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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

S7

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.

3.0 Justified

3.1 The scale of the proposal cannot be justified against Maldon District Council's Policy :S7:

"To ensure that allocations are of a scale that reflects the size and character of the village."

3.2 It is in pursuance of this policy that the Maldon District Council has only recently refused an application for a development of 5 bungalows in the village on the grounds "inter alia" that a development of this type is out of character with the village environment and imposes an unacceptable "urbanisation" on the surroundings. The Parish Council believes that the development of 75 additional dwellings in a village of the size and nature of North Fambridge cannot be achieved by infilling or suitable redevelopment within the existing landscape of the village and so will create pressure for the approval of larger estate development which will be detrimental to the rural nature of the village and contribute significantly to its "urbanisation".

3.3 The Landscape Character Assessment 2012 describes the character area containing the village of North Fambridge

"Although there is no settlement within the character area, the small-nucleated settlement of North Fambridge overlooks the area to the north. There is a general sense of tranquillity within the area, despite proximity to the railway corridor directly to the north."

3.4 It confirms that the area contains sites of nature conservation value and that key planning and land management issues are:

"Potential new development around the fringes of North Fambridge which may impact upon diverse and important habitats and may also be highly visible from the character area (resulting in) loss of the rural and generally undeveloped character of the area."

3.5 It further states:

"The intricate pattern of tidal mudflats, sands and fringing saltmarshes lining the Crouch channel, interspersed by Stow Creek and several other smaller creeks is sensitive to changes in land management or new development. The open and exposed nature of the area (with no visible vertical skyline elements present) is highly visually sensitive to new development, both within the area and within adjacent character areas (including the Crouch channel and areas of seascape). It is highly likely that potential new development would be visible within long-distance views from drained coastal estuarine marsh and coastal farmland to the north and also within short-distance views from the opposite riverbank. Potential new development either within the area, or within adjacent character areas, may also disturb the strong sense of tranquillity. The area also contains several internationally and nationally important sites for wildlife (in particular, wildfowl). Overall, this character area has high sensitivity to change."

3.6 The Parish Council believes that scant consideration has been given to the effect on the these highly sensitive areas by allocating 75 houses to North Fambridge which benefits from SSSI's a Ramsar site and is part of a Special Protection Area.

3.7 Insufficient consideration has been taken of the position of North Fambridge in relation to the flood plain which curls around the village bifurcating and completely severing the only road into and out of the village. If there was a civic emergency caused by flooding, villagers would be trapped and emergency vehicles would not be able to reach the areas identified as the possible sites for development.

3.8 Recent weather has illustrated extreme changes in weather which has brought about flooding in many areas to the complete devastation of some communities, destroying properties and livelihoods. It is a matter of clear fact that North Fambridge is low lying, with the EA Flood Maps showing its entrance would be cut off in times of peak flooding.

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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 S 7 cont.

3.9 This is simply not an issue with other villages in the district which stand on higher land in areas where the flooding issues are simply not relevant. Why is it therefore considered correct to build on an area where these problems are potentially acute?

3.10 We note that the Council rely on a Strategic Environmental Impact Assessment (SEIA) to stand with the proposed Plan. However we say this is a fundamentally flawed document. Although the SEIA is charged with looking at the environmental impact of strategic proposals it is a fact that North Fambrige is mentioned almost as an aside and does not justify why a settlement of this size, in this location, which has problems of drainage, flooding and is close to European and National Areas of landscape is in any way environmentally acceptable. To us this is a gross and unacceptable oversight in the evidence base which accompanies the Plan and the documents before the Planning Inspectorate and for this reason, as well as others in so far as they relate to the evidence base, why the Plan should be found un-sound. There is simply no assessment on the impact the 75 dwellings would have on the area in the SEIA.

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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.

Removal of the requirement for 75 houses.