

**DEVELOPMENT POLICY COMMITTEE**  
**18 January 2018**

AGENDA ITEM 6

<b>Subject</b>	CHELMSFORD LOCAL PLAN PRE-SUBMISSION CONSULTATION
<b>Report by</b>	DIRECTOR OF SUSTAINABLE COMMUNITIES

**Enquiries contacts:** Jeremy Potter – Planning and Strategic Housing Policy  
Manager 01245 606821 [jeremy.potter@chelmsford.gov.uk](mailto:jeremy.potter@chelmsford.gov.uk)  
Claire Stuckey – Principal Planning Officer  
01245 606475 [claire.stuckey@chelmsford.gov.uk](mailto:claire.stuckey@chelmsford.gov.uk)

**Purpose**

The purpose of this report is to seek the Committee's approval to publish for public consultation the Pre-Submission document as the third formal stage of the preparation of the Chelmsford Local Plan.

**Recommendation(s)**

1. That the Committee approves the publication of the Chelmsford Pre-Submission Local Plan Document and Policies Map, attached at **Appendix 1** of this report, and the Sustainability Appraisal/Strategic Environmental Assessment and Habitats Regulations Assessment at **Appendices 2 and 3**, for public consultation in accordance with the requirements of The Town and Country Planning (Local Planning) (England) Regulations 2012;
2. That the Committee approves the Preferred Options Consultation Document 'You Said, We Did' Feedback Report at **Appendix 4**;
3. That the Director of Sustainable Communities, in consultation with Members appointed by the Committee, be authorised to finalise the documents attached at **Appendices 1-4** of this report and prepare all necessary documentation and evidence base documents to support the planned programme of public consultation.
4. That the Committee endorses the proposed approach to the Pre-Submission Local Plan consultation arrangements set out in **Appendix 16**.

**Corporate Implications**

Legal:	Compliance with Government requirements for the preparation of statutory Development Plan documents
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Financial:	The preparation of a Local Plan is a major area of work, extending over a three year period, and involves significant financial resources for Evidence Base preparation, Public Consultation, Sustainability Appraisal work, legal fees and Examination by the Planning Inspectorate. Current work is being met from the approved Budget for 2016/17.
Personnel:	None
Risk Management:	Potential risk of Government intervention if the City Council does not progress a new Local Plan.
Equalities and Diversity:	An Equality and Diversity Impact Assessment has been undertaken for the Council's emerging new Local Plan.
Health and Safety:	None
IT:	None
Other:	None

<b>Consultees</b>	This report has been prepared following consultation with other Directorates within the City Council and Essex County Council as a principal partner in this work.
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<p><b>Policies and Strategies</b></p> <p>The report takes into account the following policies and strategies of the Council:</p> <p><u>Local Development Framework (LDF) Documents</u>  Core Strategy and Development Control Policies - Adopted DPD  Focused Review of Core Strategy and Development Control Policies – Adopted DPD  Chelmsford Town Centre Area Action Plan - Adopted DPD  North Chelmsford Area Action Plan – Adopted DPD  Site Allocations Development Plan Document – Adopted DPD  Planning Obligations SPD – Adopted SPD  Duty to Co-operate Strategy – Adopted Strategy  Statement of Community Involvement – Adopted and Draft Documents  Local Development Scheme – Adopted Document</p> <p>The Chelmsford Local Development Framework takes into account all published strategies of the City Council, together with the Sustainable Community Strategy published by The Chelmsford Partnership.</p>
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<p><b>Corporate Plan Priorities</b></p> <p>The report relates to the following priorities in the Corporate Plan [tick the relevant box]</p> <table> <tr> <td>Attracting investment and delivering infrastructure</td> <td><input checked="" type="checkbox"/></td> </tr> <tr> <td>Facilitating suitable housing for local needs</td> <td><input checked="" type="checkbox"/></td> </tr> <tr> <td>Providing high quality public spaces</td> <td><input checked="" type="checkbox"/></td> </tr> <tr> <td>Promoting a more sustainable environment</td> <td><input checked="" type="checkbox"/></td> </tr> <tr> <td>Promoting healthier and more active lives</td> <td><input checked="" type="checkbox"/></td> </tr> <tr> <td>Enhancing participation in cultural activities</td> <td><input checked="" type="checkbox"/></td> </tr> </table>	Attracting investment and delivering infrastructure	<input checked="" type="checkbox"/>	Facilitating suitable housing for local needs	<input checked="" type="checkbox"/>	Providing high quality public spaces	<input checked="" type="checkbox"/>	Promoting a more sustainable environment	<input checked="" type="checkbox"/>	Promoting healthier and more active lives	<input checked="" type="checkbox"/>	Enhancing participation in cultural activities	<input checked="" type="checkbox"/>
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## 1 Introduction

- 1.1 This report seeks the Committee's approval to publish for public consultation the Pre-Submission Local Plan document together with its supporting Sustainability Appraisal/Strategic Environmental Assessment (SA/SEA) and Habitats Regulations Assessment (HRA) given in **Appendices 1, 2 and 3**. The Pre-Submission Local Plan has been prepared following comments made during the Preferred Options consultation in Spring 2017, new evidence and recommendations in the Preferred Options Sustainability Appraisal.

### **Background**

- 1.2 The current Chelmsford Local Development Framework (LDF) covers the period from 2001 to 2021, and comprises a suite of documents which were adopted between 2008 and 2012. It is widely acknowledged that the LDF has been instrumental in driving forward the planned growth of Chelmsford, in conjunction with other public sector bodies and private sector interests.
- 1.3 There has been a large measure of community support for the strategy and proposals of the LDF. However, the Government requires local authorities to put in place Local Plans which provide certainty for the supply of housing land for a period up to 10 years ahead, and ideally for up to 15 years, together with proposals for economic growth, infrastructure development and other specific requirements such as the provision of specialist housing. Chelmsford has been a focus for development growth and that is set to continue, especially in light of being England's newest city and a focus for shopping, employment and leisure.
- 1.4 It is therefore necessary to prepare the next Local Plan for Chelmsford. This will cover the period up to 2036 and once adopted will supersede the LDF in its entirety.

## 2 Context

- 2.1 The importance of having an up to date Local Plan for the future development and growth of a local authority's area has never been greater. It is a major element of current Government policy that local authorities put in place Local Plans which address their future housing and economic growth requirements as speedily as possible. Ministerial statements have confirmed that Government will intervene in Local Plan preparation, where a local authority is not progressing with the timely production of their Local Plan.
- 2.2 In the context of the current importance of preparing a Local Plan, the Government has implemented a number of important reforms to the planning system. Most importantly, it has put in place a new legal and policy framework for Local Plan preparation.
- 2.3 The principal elements of these reforms are the requirements under the Duty to Co-operate, and publication of the National Planning Policy Framework (NPPF) in 2012 which is accompanied by the national Planning Practice Guidance (PPG). In addition, there are the requirements of the Localism Act, 2011 which include, for example, the introduction of Neighbourhood Plans as part of the statutory development plan system. The Pre-Submission document represents the third and final stage of the production of a Local Plan and follows two previous rounds of public consultation.

- 2.4 As set out in the NPPF, Local Plans must be consistent with national planning policy to ensure the delivery of sustainable development. Consistency with the NPPF is one of the tests of soundness considered at the Independent Examination of Local Plans. Alongside the NPPF, the national Planning Practice Guidance (PPG) provides more practical guidance for the implementation of national planning policy. This Pre-Submission Local Plan takes full account of, and is consistent with, the provisions of national planning policy and guidance.
- 2.5 In February 2017, the Government published for consultation a new Housing White Paper. This seeks to put measures in place to ensure the timely delivery of the right type of homes in the right places. Many of the proposals and principles contained within the Housing White Paper are reflected and addressed in the Pre-Submission Local Plan.
- 2.6 On 14 September 2017, the Government published for consultation 'Planning for the right homes in the right places' setting out a number of proposals including a standard method for calculating local authority housing need. The Council supports a standardised approach in principle. The Spatial Strategy of the Pre-Submission Local Plan can accommodate the emerging new housing number. The Council will continue to monitor the progress of new legislation and resulting national planning policy.

#### **Local Plan Evidence Base**

- 2.7 Work has continued to complete the necessary Evidence Base to underpin the new Local Plan. Key new/updated evidence base studies are described in Section 8 of this covering report and include an updated Water Cycle Study, Local Junction Traffic Modelling, a whole Plan Viability Assessment and Infrastructure Delivery Plan (IDP).
- 2.8 The Local Plan evidence base studies and assessments have been used to inform and support the Pre-Submission Local Plan alongside previous consultation responses, discussions with key stakeholders and Government guidance.

#### **Duty to Co-operate**

- 2.9 Considerable work has also been undertaken under the Duty to Co-operate during the past year. Meetings have and continue to be held with Essex County Council, other local authorities in Essex, key utility service providers such as Anglian Water, the principal health and education providers in Chelmsford and with other key partners such as Highways England. These meetings have been valuable in enabling issues affecting the future growth of Chelmsford to be identified and addressed, and for officers to develop partnerships with those bodies to take forward the preparation of the Local Plan.
- 2.10 As part of the last consultation, the City Council received requests to consider helping meet some of the housing need from a number of South Essex local authorities. As part of the on-going engagement required by the Duty to Co-operate, Members and Officers have been meeting and corresponding with these authorities. This has culminated in a protocol on assessing unmet housing need which has been agreed by Essex local authorities through the Essex Planning Officers' Association (EPOA).

- 2.11 Amendments have been made to the Pre-Submission Local Plan to respond to issues raised by neighbouring local authorities and the City Council will monitor how the protocol on assessing unmet housing need is being implemented.

### 3 Preferred Options Consultation

- 3.1 The City Council has been working on a new Local Plan since 2014. The Pre-Submission Local Plan takes forward the two earlier Regulation 18 consultations – Issues and Options - consulted on in Winter 2015; and Preferred Options, consulted on in Spring 2017. Representations made in respect of these earlier consultations have been considered alongside updated evidence in preparing the Pre-Submission Local Plan. The Local Plan ‘You Said, We Did’ Feedback Report given in **Appendix 4** presents a summary of the main issues raised in the Preferred Options consultation responses and how they have taken into consideration. The earlier Issues and Options ‘You Said, We Did’ Feedback Report is available on the Local Plan evidence base pages of the Council’s website at <https://www.chelmsford.gov.uk/planning-and-building-control/planning-policy-and-new-local-plan/new-local-plan/>

### 4 Pre-Submission Local Plan

- 4.1 The City Council is now in a position where the Pre-Submission Local Plan can be published for formal public consultation under Regulation 19 of the Development Plan Regulations, 2012. This will be the final public consultation before the Local Plan is submitted to the Planning Inspectorate for Independent Examination.
- 4.2 The Pre-Submission Local Plan sets out the Council’s final policies and proposals to address future growth requirements up to 2036, and to achieve that growth in a planned and sustainable way which meets the needs of a growing population, the business community and delivery partners. It gives a degree of certainty the public and developers as to where development is likely to take place and guides decision-takers on the most appropriate forms of development over the Plan period.

#### **Pre-Submission Document and Policies Map**

- 4.3 The Pre-Submission Local Plan has been formulated taking into account the development requirements, the evidence base, national planning policy and guidance, and the feedback from previous rounds of formal public consultation.
- 4.4 The Pre-Submission Local Plan and Policies Map are attached at **Appendix 1**. The document is similar in structure and format to the Local Plan Preferred Options Consultation Document. It contains ten sections comprising:- an **Introduction** and **About Chelmsford** – which provides the context for Chelmsford; **What are our Strategic Priorities** – setting out the key issues to be addressed through the Local Plan: which includes the amount of new development needed; **Our Vision and Spatial Principles** setting out the long term vision and principles for managing and accommodating growth; **Creating Sustainable Development** – sets out the approach that underpins the aim of securing sustainable development; **How will future development growth be accommodated** – which sets out the how much development is needed and the Spatial Strategy; **Where will future Development Growth be Focused?** – sets out the three Growth Areas and allocated sites for development;

**Protecting and Securing Important Assets** – providing the policies which protect the countryside, heritage and natural assets; **Making High Quality Places** – which provides detail on design objectives; and **Monitoring and Implementation** section; the **Policies Map** – provides the spatial representation for site allocations and notations on an Ordnance Survey base. There are five appendices including a Glossary.

- 4.5 The Pre-Submission Local Plan contains **15 Strategic Policies** contained within Sections 4-6, **43 Site Allocation Policies** and **6 Special Policy Areas** contained in Section 7 and **32 General Policies** within Sections 8 and 9.

### **Housing Requirement**

- 4.6 As set out in Strategic Policy S8 in the Pre-Submission Local Plan, the housing requirement for the period 2013-2036 is **805 homes per year** which totals 18,515. This is unchanged since the Preferred Options stage. In order to ensure flexibility in supply and to address the Government's requirement to significantly boost housing supply the Local Plan provides for a total of 21,893 new homes. This represents nearly 20% more homes than the total objectively assessed housing need. Over 3,000 homes have already been built in this period and nearly 8,000 new homes already have planning permission or are committed. This leaves the need for **9,085 new homes** to be allocated on sites in the Local Plan.
- 4.7 The 20% supply buffer can also accommodate the Government's emerging standard housing need methodology which was subject to recent consultation. This indicated a housing need for Chelmsford of **980 homes per year** for the period 2016-2026. Strategic Policy S15 in the Pre-Submission Local Plan sets out the monitoring and review mechanisms. This makes provision for an early review of the Local Plan, if required, to address the implications of the standard housing need methodology when implemented.
- 4.8 The 2016 Essex-wide Gypsy and Traveller and Travelling Showpeople Accommodation Assessment (GTAA) identifies those Gypsies, Travellers and Travelling Showpeople which should be planned for in accordance with the Planning Policy for Traveller Sites. The GTAA covers the period 2016 to 2033 and identifies **8 additional Gypsy and Traveller pitches** to meet those that meet the planning definition of Gypsy and Traveller **and 20 additional Travelling Showpeople plots**. Extrapolating these figures up to the end of the Local Plan period this results in a need for 9 Gypsy and Traveller pitches and 24 Travelling Showpeople plots by 2036.

### **Employment Requirement**

- 4.9 As set out in Strategic Policy S8 in the Pre-Submission Local Plan, the jobs requirement for the period up to 2036 is **725 new jobs per year**. Job growth will arise from both the intensification and diversification of existing businesses and from new employment allocations. To accommodate this growth, **55,000 sqm of employment floorspace** and **13,400 sqm floorspace** of additional convenience retail development are to be provided through the Local Plan. The employment requirements are unchanged from the Preferred Options Local Plan.

## **Vision, Strategic Priorities Spatial Principles**

- 4.10 The Pre-Submission Local Plan sets out the type of place Chelmsford will be in 2036. The Vision highlights Chelmsford's existing strengths and how new development growth will further strengthen Chelmsford's role as England's newest city and the Capital of Essex. The Vision set out in Section 4 of the Pre-Submission Local Plan is informed by the Strategic Priorities, which are set out in Section 3. These priorities are closely aligned with those of Chelmsford's partner local authorities in the North of Essex: Braintree, Colchester and Tendring.
- 4.11 In turn, the Vision and Strategic Priorities have been translated into 11 Spatial Principles to shape the Pre-Submission Spatial Strategy. These are set out in Strategic Policy S1 and include: Maximising the use of suitable previously developed land for development; locating development at well-connected sustainable locations; protect the Green Belt and ensure development is served by necessary infrastructure.
- 4.12 Following consideration of previous consultation responses and the updated evidence base, minor amendments and updates have been made to the Vision, Strategic Priorities and Spatial Principles following the Preferred Options stage.

## **Pre-Submission Spatial Strategy**

- 4.13 The Pre-Submission Spatial Strategy is set out in Strategic Policy S9. Although this policy has been updated since the Preferred Options stage, it continues to focus development growth to the most sustainable locations in the three Growth Areas: 1) Central and Urban Chelmsford; 2) North Chelmsford and 3) South and East Chelmsford. This approach allows development growth to be linked to future infrastructure delivery across each area and provides a potential framework for growth beyond 2036. The locations for growth within these Growth Areas are shown on an updated Key Diagram.

## **Growth Area 1 – Central and Urban Chelmsford**

- 4.14 This Growth Area will accommodate around 3,400 new homes, 9,000 sqm of office and business space, 11,500 sqm of convenience retail and 5 Travelling Showpersons plots. Around 2,200 new homes are focused on previously developed land within Chelmsford's City Centre and Urban Area (Location 1). 800 new homes with associated infrastructure continues to be proposed on a greenfield site to the west of Chelmsford (Location 2) and 400 new homes in East Chelmsford (Location 3) split between three sites (previously two sites at Preferred Options stage). A further site at Location 3 for a 5,000 sqm business park is also proposed adjacent to Sandon Park and Ride. Each site allocation has an associated policy which has been revised to outline the key development and infrastructure requirements. Emerging Neighbourhood Plans in Writtle and Sandon are envisaged to guide the new development at Location 2 and Locations 3b, c and d.

## **Growth Area 2 – North Chelmsford**

- 4.15 This Growth Area represents the major opportunity to create new strategic neighbourhoods and employment opportunities to provide around 4,500 new homes, 45,000 sqm of office/business floorspace and 14 Travelling Showpeople plots. 3,000 new homes continue to be proposed on a large greenfield site in north east Chelmsford (Location 4) which will form a new neighbourhood using Garden Settlement Principles and allowing the Chelmsford North East Bypass to be constructed in phases; 1,100 new homes at Great Leighs on three separate sites (Location 5) including 250 homes on land east of London Road specifically for older persons including through independent living; 450 new homes at land in North Broomfield (Location 6). Although this allocation has been reduced from 800 homes in the Preferred Options Local Plan and the requirement for a primary school removed, it will still allow for a new access into Broomfield Hospital and Farleigh Hospice. In addition, this growth area will deliver a Gypsy and Traveller allocation for 10 pitches at Drakes Lane, Little Waltham. Each site allocation has an associated policy which has been revised to outline the key development and infrastructure requirements. The emerging Broomfield Neighbourhood Plan is envisaged to help guide part of the development at Location 6.

## **Growth Area 3 – South and East Chelmsford**

- 4.16 This Growth Area will accommodate over 1,000 new homes, 1,000 sqm of flexible business space and 5 Travelling Showpeople plots. The majority of this growth continues to be focused on a greenfield site to the north of South Woodham Ferrers (Location 7) with a small allocation for 30 new homes at Bicknacre (Location 8). 100 new homes are still proposed to be delivered in Danbury (Location 9). The emerging Danbury Neighbourhood Plan will allocate the sites to fulfil this requirement. Each site allocation has an associated policy which has been revised to outline the key development and infrastructure requirements. The emerging South Woodham Ferrers Neighbourhood Plan is envisaged to guide the new development at Location 7.

## **5 Sustainability Appraisal, Strategic Environmental Assessment and Habitats Regulations Assessment (SA/SEA/HRA)**

- 5.1 National planning policy (Paragraphs 150/151 and 165 of the NPPF) states that local plans are key to delivering sustainable development and that they must be prepared with the objective of contributing to the achievement of sustainable development. Section 19(5) of the Planning and Compulsory Purchase Act, 2004 requires local authorities to carry out a Sustainability Appraisal (SA) of the Local Plan. Sustainability Appraisal includes a process set out in European Directive 2001/42/EC (the 'SEA Directive') called Strategic Environmental Assessment (SEA).
- 5.2 The Conservation of Habitats and Species Regulations 2010 (as amended) also requires local authorities to assess the potential impacts of land use plans on the Natura 2000 network of European protected sites to determine whether there will be any likely significant effects as a result of the plan's implementation. This process is known as Habitats Regulations Assessment (HRA).

5.3 Recommended best practice is that SA/SEA/HRA is undertaken independently of the local planning authority, in order to provide an objective assessment of the authority's proposals. To that end, the City Council has engaged consultants, Amec Foster Wheeler (now part of the Wood Group) to undertake this SA/SEA/HRA work for the Local Plan. The preparation of the Pre-Submission Plan has been informed by the production of the SA/SEA/HRA. The Preferred Options SA/SEA suggested mitigation measures for specific policies, which have been incorporated into the Pre-Submission Local Plan policies where appropriate.

## 6 SA/SEA

6.1 **Appendix 2** presents the SA/SEA of the Pre-Submission Local Plan in terms of the assessment of its Spatial Strategy, site allocations and policies, and reasonable alternatives. This report will be published for consultation alongside the Pre-Submission Local Plan.

6.2 The SA/SEA examines the likely significant environmental, social and economic effects of the Pre-Submission Local Plan. It follows three previous stages of consultation on the SA/SEA in Summer 2015 (Scoping), Winter 2015 (Issues and Options) and Spring 2017 (Preferred Options). The consultation responses received to these stages have informed the development of the appraisal process.

6.3 A SA Framework has been used to appraise the Pre-Submission Local Plan including its Spatial Strategy, site allocations and policies, and reasonable alternatives. The framework contains a series of sustainability objectives and guide questions that reflect both the current socio-economic and environmental issues which may affect (or be affected by) the Local Plan. The sustainability objectives cover matters such as housing, land use and soils, biodiversity, economy and employment, climate change and cultural heritage.

6.4 As set out in **Appendix 2**, overall the SA/SEA has demonstrated that the majority of the SA objectives will experience positive effects as a result of the implementation of the policies and proposals contained in the Pre-Submission Local Plan. Whilst negative effects have also been identified against many of the SA objectives, particularly associated with proposed site allocations, the Pre-Submission Local Plan includes policies which seek to manage these effects such that significant adverse effects will be largely avoided. Reasonable alternative, in terms of development requirements, the Spatial Strategy and site allocations, have been considered as part of the SA of the Pre-Submission Local Plan and earlier plan development stages. The appraisal of these alternatives has demonstrated that, overall, the proposals of the Pre-Submission Local Plan perform similar to, or better than, the alternatives considered when assessed against the SA objectives.

6.5 Taking into account the summary findings of the SA/SEA, Officers believe that the policies and proposals of the Pre-Submission Local Plan represent overall a sustainable strategy.

## 7 Habitats Regulations Assessment (HRA)

7.1 The HRA assesses the Local Plan for its possible effects on European wildlife and habitat sites such as Special Protection Areas (SPA) and Ramsar Sites (wetland bird sites). The HRA process seeks to ensure that the final Local Plan is not likely to result in significant effects on any European sites, either alone

or 'in combination' with other plans. **Appendix 3** presents the HRA which follows consultation with Natural England on the scope and content of the assessment in Winter 2015 and public consultation on an Initial Screening HRA in Spring 2017.

- 7.2 Overall the HRA finds that most aspects of the Local Plan will have no significant effects on any European sites within or surrounding the City Council's Administrative Area with the possible exception of the Crouch and Roach Estuaries Special Protection Area/Ramsar. This European site may be directly affected from proposed development within a 10km radius, notably development to the North of South Woodham Ferrers. Nonetheless, it is proposed that these effects can be addressed through the implementation of the emerging Essex Recreational Disturbance and Avoidance Mitigation Strategy (Essex RAMS) and the emerging Local Plan policies to minimise any effects.
- 7.3 Taking into account the findings of the HRA and the emerging Essex RAMS, Officers believe that the policies and proposals of the Pre-Submission Local Plan will have no adverse effect on the integrity of any European site.

## 8 Other Key Evidence Base

- 8.1 A number of updated and new key evidence base documents that have been prepared to inform and support the Pre-Submission Local Plan. These include:

- Highways Modelling Reports
- Additional Landscape Sensitivity and Capacity Assessment
- Updated Water Cycle Study
- Strategic Flood Risk Assessment (Level 1 and Level 2)
- Sequential and Exception Testing
- Local Plan Viability Assessment
- Infrastructure Delivery Plan
- Protected Lanes Update
- Green Infrastructure Strategy
- Chelmsford Parking Vision
- Delivering Economic Growth in Chelmsford to 2036.

- 8.2 New evidence base documents are outlined below. Overall, Officers are satisfied that the Pre-Submission Local Plan performs well in terms of sustainability, and is informed and supported by the findings of the evidence base. Appendix E of the Pre-Submission Local Plan sets out the detailed evidence base lists. When published for consultation this will include all of the relevant web links.

### **Highways Modelling**

- 8.3 Consultants, Ringway Jacobs, through Essex County Council have undertaken transport modelling to help inform and support the proposals in the new Local Plan. The modelling undertaken to date comprises a series of technical papers. All the modelling focuses on peak hours, when by definition roads are likely to be most congested.
- 8.4 **Appendices 5-7** present summaries the latest modelling work to assess the likely impacts of the Local Plan growth on the local, strategic (wide-area) road network and the likely impact at key junctions in the area. **Appendix 7**

provides more detail of future transport infrastructure proposals in Chelmsford and how these could support the Local Plan. All the transport evidence base reports are available in full, and are available on the Council's Local Plan evidence base website pages.

- 8.5 Overall, the modelling shows that when considering the impacts of different spatial growth strategies on the Chelmsford highway network, there is little observed difference in terms of levels of congestion. In general terms by 2036 there is likely to be significant congestion along corridor routes into the city centre, through the city centre and along the A12 either with and without the growth proposed in the Local Plan. This is in line with other published studies which have revealed that there is only 4% spare network capacity in Chelmsford City Centre in peak hours. Given the level of congestion predicted in the future, it is unlikely that improvements which benefit general car-based traffic alone will be possible in the available road space or effective in resolving overall congestion. As such, developers will need to be encouraged to not only mitigate the local impact of their developments as much as possible, but also focus on sustainable transport links to their developments and provide contributions to or deliver sustainable transport infrastructure measures.
- 8.6 In order to understand the impact of the Local Plan on specific road junctions, 27 key junctions most likely to be impacted by the Local Plan developments have been assessed. Pages 9 and 10 of **Appendix 6** show that 9 junctions will be able to accommodate the increase in traffic in 2036 with the Local Plan growth in place either with or without some form of proposed improvement or mitigation. 18 junctions are forecast to be at or over capacity in 2036. However, at a number of the junctions forecast to be near, at or over capacity in 2036, it is envisaged that the majority could be improved to encourage increased use of sustainable transport through walking/cycle improvements and/or bus links.
- 8.7 The modelling work has focussed on the peak hours, which provides the worst case scenario. The extent to which changes in travel behaviour will result in trips moving to the shoulders of the peak hours (peak spreading) is not quantified in the modelling. However, this is a likely response to congestion which could reduce the impact of the future traffic growth reported in the modelling results. Similarly, other changes in travel behaviour such as home working will help reduce the impact.
- 8.8 The Pre-Submission Local Plan seeks to maximise opportunities for sustainable transport, reduce the need to travel and encourage the use of non-car modes. The Spatial Strategy focuses growth at well located and well-connected locations for example along strategic transport corridors, close to existing local services and in areas with a good level of existing or proposed transport infrastructure including sustainable transport. Individual policies will also ensure sustainable transport opportunities are promoted in new development by providing increased opportunities for walking, cycling and public transport.
- 8.9 Officers at Essex County Council, as local transport authority, have reviewed the transport modelling reports. They are satisfied that these indicate that the impacts of proposed Local Plan growth on the Chelmsford transport network can be mitigated so as not to result in any severe cumulative impact in the network (the key traffic impact test within the NPPF). Overall, City Council officers are satisfied that the Pre-Submission Local Plan is compatible with

sustainable movement objectives and in transport terms considers the Plan to be 'sound' and, therefore, fit for purpose.

### **Landscape Sensitivity and Capacity – Additional Site Assessment**

- 8.10 A Landscape Sensitivity and Capacity Assessment was undertaken in 2017 to help to determine the most appropriate direction for future development growth and landscape policies in the new Local Plan. An extension to the assessment has been completed to assess additional landscape areas following the Preferred Options consultation. The additional site assessment is set out at **Appendix 8**.
- 8.11 The assessment results have been used to inform the sites identified for future residential and employment growth within the Pre-Submission Local Plan. All the allocated development sites are considered as having capacity to accommodate development.

### **Updated Water Cycle Study**

- 8.12 An update to the Water Cycle Study has been undertaken to ensure that the water environment and water infrastructure has the capacity to sustain the level of the growth and development proposed through the new Local Plan. The Water Cycle Study helps to determine the most appropriate development options to be identified in the Local Plan by assessing water supply capacity, sewage capacity and environmental capacity of the proposed growth. Any issues, potential constraints or water infrastructure upgrades have been identified within the Study and information provided to demonstrate that there are workable solutions if required to help delivery of the sites.
- 8.13 There are three Water Recycling Centres (WRCs) that will serve the proposed new developments identified. Two are shown at present to have insufficient capacity to provide for the future development proposed in the Local Plan. These are at Great Leighs and South Woodham Ferrers. However, detailed assessment has shown that feasible engineering solutions to provide the required additional treatment capacity are possible and so this should not be seen as a barrier to growth, provided that solutions and implementation are phased to ensure the additional provision is in place to serve new development.
- 8.14 The Study outlines that the Water Supply company would have adequate potable water supply to cater for growth over the plan period. However, in order to reduce reliance on raw water supplies from rivers and aquifers, the Study sets out ways in which demand for water as a result of the new development can be minimised. Overall, the Water Cycle Study concludes there are no constraints with respect to water service infrastructure and the water environment to deliver the new Local Plan development, on the basis that strategic water resource options and wastewater solutions are development in advance of the development coming forward. Continued dialogue will be required with Anglian Water to ensure capacity is in place to serve new development. An Executive Summary of the study is attached at **Appendix 9** to this report. The full report is available on the Council's Local Plan evidence base website pages.

## **Strategic Flood Risk Assessment (SFRA) Level 1 and Level 2**

- 8.15 A SFRA Level 1 and Level 2 has been prepared to provide a more detailed assessment of flood risk in areas which have been allocated for development. An Executive Summary of the study is attached at **Appendix 10** to this report. The full report is available on the Council's Local Plan evidence base website pages.
- 8.16 A small number of allocated sites are in areas of higher flood risk and have required further investigation through the Level 2 SFRA assessment. This assessment considers how flood risk will be managed on and off the site in accordance with local and national policy for example, by identifying appropriate flood resistance and resilience measures. The updated SFRA Level 1 and Level 2 assessment demonstrates that the allocated development sites can be safe for their lifetime and not increase flood risk elsewhere.

## **Flood Risk Sequential & Exception Testing**

- 8.17 The NPPF and Planning Practice Guidance requires Local Plans to be supported by Strategic Flood Risk Assessment (SFRA) and for policies to take into account any flood risk.
- 8.18 Furthermore, Paragraph 100 of the NPPF states that 'inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk'. In plan-making, this involves applying a sequential test and, if needed, an exception test to the site allocations. The aim of the sequential test is to steer new development to areas with the lowest probability of flooding. In cases, where sites are not located in the lowest flood risk zones an exception test is applied to ensure that flood risk can be managed, that the site provides wider sustainability benefits outweighing the flood risk and the development will be safe for its lifetime without increasing flood risk elsewhere.
- 8.19 The Council has carried out sequential and exception testing on 47 of the site allocations informed by the Council's Level 1 and 2 Strategic Flood Risk Assessment. Each site has a completed proforma documenting the test which will be submitted as an evidence base document to support the Pre-Submission Local Plan. Out of the 47 site allocations assessed, 37 passed on the sequential test and 10 sites required an exception test, mostly sites being re-allocated within the City Centre. The results of the testing indicate that the sites allocated for development in the Pre-Submission Local Plan are acceptable provided that the design of the site takes into account flood risk mitigation and the planning application is subject to a detailed site-specific Flood Risk Assessment, drawing on the outcomes of the Strategic Flood Risk Assessment (Level 1 and Level 2). An Executive Summary of the sequential and exception test is attached at **Appendix 11** to this report. The full sequential and exception tests are available on the Council's Local Plan evidence base website pages.

## **Local Plan Viability Assessment**

- 8.20 The Council has commissioned a Local Plan Viability Study to assess the deliverability of development sites included in the new Local Plan. The Viability Study has been commissioned to build on the Council's existing viability work and contains new work to determine whether the delivery of the Plan overall is threatened by the requirements set out in it. Viability testing is an important part of the Development Plan making process. The requirement

to assess viability forms part of the NPPF, is part of the Housing and Employment Land Availability Assessment process and is a requirement of the Community Infrastructure Regulations. The Viability Study also re-considers the Community Infrastructure Levy (CIL) in the context of the policies in the new Local Plan and the anticipated site allocations. The level of CIL that can be charged is determined by the overall viability of new development coming forward in an area. The Viability Study only considers viability. The need for infrastructure and other sources of funding are reviewed in the Infrastructure Delivery Plan (IDP).

- 8.21 The Viability Study uses a standard Residual Value methodology to assess the impact of meeting all the Council's policy requirements, including CIL at the current rate and different levels of developer contributions, on a range of development typologies. Using evidence of local housing prices and non-residential values, local development costs and assumptions about the availability of development finance, developer's profits and the general characteristics of development in the City Council's area, an assessment is made of the amount by which land values may be depressed by the cumulative impact of the policies in the new Local Plan and whether that is sufficient to deter landowners from making their land available for development. The results vary across the modelled sites although all site types except one return a positive Residual Value that exceeds the viability threshold, indicating that the anticipated types of development are able to bear the cumulative impact of the emerging policies and the current rates of CIL. The full report is appended to the Item 7 on this Committee.

#### **Infrastructure Delivery Plan (IDP)**

- 8.22 The Council has commissioned an IDP for Chelmsford. The purpose of the IDP is to set out the infrastructure required to support the delivery of the Plan up to 2036. This covers all physical, community and green infrastructure, including but not limited to utilities, transport, schools, health and open space. It is focused on the three Local Plan growth areas (1) Central and Urban Chelmsford; (2) North Chelmsford; and (3) South and East Chelmsford. The study seeks to understand when the infrastructure is needed, what it will cost and where the funding will come from. Its findings will also help to inform the Viability Report and CIL Review. It is an evolving document that will be monitored and updated over the course of the Local Plan period and as further information and more precise costings become available. A summary of the IDP is attached at **Appendix 12** to this report. The full report is available on the Council's Local Plan evidence base website pages.

#### **Protected Lanes Update**

- 8.23 An update to the Protected Lanes Study was undertaken in October/November 2017. The update, given in **Appendix 13** of this report, was commissioned by the Council following responses received to the Preferred Options Local Plan consultation.
- 8.24 The update involved the assessment of six lanes. This included three new lanes that had not been assessed before, while the remaining three were previously assessed as part of the original study in 2009/10. The criteria for the assessment was established as part of the original Protected Lanes Study and this has been carried forward to complete the assessment of six candidate lanes.

- 8.25 The assessment comprised two stages, a desk based assessment followed by a field survey. The assessment focused on historic integrity, diversity, group value, archaeological value, biodiversity and aesthetic value. A scoring system was used and following the assessment, a threshold applied to determine whether the candidate lanes should be designated as Protected Lanes.
- 8.26 The assessment concluded that two lanes in Danbury (Twitty Fee and Slough Road) fulfilled the criteria to become Protected Lanes and are recommended for Protected Lane status. These are designated on the Pre-Submission Local Plan Policies Map.

### **Green Infrastructure (GI) Strategic Plan**

- 8.27 Consultants have prepared a GI Strategic Plan for the Council. This identifies where there is the potential to make better use of GI resources (e.g. green spaces, parks, trees, waterways) through restoration, enhancement or creation. It will also help to guide opportunities associated with development activity across the Council's area over the next Plan period and beyond. The Pre-Submission Local Plan will plan positively for the creation, protection and enhancement of green infrastructure in line with the Council's GI Strategic Plan. Individual site allocation policies will also ensure opportunities for new and improved GI are provided as part of new development. The GI Strategic Plan is attached at **Appendix 14** to this report. It has been developed from a research and evidence base which is available on the Council's Local Plan evidence base website pages.

### **Chelmsford Parking Vision**

- 8.28 The City Council has prepared a parking vision statement which sets out a number of key objectives to ensure Chelmsford offers sufficient, high quality and appropriately located public parking. This will support the economic and community activities of the city whilst balancing a reduction in the number of car trips into the city centre to help ease congestion and to improve air quality. The Parking Vision is attached at **Appendix 15** to this report.

### **Delivering Economic Growth in Chelmsford to 2036**

- 8.29 This report details how Chelmsford can meet the demand for 725 new jobs each year from 2014-2036 and make provision for the required floorspace from existing and proposed employment as set out within the Pre-Submission Local Plan. It sets out a clear and ambitious economic vision for the future of Chelmsford in order to support continued growth. The report is presented in **Appendix 17**.

### **Air Quality Impact Assessment**

- 8.30 An Air Quality Impact Assessment (AQIA) has been commissioned to establish a baseline air quality profile for Chelmsford City Council's administrative area and model a number of scenarios to identify any impacts of the proposed Local Plan development sites on air quality to 2036. The report will include written analysis, mapping, and data tables, and is expected to be complete in early 2018.

## **Playing Pitches Strategy**

- 8.31 This Strategy will consider how the playing pitch and outdoor sports needs of the population to 2036, as identified by the Open Space, Sports and Recreational Facilities Study 2016, can be accommodated alongside the proposed areas for future growth in the new Local Plan. The Strategy is being led by Chelmsford City Council Parks and Green Spaces Services, with input from Leisure and Heritage Services and Planning Policy. It will also set out how many playing pitches are required for different sports to 2036, consider if any improvements can be made to accommodate these needs on existing sports facilities by increasing capacity, and where the residual pitch needs could be accommodated within new development sites in the form of new pitch/sports facilities. The Strategy will be published alongside the Pre-Submission Local Plan consultation. It will be an evolving document which will be reviewed and updated over the course of the Local Plan period.

## **Spatial Strategy and Sites Topic Paper**

- 8.32 This will set out how the Council has developed the Spatial Strategy and selected the site allocations within the Pre-Submission Local Plan. It will explain how these key aspects of the Local Plan have developed and the information, evidence and feedback that has informed the choices made. It will also set out reasons for the rejection of reasonable alternatives. The topic paper will be published alongside the Pre-Submission Local Plan consultation.

## **Infrastructure Topic Paper**

- 8.33 This will set out how the Council has developed the key infrastructure policies and proposals within the Pre-Submission Local Plan. It will explain how infrastructure requirements within the Local Plan have developed and the information, evidence and feedback that has informed the choices made. The topic paper will be published alongside the Pre-Submission Local Plan consultation.
- 8.34 A series of other topic papers will be finalised to accompany the submission of the Local Plan to the Secretary of State for Independent Examination.

## **9 Pre-Submission Consultation**

- 9.1 The Pre-Submission consultation will start on 31<sup>st</sup> January 2018 and run for six weeks until 14<sup>th</sup> March 2018. The consultation will be supported by the publication of a summary non-technical leaflet (newsletter) and a series of exhibitions during February and March at locations across the City Council's area. Further detail on the planned methods of engagement and consultation are set out in the Consultation Statement at **Appendix 16** to this report.
- 9.2 At this stage, the Council is seeking views on whether the Local Plan is sound and meets the tests set out in the NPPF. These include whether the Local Plan is based on sound evidence, can be delivered by 2036, is consistent with national policy and whether it has been prepared in line with Duty to Cooperate obligations. Respondents making representations should relate them to the soundness of the Pre-Submission Local Plan or to its compliance with legal requirements. Details on this process will be provided in the consultation material.

- 9.3 Following closure of the consultation, responses will be processed by the Council and the main issues raised reported back to the Committee. The full evidence base, the Pre-Submission Local Plan and all the consultation responses will then be submitted to the Secretary of State who will ask the Planning Inspectorate to hold an Independent examination of the Local Plan. It is anticipated that the submission of the Plan will take place in the Summer 2018 and the Examination hearing sessions in the Autumn 2018.
- 9.4 Further details on the programme for preparing the new Local Plan is within the Council's adopted Local Development Scheme 2017.
- 10 Conclusion
- 10.1 The Pre-Submission Local Plan has been informed by previous consultations, sustainability appraisal and a wide ranging, robust and extensive evidence base dealing with the key issues. Officers are satisfied that these supporting documents have robustly informed and shaped the Pre-Submission Local Plan.
- 10.2 Work on the preparation of the Chelmsford Local Plan to cover the period up to 2036 has now reached the stage where the City Council can embark on the final formal stage of public consultation. Officers consider that the Pre-Submission Local Plan has been prepared in line with the legal and statutory requirements and provides a sound, justified and effective approach to development in Chelmsford City Council's Administrative Area.

#### List of Appendices

**Appendix 1** Chelmsford Pre-Submission Local Plan and Policies Map (Maps 1-40)

**Appendix 2** Chelmsford Draft Local Plan: Pre-Submission Draft Sustainability Appraisal Report

**Appendix 3** Chelmsford Draft Local Plan: Submission Draft Habitats Regulations Assessment

**Appendix 4** Preferred Options Consultation Document 'You Said, We Did' Preferred Options Feedback Report

**Appendix 5** Pre-Submission Strategic and Local Junction Modelling Executive Summary

**Appendix 6** Preferred Option Strategic and Local Junction Modelling Executive Summary

**Appendix 7** Preferred Option Strategic and Local Junction Modelling Addendum

**Appendix 8** Landscape Sensitivity and Capacity – Additional Site Assessment

**Appendix 9** Updated Water Cycle Study Executive Summary

**Appendix 10** Strategic Flood Risk Assessment (Level 1 and Level 2) Executive Summary

**Appendix 11** Sequential and Exception Testing Executive Summary

**Appendix 12** Infrastructure Delivery Plan Summary

**Appendix 13** Protected Lanes Update

**Appendix 14** Green Infrastructure Strategic Plan

**Appendix 15** Chelmsford Parking Vision

**Appendix 16** Pre-Submission Consultation Statement

**Appendix 17** Delivering Economic Growth in Chelmsford to 2036

## Background Papers

- Development Policy Committee Agendas and Minutes (including Agenda Items 6 held on 13 July 2017 and 28 September 2017)
- National Planning Policy Framework (NPPF), March 2012
- Planning Practice Guidance (PPG)
- Housing White Paper, February 2017, Department for Communities and Local Government
- Planning for the right homes in the right places: consultation proposals, September 2017, Department for Communities and Local Government
- Local Plan Issues & Options Consultation Document and Feedback Report
- Local Plan Issues and Options Sustainability Appraisal Report and Habitats Regulations Assessment: Initial Scoping and Feedback Report
- Local Plan Preferred Options Consultation Document, Feedback Report and You Said We Did
- Local Plan Preferred Options Sustainability Appraisal Report and Habitats Regulations Assessment: Initial Scoping and Feedback Report
- Local Plan Evidence Base <https://www.chelmsford.gov.uk/planning-and-building-control/planning-policy-and-new-local-plan/new-local-plan/evidence-base/>
- The Town and Country Planning (Local Planning) (England) Regulations 2012