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**Part 2 A** - Regulation 19 and 20 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<br>(please specify paragraph number) _____ | b. Policy<br>(please specify policy reference) _____ | <b>Policy S2, E1 and S6</b>        |
| c. Proposals Map<br>_____                               | d. Other section<br>(please specify) _____           | <b>S2(i), S2(j), S2(k) and RE3</b> |

**2.2.** Do you consider the Maldon District Pre-Submission LDP to be (tick 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 (if you **do not consider the LDP to be sound**, please complete section 2.3. below)

Yes

No

**2.3.** Do you consider the Maldon District LDP to be unsound because it is not (tick 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 based on your representation at this stage, 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.

### SUBMISSION A

#### Flawed logic sequence that seems to have determined the Burnham-on-Crouch 'Minimum' Number of Extra Houses in the LDP:

Policy Clarification Para 2.81 (totally appropriately) states 'It is therefore appropriate to limit the level of growth for Burnham-on-Crouch (BoC) to meet its own needs' -because 'its growth potential is severely limited by its relative isolation in the east of the District away from the wider strategic road network. The current level of service provision is not as high as that in Maldon & Heybridge'

- We believe that the numbers proposed, are far in advance of this straightforward unequivocal objective and were not 'objectively assessed'. However we do fully support the concept of spreading the whatever the final number of houses across 3 sites (or more) to minimise adverse impacts on the town and minimise infrastructure requirements

The principle of meeting *Local* rather than a random proportion of perceived total *District* Needs is reinforced in overarching *Policy S1 (2) 'Deliver a sustainable level of housing growth that will meet local needs and deliver a wide choice of high quality homes in the most sustainable locations'* NB: As we'll demonstrate Burnham-on-Crouch is far from being one of the most 'sustainable' District locations. Despite the above, the pre-submission LDP and its Evidence Base does not attempt to analyse or quantify '*Need*' in Burnham for extra local housing, therefore all of the numerical proposals are totally unsound in relation to BoC.. Every extra house in Burnham in excess of that strictly necessary to meet BoC's Own Objectively Assessed Needs, dilutes the sustainability of the overall District Plan.

The present high level of commuter outflow to distant surrounding local towns clearly demonstrates that under the 'Duty to Co-operate' (Localism Act, 2011) more effective efforts should have been put in to create the most Sustainable holistic Essex housing solution. Creating an excess of houses over and above Burnham's local Needs is also completely contrary to *Policy S1 (13) 'Minimise the need to travel and where travel is necessary, prioritise sustainable modes of transport and improve access for all in the community'*. And contrary to *Planning Practice Guidance (PPG) Paragraph: 003 Reference ID: 6-003-20140306 'Reducing the need to travel'*

- Any initial rigour in the District level 'Objectively Assessed Housing Need' calculation was totally undone when it came to identifying the 450 Minimum number for Burnham-on Crouch (BoC) The targets for *Total Extra Housing* (and *Extra Affordable Housing* content) in BoC are Developer and Political Horse-Trading Led, totally ignoring the limitations of the town in terms of communications and employment.. The end result is a plan that proposes an unsustainable solution compared with other realistic options both inside and outside Maldon District. These realities are also ignored in the qualitative/judgemental Sustainability Analysis (SA) developed by *Haskoning DHV UK Ltd* against the brief and assumptions supplied by MDC. In the SA *there is no objective formula; the scores are based solely on qualitative judgements using subjective/partial MDC supplied information.*
- BoC is located at an extremity of the Dengie Peninsula, effectively surrounded on three sides by water/marshland, with 2 marginal narrow winding B roads reaching out on the western side to distant employment centres..

Burnham's population is 12.7% of District and because of the lack of local jobs, 56% of employed residents today have to commute out of the town to find employment - with journeys that can't be viably filled by public transport if they are to service required employment patterns at **Southend, Basildon, London suburbs, Chelmsford, Braintree, Colchester** Etc.).. Most commute by car (the rail branch line to Central London being high-cost and limited in sensible connections).. As are the very few buses - There are 1.33 car/vans per household. Given historical trends and that local job provision today is not inhibited in any way by a lack of Industrial/Business premises, it is likely that the vast majority of the +1000 new residents as implied by the LDP would also have to mainly commute by car. High car dependency for BoC residents is unlikely to be broken or diluted by public transport because of complex travel patterns to a multiplicity of out of Town/District employment centres, lack of networked

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connections and differing employee working start/finish times.

An extra 1000 residents would produce a car emissions result 180 degrees contrary to the laudable key LDP Sustainability objective: *'To reduce CO2 Emissions 80% by 2050 from a 1990 baseline'*

**Re E1(q) Extension to the Burnham Business Park, Burnham-on-Crouch** -The last four decades have seen a flight out of Burnham by small and large employers alike. Availability of suitably zoned industrial or employment land is not an issue as there is an ongoing excess of unsold/unrented buildings and plots for employment purposes right across the Dengie Peninsula.

Zoning enlarged areas for employment within BoC is sadly most unlikely to achieve any substantive increase in jobs given the much more attractively connected business and industrial parks at nearby Southend Airport, Basildon and The London Gateway (Stanford le Hope). *'Zone it and they will come'* is not going to work- As evidenced by MDC's decision in February 2014 to approve the conversion of Southminster West Business Park in nearby Southminster for Housing and the March 2014 MDC approval of FUL/MAL/13/01081 Change of use from B2 General Industrial to D2 Children's Play Centre at Station Industrial Estate Station Approach BoC (to join the two long-term unlet units and a Gym unit.)

Despite half of people in the District choosing to live in small rural villages, MDC in the LDP have decided to go against the grain by focussing the vast amount of growth on the three larger towns including Burnham on Crouch

In 2011, the District of Maldon had a population of approximately 61,600. Of these around Half (49.7%) choose to live outside the main settlements of Maldon, Heybridge and BoC. Despite this, only 9.5% of new development has been allocated to the Rural areas in the LDP. This would be social re-engineering on a grand scale and because of the concentration, put greater unnecessary pressure on supporting infrastructure when compared with a more dispersed solution. It would also increase Benefit spending on those unable to afford to travel to work compared with more sustainable locations.

- The paradox of a disproportionately low allocation of extra housing to rural villages was pointed out to MDC in successive paper and public meeting LDP consultations - And substantially ignored.
- Equally stonewalled were proposals to MDC to re-allocate some of the 450 minimum extra BoC homes to Southminster (adjacent Dengie Peninsula town). MDC maintained that despite evidence to the contrary, this was impossible because of 'Sewage capacity limitations in Southminster'. The lack of integrity and rigour in this position and failure to use a robust and credible evidence base were exposed by MDC's own decision in February 2014 (when the LDP pre-submission process was just underway) to grant permission for an extra 117 homes on the Southminster West Business Park site (application # 13/00849/RES )

**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.

MDC's **'Duty to Co-operate'** with surrounding Districts needs energetic and urgent reopening, to develop a holistic sustainable Housing Solution for the wider Essex area; based on the basic principle that to be truly sustainable and minimise greenhouse gas/climate change contributions, housing must be linked to available local employment opportunities. Strenuous efforts need to be made for any potential extra incomers to the district to be housed instead in more sustainable locations close to their actual/potential work places. E.g.: Chelmsford, Basildon, Braintree, Brentwood, Romford, Colchester and Southend. To date (contrary to PPG Paragraph: 001 Reference ID: 9-001-20140306, MDC have not made 'every effort to secure the necessary cooperation on strategic cross boundary matters' before they submitted their LDP **Policy S7 Prosperous Rural Communities** also needs reopening to quantify the actual needs of the rural areas. Given that half of District Residents choose to live today in Rural areas outside Maldon, Heybridge and BoC, it is hard to see how their requirements for growth can only be presently set at 9.5% of the extra new homes for the District (which implies aging residents and fledging children having to relocate out of their rural home area and into towns as their life cycle need's progress)

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- Bottom up data rational micro analysis needs initiating to define and calculate BoC's true Objective Needs for extra housing, net of the added housing/private rental supply created by the completion of the Bradwell Power Station decommissioning phase (see Submission B for more detail). All detail in line with PPG Paragraph: 003 Reference ID: 2a-003-20140306- our own informed estimate is that the 'Need' will prove to be broadly half of the 450 minimum number indicated in the current version of the LDP

Using this data, 'Policy S6 Burnham-on-Crouch Strategic Growth' should then be recast from a zero base in line with Policy Clarification Para 2.81 'It is therefore appropriate to limit the level of growth for Burnham-on-Crouch to meet its own needs'. To be consistent with 2.81 this number needs expressed as a Maximum rather than Minimum number.

Any MDC approved substantial extra housing in the Dengie area granted by MDC outside the LDP needs deducting from the finally calculated Burnham Needs number to be consistent with Policy Clarification Para 2.81 E.g.: The 117 extra dwellings on Scotts Hill, Southminster West Business Park (application # 13/00849/RES) and any subsequently approved major developments in BoC E.g.: application # 14/00108/OU for 75 extra homes on a greenfield @ Marsh Road/Pippins Road BoC

**Para: 2.81 Housing:** incorrectly claims that 'Burnham-on-Crouch represents one of the most sustainable locations in the District for housing growth'. NB: Only people earning well above average salaries are able to afford commuting season tickets for 'Sustainable' rail travel. Those on below average wages or on Benefits will be unable to afford the rail commuting option. E.g.: rail travel to London Liverpool Street, (£482.70 pm or £5,028.00pa), to Basildon town centre (£308.40pm or £3,212.00pa).. In addition, it must be noted that the Crouch Valley Line has very limited capacity (single track with short platforms) and cannot be expanded to accommodate many more London commuters created by overdevelopment

**Para: 2.86 Waste Water Treatment:** Acknowledgement needs to be made of the regular sewage tankers that currently have to regularly truck excess untreated raw effluent out of the town for treatment. Extra housing is unlikely to improve this unhygienic, unsustainable and unpleasant situation

**Para: 2.87 Highways:** The incorporation of sustainable pedestrian and cycle access systems into the town's existing narrow road/single pavement/junction system without dangerous gaps from any of this proposed edge/out of town estate sites needs to be a fundamental pre-condition of the detailed proposal for any development site. NB: We doubt that this can be cost effectively accomplished for at least 2 out of 3 of the currently proposed estates because historical Distributor roads are too narrow (40% under standard in places) and lack footways on both sides. But any increase in population in Burnham that involves commuting by car also requires the removal of bottle necks on the two very substandard B Roads that connect the Dengie Peninsula to the wider road network at Latchingdon and Althorne.

**2.6.** Do you consider it necessary to attend and give evidence at the hearing part of the examination? **Yes please. Mr Dennis Price (Chairman of BROOD) wishes to respond on this particular element of our submission)**

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.

Burnham on Crouch residents have made numerous submission responses to successive LDP 'Consultations', signed/submitted petitions and in various Town and District Council meetings pointed out the flaws, inconsistencies and unsustainable/unsound implications of LDP drafts. We hear about Localism as being at the heart of the LDP Process, but disappointingly our views have not been listened to so far. We realise that this is virtually our last opportunity to be heard