

EiP Maldon DC LDP Part 1
Hearing Statement of Representor 0175
HEYBRIDGE RESIDENTS ASSOCIATION
Matter 1

January 2015

Prepared by DG Sargood FRICS

para 4

MDC have not sought to engage with Heybridge Residents Association (HRA) at any time in accordance with SCI Chapter 2 despite the fact we are a substantial community group with over 400 members. We have asked Fiona Marshall (CE MDC) for involvement by e.mail on 24/3/14 and 27/4/14 but have received no response . See App 1 for copy emails

Our only direct engagement has comprised of being asked to leave the steps of the Council Offices on the 12th March 2014 when approx 20 members of the Residents Association delivered its Pre-Submission LDP representation, as we were deemed to be intimidating. There was further engagement with Cllr Miriam Lewis at our first public meeting when she made two pledges namely “these houses will be built whether you like it or not” and “not one brick will be laid until the Flood Alleviation Scheme is in place”. This surely flies in the face of the SCI.

SCI para 4 indicates the level of community involvement for consultations and this was followed for the draft LDP in 2013 with leafleting of every household. The Pre-submission LDP was not given the same publicity with reliance placed mainly on the local newspaper. Many of our members were therefore unaware that MDC proposed a 37% increase in the housing allocation for NHGS until it was too late. This variable approach to engagement is undemocratic. Furthermore the Addendum to the adopted SCI of 21/6/2012 does not include the LDP in it's ambit. It is therefore unclear what level of publicity MDC felt they were bound to provide. We therefore consider that the level of publicity given to the Pre-Submission LDP was disingenuous and designed to avoid public engagement. This is confirmed by the fact that MDC received 3686 responses to the Draft LDP in 2013 and yet only 225 to the Pre-submission LDP in 2014.

To remedy the above we believe a fresh public consultation of the calibre conducted in 2013 should be undertaken if NHGS is to be pursued. It would also be appropriate to clarify the precise requirements for consultation over the LDP in the SCI.

Para 6

MDC only considered 8 spacial growth scenarios (SHLAA 2012 & EB037) and all of the these focus on the increased urbanisation of Heybridge, Maldon and Burnham with only scenarios 5 & 7 indicating an expansion of N.Fambridge and Lachingdon respectively. Althorne is ignored altogether despite occupying high ground and having a railway station. Growth of

Lachingdon (P5) looks favourable and yet is dismissed although there is a strange reference to N.Fambridge in this section .

The SHLAA 2012 EB056a Page 26 states that there are a potential 20242 deliverable dwellings across the district in years 0-15 but only 483 were within the constraints of policy guidelines at the time. This is far in excess of projected housing need but demonstrates that there is ample land supply .It is purely policy dictating what land becomes available.

It is the view of HRA that MDC approached the LDP by placing their Strategic Growth where there are the greatest developer incentives and pressure. In other words they have opted for a 'quick fix' scenario rather than spread the burden and benefit of development across the district. This is confirmed in paras 2.2.3 and 2.2.4 of the Report of Head of Planning Services dated 10/7/2014 in response to the petition submitted by SMAG. Para 2.2.8 demonstrates MDC's entrenched position. Perhaps a councillor lives in Althorne or is that too cynical? The sustainability of NHGS has not been tested robustly against reasonable alternative strategies.

Policy T1 para 7.7 of the LDP accepts that optimising rail transport is to be encouraged and this objective would be fulfilled by the enlargement of existing settlements in the south of the district or by the creation of a new town/village.

The SA @ SD03 in para 7.27 states that development of the more southerly towns could have a negative impact on social objectives but does not state why and so such areas are summarily dismissed without due consideration.

HEYBRIDGE RESIDENTS ASSOCIATION
HEARING STATEMENT UR.0175
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1. E. mails to Fiona Marshall (MDC)
2. Letter and attachment from Mr John Whittingdale MP
3. E.mail from Dr Annie Gordon of Essex Wildlife Trust.

Subject: Sadness & Request

From: don ben (don.ben81@yahoo.co.uk)

To: fiona.marshall@maldon.gov.uk;

Date: Monday, 24 March 2014, 15:17

To:-Fiona Marshall, Chief Executive, Maldon District Council.

I fully respect your position as Chief Executive, and am sure everything you do within the realms of M.D.C. you expedite with due diligence.

I am rather sad to have received a message from David Coleman this day to the effect that he can not provide me with any further details that I may request. He has referred me to M.D.C. website which I have opened but cannot access the information I asked him for. I cannot help but feel he is under instructions.

I shall mention the matter to Mr. Whittingdale when we meet on Saturday, his response will I hope be informative.

With regard to the last letter you sent to me, you mention the L.D.P. examination and amongst others, relevant other invited interested parties may be invited. If possible, and you considered inviting me, would there be room for two members of Heybridge Residents Association to attend.

My Very Best Regards,

Don Benson.

Chairman,

Heybridge Residents Association.

Subject: Committee Application.

From: don ben (don.ben81@yahoo.co.uk)

To: fiona.marshall@maldon.gov.uk;

Date: Sunday, 27 April 2014, 14:32

For the attention of Fiona Marshall. Chief executive. M.D.C.

Dear Fiona Marshall.

Please accept and consider this my application to become a member of the newly created Executive Committee for flood alleviation.

Best regards,

Don Benson

31, Elizabeth Way

Heybridge CM9 4TG

01621 854116.

John Whittingdale MP
Member of Parliament for Maldon
House of Commons
London SW1A 0AA

Our ref CCE/2014/53331

Date 29 May 2014

Dear John

Thank you for your letter of 8 May 2014 asking for any details we can provide on the flood alleviation scheme to protect Holloway Road and relating to development around North Heybridge Garden Suburb.

As you correctly point out, Maldon District Council have identified a requirement for the delivery of a strategic flood alleviation scheme in the North Heybridge area in order to support their evolving Local Plan aspiration to develop a "Garden Suburb" development in that area.

Flooding issues

I am sure that you are already well aware that there are areas of Heybridge that have suffered from frequent flooding, predominantly in the winter months over the past 15 years. Our studies have shown that this is primarily due to watercourse capacity constraints within the urban areas of the village.

In 2006, we promoted a Flood Alleviation Scheme for Heybridge following incidents in both February and October 2001 which resulted in the flooding of properties. However, we were unable to obtain funding for the scheme from DEFRA. This was because of the high scheme costs relative to the sum of damages avoided over the scheme lifetime.

Under the new Partnership Funding rules for allocating the Grant in Aid that we receive annually from Central Government for the delivery of new flood protection schemes, we would only be able to fund 28% of the estimated cost of delivering a useful flood alleviation scheme for Heybridge. This would leave a significant funding shortfall which would have to be met through local contributions if a useful scheme were to progress. We've explained these funding and delivery challenges to the Council's Strategic Planners during our meetings with them.

Engagement with Maldon District Council over the Local Plan Preferred Options

We advised the Council's Strategic Planners, through consultation at the start of the Local Plan process, that the existing frequency and impacts of flooding were

potentially a limiting factor to further development in North Heybridge unless Flood Alleviation infrastructure could first be delivered.

Maldon District Council accepted our concerns and is leading on delivering a solution to the flooding problem by embedding flood alleviation as an infrastructure requirement in their Local Plan. This Local Plan links to a site Masterplan for the proposed Garden Suburb development.

Paragraph 100 of the new National Planning Policy Framework provides underpinning guidance to Local Planning Authorities for scenarios such as this. Namely that Local Plans should:-

- safeguard land from development that is required for current and future flood management; and
- use opportunities offered by new development to reduce the causes and impacts of flooding

The developer's outline concepts for flood alleviation linked to the proposed development

At this point in time, the developer is still formulating an outline design for both flood alleviation works and for on-site surface water controls linked to their own housing development areas. We are working in partnership with Maldon District Council to provide technical scrutiny over the developer's evolving design concepts.

Maldon District Council also see us as a potential adopting body for the flood alleviation infrastructure that would be delivered. It is therefore in our interest to engage with this process from an early stage. We are also a statutory consultee to the planning process in relation to flood risk.

The developer's basic design concept is very similar to the scheme proposed by us back in 2006. They propose to divert higher flows from the three watercourses that currently flow through the site and into Heybridge. The excess volumes will be routed away from the village via the construction of a new interception channel located to the north of both the new housing area and the new relief road running south-westwards from Broad Street Green to Langford Road.

High flows would outfall to the River Blackwater at the Beeleigh weir complex after routing under the Langford Cut and the old course of the River Blackwater in a pipe. The scheme would also create a number of balancing lakes as there will be times when channel capacities in the Rivers Chelmer and Blackwater are constrained, resulting in the need to regulate or close off the alleviation scheme's outfall for periods of time i.e during a surge tide in the tidal river or high river flows from areas inland of Beeleigh.

We understand that Maldon District Council will provide details of the North Heybridge Garden Suburb Site Masterplan (including details of the proposed flood alleviation infrastructure) at a forthcoming public consultation event scheduled for 21

June 2014. We are attending this to help answer residents' questions about flood management and our role in scrutinising the Council and Developer's flood alleviation scheme.

The future if flood alleviation has to be delivered by alternative means

I would wish to re-assure you that, should this development not proceed, we will remain committed to working with the community and other stakeholders to look at alternative ways of delivering much needed flood alleviation to Heybridge.

If you wish to discuss this further with me, please do get in touch.

Yours sincerely



Dr Charles Beardall
Area Manager
Essex, Norfolk and Suffolk
01473 706024



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JOHN WHITTINGDALE, OBE MP

Member of Parliament for Maldon

Don Benson Esq.
Chairman
Heybridge Residents' Association
31 Elizabeth Way
Heybridge
Essex CM9 4TG

30 May 2014

Dear Mr Benson

Thank you for your email dated 7 May. I have also now received a response from the Area Manager at the Environment Agency regarding concerns raised by the Residents Association about the Flood Alleviation Scheme and enclose a copy of this.

You will see that Dr Beardall confirms that the District Council agrees with the advice of the Environment Agency that development in North Heybridge should only be permitted if flood alleviation infrastructure could first be delivered. However, the Agency is only able to fund 28 per cent of the cost of the new flood protection scheme and the rest needs to be met from local contributions. He states that the developer is still formulating the outline design and that the Environment Agency is working with the District Council to provide technical scrutiny. However, it appears that the basic design is very similar to that proposed by the Environment Agency in 2006.

I am pleased to learn that further details will be provided at the public consultation event on 21st June and that the Environment Agency will be attending this. I hope that this will provide an opportunity for the Residents Association to discuss any specific concerns.

With best wishes

V
our sincerely

John Whittingdale

Assistant: Clare Pooley: 020 7219 3557 ♦ Fax: 020 7219 3522

On Wednesday, 14 May 2014, 11:09, Annie Gordon <AnnieG@essexwt.org.uk> wrote:
Dear Mr Benson,

Your email to the National Trust in respect of Heybridge Wood has been forwarded to me for attention. Essex Wildlife Trust are currently in discussion with Maldon DC regarding this proposed housing development, as we also have serious concerns regarding the future of this ancient woodland and its associated wildlife. The current plans to surround the woodland with development and effectively isolate it from the wider countryside are, in our view, unacceptable and will result in an inevitable degradation of the habitat. If Maldon DC are minded to push forward with this "garden suburb", the Trust feels that a new country park should be established around the woodland in order to provide some buffering and protection from increased human pressure.

If you have not already done so, it may prove useful if the Residents' Association write to MDC and articulate your concerns, emphasising that ancient woodlands are irreplaceable habitats and any damage to or degradation of such habitats by development is contrary to the guidelines set out in the National Planning Policy Framework.

Please feel free to contact me if you would like any further information, or if you can provide me with any other information regarding local opinion about this development proposal.

Kind regards,

Annie Gordon

Dr Annie Gordon
Conservation Officer
Essex Wildlife Trust
Tel: 01621 862953
Mob: 07771 967907



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