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Tel : [REDACTED]

14 October 2013

Dear Ms Marshall,

Local Development Plan - Consultation 2013

I refer to the Council's invitation to comment on the draft Local Development Plan (LDP) and now set out below my observations either by reference to paragraph numbers or specific policy references: -

Paragraph 1.2 of the Introduction indicates that "the **core responsibility** of the LDP is to respond to **local ambitions, aspirations and priorities** over the plan period from 2014 to 2029."

There is evidence within documents available on the Council's website that the '**objectively assessed need for housing**' is in fact a **centrally imposed target**.

Similarly there is evidence that neither '**highway constraints**' or '**landscape value**' would be accepted as justification to lower housing targets. This fact makes nonsense of idea that the **core responsibility** of the LDP is to respond to **local ambitions, aspirations and priorities**.

In view of the above I challenge the Council to: -

- a) provide evidence** that Burnham "needs" 450 dwellings whilst in other locations, Southminster and Latchingdon for instance, the "need" is zero, and
- b) demonstrate** that the 450 allocation **aligns with local ambitions, aspirations and priorities**.

Paragraph 1.3 indicates that the LDP sets out the scale and distribution of future development and **the infrastructure needed to support it**.

There is no detail in the draft LDP regarding the Community Infrastructure Levy (CIL) Regulations and how these will impact on the ability of the authorities responsible to fund infrastructure needed.

Similarly there is no detail of the authority's Infrastructure Delivery Plan (IDP) or Charging Schedule that are required under the CIL Regulations.

There is evidence available on the Council's website that it is possible to dual-track examination of the CIL Charging Schedule and LDP but this has not been done.

I consider that it is impossible for the public to **come to an informed judgement** as to the sustainability of one particular site compared to another when the draft LDP provides no detail of the levies that will be charged and where they will be spent.

Paragraph 2.11 of the LDP, under the heading **Policy S2 Strategic Growth**, predicts that the population will rise continuously over the next 15 years.

If the population is to increase at a constant rate why are 390 of the proposed 450 properties to be built in the first 5 years of the 15 year life of the LDP. There is no evidence that this "front loading" proposal aligns with local **ambitions, aspirations or priorities** or that it is **required for Burnham**.

Spatial Vision and Development Strategy for Burnham-on-Crouch

I have limited my comments on the Spatial Vision and Development Strategy to the proposals that relate to my home town of Burnham-on-Crouch.

I welcome the fact that the Council has now selected three sites for Burnham rather than the previously proposed single site. However, I have concerns regarding each of the sites as detailed below: -

Site Ref. S2(h) - West of Burnham - Is on land that was designated as a **Special Landscape Area** in the Local Plan in operation at the time of the LDP Preferred Options consultation in August 2012. The site is at the entrance to the town and currently provides an open farmland break between Burnham and Ostend/Creeksea. If site **S2(h)** on the frontage of land on the southern side of Maldon Road is developed the remainder of the area between the current western limit of development in the Burnham, the railway line and Ferry Road/Creeksea Lane would be ripe for development. This farmland is crossed by footpaths that afford walkers fine views across the Crouch valley to Wallasea island, the Thames and the north Kent coast to the south. To the south west Canewdon and the upper reaches of Crouch can be seen. It provides a separation between Burnham and Creeksea. There are alternative sites within the town that would have little or no visual impact and are not even mentioned in the LDP as having been considered.

I believe that **site S2(h) should be removed from the proposed Strategic Allocations for Burnham-on-Crouch so as to protect the Special Landscape Area and retain the separation between Burnham and Creeksea.**

I note that the Ramblers FC ground has been excluded from the LDP although it formed part of the original Burnham West site. This area is within the western built boundary of the town and could be developed without detriment to the landscape.

Site Ref. S2(i) - North of Burnham (West) - I support development of this site as it will have little visual impact.

I consider that **an additional access from Maldon Road would be preferable** to the proposed single access from Southminster Road. This could be via land, that has been the subject of recent development proposals at 74 Maldon Road, opposite the entrance to Chandlers.

Site Ref. S2(j) - North of Burnham (East) - The site as detailed in the draft LDP only has frontage to Marsh Road which provides access to St. Mary's Primary School, three existing housing developments, an abattoir and farms on Burnham marshes. The road is very narrow from its junction with Church Road for a distance of some 70 metres close to its junction with Glebe Road. Part of the site abuts St Mary's churchyard.

In my view **Marsh Road is unsuitable to provide access for a further 90 properties** and part of the site just to the east of St. Mary's Church **should in my view be excluded.**

I believe an **alternative access** to this site off Southminster Road just north of Pannell's bridge would be preferable to using Marsh Road. Pedestrian and cycle access should still be provided to Marsh Road.

Use of an access from Southminster Road would **open up the possibility of developing land to the north of the proposed site.** The railway line would eventually provide a natural boundary to development of this area.

Development of this area would also open up the prospect of **a cycle route to Southminster avoiding use of the B1021.**

Public open space could be created alongside Pannell's brook. This area could accommodate a **cycle path**, form an important **corridor for wildlife** and maintain the existing **green separation** between Burnham's southern and the northern areas. It would also link with the open space I propose to the east of the church and also to the Church green.

Spatial Vision and Development Strategy

Paragraph 2.74 - Housing of the LDP interestingly says it is appropriate to **limit** the level of growth for Burnham to a **minimum** of 450 dwellings. Is the target therefore **more** than 450? I have not found any evidence within the LDP which details the overall mix of properties required in Burnham or what type of properties should be built on any particular site. An **objective assessment of housing need** ought to afford such details.

Paragraph 2.75 - Healthcare Provision acknowledges that appropriate mitigation measures are required to accommodate the impact of population increase arising from an additional 450 dwellings. I believe that the **additional capacity must be in place before land is released for development.**

Paragraphs 2.76 and 2.77 - Education I believe that **additional capacity required must be in place before land is released for development.**

Paragraph 2.78 - Waste Water Treatment There are existing sewerage capacity problems that affect properties just north of the railway line. As all of the proposed development is to the north these difficulties can only be exacerbated. **Additional capacity must be in place before land is released for development.**

Paragraph 2.79 - Highways Council Members have agreed with residents of Burnham that the road network, particularly between Burnham and South Woodham Ferrers, requires improvement. The fact that ECC Highways disagree means that no work will be carried out. The LDP **core responsibility** to respond to **local ambitions, aspirations** and **priorities** will obviously not be met.

Design and Climate Change

Policy D2 - Climate Change and Environmental Impact of New development

Paragraph 3.10 The statement that "Climate change therefore represents **the greatest challenge** facing human society at the beginning of the 21st century" needs more debate. The wording in Policy D2 is generally very "woolly". The use of words and phrases such as **minimise, expected, seek to reduce, seek to ensure, where appropriate,** etc. leaves the policy open to wide interpretation and would almost certainly result in different standards being applied.

Policy D3 - Conservation and Heritage Assets It is vital to preserve the character of the Conservation area in Burnham. Unfortunately there are many examples where the current policy has failed in the last decade. The finest policy **is worth nothing if it is not implemented.**

Economic Prosperity

Policy E5 - Tourism is vital to Burnham. If you are in Burnham you are there because you wanted to come. You are not passing through!

Nothing should be done that would destroy the **approach to** or the **character of the town**. The opportunity that the RSPB reserve on Wallasea island affords should be taken. The anticipated number of visitors would provide a welcome boost to local businesses. To approach the reserve by river from Burnham would surely be preferable to using the A127.

Housing

Policy H1 - Affordable Housing I accept that the provision of affordable housing is vital. However, there is no indication as how the 30% figure for Burnham has been calculated.

The Policy states that dwellings that are provided are for "eligible households". I assume that the eligibility standards could be defined by the social landlord.

I believe that **affordable housing provided in Burnham should first be offered to Burnham residents or those with a local connection** and that **this should be a requirement of agreement with the social landlord** utilising any site provided under this Policy.

The Policy indicates that "Affordable housing should be provided on-site,....". However, it is obvious that affordable housing will be required outside Maldon, Heybridge and Burnham where major development is proposed.

I believe that "**In exceptional circumstances**" should be removed from the final paragraph of policy **H1** to **give the Council flexibility to enable affordable housing to be built in rural parishes** where there will be demand for housing from residents who wish to remain in their home village or parish.

Transport and Access

Policy T1 - Sustainable Transport The Policy Clarification, **Paragraph 7.5**, states that "New development which **is likely to generate significant journeys** should be sited in locations that **are well served by public transport**".

The choice of Burnham for major development is at odds with the above statement. Furthermore paragraph 2.74 of the LDP indicates that **Burnham's "growth potential is severely limited by its relative isolation away from the wider strategic road network."**

Implementation and Monitoring

Policy I1 - Infrastructure The wording of **paragraph 8.1** is wide open. The use of words and phrases such as it "does not have an **unreasonable** detrimental impact" and "**where appropriate** the Council will **seek to ensure** the provision of required infrastructure, services, and community facilities, alongside new development.", are of no comfort. If infrastructure is **required** it is **required**. It should be provided in advance of development or occupation of new dwellings to ensure that on existing local residents and the surrounding area.

Developer Contributions Although Section 106 agreements (S106) are mentioned in policy **I1** their use will be severely limited from 6 April 2014. The Council is clearly aware that CIL is the mechanism to replace S106. **Paragraph 8.12** of Policy Clarification indicates that the Council is in the process of producing its final Infrastructure Delivery Plan. I have already voiced my concerns at the lack of CIL Charging Schedule and an IDP whilst trying to consider the merit of the LDP.

Annual Monitoring Report -

Policy S6 - Burnham-on-Crouch Strategic Growth Why no target.

Policy D4 - Target "Amount of electricity generated from major renewable/low carbon schemes". The indicator suggests that the Council would need to approve more renewable/low carbon schemes to meet the target. This policy will possibly result in conflict with continued resistance to siting of wind farms on the Dengie peninsula. I support this stance in order to protect this tranquil and unique area.

Policy H3 - I suggest that need be measured against provision.

General Comments on LDP and Consultation Process

It is evident from information on the Council's website that Members and Officers have sought to limit the level of development within the District and that these efforts have been stonewalled centrally.

The indication that the Planning Inspectorate would, at Examination-in-Public stage, look favourably on authorities that sought to increase the housing target included in the Regional Spatial Strategy is of concern.


The Public Consultation Questionnaire, circulated by Maldon District Council (MDC), at Q2 indicates that the proposed total number of new homes for the District has been increased from 3000 to 4410 to meet "**the requirements set by Government**".

The LDP indicates that the 4410 figure is a minimum. Why? Clarity of information for residents is vital but is lacking on this matter.

The approach evidenced by the above points is, in my view, directly opposed to the concept of **localism**.

I understand the need for development and believe in the concept of **localism**. It is unfortunate that the Town Council has not produced a Neighbourhood Plan in advance of the District LDP. The **reality of localism** will I hope be proven by the Local Development Plan that is finally approved and adopted for the District.

Yours sincerely


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cc Planning Policy Officer Maldon District Council