

# Draft Local Development Plan



## Public Consultation Questionnaire

Following consultation on the preferred options last summer, Maldon District Council has prepared a Draft Local Development Plan (LDP) which will help shape the future of the District over the next 15 years. The Council now wants to hear what **YOU** think about the main proposals in the Draft LDP. Information is provided in the leaflet and copies of the Draft LDP, Proposals Map and Sustainability Appraisal, are all available online at [www.maldon.gov.uk](http://www.maldon.gov.uk) and at the Council Offices. A series of exhibitions will be held throughout the District in September.

Comments should be made by completing this questionnaire and returning it to the Council in the attached stamped addressed envelope.

If you prefer, you can complete the questionnaire online on the Maldon District Council website at [www.maldon.gov.uk](http://www.maldon.gov.uk)

**All responses must be received by 5pm on Monday 14th October 2013**  
[late responses will not be considered]

### **PART A** - Your details (*anonymous responses cannot be considered*)

[Please print clearly in all written responses using **BLOCK CAPITALS** and **BLACK INK** else your data may be lost]

Name	ALAN COOK CONSULTANCY	Address	22 EATON ROW
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If you would like to be added to the Local Development Plan mailing list to receive updates on the progress of the Plan, please tick here (*please ensure your details are written clearly above*)



**PART B -**

Reference is made to the appropriate Policy/Appendix numbers in the Draft LDP.

**Q1 The overall vision is to improve the quality of life for people living and working in the District and to provide the new homes, jobs and infrastructure required to meet identified needs and support the local economy, whilst protecting the District's heritage and environment.**

	<i>Strongly Agree</i>	<i>Agree</i>	<i>No Opinion</i>	<i>Disagree</i>	<i>Strongly Disagree</i>
Do you support the overall vision for the District set out in the Draft LDP?(please tick one box)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Q2 In order to ensure the LDP will meet the requirements set by Government, the Council has reviewed the amount of development required to meet identified housing and employment needs over the next 15 years. As a result, it has been necessary to increase the proposed number of new homes from 3,000 to 4,410 and to allocate 8.4 hectares of additional employment land.**

	<i>Strongly Agree</i>	<i>Agree</i>	<i>No Opinion</i>	<i>Disagree</i>	<i>Strongly Disagree</i>
Do you support the proposed level of growth in the District (Policy S2)? (please tick one box)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Q3 The main urban areas of Maldon, Heybridge and Burnham-on-Crouch are considered to be the most appropriate locations for new housing. Following consideration of alternative options which are detailed in the Draft LDP (Appendix 6), the following distribution is now proposed.**

Do you support the proposed distribution of new housing (Policy S2)?

*(please tick one box per line)*

<i>Settlement</i>	<i>Total number of dwellings</i>	<i>Strongly Agree</i>	<i>Agree</i>	<i>No Opinion</i>	<i>Disagree</i>	<i>Strongly Disagree</i>
Maldon	1,830	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Heybridge	1,000	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Burnham-On-Crouch	450	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

If you disagree, is there an alternative distribution of new housing which you would prefer? [Please use **BLOCK CAPITALS**]

SEE OBJECTIONS AND COMMENTS ON ATTACHED

**Q4 It is proposed to develop two Garden Suburbs in Maldon and Heybridge which will be comprehensively planned to ensure the provision of a mix of housing, community and educational facilities, open space and new transport provision.**

	<i>Strongly Agree</i>	<i>Agree</i>	<i>No Opinion</i>	<i>Disagree</i>	<i>Strongly Disagree</i>
Do you agree with the proposals for development in Maldon and Heybridge (Policy S4)? <i>(please tick one box)</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Q5 The distribution of new housing in Burnham-on-Crouch has been reviewed in response to comments received during the last consultation. It is now proposed to distribute the new housing between three smaller sites instead of one large site.**

	<i>Strongly Agree</i>	<i>Agree</i>	<i>No Opinion</i>	<i>Disagree</i>	<i>Strongly Disagree</i>
Do you support the strategy for housing development in Burnham-on-Crouch (Policy S6)? <i>(please tick one box)</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Q6 In response to comments made during the last consultation, the number of new dwellings to be accommodated in North Fambridge has been reduced from 300 to 75.**

	<i>Strongly Agree</i>	<i>Agree</i>	<i>No Opinion</i>	<i>Disagree</i>	<i>Strongly Disagree</i>
Do you support the strategy for housing development in North Fambridge (Policy S7)? <i>(please tick one box)</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Q7 In order to provide for local housing needs and support local services, it is proposed to make provision for a total of 345 new dwellings in other rural villages in the District. A Rural Allocations Development Plan Document will be produced after completion of the LDP in consultation with local communities to identify appropriate sites for development.**

	<i>Strongly Agree</i>	<i>Agree</i>	<i>No Opinion</i>	<i>Disagree</i>	<i>Strongly Disagree</i>
Do you support the strategy for housing development in other rural villages (Policy S7)? <i>(please tick one box)</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Q8 A policy has been included in the Draft LDP to ensure that the use or display of advertisements do not have an adverse impact on amenity and public safety.**

	<i>Strongly Agree</i>	<i>Agree</i>	<i>No Opinion</i>	<i>Disagree</i>	<i>Strongly Disagree</i>
Do you agree with this approach (Policy D6)? <i>(please tick one box)</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Q9 The Draft LDP seeks to provide adequate land to promote employment development, job creation and to allow for the expansion of existing businesses.**

	<i>Strongly Agree</i>	<i>Agree</i>	<i>No Opinion</i>	<i>Disagree</i>	<i>Strongly Disagree</i>
Do you support the proposals for new employment development in Maldon and the extension to the Burnham Business Park (Policy E1)? <i>(please tick one box)</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Q10 Increasing the supply of affordable housing is one of the Council's key priorities.**

	<i>Strongly Agree</i>	<i>Agree</i>	<i>No Opinion</i>	<i>Disagree</i>	<i>Strongly Disagree</i>
Do you agree with the local requirements for affordable housing provision (Policy H1)? <i>(please tick one box)</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Q11 The Council is committed to working with our partners to improve healthcare facilities within the District**

	<i>Strongly Agree</i>	<i>Agree</i>	<i>No Opinion</i>	<i>Disagree</i>	<i>Strongly Disagree</i>
Do you support development on an appropriate greenfield location at the edge of Maldon if it were to deliver a new Community Hospital or similar healthcare facilities (Policy I2)? <i>(please tick one box)</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Q12 Primrose Meadow is an area of green space situated off Mundon Road, Maldon**

	<i>Strongly Agree</i>	<i>Agree</i>	<i>No Opinion</i>	<i>Disagree</i>	<i>Strongly Disagree</i>
Do you support the production of a Primrose Meadow Planning Brief to manage the future use of the site (Policy I3)? <i>(please tick one box)</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Q13 The Council has produced an updated Sustainability Appraisal to support the Draft LDP which is available on the Council's website. Do you have any comments on this? [Please use **BLOCK CAPITALS**]**

## Equality Monitoring

Maldon District Council is committed to providing services that meet the needs of its residents and to providing equal opportunity to all. In order to do this it is important that the Council understands who its customers are and who is using its services. The Council therefore asks for the following monitoring information.

Answering the questions below is entirely voluntary so please leave blank any questions that you are not comfortable answering. Any information you do give will be used to help us provide better services and to promote equality.

Information will only be used by Maldon District Council and its employees in accordance with the Data Protection Act 1998. Maldon District Council will not supply information to any other organisation or individual except to the extent permitted by the Data Protection Act and which is required or permitted by law in carrying out any of its proper functions.

Information given will be kept separately so that individuals cannot be identified and will be treated as confidential and only used for the purposes described. Any personal details given will not be used for any other purpose.

Please tick appropriate box(es).

### Q16 Are you

Male .....  Transgender   
 Female .....  /Transsexual .....   
 Prefer not to say.

### Q17 Are you

Heterosexual.....  Lesbian or gay ...   
 Bisexual .....  Prefer not to say.

### Q18 Age Group

Under 16 .....  45-64.....   
 17-24.....  65 and over.....   
 25-44.....  Prefer not to say.

### Q19 Which of the following best describes your marital status?

Single .....  Divorced.....   
 Married.....  Partner or co-habiting .....   
 Civil Partnership.  Prefer not to say.   
 Widowed .....

### Q20 What is your religion?

Buddhist .....  Muslim.....   
 Christian (all denominations) ....  Sikh .....   
 Hindu.....  No religion or belief .....   
 Humanist.....  Other .....   
 Jewish .....  Prefer not to say.

### Q21 Do you consider yourself to have a disability?

The Disability Discrimination Act 2005 defines a person as disabled if he or she has a physical or mental impairment which has a substantial long-term adverse effect on his or her ability to carry out normal day-to-day activities. This would include progressive illnesses such as cancer.

Yes   
 No   
 Prefer not to say

### Q22 What do you consider to be your ethnic origin?

White - British .....  Asian or Asian British - Bangladeshi .....   
 White - Irish .....  Asian or Asian British - Other.....   
 Mixed - White & Black Caribbean .....  Black or Black British - Caribbean.....   
 Mixed - White & Black African.....  Black or Black British - African.....   
 Mixed - White & Asian .....  Black or Black British - Other .....   
 Mixed - Other.....  Chinese .....   
 Asian or Asian British - Indian.....  Other (please specify in box below \*\*).....   
 Asian or Asian British - Pakistani .....  Prefer not to say .....

\*\* Other (please specify)

Q14 Do you wish to comment on the Proposals Map or any other Policies in the Draft LDP?

Please enter here which Policy Number / Paragraph number you refer to

Please enter your comments in the box below [Please use **BLOCK CAPITALS**]

YES SEE ATTACHED OBJECTIONS  
AND COMMENTS

Q15 If you wish to make any other comments on the Draft LDP, enter your comments in the box below [Please use **BLOCK CAPITALS**]

SEE ATTACHED OBJECTIONS AND  
COMMENTS ON  
POLICIES S1  
S4  
S5  
DS  
EI

Thank you for taking the time to complete this questionnaire. Your comments are important and will be fully considered. Please see Maldon District Council's website for future information about the progress of the LDP.

If you need further assistance please contact the Planning Policy Team by email at [policy@maldon.gov.uk](mailto:policy@maldon.gov.uk) or by telephone on 01621 876202

This document can be made available on request in larger print, braille and audio and in languages other than English. To obtain a copy in an alternative format please contact the Planning Policy Team on 01621 876202.

**ALAN COOK CONSULTANCY**

**REPRESENTATIONS ON BEHALF OF LODESTAR PROPERTIES LTD**

**LEIGH INDUSTRIAL ESTATE THE CAUSEWAY MALDON ESSEX**

**DRAFT LOCAL DEVELOPMENT PLAN**

**13 October 2013**

## **Introduction**

These representations and objections relate principally to the housing and employment policies of the draft Local Development Plan (LDP) of Maldon District Council (MDC) on which the consultation period expires on 14 October 2013.

In summary it is considered that aspects of these policies in the LDP fail to comply with the NPPF, with the Evidence Base and with other material considerations and amendments are requested.

In particular they fail to recognize that sustainable development requires a flexible approach to be taken to ensure the efficient use of brownfield land for future use including employment, residential and other urban uses.

For a long time MDC has sought to regenerate the Causeway area and this is recognized in a number of documents in the Evidence Base.

The Leigh Industrial Estate in the Causeway area is owned by Lodestar Properties Limited and contains a mixture of B1c, B1a and A1 uses with the A1 use being at the front of the site in the 2 units occupied by Retail Pine Warehouse and Travis Perkins and the remainder of the site being occupied by Steltube for the assembly of steel furniture.

The site has an area of about 1.40 ha and is occupied by about 6,335 sq m of built space of which about 2,096 sq m is A1 retail and 4,239 sq m is B1c/B1a business and ancillary use.

Each of the principal policies is considered and objections/representations noted where appropriate in bold indented.

## **National Planning Policy**

### **The NPPF**

In March 2012, the National Planning Policy Framework (NPPF) was published by the Department for Communities and Local Government. The NPPF sets out the Government's economic, environmental, and social planning policies for England; it sets out that the purpose of the planning system is to contribute to the achievement of sustainable development.

In terms of development management, the NPPF advises that the primary objective of development management is to foster the delivery of sustainable development, not to hinder or prevent development. The NPPF encourages engagement in pre-application discussions,

consultation and generally front-loading the planning application process. It also sets out that in determining planning applications, local planning authorities should apply the presumption in favour of sustainable development.

Annex 3 of the NPPF identified the former policy documents that are replaced by the Framework, including PPS1, PPS3, PPS4, PPS5, PPG13, PPS22, PPS23, PPG24, and PPS25. The NPPF does not change the statutory status of the development plan as the starting point for decision making; however, it constitutes guidance for local planning authorities and decision-takers both in drawing up plans as a material consideration in determining planning applications.

Paragraph 17 of the NPPF identifies the core planning principles which should underpin both plan-making and decision-taking; these include:

- Empowering local people to shape their surroundings, with succinct local and neighbourhood plans setting out a positive vision for the future of the area;
- Finding ways to enhance and improve the places in which people live their lives;
- Proactively driving and supporting sustainable economic development to deliver homes, business and industrial units, infrastructure and thriving local places;
- Seeking to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;
- Taking account of the different roles and character of different areas, promoting the vitality of urban areas;
- Supporting the transition to a low carbon future, taking full account of flood risk, and encouraging the reuse of existing resources;
- Contributing to conserving and enhancing the natural environment and reducing pollution;
- Encouraging the effective use of land by reusing land that has been previously developed (brownfield land);
- Promoting mixed use developments;
- Conserving heritage assets in a manner appropriate to their significance;
- Actively managing pattern of growth to make the fullest use of public transport, walking and cycling, and focus significant development in locations which are or can be sustainable; and
- Taking account of and supporting local strategies to improve health, social and cultural wellbeing for all, and delivering sufficient community and cultural facilities and services to meet local needs.

The overarching national planning policy theme evident from the publication of the National Planning Policy Framework is a presumption in favour of sustainable development, which the Government have advised should be at the heart of the planning system and, which should be seen as a 'golden thread' running through both plan making and decision taking.

## **Comment**

**We object.**

**Whilst frequent reference is made to the NPPF in the LDP it is felt that it does not comply with the NPPF and fails to meet the aims behind sustainable development.**

**In particular para 22 of the NPPF is ignored –**

*'Planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. Land allocations should be revised regularly. Where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land and buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities'.*

**In particular in the context of this town centre gateway site in the Causeway Regeneration area para 23 is ignored –**

*'In drawing up Local Plans, local planning authorities should ... allocate appropriate edge of centre sites for main town centre uses that are well connected to the town centre where suitable and viable town centre sites are not available'*

**No reference is made to para 26 which sets a default threshold of 2,300 sq m for impact assessment for retail, leisure and office development outside the town centre.**

**There is no reference to para 51 –**

*'They should normally approve planning applications for change to residential use and any associated development from commercial buildings (currently in the B use classes) where there is an identified need for additional housing in that area, provided there are not strong economic reasons why such development would be inappropriate'.*

**Whilst para 52 makes reference to larger scale development such as extensions to existing settlements this is not the only way to provide new housing.**

**MDC do not appear to have assessed whether in fact Strategic Allocations and Garden Cities are in fact the best way of achieving sustainable development.**

We think they are not the only way, even where land is constrained by matters such as flood risk areas as is the case in the District.

Maldon and Heybridge are 2 large settlements and account for over a third of the District's population.

There are also pockets of deprivation within this area especially in this part of the centre despite the relative affluence of the surrounding area which will be exacerbated if growth is encouraged outside the urban envelope by just relying mainly on Strategic Allocations and Garden Suburbs.

The relative isolation of Maldon is a major cause of this deprivation with poor public transport links and high reliance on the car – this contributes to leakage of retail spending - investment in edge of centre sites for residential use with some retail development is required in order to reinforce the town centre.

This concern does not feature in the LDS. Indeed the current statutory plan is ironically more sustainable - for example Policy Development Boundaries and New Development - Strategic policy which requires new development to be directed to those sites within the designated development boundaries.

#### **Preferred Options Consultation 2012**

The Preferred Options consultation for the LDP took place between 10 July 2012 and 28 August 2012.

The Council received some 850 representations on the consultation. Background information, evidence and supporting documentation which has informed the development of the Local Development Plan Preferred Options has been looked at as part of these objections.

#### **Comment**

**The Preferred Options did not fully address the sustainability priority of the NPPF. It is appreciated that a start was made on the LDP before the NPPF started but its full impact has not been reflected.**

**Maldon DC has to find sites for 4,410 dwellings as a minimum and we consider that parts of the employment sites (including Leigh Industrial Estate) should be treated in a more flexible way having regard to the Evidence Base such that this site should be seen as edge of centre rather than simply as a windfall site for the reasons below.**

#### **Policies in revised consultation draft LDP 2013**

This sets out strategies for growth over the next 15 years 2014 – 2029 following consultation as part of the LDF Core Strategy and the following is relevant with emphasis placed on the housing, employment and retail policies – other policies on heritage, sustainability and open space are recognized.

## **Policy S1 Sustainable Development**

When considering proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF .There are 13 key principles of which, 1) covers business use by providing sufficient space and 2) to deliver sustainable levels of housing growth.

### **Comment**

**We object.**

**Whilst the LDP repeats the economic, social and environmental roles implicit in the NPPF it does not demonstrate how this can be achieved.**

**The LDP relies too much on the concepts of Strategic Allocations and Garden Suburbs to achieve housing targets despite the constraints of flood risk areas.**

**On strategic growth the Council will promote sustainable development to deliver economic and residential growth and meet the objectively assessed housing need.**

**Strategic growth will be focused at the main settlements mainly in the form of Garden Suburbs and Strategic Allocations.**

**There will also be rural allocations and windfall allowances.**

**Since the abolition of the East of England Plan the NPPF requires LPAs to set housing targets locally which are based on projections in the Sub National Population Projections (SNPP), the Greater Essex Demographic Forecasts Study and the SHMA. The Heart of Essex Housing Growth Scenario Study then tested a number of housing growth scenarios.**

**The objectively assessed housing need is considered to be met by the latest 2010 update to the SNPP at 294 dwellings per annum or 4,410 homes in total as a minimum (para 2.24).**

**Para 2.30 addresses committed supplies and windfall sites defined as previously developed sites that unexpectedly become available. Maldon DC had had a regular supply of such sites at an average of 22 per annum and a total of 330 windfall dwellings are assumed in the plan period.**

**Greater weight should be given to windfall sites especially those in sustainable urban locations to prevent the sterilisation of urban land.**

## **Policy S2 Strategic Growth**

This sets out the minimum objectively assessed housing need of 4,410 dwellings with a table of locations and projected phasing.

### **Comment**

**We support the increased assessment of housing need but object to the allocations. The LDP does not comply in a material sense with the NPPF**

in that this requires that planning should actively manage patterns of growth to make the fullest use of public transport, walking and cycling and focus development in locations which are or can be made sustainable. Whilst it states that the supply of housing can sometime be achieved through planning for larger scale development such as village extensions or Garden City extensions to towns, this should not be at the expense of ignoring existing urban areas.

The Leigh Industrial Estate could be such a re-use for housing for the reasons stated below.

Para 2.48 of the policy justification states that Maldon and Heybridge area has been chosen as the major focus for housing development as this is the most sustainable area in the District in terms of access to employment, retail provision and community facilities. Whilst these locations give good access to the strategic road network this is not a good single measure of sustainability and we strongly object to this statement.

Policy S2 seeks to deliver some 2,610 dwellings within 2 new Garden Suburbs and 2 Strategic Allocations across the Maldon and Heybridge areas.

It is considered that this is too high a proportion of the overall allocation and that this should be reduced by at least 10%, with that 10% allocated to existing built areas such as The Causeway and in particular the Leigh Industrial Estate at least.

The table in Policy S2 should be amended to reflect this change with the following additional section S2(h) under Maldon and Heybridge Strategic Allocations for Leigh Industrial Estate with a total of 250 units and provided in Year 0-5

#### **Policy S4 Maldon and Heybridge Strategic Growth**

This summarises infrastructure improvements in the Garden Suburb and Strategic Allocation

#### **Comment**

We object to the reliance on the Strategic Allocations and Garden Suburbs which will not assist Maldon town centre which the evidence base shows is still suffering serious expenditure leakage. This is likely to increase when development in adjoining centres takes place (eg Chelmsford).

This leakage will be exacerbated by development on the edge of existing settlements as there will be no desire to go into the town centre.

This cannot be overcome by a masterplan approach or the provision of employment uses in these Strategic Allocations and Garden Suburbs

**Whilst there are floor risk constraints these can be overcome by appropriate design as the NPPF allows**

### **Policy S5 Maldon and Heybridge Central Area**

The Causeway Area is shown as Regeneration Area in the Central Area Key Diagram Fig 6. The Leigh Industrial Estate is at a town centre gateway. We agree with this designation.

The strategy includes at para 3) the regeneration of the Causeway to improve the supply of high quality use class B floorspace and increase employment. Mixed use development is included which will enable significant numbers of jobs to be created.

#### **Comment**

**We support the designation of the Regeneration Area but object to the lack of effective policies to support this designation.**

**The whole issue of how regeneration will be achieved is not dealt with in the LDP at all adequately and this absence will not allow regeneration to take place.**

**Of the total number of dwellings over the plan period of 4,410, too high a proportion than is sustainable rely on the Strategic Allocations and Garden Suburbs.**

**There should be more efficient use made of obsolete commercial sites in the built up area including Leigh Industrial Estate especially as this is not entirely in B use.**

**The LDP utterly fails in this respect to understand the mechanics of the regeneration process.**

**There has been a structural change in employment in the District especially since 2008.**

**Much of the existing floor space is obsolete and this is recognized in the Employment Land Review Roger Tym and Partners and Fenn Wright March 2009**

**The LDP contains Key Area Diagram Figure 6. This shows the Causeway as a Regeneration Area with the Causeway/A414 roundabout as town centre gateway.**

**This is a token recognition of the detailed analysis provided in the Maldon and Heybridge Central Area Contextual Study Allies and Morrison June 2012**

**There is no consideration as to how the 'aspired' renewal of the Causeway Regeneration Area will be achieved. Regeneration is required and is agreed with and this is the best way of achieving a sustainable future for Maldon town centre as part of a strong retail core strategy – however this cannot be achieved simply by stating –**

***'Renewal of the Causeway Regeneration Area to improve the supply of high quality Use Class B floorspace (commercial and industrial) and increase employment.'***

This assumes that in the absence of public subsidy the private sector will provide this floor space. It will not because it is not viable and will not become viable.

What is required is a more proactive approach along the lines of an 'enterprise zone' with a flexible attitude to any development that enables existing obsolete stock to be replaced with new floorspace that could include residential, hotel, retail and leisure uses.

The policy should be distinguished by redesignating parts of the Causeway Area adjacent to the existing centre and to existing housing and amenity areas as suitable for non B1 development including residential and retail.

New B1 development is only likely to be very limited in the life span of the Plan due to the relative isolation of Maldon as an employment location without a natural hinterland and relatively isolated from the strategic road network.

Introducing new housing and retail uses will underpin the policies for the town centre which are strongly supported by us.

The policy should be amended by the following additional sentence in sub para 3) of Policy S5-

**'In addition to Use Class B employment uses a distinction will be made at the town centre gateway sites where residential and replacement retail will be permitted. This shall be designed to boost pedestrian access to the adjacent areas including the Maldon Central Area and Fullbridge'**

In the table at para 2.71 the Leigh Industrial Estate shall be added as a residential-led regeneration scheme on a town centre gateway site with other town centre uses including replacement retail and leisure.

#### **Policy D5 Flood risk and coastal management**

The Council's policy is to direct strategic growth towards lower flood risk areas such as Flood Zone 1 and not to increase the flood risk on site, locate development where the use is compatible with national planning policy and demonstrate that the Sequential Test and where necessary the Exception Test is undertaken.

#### **Comment**

The SFRA shows that the main risk of flooding derives from river and sea (tidal) flooding and will note that the whole area is protected by sea/river defences managed by the EA.

Provided that sea/river defences are properly maintained there is no reason not to allow residential development here subject to compliance with the NPPF and

**flood risk should not be used as justification for only allowing most housing in the Strategic Allocations and edge of settlement locations away from the coast.**

**The policy should be amended to allow properly designed residential within selected parts of the Central Area including town centre gateway sites at the Causeway such as Leigh Industrial Estate.**

### **Policy E1 - Employment**

The Council will encourage employment generating developments and investments by creating 2,000 net additional jobs through regeneration of existing employment sites, new employment sites at strategic locations and garden suburbs and other high quality sustainable locations.

Policy E1 encourages employment generating development and the Leigh Industrial Estate is within Employment Area E1 (L) The Causeway for B1/B2/B8 where planning applications will only be permitted for employment purposes if they accord with the use class specified – in this case B1,B2,B8 totalling 46.6 ha.

In principle, designated employment areas will be retained and protected for Class B use unless it can be demonstrated that there is no reasonable prospect for the site to be used for these purposes.

Proposals to develop vacant employment sites and to modernise or redevelop existing employment sites and building will be viewed favourably where this supports retention of existing businesses and /or provides employment that meets current needs of local business.

Proposals causing loss of existing employment uses will only be considered in 3 cases-

- 1) The present use significantly harms character and amenity of adjacent area or
- 2) The site would have greater benefit to local community if alternative use were permitted or
- 3) The site has been effectively marketed at local market value for existing use or other employment use and that it can be shown that continuous use for employment is no longer viable taking account of existing and long term demand

Mixed use proposals will only be considered on existing employment land where substantive Class B employment will support economic growth and Class B employment will be delivered alongside or in advance of proposed non-employment use.

Mixed use development will not be considered acceptable where it detrimentally impacts on quality of the site for employment uses.

### **Comment**

**We object.**

**This too prescriptive and does not reflect economic reality.**

The approach should be geared to analysing in more detail the potential to regenerate areas and retain employment through general development including residential and mixed use. This should not be achieved simply by zoning employment areas and adopting a protective policy.

The policy should be amended to distinguish the Leigh Industrial Estate as a town centre gateway site within the Causeway Regeneration area where long term retention of employment use is not required.

The overall aspiration behind E1 whilst well intentioned is a naïve hope that simply does not reflect the location of Maldon. Located on the coast without a rail link and with no really adequate strategic road network this policy aspiration is admirable but will achieve its stated aims.

There must be a far more flexible approach to development within employment areas with development assessed based on its sustainability and regeneration qualities rather than just a measure by job numbers.

There is a chance that some employment uses associated with the Garden Suburbs might be provided where access by car to the strategic road network is better but a more realistic approach might be to rely on the regenerative effects of increasing the population and therefore retaining spending power within the centre by selective and appropriate development of existing employment sites for other uses.

A distinction in this area should be made between new clean industrial uses and the older obsolete stock.

Where downsizing and relocation to another employment site can be achieved (eg Steltube are considering this at the Leigh Industrial Estate) the policy should be to allow a proportion of employment site to be allocated for other uses including housing.

This would be consistent with NPPF.

Reserving sites for employment use alone is not a credible regenerative approach as such sites simply tend to be left to rot until either policy changes, an appellant successfully argues at appeal as an exception or some other economic event intervenes.

That is not a proper way in which to plan a regeneration of this area.

Redevelopment of this site would lead to a loss of a currently allocated employment land which *inter alia* is currently occupied by an operational furniture-making works. The policy should be made more flexible to allow employment to be lost if it can in whole or part be relocated within the Maldon District as part of a negotiated application. There should be a special policy provision where existing buildings are no longer suitable but where an occupier is prepared to stay on another site and a marketing test should not always be required. Such tests are notoriously inaccurate and it is not the job

of the planning system (nor is the intention of the NPPF) to prevent appropriate alternative development that is required and can be rendered sustainable.

In the case of the Leigh Industrial Estate the property marks the southwest bookend of the industrial area and its loss as industrial would not affect the viability of the retained area. Indeed there is no internal link with the industrial units to the north east. A separate policy distinction needs to be made to give effect to this town centre gateway site.

Other commercial uses other than B1 (eg A1, D1 and hotel) all offer significant employment levels

The Employment Land Review shows a need for available employment land but the area is in need of significant inward investment and this can only take place if phased redevelopment of gateway sites is permitted. Inward investment and therefore achieving the Regeneration Area aims can only viably be achieved with other uses that create jobs including appropriate retail uses that complement the employment uses in the area.

The general thrust of Government policy is of course a presumption in favour of sustainable development, particularly where as in this case there is economic benefit.

Policy E1 seeks to reserve land for employment development and includes a table defining appropriate land uses for sites across the District. For the Causeway area this is recognized as the largest allocated employment area comprising 43.6 hectares of land and identifies that B1, B2 and B8 are appropriate land uses. This is far too much employment land is this location for which there is neither demand now nor is there likely to be over the Plan period. At least 10 -20% should be removed from the employment allocation including the Leigh Industrial Estate. Whilst the Council has identified 14.3 ha of employment space previously designated for employment uses in the RLP 2005, it has identified a further 6 ha in the proposed new Strategic Allocations and Garden Suburbs.

It is likely therefore that there is still too much surplus employment capacity in the District and this will not assist regeneration aims if employment land continues to be underused or vacant.

The 2009 ELR shows that the Causeway area scores well in terms of local facilities and access to road network but less well on on-site environment, quality of buildings, potential contamination and flood risk issues.

The 2009 ELR recognizes that in the absence of a major regeneration initiative it will be difficult to encourage redevelopment.

Para 7.20 of the ELR states that in recognition of the fact that much of the growth in employment is likely to be in non B space premises, it should consider the merits of mixed use development on key sites that could bring

**forward employment in both B space and non B space activities such as hotels, restaurants, retail, leisure and other services.**

**This is an important consideration for this site which is a town centre gateway site. These gateway sites should be considered for a wider range of uses and the E1 protection policy should be excluded from the gateway sites.**

**In summary we consider this site zoning should be reviewed together and the site taken out of the employment area zoning.**

## **Conclusions**

These representations and objections concern a town centre gateway site at Leigh Industrial Estate which whilst designated so in Maldon Central Area Key Diagram is not flexibly treated in the draft policy.

Its removal from an employment area designation is proposed in these objections and representations and loss as an employment site would not have a serious impact on the employment aspirations for the District.

The existing occupier, Steltube, will relocate to another site in the District and employment provision would not be directly displaced by a redevelopment proposal.

There is significant existing retail on the site already.

Non B class use in this particular case would not prejudice the employment uses to the north and will remove a use that significantly impacts on the adjoining conservation area and local wildlife site. The site is a buffer site between the existing edge of centre retail in Fullbridge and the industrial and warehouse uses to the north.

These representations argue that as a result this site should be seen as an exception to draft Policy E1 of the emerging DLP. Retail and residential development reflects the gateway nature of the site, residential is more appropriate to the adjacent conservation area and would provide a site which would contribute to Maldon's need to find a further minimum 4,410 homes which is a strategic objective in the District over the next 15 years.

Regeneration of the Causeway has been a long held policy that has not yet happened despite this aspiration. The greater flexibility argued in these objections will enable this regeneration to be triggered. Currently the draft LDP envisages significant housing provision on previously undeveloped land and/or in unsustainable locations. Significant new housing should not just be provided in the Garden Suburbs and Strategic Allocations. This site close to the town centre is highly sustainable and provides an alternative house type and style on previously developed land close to the town centre in contrast to the less sustainable locations proposed in the draft LDP and which lack infrastructure support.

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on behalf of Lodestar Properties Limited**

**13 October 2013**