

MINUTES
of the
CHELMSFORD POLICY BOARD
held on 14 July 2022 at 7:00pm

Present:

Councillor I Fuller (Chair)

Councillors H Ayres, K Bentley, D Clark, N Gulliver, R Massey, G H J Pooley,

R J Poulter, A Sosin, M Steel, A Thorpe-Apps, N Walsh and T N Willis

Also present: Councillors M J Mackrory and R Moore

1. Apologies for Absence

Apologies for absence had been received from Councillors J Galley, I C Roberts and R T Whitehead. They had appointed Councillors M Steel, K Bentley and A Thorpe-Apps respectively as their substitutes. Apologies were also received from Councillor G B R Knight.

2. Declarations of Interest

Members were reminded that they must disclose any interests they knew they had in items of business on the meeting's agenda and that they must do so at this point on the agenda or as soon as they became aware of the interest. If the interest was a Disclosable Pecuniary Interest they were also obliged to notify the Monitoring Officer within 28 days of the meeting. Any declarations are recorded in the relevant minute below.

3. Minutes

The minutes of the meeting on 26 May 2022 were confirmed as a correct record.

4. Public Questions

The following questions and statements had been received from members of the public:

1. A question on whether the Council would consider removing the development sites south of Sandford Mill as part of the review of the Local Plan. The questioner pointed to the unpopularity of the developments with local residents, the ecological and leisure value of the area around Sandford Mill, the pressure further development

would place on an over-congested road network, and the possibility that further development on the floodplain would increase the risk of flooding.

The Policy Board was informed that Sandford Mill was not part of the proposals for the development of Strategic sites 3a to 3d East Chelmsford. Those sites, part of which had formerly been in the green wedge, had been allocated in the adopted Local Plan, which had been found to be acceptable by an Inspector after several rounds of public consultation and an Examination in Public. As well as allocating parts of the sites for housing and business use, a larger part had been allocated as a new country park, which would create greater access for the public for recreation and leisure use. With regard to flood risk, the Flood Risk Assessment carried out in conjunction with the Environment Agency as part of the preparation of the Local Plan had indicated that the development sites were not within a high risk flood zone. This too had been considered at the Examination.

The sites were now in the adopted Local Plan and masterplans had been approved for each. Planning applications in respect of the sites were now coming forward and the public was urged to comment on them during their consultation periods.

2. A statement about the comments made by the current Leader of the Council before the last local elections about the inclusion of the Manor Farm development sites in the draft Local Plan, references to excessive development and the need for infrastructure in advance of new developments. The member of the public expressed the view that the current Administration was now following the policies of its predecessor.

A member of the Board said that he could not speak for the Leader in response to the criticism expressed in the question but he pointed out that had the present Administration not adopted the Local Plan drafted by its predecessor it would have left Chelmsford without a means of preventing unfettered development in the City. The member questioned the accuracy of some of the comments made by the member of the public but said that the present Administration stood by its previous comments on the need not to “choke Chelmsford” and this was reflected in the Issues and Options consultation on the review of the Local Plan. The reality was that the Council did not have the power to insist that infrastructure came forward before development took place but it made every effort to negotiate with developers its timely provision.

(7.03pm to 7.15pm)

5. National Grid East Anglia Green Energy Enablement (GREEN) Project – Consultation Response

The Policy Board considered a proposed response to National Grid's GREEN project for a new high voltage network reinforcement between Norwich, Bramford and Tilbury. The proposed response was to object strongly to the proposal on the grounds that the consultation was considered to be premature and all potential options had not been fully explored and assessed. Notwithstanding the objection in principle, the response set out serious concerns about the preferred route for the high voltage network.

In response to questions from members of the Board, officers said that:

- A refreshed Networks Options Assessment had been published. It included the East Anglia GREEN project in the form of two new 400kV double circuits in East Anglia. These were considered as essential. National Grid would continue their work reviewing consultation feedback and developing their proposals.
- Pylons were tall (45-50m high) because transporting electricity on uninsulated overhead lines at high voltage required high clearance for safety reasons. Tall pylons also enabled the wires to easily straddle roads, rivers and railway lines. Such pylons were usually 350 meters apart. Two types of lower pylons were used by National Grid to mitigate for landscape effects. These were approximately 35 metres tall. They had pros and cons: whilst the lattice style pylon was bulkier, the T- pylon was harder to change direction. They also needed to be closer together to maintain ground clearance. UKPN's pylons were also smaller since they carried lower voltage.

The view was expressed during the discussion on the report that National Grid was not complying with its duty under the Electricity Act 1989 to act in an efficient, co-ordinating and economical way with regard to the desirability to preserve amenities. If the Board felt that the legislation was not sufficient to ensure that National Grid had due regard to the environment, the Council should be urging the MPs for Chelmsford to press for it to be strengthened. Officers said that in responding to the consultation the Council's role was to assess the environmental and planning impacts of the proposal. It was for National Grid to justify to the government the costing of the proposal but until officers had looked at whether the 1989 Act had any bearing on the planning aspects of the proposal they could make no further comment. The principle of writing to MPs about the issue was agreed, however. It was also agreed to send the Council's consultation response to local MPs.

The Board concluded that the suggested response reflected closely members' views on the National Grid proposal and was content to endorse it.

RESOLVED that the consultation response to National Grid's GREEN project set out in Appendix 1 to the report to the meeting be approved submitted to National Grid by mid-July, following an extension offered by National Grid to their advertised 16 June 2022 deadline.

(7.15pm to 7.37pm)

7. Review of Adopted Chelmsford Local Plan – Options and Issues Consultation

The report to the meeting presented for the Policy Board's consideration the review of the adopted Local Plan Issues and Options Document and sought approval to publish it for public consultation. Issues and Options was the first formal stage in the preparation of the review of the adopted Chelmsford Local Plan, and the first opportunity for residents, businesses, developers, and other interested parties to become involved in the review.

The report also presented the emerging key findings of the Issues and Options Consultation Integrated Impact Assessment (IIA) and the results of recent consultation on the IIA Scoping Report. The IIA brought together into a single framework four different strands of assessment - Sustainability Appraisal (SA), Strategic Environmental Assessment (SEA), Health Impact Assessment (HIA) and Equalities Impact Assessment (EqIA) - in order to assess the socio-economic and environmental effects of the Local Plan.

The IIA Scoping Report reviewed over 100 relevant national and local policies and programmes, gathered and analysed baseline information, and identified the key sustainability issues for the review of the Local Plan. This would then feed into a framework which would appraise the potential environmental, social, economic and health performance of the Local Plan and any reasonable alternatives, helping to ensure it contributed towards sustainability.

A Green Sheet of additions and alterations to Appendix 1 had been distributed before the meeting

During the discussion on the report, the following questions were asked and comments made:

- Long term plans needed to include protection of the water supply.

The Board was told that the current Local Plan required tighter water consumption standards and that an updated water cycle study would inform the review of the Local Plan. The IIA also covered water as an indicator.

- The consultation document included reference to 500 additional homes in South Woodham Ferrers but no indication was given to where or how they would be accommodated. There was also the danger that development at Hammonds Farm would create an urban island without the necessary infrastructure.

Officers said that at this point in the review process a broad spatial approach was being taken to the principle of new development. Available land was being promoted and would be assessed but no consideration was being given to specific sites at present. The reference to 500 homes in South Woodham Ferrers was in addition to

any numbers mentioned in the Local Plan and the masterplan for the town's present strategic site. Hammonds Farm had been identified as it was the only large, free-standing settlement currently being promoted. Others may emerge as a result of the consultation but it was emphasised that no decisions were being made on potential development sites at this stage.

- A digest summarising the main points of the consultation document would be helpful, as would a foreword by the Cabinet Member for Sustainable Development setting out a vision for the document.

Officers said that a foreword could be provided and that they would look at producing a type of digest, possibly by adapting the non-technical summary leaflet and public exhibition boards.

- Bearing in mind parish councils' decision-making cycles, it would be helpful if the consultation timetable was extended well beyond the summer holiday period to enable them to agree their responses.

The Board was told that the current timetable allowed for a five week period outside of the summer holidays and needed to be adhered to in order to meet the overall timetable for the review. Consideration would be given, however, to allowing some flexibility on the timing of parish council responses, where necessary.

- On a question about protecting local agriculture, officers said that the adopted Local Plan covered agricultural issues and endeavoured to protect productive land where possible and that opportunities would continue to be explored for enhancing biodiversity and other environmental benefits and policies.
- The intention to promote tree-lined streets was supported but should avoid any disruption to the operation of solar panels on roofs and take into account damage to properties caused by tree roots and the cost to the Council of sweeping up leaves of deciduous trees.

Officers agreed that all those issues would need to be considered and the detail would be set out at a later stage of the review.

- Regarding a lack of reference in the consultation document to last-mile deliveries, officers said that this was probably best explored as part of the planning design policies to encourage measures that reduced the use of motor vehicles.
- In response to a question as to whether work on the review would include an up to date strategic housing market assessment, it was confirmed that this and the other main evidence base documents would be prepared before the stage at which the preferred options were considered.

- There was a need to work closely with the County Council on the provision of infrastructure, and particularly sustainable transport, and further efforts needed to be made to push for that as part of the review of the Local Plan.

The Board was informed that the consultation document included suggestions on promoting active and sustainable transport. Views on what more could be done in this regard would be welcomed. As part of the duty to co-operate, the City Council would be liaising with Essex Highways on the transportation element of the review.

- Whilst no target had been set for the number of responses the consultation aimed to achieve, the consultation would include a range of engagement activities aimed at a broad audience and officers were looking to produce some core metrics for measuring its effectiveness. Experience showed that the public tended to refer to consultation documents online and there was little demand for paper copies in, for example, libraries, but copies would be available at the Civic Centre and the offices of parish councils, if the latter wished to have them.
- It was not clear yet what the government's plans were for updating the National Planning Policy Framework. It was always possible that national policies would change and affect the review but it was not anticipated that the awaited information on how the NPPF would be updated would impinge on this review.
- It would be made clear in the consultation document that the Council had a duty to meet targets set nationally for the provision of new housing in Chelmsford over the Plan period and that to refuse to entertain growth was not an option. The Council could, however, influence where that growth could best be accommodated and that was part of the purpose of the review.

RESOLVED that

1. the publication of the review of the adopted Local Plan Issues and Options Document attached at Appendix 1 to the report to the meeting, as amended by the Green Sheet of alterations, be approved for public consultation in accordance with the requirements of The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended);
2. the Director of Sustainable Communities in consultation with the Cabinet Members for Sustainable Development and Connected Chelmsford be authorised to: (i) make any necessary minor amendments, including any changes considered appropriate in order to take account of government announcements relating to changes to national planning policy, to the review of the Local Plan Issues and Options Document before publication; and (ii) prepare all necessary documentation to support the planned programme of public consultation including the accompanying Issues and Options Integrated Impact Assessment consultation document;

3. the outcomes of consultation on the Integrated Impact Assessment (IIA) Scoping Report consultation be noted; and
4. the emerging findings of the Integrated Impact Assessment (IIA) of the Issues and Options consultation document in the technical report attached at Appendix 3 be noted.

(7.37pm to 8.48pm)

8. A Plan for Improving the Rivers and Waterways in and around Chelmsford

The Policy Board received a report on options and opportunities to improve the appearance, attractiveness and recreational use of the rivers and waterways in and around Chelmsford and to promote schemes and activities that enhanced their habitat, ecological and biodiversity value. The report arose from the work of the Waterways Working Group, which had prepared a comprehensive Plan for Improving the Rivers and Waterways in and around Chelmsford, having engaged with a variety of individuals and organisations with an interest in these matters. The draft Plan comprised 38 potential actions that would be delivered over the next 10 years. Those actions were expected to make significant improvements to the environmental quality, attractiveness and recreational potential of rivers and waterways and associated green spaces.

Questions had been received from a member of the public on this item. The first was a suggestion that the Plan should identify bridges that currently restricted use of the waterways due to headroom and have a strategy for raising them; the second was that the Plan should identify strategic paths that got blocked by flooding requiring long backtracking and discouraging sustainable active travel; and the third the suggestion that cycle route from Chelmer Waterside/Moulsham Mill towards Manor Farm be negotiated during the window of opportunity with landowners as part of the Army & Navy scheme. A route via the subway near Meadgate School was not desirable because the link routes had insufficient width to segregate cyclists from traffic or pedestrians.

In responding to those questions, officers informed the Board that Action E xxix in the Plan referred to the replacement of the foot/cycle bridges that crossed the Chelmer and Can and linked Chelmer Waterside to the City Centre and wider footpath and cycle network. These were substandard and no longer fit for purpose. Essex County Council had committed to replace the bridge over the River Chelmer adjacent to the Sea Cadets site and the City Council was responsible for replacing the bridge between Badow Road Car Park and Meadow Walk. The anticipated cost was in the region of £1.1m.

Action E xxx in the Plan (Replacement of the Mallard Bridge connecting Waterloo Lane car park/Riverside to Tesco) was expected to be secured as part of the planning obligations associated with the development of the former Riverside swimming pool site.

With regard to the point about paths/cycle routes being occasionally blocked by flooding, this was inevitable given the location of those routes and the natural environment in which they

were set. It would not be appropriate to introduce an engineered solution to maintain access at all times. These were temporary situations, usually as a result of extreme weather events. There were alternative routes available, albeit less convenient

On the point about the cycle route referred to by the questioner, Essex County Council was developing an outline business case for the Army and Navy Sustainable Transport Package. This included a junction improvement, enhancements to park and ride at Chelmer Valley and Sandon, and improved cycling and walking connectivity in the immediate vicinity of and through the junction. The estimated cost at this stage of the project was £67m and the business case should be submitted to the Department for Transport (DfT) this summer, with a planning application expected in early 2023 and construction scheduled to start in winter 2024. DfT required a 15% local contribution to be identified as part of the business case (about £10m). The City Council, in partnership with Essex County Council, had been asked to fund the local contribution, with the City Council providing a £4m capped contribution from the Community Infrastructure Levy (CIL). Its contribution was conditional upon the County Council working with the City Council to develop proposals for additional cycling and walking connectivity between the new developments in East Chelmsford and the City Centre. A further £1.5m CIL was identified for this purpose. Council approval would be needed for those proposals to proceed.

The City Council was also working with the developers of East Chelmsford and the City Centre to ensure, where appropriate, the provision of walking and cycling routes within development sites that could allow connections to potential future off-site cycle and pedestrian routes.

In response to the clarification sought by members on several of the actions set out in the Action Plan, officers said that the suggestion that consideration be given to painting the walls of canalised Chelmer/Can was implicit in an action xviii; that the addition of horse riding or horse pulling boats along river banks had not been identified as a priority by the Working Group and in practice would be hard to achieve in consistent and useful way; and that the issues with the footbridge near Sanford Mill water works from Sandford Mill Lane to Sandford Road had been identified and there was an ambition to eventually put in place an upgraded crossing in this location, although the new and upgraded river crossings identified elsewhere in the plan were considered to be higher priorities at present.

The Board was informed that the wording of the document would be amended to strengthen the wish and intention to incorporate green energy initiatives into the development proposals for the Waterside and Lockside sites. Members were also told that the inclusion of a fish run would be considered as part of the next stage of the feasibility study for the lock, which would also look at green energy initiatives associated with the lock's provision. With regard to the reference in action D xxviii, reference would be included to the discharge of untreated sewage and chemicals from businesses. The Council was also speaking to the Environment Agency about flood resilience and the management of upstream water management issues and it was hoped that ideas for that could be developed over the coming months and that the work on flood resilience could be merged with the wish to expand tree planting.

With regard to a suggestion that the potential for energy generation along the rivers and obtaining external investment for that be explored, members were informed that this had been considered but found to be unviable along most parts of the river and any further studies would need to look at the feasibility and practicality of such schemes. On the question of obtaining external funding for the navigation, the feasibility study would need to be completed before any scheme could be finalised and sources of funding sought.

The Board was informed that this was a general plan for the rivers and waterways to which various interested bodies had contributed and with which they would continue to be involved. The Council would lead on its implementation but others would play a part in its delivery. It could not be regarded as a plan to be delivered over a particular period of time but should be seen as an aspiration for the rivers and waterways and a set of ambitions for them.

RESOLVED that the plan to improve the environmental quality, attractiveness and recreational potential of the rivers and waterways in and around Chelmsford attached as Appendix B to the report to the meeting be endorsed and approved.

(8.48pm to 9.56pm)

9. Chelmsford Policy Board Work Programme

The Board received the latest version of its Work Programme for 2022-23. It was informed that no items had yet been identified for its meeting on 29 September 2022 and it was possible that it may be rescheduled for October so that some of the business earmarked for its November meeting could be considered earlier.

RESOLVED that the latest Work Programme of the Board be noted.

(8.24pm to 8.29pm)

10. Urgent Business

There were no items of urgent business.

The meeting closed at 9.57pm

Chair