

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 BARKER	Address	OPUS HOUSE
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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? <i>(please tick one box)</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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)? <i>(please tick one box)</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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)?

<i>Settlement</i>	<i>Total number of dwellings</i>	<i>(please tick one box per line)</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 type="checkbox"/>	<input checked="" type="checkbox"/>
Heybridge	1,000	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Burnham-On-Crouch	450	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

SEE ATTACHED REPORT

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

SEE ATTACHED REPORT

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**]

SEE ATTACHED REPORT

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 REPORT.

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.

Representations on Maldon District Councils Draft Local Development Plan Consultation on Behalf of Pigeon Land Ltd

October 2013



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**Representations on Maldon District Councils Draft Local Development
Plan Consultation on Behalf of Pigeon Land Ltd**

Reference: E242.C1.Rep 001a

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Executive Summary

These representations have been made on behalf of Pigeon Land Ltd. Pigeon are promoting the Burnham West strategic site and are working with the landowners of that site to deliver a high quality mixed use development. Pigeon object to the 2013 Draft Local Development Plan because it is not soundly based. The change in the Councils strategy in Burnham on Crouch from delivering development on a single large site to delivering the same amount of development on three smaller sites is not supported by evidence and will reduce the benefits to the community from the development. To address the demographic issues of an ageing population in Burnham more housing needs to be allocated to the town. If this is not done the towns services will be hit as the population necessary to sustain them falls and employers will suffer a decline in the available workforce. Providing more housing in Burnham could require an increase in the total housing to be provided across the District or for housing to be reallocated from other areas of the District to Burnham.

More housing needs to be provided in Burnham to address the demographic changes in the population. The population is aging with the number of people in age groups over 40 increasing, and the number of people in age groups below 34 decreasing. The population in Burnham is aging at a faster rate than the rest of the country, and the rate of aging compared to the rest of the country has increased in the last 12 years. During the last 12 years the population of Burnham has also begun to fall. The ageing of the population and the fall in population has come at a time when house building in Burnham has been very low at 9.7 homes per year. To deal with falling household size, the effects of migration and the aging population across the District the Council recognises that higher levels of housing development are required in the District compared to historic rates. The rates of new housing delivery currently proposed for Burnham will not address the demographic problems set out above. Housing is being proposed as a lower level in Burnham relative to the size of the population than in Maldon and Heybridge. Housing growth is required in the Burnham area to maintain a sustainable population.

The Council has not made a case why housing is being delivered at greater rates in Maldon and Heybridge than at Burnham. Burnham is the second largest town in the District and has

a hinterland with a population of some 15,000 people. The Council has raised concerns that the primary school size limits housing growth in Burnham. It is not correct for the Council to constrain the housing growth needed to deliver sustainable development because of school capacity. Increasing primary school capacity must be more clearly explored to establish if there is more space in existing schools, or to establish if primary schools can be physically expanded to take more pupils. If the proportion of the population of Burnham who are elderly continues to increase at the current rate and the number of young people continues to fall this will put pressure on the delivery of existing services. The Ormiston Rivers Academy which is a small school by comparison with others of its type could be under pressure if pupil numbers fall. The same could be true of the primary schools in Burnham.

In line with the Council's own policies housing must be delivered within environmental limits. The number of homes that can be delivered across the north east and north west strategic sites in Burnham according to research by Pigeon is 170 homes not the 270 homes the Council suggests. No evidence has been put forward by the Council that Burnham West site cannot deliver 450 homes as was proposed by them in 2012. The level of housing delivery in Burnham must be maximised with 450 homes delivered at Burnham West to better address demographic issues and to ensure that the town is sustainable or the Development Plan will be unsound as it will not be based on the most appropriate evidence base or be in accordance with national planning policy on sustainable development.

High quality employment development can be provided at Burnham West. The extension to the Burnham Business Park will be well placed to provide space for existing businesses in Burnham to expand. It is also a good area for new businesses. The train links to London and the attractive local countryside will be a draw for businesses. If broadband speeds are improved there could be growth in office sectors and in tourism.

As the Council acknowledge throughout the 2013 Draft Development Plan, infrastructure and community facilities can be better delivered from larger developments than smaller developments. This is true in the case of Burnham West which can deliver a 450 home mixed use scheme with an extension to the Burnham Business Park. Alongside this open space, green infrastructure, local retail and community facilities can be provided. More retail facilities in the town will retain more spending in the town to the benefit of local

businesses. A smaller development at Burnham West would limit the delivery of these facilities.

If developed as set out in the 2012 Draft Development Plan Burnham West could be a high quality mixed-use community based scheme, sensitively designed to respect the existing qualities of the town whilst being able to deliver an expansion to Burnham's established business centre to enable new employment to be created. Community benefits can be provided by making provision for new primary school infrastructure, a children's nursery, and enhanced medical services. Improvements can be provided to existing infrastructure including main services, existing roads/junctions with the potential to limit the impact of the scheme through the use of sustainable drainage solutions. A new stadium and numerous sports pitches could be provided for Burnham Ramblers Football Club to sustain and enhance the significant contribution the club makes to sport in the town. Extensive amenity space can be distributed throughout the new homes and substantial landscaping which has the potential to vastly improve the wildlife habitat of the area and the attractiveness of the western approach to the town, along with the setting of Creeksea. Improved sustainable travel choices can be provided including potential improvements to public transport both within the town and destinations out of town. Walking and cycling improvements will provide alternative modes of travel. There is the potential for a food store, in response to local demand, which will save on many trips out of the town. Both market and affordable housing can be built using contemporary sustainable construction techniques. The much needed affordable housing will be provided for local people who need assistance in finding a place to live. Housing can be phased over the next 10- 15 years in response to meeting local needs and to ensure the scheme is suitably integrated. New housing would include the provision of housing for the elderly which could include bungalows, a care home and assisted living to provide for the aging local population.

1.0 Introduction

- 1.1 Maldon District Council is consulting on its Draft Local Development Plan (LDP) and has invited representations from the public and interested parties. Evolution Town Planning LLP is advising Pigeon Land Ltd who has an interest in land to the west of Burnham on Crouch. This land was identified for a housing led mixed use development in the 2012 Preferred Options Consultation and is proposed for housing and employment in the current consultation. These representations set out our response to the Council's questions contained in their questionnaire and also set out further details on the opportunities provided by the Burnham West site.

- 1.2 Evolution Town Planning's advice to Pigeon is that the Council's proposals in the 2013 consultation will not produce a sound plan. The Council correctly identify that it has an aging population and identify the problems for sustainability that this will create. But the strategy that the Council proposes to deal with this in Burnham on Crouch will not work. In respect of Burnham on Crouch the housing delivery proposed will make the town less sustainable. The use of primary school places as a cap on housing development will not lead to sustainable development and the decision to spread the housing allocations around three sites as proposed in Policy S2 is not supported by the Council's or our landscape assessments. The decision to split the housing allocations will, if not amended, harm historic buildings, and will harm the delivery of infrastructure and community facilities.

- 1.3 The population of Maldon District and of Burnham on Crouch is aging faster than the national norms and as a result the town is becoming less sustainable. Increased housing delivery over and above that proposed in this plan is required in order to make the town more sustainable and to make up for previous shortfalls in delivery. The use of primary school places as a cap on housing delivery is wrong as school places should respond to the required housing delivery rates and not constrain them. The Council first proposed the delivery of housing on one site at Burnham West, and now three smaller allocations are proposed. The two northern allocations would if developed as proposed have a detrimental landscape impact on many

important aspects of local character. The correct development scenario for Burnham on Crouch is one that tries to best meet the demographic needs of the town by developing housing and employment on the available land, whilst respecting the environmental characteristics of the area. This correct development scenario to address the demographic issues requires more than 450 homes to be delivered in the plan period. This involves developing smaller numbers of homes on the two northern strategic sites to respect environmental constraints and developing 450 homes on Burnham West.

- 1.4 The land at Burnham West that is being promoted by Pigeon Land Ltd is shown on the attached plan in **Appendix 1**. The land is owned by a consortium of landowners who have engaged Pigeon Land Ltd to promote a sustainable mixed use extension that will positively contribute to the town.

- 1.5 Pigeon is a private firm owned by four directors with extensive experience of promoting and delivering high quality schemes within the East of England. Pigeon is currently working with the Crown Estate on the delivery of a development in Thetford comprising 5,000 homes, a 20 hectare mixed use development, community facilities and public open space. To the east of Bury St Edmunds they are promoting an urban extension of 1,250 homes, with a primary school and community facilities. At Wickford in Essex they are promoting land for 1,000 homes and a country park extension. The Pigeon website which contains more details about the company is at www.pigeon.co.uk

- 1.6 This report should be read in conjunction with the enclosed questionnaire and is in two parts. The first part sets out details of the site and the opportunities that it presents and the second part addresses the questions in the Council's questionnaire.

2.0 Principle Planning Issues for Burnham on Crouch

- 2.1 This section sets out the main planning issues that have been identified as relevant to Burnham on Crouch arising out of the proposals in The Draft Development Plan. These are the level of housing growth proposed which needs to be sufficient to ensure that Burnham on Crouch is a sustainable town, the availability of primary school places, the delivery of infrastructure and community facilities, and the landscape impact of the Council's proposed strategic sites to the north of the town.
- 2.2 As set out in national planning policy and in the Maldon Draft Development Plan achieving sustainable development is a key aim of the planning system. The National Planning Policy Framework (The Framework) states that to achieve this in plan-making "local planning authorities should positively seek opportunities to meet the development needs of their area" and "Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change, unless: any adverse impacts of doing so would significantly and demonstrably outweigh the benefits." The principles of sustainable development are reflected in Policy S1 of the Draft Development Plan. We consider that the 2013 Draft Local Development Plan is not based on a sound and sustainable strategy that accords with these policies.

Housing Growth in Burnham On Crouch

- 2.3 Housing growth in Burnham on Crouch needs to be increased to address the town's demographic needs. The population is falling, the number of elderly people is increasing and the number of young people is falling. This has been exacerbated by low housing delivery rates in Burnham over the last 33 years. Increased levels of housing development above that proposed in the Draft Development Plan will sustain local employment and local facilities such as schools, and support the allocation of funding to health and welfare necessary to support the aging population.

2.4 To forecast housing growth the Council is using information published by the Essex Planning Officers Association, who has published a Greater Essex demographic Forecasts study. This identified that the housing requirement for the District is 294 homes per annum. The study identified a level of housing that kept the population stable was 146 homes per annum. This scenario would result in an aging population and a shrinking workforce which would give an unsustainable population profile and would force local businesses to close or leave the District to find staff. The Council has accepted that to achieve a sustainable balanced population in the district the level of population must grow so that the working population is maintained. This has resulted in the District adopting an annual dwelling requirement of 294 new homes per year. The Council's distribution of this housing which limits new housing to 450 homes in Burnham on Crouch in the plan period is not sustainable as we set out below.

2.5 In **Appendix 2** we set out a table showing the population structure in Burnham and how it has changed from 1981 to 2011. This shows that the population is aging faster than the rest of the country. As household growth has fallen dramatically in Burnham since 2001 the rate of aging of Burnham's population compared to the rest of the country has increased. In **Appendix 2** the number of households equates to the number of homes, as households represent occupied dwellings. In the age ranges 0-4, 5-9, 10-14, and 25 -29 the populations are smaller in 2011 than in 1981. In the age ranges from 40 upwards the number of people is greater in 2011 than in 1981, and in many cases the increase is dramatic. This is particularly so in the two 80 plus age groups. As the Council recognise keeping population numbers stable is not sustainable and the population needs to grow to maintain a stable working population. The Council recognise in paragraph 2.74 of the Draft Development Plan that Burnham on Crouch should meet its own housing needs. This will not happen in Burnham under the Council's current proposals.

2.6 Between 1981 and 2001 the number of households in Burnham increased by around 62 homes per year. During this time the population profile of Burnham was older than the national median. Since 2001 the number of new households created in Burnham and the number of new homes provided has dropped dramatically. The

effect of this is that the population has aged at a greater rate compared to the national median. In this period the population has also dropped by 95 people showing the impact of falling household sizes. Even with a small increase in housing numbers over this time the population has fallen. If this level of housing development and these trends continue then the town will continue to decline. These arguments are derived from work by Steve Clyne who specialises in population and education analysis and are included in **Appendix 3**.

- 2.7 The Council sets out in the Draft Development Plan that Burnham on Crouch is the second largest town in the District with an 8,000 population. It states in paragraph 1.45 that Burnham is the “principle” service town for the south of the District. Burnham has a larger rural hinterland which the Council confirm has a population of around 15,300 people. This confirms Burnham as an important town in the District.
- 2.8 The proposal to deliver 450 homes over the 15 year plan period in Burnham is not sufficient. This represents some 30 homes per year on average. This is only three times the very low development rates which over the last 10 years have resulted in an aging and falling population. Southminster and the wards of Althorne, Mayland and Tillingham are close by and are reliant for many services on the principle town of Burnham. These areas have populations of 4,400, 4,250, 4,350 and 2,300 people respectively. This is a significant population for which Burnham is the principle service town. While some housing will be delivered in these outlying areas it will be a significantly lower level than the growth in the towns. Burnham will have to fulfill its role as a principle town for these areas by providing services and housing. It cannot fulfill this role with the low levels of housing growth proposed.
- 2.9 The split of housing between Burnham and Maldon and Heybridge has not been justified and is not sustainable for Burnham. With a population of 23,000 Maldon and Heybridge get allocations of 2,830 homes as set out in policy S2. Burnham will get 450 homes. This is one sixth of the level of housing proposed for Maldon and Heybridge when the town of Burnham has a third of the level of population of Maldon and Heybridge and serves a wide hinterland.

2.10 The Council has increased the level of new housing that will be built in the District between 2014 and 2029 by 1,210 from 3,200 homes to 4,410 homes. This level of housing has been increased in order to recognise the effects of falling household size, an aging population and migration. However the level of housing proposed by the Council in Burnham which is the second largest town in the District and a principle town for its surrounding area has not increased despite a 1,210 increase in housing being proposed across the rest of the District. The level of housing growth currently proposed in Burnham does not recognise the demographic pressures set out above and risks the decline of Burnham. Land is available in Burnham for more housing to be allocated as the Council previously proposed 450 homes on Burnham West and now proposes 180 homes there. No site specific reasons have been put forward by the Council for the change in allocated housing proposed for Burnham West.

2.11 Having taken advice on the demographic issues facing Burnham from Steven Clyne we consider that a development rate of around 100 homes per annum would be needed in Burnham to address the issue of its aging population. To make up the shortfall in housing due to previous low levels of delivery the rate would have to be increased to 150 homes per annum for the next 10 years. It is recognized that there are environmental and capacity constraints to developing this number of homes in Burnham however the Council's strategy should be to maximize the housing that can come forward on deliverable sites while recognizing the environmental characteristics. There are objectors to the Draft Development Plan who argue for 200 homes to be delivered in Burnham over the plan period. In light of this demographic evidence this level of housing will have serious detrimental consequences.

2.12 The Council has provided no evidence to support its split of housing between Burnham and Maldon and Heybridge. The Council has provided no evidence for the level of housing proposed in Burnham or justification that it is sufficient to address the demographic pressures that it identifies must be resolved through the delivery of 294 homes per annum across the District. The Council appears to be addressing

the demographic issues of Maldon and Heybridge but not Burnham despite having land available at Burnham West to provide more homes to do this. Developing at the rates of housing proposed by the Council will lead to unsustainable patterns of development in Burnham contrary to national and draft local planning policies. The housing rates for Burnham should therefore be increased to deliver sustainable development and to prevent the town from falling into decline.

School Capacity in Burnham

- 2.13 The Council states that a constraint on further housing development at Burnham on Crouch over and above the 450 homes proposed in the Draft Development Plan is the availability of primary school places. There are two primary schools in Burnham one with one form of entry, and one with two forms of entry. 450 new homes will generate around 135 primary school children and this equates to approximately 19 children for each year of primary school. Based on the current school rolls the existing primary schools could accommodate the pupils from 450 new homes.
- 2.14 It is incorrect however for the Council to cap the housing development necessary to ensure that Burnham develops in a sustainable manner based on primary school capacity. The education authority has a responsibility to provide school places for the population. As set out above there are clear demographic pressures on Burnham driving the need for higher housing delivery. Higher housing delivery should be accommodated through the provision of school infrastructure.
- 2.15 Over the new Development Plan period based on the current strategy of the Council, Burnham's population will continue to age. This will mean that there will be less families and will result in increased capacity in the primary schools. The number of pupils using the Ormiston Rivers Academy will also be affected by the aging population. The Ormiston Rivers Academy is already a small secondary school and so is vulnerable to a decline in pupil numbers. These demographic pressures are illustrated by the table in Appendix 2 of this report which is discussed in detail in the section above. Based on the analysis in this report there is capacity of 620 homes on

the three strategic sites allocated for development in the 2013 Draft Development Plan. The impact of the aging population in Burnham should be properly considered by the Council to assess the level of housing growth that can be accommodated.

- 2.16 The Council has presented no evidence in the Draft Development Plan that the existing schools cannot be reconfigured or expanded, or that a level of housing sufficient to require a new primary school is not justified. No evidence has been produced to justify that 450 is the maximum that the local primary schools can accommodate.

Landscape Impact

- 2.17 In 2012 The Council considered a number of growth options in the District. In Burnham on Crouch these looked at growth to the west, north and east of the town. Growth to the north was rejected in 2012 as it would reduce the visual gap between the existing built up areas of Burnham and Stoneyhills. Growth to the east was rejected on highways grounds.
- 2.18 Liz Lake Associates has assessed the landscape impact of development at Burnham North West (site S2 (i)) and Burnham North East (site S2 (j).) The Liz Lake report is attached as **Appendix 4**. This report has been prepared by a Chartered Landscape Architect.
- 2.19 Liz Lake Associates report concludes that the development of both these northern strategic sites must be informed by the existing and emerging planning policies. It is proposed that sites S2 (i) and S2 (j) will deliver 180 and 90 homes respectively. The Liz Lake Associates landscape report shows that these numbers should be reduced because of the landscape impact that this level of development will have. The Council has saved Local Plan and Draft Planning Policies to which the strategic allocations to the north of Burnham must comply. These policies require that no harm is caused to the landscape character, that the location is appropriate for the development proposed, and that the distinctiveness of the landscape is protected.

The policies also say that the historic features should be safeguarded, and that the provision of new landscaping and the protection of trees are important. The conclusion of the landscape report is that the developable area of the northern two sites is 5.7 hectares and not 17.8 hectares. If the 5.7 hectares is developed at 15 dwellings per hectare which is the Council's proposed density, then this would deliver 85 homes, or if it is developed at 30 dwellings per hectare the sites would deliver an absolute maximum of 171 homes taking into account material considerations of acknowledged importance.

2.20 The landscape assessment states that it will be important to maintain undeveloped land as part of a strategic gap between Burnham and Stoneyhills. This principle was recognised in the Council's 2012 Draft Development Plan and is a commonly held principle in strategic planning that settlement identity should be protected. This principle was accepted by the Inspector who considered the Maldon Replacement Local Plan in 2005.

2.21 In respect of site S2 (i) if it was all developed only a small proportion of the site would be adjacent to the settlement edge which would result in a development isolated between two built up areas, and the loss of a strategic buffer and coalescence between two settlements. The rural character of Green Lane to the north of S2 (i) would be eroded by the scale of development proposed. The location of the green space in the south west corner pushes development further into an isolated rural landscape. The development of S2 (i) should not extend north to Green Lane. The setting of Pannels Brook should be preserved, and to meet the Council's green infrastructure requirements a green buffer should be created along the Brook. On both northern strategic sites the retention of important trees and hedgerows is necessary to comply with policy, and SUDS and highways features have to be designed to integrate with the historic environment.

2.22 Strategic views of St Mary's Church should be retained. To provide an adequate setting for St Mary's Church will require land to be left undeveloped to the eastern side of the Churchyard that replicate the buffer to the south and west. This would accord with the conclusions of the Council's 2010 LVIA and accord with part 14 of

Policy S6 which seeks to protect the historic character of Burnham. The footpath that runs through S2 (i) will have to be protected so that the rural integrity of the path is maintained. St Mary's Church is an important heritage asset in the town and as such its setting and character should be protected and development should be focused on historically less important areas such as Burnham West.

- 2.23 If development continues up to the footpath then the rural experience that footpath users have provided by the separation between Stoneyhills and Burnham is lost. The footpath user should have the experience of leaving one area, travelling through another and arrival in another area or the settlements will be merged.

Delivery of Infrastructure

- 2.23 The splitting of development with relatively small numbers of homes split between three sites in Burnham limits the delivery of infrastructure. Significant items such as large areas of open space cannot be provided on small sites and coordinating contributions and phasing development on three sites to provide community facilities is harder than from a single site. The 2012 proposal of 450 homes to the West of Burnham would have provided a wider range of infrastructure than is now proposed. This is recognized by the Council in Appendix 6 of the 2013 Draft Development Plan where they say that directing growth "to a greater number of smaller sites would reduce the possibility of a development being financially capable of providing additional community benefits alongside housing growth."
- 2.24 Policy S6 of the Draft Development Plan requires the Strategic allocations to provide community hubs and local centers integrated into the design and layout of development proposals. With development split over three smaller sites the delivery of this type of facility will be greatly constrained as local centres are more viable on larger developments.

3.0 Burnham West Site Details

3.1 This section sets out the characteristics of Burnham West and considers if it is appropriate for the level of development proposed by Pigeon Land Ltd.

3.2 Burnham West was proposed for 450 homes in the 2012 Draft Development Plan. It was also to provide a range of key strategic infrastructure both on and off site. This infrastructure was enhanced medical provision, highways accesses, early years school provision, enhanced primary school provision, public open space and green infrastructure.

3.3 Pigeon Land Ltd considers that Burnham West represents a real opportunity to meet the needs of current and future generations in Burnham and in the surrounding area. Developed as set out in the 2012 Draft Development Plan Burnham West could be a high quality mixed-use community based scheme, sensitively designed to respect the existing qualities of the town whilst being able to deliver:

- Expansion to Burnham's established business centre so as to enable new employment to be created,
- Community benefits can be provided by making provision for new primary school infrastructure, a children's nursery, health centre and enhanced medical services.
- Improvements can be provided to existing infrastructure including main services, existing roads/junctions with the potential to limit the impact of the scheme through the use of sustainable drainage solutions.
- A new stadium and numerous sports pitches could be provided for Burnham Ramblers Football Club to sustain and enhance the significant contribution the club makes to sport in the town.
- Extensive amenity space distributed throughout the new homes and substantial landscaping which has the potential to vastly improve the wildlife habitat of the area and the attractiveness of the western approach

to the town, along with the setting of Creeksea.

- Improved sustainable travel choices including potential improvements to public transport both within the town and destinations out of town. Walking and cycling improvements will provide alternative modes of travel.
- The potential for a food store, in response to local demand, which will save on many trips out of the town.
- Both market and affordable housing built using contemporary sustainable construction techniques. The much needed affordable housing will be provided for local people who need assistance in finding a place to live. Housing can be phased over the next 15 years in response to meeting local needs and to ensure the scheme is suitably integrated.
- Hundreds of jobs in the shape of a new business park, from retail/leisure and community facilities along with construction (and its knock on benefits) to create a level of prosperity which can directly benefit local businesses and the wider town.
- The provision of housing for the elderly which could include bungalows, a care home and assisted living to provide for the aging local population.
- A number of homes in the development will be made available for self builders.

Description of The Site

- 3.4 Burnham West is located to the west of Burnham-On-Crouch and abuts the settlement boundary. The site area is approximately 41ha in size. It is shown edged red on the inset aerial image below. The site is surrounded and enclosed on all sides by the various land uses described and distinguished by shading also in the inset aerial image below.
- 3.5 To the east of the site is the Burnham Ramblers Football Ground, the Burnham Business Park employment area and The Chandlers and Compass Gardens (an area of modern detached dwellings).

- 3.7 To the north of the site is the B1010 Maldon Road with residential properties on its northern side. To the north west are three residential properties off Creeksea Lane. To the west of the site is the Creeksea Golf Club and to the south is a railway line which forms part of the Wickford to Southminster branch line. The village of Ostend is immediately west along the Maldon Road. Further to the south is the Creeksea Hall holiday park and the Burnham Yacht Harbour.
- 3.8 The gradation of proposed land uses for Burnham West (from housing and employment on the east side through to green infrastructure provision on the west side) reflects the existing surrounding land uses where the density and intensity of development reduced from east to west.
- 3.9 The site is Grade 3 agricultural land and so is not the better and more versatile Grades 1 and 2 which may be offered higher protection from development. As set out below the District Council only regards this as a minor constraint to strategic scale development.
- 3.10 The site is not located in a flood zone and is not subject to fluvial flooding making it suitable for residential and other development.
- 3.11 The site is accessed directly off the B1010 Maldon Road. Essex County Highways have assessed the local highway network's ability to accommodate 900 dwellings in Burnham-on-Crouch (split across two sites; one being Burnham West) and concluded "the proposed developments could be accommodated satisfactorily on the existing highway network if the mitigation measure identified in the December 2010 study at the B1010 Maldon Road / B1021 Church Road junction is retained, i.e. mini-roundabout at southern intersection."
- 3.12 The site is relatively unconstrained as is described further below. There are no natural (ecologically designated sites, coastal/fluvial flood, access to parks and pitches) constraints to development on this site. There are no statutory landscape designations. Potential local level landscape issues are capable of being mitigated at

the site level. There are no heritage constraints likely to be impacted by the development of this site for 450 homes. The plan below shows that the Burnham West Site is well contained by existing developed land.



3.13 Burnham on Crouch has a train station with services to London Liverpool Street taking about 1 hour 10 minutes¹. Burnham-on-Crouch rail station is approximately 1.1km walking distance from the site (following footpaths not as the crow flies) and this equates to a 12 minute walking time. The Ormiston Rivers Academy is some 6 minutes walk time from the site and the St Marys Primary School is some 15-20 minutes' walk away.

3.14 The site is a similar distance to existing bus stops at the rail station and on Station Road and Southminster Road. The development of the Burnham West site for 450 dwellings as proposed by the Council in 2012 could potentially deliver on-site bus stops which may not be feasible on a smaller site.

3.15 The site is immediately adjacent to the Burnham Business Park (part is also referred to as the Springfield Road Industrial Estate).

¹ www.nationalrail.co.uk journey planner

- 3.16 The site is approximately 1.1km walking distance from Burnham-on-Crouch high street shopping area and other facilities.

Constraints

- 3.17 The site was analysed by the District Council in relation to the LDP Preferred Growth Strategy 2012. Appendix 2 of that document summarised the main issues that were raised by infrastructure providers, delivery partners and were based on site assessments undertaken by the District Council.
- 3.18 The following extract from that document analyses this site (referred to as SH07 Land West of Burnham on Crouch) and presents the issues raised and the District Council's assessment of the constraints. It should be noted that with the exception of a single issue (primary school places which is dealt with elsewhere in this document) all other issues were considered to present either only a minor constraint to strategic scale development. Mitigation is suggested by the Council for these minor issues. The circumstances behind the issues/constraints have not changed since 2012.

SH07: Land West of Burnham on Crouch, Burnham on Crouch. 200-300 dwellings

- **Local Plan designations: Minor constraint**
The site is adjacent to the settlement boundary.
- **Existing land use: Minor constraint**
Most of the site is greenfield land, however there is a leisure use on the east of the site. This use could be compensated.
- **Preference for development on previously developed land: Minor constraint**
Most of the site is greenfield land, however there is a leisure use to the east of the site. The site is not considered to be previously developed land.
- **Agricultural Land Classification: Minor constraint**
The site is classified as Grade 3 agricultural land.
- **Coastal and fluvial flooding: No constraint**
The site is not located in a flood zone and is not subject to fluvial flooding.
- **Surface water flooding: Minor constraint**
The site includes some small areas of lower and intermediate surface water flooding.
- **Conservation Area: No constraint**

The site is not in or near a conservation area.

- Listed Buildings, Registered Park and Gardens, Registered Battlefields and Scheduled Monuments: No constraint

There are no listed buildings or other protected assets on the site. Listed structures are located 150 meters from the boundary of the site, however it is unlikely that development of the site would have any detrimental impact on these structures.

- Special Landscape Areas: Minor constraint

The site is partly located within a special landscape area.

- Landscape and Visual Impact: Minor constraint

The site is partly located within the Landscape and Visual Assessment site B1. Any landscape and visual impact of development on the site could be partially mitigated through planting.

- Highway capacity of surrounding network: Minor constraint

The potential increase in traffic related to an increase in the number of dwellings in the local area could be mitigated. However, it will be necessary to undertake further assessment work to clarify appropriate mitigation measures.

- Access to main distributor road: No constraint

The site is within 1km of the B1010 Maldon Road.

- Access to bus and train: Minor constraint

The majority of the site is not within 0.4km of a bus stop or train station.

- Sewerage capacity: Minor constraint

To accommodate additional flows, upgrades to existing capacity will be needed to the foul sewerage network, and may be needed for waste water treatment. Capital costs to upgrade the network would be increased by the need to cross the railway line.

- Water supply: No constraint

Supply is available from Burnham Reservoir (built ten years ago) and other old reservoirs in the local area.

- Gas supply: No constraint

National Grid have major gas infrastructure assets which can act reactively to housing development.

- Electricity supply: No constraint

National Grid state that they can react to new development as required to connect new development to the national grid network.

- Telecommunications (Mobile Networks): No constraint

Mobile Operators Association (MOA) can not provide detailed information on sites. It is considered that organizations represented by the MOA can react as required to new development.

- Primary school places: Major constraint

The site is located within the catchment of the Burnham Primary, which has a capacity of 414 pupils. The potential development of 250 dwellings would generate approximately 75 additional pupils, which would cause the school to be overcapacity by approximately 95 pupils. There is capacity to extend the school for a more substantial increase in pupil numbers. Pupils generated by development of the site could not be accommodated at the nearest school, or an alternative school within two miles of the site (via a safe walking route).

- Secondary school places: No constraint

The Ormiston Rovers Academy in Southminster is the nearest secondary school. This school has a total capacity of 1,076 pupils with a forecast capacity of 566 pupils. Pupils generated by development of the site could be accommodated at the nearest school.

- Early Years and Childcare: Minor constraint

The potential development generates a demand for between 11 and 25 places. There is no full day care or seasonal facility within a mile of the site (safe walking route) in Burnham's north ward, however there is potential spare capacity at Burnham's south ward which currently has a 58 per cent take up of places.

- Access to a GP surgery: No constraint

The site is within a 2 minute walking distance, and 5 minute drive time, from a GP surgery.

- GP capacity: Minor constraint

The nearest GP Practice is F81126. This practice is over capacity by 1,321 people.

- Access to employment area: No constraint

The site is within 1km of the nearest employment area.

- Access to main retail area: Minor constraint

The site is slightly more than 1km from the SH1 area in Burnham on Crouch.

- Access to local and district parks: No constraint

The site is within 1km of a local park and within 5km of a district park.

- Access to grass pitches: No constraint

The site is within 1km of a grass pitch.

- International / National designations: No constraint

No international or national designations have been identified on or near the site.

- Mineral and waste sites: No constraint

There are no mineral extraction sites or waste sites operating, and proposed to be operating in the future, on the site.

- Willingness of landowners and / or developers: No constraint

Discussions with developers are ongoing.

- Site ownership and legal issues

To be reviewed

- Viability and Developer contribution

Opportunities

- 3.24 The allocation of Burnham West for 450 dwellings would deliver a range of opportunities as set out above. These opportunities would not all be possible when the allocation of 450 dwellings for Burnham-on-Crouch is spread across three sites. A problem that Council Officers made clear in The 9th July Special Meeting of the Planning and Licensing Committee and in Appendix 6 of the 2013 Draft Development Plan. The deliverability of many of these development benefits is reliant on the economy of scale of development being 450 dwellings on one site. When the quantum of development is spread across three sites the benefits are inevitably reduced.
- 3.25 Burnham West if developed as set out in 2012 can meet the requirements of the Natural Environment and Transport policies contained in the 2013 Draft Development Plan. The size of the site means that high quality green infrastructure and open space can be provided on site and mitigation can be provided to address environmental impacts. A larger housing development can deliver transport infrastructure required in policies T1 and T2.
- 3.26 The site is well placed to provide a range of types of development. A wide range of affordable and market house types can be provided. A mix of employment premises can be provided as an extension to the Burnham Business Park. A food store could be provided to increase the range of shopping on offer in the town and to prevent trips to other town for shopping. A wide range of community facilities can be provided for sport and recreation.

4.0 Response to the Council Questionnaire

- 4.1 This section sets out Pigeon Land Ltd's response to the Councils Questionnaire. The Councils questions are in italics.

Response to Consultation Question 1

- 4.2 *The Council states 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.*

- 4.3 The Council's proposals for development in Maldon will not deliver sustainable development that will improve the quality of life for people living and working in the District. The number of new homes proposed by the Draft Development Plan in Burnham on Crouch is not sufficient to address the effects an aging population and a falling population. The Council recognise that Burnham is an important town not just because it is the second largest in the District but also because it serves a wide hinterland. Unless the number of new homes proposed in Burnham is increased the Draft Development Plan will not meet the aims of the Council of improving quality of life, providing new homes jobs, and providing infrastructure while at the same time protecting heritage and environment. The change in strategy with the allocation of three sites in Burnham rather than one is not supported by evidence. The Burnham North West and the Burnham North East sites were not proposed to be allocated in 2012 for landscape reasons. There has been no evidence put forward now to support this change of view. The number of homes allocated to Burnham and the location of those homes does not meet the Objectives in the Draft Development Plan. These objectives include the provision of sufficient housing to meet housing needs "across the District" which requires the housing needs of Burnham to be met as well as those in the rest of the District.

Response to Question 2

- 4.4 *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.*
- 4.5 Pigeon Land Ltd supports the recognition by the Council that the level of housing delivery has to increase in the District. The increase in the number of homes by almost 50% between the 2012 and 2013 Draft Development Plans recognises the impact that historically low levels of housing delivery have had in the District. The impact has been a population that is aging faster than the national median, the impact of which will be a shrinking workforce and a shrinking school population and an unsustainable population profile. However the level of housing proposed for Burnham on Crouch in the Draft Development Plan does not address the issues highlighted by the Council which require the increased numbers of new homes in the plan period. The Council is proposing to address problems of an aging population, falling household size and a migration in Maldon and Heybridge but is not proposing to do the same in Burnham which is the second largest town in the District and a town which serves a large rural area. None of the 1,210 increase in homes has been allocated to Burnham which the Council recognise is the second largest town in the District and one with a hinterland of villages and wards which on the Council's figures have a population of 15,300. If the Council recognises that they have to increase housing delivery to address demographic problems then they must deliver homes across the District. This strategy is not sustainable and is not sound as it is not based on a robust evidence base or in accordance with the objectives set out in the Draft Development Plan.
- 4.6 The Council has chosen to deliver 4,410 homes during the plan period. This target is based on a figure produced by the Essex Planning Officers Society Greater Essex Demographic Forecasts. The forecasting by the Essex Planning Officers Society sets out a range of forecasts, the highest forecast is known as the Economic – R forecast.

This is an estimate of population growth based on an employment growth trajectory derived from an economic forecasting model. This forecast requires 437 homes to be delivered per year and 5,244 over the plan period. Given the economic issues facing the District and the need to grow jobs to bring in people of working age to the District to balance the aging population this growth scenario would be supported by national planning policy which gives significant weight to delivering economic growth. The Economic R figure would mean that both the land areas allocated for jobs and housing in the 2013 Draft Development Plan would need to increase.

Response to Consultation Question 3

- 4.7 *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)?*
- 4.8 The proposed distribution of housing growth across Maldon, Heybridge and Burnham on Crouch is not supported by Pigeon Land Ltd. Too little housing growth is proposed for Burnham. The proposal that the main urban areas of Maldon, Heybridge and Burnham are the most appropriate locations for new housing is supported. These towns are the largest urban areas and services centres in the District and as such it is appropriate that in order to achieve sustainable development they are the main locations for housing. The Council sets out a number of growth scenarios in Appendix 6 of the Draft Development Plan. Of these eight scenarios two propose higher housing growth than the current Draft Development Plan at Burnham. The higher proposals are for 970 and 800 homes, the rest of the six scenarios propose 450 homes at Burnham.
- 4.9 The Council's assessment of these scenarios headed "Key Considerations" in Appendix 6 of the Draft Development Plan does not support the distribution of new housing that they claim to support. The Council recognise in Appendix 6 that

allocating lower levels of growth can reduce the ability of development to generate community benefits alongside housing growth. This is correct and it is also important for the Council to note that larger housing allocations can deliver better community developments than the same number of homes spread around several smaller sites. This will happen as a result of the 2013 Draft Development Plan strategy for Burnham. The Council's 2012 strategy for Burnham focussed development on one site at Burnham West, and this meant that Burnham West would have been better able to deliver community benefits such as transport infrastructure than under the current draft strategy which disperses development across three sites. The opportunity for onsite open space or economies of scale in the provision of community services is reduced with the development of three small sites. Allocating higher levels of growth and concentrating growth in fewer areas will generate more community benefits.

4.10 The Council state in Appendix 6 that housing growth close to rail stations in the District could provide the opportunity for residents to use more sustainable methods of transport. The Council has failed to take this into account in the level of development they have provided for Burnham. Maldon and Heybridge do not have rail stations, and yet they have the significant proportion of housing growth proposed in the Draft Development Plan. The Burnham West allocation is within walking distance of the railway station in Burnham, but despite the Council's recognition of the advantages of locating housing next to rail stations the level of housing proposed there has been reduced and the level of housing proposed in Maldon and Heybridge, which do not have rail stations, has been increased.

4.11 The Council state in Appendix 6 that "a higher level of growth in Burnham on Crouch would provide greater potential for developer contributions to include healthcare, education facilities, and greater amount of affordable housing, local centre and open space." We agree with this statement. There would be local benefits from providing contributions to healthcare, new education provision, a greater amount of affordable housing, a local centre and open space. The present low level of housing proposed for Burnham limits the extent of these benefits and prevents the provision of new school facilities, a local centre and open space. Locating more development

at Burnham and focussing development on Burnham West will allow these benefits to be maximised.

- 4.12 The Council go on to state in Appendix 6 that Burnham has the capacity in primary and high schools to accommodate 450 new homes. They state that further growth would require significant improvements to primary schools. The need to improve primary schools or to provide a new primary school should not be considered as imposing a cap on housing delivery in Burnham. New housing in Burnham is required to address the age profile of the population which is aging faster than the national median and to address the falling population. Without new housing the total population and the working and school age populations will continue to decline to the detriment of the town. The education authority has a duty to provide school places to meet the local needs and school development can be delivered through developer contributions and the local education authority. As set out above the Council recognises that higher levels of growth can deliver new school infrastructure, and higher levels of growth at Burnham West would deliver school infrastructure. The Council should not limit housing growth in Burnham based on current primary school capacity.

Response to Consultation Question 5

- 4.13 *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.*
- 4.14 Pigeon Land Ltd does not support the proposal to redistribute the new housing for Burnham on Crouch around three smaller sites instead of one large site. Pigeon dispute that this conclusion has been reached as a result of comments to consultation.
- 4.15 The decision to develop 450 homes at Burnham West as put forward in the 2012 Draft Development Plan was soundly based. The proposal in the 2013 Draft Development Plan to reduce the housing to be developed at Burnham West from

450 homes to 180 homes is not soundly based as it is not justified by the evidence. The evidence in the 2012 draft found no constraints to the allocation of 450 homes to Burnham West. The northern sites were discounted because they would reduce the visual gap between the existing built up areas. The land to the east of Burnham on Crouch was discounted because of significant highway capacity issues. The Preferred Policy for Burnham in the 2012 Draft Development Plan proposed a “high quality, vibrant and distinctive ‘garden suburb’ that will complement and enhance the character of the District. A Spatial Masterplan would be prepared to guide the development. A local centre would be provided for the day to day needs of local residents. The Council stated that there were no alternative options to this approach.

- 4.16 In the light of the 1,240 increase in housing to be delivered across the District in the plan period the Council should allocate more housing to Burnham where it can be accommodated within the environmental and landscape limits. This would include smaller levels of housing at Burnham North West and Burnham North East of around 170 homes and 450 homes at Burnham West.
- 4.17 The Council has put forward no evidence to justify the new distribution to three sites. The evidence in Appendix 6 of the 2013 Draft Development Plan still supports the development of 450 homes at Burnham West. The Council state in the appendix that allocating lower levels of growth can reduce the possibility of development providing additional community benefits, key infrastructure and new housing. Increasing housing development in line with the proposals that Pigeon put forward would provide these benefits. The reduced allocation at Burnham West does not accord with the Councils Key Consideration that housing growth close to rail stations provides an opportunity for residents to use sustainable transport. As it is the only town in the District with a rail station more housing in Burnham would maximise this opportunity.
- 4.18 The Council has not put forward convincing evidence for why it is not allocating higher growth to Burnham when Appendix 6 of the Draft Development Plan states that a higher level of growth in Burnham would provide greater potential for developer contributions to include healthcare, education facilities, a greater amount

of affordable housing, a local centre and open space. The primary school limit to housing growth has not been explained or justified.

- 4.19 The Council concludes Appendix 6 with the statement that directing growth to a greater number of smaller sites could reduce the possibility of a development being financially capable of providing additional community benefits alongside housing growth. With this statement in the Draft Development Plan and no justification of the split of housing to three sites it is difficult to understand the Council's reasons for the change. The current draft cannot therefore be sound.

Response to Questions 6 and 7

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

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.

- 4.20 The proposal for 420 homes in rural areas is not supported by evidence. The Council's question 6 states that a Rural Allocations Development Plan Document (DPD) will be produced that will identify appropriate sites for development. There should be flexibility in the Draft Development Plan so that if appropriate sites cannot be found for this level of housing allocations in the DPD they will be allocated to the main towns through the use of contingency sites. A contingency of around 10% across the District would be a sensible provision to ensure delivery.

Response to Question 9

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

- 4.21 The Council has published a District level Economic Prosperity Strategy Evidence Base. This shows across the District that 11.04 hectares of new employment land are required in the Plan period. The Draft Local Development Plan proposes to allocate 8.4 hectares in Maldon and Burnham on Crouch. There is no evidence available from the Council to justify the split between the employment proposed in Burnham and Maldon and why 2.64 hectares of employment are unaccounted for in the strategic allocations. This needs to be addressed and justified for the plan to be sound.
- 4.22 The Council states in policy E1 that they want to create a minimum of 2,000 new jobs up to 2029. The Council's Economic Prosperity Strategy identifies that only about 25% of the employment sites in the District are high quality so new quality space will be important in attracting new jobs. The Council sets out that promoting the visitor economy is important for the Dengie peninsula.
- 4.23 The evidence base for the Economic Prosperity Strategy recognises that there is scope to expand the Burnham Business Park in Burnham on Crouch. Pigeon support the expansion of the Burnham Business Park. This is a well occupied business park that has a clear route for expansion to the west onto the land controlled by Pigeon. Expanding this business park will provide good opportunities for existing businesses to expand which will be very close to their existing premises. This close proximity will reduce disruption to staff or customers resulting from any move. The site for expansion of the business park has been identified by the Council as not having landscape or transport constraints. The Councils evidence base notes that the railway station in Burnham could make the town attractive for small offices. This link to the capital with attractive new employment space would make Burnham a desirable location for small businesses. **If broadband speeds are improved there could be growth in office sectors and in tourism.** With the leisure and rural attractions of Burnham and the surrounding area that the Council is seeking to promote the site at Burnham West would be a good location for small business development.
- 4.24 The Council expects the new employment development at Burnham West to be well laid out and to provide for a range of B1, B2 and B8 uses. These uses will range from high quality light industrial uses to high quality new offices and storage and

distribution premises. Given the status of Burnham as the second largest town in the District and its role in providing for a hinterland of some 15,000 population it is important that there is sufficient employment land available for the lifetime of the development plan and beyond.

- 4.25 Pigeon Land Ltd is committed to delivering employment development as part of their Burnham West development and they have significant experience in developing employment sites. To create an attractive environment the new employment area will need to be well designed and landscaped with a good degree of separation between different uses to avoid conflict between for example smarter office uses and noisier light industrial uses. To achieve this attractive environment there should be flexibility in policy E1 to deliver more employment land at site E1(q) (which is the Policy E1 reference to the extension to the Burnham Business Park).
- 4.26 We support the Council's proposal to extend the Burnham Business Park onto the land controlled by Pigeon. To provide flexibility for the range of development proposed the size of the allocation should be increased, and flexibility should be provided in policy E1 for the Burnham Business Park to be expanded further within the plan period and beyond. As part of the expansion a high quality office park with good rail access could be marketed to attract new firms to the area. The Burnham Business Park is the main area of employment development in Burnham. It is sensible for it to be expanded in the forthcoming plan period. It will also still be the best employment location in Burnham beyond this plan period. Therefore there is good reason to plan for a larger increase in the business park to allow for growth beyond the plan period. If this land is needed during the plan period the businesses will have the certainty of an allocation.
- 4.27 Flexibility to extend the Burnham Business Park further should be specifically set out because the figures given for the size of the areas of new employment space in policy E1 are so specific that they have the effect of being strategic allocations. The increase in size that proposed here will provide more flexibility during the plan period which is a key element of soundness.

Response to Question 10

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

- 4.28 It is noted that the provision of affordable housing is a Council priority. As set out by the Council in Appendix 6 of the Draft Development Plan, higher housing delivery will increase the delivery of affordable housing to meet the Council's priorities. The Council's Strategic Housing Market Assessment (SHMA) states that 242 affordable homes per year are required whereas current levels of housing growth proposed in the District would only deliver around 100 new affordable homes per year. In Burnham the 450 homes are proposed in the plan period. If 30% affordable housing is required in Burnham as set out in the Draft Development Plan this could deliver 135 affordable homes. Clearly delivering more homes to meet local needs in Burnham would increase the amount of affordable housing provided to the benefit of the local community. For every 100 extra homes delivered 30 will be affordable.

Response to Consultation Question 13

Question 13 of the District Council's draft LDP public consultation questionnaire asks: 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?

Sustainability Appraisal (SA) Context

- 4.29 The SA to the draft LDP confirms that 8 spatial growth scenarios (SGS) were presented to Members in July 2013 who were advised, in a report from the Head of Planning Services, that the advised options considered "robust and deliverable".
- 4.30 The 8 SGL's included the options arising from the growth capacity testing and were intended, with varying spatial distributions, to meet the District's Objectively Assessed Housing Need (OAHN).

4.31 Appendix D of the SA sets out the assessment which was undertaken for the seven strategic growth locations (SGL):

- GO1 North Heybridge
- GO2 South Maldon
- GO3 Burnham on Crouch
- GO4 Rural Allocations
- GO5 North Fambridge
- GO6 Latchingdon
- GO7 Southminster

4.32 From the 8 SGL's suggested to Members in July 2013 a preferred option was selected and reflected in the draft Policy S2. The draft LDP in draft Policy S2 sets the strategic growth context for the district. The draft Policy S6 confirms the quantum of development for Burnham on Crouch from S2.

4.33 An SA has been undertaken for the draft LDP which tests the three SGS (Appendix E of the SA) Spatial Growth Scenario 1 (Enhanced Growth in Heybridge and Rural Allocations), Spatial Growth Scenario 3 (Enhanced Growth in Maldon and Burnham-on-Crouch) and Spatial Growth Scenario 8 (Maximising Short Term Delivery).

4.34 The preferred option which the draft LDP advocates (see key diagram of draft LDP) is set out in draft Policy S2 for Burnham.

4.35 The preferred option, through Policy S2, was tested against the SA objectives and the results of which area reported in the SA in the LDP Policy assessment with generally positive or major positive results against social objectives, neutral or positive results against environmental objectives and neutral or positive results against economic objectives.

4.36 Policy S2 proposes a distribution of development which arose for the first time from the Council meeting of 11th July. The SA has been updated to assess the revised distribution of development for Burnham on Crouch against the SA objectives.

Issues arising:

4.37 SA is an iterative process and should respond to changes in the Plan in order to maintain soundness. The appraisal of emerging and preferred options of the plan document is a critical role of the SA. The appraisal should explore how preferred options and policies will be effectively delivered on the ground to help avoid an unrealistic assessment and it should consider the effects of the plan on neighbouring areas and the rationale for the options considered and the reasons for selection of the preferred option².

4.38 In terms of considering the effectiveness of the SA in justifying the preferred spatial scenario advocated by the District Council we have considered two questions:

- *Has the SA been updated to reflect the recent changes - is it up to date?*
- *Does the SA explain the reason for the preferred option and does it cover the degree of detail which S2 now advocates?*

4.39 These questions are discussed below.

Has the SA been updated to reflect the recent changes? Is it up to date?

4.40 The SA confirms that further assessment has been undertaken since the SA of the 2012 preferred option.

4.41 The SA has assessed the 7 additional growth options (Appendix D of the SA) and the combined Spatial Growth Scenarios (Appendix E of the SA) so has been updated to

² <http://www.local.gov.uk/web/pas-test-site/chapter-6-the-role-of-sustainability-appraisal>

reflect the selection of the preferred option against reasonable alternatives. The SA also assesses the draft LDP Policies against the SA objectives. This basic requirement (that the SA be up to date) would appear to have been correctly met by the District Council. But that is not the only requirement of SA.

4.42 However importantly it is necessary for SA to inform the decision making process and the selection of the preferred options and we have seen no evidence that the decision taken on 11th July by Maldon District Council was informed by sustainability considerations. The preferred option which emerged was not one of the 8 scenarios previously assessed and considered to be “robust” by the Head of Planning in his report to 9th July committee this was not supported by SA.

4.43 This appears to be confirmed by the Minute of the 9th July meeting which states (our emphasis in bold):

*The Committee then looked at an alternative solution for the agreed baseline growth allocation at Burnham on Crouch which would involve revision of the western site to provide 180 dwellings, and inclusion of new sites to the north and northeast to provide 180 and 90 respectively, with an additional 90 being held as a reserve. **The Strategic Planning Policy Manager said that this change to the baseline scenario for Burnham on Crouch would have implications in terms of viability, deliverability, affordable housing elements and infrastructure improvements.** Upon the proposition of Councillor Miss M R Lewis and seconded by Councillor R G Boyce, it was considered that the strategic growth allocation of 450 dwellings for Burnham on Crouch should be retained but possibly provided through three sites to the west (180), north (180) and northeast (90). **The Strategic Planning Policy Manager agreed to report further to the Council on the implications of this.***

4.44 The Minute does not include any record of what the ‘implications’ to the baseline scenario were and there appears to have been no ‘further report’ to the Council by the Strategic Planning Policy Manager on the subject. In fact the report by Head of Planning, produced for the 9th July Planning and Licensing Committee meeting, remained unchanged for the subsequent 11th July Council meeting.

4.45 The 11th July meeting Minute states that:

[Councillor Channer] *advised that the Committee were recommending a change to the allocation at Burnham on Crouch, splitting it over three sites rather than just one.*

4.46 However the recommendation recorded in the Minute to the 9TH July Planning and Licensing Committee includes no such recommendation. The 11th July Minute refers to an 'Addendum Sheet' which was related to the 9th July meeting recommendations but unfortunately this Addendum Sheet is not available on the Council's website with the other committee papers. It is of course possible that the Addendum sheet sought to correct the recommendation as recorded in the Minute of the 9th July meeting.

4.47 This matters because it is crucial for the SA to record and explain the process by which the preferred option was derived and to demonstrate that the options were assessed for their compliance with the SA objectives before the final decision on the preferred option (for inclusion in the draft LDP) was taken.

4.48 On the basis of the available documentation there is no evidence to see how the change from 450 dwellings for the Burnham West site to 450 across three sites at Burnham on Crouch was informed by the SA. As this variant was not one of the 8 Spatial Growth Options in Appendix 4 of the Committee papers it follows that it cannot have been.

4.49 We reiterate our concern above that the SA appeared instead to have to catch up and justify the Councillors selection of the preferred option.

Does the SA explain the reason for the preferred option and does it cover the degree of detail which S2 now advocates?

In short the answer to this is no.

- 4.50 The SA does not explain the reason for the preferred spatial distribution of the 450 dwellings advocated for Burnham on Crouch. In fact it is very difficult to find an explanation anywhere in the draft LDP consultation documentation for this alteration which appears to have emerged from the Council meeting of 11th July. The current draft Policy S2 seeks to allocate the 450 dwellings across three sites. In the pursuit of plan soundness the draft LDP policies need to be flexible³.
- 4.51 We consider that by allocating specific numbers of dwellings to each site and setting out the required phasing the District Council has allocated the sites. There is no proper analysis of the allocations in the SA and no flexibility in the allocations, the absence of which means the plan is unsound.
- 4.52 The SA does not include any assessment of the spread of the numbers so it is unknown what the rationale for the division is or how what the SA assessment results might have been with a different arrangement of the numbers e.g. 190/170/90. In other words in the event of deliverability issues with the sites (in the context of the specific S2 figures and site boundaries) then that part of the Plan would be unsound.
- 4.53 The SA does not include any assessment of the spatial distribution of the strategic allocations and it is unknown what the rationale for the division is or what the SA assessment results might have been with a different arrangement of the numbers e.g. 190/170/90.
- 4.54 In the event of deliverability issues with sites (in the context of the specific S2 spatial distribution and site boundaries) then that part of the Plan would be unsound.
- 4.55 Policy S2 and the Development Plan Key Diagram are allocating three sites in Burnham for development. The later stages of the development plan will not have flexibility to choose different development sites or to vary the level of development

³ http://www.pas.gov.uk/local-planning/-/journal_content/56/332612/15045/ARTICLE

to be delivered on each site so these parts of the Draft Development Plan are allocations. For the Draft Development plan to be legally compliant the Sustainability Appraisal should appraise the suitability of each individual site for an allocation and the conclusions of the sustainability appraisal should have been used to prepare policy S2. There is no evidence that this has been done.

Conclusions on Question 13

- 4.56 Draft Policy S2 needs to be subject to a site specific sustainability assessment before confirming the quantum of development for specific allocation sites in Burnham on Crouch. The SA needs to consider the options that have been chosen and those that have been discounted. If this is not done correctly then the development plan will not be legally compliant. The Development Plan is unsound as it is not supported by the appropriate evidence base to justify the decisions taken. The evidence base does not justify the sites chosen.

Response to Consultation Question 14

Question 14 of the District Council's draft LDP public consultation questionnaire asks: Do you wish to comment on the Proposals Map or any other Policies in the Draft LDP?

Proposals Map

- 4.57 We set out in our answers to the above questionnaire questions and in our section 2 our arguments to increase the level of development on the Burnham West site and our arguments on the development of the two northern strategic sites. The number of houses proposed by the Council for development on the two northern strategic sites is not supported by an analysis of the landscape constraints and we consider on the basis of landscape advice that the upper limit for development should be a total 170 homes, with 135 homes on the western site and 36 homes on the eastern site.

The proposals map should reflect this analysis.

- 4.58 The development proposed on the Burnham West site has been reduced in scale in the Council's 2013 proposal from the 2012 proposal. We consider that the 2012 proposal for Burnham West was soundly based and is still better supported by the Council's evidence set out in the 2013 Draft Development Plan than the 2013 proposal for 180 homes on the Burnham West site. The proposals map should show 450 homes, employment and community facilities on Burnham West.

Five Year Housing Supply and Housing Trajectory

- 4.59 At present the Council has a housing supply of less than a year. National planning policy requires Council in this position to be proactive in delivering new housing. The Council's housing supply figures include an allowance for windfalls based on past rates. It is unclear if these windfall rates include the homes developed on private gardens. Homes developed on private gardens should be excluded from the figures. This could have the effect of increasing the housing requirement.
- 4.60 The Council housing trajectory is very optimistically predicting a very large increase in housing delivery from the 2014/2015 monitoring year. This is not supported by evidence and a more gradual increase in housing delivery would be more realistic.
- 4.61 Policy S1 in bullet point 2 should state that housing will be delivered to meet objectively assessed needs to be in line with national planning policy. Bullet 4 that requires growth to be within the environmental limits of the District is vague and needs more clarity.
- 4.62 Policy D2 seeks to minimize environmental the impacts of development. This principle is supported but the text of the policy is not. A number of points notably 4, 5, 6 and 9 are very vague. To deliver development certainty over regulations and requirements is required. All requirements should be specific and deliverable and should not duplicate other regulatory systems such as Building Regulations.
- 4.63 We object to policy S6 where it requires that all major developments will provide

financial contributions to the delivery of local employment and training. This should be met through the developments of Burnham West by the allocation of land for employment use. The requirement to provide financial contributions for training is in our view outside the Community Infrastructure Regulations.

- 4.64 Policy H2 on affordable housing states that affordable housing should not be provided in clusters of more than 15 to 25 homes. This requirement will have a fundamental effect on most developments and pretty much all aspects of a scheme e.g. in relation to its cost, viability, design, phasing, management, RP involvement, community involvement, delivery and so on. As such the rationale behind it needs to be fully explained and comprehensively considered before they are adopted as the Councils' formal approach to the delivery of affordable housing.
- 4.65 We object to the requirement in policy H3 on housing for specialist needs. This policy requires such housing to be provided in perpetuity and for this to be set out in a legal agreement. This is not possible as no care home provider can guarantee that they will provide a development in perpetuity. Care requirements change and the planning system cannot prevent change happening, for example by preventing a care home that is no longer required, or that needs to be relocated from closing. This provision will deter companies from providing care and is not justified.
- 4.6 Policy I 1 should contain provision that there should not be double counting between S.106 contributions and CIL when CIL is introduced.

5.0 Conclusions

- 5.1 We object to the 2013 Draft Local Development Plan because it is not soundly based. The change in strategy in Burnham on Crouch from delivering development on a single site to delivering development on three smaller sites is not supported by the evidence. To address the demographic issues of an aging population in Burnham and across the District more housing needs to be allocated to Burnham. This could require more housing to be provided across the District and for the 4,410 housing target for the District to be increased.
- 5.2 More housing needs to be provided in Burnham to address the demographic changes in the population. The population is aging with the number of people in age groups over 40 increasing, and the number of people in age groups below 34 decreasing. The population is aging at a faster rate than the rest of the country and the rate of aging compared to the rest of the country has increased in the last 12 years. During the last 12 years the population of Burnham has begun to fall. The ageing of the population and the fall in population has come at a time when house building in Burnham has been very low at 9.7 homes per year. To deal with falling household size, the effects of migration and the aging population the Council recognises that higher levels of housing development are required in the District compared to historic rates.
- 5.3 The rates of new housing delivery proposed for Burnham will not address the demographic problems set out above. The area is constrained by environmental factors that will limit housing growth. However in line with the Council's own policies housing must be delivered within these environmental limits. The number of homes that can be delivered across the north east and north west strategic sites in Burnham is 170 homes. No evidence has been put forward that Burnham West cannot deliver 450 homes. The level of housing delivery in Burnham must be maximised to address demographic issues and to ensure that the town is sustainable or the plan will be unsound as it will not be based on the most appropriate evidence base or be in accordance with national planning policy on sustainable development.

- 5.4 The Council has not made a case why housing is being delivered at greater rates in Maldon and Heybridge than at Burnham. Burnham is the second largest town in the District and has a hinterland with a population of some 15,000 people. The Council has raised concerns that the primary school size limits housing growth in Burnham. It is not correct to constrain housing growth needed to deliver sustainable development because of school capacity. Increasing primary school capacity must be more clearly explored to establish if there is more space in existing schools, or to establish if primary schools can be physically expanded to take more pupils.
- 5.5 As the Council acknowledge throughout the 2013 Draft Development Plan infrastructure and community facilities can be better delivered from larger developments than smaller developments. This is true in the case of Burnham West which can deliver a 450 home mixed use scheme with an extension to the Burnham Business Park. Alongside this open space, green infrastructure, local retail and community facilities can be provided. A smaller development will limit the delivery of these facilities.
- 5.6 High quality employment development can be provided at Burnham West. The extension to the Burnham Business Park will be well placed to provide space for existing businesses in Burnham to expand. It is also a good area for new businesses. The train links to London and the attractive local countryside will be a draw for businesses. If broadband speeds are improved there could be growth in office sectors and in tourism.
- 5.7 If developed as set out in the 2012 Draft Development Plan Burnham West could be a high quality mixed-use community based scheme, sensitively designed to respect the existing qualities of the town whilst being able to deliver an expansion to Burnham's established business centre to enable new employment to be created. Community benefits can be provided by making provision for new primary school infrastructure, a children's nursery, health centre and enhanced medical services. Improvements can be

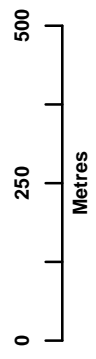
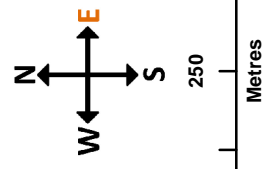
provided to existing infrastructure including main services, existing roads/junctions with the potential to limit the impact of the scheme through the use of sustainable drainage solutions. A new stadium and numerous sports pitches could be provided for Burnham Ramblers Football Club to sustain and enhance the significant contribution the club makes to sport in the town. Extensive amenity space can be distributed throughout the new homes and substantial landscaping which has the potential to vastly improve the wildlife habitat of the area and the attractiveness of the western approach to the town, along with the setting of Creeksea. Improved sustainable travel choices can be provided including potential improvements to public transport both within the town and destinations out of town. Walking and cycling improvements will provide alternative modes of travel. There is the potential for a food store, in response to local demand, which will save on many trips out of the town. Both market and affordable housing can be built using contemporary sustainable construction techniques. The much needed affordable housing will be provided for local people who need assistance in finding a place to live. Housing can be phased over the next 15 years in response to meeting local needs and to ensure the scheme is suitably integrated. The provision of housing for the elderly which could include bungalows, a care home and assisted living to provide for the aging local population.

Appendix 1

Key



Burnham West



Project: E242 Pigeon Burnham

Drawing title: Burnham West

Drawing no: E242_BW

Rev. 0 Date: Sept 2013

Scale: NTRS Drawn: SB



Gardiness Point

Ferry (P)

Ferry (P)

Ferry (P)

Appendix 2

Table showing household growth and demographic change over time

Year	Ward Name	Local Authority	Households	Household Growth	All Ages	0-4	5-9	10-14	15-19	20-24	25-29	30-34	35-39	40-44	45-49	50-54	55-59	60-64	65-69	70-74	75-79	80-84	85+	Median Age	UK Median Age	+
1981	Burnham-on-Crouch both	Maldon	2349		6,265	436	463	475	402	321	412	555	476	343	315	251	308	343	389	365	207	107	97	34.7	34.5	0.2
1991	Burnham-on-Crouch both	Maldon	2975	626	7,067	470	412	415	459	446	472	481	480	587	490	347	328	311	353	365	304	237	110	37.9	35.8	2.1
2001	Burnham-on-Crouch both	Maldon	3611	636	7,785	411	516	474	393	333	411	552	555	555	552	642	600	417	387	291	273	249	174	41.2	37.9	3.3
2002	Burnham-on-Crouch both	Maldon	3653	42	7,850	418	494	477	396	362	385	521	548	588	548	609	627	462	394	328	265	235	193	41.8	38.1	3.7
2003	Burnham-on-Crouch both	Maldon	3658	5	7,813	421	473	462	410	368	364	498	559	558	537	594	646	508	402	334	260	240	179	42.1	38.4	3.7
2004	Burnham-on-Crouch both	Maldon	3699	41	7,848	406	449	492	421	335	400	462	564	564	546	568	650	546	422	336	268	242	177	42.5	38.6	3.9
2005	Burnham-on-Crouch both	Maldon	3667	-32	7,937	423	455	478	441	335	386	446	568	575	551	543	663	607	418	353	267	226	202	42.8	38.8	4.0
2006	Burnham-on-Crouch both	Maldon	3683	16	7,942	425	417	474	444	348	360	433	560	565	572	534	645	661	414	376	268	225	221	44.5	39.0	5.5
2007	Burnham-on-Crouch both	Maldon	3688	5	7,945	417	408	470	426	347	366	443	531	561	571	528	594	714	435	383	311	221	219	44.0	39.2	4.8
2008	Burnham-on-Crouch both	Maldon	3697	9	7,915	411	405	455	416	336	370	389	511	583	572	531	572	743	465	406	311	206	233	44.7	39.3	5.4
2009	Burnham-on-Crouch both	Maldon	3702	5	7,859	407	392	439	430	355	334	406	473	565	565	543	553	726	500	413	316	206	236	45.1	39.5	5.6
2010	Burnham-on-Crouch both	Maldon	3702	0	7,890	405	386	453	414	362	332	400	475	572	584	538	516	739	529	417	327	220	221	45.3	39.7	5.6
2011	Burnham-on-Crouch both	Maldon	3708	6	7,690	367	367	373	420	335	323	382	452	535	566	528	588	663	612	390	351	227	211	46.7	39.8	6.9

Appendix 3

Burnham-on-Crouch

Burnham-on-Crouch is a small town in Maldon District that lies on the northern bank of the river Crouch. Once a ferry port and then a fishing port, it is now a yachting centre. As the principle settlement on the Dengie Peninsular it provides facilities and amenities for the area.¹ It thus has a strategic role in the area.



The town is 2 census wards within Maldon District (22UKFY & 22UKFZ)², Essex. The latest data from the Office for National Statistics estimates the population as 7,690 (mid 2011) with 3,708³ occupied dwellings, giving an average household size of 2.07 persons.

¹ Wikipedia so don't rely on it!

² E05004191 and E05004192 since 2010

³ Dwellings by Council Tax returns to the Valuations Office Agency published by ONS. Note: the March 2010 figure is not consistent with the earlier or subsequent years. This has been raised with ONS and if not a typographical error will need to be raised with the Valuation Office Agency.

Burnham-on-Crouch has 2 primary schools (Burnham-on-Crouch Primary and St Mary's CE VA Primary) and a secondary school (Ormiston Rivers Academy). The secondary school catchment serves the surrounding villages as well.

Recent History

The period 1981 to the present provides a useful insight into the demography of the town.

During the period 1981 – 2001⁴ the dwelling stock increased by 1,226 units from 2,349 dwellings to 3,641 dwellings. This is an increase of 54%. At the same time, the population grew by 1,520 persons from 6,265 to 7,785. This is an increase of 24.3%. In that period, dwelling growth exceeded population growth and the average household size fell from 2.67 to 2.16 persons per dwelling.

In the last decade, 2001 – 2011⁵ the occupied dwelling stock increased by 97 units from 3,653 dwellings to 3,708 dwellings. This is an increase of just over 2.6%. At the same time, the population fell by 95 persons from 7,785

⁴ National Census 1981 1991 2001 and 2011

⁵ National Census 2001 and Dwellings by Council Tax March 2011

to 7,690⁶. In the most recent decade population growth has fallen during a period of very low dwelling growth. Overall in the decade, the average household size has fallen from 2.16 to 2.07 persons. (Nationally, it has fallen from 2.32 to 2.28). Not building homes in an area during a period of falling household size leads ultimately to a falling population. When this coincides with an ageing population the consequent distortion of the population profile is inevitable.

The median age of the town's resident population in 1981 was 34.7 years; close to the national average 34.5. In 1991 it had risen to 37.9 years; 2.1 years above the national average 35.8. By 2001, the gap had risen to 3.3 years with the town's median age rising to 41.2 years. In the ten-year period (2001-2011), with negligible dwelling growth, the population has aged 5.5 years and is now 6.9 years older than the national average: 46.7 years for the town against 39.8 nationally.⁷

⁶ ONS mid-census estimate

⁷ Median age for the United Kingdom mid-1951 – mid-2011 ONS



The conclusions to draw from this data are:

The rural nature of the town compounded by the lack of dwelling growth is distorting the population profile and is now leading to a population that is a rapidly ageing population and a declining population. There is a marked decline in the number of very young people (school rolls) and a large increase in the much older age groups.

The impact on community, social and cultural infrastructure by this changing population profile will make some existing facilities vulnerable and place an ever-increasing pressure on social and medical services. For example, falling rolls at the schools. Also elderly persons' demands for social and health care without an underlying general population that supports the financial allocations to employ the necessary numbers of staff. Of course over time there will be an impact on retail trade and no doubt a

mismatch of available labour to meet employment needs or a diminution of employment opportunities

My view is that the lack of new housing between 2001 and 2011 will have had a constraining effect. Older people, wanting to downsize and stay in the area will have found it more difficult to find a suitable property, are more likely not to have moved. Growing families will have been more likely to have moved out of the area to find suitable homes. Hidden households will have been more likely to stay hidden within families. Those seeking to establish a home for themselves will have experienced less opportunity to do so.

The provision of new housing to sustain balanced populations 1981 – 2001 is not an exact science but dwelling delivery of 60 units per annum 1981 – 2001 did not prevent an increase in the disparity between the age of population and the national average increasing from 0.2 years to 2.1 years. It is likely that 100 additional homes per annum rather than 60 would have achieved a balance. The decrease in house building in the period 2001 – 2011 has worsened the situation by increasing the disparity to 6.9 years.

Whilst it is likely that a long-term average of around 100 additional units per annum is the Burnham-on-Crouch required housing need, three decades of under provision requires probably 150 additional units per

annum for a decade, followed by circa 100 per annum thereafter. (A more detailed analysis including both employment and transport would firm up these figures).

Education Provision

Burnham-on-Crouch has 2 primary schools (Burnham-on-Crouch Primary and St Mary's CE VA Primary) and a secondary school (Ormiston Rivers Academy – prior to 2011 it was St Peter's High School).

Burnham-on-Crouch Primary School is a 420-place school with 60 places for each year of age. As at January 2013 it had 338 pupils whilst in January 2003 it had 449 pupils.

St Mary's CE VA Primary School is a 210-place school with 30 places for each year of age. As at January 2013 it had 170 pupils whilst in January 2003 it had 192.

School Name	AN	Reception	Year1	Year2	Year3	Year4	Year5	Year6	CAP	NOR	2003
Burnham-on-Crouch Primary	60	46	45	57	56	34	49	51	420	338	449
St Mary's Church of England	30	27	33	19	25	25	21	20	210	170	192
	90	73	78	76	81	59	70	71	630	508	641
		81%	87%	84%	90%	66%	78%	79%		81%	102%

⁸ (see footnote)

Collectively, the primary school provision has fallen from an occupancy rate of 102% to 81%. In 2003 the indications were that dwelling delivery would continue at circa 60 dwellings per year (or more) and a third primary school was becoming necessary.

⁸ NOR = Number on Roll: CAP = Physical Capacity: AN = Admission Number – into each year group

The secondary school, formerly St Peter's High and since 2011 Ormiston Rivers Academy has reduced its capacity from 1174 to 1100 and its 11-15 capacity to 700 places. It had 986 pupils aged 11-15 in 2003. It has a 2013 admission number of 140 and recruited 123 into year 7 (secondary transfer). With the exception of year 9 it has fewer pupils each year group younger than the previous. It has 310 (28%) fewer pupils than a decade earlier.

	AN	Year7	Year8	Year9	Year10	Year11	16+	CAP	NOR	11-15	
										CAP	NOR
Ormiston Rivers Academy	140	123	127	144	127	169	104	1100	780	700	690
	N/K							1174	1090		986

The schools needs more pupils flowing through from the primary schools, which will only happen if house-building returns to Burnham-on-Crouch.

Conclusions and Comments

I am informed that it is being asserted that the town has limited capacity for new housing (450 units) because the schools cannot accommodate any more. This is an over-simplistic analysis based on current available places in the primary schools and a child yield of 30 pupils per 100 dwellings. In fact it needs more housing than that because year on year the stock housing is yielding fewer children because the population is ageing.

My researches reveal that Burnham-on-Crouch needs to deliver about 100 dwellings per annum year on year, every year to compensate for the general ageing of the population, maintain a steady number of school age children for the local schools, maintain a good proportion of working age and young families (if only to sustain the servicing of yachting centre), a vibrant town centre to service the Dengie peninsular villages and sufficient opportunities for employment close to home.

Over the last three decades the town delivered 626 dwellings, 636 dwellings in the first 20 years respectively and 97 in the decade to 2011 – the latter being significantly fewer than that I have found from my researches to be necessary. (The Royal Mail residential delivery point count at March 2011 compared with July 2013, suggests that 12 additional dwellings have been added in the last 27 months)

	1981-1991	1991-2001	2001-2011	2011-present
Annual dwelling delivery	63	63	10	5

By 2001, the population of Burnham-on-Crouch was slightly older than the national norm (+1.1 years): by 2010 it was markedly older (+6.3 years). Whilst the nation aged by 1.8 years, Burnham-on-Crouch aged by 7 years.

In my opinion the lack of house building in Burnham-on-Crouch explains much of the changing demography and the consequent risks to the town's vibrancy and vitality. To address these issues more housing is needed. Whilst circa 63 dwellings per annum between 1981 and 2001 failed to sustain the population profile because the reduction in household size in that period means a greater number of dwellings would have been necessary to achieve it, reducing the average dwelling delivery rates to circa 10 per annum in the period 2001-2010 has made a bad situation worse. Reducing it still further since 2011 is exacerbating a bad situation.

The data tells me that the town needs circa 150 dwellings per annum for the next 10 years and 100 per annum thereafter. A plan for 1,500 dwellings in the next decade would both fill the local primary schools and create the need for a third school provided within the new housing. The secondary school has the capacity to meet the demand.

Finally a dwelling programme as outlined would rejuvenate the population and provide the demographic profile to (a) sustain local employment, (b) local facilities and (c) the population to support the allocation of funding to support the health and welfare needs of the older age cohort that is rising exponentially.

Appendix 4

Relating to 2 parcels of land forming part of the draft allocation of strategic sites in Burnham (S2(i) and S2(j)).

I POLICY AND LANDSCAPE CONTEXT

I.1 Introduction

1.1.1 The policy and landscape context is important to consider in relation to proposed development in Burnham-on-Crouch.

1.1.2 Figure 1 should be read in conjunction with this report, which contains designations and strategic site information relevant to allocations S2(i) and (j) at Burnham.

I.2 National Planning Policy Framework (NPPF)

1.2.1 A number of policies that form part of the NPPF are of particular relevance in landscape and visual terms, as follows:

Sustainable Development (Paragraph 7)

Core Planning Principles (Paragraph 17)

Requiring Good Design (Section 7)

Conserving and enhancing the natural environment (Section 11)

Conserving and enhancing the historic environment (Section 12)

I.3 Local Policies

1.3.1 A number of saved policies within the Local Plan will be of particular relevance to viability of the strategic allocations in landscape and visual terms and these need to be addressed now as the housing numbers proposed for S2(i) and S2(j) cannot be accommodated.

Policy CC6 Landscape Protection

1.3.2

The natural beauty, tranquillity, amenity and traditional quality of the District's landscape will be protected, conserved and enhanced. Proposals for development in the countryside will only be permitted provided that:

- No harm is caused to the landscape character in the locality, and
- The location, siting, design and materials are appropriate for the landscape in which the development is proposed, and
- The development is landscaped to protect and enhance the local distinctiveness and diversity of the landscape character of the area in which it is proposed.

Response: The development of strategic sites S2(i) and S2(j) will cause harm to the landscape character of the two areas. The housing numbers suggested for each allocation cannot be achieved without serious adverse effects on the natural beauty, tranquillity, amenity and quality of the landscape. The requirement to address location, siting, and design will require a substantial reduction in the housing numbers being proposed, if the criteria to protect and enhance local distinctiveness and diversity of the landscape character are to be achieved through this policy.

Policy CC10: Historic Landscape Features

1.3.3

Development will not be permitted which would have a materially adverse impact upon landscape features of historic importance such as ancient woodlands, registered parks and gardens, registered battlefields, protected lanes and hedgerows. Any proposal, which would give rise to a material increase in the amount of traffic using protected lanes, will not be permitted.

Response: The development of strategic sites S2(i) and S2(j) will result in adverse effects on historic features including St Mary's Church and the Manorial Hall that are an essential component of the landscape setting in Burnham-on-Crouch. The requirement to retain the relationship of the church with its agrarian setting must be preserved by retaining key views and setting space, requiring a substantial reduction in the

developable area and accordingly the housing numbers proposed for each site, if the criteria of this policy are to be met.

Policy BE1: Design of New Development and Landscaping

1.3.4

Development Proposals will be permitted if:

- they are compatible with their surroundings, and / or improve the surrounding location in terms of :

Layout, Site coverage, Architectural style, Scale / bulk / height, External materials, Visual impact, Effect on the safety and or amenity of neighbouring properties or the occupiers therein, Relationship to mature trees, Relationship to important landscape or open spaces, Traffic impact and access arrangements.

- within defined development boundaries they harmonise with the general character of the area in which they are set;
- outside defined development boundaries they make a positive contribution to the landscape and open countryside
- measures to protect important nearby features such as trees, historic buildings during the construction process are included
- landscaping is included as an integral part of the overall design
- amenity space is provided appropriate to the type of development

Response: The development proposals for the strategic sites S2(i) and S2(j) will not achieve the housing numbers if the above criteria are to be met. The development areas will need to be much reduced to ensure that appropriate design, amenity and open space, access and landscape proposals form an integral part of any development being provided under this Policy. Similarly the protection of trees, historic buildings and the effects of visual impact, character and landscape are required under this policy and, when considered, will provide additional constraints on both sites further reducing the housing numbers.

1.3.5

However, emerging policy relating to strategic sites is also highly relevant and the criteria listed under this policy give rise to additional concerns on delivery of housing numbers for the strategic sites S2(i) and S2(j):

Policy S6 Burnham-on-Crouch Strategic Growth

1.3.6

The emerging policy for the strategic growth area includes (selected) landscape related references, stating that “*development will be permitted at the Strategic Locations provided that..*”:

- *“Development can be accommodated within the capacity of the Burnham-on-Crouch road network following appropriate mitigation measures and junction improvements;*
- *Enhanced public transport provision is incorporated within the strategic allocations;*
- *Safe pedestrian and cycle linkages are provided from the development to the town centre, other public service facilities and the existing urban area;*
- *Provision is made for increased and enhanced green infrastructure”;*

Response: The requirement for increased and enhanced green infrastructure measures that are meaningful is important and will without question reduce the area of land available for development through the retention of existing well established and strong tree and hedgerow features, together with the provision of new enhancement measures that are necessary to meet green infrastructure targets. The reinstatement of historic hedgerow boundaries lost to modern agriculture practices would help meet this criteria, but reduce the developable area for development, but provide green infrastructure benefits.

- *“Development will protect and enhance the landscape and the character of the historic environment”;*

Response: The historic setting of the St Mary’s Church and the Manorial Hall are vitally important in relation to the development of S2(j) and S2(i) and development must be carefully sited and designed to protect and enhance the character of the setting to accord with the policy.

The combination of a rectilinear field patterns and strong hedgerow boundaries, Pannel’s Brook and isolated farmsteads all contribute to the strong rural landscape character of the area between two settlements.

The character must be preserved and consequently the developable areas will need to be reduced to meet this Policy.

Strategic development needs to be set back to the southern part of S2(i) to address the historic character and landscape qualities of Green Lane to the west. Accordingly the developable footprint will be smaller and the housing numbers will be reduced.

The reinstatement of historic hedgerow boundaries lost to modern agriculture practices would support and enhance the character of the historic field pattern and overall landscape quality and would reduce the housing numbers, once offsets are taken into account.

Land that forms the strategic gap between settlements will need to be maintained so as not to adversely affect the character of the settlement edges or the farmland landscape type. Consequently there will be a reduction in housing numbers on S2(i) and S2(j).

- *“Appropriate surface water management mitigation measures are incorporated into the development”;*

Response: The development of surface water mitigation for parcels S2(j) and S2(i) would involve the creation of SUDs features such as ponds ditches and swales to deliver a comprehensive water management strategy for both sites requiring adequate space to accommodate a suitable scheme design. This would further reduce the developable areas of both S2(i) and S2(j) and as a consequence reduce the housing numbers for both sites.

- *“The development will preserve and enhance the quality of the historic character including the built environment, archaeology and the historic skyline within the context of its riverside, estuarine and rural location”;*

Response: The requirement to preserve the setting of the historic character requires that the setting of St Mary’s Church is considered fully in any development proposals. As such strategic views of the tower from the south, north-west and east should be maintained from these locations to respect the rural setting of the church in its agrarian landscape, and the

rural skyline with the tower in view. Consequently this would reduce the developable area for development in both S2(i) and S2(j).

The setting of the church to the east is considered important in relation to the historic character in its immediate context. The retention of open space east of the church is absolutely necessary to complement the setting space currently afforded to the south and west and provide the context of its historical rural setting.

1.4 Historic Landscape Character

1.4.1 The Maldon District Historic Environment Characterisation Project report was prepared by Essex County Council Historic Environment Branch, 2008 and covers Burnham-on-Crouch.

1.4.2 **HECZ 13.2 Burnham church/hall complex and Stoneyhills.** The report states “*Medium to large scale development is likely to have a considerable impact on the historic environment character of the zone*”.

The HECZ 9.3: The Dengie: The report states “*Medium to large scale development is likely to have a considerable impact on the historic environment character of the zone*”.

HECZ 10.5 Southminster and scattered farms towards the Crouch coast: The report states “*The zones historic environment is highly sensitive to medium to large scale development*”.

1.4.3 **Response:** The vulnerability of the historic environment to development is noted in the assessments and has implications for the developable areas in S2(i) and S2(j), reducing their footprint accordingly. The scale of development and the housing numbers must be reduced now to lessen the considerable impact that would be otherwise occur.

1.5 Landscape Character Assessments

National Level (National Character Area (NCA), Natural England, 2013)

1.5.1 The strategic sites S2(i) and S2(j) fall within the NCA 81: Greater Thames Estuary. The NCA 111: Northern Thames Basin also influences the area, as the strategic sites lie close to its boundary with NCA81.

Regional Level (Essex Landscape Character Assessment, Chris Blandford Associates, 2003)

1.5.2 At regional scale the 2 strategic sites S2(i) and S2(j) both lie within the Character Area **E1: South Essex Farmlands**. This landscape character area is part of the London Clay Plateau landscape type. In relation to sensitivity it is noted that major urban extensions (i.e those above 5 Hectares) are subject to a **moderate sensitivity**. The key issues identified for change are integrity of hedgerow pattern, low to moderate intervisibility and visual exposure of some ridge/hillsides. The assessment notes that if a site is reduced in area then it would be afforded a lower sensitivity.

Response: Consequently a much smaller scale of development on S2(i) and S2(j) is required to limit the harm that would be created in landscape and visual terms. The assessment also highlights that small scale incremental changes are of **moderate sensitivity** and can have an effect on the character of a settlement. It is particularly important where S2(i) and S2(j) are located in close proximity to either the St Mary's Church and the Manorial Hall and the historic street pattern at Green Lane, where it becomes essential that developable areas are set back to limit the adverse effects on character. This will affect the housing numbers proposed for both S2(i) and S2(j).

District Level (Maldon District Landscape Character Assessment, Chris Blandford Associates, 2006)

1.5.3 This study confirms that both parcels of strategic land S2(i) and S2(j) lie towards the southern edge of Character Area **E2: Tillingham and Latchingdon Coastal Farmland**.

1.5.4 It interesting to note that the assessment states that,

“The fringes of most of the older villages have been suburbanised in an unsympathetic way that visually intrudes into the local landscape. Views of the church at Tillingham are completely obscured by modern housing in yellow brick”.

Response: This confirms both the importance of ensuring sympathetic design in future development proposals, minimising visual intrusion in the local landscape and respecting the setting and views of historic assets such as Churches. As such the developable areas must be reduced in S2(i) and S2(j) and the numbers reduced accordingly, in order to eliminate the harmful effects identified in this example happening at Burnham.

1.6 **Landscape and Visual Impact Assessment (LVIA 2010, relating to a review of SHLAA sites, Essex Landscape Design, for Maldon District Council)**

This LVIA study was undertaken to inform the possible development of land parcels on greenfield sites around the edge of key settlements in the District, including Burnham-on-Crouch. Parcels identified as B1 to B7 were studied and assessed, then given a colour red, orange, yellow, green and negative/positive mark. Site S2(i) :B2 (scored **negative orange/red**) and B3 (scored **positive orange/green**); Site S2(j) :B6 (scored **negative orange/red**).

Summary of assessment of parcels B2 part and B3 in relation to site S2(i)

1.6.1 The assessment states that B2 has *high landscape sensitivity*, and in relation to landscape effects, the assessment notes that if the whole site is developed it would be *highly adverse*. In relation to mitigation, it confirms that *“It would not be possible to mitigate the landscape and visual impacts on this site with planting”*.

1.6.2 **Response:** Significant landscape and visual harm could only be reduced by omitting B2 from the allocation of S2(i) and accordingly, to meet the Policy criteria, significantly reduced numbers of housing on a much smaller footprint will need to be addressed.

Summary of assessment of parcel B6 in relation to site S2(j)

1.6.3 The assessment states that B6 has *high to medium landscape sensitivity*, and in relation to landscape effects, the assessment records *high to moderately adverse* effects. In relation to visual effects, the assessment notes that there would be *high to major adverse effects* on 30no. properties and *high to moderate* for roads/footpaths. In relation to

mitigation, the report states that “*Landscape and visual impacts could not be mitigated satisfactorily by planting*”. It also notes opportunity to “*create public open space beside the brook*”. The summary score of **negative orange/red** is expanded on by reference that the score could be reduced to orange by keeping development away from Hall Farm.

1.6.4

Response: It is essential that in order to respect the setting of the St Mary’s Church and the Manorial Hall, an offset equating to the western most field must be left undeveloped, and the eastern field is substantially reduced or better omitted altogether.

2.1 Site Location and landscape context

2.1.1 The two sites are located on the edge of Burnham-on-Crouch, between the settlement boundaries.

2.1.2 The pattern of land use around Burnham is strongly defined and is centred around two distinct settlement patterns with a strong green strategic gap between them.

2.1.3 The strategic gap prevents coalescence between Stoneyhills and Burnham, and is composed of largely regular or rectilinear agricultural fields and isolated farmsteads set around Pannel's Brook. The parcels and farmsteads are often bounded by strong vegetation features adding to the rural character and separation of the built edges and as a result intervisibility between the two settlement edges is limited.

2.1.4 The strategic gap is now at its minimum functional level and any further development would cause the loss of the fields beside Pannel's Brook and compromise the strategic gap.

2.1.5 Stoneyhills developed as a "plotland development" hence it is distinct in location, form and character from the town settlement at Burnham-on-Crouch. There is a further contrast at the southern end of Stoneyhills (Eves Corner on some maps), where the village character is distinct at the point where Green Lane, Mill Road and Southminster Road meet, formed by timber framed buildings with thatched roofs set around the junction (refer to Figure 6, photos 3 and 4). Plotlands are further described in Natural England's Character Assessment, as:

"Sparse settlement remained the norm during this period until the expansion of the railway system in the mid 19th century, which stimulated the growth of seaside resorts such as Southend, Clacton and Frinton. This ultimately led to the development of plotland settlements, the most striking of which is Jaywick."

"The 'plotlands' consisted of small plots of land sold in the first half of the 20th century to people who built weekend cottages, holiday bungalows

or smallholdings there. Many became permanent residences and have been incorporated into new urban developments”.

Strategic Site S2(j)

- 2.1.6 **Site S2j** comprises two arable fields located to the north of Marsh Road in a very shallow valley, characterised by Pannel’s Brook, a winding watercourse that is well vegetated with willow and other tree species associated with wet habitat, as well as a series of ponds and waterbodies that are strung along its course.
- 2.1.7 The two fields are separated by a hedgeline public footpath that runs north-south in between them connecting Burnham to Stoneyhills. A small footbridge sits across Pannel’s Brook. The footpath is a rural path with views of the Church and views east across S2(j) and provides an attractive route between the two settlements (refer Figure 3, photos 5 and 8).
- 2.1.8 Marsh Road forms a rural approach to Burnham from the marshes to the east of Burnham and as such is a rural gateway to the town. The fields either side of the watercourse are largely open fields with well-established tree and hedgerow boundary features that provide visual unity, connectivity and potential ecological benefits.
- 2.1.9 Marsh Road forms the settlement edge on the south side of the road. The dwellings that comprise the northern development edge of Burnham are largely a mixture of modern mid to late 20th Century dwellings, individual houses and flats, with a school and side roads leading off Marsh Road into modern estate style development to the south (refer Figure 2, photo 4; Figure 3, photo 6).
- 2.1.10 The north side of Marsh Road remains largely undeveloped and open in character, except for a cluster of 6 or 7 mostly older dwellings associated with the church, such as Church Green Cottage (refer Figure 5, photo 15). These properties have gardens that form part of the open countryside, and are not part of the defined settlement. An isolated timber cabin also sits further along close to the railway line within the allocated parcel S2(j).

2.1.11 The combination of subtle change in level falling north towards the valley and edge of properties on Marsh Road provides a very distinct contrast in character between the urban edge of settlement and the open rural valley sides and influences both the views and the agrarian setting of the town edge and church.

Visual Influences

2.1.12 Approaching Burnham from the east there are views to St Mary's church tower from Marsh Road across the fields including parcel S2j, despite the elevated railway (refer Figure 2, photo 1). These views reinforce the agrarian rural elevated setting of the church from the east and its historic influence in visual terms within the wider landscape.

2.1.13 Marsh Road forms a rural approach route to the town from the marsh to the east and focal views towards St Mary's Church on the approach reinforce this as a local landmark appreciated by drivers, cyclists and pedestrians as they move towards the town (refer Figure 2, photo 2).

2.1.14 Further towards Burnham along Marsh Road from the railway line, the church tower is an important component of views across the rural field (parcel S2j) where the church tower is a clear and continuous landmark feature on this section of road (refer Figure 2, photo 3).

2.1.15 This visual experience of St Mary's church on Marsh Road is an important component of its setting as a landmark feature and its position as historical asset located in a rural agrarian scene. Whilst modern development has to a degree eroded the visual experience, there are still key views and important vistas to the church and tower available from the south, east and north-west.

2.1.16 From the settlement edge and heading east along Marsh Road away from the town there are rural views across (S2j) the shallow valley to the east and north-east (refer to Figure 2, photo 4).

2.1.17 The western end of Marsh Road is characterised by St Mary's Church and Church Green, a key focal point and feature of the community open space, located north of the settlement boundary (refer to Figure 4, photo 11).

- 2.1.18 The immediate setting space of the church is largely defined by the built form around it, and both the Academy buildings (to the west of Southminster Road) and two properties at the western edge of Marsh Road are set back behind well vegetated structural vegetation that forms a component of the setting space (refer Figure 8, photo 11).
- 2.1.19 There are views from Church Green looking north-east through a gap in the corner to site S2(j), which reinforces the rural setting of the church (refer Figure 4, photo 12).

Strategic Site S2(i)

- 2.1.20 **Site S2(i)** is located on land to the south of Green Lane. Green Lane is a narrow rural village lane that runs east west between the settlement of Stoneyhills (Eves Corner) to link up with the B1010 Burnham Road. This historic lane accommodates single vehicular traffic, with occasional passing places for much of its length. The narrow lane is defined by ditch margins to either side and for large parts of its length is well vegetated with trees creating a tunnel effect.
- 2.1.21 Beyond the settlement boundary of Stoneyhills the tranquillity of the rural lane with isolated dwellings and farmsteads is immediately apparent (refer Figure 6, photo 5).
- 2.1.22 Adjacent to the northern edge of parcel S2(i) the lane is much more open and there are important views of the rural landscape that forms the strategic gap in between Burnham and Stoneyhills. At this point the lane has a ditch which is lined with individually placed trees (refer Figure 7, photos 8 and 9).
- 2.1.23 Despite its scale the Academy is largely screened from views here due to intervening vegetation (although some recent lighting columns can be seen) and the northern edge of the modern estate development on St Peters Field is partially visible in between vegetation.
- 2.1.24 The rural landscape of rectilinear fields with vegetated margins provides the function of the strategic gap between the two settlements and prevents the settlements coalescing; indeed the Inspector's reasons at paragraph 4.87 of the 2005 Maldon Replacement Local Plan review referred to the undeveloped nature of the land and that "*this land has*

properly been excluded from the development boundary.....” and “....it shares the character and appearance of the land to the north and east....” and “this does not alter its essentially undeveloped nature”.

Visual Influences

2.1.25 Views of St Mary’s Church are afforded from the open part of Green Lane though vegetation gaps. These views are important to the strategic setting of the church on higher ground to the north of Burnham (refer Figure 7, photos 8 and 9).

2.2 Development Considerations for Strategic Sites S2(i) and S2(j)

2.2.1 A number of development constraints identified in landscape and visual terms will severely reduce the developable site areas when developing a brief for sites S2(j) and S2(i) and being considered with existing and emerging policy. These considerations are highlighted below and intended to help place development in the most appropriate locations, having regard for potential harmful or adverse effects in landscape and visual terms:

2.2.2 Landscape Considerations

- Maintain existing undeveloped land as part of the strategic gap between Burnham and Stoneyhills to prevent the coalescence of the two distinct settlements. This is further reinforced when read alongside comments on the Maldon Replacement Local Plan, where the Inspector wrote at paragraph 4.295, *“From my visit I would also agree that the development of this area of flat open farmland would materially harm the countryside setting of this part of the town”.*
- Prevent the merging and blurring of the settlement edges by limiting the extent of development to the north.
- It is noted that only a small proportion of the allocation S2(i) would be sited against the existing settlement edge (the rear of St Peter’s Field), and as such most of the parcel would be isolated within the strategic green buffer strip between two settlements. This would result in loss of the strategic green buffer strip, the erosion of a large proportion of the undeveloped edge of Burnham in open countryside

and the coalescence between two distinct settlement edges.

Furthermore the Inspector's reasons at paragraph 4.87 of the 2005 Maldon Replacement Local Plan, review referred to the undeveloped nature of the land and that "*this land has properly been excluded from the development boundary....*" and "*....it shares the character and appearance of the land to the north and east....*" and "*this does not alter its essentially undeveloped nature*". Together with these comments reinforcing the character of Green Lane this greatly reduces the housing numbers on S2(i) and S2(j).

- The rural character and appearance of the largely single track Green Lane would be eroded by the creation of new development on S2(i) in open countryside on its south side, as recognised by the Inspector in relation to the replacement local plan. Development to this edge would cause an adverse and permanent effect on the pattern of agricultural land, ditches, vegetation features and the rural quality character of the lane, which is an important rural approach to the settlement of Stoneyhills, currently providing strategic views south east to St Mary's Church. Accordingly development should only occur in the parcel B3 (as per the 2010 LVIA review of sites), to minimise landscape and visual intrusion. This would reduce the developable area of the S2(i) and accordingly reduce the housing numbers.
- The location of green space within the south west corner of the S2(i) allocation area, serves to push built development further out into the isolated rural landscape away from the built settlement, which would erode the character, openness and tranquillity of the strategic gap and cause harm to the rural setting of the town and the character of Green Lane. The proposed green space should be retained; however built development should not extend into the open countryside to the north of the green space.
- Accordingly development in S2(i) should not extend north west to Green Lane, as it would cause adverse harm to the landscape setting, the visual quality and tranquillity of the rural scene and the lane itself as recognised by the Inspector above in the reasons at 4.87. (As noted in the findings of B2 in the LVIA 2010 review, this is more

sensitive and the effects would be more significant than those recorded for B3 to the south and east).

- The setting of Pannel's Brook should be preserved, as it has the potential to be enhanced as a valuable wildlife resource, in addition to its landscape setting qualities for the farmland character type. The extent of the corridor and setting either side of the winding watercourse need to be carefully considered, with due regard for any Protected Species that may be found during ecological survey. The developable footprint will need to be reduced so as not to encroach on the watercourse, limiting the number of dwellings that can be built on this site.
- The creation of a wide landscape corridor along the brook edge would meet with Green Infrastructure enhancements and accordingly development must be offset to accommodate this. The deliverability of dwellings will be much reduced in footprint.
- The retention of the important tree and hedgerow boundaries is seen as key to preserving the existing landscape character and quality of the historic environment. Furthermore, the reinstatement of hedgerow boundaries lost over time due to more intensive and large scale agricultural practices would need to be incorporated within any proposals for S2(i) and S2(j). Accordingly the sites will be further constrained, resulting in less developable footprint and a reduction in the overall numbers of houses that can be built.
- Existing vegetation features, trees and hedgerows require large offsets that comply with the requirements of BS5837:2012; the root zones need to be protected from development and large individual trees should be given an appropriate setting for their size within design proposals. It appears to us that these aspects have not been considered within the allocations and will reduce the developable area and serves to question the numbers of houses that have been suggested for both allocations.
- The implementation of SUDS features is appropriate to an historic landscape which has moated sites, watercourses, ponds and ditches. The policy requirement to deliver these features and ensure they are

integrated into the historic landscape setting will reduce the area left for development and consequently the housing numbers that can be delivered will be much smaller than expected.

- The creation of highway access and the need to bring new services into the sites would involve additional land and loss of features such as hedgerows that would potentially affect the character and appearance of the streetscene on Southminster Road, Marsh Road and Green Lane. The proposed housing numbers will be reduced significantly by the creation of new junctions with visibility splays, footways and cycleways, lighting, water, gas, electricity and sewerage infrastructure that are necessary components of any new development.
- The physical changes needed to create access on Southminster Road to S2(i) in particular would urbanise a rural street adjacent to the Listed Burnham Hall, and change the street character by the introduction of additional hard surfacing and widening, removal of hedgerow, lighting and infrastructure in a rural location, extending urbanised views west into the parcel. (In addition the introduction of these elements may adversely affect the strategic view of St Mary's Church from Green Lane).
- Given the sensitivity ratings for S2(i) and S2(j), scores of 2 and 3 respectively, proposed development would need to be reduced in scale to accommodate the ***considerable impacts (score 2) and highly sensitive (3)*** for the historic environment in relation to residential development.

2.2.3

Visual Considerations:

- Maintain the strategic views to St Mary's Church and retain key vistas from the east and west of Burnham across these sites (as shown on Figure 1). The creation of vistas should allow for sufficient offsets to maintain broad vistas to the church tower from approaches to the town which should be free from built form or associated hard infrastructure, such as lighting or vertical forms that would harm the setting of the church.
- It is noted that the development of parcels may potentially lead to the loss of tree and hedgerow features along existing field boundaries in

S2(i) – the retention of these features is essential in landscape and visual terms, and would inevitably reduce the footprint within each parcel in order to comply with Policies CC6, CC10, BE1, and emerging policy S6.

- Notwithstanding the above, tree removal from within S2(i) may open up additional views of St Mary's Church from Green Lane. These important views must be retained in the preparation of any design proposals to be compliant with CC6, CC10, BE1 and S6. This necessitates in a reduction of housing numbers to accommodate this requirement.
- The full cone of view on the eastern approach to Burnham on Marsh Road from the railway line must be retained to enable viewers to respect the setting and historical reference to St Mary's Church along the road from the railway line by providing sufficient set back within parcel S2(j) as shown on Figure 1. The requirement to meet policies CC6, CC10, BE1 and S6 will accordingly result in a reduction in housing numbers to meet the policy criteria.
- Provide adequate setting space for St Mary's Church and the Manorial Hall, which are historically important assets, as shown on Figure 1. This requires offset to the eastern side of the Churchyard and Hall complex that replicate the existing offsets and buffer elements experienced to the south and west of the church, where the existing development line is set well back from these features. This would then accord with the conclusions of the 2010 LVIA report, which accords with the offset to the western field of S2(j). Inevitably this reduces the developable area and the numbers that can be delivered on this site, in order to meet with criteria in Policies CC6, CC10, BE1 and S6.
- It is essential to allow the footpath user to continue the visual experience and reference views of the church along the whole length, either in open views or between gaps in vegetation. This can only be achieved by not developing the western field of S2(j).
- Furthermore development needs to be set back to the east of the footpath so that the integrity of the rural path is maintained between

the two settlement boundaries. The setback required to maintain the rural character of the walk in between the two settlements would consequently further reduce the developable area of S2(j) in order to comply with the policies highlighted above.

2.3








Conclusion

The future development of Strategic parcels S2(i) and S2(j) would be informed by existing and emerging Policies CC6, CC10, BE1 and S6. In order to meet the requirements of policy provision a much reduced area of development on both sites is inevitable. This is reflected on Figure 1.

Development of both strategic sites must consider fully the landscape and visual issues, including the important aspects relating to historic assets, setting, landscape impact, landscape character, strategic gap, strategic views, sustainable drainage, archaeology, tree and hedgerow retention, new green infrastructure provision, walking and cycling routes, biodiversity, highways, lighting, infrastructure to ensure that significant harm and significant adverse effects are avoided. The developable areas will need to be reduced accordingly now to ensure that both sites are not overdeveloped to the detriment of the local community or the natural and historic resources and, to ensure the policy criteria relating to S2(i) and S2(j) properly reflect the realities of both sites. The reduction of housing numbers is considered necessary given the important constraints that have been identified, and accordingly reduced developable areas for S2(i) and S2(j) need to be made now, as shown on Figure 1.




LEGEND

-  Settlement Boundary
-  Pannel's Brook
-  Public Footpath
-  Church/Cemetery
-  Strategic Growth Areas S2 (h,i,j)
-  Strategic Views to Church
-  Cultural heritage

GREEN SPACE

-  Semi Natural Open Spaces
-  Playing Pitches
-  Parks
-  Amenity Green Spaces

SETTING

-  Allotments
-  Subsequent extent of draft strategic site S2(i)
-  Subsequent extent of draft strategic site S2(j)
-  Sensitive visual setting of Church on Marsh Road
-  Immediate setting space surrounding Church

Project: **Land at Burnham-on-Crouch**

Client: **Pigeon**

Date: **October 2013**

Scale: **NTS**

Status: **Draft**





Panoramic Photograph 1: View to Church from Marsh Road.



Panoramic Photograph 2: View of Church from Marsh Road across S2(j).



Panoramic Photograph 3: View of Church from Marsh Road across S2(j).



Panoramic Photograph 4: View of S2(j) looking east on Marsh Road.



Panoramic Photograph 5: View of Church and shallow valley setting of Pannel's Brook from Public Rights of Way between S2(j).



Panoramic Photograph 6: View across S2(j) towards edge of settlement on Marsh Road from Public Rights of Way.



Panoramic Photograph 7: View across shallow valley setting between settlement and Pannel's Brook, parcel S2(j).



Panoramic Photograph 8: View of Church across S2(j) close to Pannel's Brook.



Panoramic Photograph 9: View towards isolated farmstead within shallow valley north of Pannel's Brook, looking south from Public Rights of Way.



Panoramic Photograph 10: View towards isolated farmstead within shallow valley north of Pannel's Brook, looking south from Public Rights of Way.



Panoramic Photograph 11: View of St. Mary the Virgin Church and Church Green on Marsh Road.



Panoramic Photograph 12: View of S2(j) from Church Green.



Panoramic Photograph 13: View east to S2(j) from St. Mary's Churchyard.



Panoramic Photograph14: View of St. Mary the Virgin Church from eastern boundary of Churchyard.



Panoramic Photograph15: View east to S2(j) from Marsh Road.



Panoramic Photograph 1: View of rural Southminster Road, between Burnham and Stoneyhills, adjacent to The Old Dairy.



Panoramic Photograph 2: View of S2(i) on rural Southminster Road, between Burnham and Stoneyhills, adjacent to Burnham Hall.



Panoramic Photograph 3: Village character at south edge of Stoneyhills looking towards Green Lane.



Panoramic Photograph 4: Village character at southern edge of Stoneyhills settlement.



Panoramic Photograph 5: Rural character of Green Lane (southern edge of Stoneyhills settlement).



Panoramic Photograph 6: Edge of Brickfields Farm on narrow Green Lane.



Panoramic Photograph 7: Brickfields Farm on Green Lane.



Panoramic Photograph 8: View south east across S2(i) from narrow Green Lane.



Panoramic Photograph 9: View south east across S2(i) with edge of settlement on St. Peters Field visible.



Panoramic Photograph 10: Academy buildings set back behind entrance off Southminster Road, landscape buffer.



Panoramic Photograph 11: View of screening buffer to academy from Marsh Road and Church Green.