

Our Ref: MW/SPP/12.1883

Your Ref:

11 October 2013

Mr D Coleman
Planning Policy Manager
Maldon District Council
Princes Road
Maldon
CM9 5DL

By post and email: david.coleman@maldon.gov.uk and
policy@maldon.gov.uk

Dear Mr Coleman

**Re: Town and Country Planning Act 1990 (as amended)
Maldon District Council's Local Development Plan (LDP) Consultation on the Preferred
Options for the LDP Together with the Proposed Site Designations and Settlement
Boundaries**

I write with reference to the above and the current consultation period which runs until 14 October 2013 at 17:00 hours. This consultation allows comments on the above LDP. Comments as may be received will then be used to shape the direction of travel taken by the next stage of the LDP process.

We are asked, by North Fambridge Parish Council, to consider an objection in the strongest terms, to the proposed inclusion of land to the north of the village for a new strategic housing growth site. I would be grateful if you could take this letter and the comments therein to supplement the existing objection letter submitted by the Parish Council, together with the large number of letters you will have again received from local residents.

Firstly it is acknowledged that the previous round of LDP Consultations has resulted in a complete sea change in that the previous proposal to build 300 dwellings in North Fambridge has now been abandoned. This is considered a positive step and as we explained in our last letter to the Council would have been to the areas clear detriment. The LDP identifies that previously the preferred options LDP has been amended, the Council being mindful that the proposals for development in North Fambridge had resulted in 36% of the 850 consultation responses being received.

To acknowledge this the set target for housing growth for North Fambridge is now 75 units, for the Plan period, once the Plan is formally adopted and agreed. Nevertheless we remain strongly opposed to the level of growth as now proposed in the revised growth strategy for the District as a whole, and more importantly the continued reliance on North Fambridge, an identified "smaller village", to accept a level of growth which we consider to be wholly inappropriate.

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Again I reiterate that the Parish Council is not opposed to growth within the District, nor within the Parish itself providing it is sensitively located and proportionate to the area in which it is to be located. It is important that growth can be sustainable, served by existing services, with minimal environmental impact, with sustainable transport services and access to jobs, social facilities and recreation. However this growth has to be proportionate, and in full accordance with the National Planning Policy Framework (NPPF).

What remains as proposed in the LDP at North Fambridge clearly and unambiguously goes above and beyond the scale and type of the development that would be considered "preferred" at this stage of the LDP. Whilst it is acknowledged that there should be growth, what is proposed remains fundamentally flawed. 75 new dwellings remains a significant amount and would have a seriously detrimental environmental impact on the existing quiet picturesque village of North Fambridge. This is a quiet rural area and such growth would be wholly unsustainable, disproportionate, and completely contrary to the golden threads as running through the NPPF.

The NPPF clearly states that the LPA should positively seek to opportunities to meet the development and that LDP should meet objectively assessed needs, with sufficient flexibility to rapidly change. Of the core planning principles, as set out in para 17 of the NPPF the following are considered particularly pertinent:

- Be plan led, encouraging joint working and making sure decisions on planning applications can be made with a high degree of predictability and efficiency.
- Be a creative process.
- Drive and support sustainable economic development to identify the housing needs of areas, taking into account the views of residents and the local community.
- Take into account the character of different areas, the intrinsic value of the Countryside and supporting rural communities.
- Focus significant development in locations that are or can be considered sustainable.
- Take into account local strategies to improve health social and cultural well being for all

Comments were made in our previous representation about the previous growth scenarios, something at the time we considered were misguided and unsustainable, particularly as this relates to North Fambridge. This remains our strongly held view for the reasons that are set out below.

The LDP sets out the local context and spatial profiles from para 1.23 to 1.50. The south east area of the District is explained at 1.43 through 1.50 and this contains no reference whatsoever to North Fambridge. However the area is considered to have some importance as it is identified as a growth area.

This is furthered in the evidence base that advises the LDP. A number of Ward profiles are published, including smaller category villages including Great Totham Althorne, Mayland, Purleigh and Southminster. However none of these areas are allocated for future housing provision. It is simply not understood why the evidence base does not include a reference to North Fambridge as it is included as a key development site, this omission is surprising and fundamentally flawed. Without this in the evidence base how can it be correct to consider it as an identified growth area and assess its socio, environmental and economic impacts? It is our view that these impacts have just not been considered. It seems that the area has been identified as a growth area with no particular consistent thought, more like as an after thought with no or limited evidence to support it.

Of the areas identified for growth North Fambridge is allocated 75 new dwellings. "Other villages" are shown as having 345 dwellings over the Plan period, with a windfall allowance at 330 units. It is wholly reasonable to ask why specifically has North Fambridge been singled out as the only rural village to take planned development?

The Spatial Vision for the District and its development strategy sets out the principles of sustainable development, shows areas for strategic growth and place shaping, and goes on to explain why the areas of Maldon, Heybridge and Burnham are identified as strategic growth areas. What is missing is any reference whatsoever to North Fambridge, despite it being identified as an area for strategy growth. At Policy S7 the Council seeks to promote sustainable rural development identifying 75 units in North Fambridge. Clarifying this the LDP states at para 2.38 that 75 dwellings are allocated in North Fambridge *"because [it] is one of the more sustainable villages given its proximity to a higher level of services within the neighbouring settlement of South Woodham Ferrers, its accessibility by rail and its proximity to a variety of employment and retail markets in South Essex"*.

North Fambridge cannot be said to "neighbour" South Woodham Ferrers as matter of plain fact. We say this statement is in its entirety grossly misleading. North Fambridge is clearly and unambiguously not sustainable.

To highlight this the Council in its evidence base in support of the LDP, states within the "District Rural Facilities Survey (February 2011)" which facilities are available within each identified rural area, in the north and the south of the District. In this document the list of what North Fambridge has is severely limited, this being said to be restricted to having at least one working phone box, a pub, a church, a village hall, a sports field, a village green, and a children's play area.

The list of what is not within the village, but is within others, is however more conclusive and includes a post office, a shop, a café, a cash point, a doctor's surgery, a pharmacy, allotments or a police station. There are other rural communities with many more facilities than North Fambridge and yet these are not specifically allocated for growth. However the village profile of many areas shows these facilities to be present. In addition there is no school, pre-school, dentists, limited no employment opportunities, limited bus service, hairdressers, petrol station, car repair garage, or library.

Whilst it is acknowledged that the village has a train station the basic day-to-day facilities remain almost non-existent. However other villages are not included as specific growth areas as they are obviously not considered as sustainable as North Fambridge. However they clearly have significantly more facilities and are hugely more sustainable, a decision that is baffling and not supported by any hard conclusive evidence.

If the existing train station is taken out of the equation then the village is relatively isolated. Indeed this particularly applies for residents who do not have a private car, these potentially being the most vulnerable residents. Bus services are scant, pavements to other areas non-existent. To live in this village without a car is difficult for the reason of the complete lack of other transport choices, other than the train. It is simply not practical to do a weekly grocery shop by train and the village shopper bus is infrequent and only runs at times which would severely inconvenience working families.

As proposed Policy S8 North Fambridge is allocated as a "smaller village" which the Plan clarifies as *"containing few or no services and facilities, with limited impact or no access to public transport, very limited to no employment opportunities"*. However there are clearly other areas in the whole of Maldon that is identified as having a larger population, and having a fuller range of facilities, these being Great Totham, Mayland, Southminster, Tollesbury and Wickham Bishops. However these settlements are not preferred for development growth, something that is not explained and not understood as a result. Other areas are identified by the Council themselves as being more sustainable than North Fambridge and yet no development is identified in these areas.

North Fambridge also has a number of other land use concerns that restrict its ability to be able to take a large amount of development. These include the fact that the village is in a quiet rural backwater and from evidence collected from the Parish Council is a stable and established community. The nature of the village is that it is a changing entity but the overall population type at this time are married couples in excess of 55 years old. Whilst the village is not socially inclusive it is settled and quiet.

Whilst it is noted that the demographics suggest that the profile of the village could change, the Parish Council have seen a marked change in its residents in the last few years. The elderly population are slowly making way for younger parents with families; house prices in the village are strong to reflect its unique rural character. The population is increasing as larger dwellings are lived in by families and not by single elderly persons. Part of the reason they are moving to other areas is the lack of services and facilities for elderly residents and the almost complete lack of transport links save for the private car.

As well as highlighting the fact that the village is poorly served by facilities, these including street lights, pavements and appropriate surface water drainage, it has also suffered from a complete lack of a comprehensive foul water drainage system by retaining its outdated and antiquated system. The lack of adequate sewerage facilities is a serious and constant concern for the local residents, and a matter that is raised in detail by the Parish in their consultation letter. The sewage system is old, out of date, barely fit for purpose, and prone to leaks and collapse due to the methods used in its construction. Sewage is pumped out of the village at considerable cost to the STW in Latchingdon. Adding additional dwellings would make the existing system untenable. It is a matter of fact that 9 out of the 14 STW in Maldon are at capacity and significant infrastructure would be necessary to improve the situation whilst still maintaining the intrinsic character of the village. The costs of these works would be prohibitive, disruptive, and injurious to the character of the area.

This point was made by us last time and neither the new LDP or the evidence base which accompanies it makes no reference to this at all. The Council are relying on a report which was considered by members on the 9 July 2013 at their Planning and Licensing Committee as an amended appendix, which itself does not appear anywhere on the web let alone as the evidence base. Although we are told this forms part of the evidence base this is hidden from plain view and this in itself is completely unacceptable.

In addition the consultation from Anglian Water on the LDP is vague in the extreme. It identifies that capacity is available but the infrastructure, topography and distance from North Fambridge re-enforces the view that this is completely unacceptable to deal with sewage disposal efficiently for the existing settlement, let alone one as to be expanded by 75 dwellings. The fact that this evidence is not available within the published evidence base is a significant and material omission.

What is also correct to point out that the other areas shown for development, Maldon, Heybridge, and Burnham, all have areas where development should take place as shown on the proposals map. North Fambridge does not have this, and this is also a glaring error. One of the principles within the NPPF states is that plans should be plan led. This is not, it signals a free for all, something which is increased when you consider the Council's other proposal which is to allow for 345 in "other villages" and 330 as "windfall sites". What this essentially means that within the Parish of North Fambridge there will be a free for all to achieve 75 dwellings, and a free for all in all other outlying rural areas. This is considered completely unacceptable and devolves the Council of leading development by Plan, it simply seeks to let market forces take the responsibility for development. This is considered something that would be to the complete detriment of the District and be fundamentally against the principles of sustainability.

Should this vague allocation be allowed to stand then this would have serious implications over the Plan period with residents constantly being unsure as to where development will and could crop up. This will have a significant and lasting effect on the village residents that should not be underestimated.

A development of 75 units would have a significant detrimental impact on the local area. We made these comments previously; however it is correct that they are reiterated.

The village itself is set within flat open countryside and when visiting the green setting around the settlement is a key factor in its particular charm. Whilst made roads exist through the village and to the Marina, the majority of the village is more like a plot lands development off unmade roads. The vast majority of the houses are set back from the highway and are within a green setting. Views down the highways are pleasant and attractive. If expanded there would be no safeguards that the new development would be in accordance with the rural character of the village that has grown organically over time to the place it is now.

Housing density in the village is low, the buildings have space around them and contribute to the green setting of the site. Any new development would be subject to new and contrasting density standards that would be at complete odds with the existing character creating its own potentially disparate identity in accordance with the detailed policies within the LDP and not the character and grain of the village as it is at this time.

Viewed from a distance the settlement itself is assimilated into the existing low-lying landscape by virtue of the fact that vegetation is established in the existing residential area. The new dwellings would stand out as there are little landscape features that would compensate for the stark open views available across the site.

It is also important to point out that the village at this time is not connected to any drainage system to discharge surface water run off. Being low lying this results in localised pooling of water. All water either finds its way into the sewerage system, exacerbating its capacity problems, or finds its way into the estuary to the south by being gravity. This estuary is both a Site of Special Scientific interest as well as a European designated RAMSAR site, the highest landscape designation within Maldon itself. In addition the site is designated as a Site of Importance for Nature conservation and a candidate SAC site.

The importance of this designation on the site and its vulnerability to change cannot be underestimated. With water running off into the creek from the village by natural means any additions to this can have a serious implication for the designated areas. Not only is run off an issue but increasing usage of a site by virtue of additional people living in close proximity to it does have a serious and irreversible impact on the special characteristics of the area. This would detrimentally affect the ecology and biodiversity of the area, which in this case is of European, National and local importance.

Increasing population will also inevitably lead to increased use of the area and increased predation of local wildlife by domestic pets. This is an established and proven fact. This will further lead to the devaluation of the SSSI and the RAMSAR site.

Ditches border the access road into the village and at times of high rainfall these overtop and cause the road to flood, essentially cutting the entire village off from the main road. Additional dwellings with associated additional run off will make this problem worse, with a comprehensive drainage system being practically impossible to include through the existing village.

The village access is shown to be prone to flooding. Therefore there is a very real risk that the site can be cut off at times of high water. This raises serious health and safety concerns if residents are trapped at the village even for a few hours and medical emergencies occur. We are not clear that the Council's emergency planning team have considered and accepted this growth and the subsequent additional risk to human life in times of peak flood. The evidence base with the LDP misses this point.

In addition at the present time the village has no street lighting. Modern development and policies promotes streetlights, this would significantly alter the light pollution in the local area to the obvious detriment of residential amenity as currently enjoyed, and to the potential detriment of the established areas of local, National and European conservation designation. It would also completely change the character of this unique settlement to its complete detriment.

Although the allocation for North Fambridge is significantly lower than previously proposed its inclusion as an identified and preferred growth area remains unsustainable and completely at odds with the Policies within the NPPF. It is a matter of fact that other rural areas are considerably more sustainable in the LDP than North Fambridge. The addition of 75 in an unsustainable location completely questions the need to ensure development is sustainable and clearly and unambiguously goes against the principles of sustainable development on the NPPF.

The new LDP consultations proposes a significant increase in yearly housing provision over and above that as formerly proposed by the RSS. Detailed comments on the amount of dwellings to be proposed were made in a previous consultation, which were then considered hugely ambitious, and now to be increased even further. For clarity the salient points are referred to again here.

One fundamental issue that is of concern is the re-thought housing strategy. Maldon was previously tasked, under the now revoked RSS, with providing an average of 120 dwellings per annum, something which the Council themselves say they met, just. However current years have shown a marked downturn in housing delivery, something that the recent Annual Monitoring Reports show.

Replacing the completely misguided "Heart of Essex" document is welcomed but what supersedes it and informs the housing targets in this Plan is fundamentally worse. It was previously identified that a minor growth of 1% of Maldon's population was occurring; yet the new Plan seeks to build up to 294 per annum. Representations were made on growth figures as achieved in the past at the previous consultation phase that the new Plan does not answer.

Figures as in the 2013 AMR show that since 2001 the average completions for the past 10 years are 131 dwellings per annum. How can it be possible that this average 10 year data, which has fallen in the last two recorded years to 36 and 86 dwellings per annum respectively, can climb to the suggested heights of 294 per annum? Put simply there is no data to back this up, other than in the SMAA which is wildly aspirational to say the least.

The question that has to be asked here is where are these new dwellings going to come from and where are the residents waiting to move into this new growth area? Maldon suffers from poor transport links, massive out commuting and numerous physical constraints in terms of delivering housing, yet 294 dwellings per annum will be provided. People moving to the area can be the only explanation as the population rise does not support this level of growth.

This new direction of travel goes against everything that has been previously considered acceptable growth levels by regional and local government. Whilst the District is correct to secure growth, particularly in employment sectors, its situation is dictated by its location and the poor transport links in the area, something the Plan does not fundamentally address in any meaningful way whatsoever.

In Maldon the challenges to their businesses is not the unavailability of the workforce, but the distance from major transportation routes. Maldon had two principal roads in, the A414 through Danbury, and the B1019 from Hatfield Peverel and Witham. Transport, and especially lorry transport, uses these two principal routes to access the A12. However this additional distance to a major road network presents problems in terms of fuel and driver costs that means locating in Maldon for a large business is financially restrictive. It is much easier to establish a business in the A12 corridor than in Maldon as a matter of fact.

Without significant infrastructure improvements, which themselves would have a significantly detrimental impact on the local environment and the District as a whole, this cannot be reversed. In addition the Council's own Annual Monitoring Report shows out commuting to be a particular issue in the District with the major employment centres in Chelmsford and surrounding urban areas. This combined with poor public transport links means that the vast majority of commuting is car borne, this being the least preferred sustainable transport option. Increasing housing without correctly addressing this will simply make the situation worse and increasingly more unsustainable.

The evidence base as submitted in support of the LDP includes a Sustainability Appraisal Report, incorporating the Strategic Environmental Assessment and Habitat Regulations Assessment. In this document North Fambridge is seen as being as one of the three worst affected areas in terms of flood risk. At para 7.2.3 this document however considers the proposed development "broadly positive impact and in line with the majority of the SA objectives".

This statement is frankly baffling and shows no understanding of the area or the issue that affect it. It may well be acceptable to make this grossly inaccurate and overtly generalistic statement after studying the area as a desk top exercise, the village itself is markedly different that the SA suggests. The village is as far away from being sustainable as possible, and there are other areas within Maldon which are significantly more appropriate for development which appear to have been by-passed for specific development allocation.

North Fambridge, identified as it is as an area of growth is mentioned four times in the Sustainability Appraisal, and in doing so is mentioned as an apparent afterthought.

In terms of the Habitats Assessment this completely misses the allocation of the site as an area for Strategic growth. This is completely unacceptable. Whilst Maldon and Heybridge are assessed, North Fambridge is not. We have made it clear that the site has particular problems with sewage and water run off and the impact additional dwellings to the village could have on the adjacent RAMSAR site, yet the Heritage Assessment completely misses this.

It is correct to ask why this is the case? If this has not been correctly assessed how can it be said to have an acceptable impact on the adjacent RAMSAR site? Again this points to the obvious conclusion that the impact of the LDP on North Fambridge is simply not proven. The Habitats Assessment comments on sites that are outside the District, but it ignores areas which are within it.

The Landscape and Visual Impact Assessment, as submitted as Evidence Base in support of the Plan, also contains no specific reference to North Fambridge and completely misses the proposal to include it as a strategy development site. This also remains a critical and crucial omission. As has been explained the site is sensitive to change in the landscape, which is dominated by the river to the south and the RAMSAR that surrounds it. How is it possible that this, like almost all the other technical assessment, missed any reference to the potential impact on the village.

The picture that has emerged from the new version of the LDP is that it remains fundamentally and fatally flawed in respect of its impact on North Fambridge in general. To include it as a preferred growth area is unsupported by evidence, ill considered and poorly conceived. There are other areas within the District which are more sustainable, contain more facilities and better placed to accept development than the village. Whilst it is recognised that the village can accept limited development an increase of dwellings over and above those there at present measuring approximately 27 % is sheer folly.

The idea of using local opinion to direct development is also explored in the 2011 Localism Act. At Chapter 20 the emphasis is clearly that planning decisions have to be backed up with the involvement of local groups, such as the Parish Council, to sustainably shape policies which affect the local area. This has simply not taken place in this case, specifically when looking at the proposed growth to the north of North Fambridge. Consultation has been poor to the point of being non-existent, particularly in the case of the new LDP.

This is not what the NPPF sees as being appropriate. The whole thread within the NPPF requires Councils to consult and take into account the views of locals when making significant decisions on an area's future. The Council will now have received 100's of letters of objection from local residents in North Fambridge vehemently objecting to the scheme as submitted. Not only are the residents understandably unhappy about the complete devastation such a disproportionate expansion would cause to their lives, they are understandably upset about the action, and non-actions, of the Council in putting this site forward in the first place.

However what has been consistent is the amount of objection as raised by the Parish Council, its representative, and individual local residents, to the completely unacceptable way in which it is proposed to extend this picturesque village. However the Council seems determined to go through with this proposal despite it not being backed up with a robust evidence base, despite there being glaring omissions in the evidence base to back up their proposals, and being unresponsive to the residents of the village who are completely and utterly opposed to the develop as it promoted by the LDP.

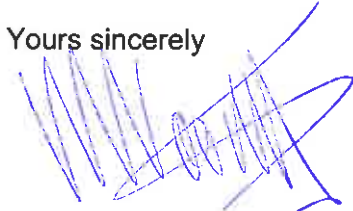
There are alternative areas which are best placed to take this growth which although do not have a train station have a wider range of facilities and yet are ignored as future growth areas, something which is inconceivable.

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N Fambridge Parish Council

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The Parish will provide robust evidence to the forthcoming Inquiry into the LDP should the completely unacceptable proposal to allocated North Fambridge as an identified area of growth should these misguided and unevidenced policies be taken forward to the LDP examination.

Yours sincerely

A handwritten signature in blue ink, appearing to be 'Mark Woodger', written over a faint, illegible stamp or watermark.

Mark Woodger BSc PG Cert. Mgmt.
Team Leader

c.c. SPL
Client