OSP004May 2024

Preferred Options Local Plan Process Requirements Checklist (May 2024)

This document considers how the council has met process requirements for plan preparation as set out in planning legislation and the National Planning Policy Framework (NPPF) December 2023. It is based on the Planning Advisory Service (PAS) Local Plan Route Mapper & Toolkits and will be further updated at future stages of the Local Plan Review process.

The table below sets out key plan making process questions to be considered up to the Preferred Options stage. The rows marked:

- 'L' set out legal requirements included in legislation relevant for that stage of plan making; and
- 'PM' highlight project management reminders arising from these requirements.

For each requirement the table highlights in the 'Documents demonstrating compliance' column, where relevant, the supporting documents in which this information is recorded. Where appropriate, an indication is given on whether the requirement is met with a Yes or No.

The following abbreviations in the table are used:

CPB - Chelmsford Policy Board

EqIA – Equality Impact Assessment

HIA – Health Impact Assessment

HRA – Habitats Regulations Assessment

I&O – Issues and Options

IIA - Integrated Impact Assessment

LDS – Local Development Scheme

NPPF – National Planning Policy Framework

P&CPA - Planning and Compulsory Purchase Act 2004 (as amended)

PO - Preferred Options

T&CP - The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended)

SA – Sustainability Appraisal

SCI - Statement of Community Involvement

SEA – Strategic Environmental Assessment

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The table does not make any reference to specific national planning policy guidance, case law or Ministerial Statements on the basis that this is not static.

I	L/ PM	Key questions	Source	Y/N	Documents demonstrating compliance
		Stage A: Navigating the process of reviewing Local Plan policies			
1.	L	Have you consistently kept under review the matters which are likely to affect the development of your area and the planning of its development?	P&CPA T&CP	Yes	Annual Monitoring Reports are published each year to measure performance. The most recent Annual Monitoring Report uses the Local Plan monitoring framework May 2020: Monitoring development (chelmsford.gov.uk)
2.	L	Have you prepared to undertake a review of your local plan policies and complete the review within 5 years of the date of adoption of the current local plan?	T&CP NPPF	Yes	The Local Development Scheme was approved in November 2023: chelmsford-local-development-scheme-2023-2028.pdf
3.	L	Have you prepared to review your Statement of Community Involvement (SCI) and complete the review within 5 years of the date of adoption of the current Statement of Community Involvement (SCI)?	P&CPA T&CP	Yes	The SCI was reviewed and approved in September 2020: Cabinet (September 2020) (chelmsford.gov.uk) The Local Development Scheme was approved in November 2023: chelmsford-local-development-scheme-2023-2028.pdf

	L/ PM	Key questions	Source	Y/N	Documents demonstrating compliance
4.	PM	Have you checked your scheme of delegation and engaged with the relevant person(s) who will make decisions on the outcome of any review(s) of the Local Plan policies and the Statement of Community Involvement?	Council scheme of delegation	Yes	Chelmsford Policy Board (CPB) is responsible for reviewing existing council policies, developing new ones, and making policy recommendations to Cabinet and Council. This includes monitoring the existing Local Plan (adopted 2020) and considering the preparation of the review of the adopted plan, including supporting documents and consultation materials. See here for more detail on the responsibilities of CPB: Chelmsford Policy Board The Cabinet are responsible for considering consultation feedback and approving/adopting all Council policy documents, masterplans and making decisions on Local Plan progression. Full Council will approve the Local Plan Submission for Independent Examination and Adoption. Further information on responsibilities: Cabinet (chelmsford.gov.uk) and Full Council (chelmsford.gov.uk).
5.	L	Have you prepared a report for the relevant person(s) deciding on the review of the local plan policies that takes into account the matters that are likely to affect the development of your area and the planning of its development to enable them to make a decision on whether the policies do / do not need updating?	T&CP NPPF	Yes	Chelmsford Policy Board report – May 2022 - Item 7 provided an update on the next steps and timetable for the review of the Local Plan: chelmsford-policy-board-26522-agenda-pack.pdf Chelmsford Policy Board report – November 2023 – Item 5 provided an update on the Local Plan review timetable. The Board also approved a revised Local Development Scheme: item-5-publication-of-revisions-to-the-chelmsford-local-development-scheme.pdf Chelmsford Policy Board report – July 2022 – Item 6 sets out the review of the adopted Local Plan Issues and Options Document: chelmsford-policy-board-14722-agenda-pack.pdf More information is available in 1. Topic papers published for the I&O and PO consultations including on Climate Change, Employment, Health and Wellbeing, Historic

	L/ PM	Key questions	Source	Y/N	Documents demonstrating compliance
					Environment, Natural Environment, Housing, Infrastructure and Transport 2. Other supporting documents including Planning Advisory Service (PAS) Toolkits and the Preferred Options Local Plan Form and Contents Checklist 2024 The above are available at: www.chelmsford.gov.uk/lp-review
		Stage B: Scoping and preparing for your policies update			
6.	L	Where an update of the Statement of Community Involvement (SCI) is required have you prepared, consulted and adopted a revised Statement in accordance with the procedures set out in Part 2 of the P&CPA? Have you ensured that the Statement is up to date and reflects who the relevant consultation bodies are - for all stages of the plan making process - and what actions will be undertaken to involve the community in any updates to the local plan policies?	P&CPA T&CP NPPF	Yes	The SCI was reviewed and approved in September 2020: Cabinet (September 2020) (chelmsford.gov.uk)

	L/ PM	Key questions	Source	Y/N	Documents demonstrating compliance
7.	PM	Have you prepared a report for the relevant person(s) who will make a decision on the outcome of the review of the Statement of Community Involvement (SCI) including where relevant details and justification of proposed changes? This should also consider the any practicalities of making documents available for inspection at the submission stage.	P&CPA T&CP		Chelmsford Policy Board report – July 2020 – Item 8 approved a draft revised SCI for public consultation: Chelmsford Policy Board meeting (July 2020) Cabinet – September 2020 – Item 7.2 considered the feedback on the revised SCI and adopted the document: Cabinet (September 2020) (chelmsford.gov.uk)
8.	PM	Have you identified the proposed scope of the update of the local plan by setting out the principal policy areas that will be considered?		Yes	Chelmsford Policy Board report – July 2022 – Item 6 sets out the review of the adopted Local Plan Issues and Options Document: chelmsford-policy-board-14722-agenda-pack.pdf Planning Advisory Service (PAS) Toolkits Parts 1 and 2 published as part of the I&O consultation: www.chelmsford.gov.uk/lp-review
9.	PM	Have you drafted a project plan to manage and timetable the development and update of the local plan policies?		Yes	The Local Development Scheme approved November 2023: chelmsford-local-development-scheme-2023-2028.pdf
10.	L	Have you prepared a new Local Development Scheme which identifies the local plan policies update document(s) and the Sustainability	P&CPA	Yes	The Local Development Scheme approved November 2023: chelmsford-local-development-scheme-2023-2028.pdf

	L/ PM	Key questions	Source	Y/N	Documents demonstrating compliance
		Appraisal and timescales for their production?			
11.	L	Does your Statement of Community Involvement and project plan identify the legally prescribed bodies you will engage with under the duty to cooperate? This should also include each Local Enterprise Partnership and each Local Nature Partnership in the area.	P&CPA T&CP	Yes	Duty to Co-operate Strategy has been updated and consulted upon in late 2021, the Council's Cabinet approved it in January 2022: duty-to-co-operate-strategy-january-2022.pdf (chelmsford.gov.uk) The Local Enterprise Partnership and Essex Local Nature Partnership were consulted at I&O stage as detailed in Appendix 1 of the I&O You Said We Did Feedback Report: www.chelmsford.gov.uk/lp-review
12.	L	Have you identified the "strategic matters" that will be included in the updated local plan policies and which have / would have a significant impact on your area and at least one other planning area and on which you are required to engage constructively, actively and on an ongoing basis?	P&CPA	Yes	Chelmsford Policy Board report – July 2022 – Item 6 sets out the review of the adopted Local Plan Issues and Options Document: chelmsford-policy-board-14722-agenda-pack.pdf Duty to Co-operate Strategy has been updated and consulted upon in late 2021, the council's Cabinet approved it in January 2022: duty-to-co-operate-strategy-january-2022.pdf (chelmsford.gov.uk) Planning Advisory Service (PAS) Toolkits Parts 1 and 2 and topic papers produced for the I&O and PO consultations: at www.chelmsford.gov.uk/lp-review
13.	L	In addition to the legally prescribed bodies does your Statement of Community Involvement and project plan	NPPF	Yes	Appendix 1 of the Duty to Co-operate Strategy identifies additional bodies that may be engaged: duty-to-co-operate-strategy-january-2022.pdf (chelmsford.gov.uk)

	L/ PM	Key questions	Source	Y/N	Documents demonstrating compliance
		identify any additional bodies / person(s) who you will engage with on strategic cross-boundary matters and who will be party to your Statement(s) of common ground?			
14.	PM	Have you designed a template to record the progress made with the above bodies / person(s). This should document where effective co-operation is and is not happening throughout the plan making process, and the outcomes from engagement. This will also be required as evidence to demonstrate that you have met the Duty to Cooperate.	P&CPA NPPF	Yes	The Duty to Cooperate position statement and Preferred Options Topic Papers detail engagement undertaken and available at: www.chelmsford.gov.uk/lp-review. A Duty to Cooperate Compliance Statement will be prepared for the submission stage.
15.	PM	In line with your Local Development Scheme and project plan have you timetabled relevant meetings / briefings with the authorities senior management team and elected Members to ensure that there is support for the development of the local plan policies update and that		Yes	Regular updates are made to relevant meetings. Chelmsford Policy Board reports include: • May 2022 Update on the review of Adopted Chelmsford Local Plan • July 2022 Issues and Options Consultation • February 2023 Issues and Options Consultation Feedback • November 2023 Publication of revisions to the Local Development Scheme • March 2024 Local Plan Preferred Options Consultation Cabinet Reports include:

	L/ PM	Key questions	Source	Y/N	Documents demonstrating compliance
		any necessary permissions for publication are obtained?			 January 2022 Approval of Duty to Cooperate Strategy November 2023 Publication of revisions to the Local Development Scheme Agenda and papers for the above are available via: Main committees (chelmsford.gov.uk)
16.	L	Have you prepared a Scoping Report for the development of your Sustainability Appraisal to inform the update of your plan policies? Have you included a proposed framework for testing local plan policies update options and alternatives using the baseline information and an identified set of sustainability objectives? Have you incorporated the requirements of the Strategic Environmental Assessment?	P&CPA The Environmental Assessment of Plans and Programmes Regulations 2004 (as amended) The European Directive 2001/42/EC NPPF	Yes	The Integrated Impact Assessment (IIA) assesses Sustainability Appraisal (SA), Strategic Environmental Assessment (SEA), Habitats Regulations Assessment (HRA), Health Impact Assessment (HIA), and Equality Impact Assessment (EqIA) in one assessment. IIA Scoping Report 2022 – Consultation April to May 2022 – Item 6 of CPB July 2022 provides a summary of the IIA scoping report, the full report is also available at Appendix 3 to the report: chelmsford-policy-board-14722-agenda-pack.pdf IIA – Issues and Options consultation document and feedback reports: available at www.chelmsford.gov.uk/lp-review
17.	L	Have you consulted the statutory environment consultation bodies, and other interested parties, on the scope and level of detail of the environmental information to be included in the Sustainability Appraisal report?	The Environmental Assessment of Plans and Programmes Regulations 2004 (as amended)	Yes	The SCI was reviewed and approved in September 2020: Statement of Community Involvement - Adopted September 2020 (chelmsford.gov.uk) IIA Scoping Report 2022 – The consultation was carried out in April to May 2022. Statutory bodies, comprising the Environment Agency, Natural England and Historic England and a range of other national and local organisations were consulted. Item 6 of CPB July 2022 provides a summary of the IIA scoping report, the full report is available at Appendix 3 to the report: chelmsford-policy-board-14722-agenda-pack.pdf

	L/ PM	Key questions	Source	Y/N	Documents demonstrating compliance
					IIA – Issues and Options Consultation Document and Feedback Reports available at www.chelmsford.gov.uk/lp-review
		Stage C: Developing the update to your local plan policies			
18.	L	Have you collected in a presentable format the relevant baseline information that will inform and evidence an update to your plan? This may include evidence commissioned by third parties.	P&CPA	Yes	The evidence base and topic papers are available online at: www.chelmsford.gov.uk/lp-review and Adopted Local Plan (chelmsford.gov.uk) The latest Annual Monitoring Reports at: Monitoring development (chelmsford.gov.uk)
19.	L	Have you undertaken early engagement with stakeholders to help develop spatial options, particularly on strategic cross-boundary matters? Have you ensured that you are keeping a continual log of engagement for your Duty to Cooperate Statement of Common Ground?	P&CPA NPPF	Yes	The Duty to Cooperate position statement and Preferred Options Topic Papers detail engagement undertaken and are available at: www.chelmsford.gov.uk/lp-review

	L/ PM	Key questions	Source	Y/N	Documents demonstrating compliance
20.	L	Have you drafted policies / policy options and alternatives based on evidence and engagement? Do the options serve a clear purpose, have they been prepared positively and written in a clear manner and unambiguous?	NPPF	Yes	The Preferred Options Local Plan contains updated and new policies informed by a number of considerations including evidence gathering and engagement. The Preferred Options Local Plan contains details of policy alternatives considered. Policies are assessed in the PO IIA. The PO topic papers summarise the approach to the PO plan and alternatives considered. All documents are available at: www.chelmsford.gov.uk/lp-review The PO Duty to Cooperate position statement is available at: www.chelmsford.gov.uk/lp-review
21.	L	Have you taken account of the NPPF requirements for plan content and the Government's planning policy for traveller sites?	NPPF Planning policy for traveller sites	Yes	The latest national planning policy and guidance has also been used to inform the PO Local Plan including national planning policy for traveller sites (updated in December 2023) and plan content requirements in the NPPF published in December 2023. Where possible, changes to the NPPF affecting plan-making have been reflected in the PO Local Plan including reforms to housing delivery. Other changes will be addressed at the pre-submission plan-making stage following further consideration/ assessment. Further information is set out in the PO topic papers and the PO Local Plan Form and Contents Checklist (March 2024). These are all available at: www.chelmsford.gov.uk/lp-review New and updated evidence base produced to support the PO Local Plan consider latest national planning policy and guidance: www.chelmsford.gov.uk/lp-review

	L/ PM	Key questions	Source	Y/N	Documents demonstrating compliance
22.	L	Have you considered plan production processes set out within the NPPF.	NPPF	Yes	The latest national planning policy and guidance has also been used to inform the PO Local Plan including plan making requirements in the NPPF published in December 2023. Where possible, changes to the NPPF affecting plan-making have been reflected in the PO Local Plan including reforms to housing delivery. Other changes will be addressed at the pre-submission plan-making stage following further consideration/ assessment. Further information is set out in the PO topic papers and the PO Local Plan Form and Contents Checklist (March 2024). These are all available at: www.chelmsford.gov.uk/lp-review New and updated evidence base produced to support the PO Local Plan considers latest national planning policy and guidance — available at: www.chelmsford.gov.uk/lp-review
23.	L	Have you developed a clear and robust framework that will allow you to consistently monitor the implementation and impact of the policies in the plan and to enable a review to be triggered where necessary?	P&CPA T&CPA The Environmental Assessment of Plans and Programmes Regulations 2004 (as amended)	Yes	The PO Local Plan includes an updated plan monitoring framework. Other relevant documents include the PO IIA and Annual Monitoring Reports for the adopted Local Plan. Relevant reports are available at: www.chelmsford.gov.uk/lp-review

	L/ PM	Key questions	Source	Y/N	Documents demonstrating compliance
24.	L	Have you undertaken a Habitats Regulations Screening Assessment to determine whether the update to the local plan is likely to have a significant effect on a European site or a European offshore site (either alone or in combination with other plans or projects)?	The Conservation of Habitats and Species Regulations 2017 (as amended) The European Directive 92/43/EEC		The I&O IIA and PO IIA include sections addressing HRA. These do not constitute a formal 'HRA screening' or 'Appropriate Assessment' as the plan is still in development and so any screening or appropriate assessment conclusions would be premature; however, the principles of HRA have been applied to the Preferred Option Local Plan to ensure that the Pre-Submission Draft Plan (Regulation 19) has no adverse effects on any European sites. Reports are available at: www.chelmsford.gov.uk/lp-review
25.	L	Have you consulted the relevant "nature conservation body" on your Habitats Regulations Screening Assessment and had regard to their representations? Have you also consulted, if considered appropriate, other relevant organisations?	The Conservation of Habitats and Species Regulations 2017 (as amended) The European Directive 92/43/EEC		Relevant nature consultation bodies were consulted on the I&O IIA and will be consulted on the PO IIA which include sections on addressing HRA. Reports are available at: www.chelmsford.gov.uk/lp-review

	L/ PM	Key questions	Source	Y/N	Documents demonstrating compliance
26.	L	Did the Habitats Regulations Assessment screening assessment determine that the plan is likely to have a significant effect on a European site or a European offshore site? If so, you must undertake an appropriate assessment of the implications of the plan (as part of your Habitats Regulatory Assessment (HRA)) for the Plan's policies and site(s) within the context of the European site's conservation objectives.	The Conservation of Habitats and Species Regulations 2017 (as amended) The European Directive 92/43/EEC		The I&O IIA and PO IIA include sections addressing HRA. These do not constitute a formal 'HRA screening' or 'Appropriate Assessment' as the plan is still in development and so any screening or appropriate assessment conclusions would be premature; however, the principles of HRA have been applied to the PO Local Plan to ensure that the Pre-Submission Draft Plan (Regulation 19) has no adverse effects on any European sites. Appropriate assessments have been undertaken in the PO IIA for aspects where effect pathways are present, taking into account specific and cross-cutting policy-based mitigation and avoidance measures that have been incorporated into the plan. These appropriate assessments have concluded that (as currently drafted) the PO Local Plan will have no adverse effects on the integrity of any European sites, alone or in combination. See reports at: www.chelmsford.gov.uk/lp-review
27.		Have you carried out an Equalities Impact Assessment?	Equality Act 2010	Yes	This is incorporated within the PO IIA document available at: www.chelmsford.gov.uk/lp-review
28.		Have you considered combining the Sustainability Appraisal, Equalities Impact Assessment and potentially Habitats Regulations Assessment as part of an Integrated Impact Assessment that is	Equality Act 2010	Yes	An IIA is being developed and updated alongside the plan review. This incorporates: • Sustainability Appraisal (SA) • Strategic Environmental Assessment (SEA) • Habitats Regulations Assessment (HRA) • Health Impact Assessment (HIA), and • Equality Impact Assessment (EqIA).

	L/ PM	Key questions	Source	Y/N	Documents demonstrating compliance
		developed and updated alongside the plan in order to inform its options? This may not be appropriate in all instances.			IIA documents are available at: www.chelmsford.gov.uk/lp-review
29.	L	Have you assessed the draft plan / policy options against relevant soundness and quality measures?	NPPF	Yes	Preferred Options Local Plan Form and Contents Checklist 2024 and PO Options topic papers (Spatial Strategy and Strategic Sites, Climate Change, Employment, Health and Wellbeing, Historic Environment, Natural Environment, Housing, Infrastructure and Transport). All reports available at: www.chelmsford.gov.uk/lp-review
30.	L	Are there any policies applying to sites or areas by reference to an Ordnance Survey map or to amend an adopted policies map? If yes, have you prepared a submission policies map?	T&CPA		The PO Local Plan includes a draft Policies Map available at: www.chelmsford.gov.uk/lp-review A submission policies map will be produced alongside the next plan making stage (Pre-Submission).
31.	L	Is the local plan policies update consistent with any other adopted Local Plan Documents for the area?	T&CPA	Yes	The PO Local Plan takes into account the adopted Essex Minerals Local Plan, Essex and Southend-on-Sea Waste Local Plan and South East (Inshore) Marine Plan. See Section 1 of the PO Local Plan available at: www.chelmsford.gov.uk/lp-review
32.	L	Is the local plan policies update intended to supersede any adopted development plan policies, does it state that fact and identify the superseded policies?	T&CPA	Yes	Appendix A of the Chelmsford Local Plan Review Preferred Options 2024 sets out the schedule of superseded documents and policies. The PO Local Plan is available at: www.chelmsford.gov.uk/lp-review

	L/ PM	Key questions	Source	Y/N	Documents demonstrating compliance
33.	L	Is the local plan policies update (if a London Borough or Mayoral DC) in general conformity with the spatial development strategy?	P&CPA		N/A
		Stage D: Consulting and engaging on the policies update			
34.	PM	Have you obtained the relevant authority permissions to publish the first draft / options for public consultation?			Chelmsford Policy Board held in March 2024, item 5 presents the Preferred Options Local Plan and IIA to the Board for approval to publish for public consultation: Chelmsford Policy Board (March 2024)
35.	L	Have you notified the following bodies or persons that you are preparing a local plan policies update and invited them to make representations on what the plan should contain? The specific consultation bodies that may have an interest; The general consultation bodies that the authority consider appropriate;	P&CPA T&CP NPPF	Yes	The I&O You Said We Did Feedback Report lists the specific and general bodies, businesses and other stakeholders alongside residents who were notified about the I&O consultation and invited to make representations – find at: www.chelmsford.gov.uk/lp-review Chelmsford Policy Board held in March 2024 Item 5 presents a Preferred Options consultation plan. It confirms that specific and general bodies, residents, businesses and other stakeholders on the council's Local Plan consultation database will be notified about the PO consultation and invited to make representations: Chelmsford.gov.uk/lp-review Chelmsford Policy Board (March 2024).

	L/ PM	Key questions	Source	Y/N	Documents demonstrating compliance
		 Residents or other persons carrying on business in the area as considered appropriate; and Any other stakeholders that you have engaged with in earlier stages on strategic matters and who will be party to your Duty to Cooperate Statement(s) of Common Ground and are relevant parties pursuant to your duty to cooperate. 			
36.	L	Have you made sure that the consultation and invitation to make representations: • Follows the principles set out in your adopted Statement of Community Involvement; • Integrates any involvement with the Duty to Cooperate Statement(s) of Common Ground; and • Is proportionate to the scale of issues involved in the local plan policies update.	P&CPA NPPF	Yes	The I&O You Said We Did Feedback Report available at details the consultation process which complied with the council's adopted SCI: www.chelmsford.gov.uk/lp-review Chelmsford Policy Board held in March 2024 Item 5 presents available at Chelmsford Policy Board (March 2024) includes details about the proposed PO consultation. The same consultation approach will be followed for the PO Local Plan consultation and reported in a feedback report after the consultation.

	L/ PM	Key questions	Source	Y/N	Documents demonstrating compliance
37.	L	Have you prepared a draft of your Consultation Statement (a "proposed submission document") that includes a record of: The individuals or bodies invited to make representations; How this was done; The main issues raised; and In preparation of Stage E (and to be completed in Stage E as outline below) how the main issues have been addressed in the local plan policies update.	P&CPA T&CPA NPPF	Yes	The I&O You Said We Did Feedback Report available at www.chelmsford.gov.uk/lp-review details the consultation process including who was consulted and how, the main issues raised in the comments and how these have informed the PO Local Plan.
38.	L / PM	Have you consulted on the following emerging documents alongside your first draft plan so that they can be reviewed against representations and policy options and alternatives as they are developed? • Sustainability Appraisal; and • Habitats Regulations Screening Assessment (or Habitats Regulations	P&CPA The Environmental Assessment of Plans and Programmes Regulations 2004 (as amended) The Conservation of	Yes	CCC is undertaking an IIA which incorporates Sustainability Appraisal (SA) and Habitats Regulations Assessment (HRA). All IIA documents prepared to date are available at: www.chelmsford.gov.uk/lp-review . This includes the Scoping IIA, Issues and Options and Preferred Options IIA.

L/ PM	Key questions	Source	Y/N	Documents demonstrating compliance
	Assessment if one has been developed at this stage).	Habitats and Species Regulations 2017 (as amended) The European Directive 2001/42/EC The European Directive 92/43/EEC NPPF		
	Stage E: Developing the submission version of the policies update			TO BE COMPLETED AT PRE-SUBMISSION PLAN MAKING STAGE
	Stage F: Independent examination and adoption			TO BE COMPLETED AT SUBMISSION PLAN MAKING STAGE
	Getting ready for submission to PINS			TO BE COMPLETED AT SUBMISSION PLAN MAKING STAGE
	Submission to PINS			TO BE COMPLETED AT SUBMISSION PLAN MAKING STAGE