with their obligations.

6 SUSTAINABILITY APPRAISAL

Growth Capacity Testing Assessment – Growth Option 7 Southminster

- 6.1.1 Appendix 7 of the of the Pre-Submission Local Development Plan Sustainability Appraisal (SA) provides an overview of SA outcomes for Growth Option 7 – Southminster, put forward through the Council's Growth Capacity Testing work. Gladman disagree with the outcomes of this assessment and submit that it does not provide a robust appraisal of the sustainability of providing further growth in Southminster. In particular:
- Against SA/SEA Objective 5 there is no recognition of the additional support for the Crouch Valley Line that could come from providing further development in the village
 - In relation to SA/SEA Objective 7, with further housing there is likely to be an enhancement in biodiversity by landscape infrastructure that is more varied than intensely farmed agricultural farmland, whilst important ecological features could be protected.
 - In relation to SA/SEA Objective 8, the outcome of protecting water resources in Southminster would be no different than in Maldon or Heybridge, which both score positively in this respect. SuDS networks will be a requirement of all new developments. The agreement of a strategy for foul water with Anglian Water in

relation to development on Land off North End in particular should be seen as a major positive to the network.

- 6.1.2 The Growth Capacity Testing Assessment summary correctly identifies that increased development in Southminster could socially enhance the existing area, help to spread more development equitably through the district, and the benefits to development provided by the Crouch Valley Line. However as demonstrated through these representations the summary fails to recognise that housing development in Southminster, and in particular on Land off North End, will have no greater impact on water and sewerage resources than in any of the other locations where development is proposed.

7 SITE SUBMISSIONS

Land off North End, Southminster

7.1.1 Gladman have an interest in Land off North End, Southminster, as shown in Figure 1.



Crouch, the village benefits from a range of community and essential facilities and is served by a range of public transport connections, including bus routes to Burnham and Maldon and a railway connecting to Wickford and onwards to London Liverpool Street station.

- 7.1.3 Gladman submit that Land off North End, Southminster in particular provides a suitable and sustainable location for delivering a housing development for up to 240 dwellings. The site benefits from close proximity to Southminster’s services and facilities, all of which can be accessed by sustainable modes from the site. As demonstrated through the planning application currently being advanced on the site, there are not considered to be any insurmountable constraints to bringing the site forward to meet the district’s housing needs.
- 7.1.4 Land off North End is considered to be a deliverable location for residential development as it is available now, offers a suitable location for development, and is achievable. The landowners and Gladman are committed to bringing forward a high quality residential scheme on the site.

Land off Southminster Road, Burnham-on-Crouch

- 7.1.5 Gladman have an interest in Land off Southminster Road, Burnham-on-Crouch, as shown in Figure 2.

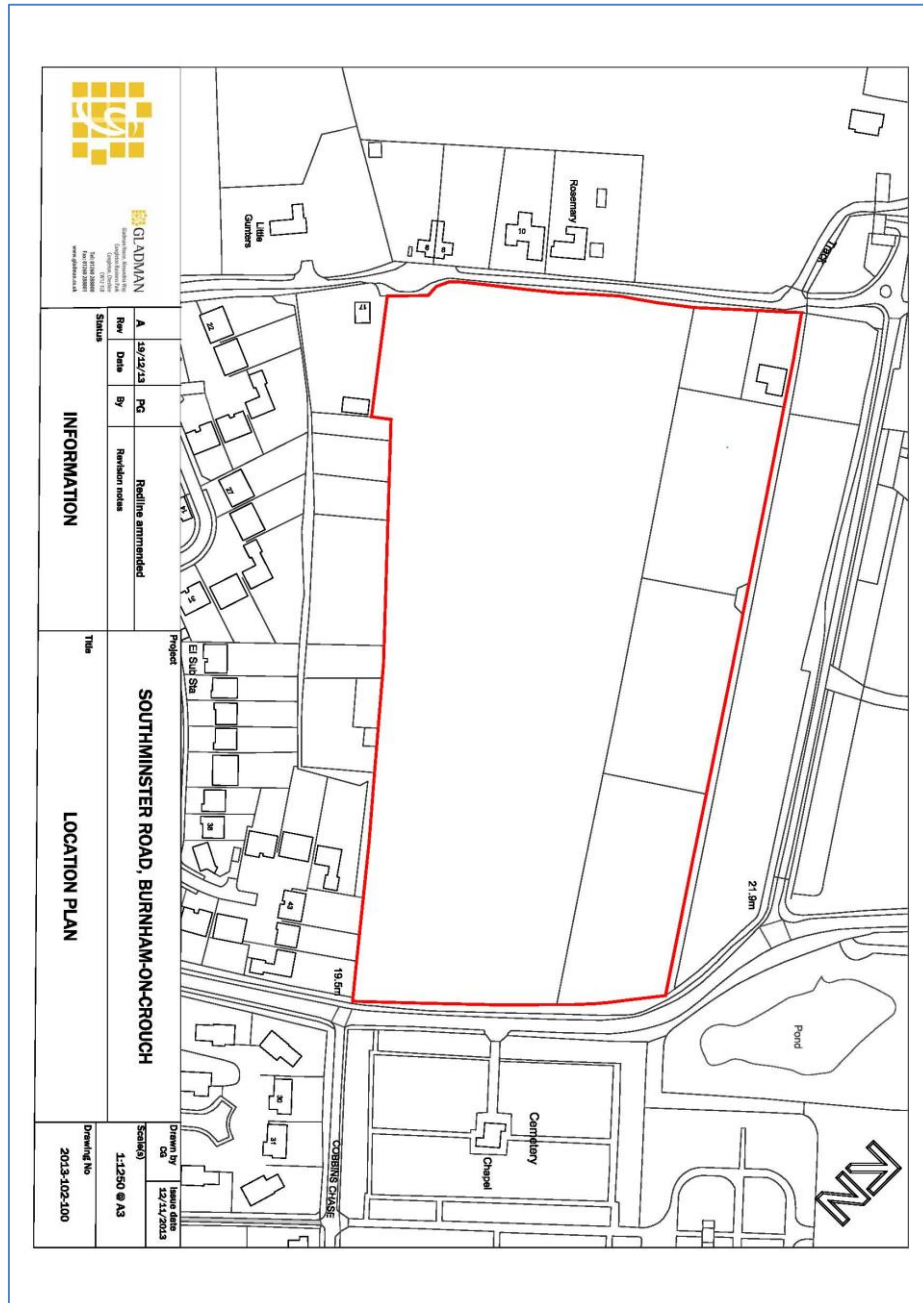


Figure 2 Land off Southminster Road, Burnham-on-Crouch

- 7.1.6 As detailed in Section 4 above, Burnham-on-Crouch provides a highly sustainable location for further residential development. The town provides a range of employment opportunities, retail and community facilities and benefits from access to a range of public transport connections, including a train station with regular services connecting onwards to

London Liverpool Street Station. As recognised in the Council's Local Development Plan, the town represents one of the most sustainable locations in the district for further housing growth.

- 7.1.7 Gladman submit that Land off Southminster Road, Burnham-on-Crouch, provides a suitable and sustainable location for further residential development. The site benefits from its proximity to the town's range of service and facilities, all of which can be accessed by sustainable modes. There are not considered to be any significant constraints to bringing forward a sustainable residential proposal that would help to meet the district's housing needs on the site.
- 7.1.8 Land off Southminster Road is considered to be a deliverable location for residential development as it is available now, offers a suitable location for development, and is achievable. The landowners and Gladman are committed to bringing forward a high quality residential scheme on the site.

8 CONCLUSIONS

- 8.1.1 Through these representations Gladman have highlighted fundamental concerns with the Local Development Plan for Maldon. These concerns relate to issues that are **fundamental to the strategy that underpins the Plan**. Therefore in its current form the document cannot be considered sound.
- 8.1.2 Gladman critically submit that **the proposed Local Development Plan housing requirement is not based on a Framework compliant evidence base and fails to correctly identify the objectively assessed needs for the district**. There is a need to identify further housing sites, in sustainable locations to ensure the Council's housing needs can be met and to provide a continuous deliverable and developable supply of housing over the Plan period.
- 8.1.3 To be considered sound at Examination the Local Plan needs to meet all four of the soundness tests set out in paragraph 182 of the Framework:

"A local planning authority should submit a Plan for Examination which they consider is 'sound' – namely that it is:

- ***Positively prepared*** – *the plan should be prepared based on a strategy which seeks to meet the objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;*

- **Justified** – *the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;*
- **Effective** – *the plan should be deliverable over its period and based on effective joint working on cross boundary strategic priorities; and*
- **Consistent with national policy** – *the plan should enable the delivery of sustainable development in accordance with policies in the Framework.”*

8.1.4 Gladman submit that the Local Development Plan **has not been positively prepared** as it is not based on a strategy which seeks to meet the objectively assessed housing needs for Maldon. The Council’s housing requirement has not been based on a Framework compliant SHMA and underestimates the level of housing evidenced as being required in the District.

8.1.5 The Local Development Plan **is not justified**. It has not been informed by an adequate objective assessment of Maldon’s future housing needs taken from a Framework complaint SHMA. The Council’s housing requirement is based on demographic projections alone, the starting point of the objective assessment of housing needs, and fails to take account economic growth forecasts and market signals of housing demand and affordability. The Local Development Plan critically fails to recognise Southminster’s potential as a Strategic Growth location.

8.1.6 As proposed the Local Plan **is not effective**. In order to meet the full objectively assessed housing needs for the borough there is a need to plan for additional deliverable and developable housing sites to ensure a sufficient and continuous supply of housing over the lifetime of the Plan.

8.1.7 As demonstrated through these representations in a number of instances the Local Development Plan **is not consistent with national policy** and as such is inherently unsound. Key areas of inconsistency include that the Plan will not result in a strategy that “*meets the full, objectively assessed needs for market and affordable housing*”(paragraph 47) and is not “*based on adequate, up-to-date and relevant evidence about the economic, social and environmental characteristics and prospects of the area*”(paragraph 158) and that significantly it has not been based on a Framework complaint SHMA, as required by paragraph 159 of the Framework.

8.1.8 **As proposed to be amended the Revised Local Plan is contrary to national policy and should not be found sound at Examination.**

