



**Strutt & Parker LLP  
Representation 3693**

**Examination of the Maldon District Council Local  
Development Plan**

**Hearing Statement on behalf of Strutt and Parker (Farms)  
Ltd.**

**Matters, Issues and Questions**

**Re: Matter 2**

**January 2015**



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**1.0 INTRODUCTION**

1.1 This Statement has been prepared by Strutt & Parker LLP on behalf of our client Strutt and Parker Farms Ltd, in response to the Matters, Issues and Questions (MIQs) identified by the Inspector in relation to legal compliance and housing policies (1<sup>st</sup> December 2014). This submission responds to the specific MIQs considered to be relevant to the points made in the original representations submitted on 11<sup>th</sup> March 2014 (policies H1, S2 and S6) in relation to the land east of Pippins Road, Burnham-on-Crouch.

**2.0 RESPONSE**

**Matter 2: Strategic Housing Growth – overall numbers**

2.1 **Question 1** – Whilst no detailed research has been undertaken on behalf of Strutt and Parker (Farms) Ltd in relation to the overall housing numbers, regard has been given to the representations made by other parties. In addition to this, having regard to the position and comments made by the examining Inspector in both correspondence and at the Exploratory Meeting, it is considered on the face of the evidence available to-date that the Council is not meeting the Objectively Assessed Housing Need.

2.2 **Question 3** – It is considered that Policy S2 does not provide an effective and sound distribution of development that will deliver development in sustainable locations. It is acknowledged that the land to the east of Burnham-on-Crouch (RE3) is identified as a Reserve Site, but it should be included within the Plan as a strategic allocation as it is a sustainable site that has been demonstrated to be both deliverable and developable in the short term. The report to Council on 10<sup>th</sup> July 2014 identifies that planning permission should be forthcoming for sites that represent sustainable development.

2.3 **Question 4** – Yes, it is considered that the strategic allocations identified in the Plan and specifically those in relation to Burnham-on-Crouch i.e. S2 (i), S2 (j) and S2 (k), are too large and complex to be delivered within the time periods set out in Policy S2. For Burnham-on-Crouch it identifies a total of 390 dwellings being delivered from these three sites within the first five years of the Plan.



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- 2.4 For sites to be delivered in the short term there should be a high degree of certainty that detailed delivery matters such as infrastructure requirements have been resolved.
- 2.5 In our view the Council's assumptions are unrealistic taking into account the environmental constraints of these sites as identified by some of the documents in the evidence base (including EB021), the requirements for infrastructure delivery including education and drainage, and the need to meet with all of the requirements of Policy S6 as set out in the Plan.
- 2.6 Conversely, the site to the east of Pippins Road, Burnham-on-Crouch is well placed to secure the delivery of up to 100 dwellings within the first five years of the Plan period. The site is within a single ownership, does not have an agricultural tenant and there are no ransom strips. It should therefore be considered suitable for delivery within 5 years rather than being identified as a reserve site.
- 2.7 An outline planning application was submitted to the District Council in February 2014 (application reference OUT/MAL/14/00108) for the provision of up to 75 dwellings on the site including the provision of public open space, a pavilion building, a new vehicular access from Pippins Road and a temporary haul road access from Marsh Road.
- 2.8 This application was submitted with a number of detailed supporting documents including a Transport Assessment, Utilities and Servicing Statement, Flood Risk Assessment, Extended Phase 1 Habitat Survey and a Landscape and Visual Impact Appraisal. The application was recommended for approval by the Head of Planning Services, as it was considered to represent sustainable development. No objections were received from statutory consultees in relation to the planning application. In particular no highways objection has been received and the issue relating to the network capacity which originally resulted in the site not being part of a strategic allocation has been addressed and resolved with Essex County Council.
- 2.9 The application was refused in the decision notice dated 27<sup>th</sup> August 2014 for a single reason. A Section 78 appeal will be lodged shortly against the refusal of this application.



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- 2.10 **Question 13** – Yes, it is considered right that a 5% NPPF paragraph 47 buffer applies.
- 2.11 **Question 14** – It is not clear from the evidence submitted to-date how the Plan addresses the need to provide for a 5% buffer to the five year housing land supply.