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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

policy S2 paras 2-28

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**

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.

YES  NO

**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.

YES  NO

**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.

Maldon District Council has known about the sewerage and ground water problems in North Fambridge for some time.

Throughout the Consultation Period the residents of North Fambridge have continued to put these problems forward.

In January 2014 a Joint Position Statement from Anglian Water, The Environment Agency & Essex Council reported that there are "no public surface water sewers in the vicinity and that the foul water network does not have the capacity to accept further growth".

Despite these findings, and notwithstanding District Councillor Sue White stating that there should be "no new building at all in North Fambridge unless all the above problems are dealt with", Maldon District Council continue to include North Fambridge in their submission for a development of 75 houses in the first five years of their Plan.

Given the recent flooding in the UK from both storm & tidal surge plus rainfall, and with the above statement from the Environment Agency, I consider it is grossly irresponsible for Maldon District Council to continue to even contemplate any building development whatsoever in North Fambridge.

I consider that if the LDP goes ahead properties in North Fambridge in or near the flood plain would not be able to get buildings & contents insurance. In fact some properties in Franklin Road already are unable to get the above insurance.

Any further development in North Fambridge would increase the risk of surface water flooding and back up of sewage.

This Village consists of clay soil with a high water table and there are few, if any measures which can be introduced to deal with surface water.

Properties in The Avenue and Franklin already experience sewage back up problems and this has not been taken into account in the preparation of the LDP.

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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.

In my opinion, and for the Maldon District Council LDP to be legally compliant and sound, North Fambridge should be totally excluded from the Maldon District Council LDP because of the aforesaid public surface water and foul water network findings.