

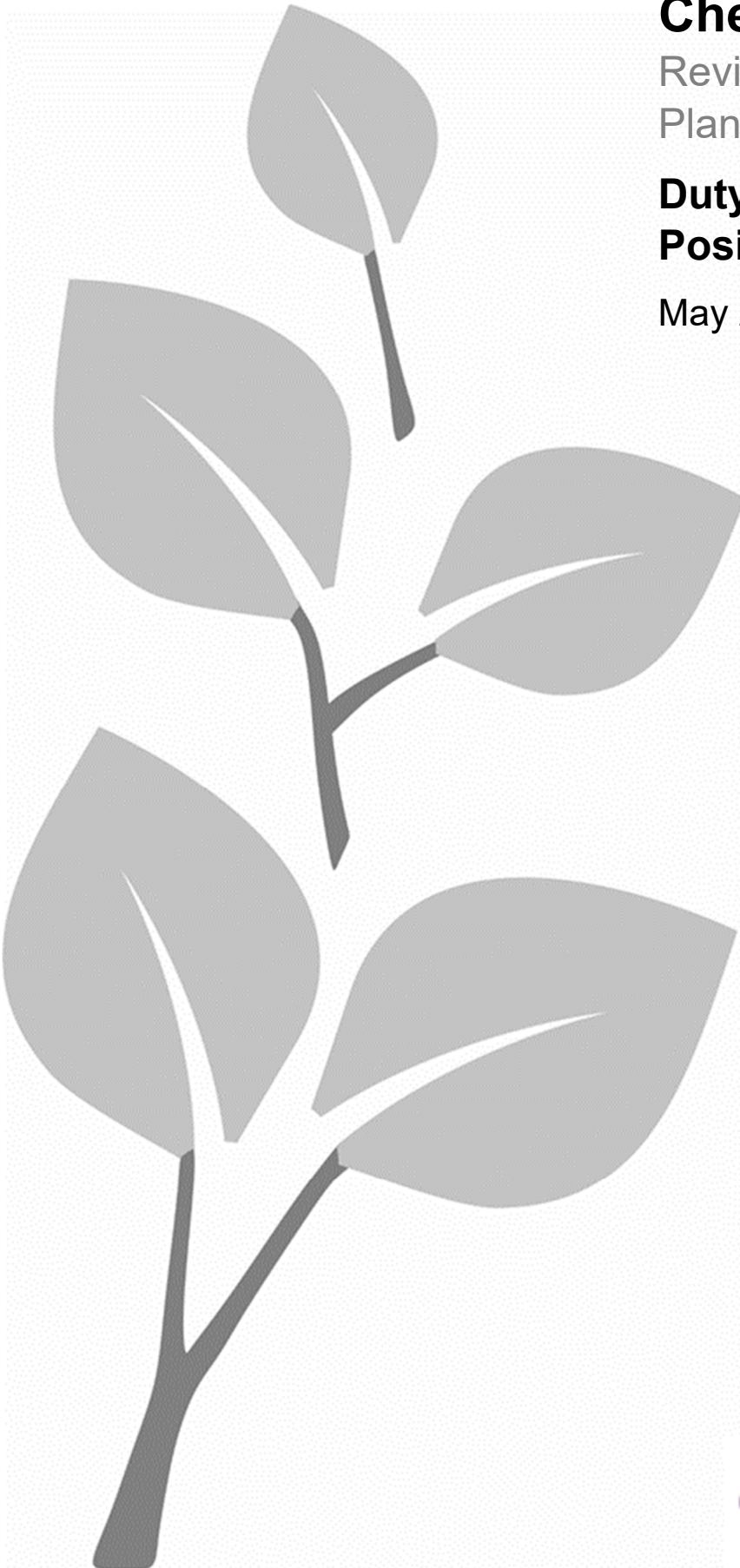
DTC001

Chelmsford Local Plan

Review of the adopted Local Plan

Duty to Co-operate Position Statement

May 2024



1. Purpose of the Position Statement

This position statement provides an update on the activities undertaken by Chelmsford City Council (CCC) in respect to the Duty to Co-operate on the Review of the adopted Chelmsford Local Plan. The update focuses on activities since the publication of the Review Local Plan Issues and Options in August 2022. It also discusses future activities which will be further informed by formal consultation on the Review Local Plan Preferred Options starting on 8 May 2024.

2. Introduction

The Duty to Co-operate is set out in the [2023 NPPF](#) (Paragraph 24). This requires Local Planning Authorities (LPAs) to co-operate with each other and other prescribed bodies on strategic planning issues that cross administrative boundaries, such as providing land for new homes, jobs and infrastructure. These have a wider impact than local issues and cannot be dealt with by one LPA alone. The Duty to Co-operate is the process by which strategic issues are planned for at a local level.

LPAs must produce evidence at a future Local Plan Examination to satisfy the Inspector that their Development Plan has met the legal test with regard to the Duty to Co-operate. It is expected that the co-operation sought has been a continuous process of engagement from initial scoping of a plan through to its preparation and implementation. The end result should be a plan that allocates land and promotes infrastructure provision to support future levels of sustainable growth and development. It is also expected that the co-operation sought has been constructive, pro-active and that the outcomes of collaborative working are embedded in the plan.

Although the Duty to Co-operate is not a duty to agree, the City Council will make every effort to seek co-operation on cross-boundary and strategic planning matters in a focused, positive and structured way. At the same time, the City Council will continue to work constructively with nearby planning authorities on their own local plan preparation.

3. What has happened so far?

Pre-Consultation

The City Council undertook a variety of Duty to Co-operate activities in advance of starting the review of the adopted Local Plan.

The Duty to Co-operate Strategy relating to the [adopted Local Plan \(2020\)](#) was refreshed in advance of work commencing on the review of the adopted Local Plan, to ensure we are taking the correct approach to meeting the duty. Public bodies who are subject to the Duty to Co-operate were invited to comment, and we used the feedback to finalise the Strategy.

The updated [Duty to Co-operate Strategy](#) was published in January 2022. The key strategic matters identified through the consultation are as follows:

- Delivering homes for all including Gypsy and Traveller accommodation
- Jobs and economy including green employment and regeneration
- Retail, leisure, and cultural development
- Sustainable transport, highways and active travel
- Climate change action and mitigation including flood risk and zero carbon
- Natural and historic environment including increased biodiversity and green/blue/wild spaces and connectivity of ecological networks
- Community infrastructure including education, health and community facilities
- Utility infrastructure including communications, waste, water and energy
- London Stansted Airport future airspace redesign.

Between the adoption of the Local Plan in May 2020 and the Issues and Options consultation in August 2020, the Council responded to a range of consultations from Essex LPAs, Essex County Council, and National Highways. The details, and a list of other collaborative work, is set out in the Council's [Annual Monitoring Report for 2021-22](#).

Issues and Options

The Issues and Options consultation for the review of the Local Plan ran from August to October 2022. The consultation document reviewed and updated the key issues for the future growth and development of Chelmsford, with potential Spatial Options for addressing projected growth up to 2041.

Comments were received from 12 Duty to Co-operate bodies and specific consultees including neighbouring LPAs, Essex County Council (ECC), Historic England, Environment Agency, Mid and South Essex Integrated Care Board.

A summary of the main issues raised in the representations are contained within the Issues and Options You Said We Did Feedback Report published in May 2024, available on this page: www.chelmsford.gov.uk/lp-review. All the responses have been carefully considered and used to progress the second formal stage in the preparation of the Chelmsford Local Plan – the Preferred Options Local Plan.

Comments have informed the approach to developing the preferred Spatial Strategy and the assessment of reasonable alternatives, and have been considered in the forming of new policies relating to health and wellbeing, connectivity and travel, the future of the City Centre, and net zero carbon development. There were also minor changes to the content including updated data, and references to issues including provision for nature and ecology, access and connections, and tall buildings guidance.

Preferred Options

A programme of Duty to Co-operate activity has continued since consultation on the Issues and Options consultation. This has been used to inform the Preferred Options Local Plan. Key areas of work are discussed below:

Duty to Co-operate Meetings and Discussions

Regular meetings/discussions continue to be held with Essex County Council, other local authorities in Essex, the principal health and education providers in Chelmsford and other key partners such as Highways England.

As the current Local Plan activity is a review of the adopted Local Plan, many aspects of the Plan's content and approach are unchanged, meaning that major changes are limited. In addition, the preferred Spatial Strategy has only recently been developed to a stage where meaningful discussions can take place. However, these meetings/discussions have still been valuable in enabling issues affecting the future growth of Chelmsford to be identified at an early stage, and for officers to continue partnership working with those bodies to take forward the review of the Local Plan.

The Council also discusses strategic matters and Local Plan preparation at ongoing established strategic partnerships including the Essex Planning Officers Society (EPOA), Eastern Community Homes, and the Chelmsford and Braintree Public Transport Group.

Examples of ongoing meetings and the topics discussed is included below:

Organisation	Topics
ECC	Biodiversity net gain Minerals Local Plan and links to CCC LP preparation Transport Education Net zero policy
Maldon District Council	Evidence base updates Local Plan timetables Cross boundary issues such as traffic and education needs
Basildon District Council	Employment and economy workshop
Joint meeting with Brentwood and Rochford Councils	General updates on timing and evidence base Infrastructure Delivery Plan
National Grid	Ongoing engagement on East Anglia GREEN (Norwich to Tilbury) power lines proposal
National Highways	Traffic modelling for LP preparation
NHS Integrated Care System (Mid and South Essex ICS)	Updates on LP preparation

Commissioning of joint evidence base studies and reports

Due to the different timings of preparation for other LPA's Local Plans, and changes in the way that housing numbers are derived, there have been fewer opportunities to work collaboratively on joint evidence base studies.

The Levelling Up and Regeneration Act 2023 indicated that revised regulations will be published governing the preparation of Local Plans, with transitional periods in place for LPAs that are already progressing a new or reviewed Local Plan. For Chelmsford the decision has been made to continue with preparation of the Local Plan review, with a commitment to submit the Plan for examination by the June 2025 deadline. Other LPAs in Essex have decided to continue with initial preparation stages but await the revised regulations which will govern submission after June 2025.

However, the following are key areas where recent joint working is helping to inform the review of the Local Plan:

Net zero carbon – a comprehensive evidence base has been collaboratively established between the Essex Climate Action Commission, Essex County Council and Essex LPAs. The aim of the evidence base is to provide a clearly defined, consistent planning policy approach to net zero carbon development providing much needed certainty and clarity to the development industry and other stakeholders. This has been translated into a proposed new policy for the Preferred Options Local Plan, included as DM31 Net Zero Carbon (In Operation). A detailed account of the evidence and policy development is contained within the Climate Change Topic paper prepared to accompany the Preferred Options consultation, available on this page: www.chelmsford.gov.uk/lp-review

Strategic Flood Risk Assessment – CCC has engaged with other LPAs, the Lead Local Flood Authority (LLFA) and the Environment Agency for relevant information to support the Strategic Flood Risk Assessment (SFRA) evidence update for the Preferred Options consultation.

Chelmsford Gypsy and Traveller Accommodation Assessment 2024 – the Council alongside the other Essex local authorities is undertaking an updated Gypsy and Traveller Accommodation Assessment.

Retail Capacity Study Update 2023 – CCC has engaged with neighbouring LPAs for relevant information to inform this evidence base update.

Water Cycle Study Reports 2024 – Regular consultation was undertaken throughout the preparation of the Scoping WCS and Detailed WCS reports with the Environment Agency.

Infrastructure Delivery Plan – Engagement with infrastructure providers and key stakeholders on this evidence base document including LPAs, ECC, Natural England, NHS Mid and South Essex Integrated Care Board.

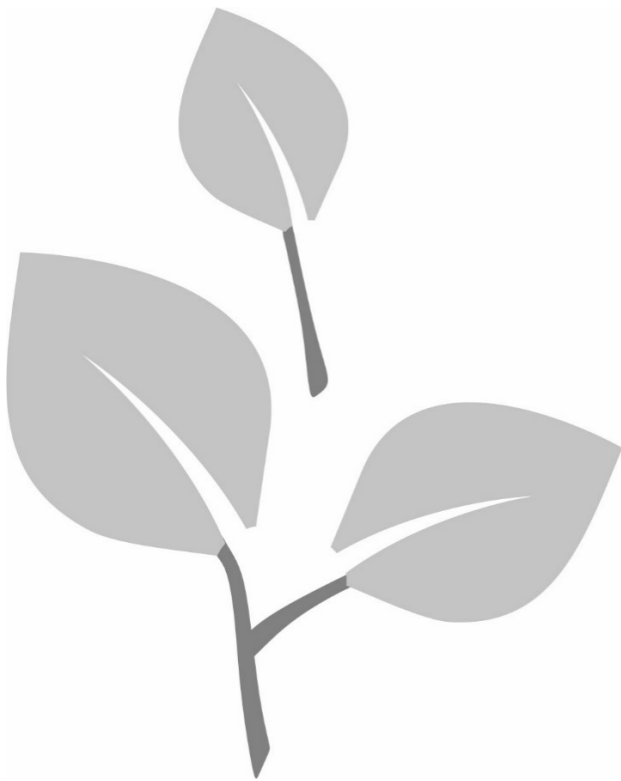
Transport modelling – CCC has worked with ECC, as the local Highway and Transportation Authority to prepare the Preferred Options transport evidence base which has also been informed by discussions with National Highways.

4. What will happen next?

The Preferred Options Local Plan consultation will run from 8 May until 19 June 2024. The City Council will arrange Duty to Co-operate Officer and Member meetings for adjoining LPAs during the formal consultation period to discuss any strategic matters that may affect the preparation of Chelmsford's Local Plan and opportunities for further joint work. The Council will also respond to any requests for additional meetings or formal discussions with Duty to Co-operate bodies that may be made.

Following the consultation, the City Council will publish and analyse the comments and use them alongside other comments, national policy and the Local Plan evidence base to inform the final draft Local Plan – the Pre-Submission Local Plan. Other duty to cooperate meeting/discussions may be organised on request, if any strategic concerns or opportunities are identified or to support the preparation of the Pre-Submission Local Plan.

The Council will also continue with the preparation of joint evidence base studies and seek opportunities for other joint evidence bases where appropriate. Statements of Common Ground will be explored with key Duty to Co-operate bodies taking into account their responses to the Preferred Options consultation.



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