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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

S2

c. Proposals map

d. Other section (please specify)

Paras 69 and 76 NPPF

**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.

#### 4. Rural Allocation

4.1 The LDP is also not effective as, despite having an identified strategic allocation of 75 houses, North Fambridge has been placed alongside other villages in the section identified as Rural Allocation. The policy on the Rural Allocation set out in the DPD will not be drafted and approved until the approval of the LDP. The delivery of 75 houses is allocated to the first five years of the LDP. For the implementation of the LDP to be effective, applications for North Fambridge should have the guidance of the DPD prior to the implementation of the DPD planning. There should be consultation with residents as to the placement of any proposed allocation. The District Council has identified a large area of the village as being available for development. This area has not been the subject of any prior consultation with the Parish Council, or with the residents directly. This lack of consultation is contrary to the stated policy of the LDP and paras. 69 and 76 of the National Planning Policy Framework and renders the LDP void as regards the allocation of housing to North Fambridge.

#### 5.0 Conclusion

5.1 The Parish Council is mindful of the need for housing in the Maldon District and, subject to constraints of water and sewerage disposal being overcome, does not object to reasonable and justifiable new development where it is consistent with maintaining the character of the village and contributing to community sustainability. However it believes that the scale of development proposed for the village is not proportionate and that reasonable alternatives are available. For example, Maldon District Council has given considerable thought to the major strategic developments at Heybridge and Maldon with significant infrastructure plans to make them viable. No infrastructure plans have been drawn up with respect to North Fambridge despite the issues referred to above. We believe that the bulk of the 75 dwellings proposed for North Fambridge could be accommodated within the new "garden developments" that are a significant feature of the LDP.

5.2 North Fambridge Parish Council submits that there is a significant case for amending the Local Development Plan in respect of the development allocation proposed for the village. The justification for a relatively large strategic allocation within the village, namely the existence of a rail link, is outweighed by significant infrastructure issues, environmental concerns, and deliverability. We believe that the decision to allocate 75 dwellings in North Fambridge has been made without regard to a positive and objective assessment of sewerage and surface water infrastructure or of the implications of the single exit from the village onto the B1010. We submit that the inclusion of the allocation as it stands is also neither justified nor effective; and we have indicated where we believe it to be inconsistent with national policy. The LDP as prepared therefore is unsound, contradicts its own advice and is based around insufficient evidence, specifically as it relates to North Fambridge.

5.3 We also consider that the true impact of this additional amount of housing is simply not justified in the evidence base which accompanies the LDP. The LDP is an evidence based document, and where this evidence is neither present, or scant, the LDP must be considered un-sound in principle.

5.4 Removal of the proposed allocation from the LDP would enable the contribution North Fambridge could make to the Rural Development Allocation to be determined objectively within the proposed and emerging Rural Allocations DPD and facilitate a genuine and proper process of consultation with village residents regarding the size of any allocation and the location of suitable sites.

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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.