

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 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

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	DAVID FLETCHER	Address	COVAL HALL
		Line 2	RAINFORD ROAD
Company (if applicable)	STRUTT AND PARKER	Line 3	CHELMS FORD
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Email address:	david.fletcher@struttandparker.com	Postcode	CM1 2QF

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.

Do you support the overall vision for the District set out in the Draft LDP? (please tick one box)

	Strongly Agree	Agree	No Opinion	Disagree	Strongly Disagree
	<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.

Do you support the proposed level of growth in the District (Policy S2)? (please tick one box)

	Strongly Agree	Agree	No Opinion	Disagree	Strongly Disagree
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input 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)

Settlement	Total number of dwellings	Strongly Agree	Agree	No Opinion	Disagree	Strongly Disagree
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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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**]

REFER TO ATTACHED STATEMENT

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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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]

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

POLICY 53

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

REFER TO ATTACHED STATEMENT.

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

REFER TO ATTACHED STATEMENT

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 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.

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)



MALDON DISTRICT LOCAL DEVELOPMENT PLAN PUBLIC CONSULTATION (28 AUGUST- 14 OCTOBER 2013)

LAND TO THE NORTH OF HOLLOWAY ROAD, HEYBRIDGE

Strutt and Parker LLP on behalf of Mr P. Dalby

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1. INTRODUCTION

- 1.1 This representation has been prepared by David Fletcher MSc MRTPI of Strutt and Parker LLP on behalf of Mr P Dalby to support the promotion of land to the north of Holloway Road, Heybridge as part of the current Maldon District Local Development Plan (LDP) Consultation (2013).
- 1.2 The site is being promoted for a residential development for up to 100 dwellings. The location of the site is shown on figure 1.

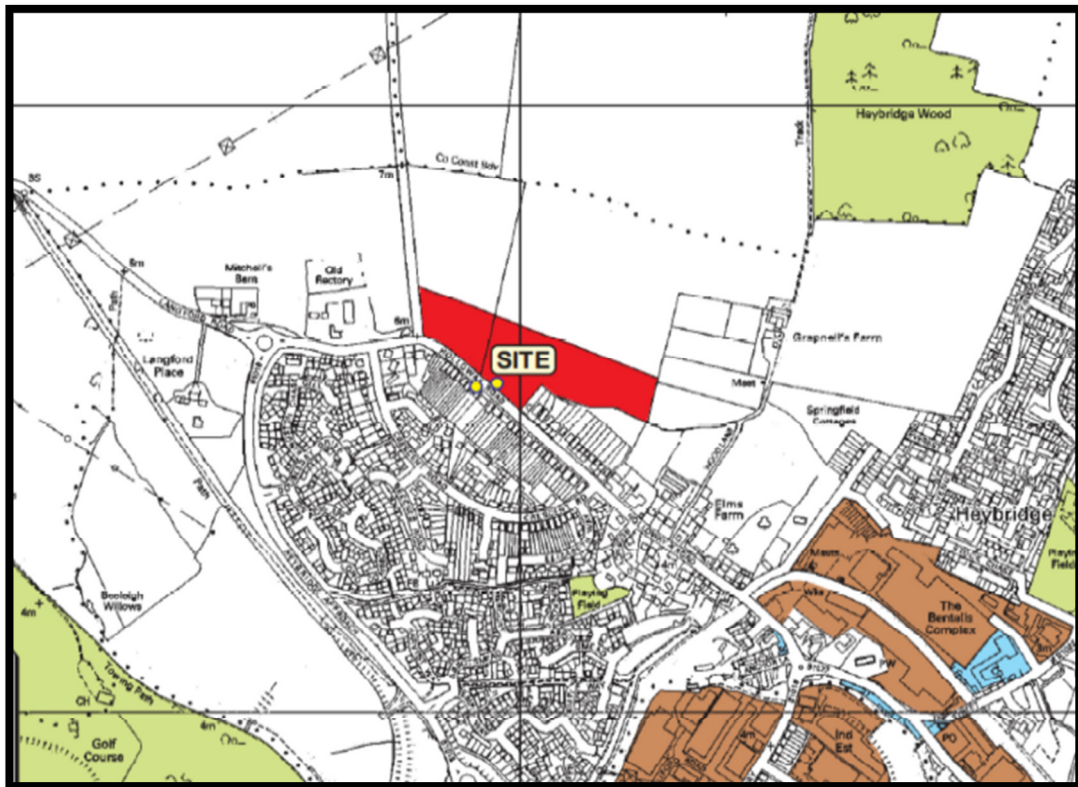


Figure 1: Location Plan © Ardent Consulting Engineers

- 1.3 The representation sets out planning policy support for proposals in relation to the emerging Local Plan Consultation and National Planning Policy Framework. This includes an assessment of the credentials of the site against the key questions from within the consultation document.
- 1.4 In accordance with criteria set out in the Planning and Compulsory Purchase Act (2004) and the National Planning Policy Framework (NPPF), when allocating sites for development Local Authorities need to be satisfied that their plan is 'sound'. As set out in paragraph 12 of the NPPF to be sound, a development should be positively prepared, justified, effective and consistent with national policy. Namely that it is:

Positively Prepared- The plan should be prepared on a strategy, which seeks to meet objectively assessed development and infrastructure requirements and consistent with achieving sustainable development.

Justified- The plan should be the most appropriate strategy, when considered

against the reasonable alternatives, based on proportionate evidence.

Effective- The plan should be deliverable over its period and based on effective joint working cross- boundary strategic priorities; and

Consistent with National Policy- The plan should enable the delivery of sustainable development in accordance with the policies in the Framework.

- 1.5 This document provides an assessment of Maldon District's Preferred Options Consultation against the key points set out above, with reference to the Land North of Holloway Road, Heybridge.
- 1.6 As submitted as part of previous representations in the emerging LDP, a number of supporting documents with regard to matters of transport, drainage, ecology and landscape have been submitted to Maldon District Council to prove that the site is fully developable in planning terms. Further copies of these documents can be provided upon request.

2. RESPONSE TO KEY QUESTIONS WITHIN THE CONSULTATION

2.1 This section provides responses to the questions set out in the consultation document as appropriate.

Do you support the proposed level of growth in the District set out in the draft LDP and do you support the overall vision for the District set out in the Draft LDP?

2.2 Yes, the proposal to deliver a minimum of 4410 dwellings between 2014 and 2029 is strongly supported. The proposed strategy is considered to be in accordance with paragraph 47 of the NPPF that states that to boost significantly the supply of housing, local authorities should:

- Use their evidence base to ensure the Local Development Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area.
- Identify and update annually a supply of specific deliverable sites sufficient to provide 5 years' worth of housing against their housing requirements to ensure and choice and competition in the market for land.

2.3 The increased provision of development in the District to provide a minimum housing target of 294 homes per annum and 8.4 hectares of additional employment space indicates a positive approach from Maldon District Council, with accords with the key principles of the NPPF. These figures are considered to provide a good balance between supporting growth in the District (as required by the NPPF), yet providing a considerate level of growth for the rural nature of Maldon District. Paragraph 2.22 of the consultation document refers to the Essex Housing Growth Scenarios Study (RTP, 2012) which states that a minimum of 263 dwellings must be provided per annum in order to avoid a decline in working age population across the District. The higher level of growth proposed will not only maintain economic capacity in the District, it will assist it to develop, by providing much needed housing provision for local people.

2.4 Maldon has met its duty to co-operate, with the housing targets also being informed by the Hearts of Essex Economic Futures Study (2012).

2.5 The preferred growth option will also help meet the required shortfall in affordable houses across the District, however this does not appear to have been fully considered with regard to viability considerations related to new developments (This is discussed in further detail under question H1A).

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

2.6 Strong support is given to the proposed allocation of Heybridge North as a growth area as shown on the proposals map, which includes land to the north of Holloway Road, Heybridge. Heybridge North is sustainably located in terms of transport and

economic infrastructure and has the potential to offer a number of major benefits to the District of Maldon, including a new link road, flood alleviation, a new primary school along with other community benefits. The proposed allocation of Heybridge North is considered to be fully justified by Maldon District Council and accords with the principles of the NPPF.

2.7 In terms of the distribution of growth across the District, whilst we do not raise objection to the distribution strategy, it is considered that further consideration could be given to the distribution of housing between Heybridge North and Maldon South. Heybridge North has the potential for the delivery of important infrastructure benefits in terms of the new link road, flood alleviation and education. However, recognition needs to be given to the cost associated with the delivery of the infrastructure in Heybridge North, which would benefit from additional housing numbers in order to support these important infrastructure requirements. It is considered that the below would provide a suitable alternative distribution of housing within the District:

- Maldon 1,430
- Heybridge 1,400
- Burnham-On-Crouch 450

2.8 Viability and costs associated with Heybridge North is discussed under the answer to policy H1 (affordable housing).

2.9 In relation specifically to land to the north of Holloway Road, Heybridge, strong support is given as set out in the plan for this site to be delivered within years 0-5 of the plan period. This is considered to be appropriate given the location of the site immediately adjacent to the village boundary of Heybridge. It is the logical location for the first development to be delivered in Heybridge North. This is considered to be fully sound in planning terms.

Do you agree with the proposals for development in Maldon and Heybridge (Policy S4)?

2.10 This response is prepared specifically in relation to the proposals within Heybridge North growth area, no comment is provided with regard to Maldon Garden Suburbs.

2.11 No objection is raised in relation to the proposed infrastructure requirements within Heybridge Growth Area, which will provide significant community benefits. However, further work needs to be undertaken in relation to the viability considerations related to these major infrastructure benefits. This is discussed in further detail as part of the response to policy H1. As set out in paragraphs 2.6 to 2.9 of this report it is considered that provision for additional growth in Heybridge would help support delivery of the infrastructure.

2.12 Within policy S4 there is a requirement for:

'Development proposals within either Maldon or the Heybridge Garden Suburb areas must be in accordance with a masterplan endorsed by the Council for the respective areas.'

- 2.13 The masterplan approach for the District is supported and we have been working closely with the developers in Heybridge North as part of this approach. It is however, considered that further flexibility needs to be provided with regard to this part of the policy, particularly having regard to the current 5 year housing land supply shortage within Maldon District. The NPPF places a requirement on Councils to maintain a 5 year housing land supply and in areas where Districts do not have a 5 year housing land supply, the NPPF sets out that proposals for sustainable development should be approved without delay. Maldon District Council needs to have clear recognition with regard to this requirement of the NPPF and the need to address their current housing land supply shortfall. The policy wording as it stands has the potential to significantly delay the time period for the delivery of housing within the growth areas. This will give rise to a number of speculative applications outside preferred areas for growth within the District. It is considered that this is likely to result in the spatial strategy for the District being undermined, with the potential for housing to be approved in 'sustainable locations', which are not favoured by the District Council. With this in mind it is considered that the second from last paragraph of policy S4 should be deleted. It is considered that the paragraph should be replaced by the following wording:

'A masterplan for Maldon and Heybridge Growth Areas will be prepared and endorsed by the Council. Following endorsement of the masterplan, subsequent applications will be required to be prepared in accordance with the endorsed masterplan for their respective areas. Applications submitted prior to the adoption of the endorsed masterplan, will give consideration to masterplan principles and linkages between other areas of the growth area.'

- 2.14 It is considered that the above change is required in order for the Council to adopt a flexible approach and to support housing growth in the short term. This would also give flexibility for outline applications to be permitted and for detailed masterplanning considerations with regard to linkages and design principles to be considered at reserved matters stage. The above change is required in order for the plan to be considered to be sound as required by the NPPF.

Do you agree with the local requirements for affordable housing provision (Policy H1)?

- 2.15 No. Objection is raised to this policy, which has not been fully justified and is not consistent with the NPPF. Paragraph 173 of the NPPF states that pursuing sustainable development requires careful attention to viability and cost in plan-making and decision taking. Plans should be deliverable. Therefore, the sites and the scale of development identified in the plan should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened.

- 2.16 In relation to Heybridge North, Maldon District Council have not given adequate consideration to viability associated with the major infrastructure costs, including the provision of a link road, school and strategic flood defence. In particular with regard to Heybridge North it appears that a number of costs and infrastructure requirements have not been assessed within the viability study, prepared by HDH Planning and Development, which forms part of the Local Plan evidence base. In relation to table 7.3 of the Viability Assessment undertaken by HDH Consultants it is clear that a number of key areas have not been included in the viability appraisal or that the figure provided is low for Heybridge North. In particular the following areas have not been fully accounted for:
- Flood Risk and Drainage- From discussions that have been held with Maldon District Council, the Environment Agency and Essex County Council it is clear that substantial strategic flood risk investment will be required as part of the growth area. Although a figure has yet to be given for this, the Environment Agency have suggested that costs could be in the region of £6-8 million, which will place a substantial viability burden on Heybridge North. It is not clear why this cost has not been accounted for in the viability appraisal.
 - Sewage- The sewage cost for Heybridge North has been estimated at £250,000, which is a significant underestimation with the costs associated with foul drainage connection in North Heybridge. Whilst we are not able to advise on the foul drainage costs for the wider growth area, we can advise in relation to the proposed 100 dwellings on land to the North of Holloway Road, Heybridge. We have undertaken detailed discussions with Anglian Water, the results of which have been previously shared to Maldon District Council. This indicates the costs for connection, to include provision for a foul pump station to be approximately £325,000 for the proposed 100 dwellings on our site alone. This suggests an overall figure significantly in excess of the £250,000 estimated as part of the viability appraisal.
- 2.17 Taking account of the additional costs outlined above, it is considered that additional consideration needs to be given to the proposed 40% affordable housing figure for Heybridge North and whether this figure is actually viable. In addition it would also be helpful if clarification could be provided by the Council in relation to the difference between the figures and costs shown for Heybridge North in the Evidence Base document and those presented in the Local Plan and CIL Study report presented by HDH on the 26th June 2013. Within the presentation of June 2013, North Heybridge was identified as being marginal in terms of viability, whilst in the finished report it is now identified as viable. As identified within the Viability Study 'Marginal' sites should not be considered as viable as it is unlikely that the land would be made available to a developer at this level. It is not clear why the study has been re- modelled since the viability workshop was held and how the new assumptions and 40% affordable housing have been arrived at.
- 2.18 In particular reference to Heybridge North as identified on table 7.3, the Strategic Sites Infrastructure Requirements are higher per unit in Heybridge than any other area in the District. Being double the cost per unit (not accounting for the additional costs identified in paragraph 2.16) than costs associated with development in

Burnham-on-Crouch, North Fambridge and Latchingdon. Whilst it is acknowledged that house prices are higher in Maldon and Heybridge, it is not clear given the significant burden of infrastructure costs in Heybridge how a figure of 40% has been arrived at, given that other areas of the District only have a requirement for 30 or 25%, despite their relatively low infrastructure costs.

- 2.19 Policy H1 does therefore not accord with paragraph NPPF, given that the proposal for 40% affordable housing does not appear to be based on a credible evidence base and that this level of affordable housing will put an inappropriate level of burden of costs on the development within Heybridge North. It is considered that this policy should be amended, to include a figure of 30% affordable housing for Heybridge North. At a minimum further work needs to be undertaken to inform the viability assumptions.
- 2.20 It is considered that the above changes are required in order for the plan to be sound and meet the four tests of the NPPF.

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

- 2.21 Yes, we wish to comment on Policy S3, which relates to place shaping. This policy sets out a number of principles for the proposed garden suburbs and Strategic Allocations for Maldon and Heybridge. Whilst we do not wish to make formal objection to this policy, it is considered that the Council do need to give further consideration to the policy in order for it to be sound, as required by the NPPF.
- 2.22 Paragraph 15 of the NPPF sets out that Local Plans should follow the approach of the presumption in favour of sustainable development. Further detail is provided in paragraphs 150 onwards in regard to Local Plan production. Paragraph 154 states that Local Plans should be aspirational but realistic and that, only policies that provide a clear indication of how decision makers should react to a development should be included in the plan. Paragraph 153 also states that Local Plans need to allow for flexibility for changing circumstances.
- 2.23 In relation to the concept of Garden Suburbs, it is considered that further clarification needs to be provided by the District Council with regard to the proposed 'Garden Suburbs' concept. Whilst the provision for masterplanning of Heybridge North with good linkages between developments is supported, it is considered that an important part of this process is consideration to the need for different character areas within the masterplan area. It is considered that the garden suburb concept may not achieve this aim and therefore in order for the plan to be found sound and meet the requirements of paragraph 154 of the NPPF, further consideration needs to be given by the District Council to the 'Garden Suburbs' concept and how this will shape development.
- 2.24 In addition in order to provide the flexibility in the Local Plan and in accordance with paragraph 153 of the NPPF it is considered that the word 'must' should be deleted from the fourth line of policy S3. It is considered that this should be replaced by the

words 'where appropriate development should.' It is considered that this change is required for the plan to be considered 'sound' as required by the NPPF.

3. CONCLUSION

- 3.1 This response has been prepared on behalf of Mr P Dalby in relation to land to the north of Holloway Road, Heybridge. The draft Local Development Plan is considered to be sound in the most part. In particular support is given in relation to the level of growth proposed over the plan period, which accords with the requirements of the NPPF to positively plan for growth. In addition the proposed allocation of land to the north of Holloway Road, Heybridge to be delivered in years 0-5 of the plan period is strongly supported and accords with the principles of sustainable development.
- 3.2 Although the plan is in the most part supported, it is considered that further consideration needs to be given to a couple of key areas. In particular in relation to the affordable housing provision for Heybridge North, this places an unreasonable burden upon the development in cost terms and has not been based on a credible evidence base. It is considered that further consideration needs to be given to policy H1 in order for the plan to be considered to be 'sound.'
- 3.3 Policy H1 is the only policy where formal objection is raised, however Maldon District Council should also give consideration to the following changes, for the plan to be sound:
- Increase in the number of dwellings allocated for Heybridge North in order to assist with the critical infrastructure benefits provided by this development, which will not be provided within other growth areas.
 - The need to introduce additional flexibility in the plan in order to allow Maldon DC to meet their 5 year housing land supply requirements and to protect the District against 'off- plan' developments in the short term.
 - The requirement for additional clarification with regard to the 'Garden Suburbs' concept and the need for further consideration be given to the need for character areas within the masterplan areas.
- 3.4 It is concluded that further consideration needs to be given to the above points prior to the submission of the Local Plan to the Secretary of State.

Draft Local Development Plan



Public Consultation Questionnaire

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Name	DAVID FLETCHER	Address	COVAL HALL
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Company (if applicable)	STRUTT AND PARKER	Line 3	CHELMSFORD
		Line 4	
Email address:	david.fletcher@struttandparker.com	Postcode	CM1 2QF

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.

Do you support the overall vision for the District set out in the Draft LDP?(please tick one box)

	<i>Strongly Agree</i>	<i>Agree</i>	<i>No Opinion</i>	<i>Disagree</i>	<i>Strongly Disagree</i>
	<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.

Do you support the proposed level of growth in the District (Policy S2)? (please tick one box)

	<i>Strongly Agree</i>	<i>Agree</i>	<i>No Opinion</i>	<i>Disagree</i>	<i>Strongly Disagree</i>
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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]**

REFER TO ATTACHED STATEMENT.

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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 type="checkbox"/>	<input checked="" 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.

	Strongly Agree	Agree	No Opinion	Disagree	Strongly Disagree
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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

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

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

	Strongly Agree	Agree	No Opinion	Disagree	Strongly Disagree
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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

	Strongly Agree	Agree	No Opinion	Disagree	Strongly Disagree
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]

No.

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**]

N/A

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

REFER TO ATTACHED STATEMENT

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 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.

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 / Transsexual
 Female 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)

**MALDON DISTRICT LOCAL DEVELOPMENT PLAN PUBLIC
CONSULTATION (28 AUGUST- 14 OCTOBER 2013)**

LAND TO THE EAST OF WOOD LANE, HEYBRIDGE

Strutt and Parker LLP on behalf of Mr P. Dalby

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1. INTRODUCTION

- 1.1 This representation has been prepared by David Fletcher MSc MRTPI of Strutt and Parker LLP on behalf of Mr P Dalby to support the promotion of land to the east of Wood Lane, Heybridge as part of the current Maldon District Local Development Plan (LDP) Consultation (2013).
- 1.2 The site is being promoted for a residential development and is shown on figure 1. The site covers an area of approximately 1 hectare and has capacity for approximately 35 dwellings.
- 1.3 The representation sets out planning policy support for proposals in relation to the emerging Local Plan Consultation and National Planning Policy Framework. This includes an assessment of the credentials of the site against the key questions from within the consultation document.
- 1.4 In accordance with criteria set out in the Planning and Compulsory Purchase Act (2004) and the National Planning Policy Framework (NPPF), when allocating sites for development Local Authorities need to be satisfied that their plan is 'sound'. As set out in paragraph 12 of the NPPF to be sound, a development should be positively prepared, justified, effective and consistent with national policy. Namely that it is:
 - Positively Prepared-** The plan should be prepared on a strategy, which seeks to meet objectively assessed development and infrastructure requirements and consistent with achieving sustainable development.
 - Justified-** The plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence.
 - Effective-** The plan should be deliverable over its period and based on effective joint working cross- boundary strategic priorities; and
 - Consistent with National Policy-** The plan should enable the delivery of sustainable development in accordance with the policies in the Framework.
- 1.5 This document provides an assessment of Maldon District's Preferred Options Consultation against the key points set out above, with reference to the Land to the east of Wood Lane, Heybridge.

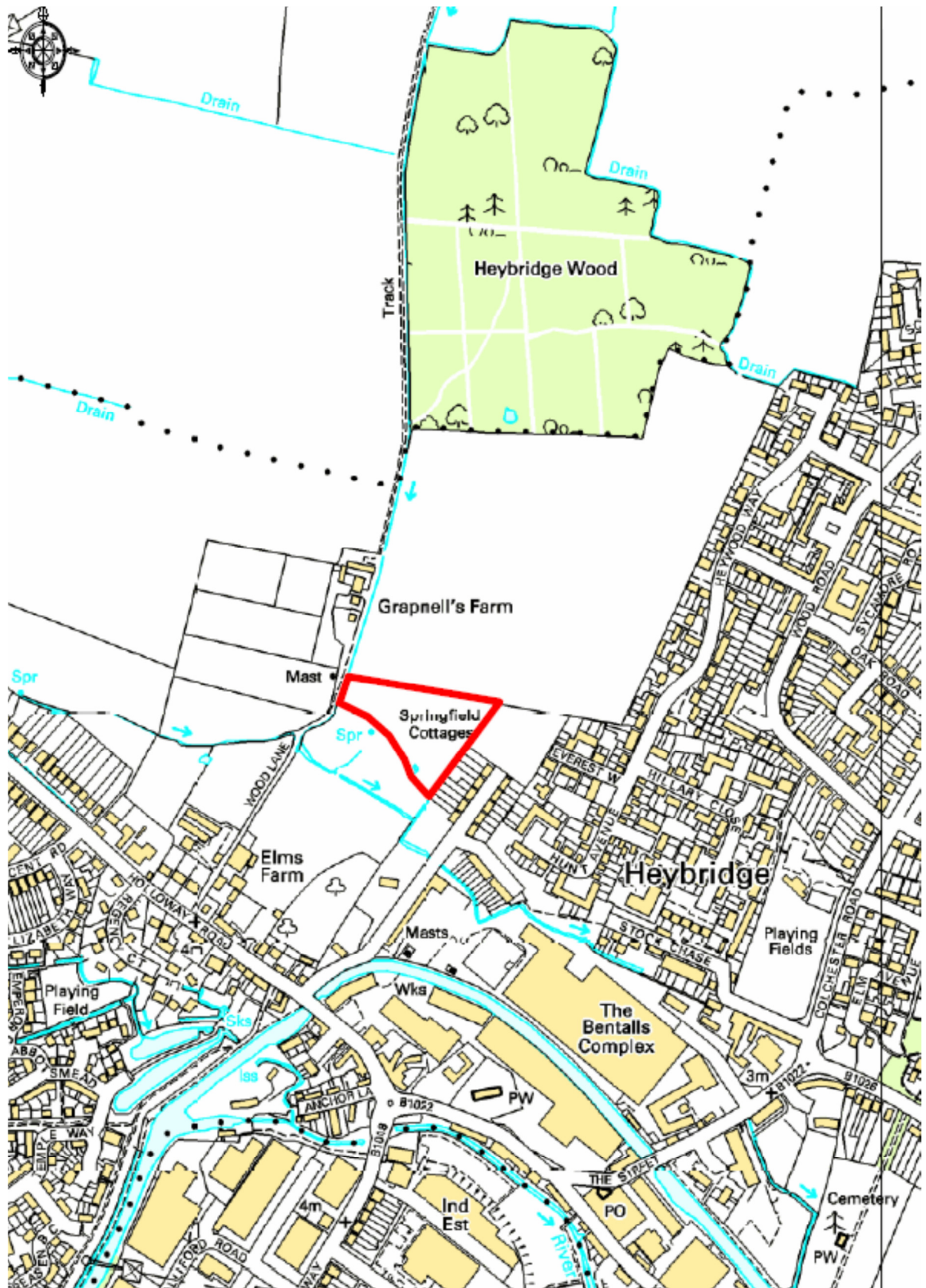


Figure 1: Location Plan of the Site © Ordnance Survey

2. RESPONSE TO KEY QUESTIONS WITHIN THE CONSULTATION

2.1 This section provides responses to the questions set out in the consultation document as appropriate.

Do you support the proposed level of growth in the District set out in the draft LDP and do you support the overall vision for the District set out in the Draft LDP?

2.2 Yes, the proposal to deliver a minimum of 4410 dwellings between 2014 and 2029 is strongly supported. The proposed strategy is considered to be in accordance with paragraph 47 of the NPPF that states that to boost significantly the supply of housing, local authorities should plan positively for growth. It is considered that the proposed housing is appropriate to support economic and housing growth in the District, but also to maintain the rural nature of Maldon District.

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

2.3 Strong support is given to the proposed allocation of Heybridge North as a growth area as shown on the proposals map, which includes land to the east of Wood Lane, Heybridge. Heybridge North is sustainably located in terms of transport and economic infrastructure. It also has the potential to deliver a number of positive infrastructure benefits to Heybridge and Maldon.

2.4 In terms of the distribution of growth across the District, it is considered that additional housing should be allocated in Heybridge North. Heybridge North is unrivalled by other housing growth locations in terms of its ability to offer important infrastructure benefits. This includes provision of Heybridge link road and a strategic flood risk alleviation scheme, which has potential to provide flood risk benefits to over 600 existing dwellings. It is therefore considered that an additional 400 dwellings should be proposed in Heybridge to provide the following distribution of growth:

- Maldon 1,430
- Heybridge 1,400
- Burnham-On-Crouch 450

2.5 Support is given to the allocation of land to the east of Wood Lane, Heybridge to be delivered as part of the wider growth area for Heybridge North as shown on figure 5A of the draft LDP. The land is well related to the settlement boundary of Heybridge and benefits from being adjacent to existing residential properties immediately to the east. It is therefore suitable land, to form part of the wider growth area for Heybridge North.

2.6 The land is under the sole control of Mr P. Dalby and the landowner is fully committed to a residential development on this site. The land is therefore fully deliverable in this regard. The landowner is happy to work with adjacent landowners with regard the delivery of the masterplan for Heybridge North.

Do you agree with the proposals for development in Maldon and Heybridge (Policy S4)?

- 2.7 This response is prepared specifically in relation to the proposals within Heybridge North growth area, no comment is provided with regard to Maldon Garden Suburbs.
- 2.8 No objection is raised in relation to the proposed infrastructure requirements within Heybridge Growth Area, which will provide significant community benefits. However, further work needs to be undertaken in relation to the viability considerations related to these major infrastructure benefits. Heybridge North as outlined within policy S4 has the potential to deliver major infrastructure benefits, however Maldon District Council need to have regard to paragraph 173 of the NPPF, which relates to viability of development. It is considered that consideration needs to either be given to increasing the number of dwellings in Heybridge North or to reducing the affordable housing requirement, in order to ensure a viable development. This is discussed as part of the answer to Policy H1.

Do you agree with the local requirements for affordable housing provision (Policy H1)?

- 2.9 No. Objection is raised to this policy, which has not been fully justified and is not consistent with the NPPF. Paragraph 173 of the NPPF states that pursuing sustainable development requires careful attention to viability and cost in plan-making and decision taking. Plans should be deliverable. Therefore, the sites and the scale of development identified in the plan should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened.
- 2.10 It is not considered that adequate consideration has been given to the viability considerations related to Heybridge North. As identified within the viability report prepared by HDH Planning and Development, the cost per unit for Heybridge North is higher than for any other location for housing growth. This report does also not account for the strategic flood risk defence proposed to be delivered for Heybridge North, which will place a further burden in terms of viability for the development.
- 2.11 In order to address this it is considered that the level of affordable housing for Heybridge North needs to be reduced and 30%, which is considered to provide a viable level of affordable housing. A level of affordable housing at 30% would allow for a viable development to be delivered, without impacting upon the substantial and major community infrastructure benefits to be delivered as part of the growth area.
- 2.12 It is considered that the above changes are required in order for the plan to be sound and meet the four tests of the NPPF.

3. CONCLUSION

- 3.1 This response has been prepared on behalf of Mr P Dalby in relation to land to the east of Wood Lane, Heybridge, which being 1 hectare in size is considered to have the capacity for the delivery of approximately 35 dwellings.
- 3.2 The draft Local Development Plan is considered to be sound in the most part. In particular support is given in relation to the level of growth proposed over the plan period, which accords with the requirements of the NPPF to positively plan for growth. In addition the proposed allocation of Heybridge North growth area, to include land to the east of Wood Lane, Heybridge is strongly supported and is appropriate in planning terms given the very good relationship of this area of land, with the existing development plan of Heybridge. With this land being under the sole ownership of Mr P.Dalby, land to the east of Wood Lane is also fully deliverable in planning terms.
- 3.3 Although the plan is in the most part supported, objection is raised in relation to policy H1, which requires 40% affordable housing provision for Heybridge North. It not considered that this policy has fully accounted for the infrastructure costs associated with Heybridge North. It is considered that in order to be 'sound' a further assessment of viability costs associated with Heybridge North needs to be considered, specifically to account for the costs associated with the delivery of the strategic flood risk defence at Heybridge North.

