

Chelmsford Draft Local Plan

Examination Hearing Statement

Matter 7: Employment and Retail Development

November 2018



Introduction

1. This hearing statement sets out the Council's response in relation to the Inspector's Matters, Issues and Questions.
2. All the evidence base documents referred to in this statement are listed at **Appendix A**, with their evidence base or examination document reference numbers as applicable.

Matter 7 – Employment and Retail Development

Question 41	Does Strategic Policy S8 clearly set out the employment requirements and will it ensure that the Plan meets the objectively assessed employment needs identified? Does the 55,000 sqm of employment land take into account any employment land lost to other uses in recent years?
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Response to Q41

3. The Plan's approach to meeting Chelmsford's objectively assessed employment need is set out in full within the Council's Hearing Statement in relation to Matter 4 (**EX015**).
4. This sets out that the objectively assessed employment land need is 64,407sqm net of additional employment floor space over the Plan period.
5. To meet this need, the Plan makes allocations to accommodate 55,000sqm of new business floor space in the B Use Classes. This identified new supply is additional to the existing supply provided by yet to be implemented allocations carried forward from the previous Local Development Framework, plus outstanding planning permissions and vacant floor space.
6. The Hearing Statement in relation to Matter 4 sets out at Table 1, on page 8, the relationship between identified need/demand and supply. This analysis takes into account losses of employment land in the period 2013 to 2018 and shows an identified surplus of supply of 20,801sqm of floor space to accommodate future employment uses in the B Use Classes.
7. The Council is proposing a modification to Policy S8 and paragraph 6.25 of the Plan to clarify the relationship between the objectively assessed need for employment land and the new allocations within the Plan. This is set out within the Council's Hearing Statement in relation to Matter 4 on page 5, at paragraph 20.

Question 42	Does Strategic Policy S10 accord with paragraph 154 of the Framework
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	which states that local plans should only include policies that provide a clear indication of how a decision maker should react to a development proposal, identifying what will or will not be permitted and where? How will the principles in the policy ‘underpin the approach to economic growth and diversification? Are they justified and consistent with national policy?
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Response to Q42

8. It is the Council’s position that Strategic Policy S10 does accord with national planning policy and can provide the decision-maker a clear indication on how a development proposal should be assessed.
9. Strategic Policy S10 identifies that Chelmsford’s approach to delivering economic growth is flexible and market responsive. Policy S10 sets out the economic sectors that are the priorities in Chelmsford’s future economy. This approach has been underpinned by the evidence contained within the EEFM employment projections (**EB074**), the Council’s Economic Strategy (**EB075**) and the evidence of economic needs (**EB077 and EB078**).
10. Policy S10 sets out a series of principles to underpin the approach to economic diversification and growth. It provides the strategic policy context for Policy EM1 and the site allocations.
11. Policy S10 identifies where employment development will be focussed i.e. on previously developed land in sustainable locations, in particular locations well served by public transport, existing employment areas identifying Chelmsford City Centre and sites allocated for employment are the appropriate locations. This approach is justified and consistent with national policy as it is founded on a clear economic vision and strategy for Chelmsford, identifies priority areas for economic regeneration, but provides flexibility to ensure market responsiveness.
12. However, to ensure there is no ambiguity in the application of Policy S10, a minor modification is proposed to the policy text:

Proposed change:

Modify Policy S10, page 71 as follows:

In determining planning applications for delivering economic growth the Council will assess development proposals against the following principles: ~~will underpin the approach to economic growth and diversification~~

Reason: This makes the link to decision-making clearer within Policy S10

Question 43	Does Strategic Policy S8 clearly identify the retail development needs for the Plan period? Are the requirements based on credible evidence and are they justified and deliverable?
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Response to Q43

13. It is the Council's position that Strategic Policy S8 clearly identifies the need for additional Class A1 retail floorspace over the Plan period. The assessment of retail floorspace need is contained within the Chelmsford Retail Capacity Study (**EB077**) ('the 2015 retail study') and which follows paragraph 161 of the NPPF (2012) by providing quantitative and qualitative assessments of retail floorspace.
14. The 2015 retail study utilises credible, detailed and robust evidence base information in order to arrive at an identified need for convenience and comparison goods floorspace. Whilst the retail sector continues to constantly evolve, the Study utilised the latest available data at the date of publication, including a new survey of household shopping patterns and economic forecasts.
15. In particular, the assessments of need utilise the following:
- Comprehensive surveys of food and non-food shopping patterns undertaken in 2013 and 2015;
 - Population forecasts for the study area which are up to date and match other parts of the evidence base library;
 - Bespoke retail expenditure forecasts for the different parts of the study area which take into account the socio-economic profile of the local area;
 - The impact of retail floorspace commitments on the demand for additional retail floorspace;
 - An assessment of the role and function of Chelmsford and South Woodham Ferrers, including their position/ranking in the sub-region; and
 - Comprehensive surveys of existing retail floorspace in town centre and out of centre locations, including town centre health checks.
16. In order to arrive at the convenience goods retail need forecasts in Policy S8 the quantitative assessment in the 2015 retail study compares the level of convenience goods expenditure which is available to stores in Chelmsford and South Woodham Ferrers against the benchmark turnover of existing stores, centres and commitments.
17. The assessment found that there is 'available' convenience goods expenditure to support additional floorspace in both Chelmsford and South Woodham Ferrers assuming that both settlements were to maintain their existing market shares over the Plan period. The 2015

retail study (**EB077**) makes the recommendation that should an increased level of convenience goods floorspace be provided in South Woodham Ferrers then this could lead to a lower level of forecast capacity in Chelmsford.

18. As a consequence, and as outlined in the 2015 Retail Study, the 11,500sqm figure for Chelmsford in Policy S8 should be treated as a maximum as new convenience goods provision in South Woodham Ferrers will reduce the quantitative need for additional provision in Chelmsford due to the diversion of shopping trips.
19. The provision of additional convenience goods floorspace is justified on the basis of a number of factors, including (a) the successful trading performance of existing stores/floorspace, (b) the growing local population within the local catchment, and (c) the need to provide for accessible food shopping retail facilities across both the existing urban area and also within the areas of growth.
20. Policy S8 does not identify a need for additional comparison goods floorspace in Chelmsford due to the scale of new retail floorspace which has been provided as part of the Bond Street redevelopment project in the City Centre. The 2015 retail study indicates that the scale of new floorspace will meet short to medium term needs and will provide a qualitative improvement in the retail offer in the City Centre.
21. A proposed minor modification is proposed:

Proposed change:

Modify Policy S8, page 53 as follows:

B. EMPLOYMENT AND RETAIL

Provision is made to meet the need for additional convenience retail floorspace of up to 11,500sqm either within the City Centre or Designated Centres within Chelmsford's Urban Area and additional convenience retail floorspace of 1,900sqm at South Woodham Ferrers.
Reason: This clarifies that the 11,500sq m is likely to be a maximum for Chelmsford in line with the Retail Capacity Study 2015.

Question 44	Strategic Policy S9 identifies a total of 9,000 sqm of net new employment floorspace in GA1. Is this provision justified and are the site allocations sound?
Question 44a	4,000 sqm is to be provided in Location 1 (previously developed sites in Chelmsford Urban Area). Where is this allocated?

Response to Q44a

22. Strategic Policy S9 identifies a total of 9,000sqm of net new employment floor space in Growth Area 1. This is subdivided as follows:

- a) 4,000sqm is identified within Location 1 (previously developed sites in Chelmsford Urban Area), and
- b) 5,000sqm is identified within Location 3 (Land north of Maldon Road)

23. The two allocations are an important element of the Plan's employment allocations to meet the objectively assessed need for employment land of 64,407 sq m. They have been identified in sustainable locations in line with the Plan's spatial strategy and in accordance with the PPG which encourages Plans to allocate an appropriate variety of employment sites.

24. In relation to Location 1, the 4,000sqm is not specifically identified, but is expected to come forward within the Plan period through the redevelopment of existing sites within this Growth Area. Given the range and type of sites identified within Growth Area 1 and taking into account previous employment floor space growth in the Urban Area of Chelmsford, this is considered to be a realistic and deliverable quantum of floor space.

25. Whilst no specific locations are identified in the Plan, there are a number of locations with Growth Area 1 where new business floor space is likely to come forward. Specific locations include:

- Site 1e – Former Royal Mail Premises, Victoria Road
- Site 1g – Civic Centre Land, Fairfield Road
- Site 1h – Eastwood House Car Park, Glebe Road
- Site OS1a – Rivermead, Bishop Hall Lane

26. Whilst it is considered that the identified 4,000sqm will come forward within the Chelmsford Urban Area, should it not then there is sufficient headroom within the overall supply position to accommodate this elsewhere.

Question 44b	5,000 sqm of B1 office/business park floorspace is allocated in Strategic Site 3b in Location 3 (Land north of Maldon Road). The supporting text also refers to the provision of other complementary B use classes as part of the allocation. Should this be made clear within the policy?
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Response to Q44b

27. The 5,000sqm identified at Strategic Growth Site 3b (Land North of Maldon Road) is a key element of the Plan's strategic land allocations to meet Chelmsford's objectively assessed

employment land needs.

28. The site has been identified primarily to meet future needs in the B1 (a-c) Use Classes, given its proximity to proposed new residential development. However, it may be appropriate to accommodate other uses with Use Class B within this location, provided they are acceptable in all other policy respects.
29. So that the supporting text at paragraph 7.146 and the Policy are consistent and to give clarity to the decision maker, it is accepted that a modification as proposed to the Policy as set out below would be appropriate.
30. The following minor amendment to the Policy is proposed:

Proposed change:

Amend the first bullet for Strategic Growth Site 3b – East Chelmsford – Land North of Maldon Road (Employment) as follows:

Amount and type of development:

- Around 5,000 sq m (net) new Use Class B1 floor space, or other appropriate B Use Classes.

Question 45	Strategic Growth Site 1a consists of 6 sites and in addition to residential development refers to ‘an element of non-residential development’, ‘integration of flexible workspace facilities’ and a ‘commercial interface’. Is it clear to a decision-maker what this means and what type of development would be acceptable in this location?
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Response to Q45

31. Strategic Growth Site 1a, Chelmer Waterside, comprises 6 sites on the south-eastern edge of the City Centre.
32. They are primarily residential development opportunities, with a capacity to deliver 1,100 new homes.
33. Chelmer Waterside will create a new neighbourhood in the City Centre and provide an opportunity for the integration of small scale ground floor mixed uses to add commercial frontages and activity into the neighbourhood.

34. Mixed uses have already been delivered through earlier phases of development in the wider Chelmer Waterside area and the new allocations are capable of providing some additional limited commercial floorspace as they come forward.
35. The precise nature and location of the commercial development within this location will come forward through future master planning and site development work and the wording within the Policy is intended to provide sufficient flexibility in this context.
36. It is likely that there will be opportunities within this location to accommodate some non-residential uses within mixed use developments. These are likely to be relatively small-scale opportunities for Use Classes B1a, the A Use Classes and the D1 and D2 Use Classes. A change is therefore proposed to clarify the types of uses that would be acceptable in this location.
37. The following minor modification to the Policy is proposed:

Proposed changes:

Amend the second bullet for Strategic Growth Site 1a – Chelmer Waterside under Supporting on-site development as follows:

Delete:

- Integration of flexible workspace facilities and replace with:
- Supporting commercial uses including B1a, the A Use Classes and Use Classes D1 and D2

Question 46	Strategic Policy S9 identifies an existing commitment for 40,000 sqm of office and business floorspace in GA2. a. Is the policy allocating this existing commitment? b. An additional 45,000 sqm of employment floorspace is allocated in Strategic Growth Site 4 within the new Garden Community. Is this allocation and the requirements of the policy for employment justified?
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Response to Q46

38. The Council is planning for total job growth of 725 net additional jobs per annum over the Plan period. This translates into an objectively assessed need for employment land in the Plan period of 64,407sqm. This has been derived from the East of England Forecasting

model (**EB074**). The methodology for calculating this assessed employment land need is set out within the Council's Hearing Statement in relation to Matter 4.

39. The assessment of future supply takes into account existing commitments, outstanding permissions and vacant floorspace.
40. The existing commitments from the previous Local Development Framework that are taken into account in this calculation include an existing commitment of 40,000sqm for the new business park at Beaulieu and this has been allocated as an existing commitment and shown on the Policies Map as such. The development is not yet implemented but has outline planning permission (09/01314/EIA, dated 7th March 2014).
41. The spatial strategy seeks to align housing with employment growth in sustainable locations and to bring forward a portfolio of sites in a range of locations that provide the flexibility to meet the objectively assessed need for employment land. This is in accordance with the National Planning Policy Framework (Paragraphs 18 to 22) and the PPG, which encourages an appropriate variety of employment sites.
42. The new employment allocation of 45,000sqm in North East Chelmsford, in Growth Area 2, is a key component of the Council's approach to meeting its objectively assessed employment needs in the Plan period. This is for 64,407sqm of employment space in the Plan period as set out in the Hearing Statement for Matter 4 (**EX015**).
43. Together with the existing at Beaulieu of 40,000sqm, these two allocations will provide a key element of Chelmsford's future employment needs during the Plan period.
44. In North East Chelmsford, the employment allocations are well located on the strategic road network and alongside the Chelmer Valley Park and Ride facility providing access to the City Centre, University and Broomfield Hospital. A further sustainable travel option will also be provided through the delivery of Beaulieu Station.
45. This will have the effect of attracting higher value inward investment to meet Chelmsford's future economic aspirations and sector growth, whilst at the same time providing sustainable transport options. As North East Chelmsford emerges as a Garden Community, this allocation will ensure that this location can deliver on Garden Community principles of sustainable transport options and a match of housing to economic growth and jobs.
46. The Sustainability Appraisal Report (**SD004**) assesses the Plan's spatial strategy in terms of its employment provision (which is focused at North East Chelmsford) as having a significant positive effect in respect of the economy (para 5.3.3, page 91). It identifies that

focusing the majority of growth in and adjacent to the Chelmsford Urban Area should ensure that residents and workers have good access to key services, facilities and employment opportunities provided through the spatial strategy.

Question 47	Strategic Policy S9 identifies 1,000 sqm of flexible business space at GA3 in Location 7 South Woodham Ferrers. Is the policy clear on what ‘flexible business floorspace’ is? Is this allocation and the requirements of the policy for employment justified?
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Response to Q47

47. To provide an opportunity for employment growth in South Woodham Ferrers the allocation at South Woodham Ferrers provides for an additional 1,000sqm of new floorspace. This forms part of the objectively assessed need for employment land of 64,407sqm during the Plan period.
48. The allocation is an important element of the Plan’s employment allocations to meet the objectively assessed need for employment land of 64,407 sq m. It has been identified in a sustainable location in line with the Plan’s spatial strategy and in accordance with the PPG which encourages Plans to allocate an appropriate variety of employment sites.
49. The term flexible business space is intended to include the B Use Classes that are compatible with the new residential allocation. This is likely to include B1a - B1c uses, although other B Use Classes and employment generating uses may be acceptable, provided their impact in all other respects is compatible with the proposed new residential development.
50. South Woodham Ferrers is currently served by 3 Employment Areas with limited or no capacity for expansion. There is a modest demand for new business space within the town for small and medium sized enterprises and the allocation will provide for an opportunity to meet this demand in the Plan period.
51. The emerging master plan for this allocation is addressing what form the employment element of this allocation should take and there will be opportunities to bring this forward alongside the new neighbourhood centre and supermarket being developed in this location.
52. To clarify the policy for the decision maker a change is proposed to remove the word “flexible” from the wording.

Proposed change:

Delete the word “flexible” from Policy S9 in relation to the new employment floorspace provision at South Woodham Ferrers.

Question 48	Strategic Policy S10 states that existing employment areas are identified on the Policies Map. Are these the Employment Areas and Rural Employment Areas referred to in Policy EM1? Is the wording in the policies consistent? Have these sites and their boundaries been appropriately assessed and selected and are they justified?
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Response to Q48

53. It is the Council’s position that Policies S10 and EM1 are consistent.

54. Strategic Policy S10 makes reference to existing employment areas and defines these at paragraph 6.51 of the Reasoned Justification of the policy as Employment Areas and Rural Employment Areas. These are identified on the Policies Map and are referred to in Policy EM1.

55. The reference to existing employment areas in Strategic Policy S10 provides the strategic starting point to protect these areas for employment uses unless there is no reasonable prospect of the employment area being used for employment uses. Policy EM1 also makes reference to new employment allocations. Therefore, for clarity, a minor amendment to Policy S10 and Policy EM1 is proposed, see response to Q49e.

56. A total of 29 Employment Areas are identified and mapped in the Site Allocations Development Plan Document (**EB121**), the North Chelmsford Area Action Plan (**EB120**) and Chelmsford Town Centre Area Action Plan (**EB119**). These were all reviewed in the Employment Land Review (**EB073**).

57. The Council considers that the Employment Areas have been appropriately assessed. This has involved:

- Collating planning history over a ten year period for each site providing an analysis of potential gains and losses in employment space during that period. The Use Classes considered were B1, B2 and B8
- For each EA, the quality of the surrounding environment was assessed including distances to major roads and rail, public transport, site accessibility, neighbouring uses and condition of buildings

- During the Local Plan review and in preparing the Employment Land Review (**EB073**) all boundaries were checked through site visits and against aerial photography to make sure they reflected employment related development on the ground.

58. The Employment Land Review (**EB073**) also identified rural employment land for example in converted farm buildings. This included examining planning permissions in non-allocated employment land within all parishes. The same use classes and time period as for EAs were used. Fourteen sites were identified all of which comprise sizeable, well established sources of employment within a range of Class B uses.

59. As part of the Local Plan Review, a further review of rural employment sites was carried out in 2017 in order to formally allocate sites on the proposals map as Rural Employment Areas (REA). 16 sites were identified out of 30 being reviewed. It is the Council's position that these sites have been appropriately assessed involving:

- Robust and pragmatic selection criteria set out in Table 1 of **EB079A**
- Using **EB073** as a starting point
- Liaison with colleagues in the development management and enforcement teams
- Desktop studies and site visits
- Planning history searches
- Consulting on **EB079** as part of the Local Plan consultations, changes identified have been included in an updated technical note (Chelmsford Local Plan Rural Employment Areas Technical Note June 2018 Update, **EB079B**)

60. The NPPF (2012) does not provide any detailed guidance on defining employment areas. However, it does support the setting of clear boundary lines on a Local Plan Policies Map. Paragraph 21 of the NPPF (2012) states that in drawing Local Plans, local planning authorities should set criteria, or identify strategic sites, for local and inward investment to match the strategy and to meet anticipated need over the plan period. As such, it is considered justified to use the robust and pragmatic criteria and methodology set out in (**EB073**) and (**EB079A**) to define both the Employment Areas and Rural Employment Areas.

Question 49	Policy EM1 seeks to protect employment uses within Employment Areas, Rural Employment Areas and new employment sites.
Question 49a	Whilst Employment Areas and Rural Employment Areas are shown on the Policies Map are these designations and if so, in which policy is this set out?

Response to Q49a

61. Employment Areas and Rural Employment Areas are policy designations and shown on the Policies Map as such. Reference is made to ‘employment areas’ in the second bullet of Policy S10. For clarity, Policy S10 should be amended to make specific reference to ‘Employment Areas’ and ‘Rural Employment Areas’.
62. A typographical error in Policy EM1 does not aid the reader, and the Proposed change below proposes the exclusion of the words ‘which include existing’ as they are not required.

Question 49b	In circumstances where there is no reasonable prospect of a site being used for employment, does the policy allow sufficient flexibility for considering alternative uses, in accordance with paragraph 22 of the Framework?
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Response to Q49b

63. All of the Employment Areas and Rural Employment Areas identified within the Plan have been assessed in terms of their qualitative and quantitative contribution to local employment provision. These have been assessed through the Employment Land Review 2015 (**EB 073**) and the Rural Employment Areas Technical Notes (**EB079A and EB079B**).
64. Policy EM1 allows planning permission to be granted for change of use for non-Class B uses subject to a number of criteria. The evidence base does not suggest that any Employment Areas will struggle to be used for employment and the Council’s position is that all of the Employment Areas and Rural Employment Areas have every prospect of being able to continue to be used for employment purposes and therefore their allocation is consistent with Para 22 of the NPPF (2012). It is therefore considered that the term ‘no reasonable prospect’ (as noted within paragraph 22 of the NPPF (2012)) will not be applicable in Chelmsford in the short to medium term. This will be kept under review as the Plan is reviewed.
65. Policy EM1 offers flexibility for uses beyond those of an ‘employment nature’ (i.e. the B use class or similar) by virtue of criterion i – iii. The explanation of this flexibility is provided within the reasoned justification at paragraph 8.27.
66. However, in order to demonstrate compliance with paragraph 22 of the NPPF (2012) it is proposed to insert a caveat at the end of the first sentence, as follows: ‘unless it can be demonstrated that there is no reasonable prospect for the site to be used for these purposes.’

Question 49c	What would be the circumstances against which such a judgement would be made and is this clear to a decision-maker?
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Response to Q49c

67. Policy EM1 makes it clear that the focus for uses in Employment Areas and Rural Employment Areas should be for employment (the B Use Classes). In a circumstance where there was no reasonable prospect of this, the decision maker can rely on firstly, the principles (second bullet) within Strategic Policy S10 for the area as a whole if for total redevelopment. Secondly, the assessor can rely on the criteria within Policy EM1 to provide flexibility and also the NPPF (2012, specifically paragraph 22) as a material consideration.

Question 49d	Is it appropriate to restrict Class A use classes in considering redevelopment or change of use for such sites?
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Response to Q49d

68. It is considered appropriate to restrict Class A uses within the Employment Areas; it should be noted however that the policy does not provide a prohibition on Class A uses altogether. One of the reasons for the restriction relates to the objective of ensuring the vitality of the city centre. Several Employment Areas are sited in close proximity to the city centre, whereby their designation serves to restrict the proliferation of Class A uses outside of the city centre (due to lower rents, for example). This is supported by paragraphs 23-27 of the NPPF (2012).

Question 49e	Is the policy effective and justified and consistent with national policy?
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Response to Q49e

69. The policy is effective in seeking to retain Class B uses or uses of similar employment nature, whilst also allowing other uses subject to specified criteria which are considered to provide an appropriate balance in order to assist in achieving sustainable economic growth. The policy needs to be read alongside Strategic Policy S10. It is justified by the specific economic environment within Chelmsford. It is consistent with the NPPF 2012 as it provides a basis for assessing the merits of a proposal which is not of an employment nature.

70. The following minor amendment is proposed to Policy EM1:

Proposed changes:

Amend Policy EM1 by deleting the words 'which include existing'

Amend Policy EM1 by inserting the following at the end of the first sentence:

‘unless it can be demonstrated that there is no reasonable prospect for the site to be used for these purposes’

Amend second bullet in Strategic Policy S10 to start ‘Existing Employment Areas and Rural Employment Areas...’

Question 50	Will the Plan ensure that Chelmsford’s need for jobs and employment land are met? Will an adequate quantity and range of land be made available?
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Response to Q50

71. The Council has set out within the Hearing Statement in relation to Matter 4 (Objectively Assessed Economic Development Need) (**EX015**) the relationship between need/demand for land and the available supply. This sets out an employment land need (for the B Use Classes) of 64,407sqm over the Plan period. Taking into account the Plan’s allocations, existing commitments and losses between 2013-2018 a surplus supply of 20,801sqm (32%) has been identified (See EX 015 at para 34). The Council’s position is therefore that the Plan makes adequate provision to meet Chelmsford’s future job forecast and employment land needs.

72. The PPG at paragraph 032 sets out that Plans should provide for an appropriate variety of employment sites to meet employment needs, including the recognition that rural areas should not be overlooked. This is re-enforced within the NPPF at paragraph 21.

73. The Plan’s approach is consistent with both the PPG and NPPF and will ensure that Chelmsford’s need for jobs and employment land will be primarily met through the following strategic approach:

- The identification of 55,000sqm for business purposes in 3 Strategic Growth Areas (North Chelmsford, Central and Urban Chelmsford and South and East Chelmsford).
- Existing commitments carried forward from the Local Development Framework of 53,935sqm (**EX015, Table 1, Row 4**).
- The identification of 34 Employment Areas and 16 Rural Employment Areas.

74. The employment land position will be kept under review through the Annual Monitoring Reports process.

Question 51	The Plan designates 6 Special Policy Areas (SPA) outside the built-up areas as defined in Strategic Policy S9, Policies SPA1-SPA6 and on the Policies Map.
Question 51a	Is the Plan clear on how SPA designation will be used to support functional and operational requirements at these locations?

Response to Q51a

75. It is the Council's position that the Local Plan is clear on how Special Policy Areas (SPA) will be used to support the function and operational requirements at the six identified locations.
76. Further information on SPAs and their justification is given in the response to Q39 within Matter 5 (**EX016**). As explained, SPAs are an established policy mechanism that have been successfully used in previous Local Plans and have been carried forward to the new Local Plan. The designation of SPAs is the recognition of existing and important institutions and services that have historically been located in areas of policy constraint and their need to continue to grow in a sustainable manner. They manage change in a structured and planned manner compatible with the Local Plan objectives.
77. Paragraph 6.47 of Strategic Policy S9 identifies the six SPAs and briefly highlights their importance in the community locally and, in the case of the RHS Gardens, nationally. Each SPA serves a particular purpose whether it be educational, such as Writtle University College or environmental such as Hanningfield Reservoir and this is expanded upon at Policies SPA1-SPA6 of the Local Plan. Policies SPA1-SPA6 identify the specific role and function of each SPA and set out what development would be considered acceptable to support their continued function and operation subject to consideration/mitigation to site specific matters/constraints, e.g. environmental impacts.
78. Paragraphs 7.367 and 7.368 of the Local Plan set out the reasoning for SPAs and five key objectives for their designation. These key objectives, which are consistent with the Spatial Principles (**EX016, Q39**) are carried forward in the SPA policies as described above. The supporting text of the SPA policies provides greater detail on the relevant Special Policy Area, identifying opportunities and constraints and how they will be considered in this designation in the context of the functional and operational requirements of the site.
79. Therefore, on this basis, it is considered that the Local Plan is clear on how SPA designations will be used to support the functional and operational requirements of the six SPA sites.

Question 51b	Is it appropriate for Policy SPA1 to require the proposed development at Strategic Growth Site 6 to provide an access road to the hospital from Main Road? What safeguarded route is referred to within the SPA and is this justified?
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Response to Q51b

80. It is the Council's position that the new access road to the hospital from Main Road as part of the development for Strategic Growth Site 6 – North of Broomfield is not a specific policy requirement of Policy SPA1 but instead is referenced to ensure consistency between the site policy for Strategic Growth Site 6 and the provision of a safeguarded route within Broomfield Hospital which is further explained below and justified.
81. A new access road to Broomfield Hospital was identified as a potential infrastructure requirement for all three spatial options at Issues and Options stage of the Local Plan. As the Plan progressed and the Council's preferred Spatial Strategy and locations for growth were identified, it was evident through engagement with key consultees, site promoters and the preparation of evidence base that a link road to the hospital was required to facilitate growth at Broomfield through easing congestion both on the rural lane network and the Main Road, Broomfield corridor. Further details and the justification for the access are given in the transport modelling assessments **(EB026, EB027 and EB029)**.
82. As a consequence, a new vehicular access road into Broomfield Hospital Campus is a policy requirement of Strategic Growth Site 6 (SGS6) of the Local Plan. The hospital is supportive of the access road and the Council are in the process of finalising a Statement Common Ground with the Mid-Essex Hospital Trust on the principles of the access. However, to ensure delivery, it is imperative that there is a specific policy requirement that the hospital in any future growth plans ensures that land is safeguarded for this access. Therefore, reference to the provision of a new access at SGS6 is made in Policy SPA1 to ensure consistency between SGS6 site policy and Policy SPA1 to ensure a coordinated and integrated approach to the delivery of this key piece of infrastructure. Amendment AC262 of the Schedule of Additional Changes **(SD002)** identifies the broad location of the road at the two sites.
83. Overall, it is justified that the hospital safeguards a route for the new access road which is specified as a key policy requirement of Strategic Growth Site 6 and for context is referenced in Policy SPA1.

Question 51c	Both the Hanningfield Reservoir SPA and Writtle SPA lie within the Green Belt. Are the designations and policy requirements in Policy SPA3 and SPA6 consistent with national policy on Green Belt?
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Response to Q51c

84. It is the Council's position that the designations and policy requirements of SPA6 (Writtle College University) and Policy SPA3 (Hanningfield Reservoir) are consistent with national policy on Green Belt.

85. Both Hanningfield Reservoir and Writtle College University are currently SPAs in the Council's adopted Local Development Framework, having been found sound as designations by the Inspector for the Site Allocations Development Plan Document (SAD) adopted in 2012 (**EB121**). Given SAD's recent adoption, these SPAs are being carried forward to the new Local Plan as it is considered that the key objectives of the designations for these locations remain sound and robust.

Writtle University College SPA

86. Writtle University College (WUC) is a long established and nationally recognised land-based technologies institution which is seeking to expand and broaden its educational facilities and opportunities. It is set within 220 hectares and amongst other infrastructure includes animal units, a working farm and sport facilities. It is a key employer in Chelmsford.
87. WUC is set entirely within the Green Belt where there is a presumption against new development unless it is for one of the exceptional purposes listed in paragraph 89 of the NPPF (2012). Some of the operations of WUC are appropriate forms of development in the Green Belt, e.g. outdoor sport and recreation and animal breeding facilities and the Council's support of them through the SPA designation is consistent with national policy. However, other infrastructure, such as teaching facilities and associated development, would not normally be appropriate development but are key requirements to the continued function and operation of this established institution. Therefore, there are Very Special Circumstances that in principle justify development that is consistent with the Special Policy Area designation to secure the long-term sustainable development of the site consistent with paragraph 81 of the NPPF.
88. The policy requirements of the SPA6 are consistent with the aims of Green Belt policy. The improvement of links between College buildings and the replacement of temporary buildings with permanent buildings all aid in improving on-site development to manage the visual effects and the impact on openness. In addition, protecting and enhancing nature conservation interests and promoting linkages to the surrounding countryside are all consistent with paragraph 81 of the NPPF (2012) and is a demonstration of the Council looking to positively enhance the beneficial use of the Green Belt whilst recognising the need for WUC to plan for the future.

Hanningfield Reservoir

89. Similar to WUC, Hanningfield Reservoir Treatment Works is located within the Green Belt, a location of policy constraint. However, it is an important site for water treatment and ancillary activities serving Chelmsford and other parts of Essex. It therefore has an important role both locally and regionally and restricting development which normally

would be considered inappropriate in Green Belt could adversely impact upon their continued operations. Therefore, like WUC, there are Very Special Circumstances that in principle justify development that is consistent with the Special Policy Area designation to secure the long-term sustainable development of the site consistent with paragraph 81 of the NPPF.

90. Similar to the policy requirements of WUC, the requirements of SPA3 are also consistent with the NPPF (2012) in development respecting and enhancing biodiversity, retaining landscapes and promoting opportunities for recreational uses of the reservoir.

91. For these reasons, it is considered that the designations and policy requirements of SPA6 (Writtle College University) and Policy SPA3 (Hanningfield Reservoir) are consistent with national policy on Green Belt.

Question 51d	Are the Sandford Mill SPA designation and policy requirements in Policy SPA5 consistent with its location within a Green Wedge designation?
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Response to Q51d

92. It is the Council's position that the Sandford Mill SPA designation and policy requirements in Policy SPA5 are consistent with the site's Green Wedge location.

93. Like, Hanningfield Reservoir and Writtle College University, Sandford Mill is also currently a SPA in the Council's adopted Local Development Framework, having been found sound as a designation by the Inspector for the Site Allocations Development Plan Document (SAD) adopted in 2012 (**EB121**). Sandford Mill SPA is also being carried forward to the new Local Plan as it is considered that the key objectives of the policy designation for this location remain sound and robust.

94. Green Wedges, as set out Policy CO1 of the Local Plan, are designated due to their value and function as important green networks for wildlife, leisure and recreation and for increased public access and enjoyment.

95. Sandford Mill comprises a collection of buildings, mill pond and filter beds that formed part of the original water treatment works that served Chelmsford. The site is currently in use as a museum related to the story of Chelmsford's industrial heritage. The site represents an opportunity for an appropriate mixed-use development to promote and enhance cultural, leisure and recreational activities, sustaining the future use and continuation of the Chelmer and Blackwater Navigation, creating a 'hub' of activity along it, consistent with the purposes of the Green Wedge.

96. The development aspirations for Sanford Mill clearly align with the function of Green Wedge in promoting leisure, recreation and increased public access and enjoyment through appropriate redevelopment. The SPA designation and policy requirements seek to ensure this; development that maximises the benefit and value of the green network, promoting opportunities for sustainable linkages and transport between Chelmsford Urban Area and the river valley whilst protecting and enhancing nature conservation.
97. It is therefore considered the Sandford Mill SPA designation and policy requirements in Policy SPA5 are consistent with the site's Green Wedge location.

Question 51e	Overall are the SPA designations and their boundaries sound? Are any changes, such as those proposed by the Council in SP002, necessary for soundness?
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Response to Q51e

98. The response to Q39 within Matter 5 (**EX016**), sets out the approach taken to the SPA designations, including their consistency with national policy, the Council's Spatial Principles and Spatial Policies and the consultation process and how responses have shaped their finalisation. As set in Q39, it is considered that the Special Policy Areas are justified, effective, positively prepared and consistent with national policy and local policies in the Plan.
99. The boundaries of the SPAs, with the exception of the RHS Hyde Hall Gardens, have been carried forward from the adopted Local Development Framework (LDF). The new Local Plan gave the Council the opportunity to review the role, function and operational requirements of the existing sites and assess whether the boundaries remained and up-to-date. This included engagement with and/or consideration of responses to Local Plan consultations from landowners/trustees of the sites to understand future development plans/options that would be facilitate the continued use of the site. The same process was undertaken for the new designation of the RHS Hyde Hall Gardens. This resulted in some changes to the SPA boundaries to reflect current circumstances, including development permitted and, where appropriate, masterplan visions. This has resulted in the amendment of some of the SPA boundaries in the Local Plan including;
- Chelmsford City Racecourse
 - Sandford Mill
 - Writtle University College
100. For Writtle University College (WUC) and Hanningfield Reservoir Treatment Works, given their Green Belt location, careful consider has been given to their boundaries to minimise the impact on the Green Belt and any other environmental constraints. For WUC

in particular, its location between Chelmsford and Writtle is a constraining issue with regards to settlement coalescence. Therefore, the boundaries of the SPA are still, as currently under the adopted LDF, divided into three sections and drawn around the main operations of the WUC and the specialised training and educational facilities reflecting the primary function and operations of the site.

101. Overall, it is considered the SPAs and their boundaries are robust, justified and based on up-to-date evidence. It is not considered that any changes in addition to those set out in the Schedule of Additional Changes (**SD002**) are necessary to ensure soundness. It is not considered that the changes proposed within **SD002** go to the soundness of the SPAs but instead are amendments to ensure consistency across the Local Plan or amendments in response to comments raised by statutory consultees.

Question 52	Does the Plan clearly set out where the new retail development is to be located and is this justified by robust evidence?
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Response to Q52

102. The Local Plan clearly sets out the preferred locations for retail development, which is supported by the analysis and recommendations of the Chelmsford Retail Capacity Study (**EB077**) ('the 2015 retail study').
103. The Local Plan provides for retail development at the following locations:
- In support of the national 'town centres' first policy approach, Policy S8 indicates that preferred locations in Chelmsford are the city centre and other Designated Centres in the urban area, where Designated Centres are identified and defined by Strategic Policy 14;
 - Policy S8 and Strategic Growth Site 7 indicate that 1,900sqm of convenience goods floorspace should be provided in the 'North of South Woodham Ferrers' area to meet needs arising from residents of this settlement;
 - The provision of a number of new centres in the other Strategic Growth Sites, including West Chelmsford and North East Chelmsford.
104. This approach is supported by the recommended retail strategy in Section 10 of the 2015 retail study, which identifies:
- A qualitative case to improve the provision of convenience goods floorspace in Chelmsford city centre (paragraph 10.8);
 - An opportunity to increase the amount of convenience goods floorspace in South Woodham Ferrers due to the good trading performance of the ASDA store and potential opportunities to increase the town's market share (paragraphs 10.12 & 10.13);

- The importance of supporting the role and function of the neighbourhood centres in Chelmsford (paragraphs 10.15 & 10.16).

105. In order to arrive at these recommendations, the 2015 retail study undertook a detailed review of the level of existing retail provision within the main ‘town centres’ and considered the quality of existing provision in line with national policy in paragraph 161 of the NPPF (2012).

106. In relation to the provision of new retail floorspace within new neighbourhood centres in a number of the Strategic Growth Sites, the approach is supported by the interests of good planning to ensure that appropriately scaled retail provision can be provided which is easily accessible to these new communities and meets the day to day needs of the local population.

Question 53	In relation to Strategic Policy S14 and Policy EM2:
Question 53a	Is the retail centre hierarchy set out in Strategic Policy S14 justified by the evidence?

Response to Q53a

107. It is the Council’s position that the retail hierarchy set out in S14 is fully justified by the evidence. S14 responds positively to national policy in paragraph 23 of the 2012 NPPF and defines a network and hierarchy of centres that is resilient to anticipated future economic changes. The various tiers of ‘town centre’ in S14 are generally in line with the definition of ‘town centres’ in Annex 2 to the NPPF (2012).

108. The position of each centre/tier of centre in S14, including the description of their role and function in the text to the policy, is based upon advice and recommendations in the Chelmsford Retail Capacity Study (**EB077**) (‘the 2015 retail study’). In order to establish the role and function of each centre, the 2015 retail study considered the following information:

- The scale and type of retail floorspace in each centre (**EB077, Sections 5, 6 and 7**);
- Shopping patterns associated with each centre in terms of convenience and comparison goods (**EB077, Appendix 1, Tables 4 and 6**);
- The extent of the catchment of each centre and the retail uses which are particularly important to their health and attractiveness (**EB077, Appendix 1, Tables 4, 5, 6 and 7**);
- Consideration of the role of the larger centres – Chelmsford city centre and South Woodham Ferrers – within the wider sub-region (**EB077, Section 4**).

109. As a result of the evidence base, Policy S14 provides a clear and justified description of each relevant centre / tier of centre and how they will work to meet the needs of the local population.

Question 53b	Is the Council’s approach to centre boundaries, primary shopping areas and frontages justified and consistent with national policy? On what basis have the boundaries of these areas been defined? Do the policies make clear which uses will be permitted in which locations? Are the criteria set out in Policy EM2 sound?
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Response Q53b

110. Is the Council’s approach to centre boundaries, primary shopping areas and frontages justified and consistent with national policy?

111. On what basis have the boundaries of these areas been defined?

112. The Council’s approach to centre boundaries, primary shopping areas and frontages is justified and consistent with the NPPF (2012). The Proposals Map defines the extent of Designated Centres. Strategic Policy S14 lists those Designated Centres. Each centre has a bespoke commentary within the policy which highlights its function. The reasoned justification at 6.82 refers directly to the hierarchy suggested by paragraph 23 of the NPPF. Strategic Policy S14 lists the Centres in a hierarchy.

113. The Proposals Map defines the extent of the town (and city) centres and primary shopping areas. Primary and secondary frontages are clearly defined within the Town and City Centres. The definition of the boundaries has been defined by the visual characteristics, undertaken through visual inspection and knowledge of the uses in those areas. Most are already defined in the previous Local Development Framework **(EB119)**.

- City centre - higher intensity mixed use, high street shopping environment, central infrastructure such as university campus – these are anchors for the extent of boundary;
- Primary Shopping Area - areas containing uses that are intrinsic to retail or retail health – so areas already predominantly in retail use and areas that contain uses, such as eating, drinking, leisure uses, which contribute to the vitality of the city centre as a local and regional destination;
- Frontages - extents of frontages are determined on physical attributes as well as use attributes and their relationship to the central route network.

114. Strategic Policy S14 gives an overview of the uses which are appropriate in those Centres. Policy EM2 provides a more detailed breakdown of how proposals can be assessed in each of the Centres. Elements A, B & C highlight the circumstances under which alternative uses may be permitted.

115. The policy is not as restrictive to limit the appropriate uses in each Centre. The appropriate uses are implicit in A, B & C. For example, it is implicit within (A) that Class A1 is the focus; within (B) Class A or D2 or 'sui generis' uses of a retail nature; within (C) Class A, B1 (a) or D2 or 'sui generis' uses of a retail nature. A, B, C basically set a hierarchy focused on shops within the Primary Frontages, which is loosened in Secondary Frontages in the Primary Shopping Area, then loosened further for Secondary Frontages outside of the Primary Shopping Area.

Question 53c	Paragraph 6.87 of the Plan indicates that main town centre uses outside the designated centres will be considered in accordance with the Framework, including use of the default threshold of 2,500 sqm gross floorspace. However it also states that an impact assessment below this threshold may be required under certain circumstances. Should this be set out in policy? Is it necessary to include a policy differentiation between out of centre and edge of centre retail development?
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Response to Q53c

116. Based on the Retail Capacity Study (**EB077**) there is not anticipated to be a strong market for new out of town retail in the Plan period.
117. The Council has proposed a change to paragraph 6.87 of the Plan to reflect evidence in the Retail Capacity Study. This sets the requirement for an impact assessment at a threshold of 500sqm and is a recommendation of the Retail Capacity Study (**EB077 paragraphs 10.17-10.18**) This change is set out within (**SD002, AC54**).
118. The default threshold is seen as appropriate in order to balance resources and likely harmful impacts. Current out of town retail developments complement city centre retail in the most part in that it mostly provides for bulkier goods (carpets, furniture, white goods, etc) which are not generally part of the city centre retail mix.
119. A differentiation is not considered to be necessary. Edge of centre main town centre uses have the potential, in Chelmsford, to be equally damaging since there are already retail areas to the edge of centre which if materially enlarged with competing retail could draw customers away from the City Centre uses – in the same way as out of town retail. Both have a similar propensity to disrupt the vitality and viability of town centre uses, so no distinction is made within the policy.

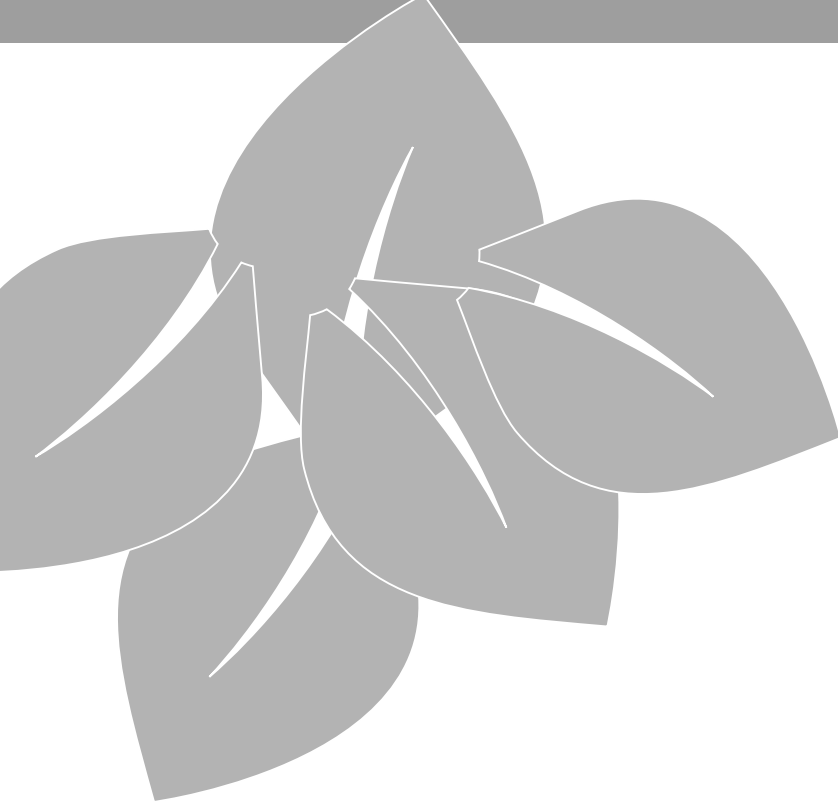
Question 53d	Some of the site allocations (such as Strategic Growth Site S2) refer to neighbourhood centres as supporting on-site development. Are these new designated centres and if so is this clear and reflected within the hierarchy set out in Strategic Policy S14 and Policy EM2?
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Response to Q53d

120. The neighbourhood centres referred to in the Strategic Growth Sites are not intended to be protected by either Policy S14 or EM2. This is because they are not built yet. Their inclusion (as either Principal or Local Neighbourhood Centres under Policy S14 or EM2) will be reviewed at a review of the Local Plan. If any have been constructed by that time, a decision can be taken whether they should fall within the hierarchy outlined in Policy S14.

APPENDIX A

EVIDENCE BASE LIST FOR MATTER 7	
SD002	Pre-Submission Local Plan Schedule of Additional Changes
SD004	Pre-Submission Local Plan Sustainability Appraisal Report, January 2018
EB026	Preferred Option Strategic & Local Junction Modelling, January 2018
EB027	Preferred Option Strategic & Local Junction Modelling Addendum, January 2018
EB029	Pre-Submission Strategic & Local Junction Modelling, January 2018
EB073	Employment Land Review, 2015
EB074	East of England Forecasting Model Technical Report, January 2015
EB075	Chelmsford Economic Strategy
EB077	Chelmsford Retail Capacity Study, 2015
EB078	Chelmsford City Centre Office Market Review
EB079A	Rural Employment Areas Technical Note, January 2018
EB079B	Rural Employment Areas Technical Note, June 2018 Update
EB119	Chelmsford Town Centre Area Action Plan including Proposals Map
EB120	North Chelmsford Area Action Plan including Proposals Map
EB121	Site Allocations Development Plan Document and Proposals Map
EX015	Matter 4 – Objectively Assessed Economic Development Need Hearing Statement, Chelmsford City Council



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