



Department for  
Communities and  
Local Government

Fiona Marshall  
Chief Executive  
Maldon District Council  
Princes Road  
Maldon  
Essex  
CM9 5DL

**The Rt Hon Greg Clark MP**  
*Secretary of State for Communities and Local  
Government*

**Department for Communities and Local  
Government**

4th Floor, Fry Building  
2 Marsham Street  
London SW1P 4DF

Tel: 0303 444 3450  
Fax: 0303 444 3289  
E-Mail: [greg.clark@communities.gsi.gov.uk](mailto:greg.clark@communities.gsi.gov.uk)

[www.gov.uk/dclg](http://www.gov.uk/dclg)

6 March 2016

*Don Fiona*

## MALDON DISTRICT LOCAL DEVELOPMENT PLAN

On 8 June 2015 in exercise of my powers under section 21(4) of the Planning and Compulsory Purchase Act 2004, I directed that the Maldon District Local Development Plan is submitted to me for approval.

I have undertaken a thorough review of the findings of the inspector appointed to examine the plan as set out in his interim findings of 8 May 2015, together with his letter to Maldon District Council of 3 June 2015.

I have had regard to the inspector's analysis and conclusions. I agree that Policy H6 (Provision for Travellers) of the Maldon District Local Development Plan as submitted is not consistent with national policy. But I disagree with the inspector's finding set out in his letter of 8 May 2015 and in paragraph 8 of his interim findings, that the plan is therefore unsound. It was not proportionate for the inspector to find the whole plan unsound because he had not examined the whole plan.

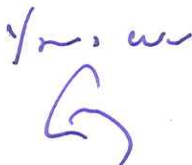
In my letter of 15 July to then Chief Executive of the Planning Inspectorate I reiterated the importance of inspectors working pragmatically with councils towards achieving a sound Local Plan, including giving councils full opportunity to address issues. Having carefully considered the inspector's reasoning I disagree with his conclusion that Maldon District Council should not be given the opportunity to try to remedy the problems identified with Policy H6, particularly in light of the Council's actions since May 2015. I observe that, in October 2015, the Council's Planning and Licensing Committee agreed that the Essex Gypsy and Traveller and Travelling Showpeople Accommodation Assessment 2014 (together with the findings of an independent review of this assessment) will be used to inform future plan-making by the Council.

I am very aware of the importance of ensuring that there is maximum clarity for the community at the soonest opportunity as to what level of housing and other development is appropriate in Maldon. I recognise that the plan's economic strategy will need to go through the full scrutiny of examination before firm conclusions can be reached about the soundness of the plan's housing provision, however, in the interim period the National Planning Policy Framework explains the weight decision makers may give to the policies in plans that have yet to complete examination. Our guidance is also clear that when assessing whether there is a five year supply of deliverable sites for housing, where evidence in Local Plans has become outdated and policies in emerging plans are not yet capable of carrying sufficient weight, information provided in the latest full assessment of housing needs should be considered. The inspector raised nothing in his interim

findings to suggest that the Council has not undertaken a comprehensive and objective assessment of the need for housing for the settled community in Maldon; there is nothing before me at this stage in the process to lead me to take a contrary view. I note that the Council's intention is that the plan as submitted should be modified (Supplementary Statement [EB098c]) and has put forward revisions.

I will now proceed to arrange for the examination of the Maldon District Local Development Plan to move forward. As the previous Inspector has now retired I intend to appoint a new person to examine the plan and to ask that person to consider all of the currently available written and audio evidence from the initial hearings and to then reach their own view on what further evidence is needed, including any further hearings.

I am copying this letter to Rt. Hon Priti Patel MP and the Rt. Hon. John Whittingdale MP.

A handwritten signature in blue ink, appearing to read 'G. Clark', with a stylized flourish below it.

**THE RT HON GREG CLARK MP**