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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

3.1, 3.10, 3.45, 7.1, 7.1

b. Policy reference

D1,D2,D5, T1,T2

c. Proposals map

Nth Heybridge Garden

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.  
See attached sheet

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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.  
See attached sheet

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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.  
As a Ward Member I may wish to represent the residents.

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.

2.4

#### Policy D5 1

The Maldon District Council should consider precautionary strategies to limit flooding sooner rather than later and common sense should tell us it is not logical to build on or near a flood-plain and therefore the housing allocations for Heybridge will be contrary to proposed Policy D5 1) not increase flood risk (including fluvial, surface and coastal) on site and elsewhere.

I am not aware that, although continually asking officers for information from consultants working for Countryside Properties regarding their flood alleviation scheme to date no plan has been prepared, nether is there any technical information coming forward from the developer's consultants indicating flood mitigation for the proposed site. I understand a plan was promised by a Councillor to a public audience recently indicating this will be available on 7 March. The Public Consultation finishes a week later and local residents will not in my opinion have a reasonable time in which to discuss the intention of the plan fully with their Councillors and officers despite the seven day extension.

Halcrow produced for the Environment Agency a report Project ref No MPB 28904 in November 2003. The summary of moderate and major construction impacts stated 'Construction of upstream flood storage areas, Flood storage plus diversion of Holloway Road Ditch into Langford Ditch' - These options do not provide an adequate standard of flood alleviation and have not been considered further. Construction impacts of flood storage embankments could require importation of large volumes of clay which would create significant increase in traffic movements. Water storage creates a possibility of contamination by blue green algae or suffer eutrophication, which would be released downstream. Storage of water may have an impact on agricultural use where flooding of the flood storage area may be too frequent making agriculture useless in that area.

No evidence is forthcoming from the developers consultants to convince me that there is no change to Halcrow's conclusions.

A recent report published at the end of last year by the Hydrological Sciences Journal namely Flood risk and climate change: global and regional perspectives

Scientists are saying climate change is not the main cause of flooding but building on and concreting over flood plains, cutting down trees and expanding cities is making flooding much worse, and we need to act on that knowledge.

Land-use and land-cover changes also affect floods, as do engineering developments such as dykes and reservoirs that regulate flow processes. Alterations in catchment surface characteristics (e.g. land cover), flood-plain storage and the river network can all modify the physical characteristics of river floods.

Increased urbanization has led to soil sealing and growth of impermeable surfaces, reducing the accommodation space for flood waters. In urban areas, the value of the runoff coefficient (portion of precipitation that enters a stream) is high, while the water-storage capacity (as in flood plains and wetlands) is low, in contrast to rural (and especially forested) areas.

Flood-associated damage is a function not only of the depth, speed and persistence of the water, but also of the dissolved and suspended load that the flood waters carry, including when the flood becomes a debris flow. Sediment and solid and liquid material, including raw sewage and a wide range of pollutants, can affect the flooded area, often posing a serious health hazard

Costly elements of road infrastructure, such as bridges, culverts and embankments for roads are vulnerable to erosional damage in heavy precipitation and floods. Even the structures used to control flood events may aggravate the risk and the resulting damage when an extreme flood condition prevails.

It is likely that the frequency of heavy precipitation or the proportion of total rainfall from intense events will increase in the 21st century.

This report excludes coastal flooding

Doing the right things should not depend on waiting for the answers to the greenhouse forcing flood issue. The continuation of empirical and model-based science and a "no regrets" strategy for limiting flood losses should be encouraged.

The Environment Agency flood area maps are not definitive and should not be used as the sole means of deciding on flood risk. They do not provide information on flood depth, speed and volume of flow or show flooding from other sources such as groundwater, surface water flooding or overflowing sewers.

SUDs not a solution on saturated ground

I refer to CIRIA C723 as a discussion paper on Water Sensitive Urban Design and the conclusion It is undeniable that the relationship between water and our urban areas needs to be given a higher priority to provide integrated solutions to flood risk management, sustainable water use and supply and the improvement of water quality in our treasured watercourses. This priority needs to be applied in an integrated way by the people and partners that plan and design the built environment. In doing so, we can bring together the skills and creativity of practitioners who plan and design the places we live in to bring much wider benefits to communities

Coastal flooding.

Officers have been made aware of 1) EA document Climate change allowances for planners. I refer to this document relating to advice regarding flooding in tidal estuaries and the combined effects from rivers and the sea. 2) Dept of Energy & Climate Change, UK Sea Level report 26 June 2013 stating between 2006 and 2008 sea levels have been higher than 1920 baseline by more than 100mm, with 55mm increase from 2005 and 2006 alone.

Dame Julia Slingo chief scientist at the Met Office in a report published on the 9th February said *'the clearest sign of global warming lies in sea level rise'* and *'rivers can only drain at low tide. As sea levels rise the rivers will have less ability to empty out to sea and the risk of inundation will increase'*.

I refer to An update of the Foresight Future Flooding 2004 qualitative risk analysis - An independent review by Sir Michael Pitt June 2008. Section 3 Improved planning and

reducing the risk of flooding and it's impact. The message is clear, err on the cautious with a presumption against development on a flood plain.

### Consultation Responses

Heybridge responses (codes 46 to 64 from Appendix A of the report to Council (Special meeting) 11 December 2013 figures does not show the true picture of the responses relating to Heybridge in that only 1.5% were in support with 98.5% who disagree with the proposed housing. Figures presented to Council in the report appear to me to be misleading and do not convince me that there is the support for the development proposals as shown in the report. Localism Act is supposed to put people in power to decide issues within their area. Clearly there is no meaningful community engagement or local support representing a consensus for new development.

### Transport.

Conflicting reports suggest that there is no acceptable solution to the increase in traffic which will be generated by this proposal. Lack of investment and access to major highways A12, M25 and A120 will impact on the viability of local businesses and create an unacceptable burden on people using the network.

I do not believe the LDP provides a high quality and sustainable community which in my opinion is essential when delivering housing and which must stand the test of time and positively influence and promote healthy lifestyles. The vision of the annual threat of flooded homes, tedious and time consuming journeys cannot be considered healthy living and it is not a compelling answer to this development in North Heybridge

### 2.5

North Heybridge Garden Garden Suburb proposal for development should be abandoned and the allocation removed to areas in the district that may not be susceptible to future flooding due to climate change.

The following could be considered as alternative sites for development

Re-instate the 335 units taken from South Maldon Garden Suburb 335 units

Broad Street Green East (Lofts Farm), Heybridge Allocation 500 units

North Fambridge Allocation 500 units

Southminster Allocation 300 units

Planning officers have informed the Council that the LDP is a minimum number of units required and that this figure could increase because the plan is an emerging plan subject to change. That being the case North Heybridge Garden Suburb cannot be extended as a new road defines the boundary to open agricultural land. By doing so you would effectively join exiting villages of Langford, Great Totham and Wickham Bishops to Heybridge which would be an unacceptable intrusion into the countryside with the loss of good agricultural land. I refer to the TCPA report Creating garden Cities and suburbs today A holistic approach to designing new communities provides an opportunity to consider how homes and neighbourhoods can be made attractive places in which to live and work, in

environments which are socially inclusive and resilient to climate change. In the words of Raymond Unwin, one of the Garden City pioneers, Garden Cities offer a 'more harmonious combination of city and country, dwelling house and garden' – the exact opposite of the 'bolt-on estates' so often seen today. Remove the threat of 'bolt on' developments for North Heybridge and consider allocating developments in areas in the Maldon District which are not prone to flooding and highway issues.

*A. White*

3/3/14.