

BROOD

Burnham Residents Oppose Over Development

A democratic group of committed, like-minded Burnham residents who are all passionate about preserving the character of Burnham

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Response to Sept/Oct 2016 MDC LDP 'Current' Consultation

Dear Sirs,

On behalf of 'Brood' members <http://broodstuff.com> and the +1000 Members of 'Say No - Burnham deserves better' activist group <https://www.facebook.com/groups/357763210959917> , please find below our joint feedback on the latest consultation.

Background

- This troubled Local Development Plan has been shaped by many different hands during its long and twisting evolution since 2007, with a large number of Elastoplast style amendments added along the way. As a result we believe that sadly the present resultant draft is not robust or positively prepared. Without major modifications, the various errors of omission and commission make the declared strategic intent unclear, unsound and totally undeliverable in a sustainable manner. Several of the draft recommendations are currently both unjustified, and ineffective

- Given cumulative legacy deficits, lack of effective infrastructure is already a major challenge inside the long established historic major towns of Maldon, Heybridge and Burnham on Crouch; it therefore seems perverse that only 9.1% of strategic growth in the District should now be planned for dispersed implementation around the rural areas where approximately 50% of the District population actually live. In these Rural Areas adequate infrastructure to support truly sustainable growth is generally not a major issue and in those cases where extra investment is required, it can normally be implemented at comparatively low cost. Against this background it would seem prudent and more sustainable if over 50% of development was to be 'pepper-potted' throughout Rural Areas
- Alternatively, greater proactive cooperation with neighbouring LPAs than we've seen from Maldon District Council to date could result in a joint New Town on the District boundaries, again resulting in easier to implement Enabling Infrastructure in a totally sustainable location near to an expanded Crouch Valley line.

Particular Burnham-on-Crouch issues

- Burnham on Crouch is about 20/25 minutes by car from Maldon, the District's administrative centre. It is located at an extremity of the Dengie Peninsula without a hinterland and is remote from the A Road network - connected only by a couple of narrow winding B roads. The resultant uncompetitive logistics have over the decades progressively driven a migration of industry out of our area (poor employment opportunities in the local area also compounded by the closure of CEFAS AND Bradwell Nuclear Power Station). Without the *passenger only* capacity constrained single track Crouch Valley branch line, Burnham would undoubtedly be one of the least sustainable locations for potential development in the entire District. The two remaining predominate socio-economic groupings in the town are commuters and pensioners.
- We welcome and very much support Main Modification 089 - '*Growth in excess of 450 dwellings would require the provision of additional primary school places that cannot be provided on the sites of the two existing primary schools. To provide an additional new primary school at Burnham-on-Crouch would require a minimum of 1,150 dwellings to be planned for, and this is considered to be inappropriate for the town for a number of reasons, including the relatively limited availability of local services and facilities.*'
- However it must be pointed out that Burnham's total infrastructure is *already* under severe strain before the very large number of houses approved but not yet built/sold are actually constructed; but there is still no sign of the implementation of any potentially mitigating major infrastructure

Extra Houses 'on their way':

- 15 units prior approvals completed since April 2014, (some still not yet sold)
- 180 Charles Church strategic allocations S2 (j) - approved in May 2016,
- 180 Pigeon Land Promoter strategic allocations S2 (i) - approved in August 2016
- 133 dwellings approved April 2014-2016, not started/under construction, 2 May/June SEAP + 1 July PINS Pippins successful appeal
- 90 extra Gladman Southminster Road units currently under appeal with PINS
- - Total - 688 potential extra dwellings, including the 90 Burnham North strategically allocated units (S2 (k)) .. 53% above the 450 'allocation'
- We are already experiencing the effects of the enormous numbers of extra dwellings being built in the adjacent settlement of Southminster (despite zero units being planned in the original LDP)

which are adversely impacting Burnham's services. In the near future we anticipate that without a proper impact review we will also be badly affected by the Dengie's share of the upcoming Rural Allocation on our small town and its acknowledged limited infrastructure

- The latest Main Modification 089 says: *Growth in excess of the levels planned through the LDP at Maldon, Heybridge or Burnham-on-Crouch could prejudice the delivery of the plan, and therefore will be resisted by the Council where necessary. Any proposals for growth in excess of the LDP requirements must demonstrate that they can be accommodated without prejudicing or delaying the delivery of the LDP Garden Suburbs and Strategic Allocations.*
- Similarly in Modification 091, MDC claim that *'Significant infrastructure constraints exist which strictly limit the capacity for development in the Burnham-on-Crouch area which is in excess of that planned through the LDP. Any proposal for development in excess of the LDP requirements will be resisted by the Council unless it can be demonstrated that it can be accommodated without prejudicing or delaying the delivery of the LDP Garden Suburbs, Strategic Allocations, or planned infrastructure improvements. AS RECENTLY AS OCTOBER 2016 THERE IS NO EVIDENCE IN BURNHAM PLANNING APPLICATION EVALUATIONS, THAT THERE IS A ROBUST TEST IN PLACE TO DELIVER THE STATED INTENT OF MODIFICATION # 089 or # 091. HAD THERE BEEN EFFECTIVE PROCESSES, SUCH A LARGE NUMBER OF APPROVALS IN EXCESS OF STRATEGIC LEVELS SURELY WOULDN'T HAVE TAKEN PLACE.*

ISSUE .. We understood at the time from Mr Vickery's statements during Part I of the EiP in 2015, that the intent of Main Modification 089 confirming the strategic intent of the original Emerging LDP, was for a 'ventilated cap' to clearly limit extra approvals in Burnham to 450 extra houses plus a few small 'windfall approvals' that would be tested prior to approval to make sure that they didn't adversely impact Infrastructure. Despite this, MDC Planning Staffs have continued to recommend the approval of applications for extra housing in Burnham way in excess of the strategic allocations. District Councillors and PINs Appeal Inspectors have then approved applications some 53% to date in excess of the strategic quantum; all without any apparent consideration for cumulative infrastructure impact with the type of litmus paper test that Mr Vickery envisaged. To compound the resulting problems, the vast majority of these units have been shoehorned into the first 5 years of the 15 year plan, further straining the limited infrastructure. This will constitute a massive effect on a small town in a very short time span.

ISSUE: In view of the above; draft main modification 116 2.31 needs formal clarification that the potential fall-back inclusion of 'Policy Compliant SHLAA sites' does NOT apply to Burnham on Crouch or Southminster, and should NOT be considered 'as part of the committed supply' even if the sites are within Burnham's existing settlement boundaries. 688 extra units already seem grossly in conflict with the LDP's declared strategic intent.

- Although we are unable to trace on MDC's somewhat dysfunctional website an update to the *LDP Infrastructure Delivery Plan* dated later than 2015, the latest Consultation summary narrative seems to indicate that Burnham infrastructure requirements are still confined to a new 56 place Early Years and Childcare facility and (unspecified) expansion of the primary school provision at Burnham-on-Crouch to accommodate the future demand for pupil places arising from the (LDP) development.

ISSUE: This is inadequate - Burnham has a substantial backlog of complex Infrastructure deficiencies, caused in substantial part by the cumulative impact of decades of ad-hoc small/infill developments that have not financially contributed to updating the relevant constrained legacy systems.

The Emerging Burnham on Crouch Neighbourhood Plan contains fuller details of infrastructure priorities in its evidence base, these include:

- SUDS & Foul Water issues resulting in regular flooding requiring urgent capacity expansion and repairs
- Constrained local highway capacity.. In width and capacity.
- Poor and deteriorating public bus transport provision
 - Shortages of school provision – Pre-school, Primary School and Secondary School – Currently ECC Education plan for children as young as 4 to be bussed to Southminster.
 - Burnham secondary school pupils who are uncontainable @ Burnham’s Ormiston Academy (despite original LDP assumptions) are being displaced to South Woodham and further afield
- Constrained medical provision, with Burnham’s sole GP surgery under extreme operational pressure, cramped facilities/ footprint, long appointment waiting times and adverse CQC ratings. We are totally unconvinced that there is an NHS/Surgery feasibility study, yet alone an investment plan, to take on around an extra 2500 patients from the extra housing approvals which MDC count in their approved land supply data plus tending to the high demands of particularly frail and vulnerable residents of the approved Care Home so far from Broomfield Hospital.
- The single track *Crouch Valley Rail-line*, once the jewel in the crown of Burnham’s sustainability classification is fast reaching full capacity at peak times. Extra commuter housing is being built at virtually every town and hamlet along the line and these problems are compounded for commuters to London by extra main line traffic generated by Southend Airport, New Business Parks/Industrial Estates and CrossRail, all progressively choking up the main Southend Victoria to Liverpool route

ISSUE: Without adequate infrastructure in advance of the approved total extra development construction, the delivery of Burnham as a sustainable community will not be possible.

ISSUE: As has been demonstrated earlier in this submission, extra housing approvals well in excess of the 450 strategic numbers have already been approved (and continue to be approved). While the 2 major Strategic Allocations approved to date should include some site related Section 106 financing to mitigate their individual impacts on infrastructure, most approved projects contain zero mitigation/enabling funding.

IN ADDITION, because no District or Burnham CIL arrangements are yet in place, or indeed are likely to be in place within the scope of 98% of the 15 year LDP programme in our town, there appears to be no viable financial future funding arrangements to address either the cumulative historic infrastructure deficiencies nor to service the small/medium applications recently approved outside the strategic allocations. We believe that a clean sheet assessment of Burnham’s infrastructure requirements needs to be urgently included in an updated LDP Infrastructure Delivery Plan together with clearly indicated source of funds, timed to get infrastructure in place before the potential 688 extra houses are actually constructed

- The latest ambiguously worded draft LDP Main Modifications to 085 Policy S6, potential dilute or completely remove any real commitment to the creation of Sustainable Safe Cycle Lanes to and

from the 3 strategic allocations to the established town centre the other side of the rail bridge : 'Safe pedestrian and cycle linkages are provided from the development where necessary' ..

ISSUE - How is 'where necessary' judged? Are there now to be ANY Continuous Cycle Lanes to and from the new strategic developments to the main town as requested by the town and promised in the LDP's sustainability sections?

- Economic Prosperity Main Modifications 119/120 4.8/4.9 - Reading these together, it is extremely hard to see why Policy E1 calls for 3.4 Hectares of Employment Space in Burnham - This is a vast area considering that in the last century there's never been a shortage of this type of land in Burnham or adjacent Southminster.
- Having originally identified with land promoters this large allocation; MDC only now in this very latest set of late modification says that it anticipates the average size of new premises as being 5,000 sq.ft units. Assuming 107,639 sq feet per Hectare and deducting 25% of site size for circulation/landscaping/parking, this would imply an extra 55 new business units in Burnham. This is particularly incredible, because as recently as 11/06/2013, MDC Planning Committee took the decision to grant Scotts Hill Industrial Park in neighbouring Southminster, permission to convert from a Business Area to a 117 extra homes residential estate because the site owners couldn't find any demand for commercial usage (application # 12/00437/OUT.) Indeed the applicant claimed that they had been trying to market the site for industrial/business purposes over 7 years from 2005 - 2012 without any success. In the most unlikely event that 55 new viable business units could be established, this would triple the town's existing business unit base and would have required massive financial subvention to implement - The LDP is silent on this financial key enabler; if funds are not available, we recommend the business area is reduced to a realistically justifiable and deliverable size

ISSUE: This alleged employment allocation seems excessive and unjustified given recent history and Burnham's remote geographical position and poor logistics compared with other better located business sites. E.g.: London Gateway, Basildon, Maldon, Chelmsford all of which are on the A road network compared with the 15 winding miles/30 minutes driving to the A130 our nearest A Road)..

- In recent planning reviews and approvals of Strategically Allocated sites there appears to be a lack of integrity in MDC's interpretation what the Strategic Allocation means. PPG Paragraph: 010 Reference ID: 12-010-20140306 says - "*Where sites are proposed for allocation, sufficient detail should be given to provide clarity to developers, local communities and other interests about the nature and scale of development (addressing the 'what, where, when and how' questions). The policies map should illustrate geographically the policies in the Local Plan and be reproduced from, or based on, an Ordinance Survey map.*". LDP Policy Clarification 2.50 Requirement for a Masterplan - "*Outside of the Garden Suburbs - development proposals in the Strategic Allocations will still be expected to be in compliance with the principles and overall requirements set out in Policy S4*".

Issue: With Strategic Allocation S2 (i) (still specified as 6.2 hectares in the Emerging LDP). MDC in August 2016 approved a site of 19.97 Hectares for 180 Houses plus a 60 bed Care Home (which was not even been considered during the LDP/EiP process). Issue: The Emerging LDP strategic site allocations and functionality appear not be respected and as a result the town will suffer creeping urbanisation on a site which has been mainly identified by MDC themselves as a protected 'Coastal Zone Special Landscape Area', driving unacceptable coalescence between Burnham Town and the hamlet of Ostend

On the above basis we believe that extra major work and resultant modifications need to be made to the troubled MDC LDP in order that the claimed strategic intent can be sustainably delivered

Yours sincerely

Natalie Bettany on behalf of Brood and SayNo members

Group Details

- **Established in 2013 in response to public concern about draft MDC LDP Proposals, BROOD is a democratic group of committed, like-minded Burnham residents who are all passionate about preserving the character of Burnham. Currently it has 179 fee paying members who specifically back this submission and over a thousand active supporters in the wider community. In Autumn 2012 BROOD facilitated an official Maldon District Council petition/ePetition signed by 1530 residents calling for the minimum recommended LDP extra home allocation for Burnham to be reduced to a maximum of 199**
- ***Say No - Burnham Deserves Better* FaceBook Group (a separate group with just over 1000 active signed up members) was originally set up in August 2012 to focus debate and action regarding a developer proposition to build 450 extra homes on a 'Coastal Zone Special Landscape Area' Greenfield site on the western outskirts of Burnham on Crouch.**

The two groups have broadly similar concerns and aims; because of this they have joined forces to produce a unified submission to the Inspectorate