
*Draft Maldon District Local
Development Plan:
Preferred Options*

**Representation made on behalf
of Petticrows Ltd and Rice and
Cole Ltd**

October 2013

Contents

1.	Introduction	1
2.	Policy S2: Strategic Growth	2
	Housing Requirement	
	Maldon	
	Burnham-on-Crouch	
	Windfall Sites	
	Summary	
3.	Policy S4: Maldon and Heybridge Strategic Growth	5
	Land South of Maldon	
4.	Policy S6 – Burnham-on-Crouch	8
5.	Alternative Growth Options	8
6.	Conclusion	10

Appendices

	Site Plan: Land at Belvedere Road	A
--	--	----------



1. Introduction

- 1.1 This representation is prepared on behalf of our clients, Petticrows Ltd and Rice and Cole, in response to the Maldon District Local Development Plan Preferred Options Consultation (2013) document.
- 1.2 Our clients are promoting land at Belvedere Road, Burnham-on-Crouch for a mixed-use development comprising residential and a range of commercial uses. This site would represent a sustainable development that could be included as a strategic allocation. This site represents a 'reasonable alternative' site that has not yet been fully explored by the Council.
- 1.3 Our clients wish to work jointly with the Maldon District Council to bring forward land at Belvedere Road, Burnham-on-Crouch.



2. Policy S2: Strategic Growth

Housing Requirement

- 2.1 Our clients partially supports the increased housing requirement for the District from the first preferred options document and the use of minimum housing targets. However, the proposed housing target has failed to take account the housing need in neighbouring areas and is therefore contrary to the requirements of the NPPF, which states that under the Duty to Cooperate, consideration should also have to be given the housing need of the neighbouring local authority areas and sub regional areas (Paragraph 178 of the NPPF). Paragraphs 47 and 159 of the NPPF also state that Local Plan are required to meet the full, objectively assessed needs for market and affordable housing in the housing market area.
- 2.2 It is clear from the Greater Essex Demographic Forecasts Phase 4 document Support, that there is a significant housing supply shortfall in Braintree and Colchester compared with what has been planned. It is clear that no consideration has been given to this shortfall when considering appropriate housing targets.

Maldon

- 2.3 The Council has increased the housing allocation for Maldon from 1,250 dwellings in the first consultation to at least 1,830 dwellings and rising to 2,000 when SHLAA and windfall sites are taken into consideration. This is a significant jump and there is no evidence or justification for this change.

Burnham-on-Crouch

- 2.4 Our clients object to the proposed distribution of housing sites as no consideration has been given to land at Belvedere Road, which can accommodate in excess of 200 dwellings. This site would represent a more sustainable location for development for the following reasons:



- Proposed Policy S1(3) promotes the effective use of land prioritises development on previously developed land. The land at Belvedere Road would represent a site that is defined as previously developed land and is therefore compliant with this policy.
- The proposed allocations are all Greenfield sites and are consequently contrary to Policy S1(3). Despite the claims in this policy the Council has ignored its own proposed requirement to prioritise previously developed land for development.
- Land at Belvedere Road is located in close proximity to Burnham-on-Crouch Town Centre and a variety of public services and retail facilities, all of which would be within a walkable distance. This would represent a sustainable development that would significantly contribute to the vitality of the town centre.
- The proposed development would represent the effective use of a site that is no longer commercially viable and does not have a long-term economic future.
- The development of a mixed-use housing development would enable the delivery of modern commercial units that would contribute the vitality of the town centre and meet the needs of modern business in Burnham-on-Crouch.
- A mixed-use development at this location has the potential to significantly boost the tourism offer and seize opportunities that will arise from the Wallasea Island project.

Windfall Sites

- 2.5 Our client objects to the inclusion of windfall sites within the 0–5 year period as this is contrary to national planning policy and no evidence has been provided to justify its inclusion. A windfall allowance should only be made for years 6 to 15.



- 2.6 There is a risk of double counting if windfall sites are included within years 0 to 5 as the SHLAA sites and existing commitments, would also represent windfall sites have also been included in the supply.
- 2.7 The 0-5 year windfall sites should be removed from the identified housing supply.

Summary

- 2.8 The use of 110 windfall dwellings in the first 5 years of the plan period and 750 dwelling increase in the Maldon allocation are both unjustified and not supported by evidence. Consequently the Council will need to redistribute this housing. Furthermore the Council may have to increase its target to take account of the housing need in the surrounding local authority areas.
- 2.9 Our clients are promoting land at Belvedere Road for mixed-use residential and commercial development. This would represent a sound and reasonable alternative to what is currently being proposed.



3. Policy S4: Maldon and Heybridge Strategic Growth

Land South of Maldon

3.1 Our clients object to the increased housing provision proposed for land south of Maldon. This objection is made for the following reasons:

- There is no evidence to justify the increased allocation, and in fact contrary to the policy change, the evidence does not even support the previous 1,250 dwelling allocation.
- In addition to the evidence base concerns, development on land south of Maldon would represent poor urban design that would result in a number of disjointed developments that would lack community cohesion. This is contrary to the aims of the NPPF to create sustainable neighbourhoods.
- Given the complex mitigation required to deliver development on land south of Maldon, there are serious deliverability concerns that could undermine the ability to deliver development at this location.

3.2 Our clients are particularly concerned that that the available evidence has highlighted that there significant highway constraints affecting the proposed developments in Maldon and Heybridge. The Essex Highways report only assessed 1,250 dwellings in Maldon but based on this number there were significant limitations with the proposals relating to the existing highway network, capacity of the existing junctions and the capacity of the A414 and B1019. It was stated that this level of development would increase traffic through Danbury and Hatfield Peverel.

3.3 Mitigation measures would be required across a wider section of the highway network beyond Maldon District. Significant mitigation measures would be required that are unlikely to be deliverable within the 0 to 5 year time period.



Despite this the Council has proposed 1,000 dwellings in Maldon and Heybridge in its first 5 years. This is simply not deliverable and as such alternative locations need to be considered for housing.

- 3.4 It would be more appropriate to direct development to locations with fewer highway constraints and where the mitigation measures required to accommodate a development of this size are significantly reduced. The same Essex Highways report highlights that there are a few highways constraints in Burnham-on-Crouch which signifies that this town can take more development than is currently being proposed.
- 3.5 Primary education is another constraint that undermines the Council's spatial strategy in Maldon. The Maldon District Infrastructure Delivery Plan: Schedule Update June 2013 stated that there is a need to provide a new primary school before the completion of the first 270 dwellings. However, the Council is proposing 570 dwellings in Maldon in the first 5 years. It is highly unlikely that a new primary school could be funded and delivered during this timeframe. Consequently this strategy is unsound. By comparison there is sufficient capacity at Burnham-on-Crouch Primary School to absorb a greater level of development.
- 3.6 Secondary education also represents a constraint in Maldon and Heybridge. The Plume is constrained with capacity issues as highlighted by the Maldon District Infrastructure Delivery Plan: Schedule Update June 2013. However, the Council is proposing 890 dwellings in Maldon and Heybridge within the first 5-years. Whilst the policy acknowledges the need to reconfigure the school, this would be tied to S106 contributions. The Council has not provided a delivery programme that sets out what, when and how the works to the school will be undertaken. This will result in a significant pupil increase that will exceed the schools current capacity and force pupils into locations beyond the District.
- 3.7 There is a need for the Council to consider the long-term education needs of the District. Given the limitations to expand the Plume, there is a need to consider a much longer plan period, otherwise education provision will become unplanned and ad hoc. A more appropriate spatial approach would be to reduce the



requirement in Maldon and increase development in Burnham-on-Crouch where there is sufficient secondary school capacity at Ormiston Rivers Academy.

- 3.8 A further constraint at Maldon is the proposed sites inability to connect to the existing area. The proposed policy seeks 670 dwellings on land defined as Wycke Hill, however this development would result in residential islands that are isolated from the surrounding areas by the main roads that surround them. In addition to the main roads that would act as barriers to community cohesion, the former railway line has no crossings and is a protected wildlife site. The proposed policy would therefore result in a series of fragmented residential developments with poor connectivity and no sense of community. It would be more appropriate to plan a smaller development at this location with walkable routes to a community centre and the proposed primary school. It is important that there are no significant barriers that prevent connectivity.
- 3.9 It would be more appropriate to identify sites that are well located to existing town centres and can positively contribute to contribute to community cohesion such as at Belvedere Road, Burnham-on-Crouch.



4. Policy S6 - Burnham-on-Crouch

- 4.1 Our client supports the principles set out in Policy S6 and considers that development at Belvedere Road would be able to contribute to all these requirements.

5. Alternative Growth Options

- 5.1 Paragraph 182 of the NPPF states that for a proposed local plan to be justified, the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence. This is also an important aspect of the sustainability appraisal assessment.
- 5.2 There is no evidence to suggest that land at Belvedere Road has been seriously considered as a strategic allocation within the Local Development Plan.
- 5.3 This site could be developed as mixed-use development that comprises in excess of 200 dwellings and in excess of 2,000 sq m of commercial floorspace.
- 5.4 The existing Petticrows business no longer requires a riverside location for manufacture of its products. Indeed this business can be accommodated within existing space at the Springfield Business Park. The existing use represents an ineffective use of a sustainable site.
- 5.5 Rice and Cole's boat yard is no longer financially viable and its redevelopment would represent a great opportunity to boost the employment and economic potential from this site. The Caravan Park also has long-term financial viability concerns and its redevelopment would provide an opportunity to adjust the tourism offer and potential of Burnham-on-Crouch to meet the needs of modern needs of this industry.



- 5.6 This development would constitute sustainable development in accordance with the NPPF as it would deliver housing and commercial uses in close proximity to the existing town centre and accessible to variety of services and retail facilities by sustainable transport methods such as walking and cycling. Such a development would significantly enhance the vitality of the town centre and its commercial uses.
- 5.7 As has been identified by the Essex Highways report there are few highways constraints in Burnham-on-Crouch that would restrict significant development. Therefore from a highways perspective this site is acceptable and be accommodated easily.
- 5.8 The site, like most of the town centre, is within an area identified as at risk of flooding. However, the site is protected by the sea wall and it is commitment of the Environment Agency to maintain this sea wall to protect the town. This commitment is set out in the Essex and South Suffolk Shoreline Management Plan. It is also important to highlight a recent planning approval at the former Cefas Site was deemed acceptable from a flood risk perspective by the Environment Agency. This site is comparable to the land at Belvedere Road in terms of its relative risk to flood and distance from the town centre.
- 5.9 There are no other constraints and a development of over 200 dwellings and 2,000 sq m of commercial floorspace can easily be accommodated and any infrastructure constraints can easily be overcome. This option would include a significant enhancement to this part of Burnham-on-Crouch, increasing the vitality of the town centre and contributing to the sustainability of the wider town with increased employment opportunities.
- 5.10 Development at Belvedere Road also represents a 'reasonable alternative' option that has not been assessed by the Council.



6. Conclusion

- 6.1 Our client is promoting land at Belvedere Road for a mixed-use development comprising in excess of 200 dwellings and 2,000 sq m of commercial floorspace. This would represent a more suitable and sustainable development that would contribute to community cohesion and sustainability of Burnham-on-Crouch.

- 6.2 We would welcome the opportunity to work with the District Council and Town Council to bring forward this land forward as a strategic allocation within the LDP.



Site Plan: Land at Belvedere Road

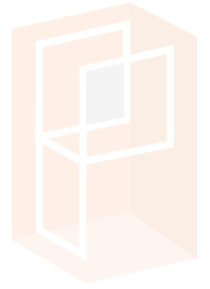


Scale: 1:5000, paper size: A4



www.plainview.co.uk

contact@plainview.co.uk



- **Horsham:** The Courtyard, 30 Worthing Road, Horsham, RH12 1SL
T: 01403 330737 / E: horsham@plainview.co.uk
- **Cheltenham:** 5 Strand Court, Bath Road, Cheltenham, GL53 7LW
T: 01242 501003 / E: cheltenham@plainview.co.uk
- **London:** 1 Warwick Row, London SW1E 5ER
T: 0203 3769547 / E: london@plainview.co.uk

Feedback

At Plainview Planning we want to help LPA and Inspectorate staff to process our applications and appeals as easily as possible.

In an effort to improve our documentation and processes, we are inviting feedback from all LPA and Inspectorate case officers via a very short online feedback form. All submissions are anonymous.

Go to www.plainview.co.uk/submissions to let us know what you think about our applications or appeals.

Thank you.

Copyright

The contents of this document must not be copied or reproduced in whole or in part without the written consent of Plainview Planning Ltd.

Copyright © 2013 Plainview Planning Ltd. All Rights Reserved

Registered Office: The Courtyard, 30 Worthing Road, Horsham, West Sussex RH12 1SL Registered in England and Wales No. 06563374