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Dear Sirs,

MALDON DISTRICT LOCAL DEVELOPMENT PLAN SEPT/OCT 2016 CONSULTATION

On behalf of Burnham Town Council, please find below our response to the latest LDP consultation, this should be considered alongside the response we sent last year in connection with the initial Examination in Public carried out by Mr. Vickery. We believe that the strategies of the Emerging LDP and their successive modifications cannot be delivered sustainably or soundly in Burnham without further modifications.

Context

- Burnham on Crouch is a small town at the edge of the Dengie Peninsula on the Crouch Estuary remote from the A Road network. Because of its logistic constraints compared to

better connected competitive locations, local employment is in long-term decline. Many local residents are either of retirement age or commute to work in major employment centres by road or railway.

- Most of our town's infrastructure is dated, and in many cases inadequate for our existing population. Much of it is under strain before construction has started on a single one of the 450 units strategically allocated to us in the LDP or on approximately 90% of the large numbers of additional 'windfall' units that have continued to be approved in excess of the 450 allocation number since the LDP was first filed for review
- We are also being impacted by the large numbers of extra dwellings approved and constructed in the adjacent settlement of Southminster (despite zero units being planned in the original LDP) which are already adversely impacting Burnham's own services.
- There is a strong further risk that as the main service settlement in the Dengie, without careful due diligence and geo-economic modelling to assess impacts, we will be further affected by the Dengie area's share of the upcoming planned Rural Allocation
- Being aware of the context of our legacy infrastructure deficit, even 450 additional dwellings plus a few very limited 'windfalls' were far more than the Town Council had originally campaigned for, but we have reluctantly both supported the plan's strategic intent and reflected the District LDP strategy in our Emerging Neighbourhood Plan (targeted for Regulation 16 consultation commencing November 3rd 2016). The NDP also accords with the Original LDP approved by MDC and with the modifications /clarifications/expansions made by Mr Vickery in the early part of 2015.
- We estimate that since the Emerging LDP strategy was filed, additional dwelling approvals by MDC and PINS Appeal Inspectors plus undecided appeals, and the 90 dwelling strategic allocations not yet submitted, are already approximately 50% over the 450 number. With the 15 Year plan period only just about to start, and possibly generate even more windfall developments, we are fast heading towards a totally untenable position where events threaten to overtake the strategic intent of the LDP in terms of sustainability and adequacy of infrastructure.
- We understood from Mr Vickery's statements during the initial EiP phase, that the intent of Main Modification 089, was for a 'ventilated cap' to clearly limit extra approvals in Burnham to 450 extra houses plus a few extra small 'windfall approvals' that would be tested prior to approval to make sure that they didn't adversely impact Infrastructure.
- Despite this, the District Council and PINs Appeal Inspectors have subsequently approved applications around 50% in excess of the strategic number; all without any apparent consideration for cumulative infrastructure impact utilising the type of tests that Mr Vickery envisaged. To compound the resulting absorption problems, the vast majority of these units have been scheduled for the first 5 years of the 15 year plan, further straining the limited infrastructure and creating major sustainability risks. This will drive a massive adverse effect on such a small town in a very short time span.
 - The latest Main LDP 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 LDP 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

Suggested modification to the LDP so that its strategic intent can be sustainably delivered as it applies to Burnham on Crouch bearing in mind the above context

- **To deliver the intent of modifications 089 and 091, we request that all future planning applications within Burnham’s Area of Influence during the plan period (irrespective of size) are assessed against the likely marginal effect of that development on our towns limited infrastructure and services**

‘Fall-Back’ Housing Allocations - ‘Policy Compliant SHLAA sites’

- We are extremely concerned that the LDP ‘Reserve Site’ mechanism removed by Mr Vickery at the initial EiP, has been effectively replaced under main modification 116 2.31 by a new ‘Fall-Back site mechanism’ - which as currently drafted appears to be applicable to any ‘Policy Compliant SHLAA sites’ anywhere in the District without limit; considering all such sites ‘as part of the committed supply’
- **In view of housing applications approved for Burnham already being around 50% higher than the strategic allocation level, we believe that this latest modification needs re-drafting to clarify that this does NOT apply to Burnham on Crouch or Southminster or to any Rural Dengie sites where geo-economic modelling proves that such would further adversely impact the limited infrastructure and services of Burnham. The currently approved extra units over and above the strategic allocations seem grossly in conflict with the LDP’s declared strategic intent as consistently expressed in every iteration of the LDP to date.**

Infrastructure

- The LDP Modification 091 acknowledges some but not all of Burnham’s infrastructure issues which is of great concern; we also have strong unease about the availability of financing to remedy deficiencies on a timely and complete basis.
- The Consultation draft seems to indicate that Burnham infrastructure requirements are confined to a new 56 place Early Years and Childcare facility and expansion of the primary school provision at Burnham-on-Crouch (not detailed) to accommodate the future demand for pupil places apparently arising only from the strategic developments.
- If our understanding is correct, this is inadequate – In addition to pre-school & primary education capacity shortages, 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 shortfalls 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) being displaced to South Woodham and further afield
- Constrained medical provision, with Burnham’s sole GP surgery under extreme operational pressure, cramped facilities, 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 main driver of Burnham’s sustainability classification is fast reaching peak time’s full capacity. Extra rail 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 Street route

We fear that without adequate infrastructure in place in advance of all of the approved total extra development construction, the delivery of sustainable growth in Burnham will not be possible.

Infrastructure Funding – Quantum and timing

- Because of the LDP submission/review cadence; not only are Community Infrastructure Levy proposals unapproved, they will be non-applicable to presently approved Burnham applications totalling around 150% of the strategic allocation number; there appears to be no funding plan to provide necessary funds to fix historical deficiencies nor any plans to fix new marginal cumulative shortfalls created by the approval of large amounts of housing in excess of the 450 allocation, but which because of their site size haven’t contributed to any Section 106 financial mitigation of their additional marginal impact on our core problems.
- 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 approved extra houses are actually constructed. We need viable financial future funding mechanisms to mitigate both the cumulative historic infrastructure deficiencies and to service the small/medium applications recently approved within and above the strategic allocations

- While the 2 major Strategic Allocations approved to date for 360 extra dwellings should include some site related Section 106 financing to mitigate their individual impacts on infrastructure, none of the additional small/medium projects approved to date contains any effective mitigation/enabling funding.
- **In addition, for settlements such as ours where the predominant development form is small to medium size sites, it is suggested that the LDP rules be changed such that all applications irrespective of size contribute sufficient to at minimum neutralise any infrastructure impact that implementation would create. Solely seeking funds from large developments creates and feeds the creation of similar issues for the future.**

Sustainable Continuous Cycle Lanes

- We very much welcome Sustainability being at the heart of the LDP and applauded the declared strategy of full connectivity by sustainable Cycle Paths between (what are for a small town like us) very large new 180 & 90 house estates and our established town centre and local services. In particular we could see a massive gain if new residents living in the 450 allocated houses who wished to commute by rail to London could cycle to Burnham Rail Station rather than rely on lifts in cars as commuters do today. We see this as an opportunity for the creation of new valuable cycle routes to supplement our old and often worryingly narrow road network.
- However, proposed modifications to 085 Policy S6, seem to potentially water down or make worthless the original strategic intent. Viz: 'Safe pedestrian and cycle linkages are provided from the development where necessary'... We are really not at all clear as to who determines 'where necessary' and what criteria such a decision would be judged on.
- **Given the nature of our narrow congested roads, stop/start Cycle Lanes will prove dangerous and discourage usage. We definitely need Continuous Cycle Lanes to and from the new strategic developments to the main service centres as requested by the town and promised in the LDP's sustainability section**

Rightsize Employment Space /appropriate financial subventions

- Policy E1 specifies 3.4 Hectares of Employment Space in Burnham (as proposed by the land promoters). However proposed modification 119/120 4.8/4.9 now says that on reflection MDC plans the average size of new business/employment premises as being around 5,000 sq. metres. This implies a very large number of new employers in Burnham, perhaps triple or maybe even quadruple our various legacy employment areas.
- **To be both sound and deliverable the Employment Section needs to either sanity check the proposed free market size of Burnham's Employment Area back to realistic levels or detail an attractive subsidy programme to attract employers away from better located areas elsewhere in Maldon and surrounding Districts to relocate to Burnham**

Integrity of LDP Site Size Specification

- Despite the LDP Strategic Allocation site S2 (i) being specified as 6.2 hectares in the Emerging LDP. The District Council in August 2016 approved a site of 19.97 Hectares for 180 Houses plus a 60 bed Care Home (which was not even considered during the LDP/EiP process to date). The Emerging LDP strategic site allocations and functionality appear to have not been 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
- We are concerned there appears to be a lack of integrity in MDC's interpretation as to 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".
- **We recommend that to maintain credibility and soundness, all future strategic allocations are respected within only small tolerances to give certainty and reassurance to local communities**

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

Yours sincerely on behalf of Burnham on Crouch Town Council