

Wickham Bishops Neighbourhood Plan

Reg 16 Consultation

This consultation form is divided into different sections, so you can make comments on each of the Neighbourhood Plan policies, the Basic Conditions Statement, the Consultation Statement and the SEA/HRA Screening Opinion.

At the end there is the opportunity comment on the evidence base documents that support the Plan.

Please return completed forms by email to policy@maldon.gov.uk or by post to SPC, Maldon District Council, Princes Road, Maldon CM9 5DL

Contact details

By submitting your details please be aware that your name/organisation and comment will be made publicly available including on the Council's website. In addition, we are required to share your information with the Independent Examiner for the purposes of the Examination.

The Council cannot accept anonymous responses

For full details of how we use you data, please see our Privacy Statement on our website at www.maldon.gov.uk/terms

Your Name	I
Organisation	Arrow Planning Limited on behalf of Mazdev Ltd
Email	_____
Postal address	Clarks Barn, Bassetsbury Lane, High Wycombe, Bucks, HP11 1QX

Do you wish to be notified of the Council's decision on 'making' the Wickham Bishops Neighbourhood Plan?

- Yes
 No

Wickham Bishops Neighbourhood Plan Consultation

A Neighbourhood Plan needs to meet the Basic Conditions, which are:

1. The Neighbourhood Plan has regard to national policies and advice contained in guidance issued by the Secretary of State. (eg National Planning Policy Framework and Guidance)
2. The making of the Neighbourhood Plan contributes to the achievement of sustainable development.
3. The making of the Neighbourhood Plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area). The development plan is made up of the Maldon District Local Development Plan, the Essex & Southend-on-Sea Waste Local Plan and Essex Minerals Local Plan.
4. The making of the Neighbourhood Plan does not breach, and is otherwise compatible with, EU obligations (particularly, the Strategic Environmental Assessment Directive), Environmental Impact Assessment Directive, and the Habitats and Wild Birds Directives).
5. The making of the Neighbourhood Plan is not likely to have a significant effect on a European site (as defined in the Conservation of Habitats and Species Regulations 2010), either alone or in combination with other plans or projects. The nearest European Site to Wickham Bishops is the Blackwater Estuary

Any comments should address whether or not the WBNP meets the Basic Conditions.

Neighbourhood Plan Policies

WBec 01 Home Working

- Yes, the policy meets the Basic Conditions
- No, the policy does not meet the Basic Conditions

Please add any comments you wish to make on policy WBec 01 Home Working

WBEc 02 Business and Retail

- Yes, the policy meets the Basic Conditions
- No, the policy does not meet the Basic Conditions

Please add any comments you wish to make on policy WBEc 02

WBEc 01 Recreational disturbance Avoidance and Mitigation

- Yes, the policy meets the Basic Conditions
- No, the policy does not meet the Basic Conditions

Please add any comments you wish to make on policy WBEc 01

WBEEn 02 Biodiversity and Natural Habitats

- Yes, the policy meets the Basic Conditions
- No, the policy does not meet the Basic Conditions

Please add any comments you wish to make on policy WBEEn 02

WBEEn 03 Special Views and Vistas

- Yes, the policy meets the Basic Conditions
- No, the policy does not meet the Basic Conditions

Please add any comments you wish to make on policy WBEEn 03

WBEEn 04 Open Spaces

- Yes, the policy meets the Basic Conditions
- No, the policy does not meet the Basic Conditions

Please add any comments you wish to make on policy WBEEn 04

The designation on land to the rear of Church Road is not justified, robust or based on evidence. It is not in conformity with Strategic Policies, nor does it have regard to national policies or guidance. It also does not contribute to achieving sustainable development.

The enclosed representations provide full details as to why the Policy does not meet the Basic Conditions.

WBEEn 05 Local Green Space

- Yes, the policy meets the Basic Conditions
- No, the policy does not meet the Basic Conditions

Please add any comments you wish to make on policy WBEEn 05

WBEEn 06 New Development and Flood Risk

- Yes, the policy meets the Basic Conditions
- No, the policy does not meet the Basic Conditions

Please add any comments you wish to make on policy WBEEn 06

WBF 01 Burial Grounds/Cemetery Proposed Extension

- Yes, the policy meets the Basic Conditions
- No, the policy does not meet the Basic Conditions

Please add any comments you wish to make on policy WBF 01

WBF 02 Sustainable Means of Travel

- Yes, the policy meets the Basic Conditions
- No, the policy does not meet the Basic Conditions

Please add any comments you wish to make on policy WBF 02

WBF 03 Highways Safety

- Yes, the policy meets the Basic Conditions
- No, the policy does not meet the Basic Conditions

Please add any comments you wish to make on policy WBF 03

WBF 05 Community Assets

- Yes, the policy meets the Basic Conditions
- No, the policy does not meet the Basic Conditions

Please add any comments you wish to make on policy WBF 04

WBF 06 Developer Contributions

- Yes, the policy meets the Basic Conditions
- No, the policy does not meet the Basic Conditions

Please add any comments you wish to make on policy WBF 06

WBH 01 Design and Character

- Yes, the policy meets the Basic Conditions
- No, the policy does not meet the Basic Conditions

Please add any comments you wish to make on policy WBH 01

WBH 02 Lifetime Homes

- Yes, the policy meets the Basic Conditions
- No, the policy does not meet the Basic Conditions

Please add any comments you wish to make on policy WBH 02

WBH 03 Heritage

- Yes, the policy meets the Basic Conditions
- No, the policy does not meet the Basic Conditions

Please add any comments you wish to make on policy WBH 03

If you want to make any other comments on the **Neighbourhood Plan**, please use the space below

Please see enclosed representations.

A summary of our main points are as follows:

For the reasons set out in these representations, Mazdev Limited strongly objects to the Neighbourhood Plan and considers it does not meet the Basic Conditions for the following reasons:

- The Neighbourhood Plan does not contribute to the achievement of sustainable development as it does not positively plan for sustainable development;
- It does not include proposals to meet an identified housing need, including that identified in its own evidence base;
- There is no justification or evidence for the inclusion of part of our client's land as an Open Space and therefore the Plan is contrary to national policies and advice;
- Instead, the proposed allocation appears to be a way to attempt to sterilise land, contrary to national advice and guidance;
- The WBNP is not consistent with national policy and advice and does not meet the Basic Conditions tests.

The WBNP should instead be amended as follows:

- The Open Space designation should be removed from the land to the rear of 9 Church Road and those residential properties on Mope Lane;

- The land should instead be allocated for housing in order to meet identified housing need.

In the event that, having considered written representations, the Examiner is considering the retention of the open space designation, then it is essential that this matter is considered by way of a hearing to listen to oral representations, in accordance with advice contained in the Planning Practice Guidance.

Should that not happen, and the open space designation remains on the land, our client will pursue the matter through the legal process.

Basic Conditions Statement

Please add any comments you wish to make on make on the Basic Conditions Statement

Consultation Statement

Please add any comments you wish to make on make on the Consultation Statement

SEA/HRA Screening Opinion

Please add any comments you wish to make on make on the SEA/HRA Screening Opinion

Please see enclosed representations. A summary of the points made is as follows:

The Strategic Environmental Assessment (SEA) consideration of Policy WBen 04 states in a table on p.18 that protecting existing green space will encourage residents to spend more leisure time in the Parish.

This is factually incorrect in respect of the land to the rear of Church Road. The land is not publicly accessible, therefore does not provide a leisure function. It cannot therefore be claimed to contribute to this function and the assessment should be amended to reflect this fact. As currently drafted, it is inaccurate and unsound.

Supporting documents

Please add any comments you wish to make on make on the supporting documents. Please clearly state which one(s) you are commenting on

Landscape Character Assessment – please see enclosed representations.

A summary of the points raised are:

The reasons in the MBNP for allocating land as open space are not consistent with the findings of the LCA.

The findings of the LCA Character Areas have been incorrectly applied to land in other Areas, most notably Character Area 4 characteristics have been applied to land in Character Area 5 within the WBNP. They have in turn been used in an attempt to designate land as open space, but without justification or evidence.