



**Strutt & Parker LLP  
Representations 0071-5126,5127,5128,5129,5130**

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

## **Hearing Statement on behalf of Mr P Dalby Matters, Issues and Questions**

### **Matter 3**

**January 2015**

## **INTRODUCTION**

- 1.1 This Statement has been prepared by Strutt & Parker LLP on behalf of Mr P.Dalby, 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 in 11<sup>th</sup> March 2014 (policies S2, S4 and H1) in relation to land at the North of Holloway Road Heybridge (site S2e) and Land to the east of Wood Lane Heybridge.

## **RESPONSE: MATTER 3: STRATEGIC HOUSING GROWTH NORTH HEYBRIDGE GARDEN SUBURBS**

- 2.1 **Matter 3, Question 1:** No, the strategy is does not currently meet all of the tests of the NPPF, in that it is currently not justified or viable. Support is given to the proposed allocation of land for the North Heybridge Garden Suburbs in principle, in particular the allocation of site S2e to be delivered in years 0-5 of the plan is supported and achievable.
- 2.2 For reasons explained in our representation and in our response to Matter 2, the strategy is not justified, given that no justification has been provided by the Council for the omission of land to the east of Wood Lane, Heybridge from the Garden Suburbs Area.
- 2.3 The North Heybridge Garden Suburbs are also **not** considered to be viable, particularly having regard to the scale of Infrastructure/Affordable Housing/Section106 requirements on site S2e . An Outline Planning Application for 100 dwellings (reference OUT-MAL-14-00990) is currently pending consideration by Maldon District Council. The application has demonstrated full deliverability of the site with no objections being received from statutory consultees. A viability appraisal has also been prepared as part of the application, however an agreement has not been reached between Maldon District Council and the landowner regarding viability.
- 2.4 The proposed level of Section 106 contributions for site S2e along with the proposed level of 40% affordable housing as set out in Policy H1 will render the development site S2e unviable. This is when taking account of the house values within Heybridge. There are also some abnormal costs that need to be taken into consideration. Whilst the abnormal costs do not render the site unviable, they do add to the cost of bringing forward development, which is already overburdened in terms of Section106 costs and affordable housing. This is contrary to the objectives of paragraph 173 of the NPPF.
- 2.5 There is a lack of consistency between site S2d and site S2e, in that S2d has a level of 25% affordable housing, when compared to 40% on site S2e. In the detailed work that has been undertaken in the outline planning application for site S2e, it is understood that there will be a proportionate contribution of all elements of infrastructure associated with the suburb from site S2e. Therefore it is not clear why a consistent approach to affordable housing has not been taken across the sites.

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- 2.6 Land to the North of Holloway Road would be capable of being delivered subject to a reduction in the level of affordable housing or financial contribution to the wider Garden Suburbs Objectives.
- 2.7 **Matter 3, Question 7** Whilst Mr P.Dalby is willing to pay a proportionate level of funding to the wider garden suburbs objectives, site S2e in planning terms is capable of being delivered without the need for the new relief road and Strategic Flood Risk Alleviation proposed as part of the wider allocated area.
- 2.8 **Matter 3, Question 12-** We support the proposal to bring site S2e forward at the start of the plan period. Subject to viability issues being addressed site S2e can be delivered early in the plan period ahead of the delivery of the major infrastructure.

ENDS