

P	S	C					/		
---	---	---	--	--	--	--	---	--	--

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

7.5

b. Policy reference

T1

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. SoundYES 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.

P	S	C					/		
---	---	---	--	--	--	--	---	--	--

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.

Infrastructure Highways

2.4 The Parish Council is also of the opinion that the scale of development proposals for the North Fambridge Plan are inconsistent with the District Council's expressed policy T1 viz.: to assess the impact of development in terms of highway safety and capacity for both access to the development and the wider highway network. The policy states at 7.5

"New development which is likely to generate significant journeys in terms of numbers and length should to be sited in locations that are well served by public transport, as well as walking and cycling routes. Transport Assessments and Statements will be required in accordance with Essex County Council's Development Management Policies or successor documents, in order to assess the impact of development in terms of highway safety and capacity for both access to the proposed development and the wider highway network. A Travel Plan which identifies opportunities for safe, healthy and sustainable travel options will also be required as appropriate "(Page 105 - our emphasis)

2.5 As far as we are aware, the District Council has not made any objective assessment of the vehicular traffic that will be generated by the 75 dwellings proposed in the LDP and any additional development which it regards as "windfall", or the likely impacts on the highway network from the same. It is highly unlikely that the presence of the railway station will have a significant mitigating effect on the potential for a significant increase of vehicular traffic in and out of the village. Indeed, evidence in "Essex Trends" supports this view:

"As people have become better-off and as the cost of driving has remained roughly constant in real terms, local car ownership and traffic volumes have increased. There are 785,000 registered cars in Essex and 1.3 for every household in the county – higher than the national average. Almost two fifths of these households have access to two or more cars. Use of these vehicles for the journeys to work and, to a lesser extent, the school run help make the volume of traffic on Essex roads among the highest in the country."(Para 2.16, page 40; Essex Trends, Essex CC, September 2011)

2.6 We are not aware of any objective evidence underpinning the LDP's proposals to suggest that existing or new development in North Fambridge will present a different picture of car ownership and use than that described in "Essex Trends" and question whether such evidence of trends as is available has been taken into account when determining the size of North Fambridge's development potential.

2.7 We are also not aware of any objective assessment having been made of the likely impact of such traffic upon the capacity and safety of the B1010 onto which it will disgorge. The B1010 is a rural road already subject to heavy traffic flows to and from Burnham and the Dengie at peak times. We believe that any significant increase arising from over development in North Fambridge will add to existing problems (a) at the bottleneck at the South Woodham Ferrers Roundabout and (b) the number of serious accidents occurring on the B1010. There appears to be no evidence or ready acknowledgement of these constraints within the LDP.

2.8 The B1010 takes traffic to South Woodham Ferrers and then to meet major highways to South and East Essex and beyond (A127, A13 and A12). Traffic flows from the whole of the Dengie then meet at the roundabout at the beginning of South Woodham Ferrers (B1012) where tailbacks already occur at peak times. The latest available Department for Transport Quarterly Road Estimates Q3, 14 November 2013, show a 3% increase in all traffic on rural roads over the preceding year. Based on our experience as village residents we have no reason to expect that the year-on-year growth of traffic on the B1010 is less than than that reported by the Department for Transport.

P	S	C					/		
---	---	---	--	--	--	--	---	--	--

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.

Infrastructure Highways cont.

2.9 Any suggestion that the existence of the railway station supports the sustainability of large scale development in the village in terms of car use and other traffic requires examination. "Essex Trends", states:

"2.10 To some extent the focus of our transport infrastructure on London limits the links we have with other neighbouring economies and employers. East- west links across Essex and to the rest of the East of England are poor. For example it takes two hours to travel from Chelmsford to Cambridge by train (via Ely) and trips to the west of the region require a journey via London, lengthening the journey, increasing cost and adding to congestion on busy routes to and from London. Road travel also depends on radial roads to London and the M25. Luton is some 40 miles from Chelmsford as the crow flies, but making the journey requires a 60 mile trip via the A12 and M25. This affects Essex's ability to compete as a distinct and outward facing economy, as opposed to a satellite of London, since journey times are a factor in limiting the area over which a business is competitive."

2.11 The focus of our railway networks on London also means that travelling by train between Essex towns, vital to the county's growth and development, can take longer than it should. For example, it currently takes around an hour and a half to travel between Chelmsford and Harlow by train – a journey which would take less than 30 minutes by car. Thus, there is clearly scope for improving our local, sustainable transport links".(Essex Trends, September 2011; Essex C.C., page 33). Train journeys to Chelmsford from North Fambridge require one change at peak times and two changes off peak. The journey takes 50 minutes at peak times and 1 hour off peak. Connectivity is an issue. Travel by car is quicker. North Fambridge only has a one bus a week to Chelmsford. There is a Shoppers Bus to either South Woodham Ferrers or Asda and villagers can use the Dengie Link a dial up service to local villages. There is no direct link to the main hospital at Broomfield, Chelmsford.

2.12 From the above, it is clear that the present proposal for development in North Fambridge would not meet primary objectives of the LDP to stimulate and enhance the District' s own economy and access to local employment and services without adding to car use on the rural roads that link the village to the majority of key centres for economic and commercial activity, or to hospitals in Maldon or Chelmsford. Evidence of car ownership and use points to the contrary. The inconsistencies in different parts of the plan and the Council's objectives indicates that it has not been planned positively or on a sound basis.

2.13 Indeed, The Objectives Compatibility Assessment by Royal Haskoning DHV shows that while there is no direct conflict between the LDP overall and Objective 6.1.1.ii

"There is potential for some (conflict), dependent on location and or detail of implementation." (page 41).

We are strongly of the opinion that by any objective assessment, this caveat applies to the development proposals for North Fambridge in terms of both location and detail of implementation.

2.14 Given the evidence of significantly increased car use arising from the current proposals and other development we would expect an objective appraisal of safety issues arising from such an increase to have been taken into account. Vehicles entering to and leaving from the village do so at a sharp bend in the B1010. This is within a short stretch of road between two bends with a relatively high number of recorded "KIA" (Killed or Injury Accidents). Maldon District Council is aware that B1010 to the west of the village is hazardous; it has consistently refused planning permission for a retail outlet at Lords Nursery, less than a mile to the west of the village, primarily on safety grounds. There has been a dual fatality in the recent past only a short distance to the west of the village exit. Unreported or unrecorded accidents on the bend at the exit are not uncommon. At the time of writing, the chevrons at the bend remain un-repaired due to a recent collision, and the entry point of a commercial vehicle crashing into the Hall Wood is also visible, again a recent occurrence.

P	S	C					/		
---	---	---	--	--	--	--	---	--	--

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.

Infrastructure Highways cont.

2.15 The dangerous nature of the B1010 is not unknown to the District Council. The Maldon Local Development Plan Assessment of Impact of Proposed Development Sites in Heybridge, South Maldon and Burnham-on-Crouch Highway Network 2013 states that regarding the B1010 from Burnham on Crouch to South Woodham Ferrers:

"In summary, there has been a higher number of accidents recorded along this stretch of road than could be expected. This would seem to confirm that safety is a greater issue on this section of the highway network than could be expected for a road with relatively low traffic flow."

The number of recorded accidents for the B1010 and B1012 between 1st November 2007 and 31st October 2012 is 115 of which there were 3 fatalities and 20 serious injuries.

2.16 In our view the proposal for a development of 75 dwellings in North Fambridge has been made without any objective appraisal of safety issues arising from the resultant increase in traffic entering and leaving the village at the junction of Fambridge Road with the B1010 or its contribution to any increase in the hazardous nature of this rural road. The Council seems to be continuing to plan for housing development in North Fambridge in spite of existing problems without appropriate measures for resolution.

2.17 Effective

2.17.1 The District Council's Policy T1 on page 105 of the Pre-submission Document states:

"The Council will work with the public and a range of partners to deliver a more sustainable transport network for the District.....Transport Assessments and Statements will be required in accordance with the adopted Essex County Council's Development Management Policies or successor documents, in order to assess the impact of development in terms of highway safety and capacity for both access to the proposed development and the wider highway network. Travel Plans will also be required for proposed development as appropriate."

2.17.2 Whilst we would support the detailed objectives of this policy, it is unrealistic in the current and medium term economic conditions to expect the District Council to achieve, in co-operation with service providers and others, a sustainable network of transport services to meet the demand generated by the scale of development proposed for North Fambridge within the first five years of the Local Development Plan's implementation, if they are intended to provide effective and efficient alternatives to car use.

2.17.3 National planning policy states that the ability of people to access key services and facilities can make an important contribution to the health and well-being of communities. Therefore local authorities need to ensure residents of new developments are appropriately linked to employment, housing, retail, leisure, and key services and facilities irrespective of their age or physical ability. Again, we believe that the substantial improvements in transport facilities needed to give residents of the proposed new developments in North Fambridge appropriate access to such requirements within the District are unlikely to be in place within the first five years of implementation. We submit therefore that conditions for the effective implementation of the proposed development would not be realised within the first five years of the LDP. Neither would they be in place to meet the requirements of National Planning Policy for access to key services via a sustainable transport network. The plan as it relates to the timescale for development in North Fambridge is therefore not effective and the assertion regarding deliverability unsound.

P	S	C					/		
---	---	---	--	--	--	--	---	--	--

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.

Highways Infrastructure

It appears that the District Council has not made any objective assessment of the vehicular traffic that will be generated by the 75 dwellings proposed in the LDP and any additional development which it regards as "windfall", or the likely impacts on the highway network from the same. Nor does there appear to have been any objective assessment of the likely impact of such traffic upon the capacity and safety of the B1010 onto which it will disgorge. A full assessment is required of the effect of traffic generated by the proposed development and measures which could be taken to diminish the likely increase of RTA's.