

For Official Use Only

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Part 2C - 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.

2.15. To which part of the Maldon District Pre-Submission Local Development Plan (LDP) does this representation relate?

- | | | |
|---------------------------------------------------|------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| i. Paragraph
(please specify paragraph number) | j. Policy
(please specify policy reference) | Overarching Policy S1, Policy D3 Conservation and Heritage Assets, Policy N1 Green Infrastructure Network, Policy N2 Natural Environment, Geodiversity and Biodiversity |
| k. Proposals Map _____ | l. Other section
(please specify) | |
| | | Para 2.4 Spatial Vision Growth |

2.16. Do you consider the Maldon District Pre-Submission LDP to be (tick as appropriate):

- e. Legally compliant** Yes
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 **No**
- f. Sound** Yes
To be 'sound' a Local Plan should be positively prepared, justified, effective and consistent with national policy. This is required by Government guidance **No**
(if you **do not consider the LDP to be sound**, please complete section 2.3. below)

2.17. Do you consider the Maldon District LDP to be unsound because it is not (tick as appropriate):

- i. Positively prepared**
To be positively prepared the plan should be prepared on a strategy which seeks to meet objectively assessed development and infrastructure requirements
- j. 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.
- k. Effective**
To be effective the plan must be:
- Deliverable;
 - Flexible;
 - Able to be monitored.
- l. Consistent with National Policy**
The Plan must be consistent with Government guidance as set out within the National Planning Policy Framework

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2.18. 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 C

Lack of Protection of Burnham-on-Crouch's Character and Natural Environment

The proposed 3 sites (+ official Reserve Site) in BoC are presently highly productive Grade 1 agricultural land

One of these, (Burnham West) is on a site officially classified by MDC (until the LDP was put in train) as 'Coastal Zone Special Landscape Area' (this reclassification immediately followed a proposal for a 450 house development on this site by Cameron Hamilton Homes to MDC that was incorporated in the initial drafts of the LDP). The protection was unilaterally, expediently and questionably removed without any publicity or Public Consultation.. Contrary to the letter and spirit of PPG Paragraph: 002 Reference ID: 4-002-20140306 and PPG Paragraph: 030 Reference ID: 4-030-20140306. 'The aim of Environmental Impact Assessment is also to ensure that the public are given early and effective opportunities to participate in the decision making procedures.'

The fact that the site was declared as 'Available' was *the* pre-eminent factor in driving the selection of Burnham West as a preferred development site in successive LDP drafts. This is contrary to the spirit of PPG Paragraph: 003 Reference ID: 3-003-20140306 which states that 'The assessment is an important evidence source to inform plan making but does not in itself determine whether a site should be allocated for development.'

Reclassification of the Burnham West originally designated 'Coastal Zone Special Landscape Area' as a priority development area to help tick the 5 year Land Supply box is also totally contrary to the letter and spirit of PPG Paragraph: 034 Reference ID: 3-034-20140306 'Can unmet need for housing outweigh Green Belt Protection? - Unmet housing need ... is unlikely to outweigh the harm to the Green Belt and other harm to constitute the "very special circumstances" justifying inappropriate development on a site within the Green Belt'.

It is also totally out of line with PPG Paragraph: 012 Reference ID: 8-012-20140306 "Why are Local Sites important ...? - Local designated sites (which include 'Local Wildlife Sites' and 'Local Geological Sites') make an important contribution to ecological networks and are overseen by Local Sites systems. These systems vary considerably in terms of size (both the administrative area they cover and the number of sites selected) and cover contrasting landscapes in coastal, rural and urban situations. Local Sites systems encompass both biodiversity and geological conservation." It must be wrong that MDC expediently removed Burnham West's protection classification in an effort to take advantage of an available development site and to try to demonstrate a 5 year land supply. There are plenty of alternative Brownfield sites and areas of lower quality agricultural land that should have been considered before thinking of building on this 'protected' site. There is no evidence that MDC seriously considered or evaluated any alternatives to ensure the most sustainable solutions

The 3+1 selected BoC sites all fail the following simple litmus tests

Para 2.4 says that "The District's unique heritage and countryside will be protected by ...adhering to the principles of sustainable development. Over the Plan period the District will grow sustainably to meet objectively assessed housing needs, taking into account environmental and infrastructure constraints. This approach will maintain the quality of life for the community and ensure the delivery of new affordable homes and infrastructure. It will also protect our local services, provide for our District's business needs, and retain the identity of our villages. Growth will be concentrated in the most sustainable, accessible and appropriate locations taking into account constraints and the need to protect valued local countryside."

Overarching Policy S1 contains 3 particular key principles

- 9) Conserve and enhance the natural environment, by providing protection and increasing local biodiversity and geodiversity, and effective management of the District's green infrastructure

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network;

- 10) Conserve and enhance the historic environment by identifying the importance of local heritage, and providing protection to heritage assets in accordance with their significance;
- 12) Maintain the rural character of the District without compromising the identity of its individual settlements

Policy S6 5) requires that 'Development will protect and enhance the landscape and the character of the historic Environment'

In addition, Mr Nick Boles MP the Planning Minister is on record in a visit to Warrington on Thursday February 27th 2014 as saying "What we want is a planning system which operates quickly, predictably and helps us to get the amount of housing that we need but equally protects green belt and beautiful areas at the same time." Speaking to the Warrington Guardian, Mr Boles added that "revising green belt land should be the exception". Mr Boles also said: "Pretty much any development is inappropriate on the green belt."

Contrary to the fine words quoted above, we see nothing in the LDP or its Evidence Base to show that MDC has seriously considered, yet evaluated any more sustainable alternatives to building over precious green countryside and grade one agricultural land, The present proposal, outside the historical town development envelope would produce heavy urban sprawl and effectively start to create a divided town, consisting of two halves, split by the rail line

2.19. 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.

The LDP needs a major reset of its current base assumptions. Fresh zero based analysis needs carrying out with added emphasis on minimising Greenfield developments through undertaking selective Brownfield redevelopments and use of less productive agricultural land

2.20. Do you consider it necessary to attend and give evidence at the hearing part of the examination? **Yes please. Ms Wendy Stamp (Treasurer 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

2.21. 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 the 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