HS034

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 3

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. This statement specifically focuses on addressing Matter 3, which relates to Strategic Priorities, Development Requirements and Spatial Principles.

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

1.4 Representations relating to Matter 6 are provided under separate cover.

2. Issue 1: Whether the Plan will be effective in addressing the Strategic Priorities for the climate, growth and place.

2.1 Q1: *Do the Strategic Priorities (climate; growth; and place) provide a sound basis on which to underpin the strategic policies in the Plan in order to deliver its vision?*

2.2 Q2: *The Plan period is 2022 to 2041. What is the Council's anticipated date of adoption? Would the strategic policies of the Plan look ahead over a minimum of 15 years from*

adoption as required paragraph 22 of the National Planning Policy Framework (the Framework)? Is the approach justified, effective and consistent with national policy?

2.3 Response: The Strategic Priorities remain broadly as set out in the Regulation 19 version of the draft Local Plan, save for some minor amendments to wording set out in the Main Modifications ("MM"). Hill is supportive of the general priorities and principles of them underpinning policies, with the exception of Principle E as discussed in greater detail below, but remain of the view that the Local Plan policies need to be robust in order to ensure these wider objectives are met.

3. Issue 2: Spatial Principles (Strategic Policy S1)

3.1 Q1: *Does the policy provide the right approach to the distribution of development?*

3.2 Q2: *Does it provide a clear set of spatial principles that are in accordance with national policy including in relation to the Green Belt?*

3.3 Q3: *Is the Policy sufficiently robust to secure the objective of developing previously developed land?*

3.4 Q4: *Does it provide flexibility to achieve sustainable development through a range of site types and sizes?*

3.5 Q5: *Is the Policy approach effective and justified in addressing speculative development proposals?*

3.6 Q6: *Will the policy be effective in meeting the needs of Chelmsford and accommodating unmet need from neighbouring authorities?*

3.7 Q7: *Will the Policy be effective in addressing any identified additional housing needs?*

3.8 Response: As set out in previous representations, Hill agrees with the overall 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 further agrees that development should be focused at the most sustainable locations, which in growth terms, are the most suitable, logical, and practical areas to consider.

3.9 The Local Plan continues to identify that most new development will come forward on land "in and around these settlements", another point supported by Hill as it demonstrates the recognition that there is a need to consider land beyond the established settlement boundaries in order to achieve the local housing need targets.

3.10 The Spatial Strategy outlined in Policy S1 sets a number of spatial strategies which should encourage such development to come forward, however, the detailed Local Plan policies will need to be robust to ensure that these wider objectives can be met.

3.11 Critically for this assessment, it is necessary to note that the draft Local Plan has been prepared pursuant to the 2023 version of the NPPF, which has been superseded twice by a version published in December 2024, and a new version published in August 2026.

3.12 Whilst the Plan is appropriately being examined under the transitional arrangements, there is a risk that key development management policies may attract reduced or limited weight immediately following adoption where they are materially inconsistent with the latest national policy. This will undermine the local decision making process. This raises significant questions and concerns regarding the effectiveness and longevity of the Plan. Whilst the transitional arrangements for plan-making are acknowledged, development plan policies are not positively prepared and effective if they conflict with the intent of the latest national policy and therefore immediately attract limited weight.

3.13 It is therefore necessary to understand how the proposed development management policies have been drafted, and whether, despite not being consistent with the 2026 version of the NPPF, they can still be considered sound.

3.14 Specifically in relation to Green Belt policy, the proposed draft policies do not align with NPPF Policy GB7. Strategic Policy S1 requires new development to protect the Green Belt from inappropriate development (Principle B), and directs development towards locations outside the Green Belt (Principle E). Whilst Hill recognizes that the Local Plan is being examined under the transitional arrangements of the 2023 NPPF, concern remains regarding the flexibility and effectiveness of this approach, particularly given the significant reliance on relatively limited number of large strategic allocations to meet housing requirements. Draft Green Belt Policy DM6 identifies a number of exceptions where development may be considered appropriate in the Green Belt, however this list is much more limited and not consistent with the exceptions set out in the NPPF.

3.15 The national policy context has evolved considerably since the preparation of the Plan, most recently through the introduction of the 2026 NPPF. Whilst these changes do not automatically render the emerging policies unsound, they are relevant to understanding how the Plan may operate following adoption. In particular, the 2026 NPPF provides greater opportunities for certain forms of development within the Green Belt, including residential and mixed-use development in sustainable locations under Policy GB7(h), subject to the relevant criteria being satisfied.

3.16 The concern is therefore not simply that the emerging Local Plan differs from the latest national policy, but that its restrictive approach to Green Belt development may limit the ability to respond effectively to housing delivery challenges (which are considered to be very likely given the reliance on a small number of historic site allocations that have demonstrated limited progress in recent years). Where development management policies are materially inconsistent with national policy at the point of decision-making, they will attract reduced weight. This could undermine the effectiveness and longevity of the adopted Plan, particularly

if the Council's reliance on existing strategic allocations fails to deliver the anticipated housing supply.

3.17 This concern is illustrated by the Secretary of State's July 2025 appeal decision in Buckinghamshire (Ref: APP/N0410/W/24/3347353), which found that adopted Green Belt policies were out-of-date where they were inconsistent with the national policy position. Whilst the circumstances of that decision differ from the present Local Plan examination, it demonstrates the potential implications of maintaining development management policies which do not adequately reflect changes in national policy. This undermines the effectiveness of the decision-making process. Instead, an up-to-date Plan with a robust and evidenced housing supply and a set of local policies consistent with national policy would ensure the decision-making process is clear, transparent and effective.

3.18 Hill therefore considers that greater flexibility should be incorporated into Strategic Policy S1 and Policy DM6 to ensure that the spatial strategy remains effective throughout the Plan period. In particular, the policies should not unnecessarily preclude consideration of sustainable development opportunities within the Green Belt where these may be acceptable under national policy. This is especially important given the concerns identified below regarding the deliverability of existing allocations and the Council's ability to maintain an adequate supply of housing.

3.19 In terms of addressing need, Hill has previously raised concerns regarding the robustness and deliverability of the growth strategy, particularly its significant reliance on existing Local Plan allocations. The limited progress made in delivering a number of these longstanding allocations raises serious questions regarding the realism of the Council's housing trajectory and whether sufficient flexibility has been incorporated into the Plan to respond to past and potential future under-delivery. Specific concerns include:

- 3,013 new homes in Chelmsford Urban Area, a figure which reduced to 2,772 in the Regulation 19 Additional Sites Consultation. It is not clear why these adopted site allocations, that have been identified since at least 2020, have failed to come forward to date. Without further robust evidence, there is risk and uncertainty that these sites will now come forward for residential homes as part of the Local Plan housing supply.

- 5,569 new homes in North East Chelmsford, a figure which increased to 5,579 in the same consultation. This site allocation has been identified in the last two versions of the Local Plan and planning consent has been secured for 10,600 homes. Clarity in relation to the past and proposed build out rate is essential (supported by robust evidence) given the reliance placed on this site by the Local Plan in terms of housing supply; and

- 3,000 new homes in Hammonds Farm. Again, it is not clear, nor has it been evidenced, how this site capacity has been established, and there are several site constraints which will impact on the design and ultimate capacity of the scheme. Notably, it contains a Grade II listed building within the site, overlaps a conservation area, and up to 50% of the site is understood to be within Flood Zone 3. It is also worth acknowledging that this site will require a significant level of infrastructure being delivered, including in relation to education, and upgrades to the A12. It is therefore

crucial to understand how these figures have been established and further robust evidence is needed given the reliance placed on this site in the draft Local Plan.

3.20 In their representations to the Inspector's MIQs, CCC have identified three specific sites which are relied upon in the draft Local Plan but have stalled. These include Strategic Growth Site 1w (Meadows Shipping Centre and Surface Car Park), Strategic Growth Site 3c (Land south of Maldon Road), and Strategic Growth Site 3d (Land north of Maldon Road). In CCC's response, they note that "formal submission of new planning applications is anticipated imminently" but provides no evidence of this, or any indicative timeframes for these applications coming forward. These sites are expected to deliver 931 new homes, making up almost one year's worth of housing need. Uncertainty of their deliverability further raises concerns about the reliance on historic site allocations in the housing land supply.

3.21 Notwithstanding this, the table below shows that while the number of completions has increased since the Regulation 19 version of the Plan, so has the reliance on existing Local Plan allocations, which makes up nearly 50% of the total housing supply. The concern remains that in a scenario where historic allocations fail to come forward, the housing supply is immediately compromised. This further adds to the above point about the approach to development in the Green Belt, as there will be clear development opportunities which are missed by virtue of the outdated approach to Green Belt land. The concern remains that there has not been any meaningful review of the sites being relied upon, and no significant review of alternative sites has been properly considered. There is a risk that a large portion of the housing land supply will be undermined in the scenario where just a few of these sites do not come forward.

Housing Supply 2022/23 – 2040/41	Reg 19 Plan	Main Modifications
Completions 2022/23 – 2025/26	1,837	3,057
Sites with planning permission	3,016	2,259
Existing Local Plan allocations	11,867	11,953
New Local Plan Review allocations	4,233	5,427
Windfall allowance	2,373	2,218
Total supply	23,326	24,914

3.22 The cumulative reliance on a relatively limited number of substantial and longstanding allocations, without sufficient evidence of realistic delivery trajectories or alternative provision, raises fundamental questions regarding whether the spatial strategy is justified and

effective. Greater flexibility, including consideration of additional sustainable sites, is necessary to ensure the Plan is sufficiently resilient.

4. Issue 3 – Whether the Plan makes adequate provision for housing (Strategic Policy S6)

4.1 *The Council has set out in its answer to our Initial question on housing need, the reasons it has used to justify the housing requirement figure of 1,210 dwellings per annum (dpa). That justification is, in part, based around the transitional arrangements in the Framework. In February 2022, the Council declared a housing crisis in Chelmsford.*

4.2 Q1: *Is the housing requirement of 1,210 dpa justified, evidence-based and consistent with national policy?*

4.3 Q2: *Do the potential implications of using the higher Standard Method figure justify the lower figure in Policy S6?*

4.4 Q3*: Are there any risks to the delivery of housing as a result of the supply buffer?*

4.5 Q4*: Are there particular constraints to identifying additional sites within the Plan period in the event of housing and employment development not coming forward as envisaged?*

4.6 Q5*: Is the Plan consistent with national policy in relation to housing developments on sites no larger than one hectare?*

4.7 Q6*: Is there robust evidence to demonstrate that unmet need from neighbouring authorities cannot be accommodated in Chelmsford? What discussions have taken place with neighbouring authorities?*

4.8 Q7: *Does the Plan provide a robust approach to the provision of sites for Gypsies and Travellers and Travelling Showpeople in accordance with national policy?*

4.9 Response: Hill's concerns regarding the Council's reliance on the transitional arrangements have been set out in previous representations. Whilst it is acknowledged that the transitional arrangements technically allow the Plan to be examined against an earlier version of the NPPF, this does not remove the need for the Council to demonstrate that its proposed housing requirement is justified and represents an appropriate response to identified housing needs. Chelmsford declared a housing crisis in February 2022, yet the proposed requirement of 1,210 dwellings per annum (dpa) falls significantly below the identified Standard Method figure of 1,433 dpa, meeting only 84% of that need. Given the scale of the identified housing need, Hill considers that greater justification is required for the Council's decision to pursue a lower housing requirement, particularly where additional sustainable development opportunities may be available.

4.10 The Council's response to the Inspector's MIQs confirms that a higher growth option of 1,406 dpa was tested through the Integrated Impact Assessment. The May 2026 Housing Topic Paper indicates that this option was considered less favourable due to resource consumption, uncertainty, delays and costs associated with additional allocations, and the potential for "oversupply". However, it is unclear how a requirement of 1,406 dpa, which remains below the identified Standard Method figure of 1,433 dpa, can reasonably be characterised as oversupply in the context of identified housing need and past housing delivery performance. Furthermore, concerns regarding the potential delivery challenges associated with additional allocations must be considered alongside the significant reliance placed on existing strategic allocations, several of which have experienced delays. Hill therefore questions whether the Council has sufficiently justified its rejection of the higher growth option and demonstrated that the proposed housing requirement represents an appropriately ambitious and effective response to identified housing needs.

4.11 For the reasons set out above, Hill maintains significant concerns regarding the justification, effectiveness and resilience of the proposed spatial strategy. In particular, the housing requirement falls materially below the identified Standard Method figure, whilst the Plan places considerable reliance on a limited number of longstanding strategic allocations, several of which have experienced delays in coming forward. These concerns are compounded by the evolution of national planning policy, particularly in relation to Green Belt development, which raises questions regarding the continued effectiveness and weight of certain development management policies following adoption.

4.12 Taken together, these matters call into question whether the Plan provides a sufficiently robust and flexible framework to meet housing needs over the Plan period. Should the Inspectors nevertheless conclude that the Plan can be found sound, Hill considers that a commitment to an early review should be secured through an appropriate Main Modification. Such a review should specifically reconsider the housing requirement, the deliverability and resilience of the housing supply strategy, and the approach to Green Belt development in light of the latest national policy, to ensure that the Plan remains effective and responsive to identified housing needs.

5. Issue 4 – The Spatial Strategy (Strategic Policy S7)

5.1 The overriding strategy in the Plan is to first make use of previously developed land within Chelmsford Urban Area and then to allocate land for development in:

- *a. Sustainable Urban Extensions (SUEs)*
- *b. two new garden communities, underpinned by Garden City Principles*
- *c. expansion of existing established employment sites*

5.2 Q1: *Is this approach justified, soundly based and consistent with national policy?*

5.3 Q2: *Given the Plan's reliance on meeting development needs in the SUEs and new garden communities and taking into account their scale, is there sufficient flexibility and resilience built*

into the Plan to deliver the housing growth envisaged, in the event of any underperformance of these allocations?

5.4 Q3: *What alternative approaches were tested in the preparation of the Plan?*

5.5 Response: The approach to prioritise previously developed land is not challenged in principle. However, as outlined above, the proposed spatial strategy places significant reliance on a relatively limited number of large, longstanding allocations, several of which have experienced delays in coming forward. This raises concerns regarding the robustness of the housing trajectory and whether sufficient flexibility exists within the Plan to respond to potential under-delivery.

5.6 These concerns are compounded by the restrictive approach to Green Belt development within the proposed spatial strategy, which limits the consideration of alternative sustainable development opportunities. Whilst it is acknowledged that the Plan is being examined under the transitional arrangements of the 2023 NPPF, the subsequent evolution of national Green Belt policy highlights the importance of ensuring that the Plan remains sufficiently flexible and effective throughout its lifetime. Given the Council's acknowledged housing crisis and the identified shortfall against the higher Standard Method figure, Hill considers that greater consideration should be given to additional sustainable development opportunities, including appropriate Green Belt locations. Modifications to the spatial strategy are therefore necessary to ensure that it is sufficiently justified, effective and resilient to respond to housing delivery challenges over the Plan period.

6. The Spatial Strategy (Strategic Policy S8)

6.1 Q1*: Does the Plan provide sufficient flexibility to respond to changes to future logistics and economic growth?*

6.2 Q2*: Is the evidence underpinning the employment requirement justified and consistent with national policy?*

6.3 Response: Hill's interests are predominantly residential and so no comment is provided on these matters.