HS055

Planning Consultants

Examination of the Chelmsford Local Plan

Hearing Statement prepared by DP9 Ltd on behalf of Hill Residential Ltd

21 October 2026

Local Plan Examination – Matter 6

Consultation PID Number 1380329 | Client Consultation PID Number 1380330

1. Introduction

1.1 This Hearing Statement has been prepared by DP9 Ltd on behalf of Hill Residential Ltd ("Hill") in response to the Examination of the Chelmsford Local Plan 2022 – 2041.

1.2 Representations have previously been submitted to Chelmsford City Council ("CCC") as part of the Regulation 19 Consultation on the draft Local Plan, which was consulted upon between 4 February and 18 March 2025. Hill is now preparing representations in relation to the Inspector's Matters, Issues and Questions ("MIQ") regarding the soundness of the Chelmsford Local Plan 2022 – 2041.

1.3 This statement specifically focuses on addressing Matter 6, which relates to Site Selection. It has been prepared specifically in relation to Land North South East And West Of Pontlands Park Hotel West Hanningfield Road Great Baddow Chelmsford, which was considered under the Strategic Housing and Employment Land Availability Assessment ("SHELAA") of 2024 and 2026. It is noted that the majority of questions in the MIQs relating to Matter 6 are site-specific to other proposed allocations; these representations do not look to respond to those site-specific queries.

1.4 This Hearing Statement looks to reinforce the points made in the previously submitted representations, and seeks modifications to ensure the policies are effective, robust, justified, and consistent with national policy.

1.5 Representations relating to Matter 3 are provided under separate cover.

2. Q1: What was the Council's approach to site assessment and selection? What was the process and what factors were taken into account? What evidence is the Council relying on?

2.1 Response: The Council's overarching strategy is based on first making use of previously developed land within the Chelmsford Urban Area and then allocating land for development in Sustainable Urban Extensions, two new garden communities, and then the expansion of existing established employment sites. The approach is underpinned by the settlement hierarchy, which identifies Chelmsford and South Woodham Ferrers as the town/cities which sit at the top of the hierarchy, followed by Key Service Settlements, Service Settlements, and Small Settlements. Hill is supportive of focusing development in the most sustainable locations and agree with paragraph 6.25 which states that most development is subsequently proposed "*in and around these settlements".*

2.2 It is acknowledged that the draft Local Plan is being examined under the transitional arrangements applying the 2023 NPPF. However, national planning policy has evolved considerably since its preparation, particularly in relation to Green Belt development. Whilst these changes do not automatically render the emerging Plan unsound, they highlight the importance of ensuring that the spatial strategy is sufficiently justified, effective and flexible to respond to housing needs throughout the Plan period. There is also a clear risk that development management policies which are materially inconsistent with the latest national policy may attract limited weight following adoption, potentially undermining the effectiveness and longevity of the Plan.

2.3 The Council's site selection process is informed by the spatial strategy set out in Strategic Policy S1, which prioritises development outside the Green Belt. Whilst this approach is recognised, Hill is concerned that the Council's assessment does not sufficiently demonstrate that potentially sustainable development opportunities within the Green Belt have been appropriately considered as reasonable alternatives. This is particularly relevant given the significant reliance placed on a limited number of longstanding strategic allocations to meet the identified housing requirement, as addressed in Hill's Matter 3 representations.

2.4 The subsequent evolution of national Green Belt policy, including the introduction of Grey Belt provisions and additional circumstances in which development may not be inappropriate, further highlights the potential for sustainable residential development opportunities within the Green Belt. Whilst these provisions are not directly applicable to the current examination, they illustrate the importance of ensuring that the spatial strategy does not unnecessarily constrain the consideration of suitable alternative sites, particularly where these could contribute towards meeting identified housing needs.

2.5 In recognition of the need to consider other appropriate locations for growth, Hill previously submitted representations in relation to Land North South East and West of Pontlands Park Hotel, West Hanningfield Road, Great Baddow, Chelmsford. The site was considered as part

of the 2024 SHELAA and again in 2026 but contrary to the conclusions Hill's previous representations, CCC continue to find that the site is unsuitable for development.

2.6 The Site benefits from being in close proximity to a number of local services and facilities, including an existing employment area some 100m west of the site, and a neighbourhood centre approximately 540m north west. A second larger neighbourhood centre is located approximately 715m north west. These centres provide convenient access to a range of facilities, with retail provision, education and healthcare opportunities, and leisure and recreation facilities within a short distance of the site. Pedestrian access also exists to the west off West Hanningfield Road roundabout, serving a Public Right of Way on footpath 64. The 2026 SHELAA acknowledges that the site performs generally well from a sustainability and accessibility perspective. The 2026 SHELAA continues to identify flood risk, neighbouring constraints and Green Belt classification as the three principal constraints affecting the suitability of the Site. Hill considers that insufficient justification has been provided for the weight attributed to these constraints, particularly given the Site's otherwise favourable performance in sustainability and accessibility terms. Specifically:

- Flood risk: Whilst flood risk is acknowledged as a constraint, Hill considers that opportunities exist to accommodate development through appropriate site layout, design and mitigation. The presence of flood risk does not necessarily preclude development across the entirety of the Site.

- Neighbouring constraints: The nature and extent of these constraints remain unclear. Without further explanation of the specific constraints identified and their implications for development, it is difficult to establish whether the assessment and resulting score are justified.

- Green Belt: The Site has received the lowest assessment score by virtue of its Green Belt designation. Whilst Green Belt status is an important policy consideration, Hill questions whether the assessment adequately distinguishes between the policy constraints associated with designation and the Site's individual characteristics and potential suitability for development.

2.7 Hill therefore considers that the SHELAA assessment does not provide sufficient justification for excluding the Site from further consideration. In particular, the Council has not adequately demonstrated why the identified constraints should preclude development, rather than being matters capable of being addressed through appropriate design and mitigation. Given the Site's favourable performance in sustainability and accessibility terms, its rejection raises questions regarding whether the site selection process has appropriately considered reasonable alternatives and whether the resulting spatial strategy is sufficiently justified and effective.

2.8 Of relevance, NPPF Policy GB7 states:

The following categories of development are not inappropriate in the Green Belt, and therefore should not be regarded as harmful to the Green Belt or be required to demonstrate very special circumstances:

g. Development where all of the following apply:

i. The development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan;

ii. There is an evidenced unmet need for the type of development proposed;

iii. The development would be in a sustainable location, with particular reference to policy TR3 of this Framework; and

iv. In the case of major development involving the provision of housing, the development proposed complies with policy GB8.

2.9 The previous Hill representations demonstrate how, when assessing the site against the new Green Belt policies, the site can be considered an appropriate location for development. This is on the basis that the site can be considered Grey Belt development, a term which is not even referred to in the draft Local Plan, as it does not contribute strongly to Green Belt purposes A, B or D. In relation to each:

Purpose (a) to check the unrestricted sprawl of large built-up areas

2.10 The PPG defines sprawl as "*if developed, result in an incongruous pattern of development (such as an extended "finger" of development into the Green Belt)*". It states that "*physical feature(s) in reasonable proximity that could restrict and contain development*" or a site which is "*partially enclosed by existing development, such that new development would not result in an incongruous pattern of development*" are characteristics of land that does not strongly contribute to this purpose.

2.11 This site sits at the edge of an existing settlement that is considered to be within Chelmsford Urban Area. The Essex Yeoman Way is located to the west of the Site and existing development is located further south on West Hanningfield Road. Any development of the site would therefore be contained within this urban context and would not create an 'incongruous pattern of development'. The watercourse to the south also provides an opportunity to provide a strong, landscaped defensible boundary which can be designed into any future masterplan. It would result in a contained natural extension that allows the existing settlement to extend to the main road. The site therefore does not strongly contribute to this purpose.

Purpose (b) to prevent neighbouring towns merging into one another

2.12 The PPG states that this purpose relates to the merging of towns, not villages. It states that sites which strongly contribute to this purpose will likely form a substantial part of a gap between towns and would result in a loss of visual separation between the towns.

2.13 The site is located within Chelmsford Urban Area. The nearest large settlement to the east is Danbury which is over 4 kilometres away. This site clearly does not strongly contribute to preventing these settlements from merging. The Site therefore does not strongly contribute to this purpose.

Purpose (d) to preserve the setting and special character of historic towns

2.14 This is not applicable as the site does not preserve the setting of a historic town.

2.15 The proposals would also not otherwise undermine the purposes taken together of the remaining Green Belt across the plan area, and there is a clear evidenced unmet need for housing across the local authority area. The SHELAA confirms that the site is sustainably located, and a scheme could be developed to ensure the Golden Rules can be met.

2.16 For the reasons set out above, Hill considers that the Site does not strongly contribute to Green Belt purposes (a), (b) or (d) and therefore has the potential to meet the definition of Grey Belt land under the 2026 NPPF. The Site's sustainable location and relationship with the existing settlement further support its potential suitability for residential development. Whilst the 2026 NPPF provisions are not directly applicable to the current examination, they demonstrate that the Site could represent an appropriate development opportunity under the latest national policy framework, reinforcing the importance of ensuring that its exclusion from the spatial strategy is adequately justified.

2.17 In conclusion, Hill considers that insufficient justification has been provided for the exclusion of the Site from the proposed spatial strategy, particularly given its favourable performance in sustainability and accessibility terms and the potential for identified constraints to be addressed through appropriate design and mitigation. Whilst the Plan is being examined under the transitional arrangements applying the 2023 NPPF, the subsequent evolution of national Green Belt policy further highlights the potential suitability of sites such as this for residential development. Hill therefore considers that the Council's approach to site selection raises questions regarding whether reasonable alternatives have been adequately assessed and whether the resulting spatial strategy is justified, effective and sufficiently flexible to respond to housing delivery challenges over the Plan period.