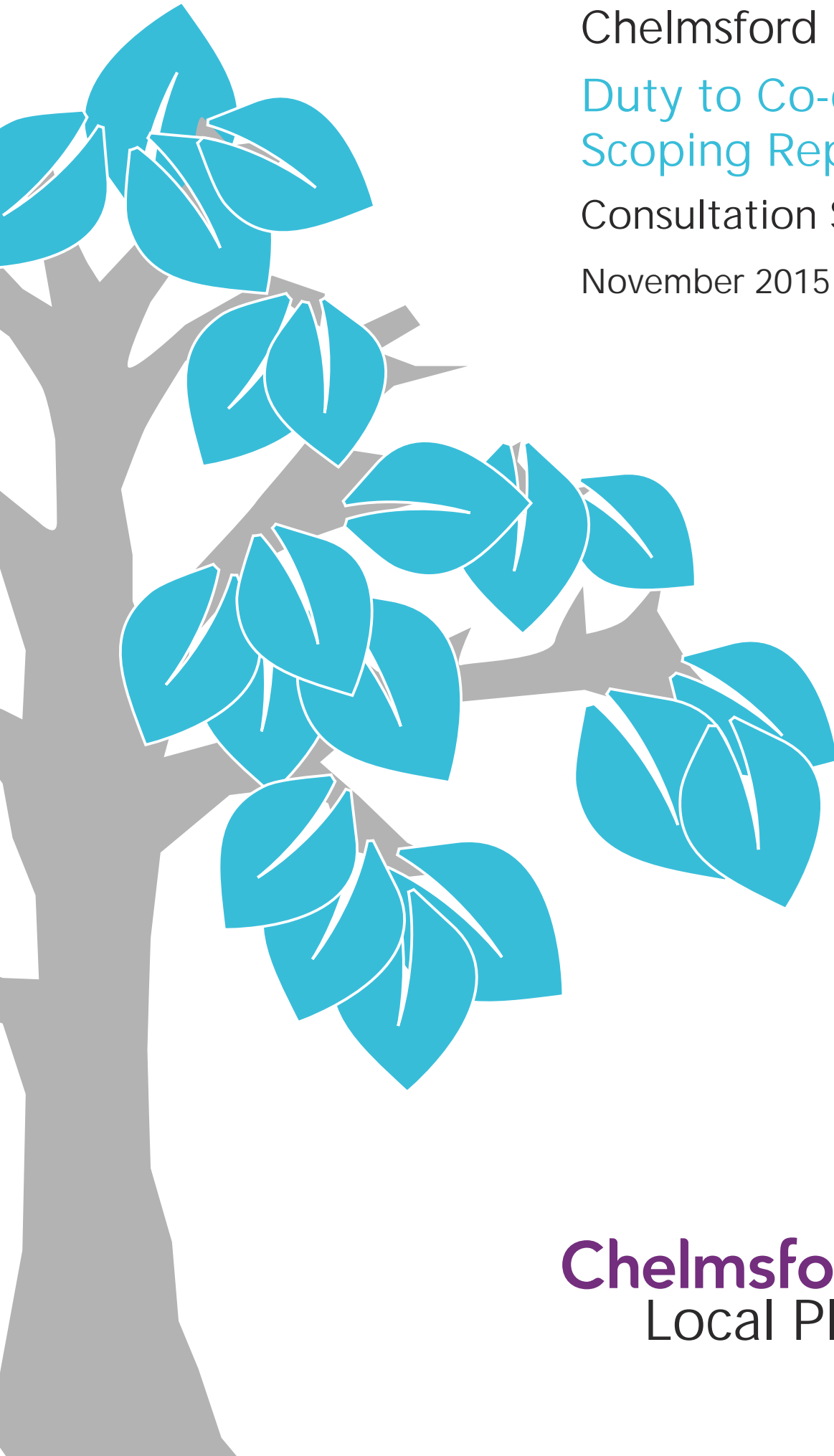


Chelmsford Local Plan

Duty to Co-operate  
Scoping Report

Consultation Statement

November 2015





## **Duty to Co-operate Scoping Report Consultation Statement**

### **Introduction**

This statement contains details of the representations submitted to the Duty to Co-operate Scoping Report published for consultation with those public bodies that are subject to the legal duty. This includes neighbouring planning authorities, Highways England, Natural England and the Local Enterprise Partnership. The consultation ran from 9 July to 21 August 2015 and posed 15 questions.

### **Summary of Responses**

In total, 22 different bodies and organisations responded to the consultation. A summary of the main issues raised in the representations and how these will be taken forward through the preparation of the new Local Plan is set out below. The full representations are available to view on the City Council's consultation portal at <http://consult.chelmsford.gov.uk/portal>.

<b>Question 1 - Do you agree that the correct cross-boundary strategic matters have been identified?</b>
--

- Most of the responses to this question agree that the correct cross-boundary matters have been identified correctly.
- Two argue for slight changes: not appropriate weight or prominence given to further and higher (Writtle College) and green infrastructure should be seen as a strategic matter (Natural England).
- Essex County Council (ECC) suggest a number of wider South East issues could include: demographic pressures and housing need, supply and delivery; supporting and accommodating economic growth: strategic transport infrastructure (commuter patterns, transport modes, orbital/radial routes, freight; environment (water, energy, waste, minerals, Green Belt, AONB) and public services (health, skills/training).
- Essex Wildlife Trust considers that Natural Environment and Landscape must be considered as a cross-boundary strategic matter.

#### How these comments will be taken forward?

The Council note the additional suggested cross boundary matters proposed during the scoping consultation and will keep these under review as the plan progresses. The Council will continue to consult with duty bodies at each stage of the plan making process and will hold meetings to discuss cross boundary issues in more detail and/or commissioned new evidence, as and when required.

The Issues and Options consultation on the new Local Plan will consider a range of issues and including provision for green infrastructure, protection of the natural environment, further and higher education provision and strategic transport infrastructure. The Issues and Options Local Plan will also identify the sub-regional role that Chelmsford plays.

Officers will continue to engage with relevant stakeholders including Essex County Council and Writtle College to discuss their needs, priorities and issues during the Local Plan preparation.

**Question 2 - Do you agree that the Council has identified the correct relevant authorities and bodies to co-operate with on each strategic matter?**

- Many of the responses to this question agree that the correct authorities and bodies have been co-operated with.
- Three responses state that further bodies or organisations should be consulted: Essex Wildlife Trust suggest that the Local Records Centre need to be included; Mid Essex CCG suggest that the NHS Commissioning Board and adjoining Clinical Commissioning Groups should be included
- Some respondents identify cross boundary matters they would like to be consulted on e.g. as Writtle College on strategic employment matters and Historic England on cross boundary discussions on the historic landscape.

How these comments will be taken forward?

The Council's Local Plan consultation database has been expanded to include the organisations suggested above. The Council notes the matters which particular duty bodies would welcome discussions on. The Council will engage and meet with relevant authorities as appropriate throughout the Local Plan process. It will continue to informally consult with relevant partners on draft documents and emerging evidence to ensure that any issues can be discussed and resolved as soon as possible.

**Question 3 - Do you agree with the proposed co-operation methods for considering/addressing strategic matters?**

- Most responses to this question agree that the co-operation methods were sufficient.
- Harlow District Council suggests that non-adjoining local authorities across Essex should also be updated on key issues such as transport, housing and education which may have a county wide impact e.g. through briefings, sharing of evidence and research methodologies.
- Essex County Council identifies opportunities for future joint working through new partnerships (e.g. an A12 Improvement Officer Steering Group and Strategic Transport Boards) and through an emerging Minerals Local Plan Screening Process.

How these comments will be taken forward?

The Council's Local Plan consultation database includes a number of non-adjoining Local Planning Authorities including Havering, Harlow and Colchester Councils. Officers will continue to engage with Councils through formal Local Plan consultations, preparation of joint evidence and participation in joint partnerships such as the Essex Planning Officers Society (EPOA) and the Co-operation for Sustainable Development Group. The Council's Duty to Co-operate Strategy

outlines how the authority will participate in and/or convene joint meetings with relevant authorities as required.

**Question 4 - Do you have any suggestions for how the Council could encourage co-operation on cross-boundary strategic matters?**

- Most responses to this question state that the Council is acting sufficiently in this area.
- Five responses all make suggestions for how the Council could encourage co-operation.
- Essex Wildlife Trust - Consider working with Local Environmental Records Centre at a regional scale.
- Mid Essex CCG - Work with the Mid Essex CCG on applying to be part of the NHS England Healthy Towns Vanguard programme.
- Harlow District Council - Share information better and quicker.
- Marine Management Organisation (MMO) - The MMO Implementation Officer would like to set up a meeting to support the integration of marine plans into the Council plan.
- Historic England - Early engagement and sharing of information.

How these comments will be taken forward?

The Council's Duty to Co-operate Strategy outlines how the authority will actively engage with other public bodies on strategic matters, which impact on the City and neighbouring areas.

Officers note that the Essex Wildlife Trust Local Environmental Records Centre can provide evidence on conservation and land management. This service is chargeable. Although considered by the Council, the deadline for the NHS England Healthy Towns Vanguard programme has now expired. Officers have had a Duty to Co-operate meeting with the Marine Management Organisation. Officers will continue to engage with key partners including Historic England and Harlow Council during the preparation of the emerging Local Plan – see 'How these comments will be taken forward?' under Question 3.

**Question 5 - Has the City Council identified the strategic cross boundary housing and Traveller matters, the correct bodies for engagement and are the proposed methods for co-operation the most appropriate?**

- Half of the responses to this question agree that the Council has identified all relevant strategic matters whereas the others all comment that more should be done.
- Basildon Borough Council, Brentwood Borough Council, Castle Point Borough Council, Rochford District Council and Thurrock Council all suggest that Chelmsford City Council may need to consider meeting sub-regional housing needs if other authorities cannot meet this need in their own districts.
- Chelmsford is asked by Castle Point Borough Council to consider meeting some of its housing need to the south of its area
- Essex County Council suggests that the provision of Independent Living housing across Essex is a potential County strategic matter

- Writtle College state additional strategic matters include planning for further and higher student accommodation.
- Basildon and Essex also mention the potential need to increase Gypsy and Traveller sites across the County. Basildon suggests that Chelmsford could be approached by neighbouring authorities to assist with their unmet Traveller need.

#### How these comments will be taken forward?

The Issues and Options Local Plan will set out how the Council will plan positively for new homes and note that a study is underway to identify the need for certain types of housing which includes the needs of different groups including family housing, housing for older people, housing for households with specific needs, student housing and housing for people wishing to build their own homes. The results of this study will inform the next stage of preparation of the new Local Plan.

An Objectively Assessed Housing Study identifies that Chelmsford shares a housing market area (HMA) with Braintree, Colchester and Tendring. This authority will continue to engage with Council's in its HMA to seek to meet the full objectively assessed needs for market and affordable housing. There is no evidence to suggest that Chelmsford falls within more than one HMA. The Council has a duty to consider meeting the unmet requirement from neighbouring authorities, where it is reasonable to do so and consistent with achieving sustainable development. The Council has not been presented with evidence that Castle Point Borough Council or other nearby Districts/Boroughs cannot meet its own housing requirements or that it shares a HMA with Chelmsford.

The Council's housing targets will continue to be tested taking into account the evidence and consultation responses and the final targets will be contained within the next stage of the consultation or the Preferred Options.

This authority will continue to engage with key stakeholders on any cross boundary housing and Traveller matters as its Local Plan progresses. This is likely to include the joint commissioning of new evidence on Traveller needs across the County and further discussions with neighbours regarding potential transit sites.

<p><b>Question 6 - Has the City Council identified the strategic cross boundary employment matters, the correct bodies for engagement and are the proposed methods for co-operation the most appropriate?</b></p>
---

- Most responses to this question agree that the Council has identified all of the relevant issues concerning employment.
- Thurrock Council emphasise that Chelmsford has a sub-regional role in employment and so needs to consider this when planning employment growth.
- Basildon Borough Council raises the question of whether the acceleration in job growths can be matched up with the provision of homes or whether more homes need to be planned for.

#### How these comments will be taken forward?

The emerging Local Plan will seek to plan positively for new jobs and the Issues and Options consultation will recognise the important sub-regional role Chelmsford plays.

The projected employment forecasts have been taken into account through the calculation of our Objectively Assessed Housing Need which has resulted in an uplift of 18%. The Council's jobs targets will continue to be tested taking into account the evidence and consultation responses and the final targets will be contained within the next stage of the consultation or the Preferred Options. This authority will continue to engage with key stakeholders on any cross boundary employment matters as its Local Plan progresses.

<b>Question 7 - Has the City Council identified the strategic cross boundary infrastructure matters, the correct bodies for engagement and are the proposed methods for co-operation the most appropriate?</b>
--

- Most responses to this question identify other infrastructure cross boundary matters that Chelmsford Council should consider.
- Essex County Council, Thurrock Council, Basildon Borough Council, Rochford District Council, Castle Point Borough Council and Harlow District Council all state that important transport infrastructure matters need to be considered such as improvements to the A12, A130, A127, Fairglens Junction and A414.
- The Environment Agency would like to see evidence backing up the provision of wastewater treatment plants and flood defences across the City e.g. water cycle studies, river basin management plans and catchment management abstraction strategies.
- Writtle College state that further and higher education is not important enough when considering infrastructure in the City and the need to plan for ancillary development (e.g. strategic student accommodation, employment and recreation) should be identified.

How these comments will be taken forward?

The Issues and Options Local Plan will set out the need to ensure that new development is served with necessary infrastructure including roads, education, waste water and flood defences. The Council will continue to engage with a wide range of key providers on infrastructure matters and commission new evidence as appropriate. The Council will publish traffic modelling alongside the Preferred Options Local Plan which will explore any necessary mitigations and improvements.

Chelmsford's future infrastructure requirements will continue to be tested taking into account the evidence and consultation responses and the preferred requirements will be contained within the next Local Plan consultation. This authority will continue to engage with key stakeholders on any cross boundary infrastructure matters as its Local Plan progresses.

**Question 8 - Has the City Council identified the strategic cross boundary retail matters, the correct bodies for engagement and are the proposed methods for co-operation the most appropriate?**

- Almost every response to this question agreed that the correct retail matters have been identified in the Scoping Report.
- Thurrock Council states that Chelmsford should recognise its role as a main centre for retail alongside Basildon, Southend and Lakeside.

How these comments will be taken forward?

The Issues and Options Local Plan recognises that Chelmsford is a sub-regional shopping centre as supported by the Chelmsford Retail Capacity Study 2015.

Where appropriate the authority will engage with key stakeholders on any cross boundary retail matters as its Local Plan progresses.

**Question 9 - Has the City Council identified the strategic cross boundary leisure related matters, the correct bodies for engagement and are the proposed methods for co-operation the most appropriate?**

- Several responses to this question agree that the relevant issues had been identified when considering leisure.
- Natural England stated that green infrastructure should be identified in the future and that impacts on SSSI's from potential growth in and around Chelmsford should be considered
- The Environment Agency states that the water quality status of Chelmsford's canals should be mentioned in the future.
- Sport England suggests that adjoining authorities should be considered due to the wide catchment areas of its canals, Riverside Ice and Leisure Centre and South Woodham Ferrers Leisure Centre. They also state that Active Essex and sports governing bodies should be consulted in order to develop further evidence about leisure in the area.

How these comments will be taken forward?

The Issues and Options Local Plan will set out the need to ensure that new development is served with necessary green infrastructure such as open spaces, informal recreation and sports facilities. It is also proposed to explore the expansion of Green Wedges. A new Water Cycle Study will look at water quality issues and inform the Preferred Options Local Plan. Representatives of Sports Governing bodies in Essex are consultees on the Council's Local Plan database and neighbouring authorities have been consulted on a new Open Space and Recreation Assessment.

Chelmsford's future leisure-related requirements will continue to be tested taking into account the evidence and consultation responses and the preferred requirements will be contained within the next Local Plan consultation. This authority will continue to engage with key stakeholders on any cross boundary leisure matters as its Local Plan progresses.



**Question 10 - Are there likely to be any strategic cross boundary issues related to water supply and waste water? If so, who should they be discussed with and through what means?**

- Two responses to this question agree that the relevant issues have been covered.
- Natural England suggests water supply and waste water should be a strategic matter and best considered at the early stage of plan making.
- The Environment Agency argues that environmental permitting constraints must be considered.
- Harlow District Council comments that rivers cross boundaries and so waste cannot be discounted in this regard.
- Brentwood Borough Council states that there may be cross boundary implications due to a lack of capacity in current provision of waste water treatment.

How these comments will be taken forward?

The Local Plan Issues and Options document will explain that the Council will continue to work closely with partners including the Environment Agency and Anglian Water on the provision of water supply, foul drainage and measures to reduce flood risk as the Local Plan evolves. This work will be informed by an updated Strategic Flood Risk Assessment and Water Cycle Study to support the Preferred Options.

Chelmsford's future water supply and waste water requirements will continue to be tested taking into account the evidence and consultation responses and the preferred requirements will be contained within the next Local Plan consultation. The Council will continue to engage with relevant neighbouring authorities on any water supply and waste water cross boundary matters.

**Question 11 - Are there likely to be any strategic cross boundary issues related to flooding? If so, who should they be discussed with and through what means?**

- Most responses to this question state that other bodies should be consulted concerning flooding.
- The Essex Wildlife Trust, Essex County Council, Harlow District Council, Brentwood Borough Council and The Environment Agency all state that adjoining local authorities, Essex County Council as the Lead Local Flood Authority and the Environment Agency should all be consulted.
- Essex County Council considers that surface water flooding should also be considered.

How these comments will be taken forward?

The Local Plan Issues and Options document will explain that the Council will continue to work closely with partners including the Environment Agency and Anglian Water on the provision of water supply and foul drainage and measures to

reduce flood risk as the Local Plan evolves. This work will be informed by an updated Strategic Flood Risk Assessment and Water Cycle Study to support the Preferred Options.

Chelmsford's future requirements for flood mitigation will continue to be tested taking into account the evidence and consultation responses and the preferred requirements will be contained within the next Local Plan consultation. The Council will continue to engage with relevant neighbouring authorities on any water supply and waste water cross boundary matters.

**Question 12 - Are there likely to be any strategic cross boundary issues related to the Green Belt? If so, who should they be discussed with and through what means?**

- Most responses to this question state that the Green Belt should be considered as a strategic matter which has cross boundary implications including Harlow District Council and Rochford District Council
- Thurrock Council suggests Chelmsford should consider whether there is a potential need for a Green Belt review.

How these comments will be taken forward?

Chelmsford's development needs can be accommodated without encroaching into the Green Belt and therefore no Green Belt sites will be promoted by the Council in the Issues and Options Local Plan. Furthermore, a strategic review of Chelmsford's Green Belt will therefore not be necessary.

The Council will continue to engage with relevant neighbouring authorities on any cross boundary Green Belt matters and reviews they undertake.

**Question 13 - Are there likely to be any strategic cross boundary issues related to climate change, mitigation and adaptation? If so, who should they be discussed with and through what means?**

- Two of the responses argue that there are not likely to be any strategic cross boundary issues related to climate change, mitigation and adaptation.
- The Environment Agency comments that the Strategic Flood Risk Assessment and the Essex Local Flood Risk Management Strategy should be consulted when considering climate change.
- Harlow District Council believes that a County wide dialogue is needed on this issue.

How these comments will be taken forward?

The Issues and Options Local Plan will recognise the need to plan to mitigate and adapt to climate change. An updated Strategic Flood Risk Assessment and Water Cycle Study are being prepared to inform the emerging Plan. The Council will engage with nearby planning authorities on any potential cross boundary climate change matters, for example, through the Essex Planning Officers Association.

Chelmsford's future requirements for climate change, mitigation and adaptation will be contained within the Preferred Options consultation Local Plan.

**Question 14 - Are there likely to be any strategic cross boundary issues related to the natural environment and landscape? If so, who should they be discussed with and through what means?**

- Basildon Borough Council, Castle Point Borough Council and Rochford District Council state that the environment and landscape along the A130 corridor must be considered as a cross boundary matter.
- The Essex Wildlife Trust, Natural England, The Environment Agency, Harlow District Council and Brentwood Borough Council all consider that there will be strategic cross boundary issues related to living landscapes, estuaries, water quality of rivers and green infrastructure.
- Natural England advises that there could be cross boundary strategic issues in relation to potential recreational disturbance impacts on the Crouch and Roach Estuaries Special Protection Areas (SPA) and the Essex Estuaries Special Area of Conservation (SAC).

How these comments will be taken forward?

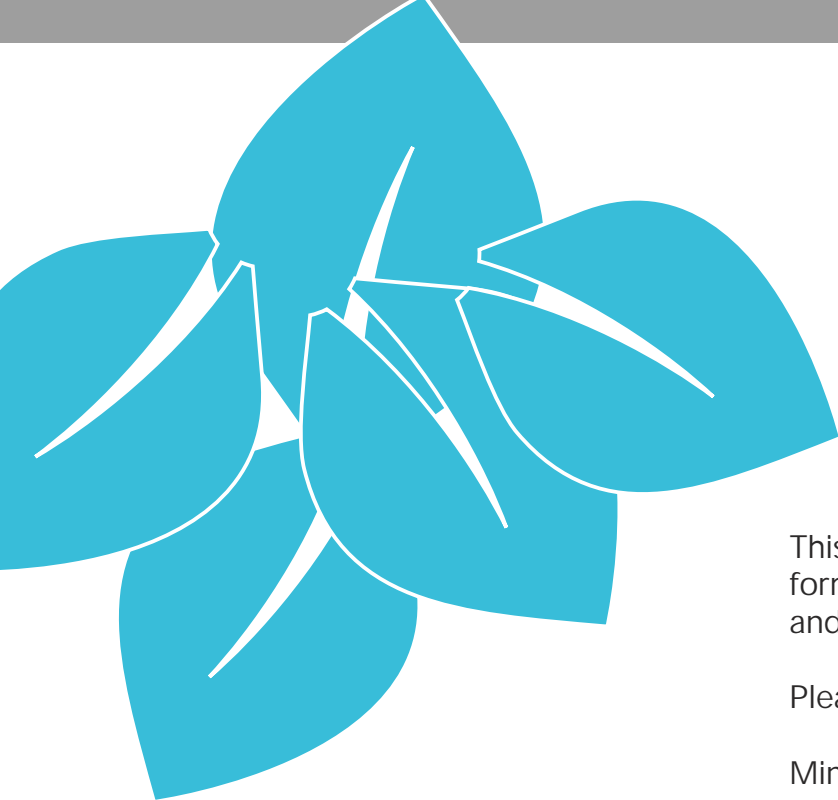
The Issues and Options Local Plan will recognise the importance of protecting and enhancing important landscapes and natural environment assets including SPAs and SSSIs. Officers will continue to engage with relevant partners including neighbouring Councils and Natural England on any strategic natural environment and landscape matters. The Council intends to undertake an additional landscape study at the more local scale to inform the Preferred Options Local Plan. The Sustainability Appraisal reports will help to identify potential in-combination impacts going forward. This authority would welcome involvement in a joint proposed A130 landscape corridor partnership.

**Question 15 - Are there likely to be any strategic cross boundary issues related to heritage? If so, who should they be discussed with and through what means?**

- Most responses to this question state there are no cross boundary issues related to heritage.
- Historic England states that heritage assets are likely to be affected by other strategic matters e.g. housing, employment and retail and could have potential cross-boundary impacts. They add that there will be a need for an adequate evidence base on the historic environment

How these comments will be taken forward?

The Issues and Options Local Plan will recognise Chelmsford's rich and diverse heritage assets and promote their conservation. The Council will continue to engage with key partners including neighbouring Councils and Historic England on any potential cross boundary heritage matters as Chelmsford's Local Plan evolves and neighbouring authorities advance their own plans.



This publication is available in alternative formats including Braille, large print, audio and other languages

Please call 01245 606330

Minicom 01245 606444

Planning Policy  
Directorate for Sustainable Communities  
Chelmsford City Council  
Civic Centre  
Duke Street  
Chelmsford  
Essex  
CM1 1JE

Telephone 01245 606330  
Fax 01245 606642  
[planning.policy@chelmsford.gov.uk](mailto:planning.policy@chelmsford.gov.uk)  
[www.chelmsford.gov.uk](http://www.chelmsford.gov.uk)

Document published by Planning Policy  
Copyright Chelmsford City Council