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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

D.5

c. Proposals map

2.2 def

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.

Policy D.5 para 3.48 States that the Council will seek to avoid inappropriate development in areas of flood risk. Para 3.50 states that a Sequential Test should be used to locate development in areas with the lowest probability of flooding. Despite these policy statements the area of land in Heybridge S.2(e) is to form part of Heybridge Garden Suburb and is scheduled for early development i.e. 0-5 years. This area and particularly Holloway Rd is currently subject to flooding and has indeed flooded 3 times in 2 years. This fact is acknowledged in para 2.57 of policy S.4. In recent days Central Govt has stated that building in flood risk areas should be avoided especially in the light of flooding since Christmas and yet MDC are actively increasing the number of proposed dwellings in Heybridge Garden Suburb. This cannot be sustainable viable or sensible and probably has more to do with developers applying pressure than sensible policy making.

The Heybridge Strategic Flood Alleviation scheme is to be funded by developers of area S2 def and thus will impact on viability and delivery. No reliable evidence has been produced to demonstrate that infrastructure costs can be met for the Heybridge Garden Suburb and particularly the Strategic Flood Alleviation Scheme. Without such funding in advance of development the scheme could not proceed thus rendering Heybridge Garden Suburb both not viable and undeliverable.

A handwritten signature in black ink, appearing to be 'DWS', is located at the bottom right of the page.

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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.

By abandoning the aspiration of Heybridge Garden Suburb and relocating the dwellings to a more sustainable area not prone to flood risk the prospect of non-delivery and lack of viability are avoided. Once again the proportionate enlargement of villages in non flood risk areas including Southminster and Althorne would allow MDC to achieve their strategic and aspirational objectives.

DWS

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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.

