

# Cabinet Agenda

26 January 2021 at 7pm

Remote Meeting

## **Membership**

Councillor S J Robinson (Chair and Leader)  
Councillor M C Goldman (Connected Chelmsford  
and Deputy Leader)

## **and Councillors**

C K Davidson (Fairer Chelmsford)  
M J Mackrory (Sustainable Development)  
R J Moore (Greener and Safer Chelmsford)

Local people are welcome to attend this meeting remotely, where your elected Councillors take decisions affecting YOU and your City. There is also an opportunity to ask your Councillors questions or make a statement. These have to be submitted in advance and details are on the agenda page. If you would like to find out more, please telephone Brian Mayfield in the Democracy Team on Chelmsford (01245) 606923 email [brian.mayfield@chelmsford.gov.uk](mailto:brian.mayfield@chelmsford.gov.uk)

# THE CABINET

26 January 2021

## AGENDA

### PART 1 – Items to be considered when the public are likely to be present

#### 1. Attendance and Apologies for Absence

#### 2. Declarations of Interest

All Members are reminded that they must disclose any interests they know they have 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 become aware of the interest. If the interest is a Disclosable Pecuniary Interest they are also obliged to notify the Monitoring Officer within 28 days of the meeting.

#### 3. Minutes and Decisions Called in

Minutes of meeting on 17 November 2020. No decisions at that meeting were called in.

#### 4. Public Questions

Any member of the public may ask a question or make a statement at this point in the meeting, provided that they have been invited to participate in this meeting and have submitted their question or statement in writing and in advance. Each person has two minutes and a maximum of 15 minutes is allotted to public questions/statements, which must be about matters for which the Cabinet is responsible. The Chair may disallow a question if it is offensive, substantially the same as another question or requires disclosure of exempt or confidential information. If the question cannot be answered at the meeting a written response will be provided after the meeting.

Any member of the public who wishes to submit a question or statement to this meeting should email it to [committees@chelmsford.gov.uk](mailto:committees@chelmsford.gov.uk) 24 hours before the start time of the meeting. All valid questions and statements will be published with the agenda on the website at least six hours before the start time and will be responded to at the meeting. Those who have submitted a valid question or statement will be entitled to put it in person at the meeting, provided they have indicated that they wish to do so and have submitted an email address to which an invitation to join the meeting and participate in it can be sent.

## 5. Members' Questions

To receive any questions or statements from councillors not members of the Cabinet on matters for which the Cabinet is responsible.

## 6. Sustainable Development

6.1 Strategic Growth Site Policy 2 - Masterplan for Land West of Chelmsford

6.2 Adoption of Planning Obligations Supplementary Planning Document

6.3 Adoption of Making Places Supplementary Planning Document

(The Chelmsford Policy Board on 14 January 2021 recommended that the two Supplementary Planning Documents above be adopted.)

## 7. Fairer Chelmsford Items

7.1 Local Council Tax Support Scheme 2021-22

7.2 Capital, Treasury and Investment Strategies 2021-22

7.3 Budget Report 2021-22

## 8. Urgent Business

To consider any other matter which, in the opinion of the Chair, should be considered by reason of special circumstances (to be specified) as a matter of urgency and which does not constitute a key decision.

## 9. Reports to Council

The officers will advise on those decisions of the Cabinet which must be the subject of recommendation to the Council.

## PART 2 (Exempt Items)

None

**MINUTES OF**  
**CHELMSFORD CITY COUNCIL CABINET**  
**on 17 November 2020 at 7.00pm**

Present:

**Cabinet Members**

Councillor S J Robinson, Leader of the Council (Chair)  
Councillor M C Goldman, Deputy Leader and Cabinet Member for Connected Chelmsford  
Councillor C K Davidson, Cabinet Member for Fairer Chelmsford  
Councillor M J Mackrory, Cabinet Member for Sustainable Development  
Councillor R J Moore, Cabinet Member for Greener and Safer Chelmsford

**Cabinet Deputies**

Councillor A Davidson, Healthy Living  
Councillor N Dudley, Community Engagement  
Councillor S Goldman, Economy and Small Business  
Councillor Chloe Tron, Affordable Housing

**Opposition Spokespersons: Councillors**

K Bentley, P Clark, S Dobson, J Galley, N Gulliver, R Hyland, R J Poulter, I Roberts,  
M Sismey, M S Steel and R T Whitehead

Also present: Councillors D Clark and A Sosin

## **1. Attendance and Apologies for Absence**

The attendance of members was confirmed. Apologies for absence were received from Councillor W Daden, Opposition Spokesperson for the Chelmsford Independents Group.

## **2. Declarations of Interest**

Members of the Cabinet were reminded to declare at the appropriate time any pecuniary and non-pecuniary interests in any of the items of business on the meeting's agenda.



### 3. Minutes and Decisions Called-in

The minutes of the meeting on 8 September 2020 were confirmed as a correct record. No decisions at that meeting had been called in.

### 4. Public Questions

A member of the public asked a question on the electric scooter trial the subject of item 8 on the agenda. They asked whether regard had been had to the 'Advice for local authorities considering hosting e-scooter trials' and 'Advice for e-scooter operators participating in rental e-scooter trials' to ensure the safety of those who were visually impaired; whether the Council or the operators of the scooters, Spin, had carried out consultation with groups representing the visually impaired; and what safeguards the Council would require to ensure that no one with a visual impairment was endangered by any e-scooter trail before it was permitted to start.

The Cabinet Member for Sustainable Chelmsford and, later in the meeting when the Cabinet considered Item 8 on the agenda, the Head of Sustainable Transport at the County Council, replied that Spin and the County Council were carrying out extensive consultations before the introduction of the trial, which would include groups representing the disabled and those with visual impairments. All users of the scooters would be trained on their proper operation before they could be hired, which would involve their safe use around pedestrians, and the Police would be responsible for enforcement. Although almost silent when being used, each scooter was fitted with a bell to warn people of their presence. The questioner had contacted the County Council separately on the matter and a response would be provided to them.

### 5. Members' Questions

Councillors who were not members of the Cabinet asked the following questions:

Councillor K Bentley on:

- (a) Whether, in furtherance of the principles in the Climate and Ecological Emergency Declaration, the Council was divesting itself of any investments in fossil fuel companies.

The Cabinet Member for Fairer Chelmsford said that through its Investment Strategy the Council only invested in funds and did not own shares in companies. All

investments were regularly reviewed and only made if they met the UN requirements for sustainable investments.

- (b) When work to improve the condition of the car park at Compass Gardens, South Woodham Ferrers, would be carried out.

The Cabinet Member for Greener and Safer Chelmsford said that funding in the capital programme for the scheme would be brought forward to 2021-22 and the work was planned for between June and August 2021 following the refurbishment of the equipped play area in the park. In the meantime, the Cabinet Member would check on when scheduled maintenance to remove loose surface material in the car park would take place.

- (c) When the planned planting of whips in Creek View Road would begin.

The Cabinet Member for Greener and Safer Chelmsford said that the whips and taller species of trees had been ordered and were due to be planted soon.

Councillor R T Whitehead on whether the developer of a proposed site at South Woodham Ferrers had been correct to state recently that traffic matters were not part of the Masterplan for the development but would be part of the planning process. Councillor Whitehead said that this appeared to contradict a statement in the most recent edition of City Life under the title 'Residents are influencing development via Masterplans' that "You can help to decide where schools and neighbourhood facilities are built, how access and transport connections work, which buildings and landscapes need protection, and how everything is laid out."

The Cabinet Member for Sustainable Development replied that the masterplans being developed for the Local Plan site allocations set out the spatial requirements of the relevant Site Policy. That included a Movement Strategy setting out how footpaths, cycleways and bridleways connected within and outside the sites, how passenger transport would serve sites and the primary vehicular routes within sites and access connections to the wider highway network. The Local Plan was accompanied by traffic modelling to demonstrate that in principle the traffic from the new site allocations could be accommodated by the network. Where there was any adverse impact, new highway infrastructure should be provided by the developer to mitigate this. The Local Plan was subsequently found to be sound by the Local Plan Inspector.

Planning applications set out the detail of the type and size of new homes in a development and would need to be accompanied by a detailed Transport Assessment which would include further finer grain traffic modelling.

In the case of the site to the North of South Woodham Ferrers, Officers had written to the promoters of the site to ascertain the number of homes the masterplan was being designed to accommodate, as this remained unclear. If this exceeded the 'around 1,000 new homes' within the Local Plan, further traffic modelling evidence from the promoters would be required for the masterplan stage.

## 6.1 Social Value Procurement Policy and Strategy (Fairer Chelmsford)

### Declarations of interest:

None.

### Summary:

The Chartered Institute of Procurement and Supply recommended that any organisation which spent more than £5million a year should have in place a Procurement Policy. A proposed policy and associated Procurement Strategy were submitted to the Cabinet for approval.

### Options

Adopt or not adopt the proposed policy and strategy, with or without amendments.

### Preferred Option and Reasons

The proposed policy and strategy would add value to the Council's services, reflect modern public procurement practice and support the Council's aims and objectives.

### Discussion

Questions were asked on whether the Council had adequate staff resources to check that all purchases complied with the requirements of the strategy; whether a baseline audit of the current position on social value had been carried out so that there was a point against which to monitor progress; whether, in light of the impending departure from the European Union (EU), the thresholds relating to contracts needed to be changed; whether the Council currently complied with procurement law; whether details of progress made against the Action Plan in the Strategy could be provided as part of that document; and whether progress had been made on achieving the aims and objectives of the Corporate Plan.

In response, the Cabinet Member for Fairer Chelmsford said that at this stage detailed compliance checks would only be carried out on larger purchases over £50,000 and he was confident that present staff resources were adequate to do that. He would find out what the likely additional staff time involved would amount to. On the other questions, the Cabinet Member said that a detailed response would be provided after the meeting, but he could say that the Strategy would comply with any thresholds that applied at the time, whether set nationally or by the EU. He also emphasised that the Council's procurement operation must comply with the law and that nothing in the Strategy should be interpreted as suggesting that it did not do so currently.

RESOLVED that the Procurement Policy and Strategy for 2020-25 submitted with the report to the meeting be adopted and published.

(7.25pm to 7.42pm)

## 6.2 Special Expenses (Fairer Chelmsford)

### Declarations of Interest:

None

### Summary:

The Connectivity and Local Democracy Working Group had carried out a review of the mechanism by which charges for services provided by both Parish/Town Councils and the City Council were made. The aim of the special expenses mechanism was to ensure that taxpayers in the areas where the Parish Council provided the services and charged for them through their Parish precepts were not taxed twice for the same type of expenditure.

The review of special expenses had involved obtaining initial information from Parishes, looking at changes to methodology and consultation with Parishes. Given its complexity, the Connectivity and Local Democracy Working Group had concluded that it should look further into the potential for future abolition of the existing special expenses regime and to consider alternative delivery models to deal with double-taxation issues. However, it was necessary to have a reasonable method in place for the 2021/22 budget and the Working Group had recommended retention of the existing special expenses regime, updated for current information from Parishes and with amended methodologies as set out in the report to the meeting and at Appendix B. Based on responses received to date, Appendix A outlined the potential changes to each Parish and Unparished area as a result of the recommendations.

The Chelmsford Policy Board on 15 October 2020 had endorsed that approach and recommended it to the Cabinet.

### Options:

Approve the approach for Special Expenses recommended by the Working Group and Policy Board, retain the current mechanism or decide a different approach.

### Preferred Option and Reasons

The suggested approach would enable preparations for the budget for 2021-22 to proceed but allow time for alternatives to Special Expenses to be explored.

### Discussion:

It was confirmed during discussion that the Working Group's review of Special Expenses would look at alternatives to the system as well as its possible abolition.

RECOMMENDED TO THE COUNCIL that:

1. the findings of the review of special expenses by the Connectivity and Local Democracy Working Group be approved;

2. the retention of the current special expenses mechanism for the preparation of the budget for 2021/22, updated by the information and amended methodologies described in the report to the meeting, be approved; and
3. the Working Group explore other options for the future of special expenses such as abolition or replacement with another mechanism.

(7.42pm to 7.52pm)

### 6.3 Treasury Management Mid-Year Review (Fairer Chelmsford)

#### Declarations of Interest:

None

#### Summary:

The Cabinet considered a report on the Treasury Management activities undertaken in the first part of 2020/21 and the extent of compliance with the approved Treasury Management Strategy. Members were asked whether any changes to the Strategy were required ahead of the full, annual review later in the financial year.

#### Options:

Accept the recommendations in the report or recommend changes to the management of the Council's investments.

#### Chosen Option and Reasons:

The current investment arrangements met statutory requirements and were satisfactory in the current circumstances.

#### Discussion:

In response to anxiety about the performance of the CCLA Property Fund and the 35% reduction in the past year in the unrealised profit on the Council's investment in it, the Cabinet Member for Fairer Chelmsford acknowledged the reduction but said that the investment continued to give a better return than other funds. He said that this was a three- to five-year medium term investment which was regularly reviewed and continued if the risk in doing so was acceptable.

RESOLVED that the report on the Treasury Management activities in 2020/21 be noted and the Council be recommended to approve the 2020/21 Treasury Strategy without change.

(7.52pm to 8.01pm)

## 6.4 Revenue Monitoring (Fairer Chelmsford)

### Declarations of Interest:

None

### Summary:

The report formed part of the reporting regime by which members and officers monitored the Council's forecast expenditure and income and compared them with the approved estimates. It identified an expected level of expenditure and income by the Council for the year ending 31 March 2021 and set out actions relating to each of the material variations. The Cabinet was asked to consider the actions relating to the budget variances.

### Options:

Approve or not the actions proposed to address the budget variations.

### Chosen Option and Reasons:

The proposed actions would help ensure, as far as possible, that the Council would have sufficient funds to meet its revenue budget requirements in 2020-21.

### Discussion:

The Cabinet Member reported that the further recent Covid-19 restrictions were estimated to result in a net reduction in income to the Council of £100,000 after taking into account anticipated government grant. He added that the planned steps to balance the budget included additional borrowing, which would increase the Council's debt and interest payments.

RESOLVED that the report be noted and the actions identified in respect of the budget variations be monitored.

(8.01pm to 8.05pm)

## 6.5 Capital Monitoring and Update (Fairer Chelmsford)

### Declarations of Interest:

None

### Summary:

The Cabinet received a report on the latest position on the capital programme. The report also provided updates on the approved Capital Schemes and Asset Replacement Programme to reflect variations in cost and timing which had been identified to date and sought approval for additional budgets.

### Options

Approve or not the variations to Capital Schemes and the Asset Replacement Programme.

### Preferred Option and Reasons

The Capital Programme as submitted represented new phasing and expenditure required for Capital Schemes and the Asset Replacement Programme.

### Discussion

As mentioned under Item 5 above, the Cabinet Member for Fairer Chelmsford said that the scheme in the capital programme for improvements to the Compass Gardens car park would be brought forward to 2021-22. In response to a question on the purchase of a number of flats in Chelmsford, which would not now be proceeding, the Cabinet Member said that the Council was on course to purchase 20 properties for the housing of homeless people. The effect of such purchases on the cost of temporary housing would be reflected in the revenue budget for next year.

RESOLVED that

1. the proposed increase in the cost of capital scheme costs of £11.472m shown in Appendix 1 and detailed in paragraph 6.3 of the report to the meeting be noted;
2. it be noted that approval for those increased costs will be sought from the Council in December 2020 or, if required, by way of the Chief Executive's delegated authority to take urgent decisions; and
3. the proposed Asset Replacement Programme for 2020/21 and 2021/22 be approved together with the increase in scheme costs of £20,000 and the rephasing of £684,000 from 2020/21, as shown in Appendix 3 and detailed in paragraphs 7.3 and 7.4 of the report.

(8.05pm to 8.12pm)

## 6.6 Medium-Term Financial Strategy (Fairer Chelmsford)

### Declarations of Interest:

None

### Summary:

The Cabinet received an update on the Council's projected financial position over the medium term and progress against the actions outlined in the Medium-Term Financial Strategy approved by the Council in July 2020. It was asked to consider

whether any amendments were required to the Strategy in light of the latest information.

#### Options

Agree the recommended changes to the Medium-Term Financial Strategy, retain the existing Strategy or propose other amendments to the Strategy

#### Preferred Option and Reasons

The proposed amendments to the Medium-Term Financial Strategy took account of the increased risk to the Council's finances from the uncertainty over future income levels and government funding, thereby providing a sound basis for the preparation of the 2021/22 budget and underpinning the future financial sustainability of the Council.

#### Discussion

The Cabinet Member said that the main changes proposed to the strategy were increasing reserves to £9 million and allowing them to be used to cover temporary reductions in income. In response to a question, he said that ideas for income generation, such as letting unused space in its offices to other organisations, were best considered when setting the budget for 2021/22.

RESOLVED that

1. the updated financial forecast and progress against actions within the existing Financial Strategy be noted; and
2. the Council be recommended to approve:
  - a. the approach to reserves set out in section 3 of the report to the meeting and
  - b. the amendments to the Financial Strategy set out at paragraphs 3.4 and 7.5 of the report and reflected in Appendix 1.

(8.12pm to 8.19pm)

## 7. Review of Statement of Licensing Policy (Greener and Safer Chelmsford)

#### Declarations of Interest:

None



#### Summary:

The Licensing Committee had reviewed the Council's Statement of Licensing Policy under the Licensing Act 2003 and, subject to a minor amendment to include reference the need to adhere strictly to COVID-19 regulations and guidelines in and around venues, had recommended that it be approved without change.

#### Options

Recommend that the Council approve the Statement of Licensing Policy, with or without the change suggested by the Licensing Committee or other changes.

#### Preferred Option and Reasons

The policy as presented would enable the Council to meet its statutory obligations under the Licensing Act 2003.

#### Discussion

The Cabinet Member for Greener and Safer Chelmsford recommended that the amendment suggested by the Street Pastors and supported by the Licensing Committee not be accepted as it did not relate directly to the licensing objectives and the need to observe Covid-19 restrictions and regulations was covered by other regulatory regimes.

RESOLVED that the Council be recommended to approve the Statement of Licensing Policy as submitted to the meeting and without amendment

(8.19pm to 8.25pm)

## 8. Chelmsford Electric Scooter Trial (Sustainable Development)

#### Declarations of Interest:

None

#### Summary:

The Cabinet was asked to consider whether Chelmsford should participate in Essex County Council's proposed trial of electric scooters. The report to the meeting described how the trial would operate and be monitored and recommended that the city participate in the trial.

#### Options

Support or not Chelmsford's participation in the trial.

#### Preferred Option and Reasons

Endorsing the trial use of electric scooters in Chelmsford could provide an opportunity to promote sustainable travel options, particularly for short trips and commuting, reduce traffic congestion and cut carbon emissions. It could also

benefit Chelmsford while social distancing was in place on public transport during the Covid-19 pandemic.

#### Discussion

The Cabinet received a presentation on the trial from the County Council's Head of Sustainable Transport.

The following questions and points about the scheme from an opposition group spokesperson had been notified in advance of the meeting:

- The intention was to have e-scooters being ridden on cycle paths, shared use ways and roads of less than 30mph. How would it be ensured that they were not also ridden on pavements, or in the precinct? It was noted that Middlesbrough had cut back on its trials after riders constantly rode them in pedestrian areas and this was also a major problem in Coventry, where trials had been suspended after five days. Whilst the rules on the "provided" scooters were clear, the Cabinet was asked whether it felt that Chelmsford High Street would see the same problems both with the supplied scooters and with people using their own. It was understood that York had fitted geo-fencing one week into their trials to prevent scooters entering shopping centres, as signs were being ignored.
- The safety of pedestrians, particularly those with impaired sight, was a concern. Cycling in the High Street was already a concern and the scooters would to the "silent" propelled vehicles. How would the safety of pedestrians in the High Street be protected?
- The regulations required that riders needed to be over 18 years old, hold a provisional or full driving licence, riders were required to complete and pass safety training, and penalties for misuse were included. Who would be responsible for ensuring this happened and for enforcing such penalties?
- Appropriate insurances including public liability insurance, vehicle insurance, were in place. Does the City Council have any liability and did its insurance cover it?

In response to those matters, the Cabinet was informed that:

- the scooters were regarded as vehicles under the Highways Act and the enforcement of their lawful use would be the responsibility of the police;
- the trial in Coventry had been suspended for a short period to enable geo fencing to be installed. For the Essex trial this would be provided from the start and would be a sophisticated system which would ensure that the scooters were only used in designated areas and could not be operated in prohibited areas;
- their speed would be limited to 15.5mph, they would be fitted with warning devices and could not be hired until the user had undergone full training and had agreed to comply with the conditions of their use; and

- Spin would be responsible for ensuring that all required insurance was in place.

The Cabinet Member added that the trial would be subject to thorough review at its end and measures to address any problems would be agreed before a decision was taken on the long-term future of the scheme.

The Head of Sustainable Transport said that details of the trials had yet to be finalised and the comments of consultees, including the district councils and groups representing those with disabilities, were welcomed and would be taken into account in the scheme's design. She said that the success or otherwise of the trials would be assessed against key performance measures that would be decided before they began.

RESOLVED that:

1. Essex County Council's proposed electric scooter trial in Chelmsford be endorsed, subject to the County Council resolving its concerns around the implementation of the trial within a COVID-19 lockdown; and
2. the Director of Sustainable Communities in consultation with the Cabinet Member for Sustainable Development be authorised to engage with Essex County Council and their operator partners and other relevant parties on these matters to make operational decisions related to the trial.

(8.25pm to 9.03pm)

## 9. Amendments to the Constitution (Leader)

### Declarations of Interest:

None

### Summary:

The Constitution Working Group and the Governance Committee had recommended several changes to the Constitution following its latest review.

### Options

Support or not the recommended amendments to the Constitution.

### Preferred Option and Reasons

The proposed changes would ensure that the Constitution remained up to date and that decision-making processes met current needs.

RESOLVED that the Council be recommended to approve the following amendments to the Constitution:

1. Rule 3.4.11(c) be amended to read:

“applications for a private hire licence where the circumstances of the applicant have changed since the grant of a previously held licence.”

2. The Cabinet and Committee Procedure Rules in Part 4.2 be amended by the addition of the following;

#### 4.2.8A Working Groups

4.2.8A.1 A non-Executive body may create such Working Groups of such size and membership as it may decide. Working Groups need not be politically balanced but should, where possible, comprise members of all political groups on the Council. All groups will be permitted to appoint substitute member(s) to any seat(s) allocated to their particular group.

4.2.8A.2 The Cabinet Member whose portfolio is most closely associated with the general work of a Working Group shall be entitled to attend its meetings and speak at them. Other Cabinet Members may, with the permission of the Chair of the Working Group, attend and speak at its meetings if it is considering a matter related to their portfolios.

4.2.8A.3 Other members of the Council may attend meetings of a Working Group but will not be entitled to speak.

3. Rule 4.1.13.9 of the Council Rules be amended to read:

“An amendment should not negate the motion. All amendments should be submitted in writing to the Legal and Democratic Services Manager no later than 24 hours before the meeting. If valid, they will be published with the agenda for the meeting on the Council’s website no later than six hours before the meeting. If the Legal and Democratic Services Officer considers that the amendment is not valid, the councillor who submitted it will be given the opportunity to alter it to make it a valid amendment, provided they do so and send the revised amendment to the Legal and Democratic Services Manager no later than eight hours before the meeting.

Nothing in the foregoing paragraph would rule out a short amendment to a Motion being presented on the night provided it is compliant with paragraph 4.1.13.8. ”

4. Amend Rule 4.1.12.1 (h) to read: “a short amendment to a Motion as set out in rule 4.1.13.9 and to amend an amendment to a motion”

(9.03pm to 9.11pm)

## 10. Urgent Business

There were no items of urgent business

## 11. Reports to Council

The reports at Items 6.2, 6.3, 6.5, 6.6, 7 and 9 were referred to the Council for approval.

The meeting closed at 9.12pm

Chair



## Chelmsford City Council Cabinet

26 January 2021

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### Strategic Growth Site Policy 2 – West Chelmsford Masterplan

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#### Report by:

Cabinet Member for Sustainable Development

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#### Officer Contact:

Matthew Perry, Senior Planning Officer

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#### Purpose

This report is seeking Cabinet approval of the masterplan for the Site Allocation known as West Chelmsford – referenced by Strategic Growth Site Policy 2 of the Chelmsford Local Plan. The Masterplan is attached to this report as Appendix 1.

As set out above, the purpose of this report is to enable the Cabinet to fully consider the proposed masterplan for this site and decide whether it is acceptable. The masterplan has previously been subject to review by Chelmsford Policy Board (CPB), as required by the Masterplan Procedure Note (Oct 2019), and a report setting out the merits of consideration was produced for that stage. Following its review by Policy Board in July 2020, doubts were raised about the safety, viability and benefits of the bus link (see Appendix 2). Subsequently, an addendum to the masterplan was produced by the developer, and its content was subsequently endorsed by the Policy Board in October 2020 (see Appendix 3). The masterplan has been amended to reflect the content of the addendum and other changes as required by officers.

#### Options

1. The Cabinet approve the updated Masterplan (including deletion of the bus link as recommended by Chelmsford Policy Board on 15 October 2020).

2. Alternatively, the Cabinet approve the updated Masterplan, subject to the reinstatement of the bus link connection to Avon Road.
  3. In accordance with either option 1 or 2 that the Director of Sustainable Communities, in consultation with the Cabinet Member for Sustainable Development, be authorised to make all necessary revisions to the final approved masterplan.
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## 1. Background

- 1.1. The Chelmsford Local Plan was adopted on 27<sup>th</sup> May 2020. Strategic Policy S7 of the Local Plan requires that the allocated Strategic Growth Sites proceed in accordance with masterplans to be approved by the Council.
- 1.2. Further to officer-led negotiation of the masterplan proposals submitted by Crest Nicholson for West Chelmsford (known locally as Warren Farm), and following various rounds of community, technical and public consultation, Crest Nicholson have presented a refined masterplan for Strategic Growth Site Allocation 2 in accordance with the Council's Masterplan Procedure Note (October 2019).
- 1.3. The masterplan has been considered by Chelmsford Policy Board at its meeting of 16 July 2020 (reconvened on 15 October). The Chelmsford Policy Board report is attached as Appendix 2. The minutes of those meetings are attached as Appendix 2b & 3b. The recommendations of Chelmsford Policy Board have been followed. Those recommendations are chiefly that:
  - the masterplan to be amended to reflect the content of the Masterplan Addendum
  - the masterplan should proceed to Cabinet for formal consideration
  - before submitting a report to Cabinet, the masterplan should be subjected to independent review by the Essex Quality Review Panel, and
  - where necessary, any changes to be negotiated prior to Cabinet should be delegated to the Director of Sustainable Communities in consultation with the Policy Board Chair, Vice Chair, and Cabinet Member for Sustainable Development, and opposition party representatives.
- 1.4. The Essex Quality Review Panel (EQRP) was held on 16 October 2020. The output document is attached as Appendix 4. See also the section of this report headed 'Essex Quality Review Panel' where actions from that stage of the process have been summarised.
- 1.5. In summary, the masterplan has been amended to reflect the content of the masterplan addendum. Following the undertaking of the design review, amendments have been made to the layout and wider document. Other changes as highlighted within the officer reports to CPB have been actioned. At this point the masterplan is presented to Cabinet for approval.

## 2. Matters arising since consideration by Chelmsford Policy Board

### Essex Quality Review Panel (EQRP)

- 2.1 The EQRP was held on 16 October 2020. The EQRP has no formal status and offers informal views only, providing an informal second opinion from a panel of experts. The benefit of the EQRP is that it provides opportunity to hear an outside perspective from other professionals. The EQRP is not an in-depth or technical assessment and the Panel do not purport to possess all of the local context or understanding.
- 2.2 Discussion between Officers and Crest Nicholson since the EQRP, have culminated in amendments to the proposed layout.
- 2.3 The table below provides a summary of comments and any actions/responses.

EQRP comment	Comments / Actions
<p><i>General:</i></p> <p>Review and develop (i) layout, (ii) position of local centre, (iii) site narrative.</p>	<p>(i) Layout amended following comments from the Panel, which in officers view represent improvements to the scheme</p> <p>(ii) Neighbourhood centre and school have been relocated to the western edge to more closely address north and south halves of development</p> <p>(iii) Layout and masterplan document amended to more closely reflect the influence of landscape upon the scheme. Landscape-led approach now more obvious within document.</p>
<p><i>Site access and connectivity:</i></p> <p>Potential loss of bus link to result in negative impact in future development of site.</p> <p>Review of demographics required to determine location of uses.</p> <p>Primary vehicle access from Roxwell Road viewed as a positive. Creation of street frontage would be beneficial to reduce vehicle</p>	<p>Bus link was substituted following the recommendations made by Chelmsford Policy Board. However, the link will still include a pedestrian and cycle connection.</p> <p>Noted, however the location of sports and recreation is largely dictated by the Local Plan Policies Map.</p> <p>The creation of a street frontage would be at odds with requests from Writtle representatives. It is anticipated that a speed reduction will be achieved through other highways works. Landscape buffer</p>



<p>speeds. Extent of landscaping along Roxwell Road will mean speed reduction difficult.</p> <p>Connections to north east are positive, combination of uses key to creating shared resources. Potential for additional allotments, play spaces and sports provision.</p> <p>Retention of existing Public Rights of Way (PROW) welcomed, but should include cycle provision.</p> <p>Prominence of vehicles was unbalanced – greater understanding needed of promotion of pedestrian and cycle movements. Character areas to be formed around priority routes of walking and cycle.</p>	<p>along frontage considered to be important aspect which should be retained.</p> <p>Proposal will include a pedestrian/cycle link into Avon Road, so positive link will remain even in revision. Opportunity exists for play space within the green link, which is shown in the revised masterplan, however the location of more formal sports and recreation is dictated by the Local Plan Policies Map to be to the west.</p> <p>Noted. The existing footpaths within the site are not constrained physically so this should be achievable - to be detailed as part of planning application.</p> <p>The removal of bus link reduces the prominence of a bus route through the centre of the site. The prominence of motor vehicles is an inevitability when access is required from Roxwell Road but can be manipulated within the site. The revised masterplan now includes an access and movement strategy which provides greater understanding for pedestrian/cycle movements. Comments noted on character areas, but they are not shown within the masterplan – this is a valid criticism but one which will need to be explored further through the planning application.</p>
<p><i>Layout:</i></p> <p>North/South split obvious from layout – south having stronger connections and identity.</p> <p>Neighbourhood centre and school to respond more positively to both north and south parcels.</p>	<p>The layout of the northern half has been amended to introduce a central square, less rigid roads, and footway connections. The reduction in depth of the central green space positions the two parcels closer together.</p> <p>Neighbourhood centre and school have been relocated to the western edge to more closely address north and south halves of development. The local centre can now ‘front’ three sides of residential development, it is also a more obvious focal feature for existing residents travelling into the site from the Chignal Estate.</p>

Edge of development – west too formal and clear cut, more naturalistic edge required.	Relocation of school to western edge will enable a greener edge and transition with the sport/recreation zone beyond. Residential parcels along the western edge have been tapered. Proposed play area in north west zone now punctuates into residential parcel.
<p><i>Health and wellbeing:</i></p> <p>Further clarity and innovation in meeting Livewell principles. Review into demographics will aid understanding. Sustainability framework to accompany masterplan and ongoing works.</p> <p>Parking approach – EV charging, aid transition away from individual car ownership, allow flexibility to change use of parking areas.</p>	<p>The masterplan need not be amended to achieve this outcome. A framework can be worked up but need not be overly prescriptive as requirements will change over time, but this could set out overall targets, key attributes and deal with the issues around mitigating grid loading at peak times. Review into demographics can influence proposed uses for local centre.</p> <p>Not strictly a masterplan consideration, can be considered at detailed planning. The Local Plan policies include requirements related to EV charging.</p>
<p><i>Landscape:</i></p> <p>Landscape narrative missing from Masterplan - to aid understanding and provide context for development.</p>	<p>Masterplan amended – landscape narrative now more prominent in document – see section 8 of masterplan.</p>
<p><i>Placemaking and built form:</i></p> <p>Character of place as yet unknown, good opportunities exist.</p>	<p>The revised masterplan provides more detail on elements of connectivity. Character areas need to be developed at planning application stage.</p>

### 3. Masterplan amendments

- 3.1 The masterplan has undergone amendments in order to accommodate (i) changes necessitated by the content of the masterplan addendum, (ii) changes deemed necessary by officers as noted as 'Further considerations' within the CPB reports, (iii) some of the comments and criticisms of the EQRP.

## Masterplan addendum

- 3.2 The masterplan has been amended in line with the content of the masterplan addendum by replacing the bus link with a pedestrian/cycle route only across the brook into Avon Road. Another pedestrian/cycle route is also proposed to the south of the allotments – it also includes a bridge and the route would be positioned above the flood zone. The other matters as discussed within the CPB report have now been included within the written and diagrammatic content of the masterplan, these include a commitment for the developer to contribute towards footway/cycleway connections, new bus stops, bus stop improvements and new bus routes.

## Further considerations

- 3.3 The CPB reports included reference to numerous ‘further considerations’, in other words amendments deemed necessary by officers prior to the masterplan being considered by Cabinet. The revised masterplan has addressed all of the items, listed as follows:

- The secondary access road to be realigned to give a greater curvature in a northern direction – route realigned
- East-west pedestrian and cycle connections to be reworked – connections reworked and movement diagram now included in masterplan
- Consideration of paragraphs 3 – 13 in the ECC Highways consultation response dated September 2020 – all items addressed in revised masterplan
- The northernmost block denoting ‘up to 3 storeys’ be reconsidered to be reshaped to more closely align with the edge of the newly created open space – parcel reshaped
- The northernmost block denoting ‘medium high density’ be reconsidered to focus this density more centrally to the secondary access road – density diagram amended
- Further detail is required on phasing of residential parcels as well key infrastructure such as roads, bus link, schools, neighbourhood centre, sports pitches and travelling showperson site – further detail included

- 3.4 ECC Highways have confirmed that they are content with the amendments. Officers are content with the extent of amendments which address those ‘further considerations’ previously highlighted to CPB.

## Essex Quality Review Panel (EQRP)

- 3.5 The comments received through the EQRP have been reviewed. Not all of the suggestions are workable or appropriate for this development. The layout has been amended – the most significant revision being the relocation of school and neighbourhood centre further west allowing a less severe transition between residential and recreation to the west, and also allowing the neighbourhood centre to interface with both the northern and southern segments of the site. The western urban edge has also been softened with greater natural insets into the residential parcels.

## Summary

- 3.6 The changes are considered to be acceptable to Officers and have been agreed between the Director of Sustainable Communities in consultation with the Chair, Vice Chair and Cabinet Member for Sustainable Development.

## 4. Policy considerations

- 4.1 The CPB report (and specifically its green sheet item) dated 16 July 2020 considered the consultation responses and public representations. CPB raised concerns with the bus link and recommended officers reviewed this specific element before being able to recommend approval to Cabinet.
- 4.2 The CPB report dated 15 October 2020 reviewed the safety, viability and benefit of the bus link. The review concluded that the bus link proposals represented a safe, viable and deliverable option to achieve the policy requirements of Strategic Growth Site Policy 2. However, CPB endorsed the alternative options as presented in the masterplan addendum, as they were not convinced by the further analysis offered by officers and that the content of the addendum offered a suitable package of mitigation measures sufficient to permit the substitution of the bus link.
- 4.3 The CPB report noted that the removal of a bus link (in any form) would mean that the site policy requirement could not fully comply with the site policy, namely the provision of a 'dedicated bus link into the Urban Area' (as per the main body of the policy) or a 'bus link from Avon Road' (as per the reasoned justification for the site policy). In this respect a conflict with the adopted Local Plan exists. Cabinet members should therefore consider what material considerations exist to justify deviation from the requirements of the Local Plan policy adopted in May 2020.
- 4.4 The minutes of the October CPB reflect the discussion by members and the grounds on which they favoured for not pursuing the bus link, namely the intrusive and disproportionate negative impact on local residents and the significant damage to the local ecology.
- 4.5 Officers would strongly recommend that Cabinet members carefully assess the reasoning provided by the Policy Board. Firstly, it should be stated that Officers consider both impact upon residential amenity and impact upon ecology, are material planning considerations. However, members should be convinced that these matters demonstrably outweigh one specific element of the Local Plan (namely the inclusion of a bus link within this strategic site).
- 4.6 The package of mitigation measures which were outlined within the masterplan addendum, and now transposed into the revised masterplan, are material considerations to which members must have regard to and accord due weight when determining the issue of whether the bus link should be deleted. To inform such a

view, members should be aware of the underlying rationale behind the bus link – (i) maximising bus penetration into site to ensure homes are not more than 400m from bus stops, (ii) increasing and providing more flexible bus routing options for the wider network to create new routes and help the viability of existing routes, (iii) maximising passenger transport as part of sustainable transport initiatives, for those unable to use active travel options.

4.7 Paragraph 2 of the National Planning Policy Framework (NPPF) states that Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. Although the masterplan is not a planning application, the Local Plan policy requires future planning applications to accord with an approved masterplan. As such, it is the Officers' view that, as a matter of planning law, the principle outlined in the NPPF applies when considering the masterplan.

4.8 In reaching a decision on weight to be given to material considerations, members should consider the following legal matters:

(i) The Local Plan has only very recently been adopted. It has gone through a rigorous statutory preparation and public consultation process and has been examined and found sound by an Inspector. The Inspector concluded, amongst other things, that the provision of a bus link for the West Chelmsford development was required.

(ii) The Local Plan, by virtue of its very recent adoption demands that members attribute to its Policies considerable weight. In the context of planning applications (and by logical extension approval of masterplans), local planning authorities can depart from Local Plan policies if they consider that there are other material considerations which warrant more weight. It is worth noting that the Local Plan cannot be considered to be out of date (it only recently being adopted) or its policies to be inconsistent or undermined by current planning guidance. Nor can it be considered that circumstances have changed which means that certain policies may no longer be relevant.

(iii) ECC Highways have concluded that the bus link would meet highway safety standards. It should not therefore be considered to be unsafe or unviable – the officer report to CPB notes as such.

4.9 Whilst residential amenity is a material consideration, it was considered to some degree by the Planning Inspector at Examination into the Local Plan –the location of the dedicated bus link (including bridge) was identified but not its design. The Planning Inspector visited the site. At that stage the lack of design was not considered to outweigh the principle of provision of a bus link in that location. The masterplan provided further detail into the design of the route (position, inclusion of

a bridge and raised embankments) albeit not to the level of a full planning application. It is therefore open to members to consider that the detail warrants a reappraisal of the bus link. However, a decision made by Cabinet to accept its removal is essentially one that considers that no mitigating circumstances would render the bus link acceptable in terms of impact upon residential amenity.

- 4.10 Whilst impact upon ecology is also a material consideration, again this was considered in the round by the Local Plan Inspector as the route in principle was known. The proposition of the bus route in this location is supported by ecological assessments undertaken by Crest and considered by the local planning authority, albeit not evidenced within the masterplan. It is the Officers' view that whilst there will inevitably be an impact upon ecology, because the bus link breaks through several hedges, involves the removal of several trees, and crosses a watercourse with a hard structure, such an impact is not considered to be fatal to the scheme in planning terms (i.e. so harmful to ecology to warrant withholding planning permission, or create harm which cannot be mitigated). The CPB offered no evidence to demonstrate ecological harm and it should be noted that neither the trees, hedgerows or habitat is protected by any statutory or non-statutory designations. Furthermore, it should be noted that the proposal endorsed by CPB (to 'downgrade' the bus link route to a pedestrian/cycle link) still involves almost the same loss of hedges and trees, and a bridge to cross the brook (albeit to a slightly lesser degree as the bridge is reduced in width and the embankments are less substantial). Officers therefore strongly recommend that the matter of ecology should be given limited weight as part of the 'weighing' exercise needed to be undertaken by Cabinet members.
- 4.11 Cabinet members should also have regard to the likely or possible ramifications of non-provision of a bus link in relation to traffic levels at the Roxwell Road end of the development. Representations made on the masterplan addendum, most notably those of Writtle Parish Council, raised concern with the impact of traffic on Roxwell Road if the bus link is not provided (i.e buses will be added to Roxwell Road which wouldn't have done so with bus link exiting straight onto Avon Road; it also reduces the accessibility of one alternative option for residents to the private car). The masterplan addendum stated that the increase of buses onto Roxwell Road total no more than 8 buses per hour in both directions. Behavioural changes are difficult to quantify at this stage because the link would still offer an alternative to the car – walking or cycling. Although maximising bus-related infrastructure provides the best opportunity to increase bus patronage for future residents of the site, the loss of the bus link in itself is unlikely to result in a significant impact for traffic on Roxwell Road. Members may also wish to question the viability of a bus link, post Covid, and with the likely proliferation of electronic scooters providing an alternative means of transport. However, the introduction and use of e-scooters, whilst likely, remains speculative. Furthermore, whilst e-scooters could lead to a reduction in bus demand, this would be unlikely to be the case for all persons (e.g. the elderly, those with certain

disabilities, and parents wishing to travel into the City with young children). In such circumstances officers are of the view that little weight can be given to this consideration.

- 4.12 Ultimately, it is for Cabinet members (and not officers) to determine whether material considerations exist which outweigh the provision of the bus link. By law, the weight to be given to considerations which may justify departure from the policy requirement for a bus link is a matter solely for the decision maker (Cabinet). In general, the Courts will only interfere with a decision of this nature if they consider it to be irrational – that is to say, a decision that no reasonable local authority would, on the facts / evidence before it, reach (The so-called “Wednesbury unreasonableness test”). Or if it is evident to the Courts that in reaching its decision the local authority has failed to take into account all relevant considerations or, conversely, taken into account irrelevant considerations. It is, for example, established law that in the context of determination of planning applications (and, by logical extension, approval of masterplans) concerns on the part of local residents that a development scheme will or may (if it goes ahead) lead to a reduction in property values cannot constitute a relevant consideration.
- 4.13 It follows, therefore, that any decision by Cabinet to approve a masterplan which omits the policy requirement for provision of a dedicated bus link should be reasoned, and articulate the basis for doing so. In reaching their decision Cabinet members should, among other things, have regard (and give appropriate weight) to the package of measures (see paragraph 3.2) which were presented within the masterplan addendum and the extent to which they compensate for or mitigate the non-provision of the bus link (in terms of maximising opportunities for sustainable travel).

## 5. Conclusion

- 5.1 The masterplan demonstrates how the requirements of the Local Plan will be delivered on this site. The vision is sufficiently ambitious to achieve a high-quality development which is well related to its context. The masterplan layout and other content provides a sound framework to guide successful placemaking and will support the planning application process as it should.
- 5.2 The masterplan is presented to Cabinet with an option (no 1) that it be approved in its current form if members are satisfied that material considerations exist that outweigh and justify departure from one element of the Local Plan policy (namely bus link).
- 5.3 It is officers’ view that the material considerations do not outweigh the adopted Local Plan policy, but if Cabinet (as decision maker at this juncture) take a contrary view they should be satisfied that there is credible evidence to support their decision. Cabinet therefore have the option to proceed with option 2 as an alternative to option 1.

### List of appendices:

- Appendix 1 Crest Nicholson Masterplan – January 2021
- Appendix 2a Chelmsford Policy Board Report 16 July 2020
- Appendix 2b Chelmsford Policy Board minutes 16 July 2020
- Appendix 3a Chelmsford Policy Board Report 15 October 2020
- Appendix 3b Chelmsford Policy Board minutes 15 October 2020
- Appendix 4 Essex Quality Review Panel report – November 2020

### Background papers:

None

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### Corporate Implications

#### Legal/Constitutional:

As referred to in the report.

#### Financial:

None

#### Potential impact on climate change and the environment:

New housing delivery can have a negative impact on climate and environmental change issues. Planning Policies, Building Regulations and Environmental Legislation ensure that new housing meets increasingly higher sustainability and environmental standards which will help mitigate this impact.

#### Contribution toward achieving a net zero carbon position by 2030:

The new Local Plan and emerging Making Places SPD will provide guidance to assist in reducing carbon emissions through development. This development will follow the published guidance.

#### Personnel:

None

#### Risk Management:

None

#### Equality and Diversity:

None. An Equalities and Diversity Impact Assessment has been undertaken for the Local Plan.



Health and Safety:  
None

Digital:  
None

Other:  
None

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**Consultees:**

CCC – Spatial Planning

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**Relevant Policies and Strategies:**

This report takes into account the following policies and strategies of the City Council:

Local Plan 2013-2036

Our Chelmsford, Our Plan, January 2020

Chelmsford Climate and Ecological Emergency Action Plan

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Chelmsford Local Plan  
Strategic Growth Site 2 -  
West Chelmsford  
Warren Farm

Masterplan Document  
January 2021

Project Details

Client: Crest Nicholson  
Project Name: Warren Farm  
Reference Number: 15029  
Date: January 2021

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# 1. Executive Summary

- Strategic Growth Site Policy 2- West Chelmsford is an allocation in the Chelmsford Local Plan. It sits within the Plan’s Growth Area - Chelmsford Urban Area and is subject to Policy SGS2. The Local Plan proposes that the allocation should be for a high quality, comprehensively- planned new sustainable neighbourhood that maximises the opportunity for sustainable travel. Development proposals are required to accord with a masterplan to be approved by the Council to provide around 800 homes, a site for Travelling Showpeople, a Neighbourhood Centre, a primary school with co-located early years and childcare nursery and a network of green infrastructure.
- The proposals will include a wide mix of house types and tenures, including affordable, to be compliant with Council policy.
- This high level Masterplan Document has been prepared on behalf of Crest Nicholson to set out their approach to development for this Strategic Site, which will be referred to as ‘Warren Farm’ throughout this document.
- The proposals presented within have evolved through an extensive process of collaboration between Crest Nicholson, Chelmsford City Council (CCC), Essex County Council, the local community and other key stakeholders.
- This Masterplan has been prepared to satisfy the above Policy and is submitted for the approval in accordance with the Council’s masterplan procedure.
- Once approved, the Masterplan will sit alongside the Adopted Local Plan and will form part of the planning framework for the Strategic Growth Site.
- The approved Masterplan will also establish the principles to guide the preparation, submission and determination of future planning applications for the site and will be a key reference document.
- The overall proposals seek to promote and assist in securing a high quality sustainable new neighbourhood.

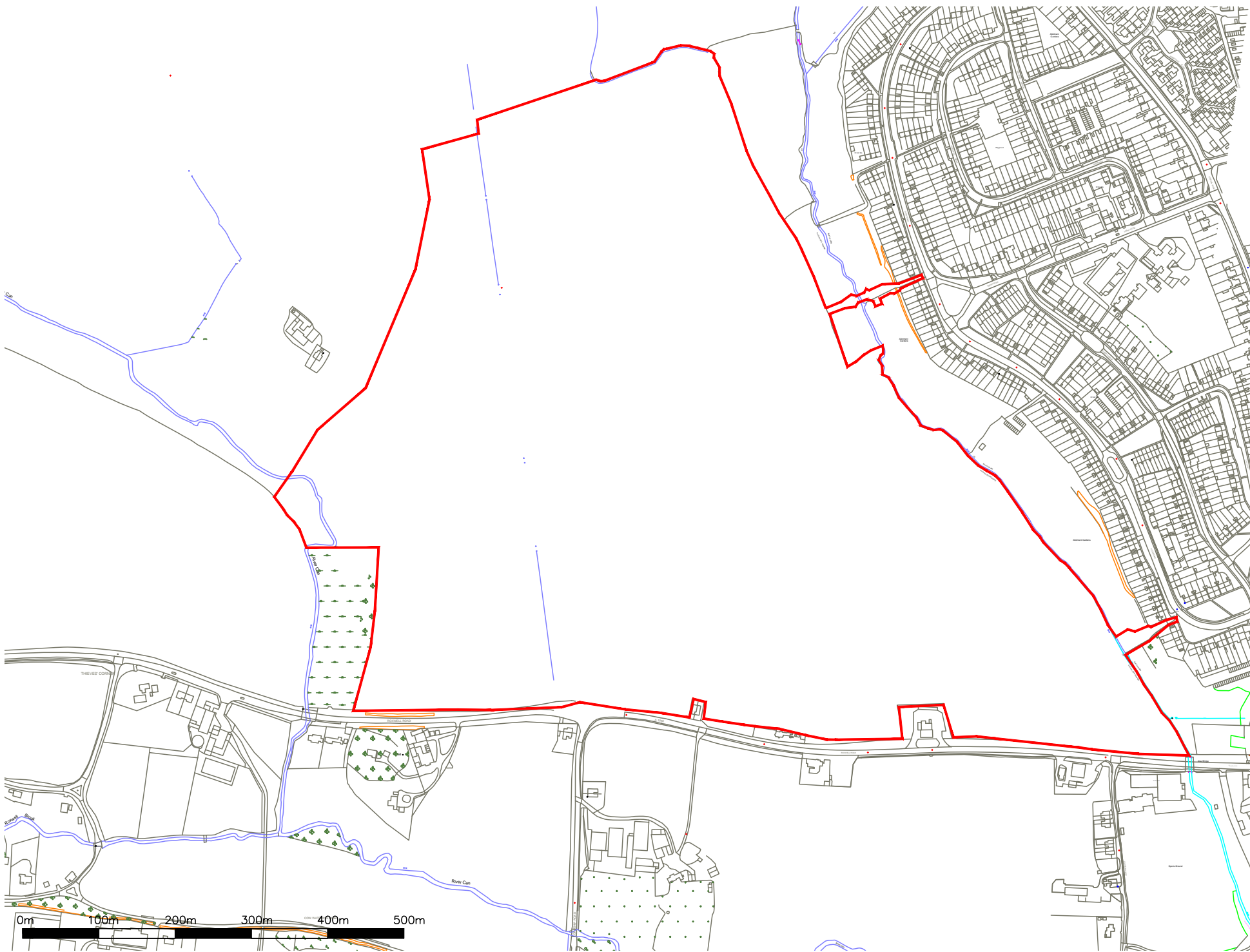


Figure 1: Site Location Plan





## 2. Introduction - The Developer – Crest Nicholson

Crest Nicholson has been building new homes for over 50 years and is firmly established as a leading developer with a passion for not just building homes, but creating vibrant, sustainable communities. Crest Nicholson aims to improve the quality of life for individuals and communities, both now and in the future, by providing high quality homes with inviting landscaped public realms, extensive green infrastructure and appropriate community facilities.

Crest Nicholson's contribution to the built environment has been recognised with a string of awards, including The Queen's Award for Enterprise in Sustainable Development. This award is testament to Crest's continued emphasis on producing high quality developments that champion the very best principles in sustainability. More recent awards include winning Sustainable Housebuilder of the Year at the Housebuilder Awards 2016, and Large Housebuilder of the Year in 2015, as well as coming 2nd in the NextGeneration benchmark, which ranks the largest 25 UK housebuilders sustainability performance.

As well as awards praising sustainability at Crest Nicholson, the company has achieved awards in design, planning, community interest, landscaping and placemaking. Notably, Crest Nicholson's Bath Riverside development located in the centre of Bath was presented with a gold award in the Best Development category at the Whathouse? Awards 2017. Judges were particularly impressed with the inherent elegance of design achieved and appropriate material use. In the same year, Crest's Finberry development in Kent celebrated success winning the 'Outstanding landscaping for housing' category and named a finalist in 'Development of the year' award at the 2017 Sunday Times British Homes Awards. Further acknowledgment was received at the 2018 Planning Awards for Monksmoor Park, Crest's development in Daventry, which was highly commended for its positive impact on its surrounding environment and social well-being in the category of 'Best Housing Scheme'.





### The Vision for Warren Farm

To deliver a high-quality, comprehensively-planned new neighbourhood that has sustainable travel at its heart.

- A new development that is landscape-led and underpinned by a package of sustainable travel improvements.
- A high quality, multi-purpose green edge to Chelmsford, and an attractive and well-planned gateway into the City.
- A physical environment that promotes a balanced lifestyle, a place that supports healthy and sustainable travel choices, and provides opportunities for the community to improve their health and well-being.
- The creation of high quality, functional ecological networks to benefit biodiversity, and a variety of safe open green spaces for recreation and leisure.



Bishops Brook, Wells



Finberry



Kilnwood Vale, West Sussex

This Masterplan Document has been prepared and subsequently evolved in the context of the policy relating to Strategic Growth Site Policy 2- West Chelmsford and the allocation shown on the Adopted Policies Map for the Chelmsford Urban Area contained in the Adopted Local Plan. The site allocation policy is as follows:

### STRATEGIC GROWTH SITE POLICY 2 – WEST CHELMSFORD

Land to the west of Chelmsford and north of Roxwell Road, as shown on the Policies Map, is allocated for a high-quality comprehensively-planned new sustainable neighbourhood that maximises opportunities for sustainable travel. Development proposals will accord with a masterplan approved by the Council to provide:

#### Amount and type of development:

- Around 800 new homes of mixed size and type to include affordable housing
- Travelling Showpeople site for 5 serviced plots.

#### Supporting on-site development:

- Neighbourhood Centre
- Provision of a new primary school with co-located early years and childcare nursery
- Provision of new stand-alone early years and childcare nursery.

#### Site masterplanning principles:

##### Movement and Access

- Main vehicular access to the site will be from Roxwell Road (A1060)
- Provide pedestrian and cycle connections
- Provide a well-connected internal road layout which allows for bus priority measures
- Provide a new dedicated bus, cycle and pedestrian link into the existing Urban Area.

##### Historic and Natural Environment

- Mitigate the visual impact of the development
- Create a network of green infrastructure
- Provide suitable SuDs and flood risk management
- Ensure appropriate habitat mitigation and creation is provided
- Undertake an Archaeological Assessment.

##### Design and Layout

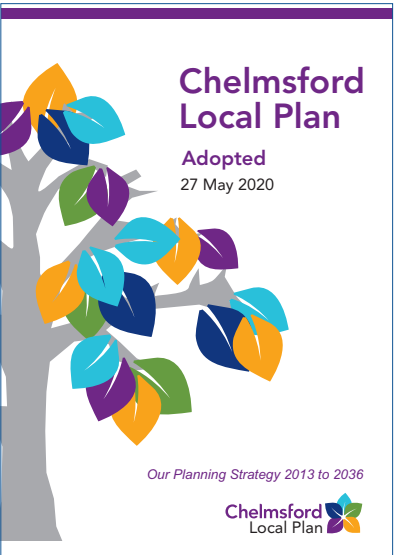
- Provide a coherent network of public open space, formal and informal sport, recreation and community space within the site.

##### Site infrastructure requirements:

- Land (circa 2.1 hectares) for a co-located primary school and early years and childcare nursery (Use Class D1) and the total cost of physical scheme provision with delivery through the Local Education Authority
- Land (circa 0.13 hectares) for a stand-alone early years and childcare nurser (Use Class D1) or contributions towards the cost of physical scheme provision with delivery through the Local Education Authority
- Appropriate improvements to the local and strategic road network as required by the Local Highways Authority
- Appropriate measures to promote and enhance sustainable modes of transport
- New and enhanced cycle routes, footpaths, Public Rights of Way and, where appropriate, bridleways
- Multi-user crossing of Roxwell Road
- Provide, or make financial contributions to, new or enhanced sport, leisure and recreation facilities
- Financial contributions to secondary education as required by the Local Education Authority and other community facilities such as healthcare provision as required by the NHS/CCG

- Where appropriate, contributions from developments will be secured towards mitigation measures identified in the Essex Recreational disturbance Avoidance and Mitigation Strategy (RAMS) which will be completed by the time the Local Plan is adopted. Prior to RAMS completion, the authority will seek contributions, where appropriate, from proposed residential development to deliver all measures identified (including strategic measures) through project level HRAs, or otherwise, to mitigate any recreational disturbance impacts in compliance with the Habitats Regulations and Habitats Directive.

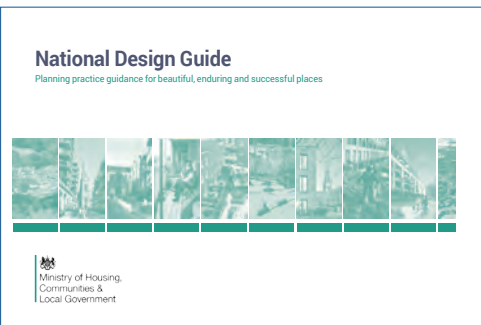
In addition to the Chelmsford Local Plan, Writtle Parish Council is preparing a Neighbourhood Plan that will also, once made, become part of the statutory development plan. The Neighbourhood Plan, however, will have to be prepared to be in general conformity with the strategic policies in the Adopted Chelmsford Local Plan.



Chelmsford City Council  
Adopted Local Plan May 2020



Chelmsford City Council  
Making Places SPD



The National Design Guide

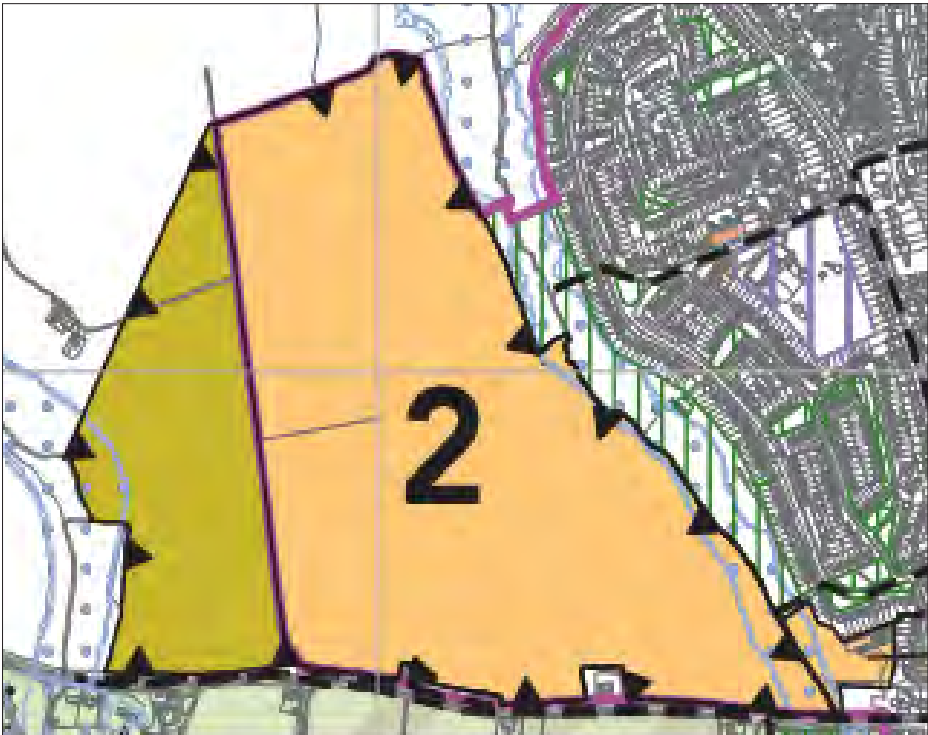


Figure 2: Chelmsford Local Plan Adopted Policies Map- Chelmsford Urban Area

#### Other Relevant Policies

On 1st October 2019, the Ministry of Housing, Communities & Local Government published the National Design Guide. This *'sets out the characteristics of well-designed places and demonstrates what good design means in practice'*. The National Design Guide is based on national planning policy, practice guidance and objectives for good design as set out in the NPPF.

In addition, CCC's emerging Making Places SPD provides detailed guidance on creating sustainable and environmentally friendly developments.

The masterplan proposals for Warren Farm embody the essential characteristics of a well designed place in accordance with the aspirations of The National Design Guide, the NPPF and Making Places SPD.



3. Site Location

Warren Farm is located within the Parish of Writtle and abuts the urban area of west Chelmsford known as Chignall. Roxwell Road (A1060) runs along the southern edge of the site and the land to the south of this road is Green Belt. Writtle Village is 1.3 km to the south. Immediately to the west of the site is the River Can and to the east is One Bridge Brook, a tributary of the River Can. To the north is agricultural land.

Key features within the site and its immediate surroundings include the existing footpath network including the Centenary Circle public right of way (PROW), the river valleys to the east and the west of the site boundary, key local facilities and important local open spaces.



Figure 4: Aerial view of the site

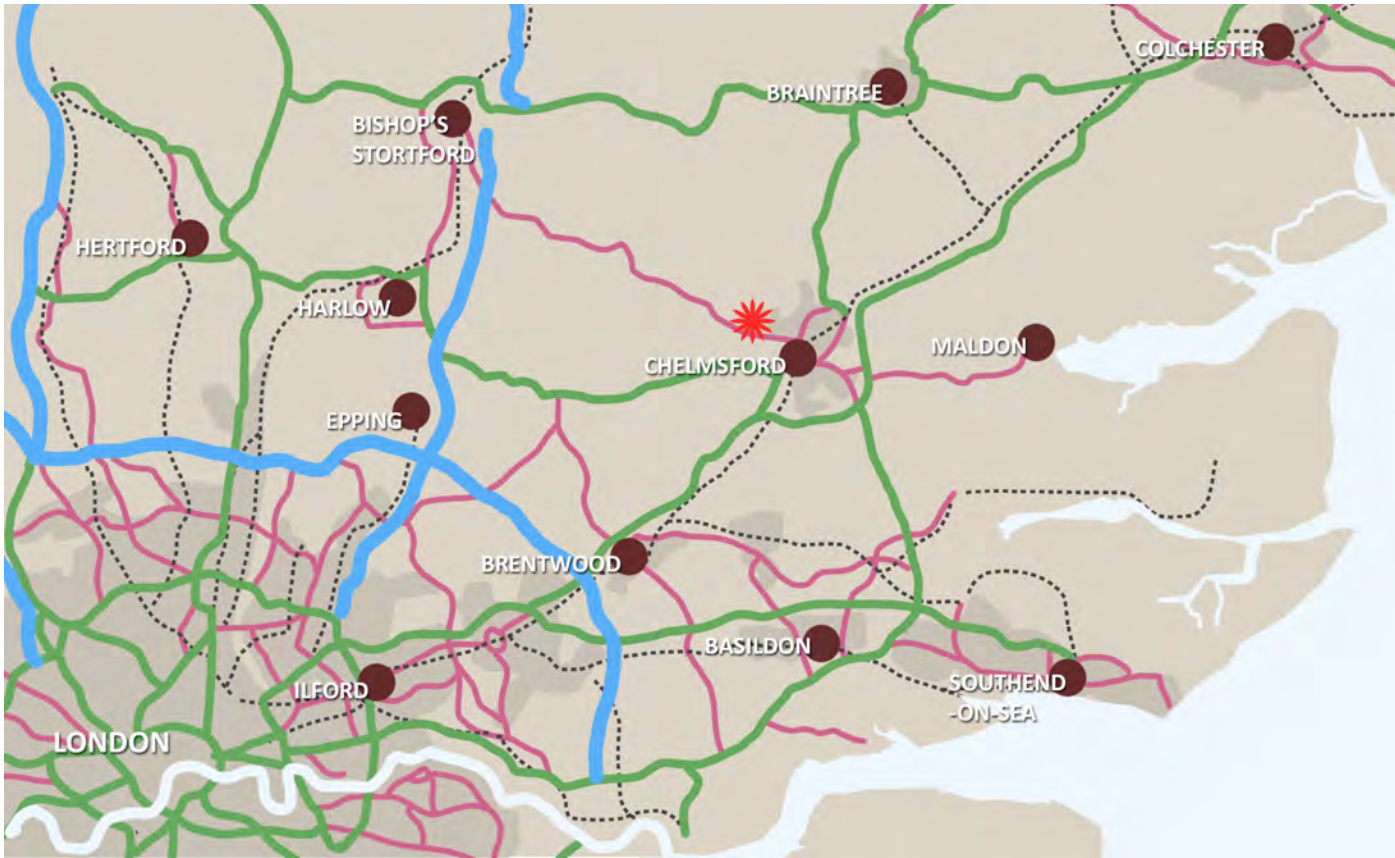


Figure 3: Wider Context

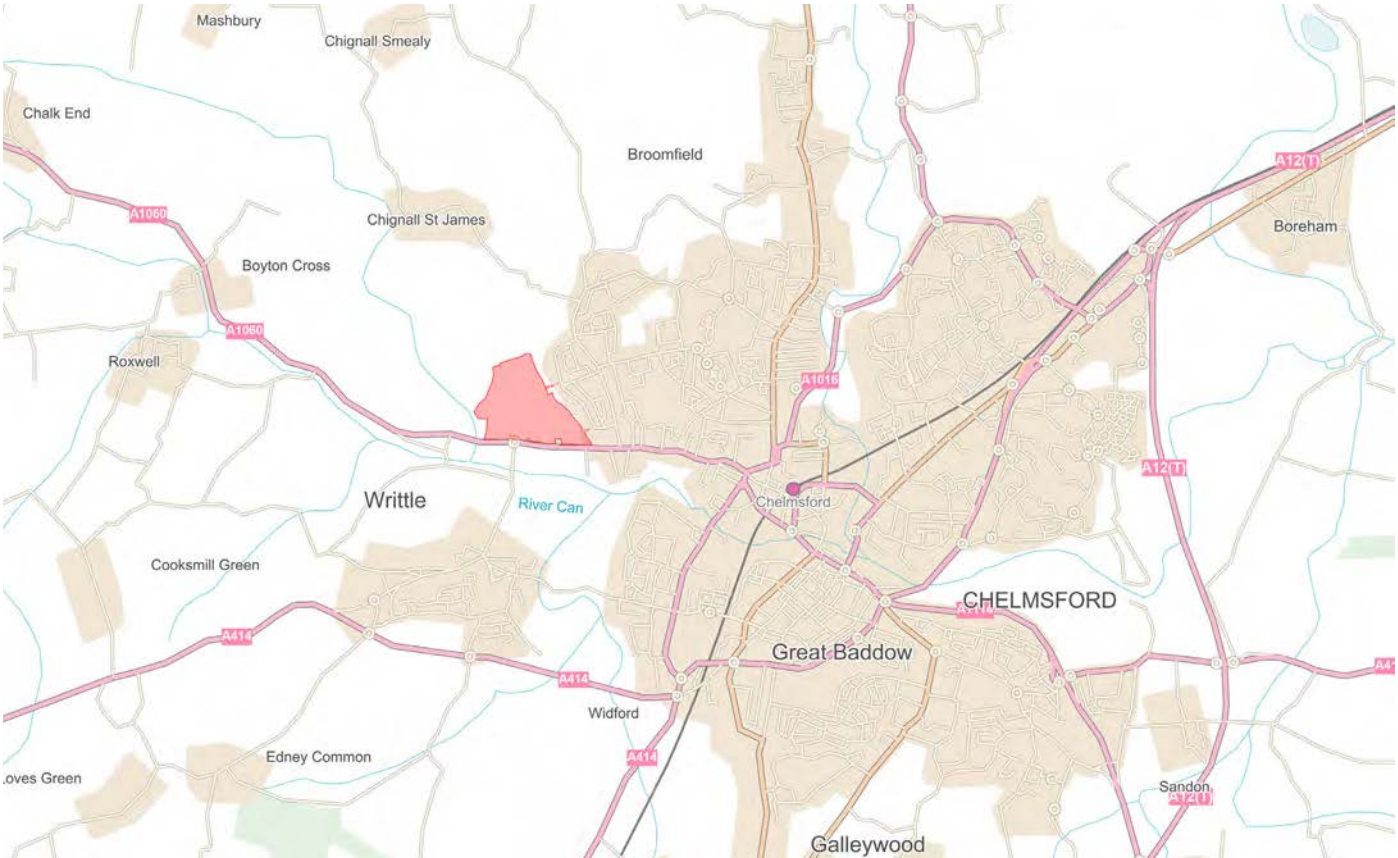


Figure 5: The site in relation to the City of Chelmsford



Figure 6 illustrates the existing links and facilities within the surrounding area of Warren Farm and beyond, including the network of sport and recreation spaces and the cycle and footpath connections to the City Centre.

The site is accessible to a wide range of facilities, all within a reasonable walking distance. The plan demonstrates that there is opportunity to connect the site to existing links and provide opportunity for sustainable travel choices.

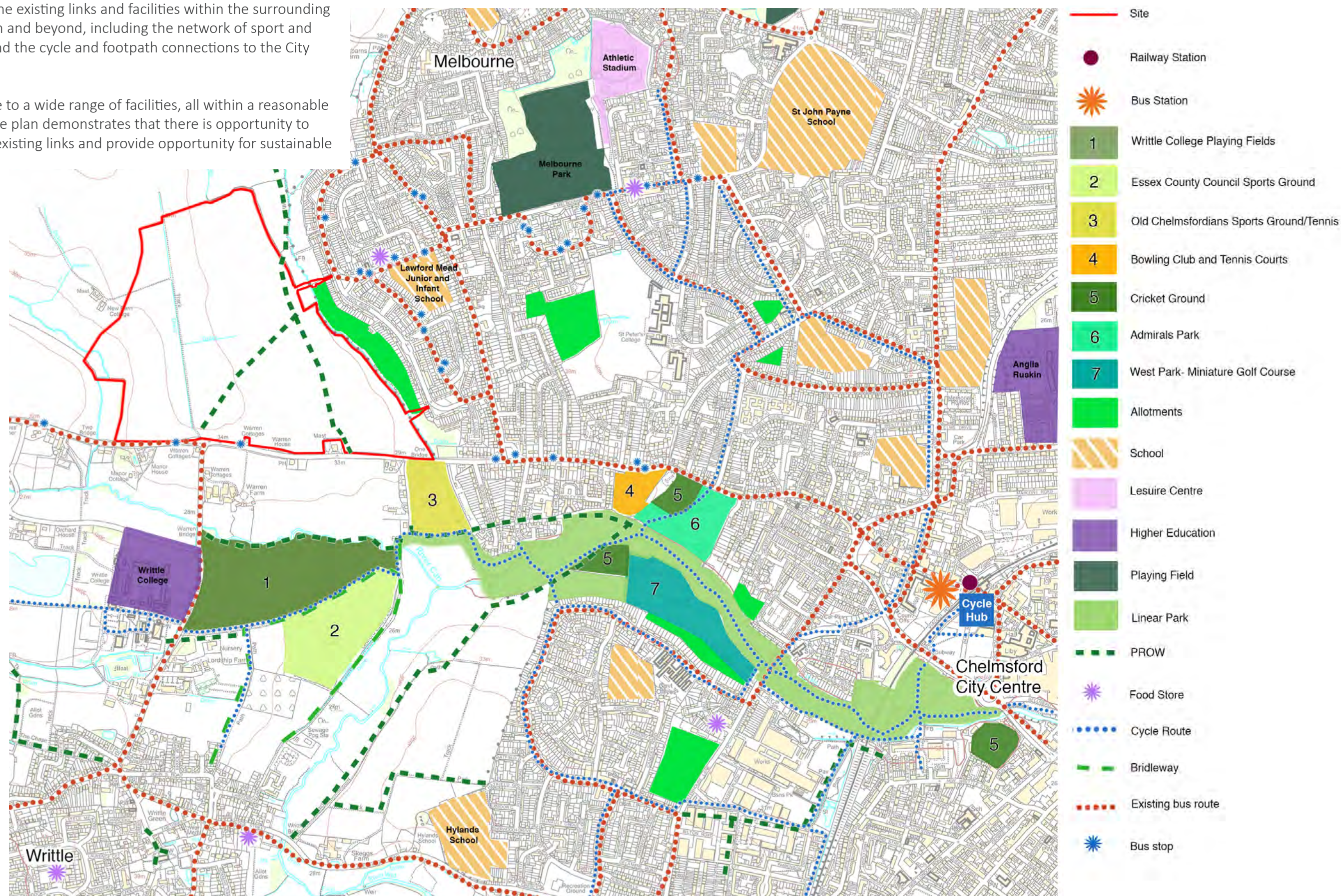


Figure 6: Existing Facilities and Links



#### 4. Site Assets - Existing Access and Connectivity

Warren Farm is in a strategic location and is close to the City Centre, railway station and bus station. As a consequence, it has significant potential for trips to be made by active modes such as walking and cycling. Warren Farm is fortunate in being close to a number of good quality walking / cycling routes. (Figure 7)

##### Existing movement network

Warren Farm benefits from the provision of existing local schools, shops, service and amenities, within walking and cycling distance. There are existing bus stops along Roxwell Road, which are served by frequent services into Chelmsford City Centre and throughout Essex.

Warren Farm is located only 2.4km from Chelmsford Train Station, which provides direct trains to Central London. In addition, there is an extensive PROW network surrounding Warren Farm including NCR 1 which provides a pleasant, practical cycling route from Warren Farm to Chelmsford City Centre and train station. The route is off-road and would allow journeys from Chelmsford Train Station towards London and other destinations to be undertaken as a multi-modal cycle/train journey.

##### Proposed movement network

The accessibility of Warren Farm will increase through the implementation of the proposed development, which will increase permeability through the creation of walking and cycling routes. These new routes will provide for shorter walking and cycling distances to local services and facilities.

Development at Warren Farm seeks to increase the potential for site accessibility to public transport. The proposed development potentially could provide the infrastructure necessary to permit buses to enter and exit Warren Farm via a bus loop. With the addition of two new services between the development and Chelmsford City Centre, this will provide a sustainable alternative for commuters to Chelmsford City Centre and Chelmsford Train Station.

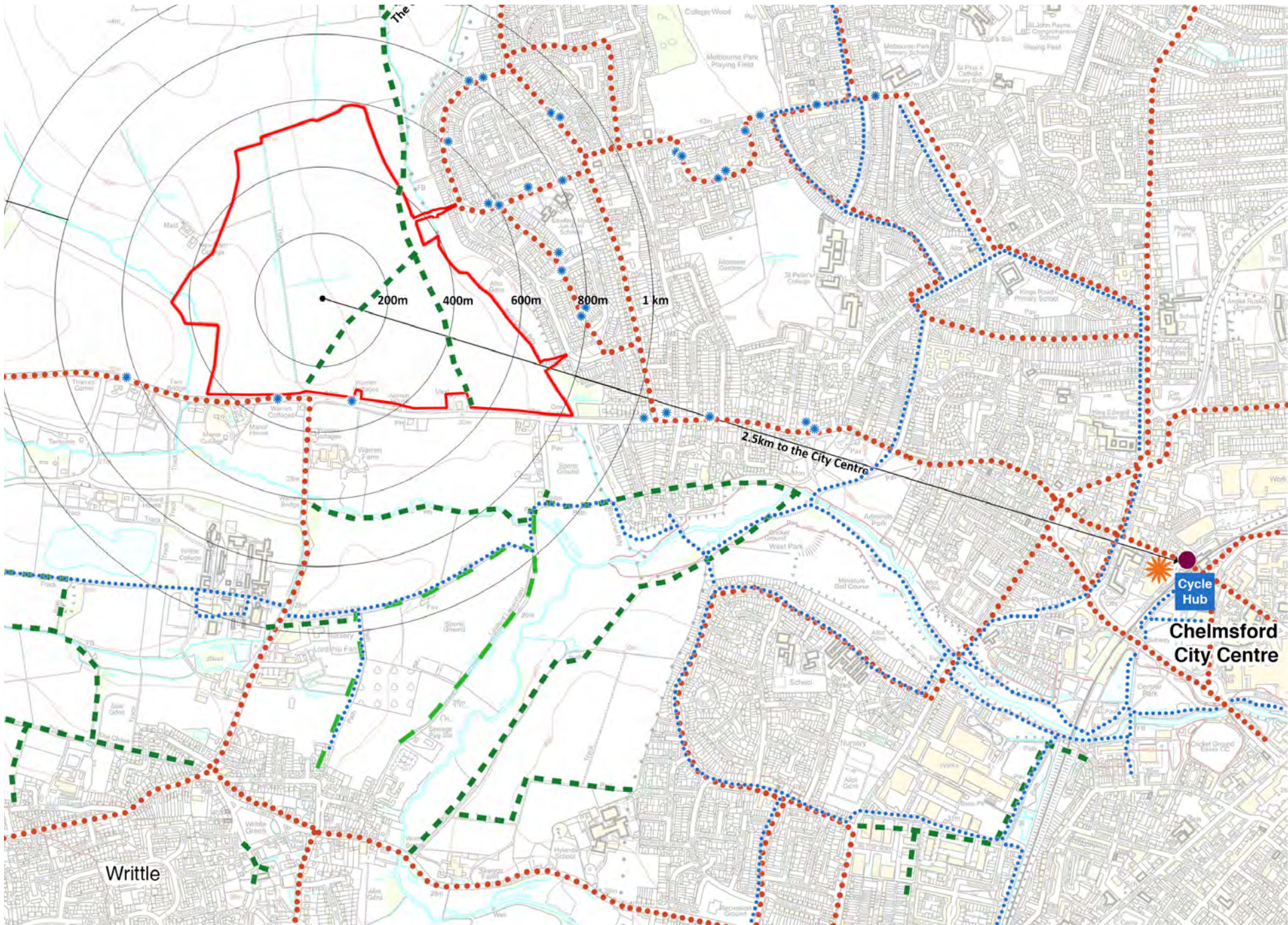


Figure 7: Existing Links to Chelmsford City Centre



Chelmsford Bus Station



Chelmsford Railway Station



Chelmsford Cycle Hub





## Topography

Warren Farm is in essentially one large field with limited internal division provided by broken remnant hedgerows and occasional trees. The site is open and has a gentle rolling shape with a central ridge.

The majority of Warren Farm lies to the north of Roxwell Road, bounded by the River Can to the west and a tributary of the River Can to the east. Private residential land associated with New Barns lies to the west of the site. Warren Farm is mostly surrounded by agricultural land dominated by arable crops with residential development associated with Chelmsford lying to the east.

## Landscape

Warren Farm lies adjacent to the built edge of Chelmsford and is not subject to any landscape designations, unlike many other areas on the edge of Chelmsford.

Green Belt and the ‘River Can and River Wid West Green Wedge’ abut Roxwell Road to the south of the site. To the north, east and west of Warren Farm, the landscape is gently rolling and land use is primarily agricultural with limited tree cover.

## Views into and out of the site

There is a strong field boundary / hedgerow network surrounding Warren Farm’s perimeter often reinforced by trees. This creates a higher level of screening within the landscape than the amount of woodland cover would suggest.

The approach to the site from the west is largely screened by existing vegetation. If the site is built out there would be views of the site from the north from the higher ground around Brickbarns Farm. Views into the site are also available from Roxwell Road to the south, albeit restricted by the hedgerow along much of the southern boundary.

The effects of the proposals for Warren Farm would be localised to an area no more than 1km from the site boundary, principally to the west and north.

There are distant views of the spire at St Mary’s Church in Widford from the ridge in the centre of the site.



Looking east towards Chelmsford from the existing track



Looking south towards Writtle from the existing track



Looking west towards New Barn Cottage and the River Can from the existing track



# 5. Community Engagement and Local Involvement

## Public Consultation

There has been a lengthy period of public consultation, giving local residents and stakeholders the opportunity to have their say on the development of the Masterplan for Warren Farm.

The public consultation has followed the Masterplan development procedure for Strategic Growth Sites as approved in March 2018 by CCC’s Development Policy Committee.

Crest Nicholson has worked closely with CCC to ensure that the consultation has been extensive and members of the public have had considerable opportunity to have their say on the Masterplan and to make amendments to the proposals

This included two public consultation events in July 2018, one held in Writtle Village and a second on the Chignall Estate. These events were well attended by over 200 local residents and more than 100 feedback forms were submitted.


Two stakeholder workshop events were also held in September 2018; one with statutory consultees including Essex County Council, the NHS, Anglian Water as well as officers from CCC; the second with City and County councillors, Writtle and Chignall Parish Councils, local school, and community and residents groups, which focused on providing more detailed input into the Masterplan.

Throughout the consultation period, Crest Nicholson had a dedicated website for the scheme- [www.warrenfarmsite.co.uk](http://www.warrenfarmsite.co.uk) – which provides information and the ability for residents to provide feedback. Feedback has been provided online, by email, in writing, and over the phone.

Crest Nicholson has also undertaken regular engagement with Writtle Parish Council, the Village’s Neighbourhood Plan Group, and other local representatives and community groups. This has included meetings and site visits to discuss potential highways and traffic mitigation measures for the village that could be delivered alongside the development.


### Public consultation so far

#### Writtle University College, 9<sup>th</sup> July




**Writtle University College**  
**Attendees: 135**  
**Feedback forms submitted: 70**

#### Chelmsford Community Church, Trent Rd, 11<sup>th</sup> July



**Chelmsford Community Church**  
**Attendees: 94**  
**Feedback forms submitted: 34**

#### Residents are also able to submit feedback through the dedicated website




**Dedicated website**  
**Feedback forms submitted so far: 8**



### WARREN FARM

Chelmsford

#### CONSULTATION ON FUTURE OF WARREN FARM



Chelmsford City Council is developing a new Local Plan and has identified the Warren Farm site in the northern part of Writtle Parish as an appropriate area for new homes to meet local housing need.

The site presents the opportunity for a garden village development of new homes and community facilities. The site also has the potential to feature areas of green space and a new nature reserve for all residents to enjoy.

We want to hear the views of local residents to find out what you would like to be included in our initial proposals for Warren Farm.

To help us do this, we are holding two exhibition events, in Writtle and West Chelmsford. At each exhibition you will be able to view our current proposals and provide feedback.

Crest Nicholson are developing proposals for Warren Farm with the potential to include new homes, a primary school and nursery, sports facilities and public amenities.

[Click to view the proposal boards](#)

[Click for the feedback form](#)

Figure 8: Photos from the workshop events and website consultation page

A further public consultation event was held at Writtle College on the 13th November 2018 to give local residents the opportunity to view the Masterplan. Members of the public had the opportunity to speak to the Crest Nicholson team and Council officers, ask questions and give their feedback. Feedback from the event was provided directly to the Council as part of the Masterplan consultation process.



Exhibition board- The Submitted Masterplan

The total number of representations made was 73 and 1 petition of 1031 signatories.

## Summary of public comments on submitted masterplan:

1. Overall principle of development allocation/detrimental effect on Writtle
2. Wider landscape strip to North of Roxwell Road
3. Low density development to built front
4. Travelling Showpeople Site : oppose, or should move further North
5. Connections to Chignall Estate | conflict with Allotments  
Connections to Chignall Estate | conflict with Play Area  
Connections to Chignall Estate | Bus route issues  
Connections to Chignall Estate | Should be for all vehicles
6. Bus route along Roxwell Road
7. On-site health facilities
8. General increase in traffic issues
9. Access to TSP
10. Flood Risk
11. Loss of Agricultural land
12. Park & Ride facility required
13. Consultation Arrangements Flawed

## Summary of Consultee comments on submitted masterplan

Consultee	Comments
Writtle Parish Council:	Confirmed opposition to development of site: will create urban sprawl; traffic issues; object to sports pitches; implications on CIL payments if planning permission granted before approval of Neighbourhood Plan; require 4 actions from CCC including confirmation of no more than 800 homes, sports facilities and TSP site; timing.
Writtle PC P&D Committee:	Confirmed opposition due to expansion and urbanisation of Chelmsford and erosion of buffer between City and Writtle; inconsistency between housing numbers in MP document and EIA Scoping Report; adverse traffic and transport issues; insufficient detail on pedestrian links; erosion of rural/urban boundary, landscape character; coalescence; loss of agricultural land; flood risk; archaeological constraints; local infrastructure provision; sports pitches; TSP site; need for tree-planting; access to Hylands School and impact of school traffic on Writtle.
Chignal Parish Council	Need to retain open farmland buffer between Chelmsford and Parish/Chelmsford; unwelcome intrusion into neighbouring Writtle Parish that will need to be mitigated by extensive landscaping; light pollution; should retain landscaped corridor to Century Circle PROW; extension of site to west justified as a landscaped ecological park, but object to 3 sports pitches, car parking, fencing, floodlights etc; various transport issues.
EA:	Site within Flood Zone 3A- will need FRA; general and detailed advice for preparation and content of application/EIA.
Natural England:	Information and likely requirements as site within Zone of Influence for one or more of the Essex Coast European designated sites which fall within emerging RAMS; general and detailed advice for preparation and content of planning application/EIA.
Essex County Fire & Rescue Service:	Comments on details for consideration in preparation of planning applications.
Essex County Council (SUDS):	Comments on details for consideration in preparation of planning applications.
Public Health & Protection Services:	Residential development should provide EV charging point infrastructure to encourage use of ultra-low emission vehicles at a rate of 1 charging point per unit and/or 1 point per 10 spaces where off-road parking is unallocated.

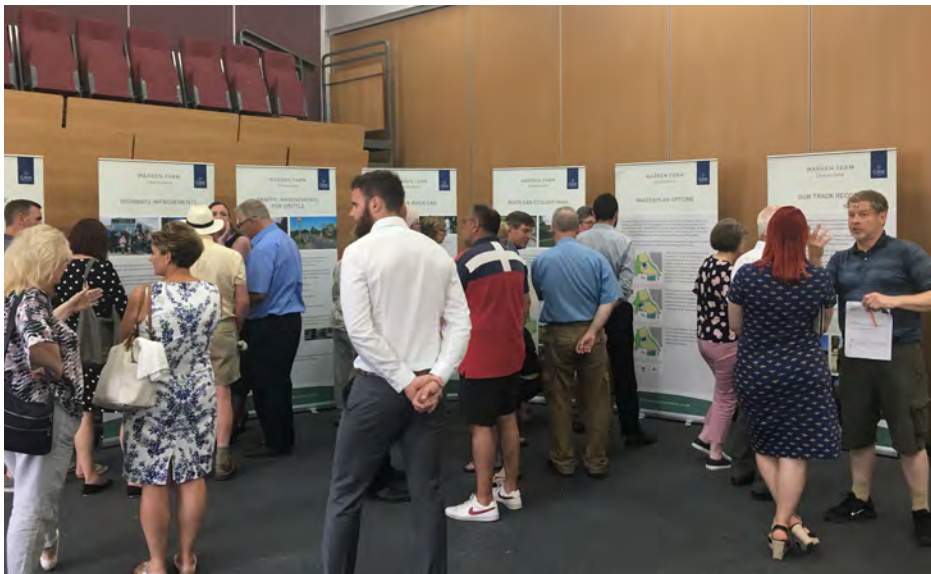


# 5. Community Engagement and Local Involvement

## Amendments to the Masterplan following public consultation

Responding to the feedback received from community groups and local residents, Crest Nicholson committed to considering a series of potential changes to the Masterplan. These included:

- Further clarity on the bus link: Following consultation with residents, Crest provided further detail on the bus link to West Chelmsford and its impact on residents in the direct vicinity of the junction between Avon Road and Trent Road in order to give residents further clarity about how the link would be constructed and its operation. Residents were reassured that access to their homes would not be restricted by the proposals. However, following residents' doubts about safety, viability and the benefit of the proposed link, the Council's Policy Board decided to recommend to Cabinet that the Masterplan be amended to reflect the content of a Masterplan Addendum, which substitutes the bus link with an alternative package of sustainable transport measures including additional footpaths and cycleways into adjoining areas. This alternative package of transport measures is also supported by the Highway Authority.
- Green buffer along Roxwell Road: Following resident comments, Crest committed to explore how the buffer can be further widened along Roxwell Road, in particular at the junction with Lordship Lane to create a green gateway to Chelmsford.
- Allotment access: Crest committed to remove the indicative footpaths running from the site through the allotments. Crest will also explore what improvements to the existing allotments it could fund as part of the development and provide additional footpath links with the Chignall area.
- Centenary Circle Walk: Crest committed to ensuring that at detailed planning stages the Centenary Circle Walk is integrated into the site and layout, and improved further with planting and landscaping.
- Screening of Travelling Showpersons Plots: Crest committed to exploring the position, ground modelling, landscaping and appearance of the TSP site. There is existing dense vegetation between the road and the proposed location of the TSP site and further measures could include introducing more planting along the road, acoustic fencing and a landscaped bund. Crest are exploring these options for the detailed layout.
- NHS Provision: Potential NHS provision in local centre providing for flexible uses should NHS require the space.



A selection of photos from the exhibitions held in Writtle Village and in Chignall in July 2018 and at Writtle College in November 2018.



### Livewell and Sustainability

The proposed development will be designed to embed key sustainability measures, reflective of National and Local Planning Policy. These include:

**Location and connectivity** – Warren Farm is on the edge of Chelmsford and, as such, offers the opportunity of easy access to the City Centre, existing employment opportunities and social infrastructure, and therefore reduces the need for longer travel distances;

**Sustainable design and construction including energy, climate change and resource use** – a Sustainability Strategy will be prepared that identifies measures to be built into the future buildings to ensure sustainable design and construction including that carbon emissions targets in the Building Regulations are exceeded. A wider assessment of how carbon emissions can be reduced throughout construction and operation is being undertaken, as is consideration of how Warren Farm can adapt to changing policy requirements and predicted changes in climate over its lifespan;

**Wildlife and biodiversity** – The site provides an opportunity to greatly improve the biodiversity value of the local area, through provision of drainage ponds and an ecology park as well as linking green corridors. It also connects broadly with the existing green infrastructure stretching to the south east towards Chelmsford City centre.

**Enhancing health and well-being** - of new and existing residents is also a priority for the development. A Health Impact Assessment will be carried out in accordance with local requirements to support the planning application, and discussions have been had with the City and County Councils with respect to their Livewell Campaign (<https://www.livewellcampaign.co.uk/>). Some important and effective health and well-being measures will be built into the scheme, such as:

**Provision of excellent quality housing** - that will be designed to meet the needs of occupants of all ages;

**Encouragement of active travel** – Warren Farm will introduce new walking and cycling connections to the wider area, which will be signposted to encourage people to use them. The provision of a bus service will also help reduce dependency on private car use and the emissions associated with this;

**Access to open space, sports and wildlife** – the provision of sports pitches will encourage more people to do strenuous exercise, whilst access to open space and wildlife will encourage people to spend time outside and reduce stress and depression;

**Designing for the community** – Warren Farm offers a mixture of uses, spaces and connections that encourage new and existing local residents to come together and interact. The focal point of the scheme will be the new neighbourhood centre, school, and the sports pitches and pavilion, which will benefit the whole community and foster social interactions.



Figure 9: Chelmsford Health and Well-being Plan 2016- 2019- CCC



6. Summary of Site Constraints

Figure 10 identifies the key site considerations and constraints. These include significant vegetation, flood zones, adjacent properties, existing public rights of way, topography and views.

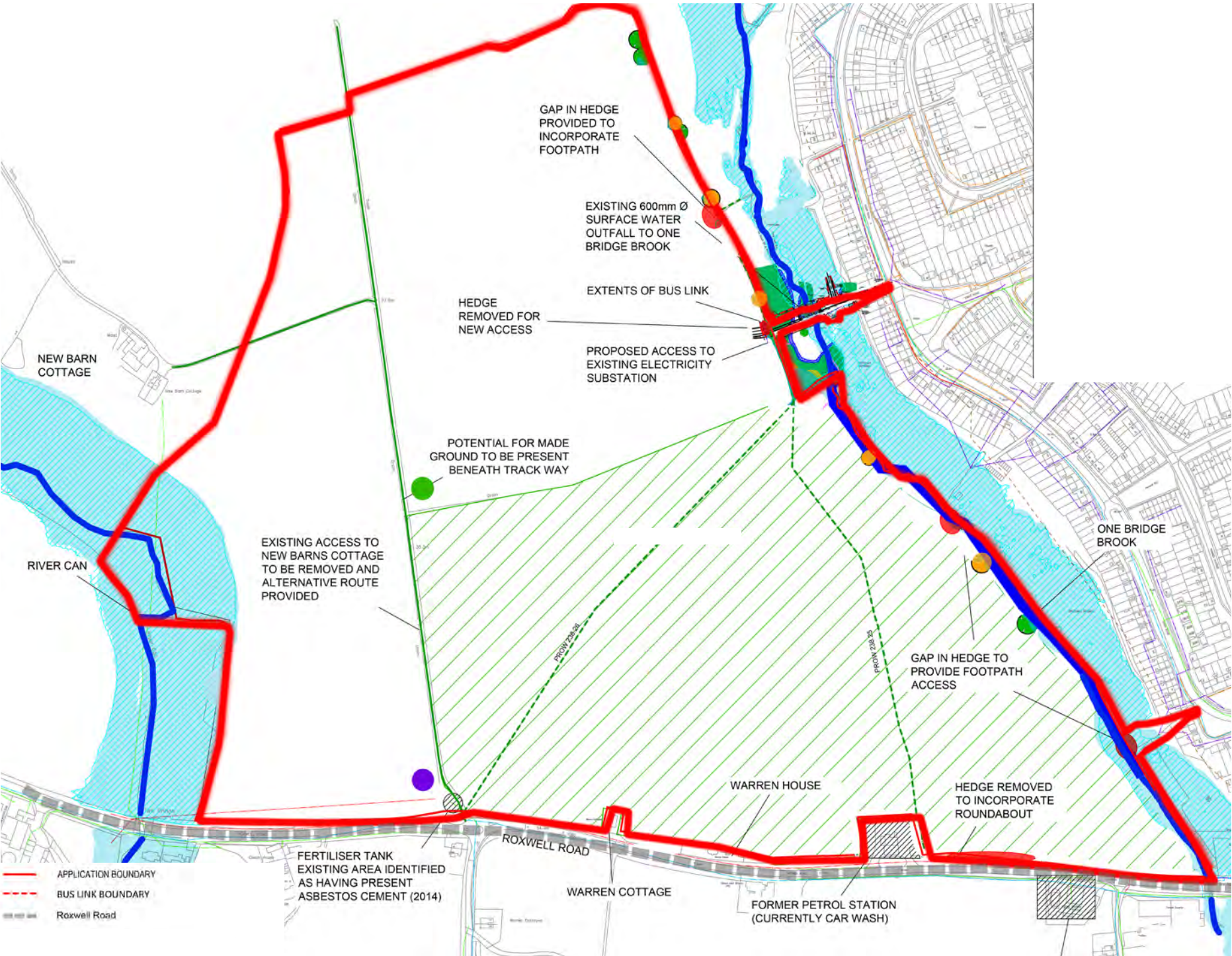


Figure 10: Site Constraints

Site Considerations

Landscape

- Existing hedges and trees around the boundary of the site should be retained unless required to form new points of access.
- Existing boundary reinforcement where necessary.
- Retain and enhance public rights of way through the site, connecting to the surrounding footpath network.
- Utilise existing topography to create a natural drainage strategy.
- Enhance the existing boundary planting to the south including additional earth mounding, water features and reinforced hedgerow and tree planting.

Ecology

- Enhance biodiversity by planting new trees and vegetation within and around the edges of the site, including green corridors.
- Deliver biodiversity net gain by retaining and enhancing existing trees and hedgerows, with additional landscape planting as part of extensive provision of public open space.

Archaeology and Built Heritage

- Where archaeology is affected, it will be investigated in advance and recorded.
- Site proposals should respect the setting of the listed buildings to the north east of the site (Brickbarns Farmhouse and Crows Farmhouse) and the setting of the non-designated heritage asset to the west of the site (New Barn Farm).

Flood risk

- The parts of the site in the flood zone could remain as green open space for both biodiversity and recreation uses.
- Utilising the flood plain and adjacent areas to provide an appropriate level of green open space will provide a valuable contribution to the overall landscape and biodiversity strategies for the site.

Utilities

- Consideration to be given to the natural attributes of the site when installing drainage and utilities.
- The site is well positioned to connect into existing utilities



7. Evaluation - Development Opportunities and Connectivity

Key Opportunities

Sustainable Travel

To ensure that all homes are within a 5-10 minute walk of local facilities, providing the opportunity for sustainable travel choices. Providing new shared walking and cycling connections through the site and to the wider area.

Community Facilities

The potential to offer a mixture of uses, spaces and connections within the site that benefit the whole community and foster social interactions. New community facilities could include a new neighbourhood centre, primary school and sports pitches and pavilion.

New Homes

Opportunity to provide around 800 new, market-led homes but with policy compliant affordable housing, designed to meet the needs of occupants of all ages. A new residential development that offers variety and choice; a mix of uses and tenures; a vibrant place to live with opportunity for a convenient modern lifestyle.

Biodiversity

Opportunity to greatly improve the biodiversity value of the local area through the provision of drainage ponds, an ecology park as well as linking green corridors.

Public Open Space

Opportunity to provide high quality recreation and open spaces within the development to encourage people to spend more time outside and pursue an active lifestyle.

Sustainable Design and Construction

Opportunity to promote and assist in securing a high quality sustainable new neighbourhood including renewable and low carbon energy provision and development.

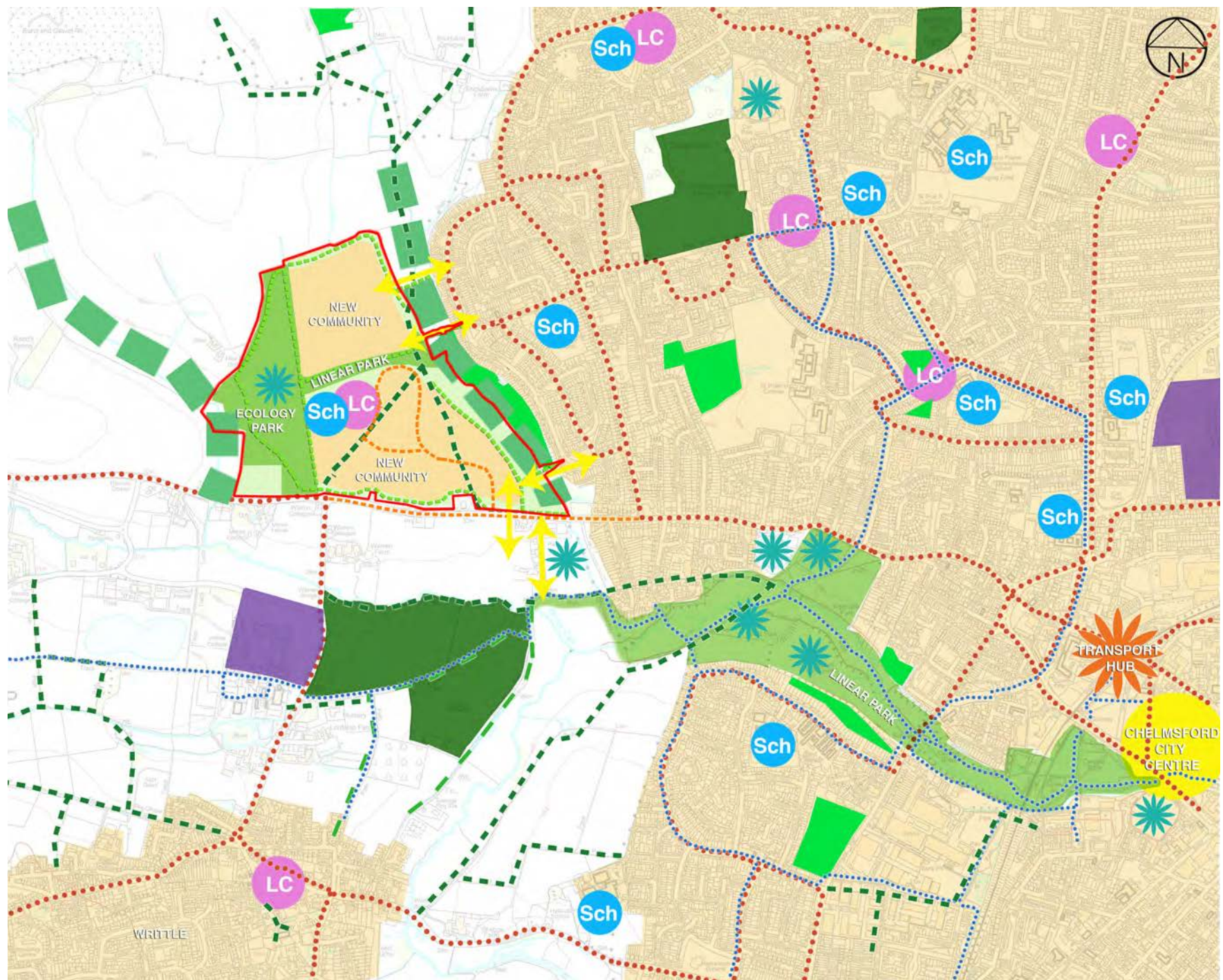
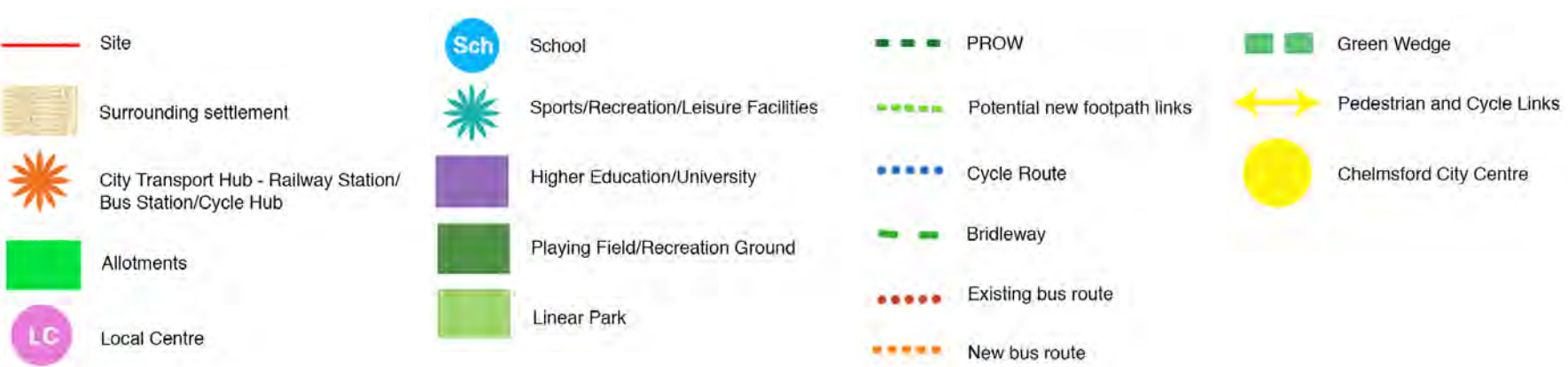


Figure 11: Development Opportunities and Connectivity





7. Evaluation - Development Opportunities and Connectivity

Chelmsford Draft Local Plan Strategic Growth Site 2 - West Chelmsford master plan principles document May 2018.

Following the introduction of the Council’s new masterplan procedure in March 2018, officers prepared a Masterplan Principles Document and a series of plans in order to inform and a guide the detailed masterplanning process. The plans included: site context, proposed land use, movement, open space and a concept masterplan.

Based on a high level study and desk top evidence, the concept masterplan opposite (Figure 12) sets out CCC’s initial key principles for Growth Site 2 and assisted in informing subsequent iterations of the masterplan

Through a process of gathering detailed technical and environmental evidence, negotiation and collaboration between CCC, Crest and other stakeholders, the concept masterplan has evolved by testing various alternatives and has informed the final Warren Farm Illustrative Masterplan set out in this document.

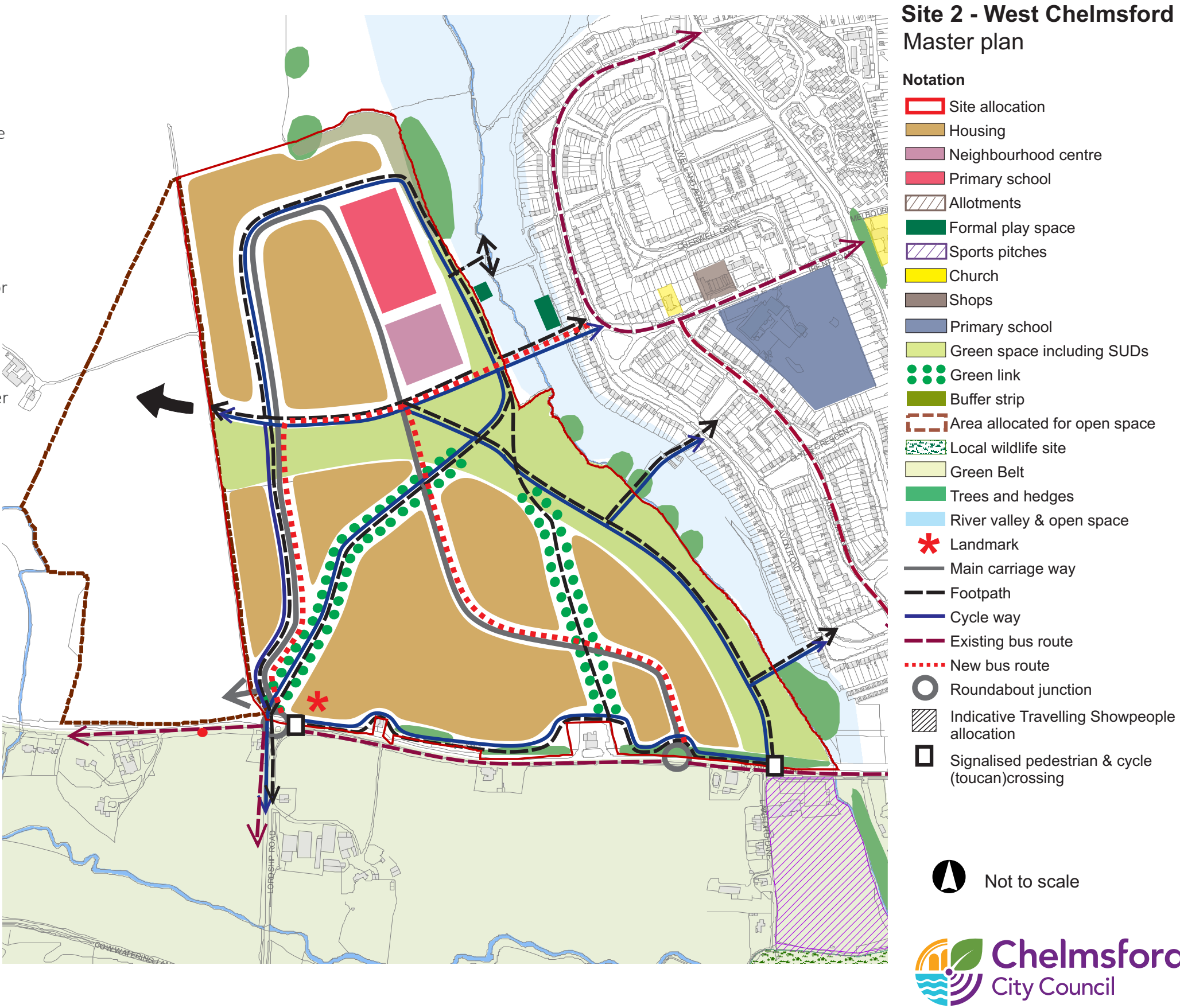


Figure 12: CCC Concept Masterplan

### Design and Placemaking Objectives for Warren Farm

- Create a landscape-led, high-quality, comprehensively-planned, new sustainable neighbourhood that maximises opportunities for sustainable travel.
- Provide main vehicular access to the site from Roxwell Road (A1060) with a well-connected internal road layout that allows for bus priority measures.
- Provide safe and pleasant pedestrian and cycle connections.
- Provide a comprehensive package of sustainable transport measures to improve connectivity to neighbouring areas and the City Centre.
- Provide a mix of both market-led and affordable homes to attract a diverse population.
- Create a physical environment that promotes a balanced lifestyle, a place that supports healthy and sustainable travel choices, and provides opportunities for the community to improve their health and well-being.
- Provide new community facilities for people of all ages so that they feel supported and valued.
- Create a well connected community where people have access to good employment and work opportunities
- Create a resilient place that is adaptable to changing requirements and climate and that makes a contribution to a reduction in carbon and nitrogen emissions.
- Create a variety of safe open green spaces to provide opportunities for recreation, education and relaxation including a well-defined parkland edges to the east and west of the site.

### Design Evolution

The four masterplan options at Figure 13 were tabled at two public consultation events in July 2018; one held in Writtle village and a second on the Chignall Estate. The purpose was to open up a dialogue between stakeholders to consider the most appropriate layout configuration in respect of the neighbourhood centre and the Primary School.

Analysis and evaluation of the evidence base, constraints and site assets as summarised in this document resulted in a number of 'fixes' to future masterplanning:

- the River Can and One Bridge Brook and their associated flood plains and ecological interests.
- the agreed position for the two main access points into the site from Roxwell Road.
- existing Public Rights of Way
- the need to devise a circular bus route that connects into the site
- the desire to provide convenient connectivity for pedestrians and cyclists between Chignall Estate and the new development to encourage community integration and sharing of facilities.
- the desire to protect long distance views towards St Mary's Church, Widford; skyline trees on Chignall Road and views towards the River Can Valley.

- the need to retain and enhance the existing vegetation on the periphery of the site.
- the need to provide safe and attractive access for pedestrians and cyclists into the River Can Green Wedge.
- to meet the specific requirements of Policy SGS2 regarding the provision of a primary school, neighbourhood Centre and site for Travelling Showpeople.

Following consideration of the feedback on the various concept alternatives, concept 3 was initially regarded as the most preferred. Following on from this, further consultation, stakeholder input and an independent quality and design review by the Essex Quality Review Panel has further shaped the layout of the preferred concept masterplan. This is shown at Figure 14.

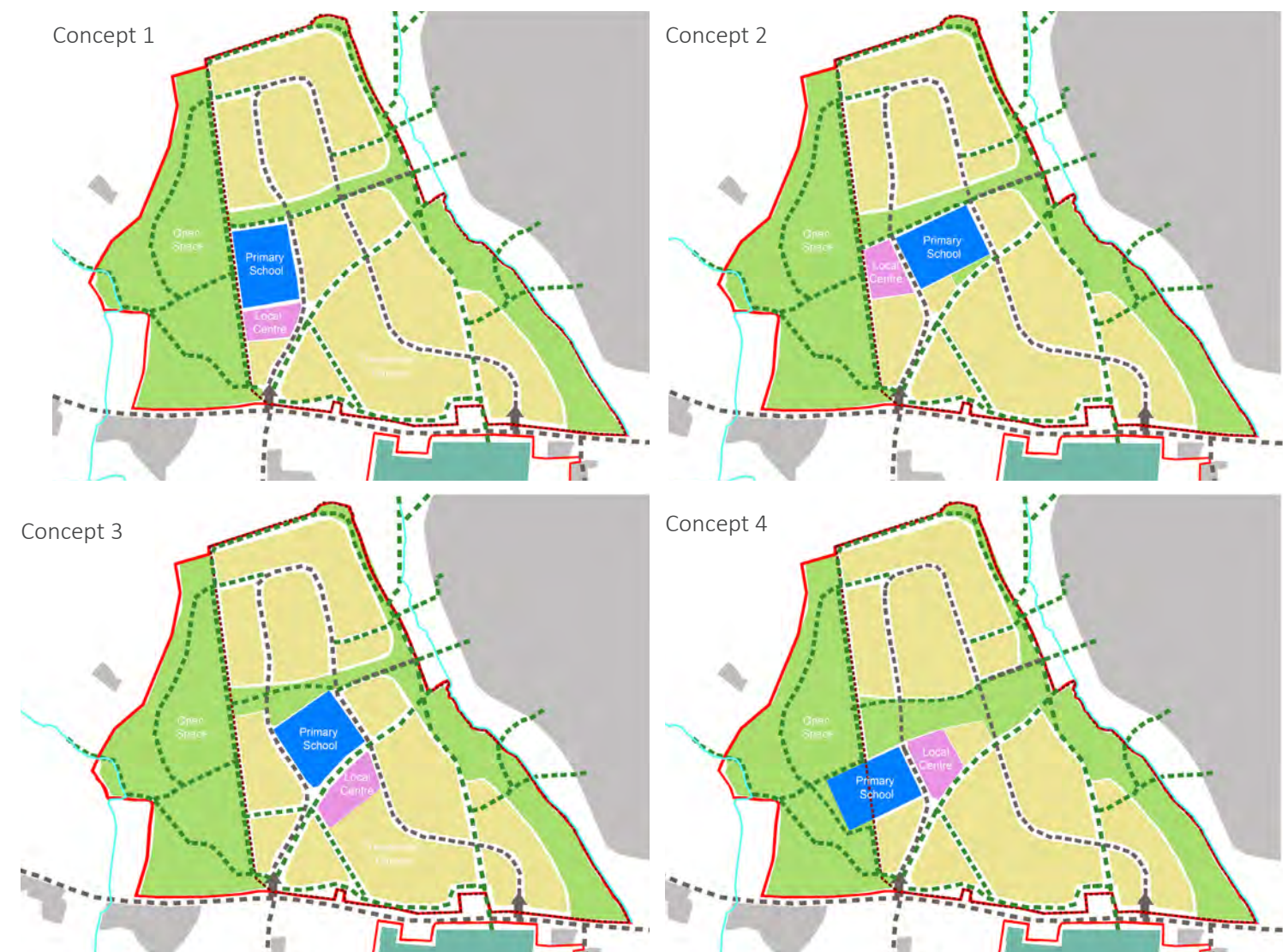


Figure 13: Crest Masterplan Concept Sketches



8. Design Objectives and Evolution

Masterplan Concept and Placemaking

The following key elements of the preferred concept masterplan are set out below and have been fed in to the submitted Illustrative Masterplan (Figure 16)

1. Open Spaces for Recreation and Leisure

This landscape-led development provides opportunity to integrate health and well-being through the provision of high quality recreation and open spaces including western and eastern parkland corridors linked together by a central spine and a landscaped southern boundary, sports pitches, pavilion and a variety of play facilities.

2. Community Facilities

A mixed use community hub with a new neighbourhood centre and primary school - The location and orientation of these key uses have been subject of extensive consultation involving a number of key stakeholders.

3. Ease of Movement and Access

A well-connected internal road layout that allows for a circular bus route that connects the site to the City centre and the neighbouring communities. A clear and legible hierarchy throughout the development to assist with way finding and easy navigation. Main Vehicular access points from Roxwell Road.

4. A Variety of New Homes

A new development that offers variety and choice; a mix of uses and tenures; mixed density and building heights; a vibrant place to live with opportunity for a convenient modern lifestyle within a landscaped setting.

5. Permeability and Connectivity

A landscape-led development underpinned by a package of sustainable travel improvements, encouraging people to pursue an active lifestyle. New shared walking and cycling connections will be provided through the site and to the wider area. All homes will be within a 5-10 minute walk of local facilities therefore encouraging sustainable travel.

6. Biodiversity Enhancement

Opportunity to greatly improve the biodiversity value of the local area through the provision of drainage ponds, an ecology park as well as linking green corridors.



Figure 14: Preferred Concept Masterplan



Finberry



Kilnwood Vale



Notley Grange, Braintree



### A Landscape-Led Approach

The Illustrative Landscape Plan at Figure 15 shows the key landscape elements proposed for the new development at Warren Farm. These include:

- a western and eastern parkland corridor;
- a central green spine linear park linking the parkland corridors
- a landscaped southern boundary to provide a structured setting to the site and the creation of a new gateway into the City from the west.

The existing hedges and trees around the boundary of Warren Farm would be retained unless required to form new points of access.

Areas of planting reinforcement are proposed around the boundaries and within the site to replicate old field boundaries and introduce new areas of woodland. In combination, these would help to mitigate the views from the west and reintroduce a network of biodiversity corridors across the site.

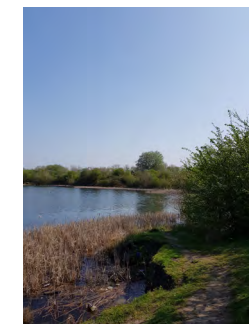
Increased boundary planting along the western and eastern boundaries associated with the adjacent watercourses and water management features would provide the opportunity for biodiversity enhancements.

Within the development, the use of generous open spaces and wide tree lined streets and main avenues with hedges in front gardens would help to create the setting for a new garden village.



Figure 15: Illustrative Landscape Plan

Examples of types of landscape treatments that could be applied to the site





9. The Submitted Illustrative Masterplan

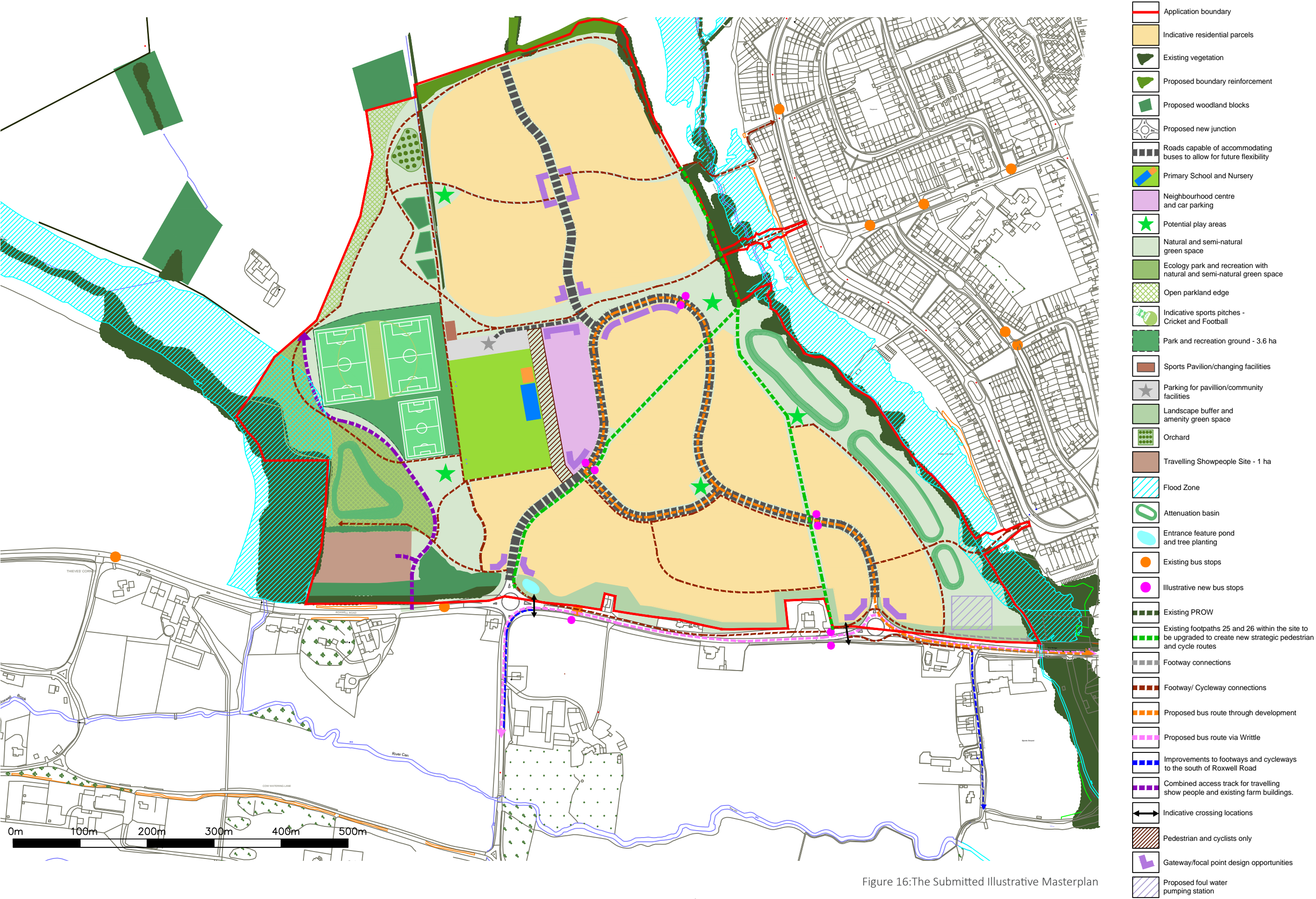


Figure 16:The Submitted Illustrative Masterplan

The submitted Masterplan has been shaped by Crest Nicholson through a continuous and formal process led by CCC, with input from consultation with the major stakeholders, the public and community representatives.

This included consideration by and feedback from the Chelmsford Policy Board at its meetings on the 16th July and the 15th October 2020, together with a presentation to and follow-up comments received from the Essex Quality Review Panel. Collectively these responses have shaped the submitted Illustrative Masterplan at Figure 16.

Key features of the Illustrative Masterplan:

- residential development of around 800 new homes, comprising a wide mix of house types and tenures, including affordable, to be compliant with Council policy;
- a mixed use neighbourhood centre with a high quality public realm and landmark features. A central pedestrian and cycle-only street between the Neighbourhood Centre and the Primary School. On-site facilities include a foodstore, retail units, community centre, potential healthcare and associated parking;
- a new primary school and stand-alone nursery located within 500m of the majority of new homes to ensure that they are within a convenient 5-10 minute walk, providing the opportunity for sustainable travel choices;
- a comprehensive package of sustainable transport measures, as set out in detail in the Masterplan Addendum and agreed with ECC Highways and Transportation and summarised in the next section;
- Upgrading the existing public rights of way to create new strategic pedestrian and cycle routes and creation of a new footpath network/trim trail and cycle routes within the development and new links to the Chignall Estate and the surrounding areas;
- western and eastern parkland corridors linked together by a wide green link through the development;
- two new access points into the development off Roxwell Road;
- a Sustainable Drainage Systems Strategy that will provide a series of attenuation ponds within the natural and semi-natural green amenity space, to allow for surface water run off and opportunity for biodiversity enhancements;

- a landscaped buffer to the south of the development to provide an attractive footpath and cycle route set back from the Roxwell Road with a series of glimpse views through to the new development, providing an appropriate urban edge on the approach to the City centre;
- the provision of 5 Travelling Showpeople pitches with a separate access road from Roxwell Road, in the south west corner of the site;
- a nature park within the western parkland area designed with a range of features to benefit wildlife, as well as providing a pleasant place for quiet recreation and educational opportunities;
- a 3.6 ha recreation ground with sports pitches in the form of two senior football pitches, a cricket pitch with an all weather wicket, and a junior football pitch; and,
- a pavilion/community building with changing facilities, parking and play facilities.

Parameter Plans

Following selection of the preferred Illustrative Masterplan, a number of detailed technical and design studies were undertaken to test the efficiency, optimisation and quality of potential housing parcels and neighbourhood centre layouts, particularly in terms of the potential to create quality placemaking, housing layouts and public realm. These studies resulted in further refinements and detailed consideration of the Parameter Plans to provide a framework for subsequent detailed design of reserved matters.



# 10. Parameter Plans - Access and Movement Strategy

## Vehicular Access

Residential access will be via the two roundabouts on Roxwell Road. The easternmost access will be a new roundabout and will feature a pedestrian crossing, which will allow pedestrians and cyclists to cross Roxwell Road safely and continue onto the off-street footway/cycleway that leads to the city centre. A fourth arm will be added to the existing Lordship Road/Roxwell Road roundabout so that site access can be achieved. There will also be a pedestrian crossing provided on Roxwell Road, close to this existing roundabout.

A priority access is situated to the west of the Lordship Road/Roxwell Road/Site Access roundabout. This will only be for access to the Travelling Showpeople site and to the existing farm to the north. The Travelling Showpeople access has been designed to include over-runable strips so that it can accommodate large vehicles, yet high speeds are discouraged for regular traffic that will be accessing/egressing the site.

## Internal Road Layout

The internal road network will largely be made up of 20mph roads. The primary distributor road that provides a loop between the two roundabout accesses will be the only 30mph road within the site. All roads within the site will be designed in accordance with the Essex Design Guide.

## Walking & Cycling

The development has been designed to encourage walking and cycling trips. Internal footways/cycleways have been included throughout the site and will connect with existing Public Rights of Way which will be upgraded to create new strategic pedestrian and cycle routes and link to routes external to the site. Externally, new links are proposed to: Avon Road to the east of the site, the allotments to the east, and Roxwell Road to the south. Pedestrian crossings on the western arm of the eastern site access roundabout and at the enlarged Lordship Road roundabout will allow pedestrians/cyclists to cross Roxwell Road safely. From here, off-street walking/cycling routes will be available to Writtle village and to Chelmsford City Centre, and the railway station via Admirals Park.

The development proposals also include the provision of a primary school and neighbourhood centre, which can be comfortably reached on foot or by bicycle from all points of the proposed development. The majority of new homes will be within approximately 500m from the school and neighbourhood centre. Thus it will not be necessary for residents to visit the primary school and neighbourhood centre via private vehicle, and this will further encourage trips by active travel modes.

Illustrative drawings showing the access proposals can be found at Appendix A and in detail in the Masterplan Addendum.

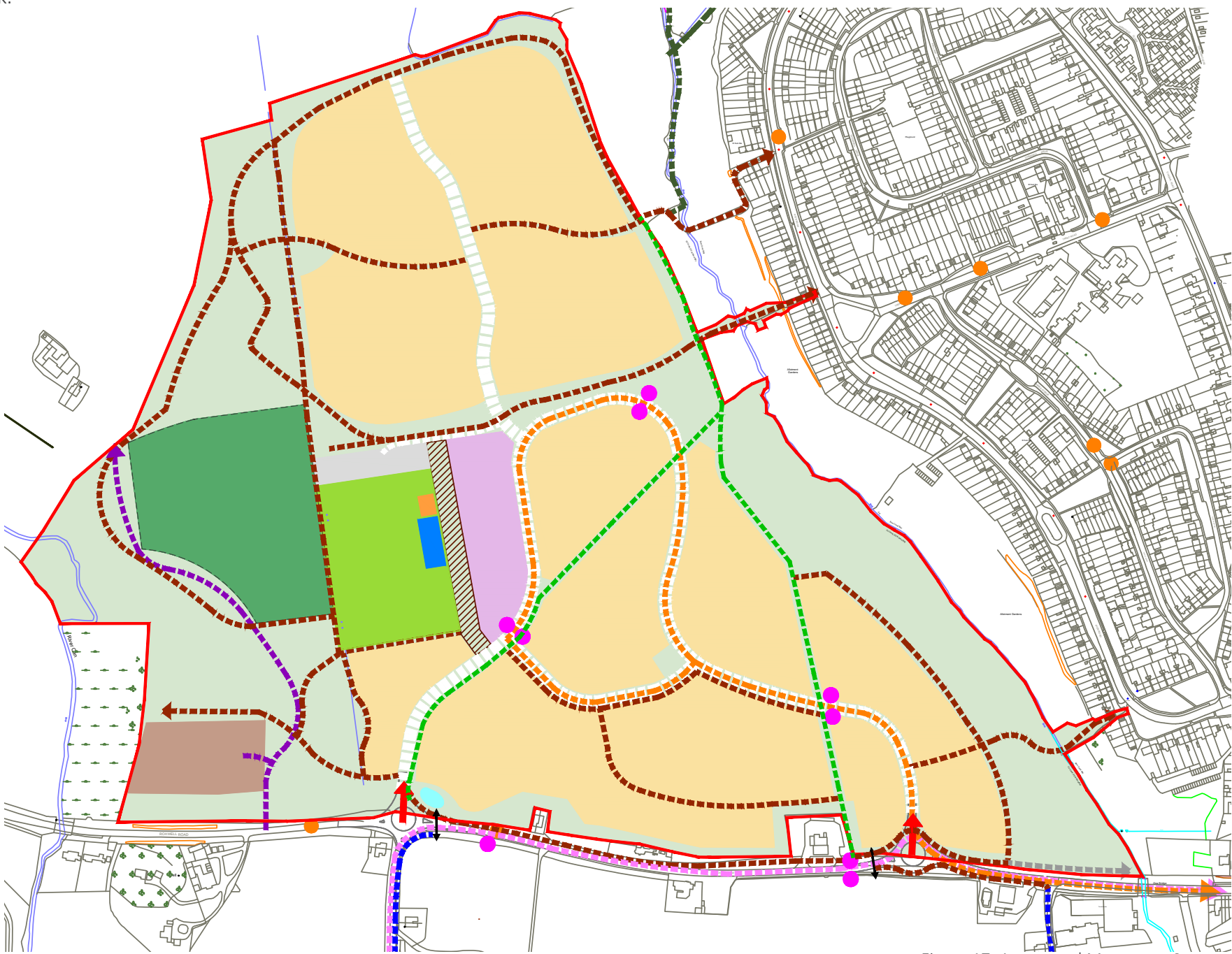
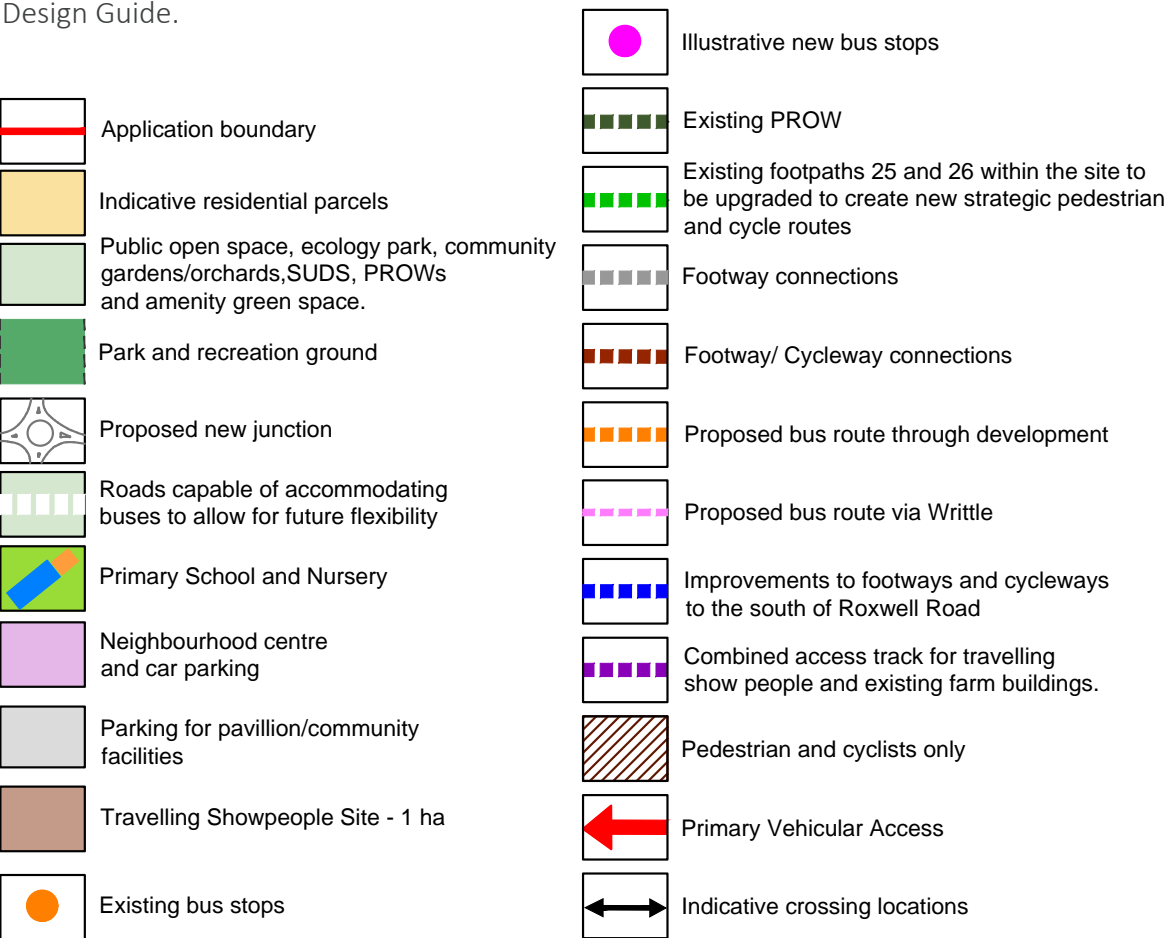


Figure 17: Access and Movement Strategy



Summary of Overall Masterplan Addendum Package

The following measures are proposed:

- Two footpath/cycleway connections between the site and the Chignal Estate to the north and south of the allotments.
- A contribution towards the improvement of a third footway/ cycleway connection at the north end of the open space.
- A contribution towards the Melbourne Way/Avon Road cycleway.
- A bus route to the site to run along Roxwell Road, Chignal Road and Melbourne Avenue to connect to the city centre.
- New/improved bus stops in Roxwell Road, Avon Road and Trent Road
- A signalled crossing on Roxwell Road close to the new eastern access roundabout
- A crossing on Roxwell Road close to the Lordship Road roundabout
- A new footway/cycleway on the northern side of Roxwell Road between the two access roundabouts extended to connect to the existing footway
- The improvement of Lawford Lane to accommodate cyclists
- Lighting and drainage improvement of the existing cycleways to the city centre through Admirals Park and to Writtle
- Improvements to the drainage at the Waterhouse Lane subway to prevent flooding
- Widening of the footway on the eastern side of Lordship Road
- A new signal controlled crossing on Lordship Road
- Improvements to the route to Hylands School through better pedestrian crossings and improved signage.

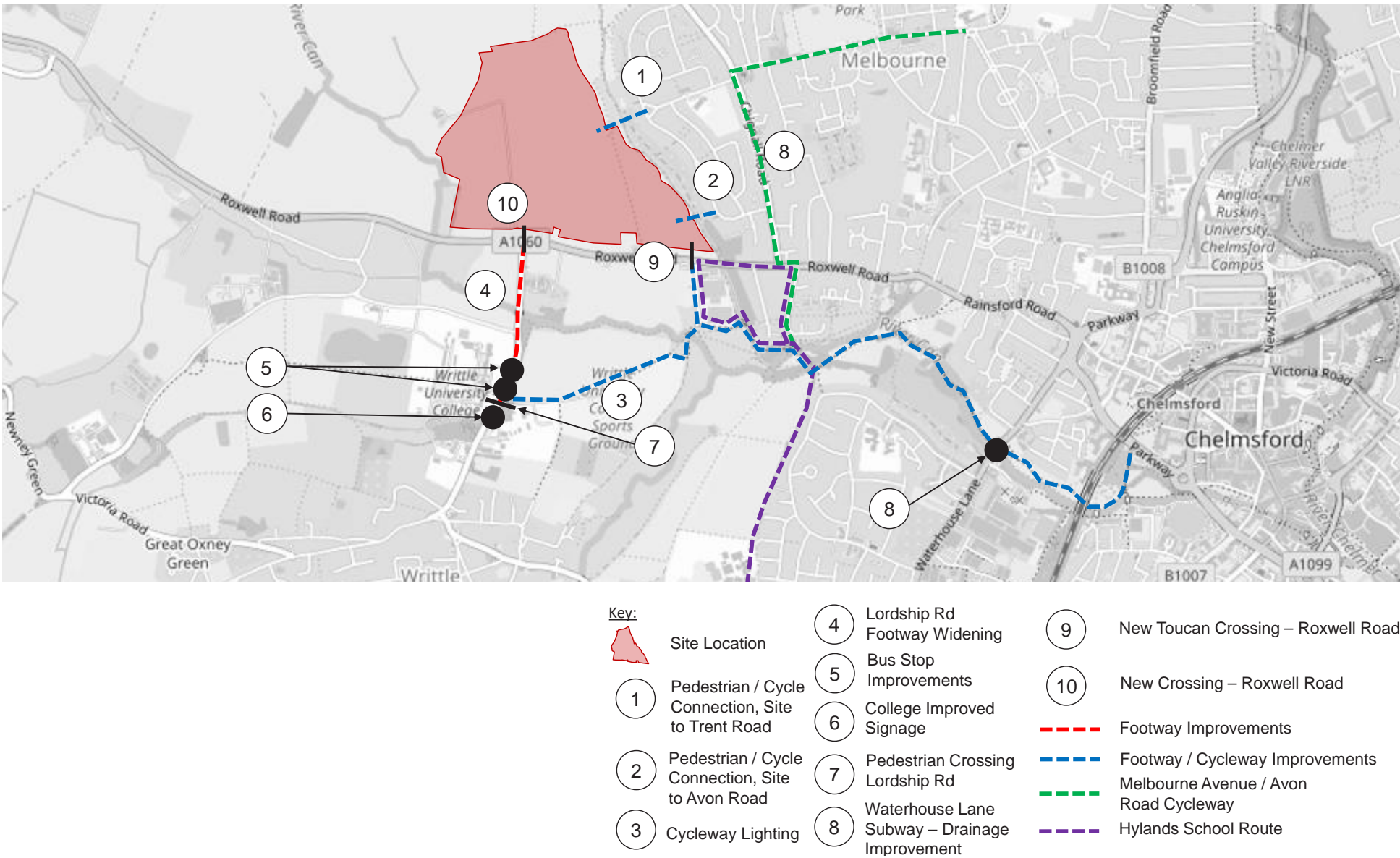


Figure 18: Off-Site walking and cycling improvements



Example of potential pedestrian/cycle bridge type



Bus Routes

- There are two new bus routes proposed in association with the proposed development, as shown on figure 19.
- Route 1: A new service that circulates within the site and uses Roxwell Road, Chignal Road, Melbourne Avenue and Corporation Road to connect to the bus station.
  - Route 2: A new service between Writtle College and the City Centre running along Roxwell Road.

A bus service into the site, and circulating the local centre, will ensure that all new residents are within 400m or 5 minute walk of a bus stop. It would be proposed that both routes have a 15 to 20 minute frequency during peak periods.

The precise route for Route 1 would be subject to further discussions as it would need to be ensured that this does not adversely affect the existing 54 and 56A services.

There are improvements proposed at the junctions on Roxwell Road to improve the performance of the road and the additional buses would be accommodated by these improvements.

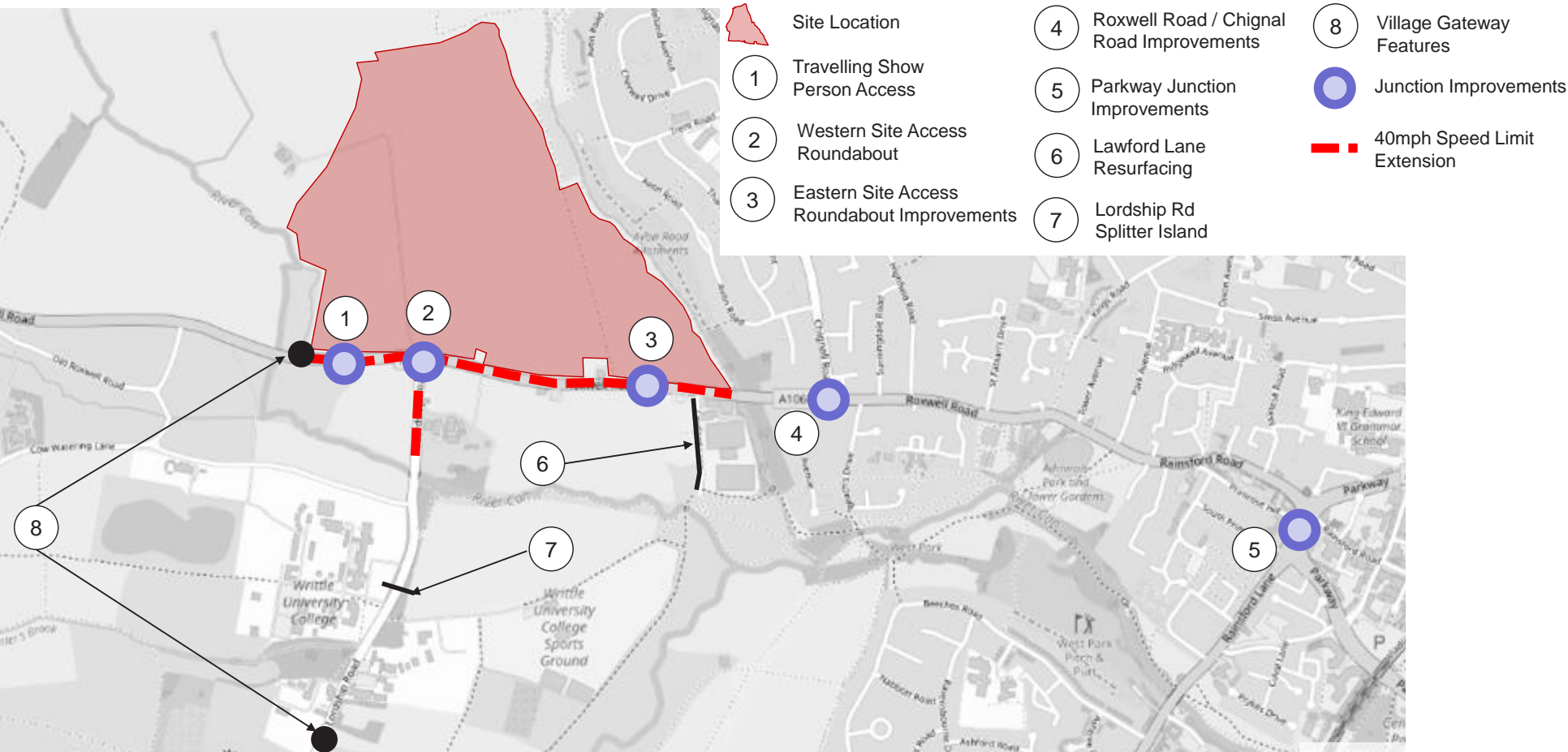
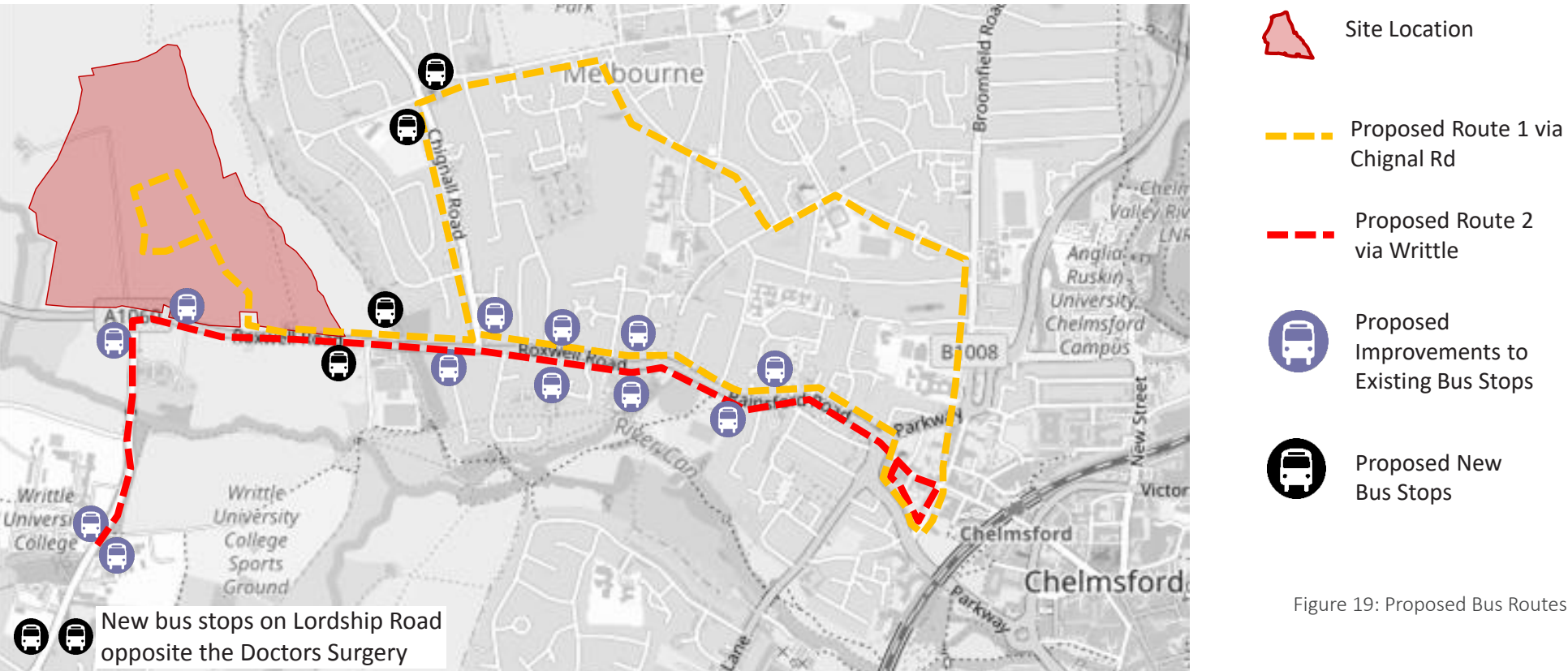
Bus Stops

New bus stops would be located close to existing and proposed pedestrian routes and include shelters, raised kerbs, electronic information boards and lighting.

The locations of the proposed new and improved stops are shown in Figure 19.

In addition to new bus stops within the site there would be:-

- New and improved bus stops on Roxwell Road.
- Improved stops on Avon Road and Trent Road.
- New and improved stops on Lordship Road, including close to the Doctor’s Surgery.



# Other Sustainability Measures

- The consideration of flat and house designs so they are adaptable and would allow home working, such as including rooms suitable for use at studies/offices.
- Cycle parking for each property
- Electric Vehicle charging facilities
- The provision of a Mobility Hub in the Neighbourhood Centre
- The provision of Car Club vehicles (hybrid and/or electric vehicles only)
- Travel information packs through Welcome Packs for new residents
- Travel Information via a Webpage and Communal Noticeboards
- Season tickets/vouchers (for buses) for new residents
- Bicycle maintenance vouchers and Bicycle training vouchers
- Establishing a Car Sharing Database
- Offering new residents Personal Travel Planning

# Other Highway Improvements

- Reduction of speed limits on Roxwell Road and Lordship Road either by the extension of the existing 40 mph speed limit or by introduction of a 30mph and associated safety camera systems subject to agreement with ECC highways.
- Improvement to the Chignal Road/Roxwell Road junction to increase capacity.
- Improvements at the Parkway junction including minor road widening and white lining changes to improve lane discipline to increase capacity.
- New gateway features on A1060 Roxwell Road and Writtle Village
- New build out at Writtle Doctors Surgery to improve visibility for vehicles exiting the car park

- New splitter islands on Lordship Road to reduce vehicle speeds
- A hand-held mobile speed camera for Writtle Parish Council

# Travelling Showpersons (TSP) Access

The TSP Access needs to safely accommodate large commercial vehicles including articulated HGVs and rigid HGVs with drawbar trailers. There are practical considerations for how the access is provided and where it can be provided safely. A number of options were considered and the proposed solution is the optimum in terms of safety and practicality.

# Mobility Hub

A Mobility Hub is a location where transport facilities and services are located together in a convenient location so residents know where to walk to. This would be within the neighbourhood centre. The elements of a Mobility Hub could contain car club spaces, bus stops, cycle parking, internet hub/café etc.



Example of Mobility Hubs





10. Parameter Plans - Landscape, Sports and Green Infrastructure

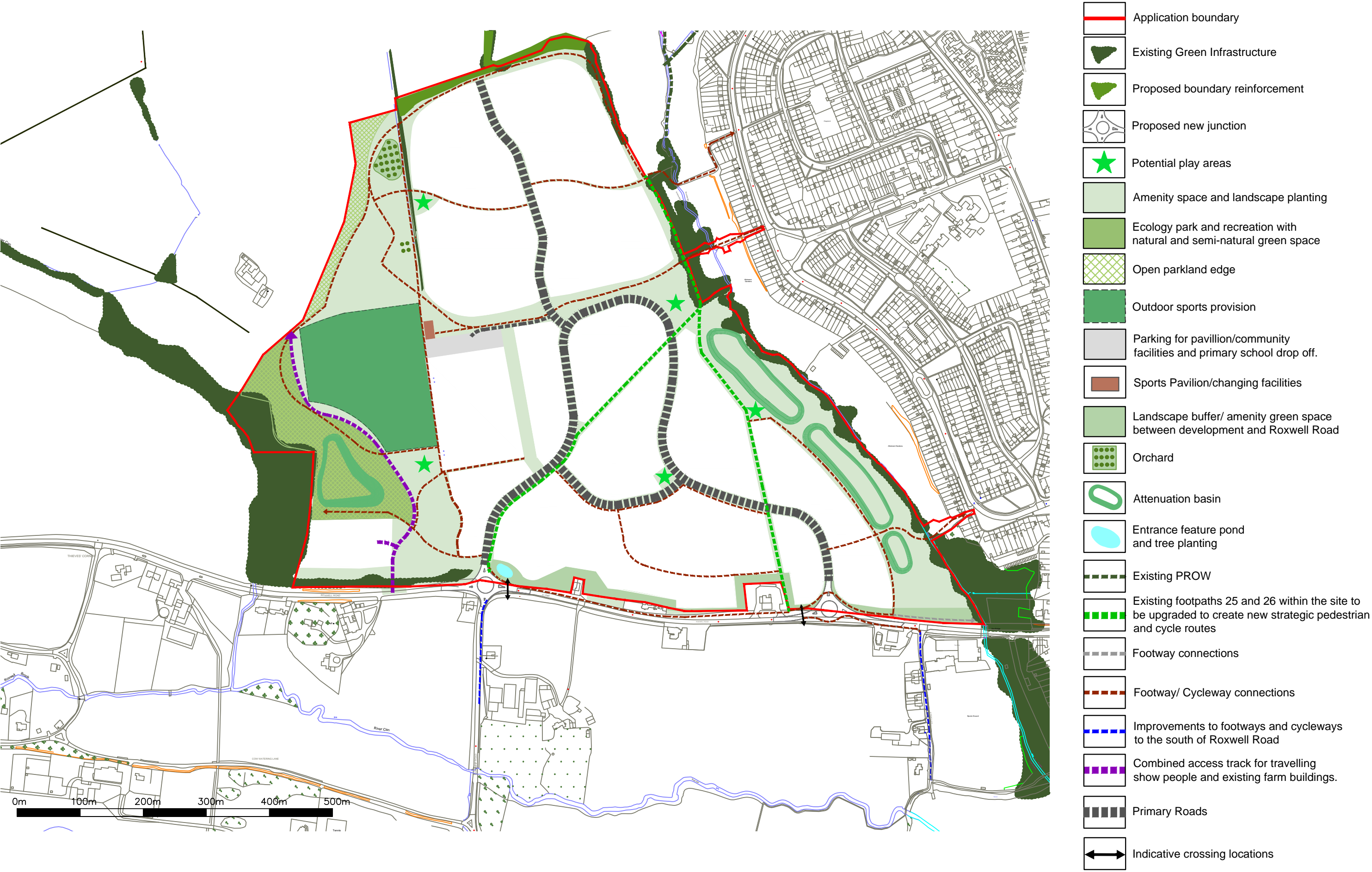


Figure 21: Indicative Parameters- Landscape, Sports and Green Infrastructure



### Ecology and Recreation

The Ecology Park provides a valuable buffering habitat to the River Can and an area of off-site reedbed, which is used by a range of protected species including otter, badger, and several species of bat. The Ecology Park will be designed with a range of features to benefit wildlife, as well as providing a pleasant place for quiet recreation and educational opportunities (such as Forest Schools). The Ecology Park will also be designed to screen any required lighting from the recreation ground to ensure that a dark corridor is maintained along the River Can for nocturnal wildlife. The attenuation basin within the Ecology Park will also be designed in such a way to benefit wildlife, for example, with an area of permanent water and marginal planting. This will benefit a range of species such as foraging bats, reptiles, amphibians, and invertebrates. Other ecological enhancements will be incorporated into the Ecology Park, such as bat boxes on trees, and habitat piles. Once established, the Ecology Park will be managed in the long-term to benefit biodiversity.

### Sport and Recreation

Sports pitches are provided in the form of two senior football pitches, a cricket pitch with all weather wicket, and a junior football pitch. A pavilion/community building with changing facilities, parking and play facilities are also proposed north of the Primary School and adjacent to the playing pitches to the west.

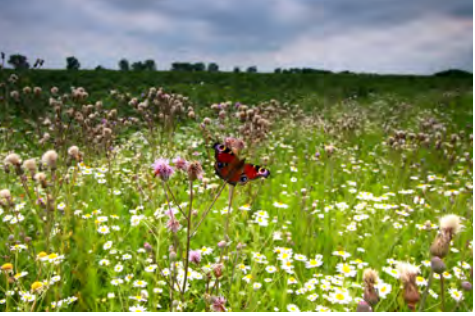


Figure 22: Ecology Park and Sports



10. Parameter Plans - Landscape, Sports and Green Infrastructure

The western parkland

This area helps to create a gentle transition from the built edge of the site into the open countryside to the north west. It contains areas of open parkland, with blocks of woodland, small copses and community orchards to break up the appearance of the development edge.

Sports pitches are provided in the form of two senior football pitches, a cricket pitch with all weather wicket, and a junior football pitch. A pavilion/community building with changing facilities, parking and play facilities are also proposed.

The western edge of the parkland along the River Can provides an opportunity to create a nature park. This would be enclosed by the farm access and incorporate the water management basin and areas of rough grass, scrub and tree planting. This could provide the opportunity to encourage a wider range of wildlife including butterflies, dragonflies and reptiles.

There would be a mixture of new water features, enhancing plant life and wildlife around the river area.

The eastern parkland

The eastern parkland forms the link with the existing edge of Chelmsford to the east around the existing Brook.

This area would consist of informal parkland and water management basins with new footpath and cycling links between the new neighbourhood, Chignall Estate and other neighbouring areas.

The central spine

The central spine creates a key and essential link between the eastern and western parkland areas. It also will act as a green interface and amenity area between the northern and southern housing areas.

The southern boundary

Development along the southern edge of the site has been set back to provide a structured setting to the site and the creation of a new gateway into the City from the west. This could include additional earth mounding, water features and reinforced hedgerow and tree planting.

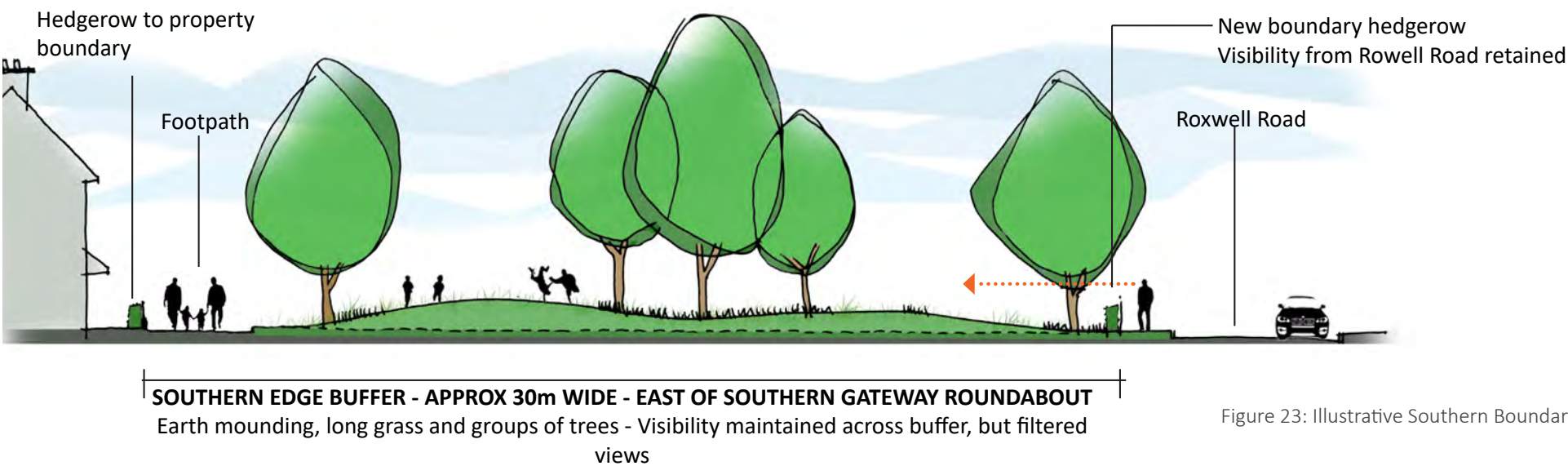


Figure 23: Illustrative Southern Boundary



Examples of a variety of landscape features



10. Parameter Plans - Building Heights

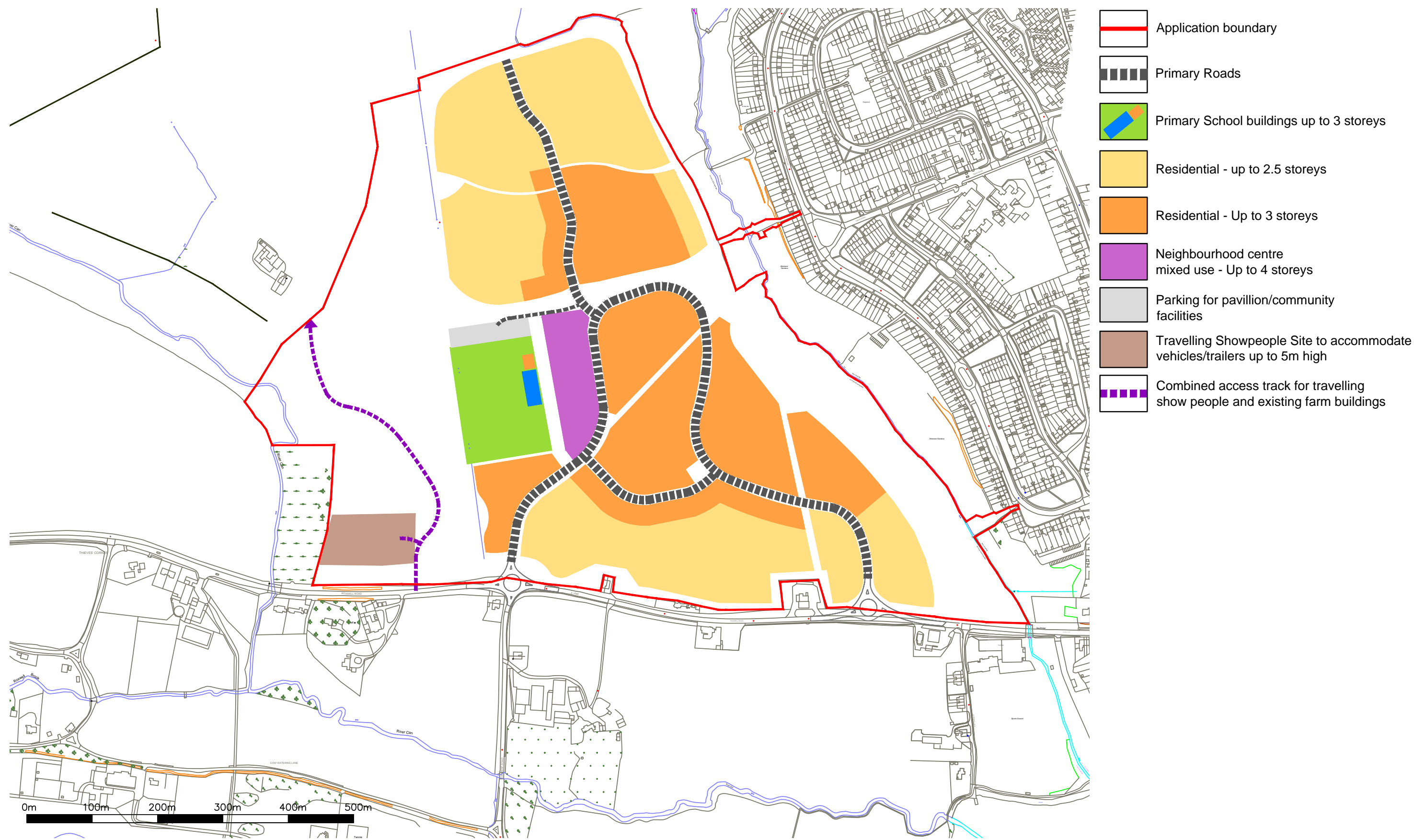


Figure 24: Indicative Parameters- Building Heights



10. Parameter Plans - Density

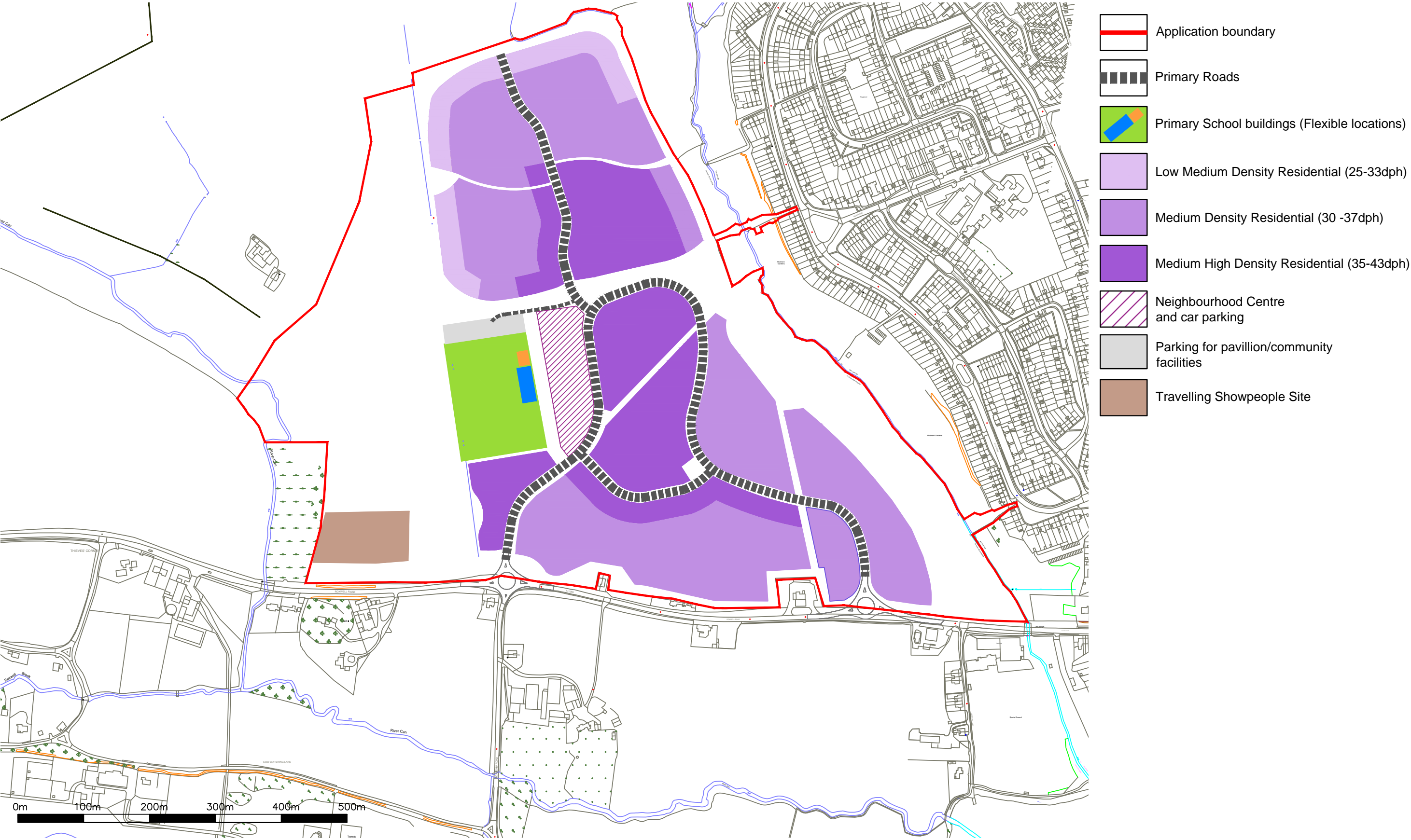


Figure 25: Indicative Parameters- Density



### Community Hub

A mixed use neighbourhood centre is sited centrally within the new neighbourhood, which is the most sustainable location in respect of all forms of access.

All new homes will be within 5-10 minutes walk of the neighbourhood centre and a number of new green links will provide pleasant pedestrian and cycle access routes.

A new primary school with co-located early years and childcare nursery will be provided adjacent to the neighbourhood centre, with on-site parking and additional parking for the nursery within the neighbourhood centre.

A range of community facilities are proposed within this central hub, and along with the school this will form the heart and main focus of the public realm.

Potential facilities which could be provided within the neighbourhood centre include:

- an anchor convenience store;
- a coffee shop and other local scale commercial uses;
- a pharmacy;
- a mobility hub which could contain car club spaces, bus stops, cycle parking, internet hub/café etc.
- a medical centre to serve the new and existing community;
- a senior living scheme with landscaped courtyard;
- landscaped parking square
- a mix of one and two bedroom flats will be provided within the neighbourhood centre with associated parking and amenity space; and
- a pedestrian and cycle only street between the primary school and nursery and the neighbourhood centre facilities, creating a pleasant traffic free environment to making the neighbourhood centre a more attractive place to linger. It will also provide safe pedestrian access for children and parents attending the school.

Crest Nicholson will continue to liaise with the Education Authority and City Council in formulating its detailed proposals for the Community Hub. These will be included in the Design and Access Statement that will accompany the subsequent planning application.



Kilnwood Vale, West Sussex



Southborough, Tunbridge Wells



Mobility Hub example



Tadpole Garden Village



# 12. Phasing and Delivery

## Overall Sequence of Development and Phasing

Crest propose to commence development by constructing the western access roundabout junction on Roxwell Road. The eastern access roundabout will follow as part of Phase 1 alongside housing in that area of the site. The detailed design of both access junctions will be considered as part of the application. The main loop spine road, surface water drainage, foul drainage, and utility services will be phased to be delivered in stages as required to service the housing parcels for the Phases. Practically, the bus route through the site will be delivered when the service is viable and discussions with the Council and bus service operators will determine timescales.

It is anticipated that development would proceed from the Roxwell Road northwards through the site, served from both the eastern and western sections of the internal loop road.

The timing of the provision of land and payment of financial contributions to the County Council to facilitate the delivery of the primary school and co-located early years and childcare nursery will be determined through the application process and will be documented within a S106 agreement. However, the location of the school and nursery is such that land they will be constructed upon can be made available in discussions with the County Council.

The location of the proposed neighbourhood centre within the scheme enables it to be marketed relatively early on. Its' delivery will depend on market interest and having sufficient new residents to make the neighbourhood centre uses viable.

The Travelling Showpersons site itself can also be marketed at an early stage, however its delivery, including its access onto Roxwell Road, will depend on marketing and interest of the Travelling Showpersons community.

Landscaping and open space provision will follow in sequence with the development of each housing cluster. Phase 1 will see the ecology area and play area to the west of the site delivered along with the large open space area to the east (which bounds the Brook and the Chignal Estate). The formal play pitches and associated community building together with the community orchard will be delivered alongside one another within Phase 2.

It is intended that affordable housing will be delivered proportionately across the site in accordance with adopted policy.

## Sustainable Design and Building

The development will comply with the relevant national guidance and Chelmsford adopted policy regarding sustainable building including renewable and low carbon energy development requirements, as set out in adopted Local Plan policy DM19 and the provisions of the Section 9 of the Making Places SPD as adopted or varied at the time of detailed submissions.

## The Way Forward

This Masterplan document has been prepared to satisfy CCC's masterplan procedure, which is both to assist with informing the Local Plan process and to form an appropriate framework for the preparation, submission, and determination of future planning applications.

Crest have been collating all necessary baseline evidence to inform the Masterplan and to prepare a planning application for submission as soon as this Masterplan document has been approved. The planning application will be accompanied by an Environmental Statement.

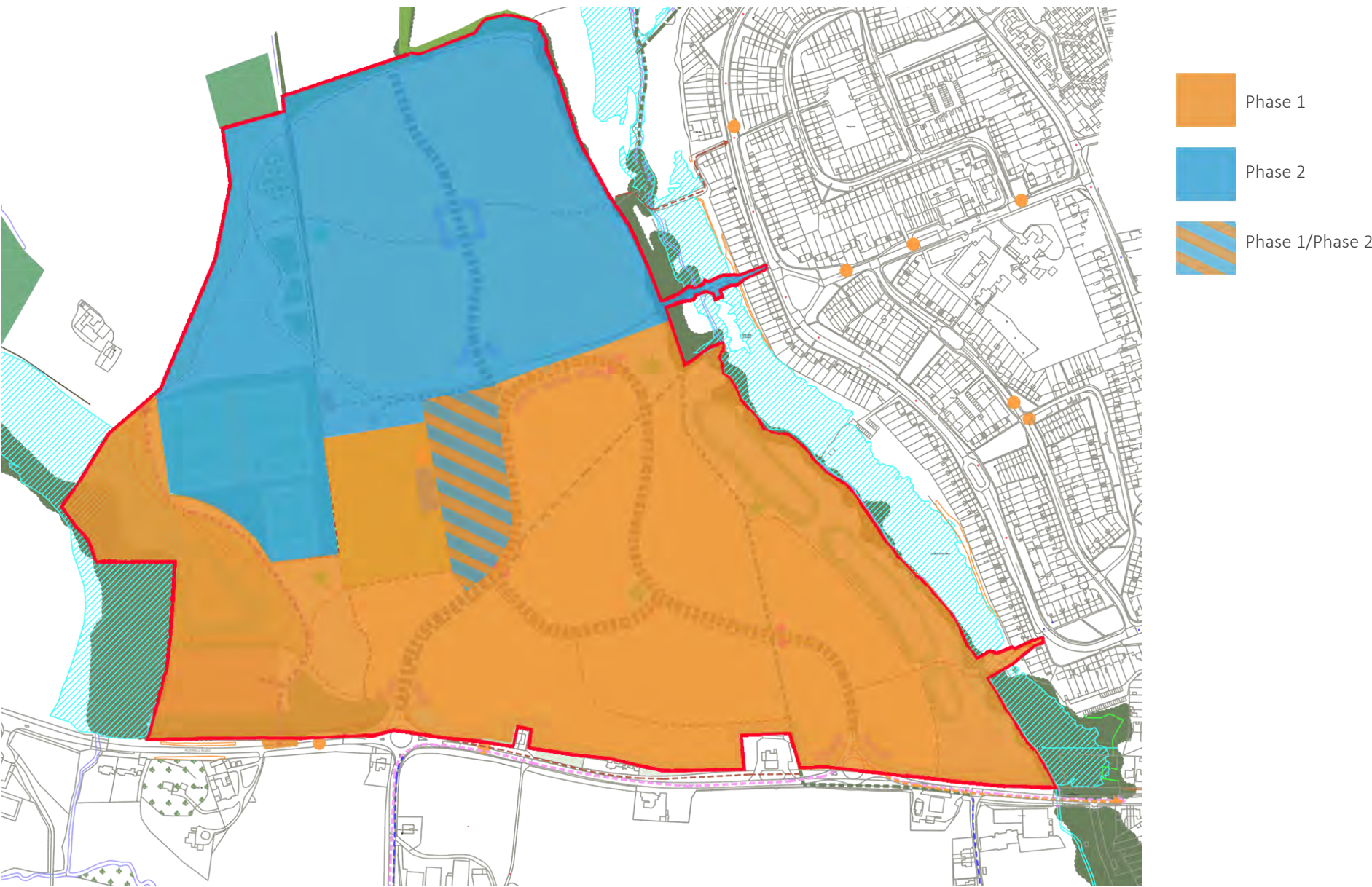
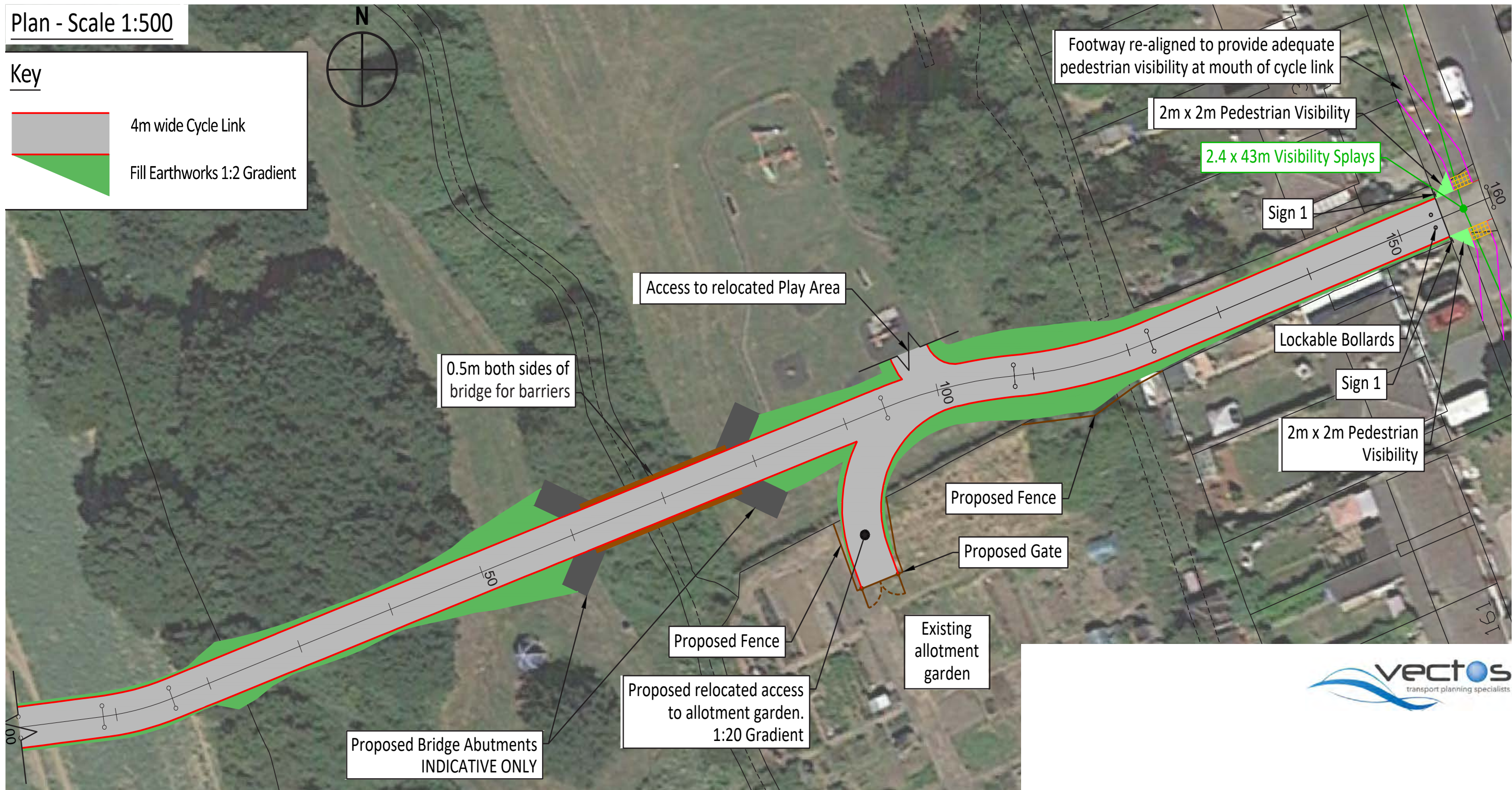


Figure 26: Indicative Phasing Plan



## Appendix A

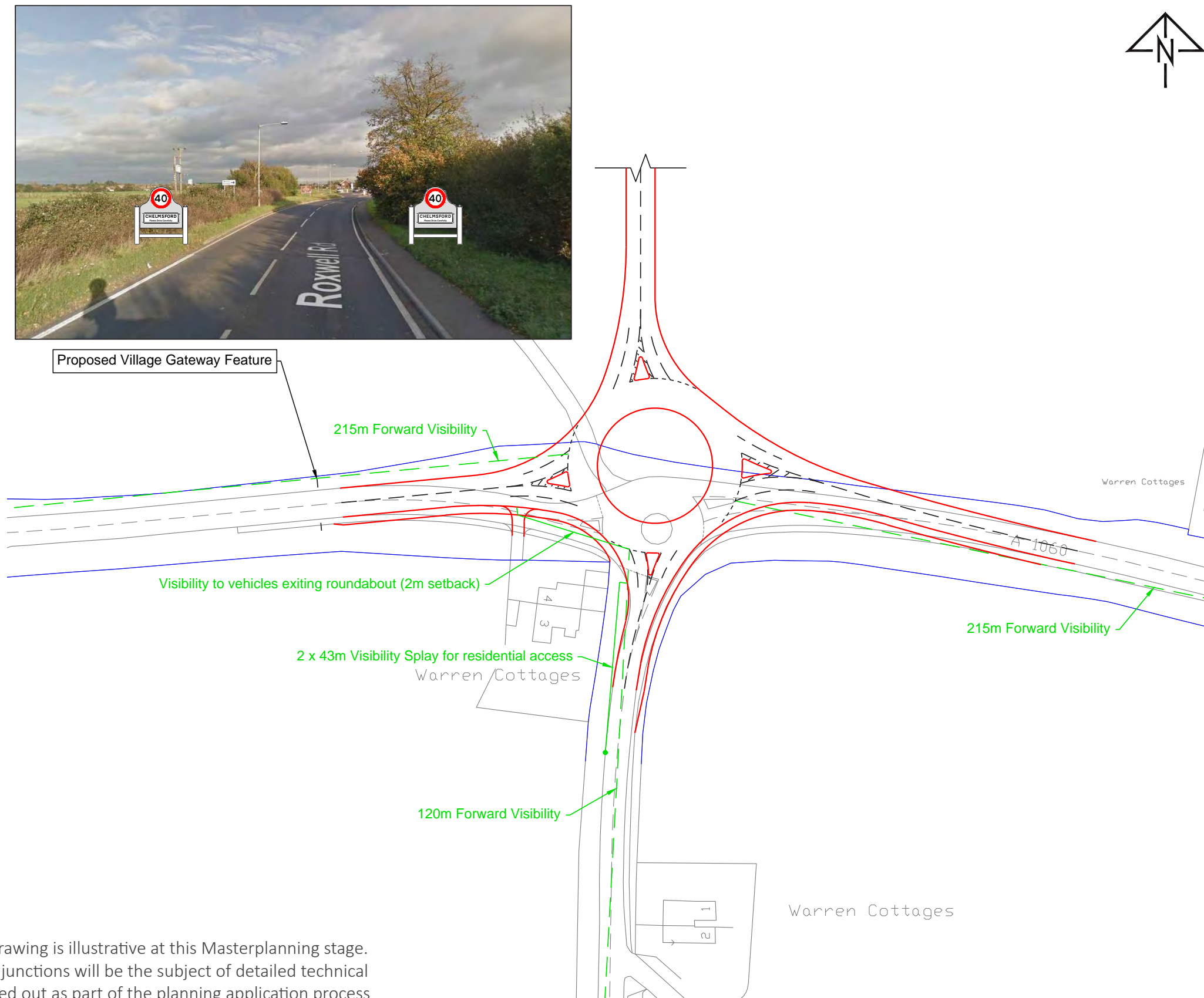




Please note that this drawing is illustrative at this Masterplanning stage. The final design of the junctions will be the subject of detailed technical assessment to be carried out as part of the planning application process and will be subject to agreement with the Highway Authority.

Figure 1: Proposed Northern Cycle Link





Please note that this drawing is illustrative at this Masterplanning stage. The final design of the junctions will be the subject of detailed technical assessment to be carried out as part of the planning application process and will be subject to agreement with the Highway Authority.



Figure 2: A fourth arm will be added to the existing Lordship Road/Roxwell Road roundabout so that site access can be achieved.



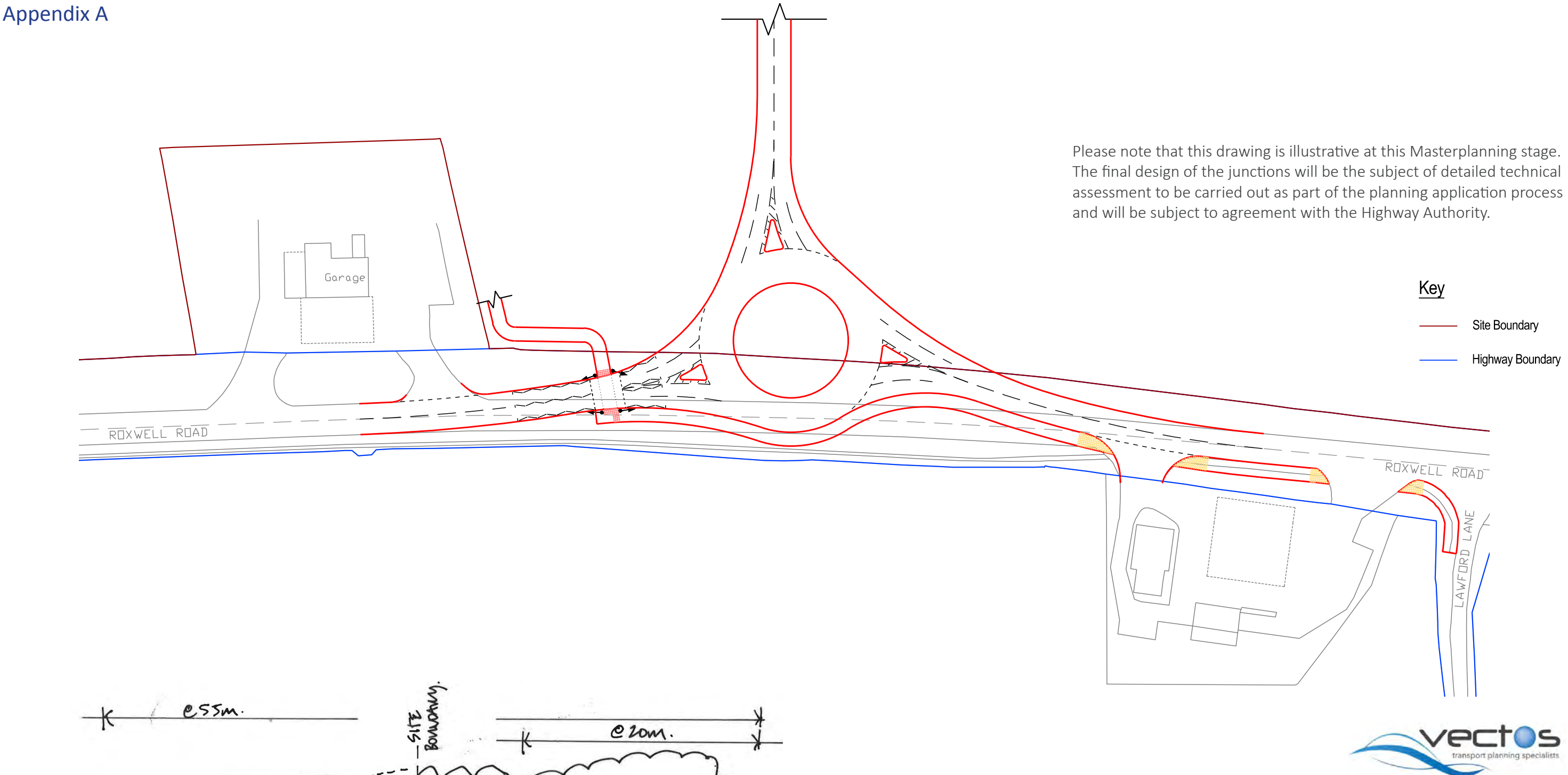


Figure 3: A new roundabout will feature a pedestrian crossing allowing pedestrians and cyclists to cross Roxwell Road.

Figure 4: The Travelling Showpeople site section sketch



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# Chelmsford City Council Policy Board

16 July 2020

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## Strategic Growth Site Policy 2 – West Chelmsford masterplan

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Report by:

Director of Sustainable Communities

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Officer Contact:

Matthew Perry, Senior Planning Officer

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### Purpose

This report is seeking the Policy Board to recommend to Cabinet the approval of the masterplan for the West Chelmsford Local Plan Site Allocation.

### Recommendations

1. The Policy Board recommend to Cabinet that the masterplan attached at Appendix 1 with any changes arising from the recommendations be approved.
  2. That before consideration by Cabinet, the masterplan is subject to independent quality and design review undertaken by the Essex Quality Review Panel.
  3. That the Policy Board delegate the Director of Sustainable Communities in consultation with the Chair, Vice Chair and Cabinet Member for Sustainable Development, to negotiate the further considerations outlined in this report and other subsequent changes to the masterplan ahead of the consideration by Cabinet.
- 

### 1. Background

- 1.1. The masterplan presented with this report relates to Strategic Growth Site Policy 2 – West Chelmsford, which is brought forward by Crest Nicholson. The formal determination of masterplans consists of two stages: approval by Chelmsford Policy Board and then approval by Cabinet.
- 1.2. Strategic Policy S7 sets out the Spatial Strategy (i.e. the scale and distribution) for new development over the period of the Local Plan. In allocating sites for strategic growth, this policy confirms that Strategic Growth Sites will be delivered in accordance with masterplans to be approved by the Council. This is to ensure we are creating attractive



places to live and to ensure the successful integration of new communities with existing.

- 1.3. Masterplans are to demonstrate how the site will satisfy the requirements of the respective site policies. Masterplans are a tool to help achieve a vision and key development objectives. They consider sites at a broad level and set a framework for the future planning applications to follow (usually Outline and Full applications). The Council's Masterplan Procedure Note, updated in October 2019, sets out what masterplans should contain. The core content of masterplans should cover:
- A vision for the new place
  - Site and context analysis e.g. surrounding landscape, heritage, contamination, flood risk, important views, etc
  - Movement structure e.g. walking, cycling, public transport, vehicle circulation
  - Infrastructure strategy
  - Sustainable Urban Drainage (SUDS) strategy
  - A framework for landscape, spaces and public realm
  - Land use and developable areas
  - Building heights
  - Layout Principles
  - Delivery and phasing

Following the update to the Masterplan Procedure Note in October 2019, the Council also requires consideration of (i) supporting Livewell initiatives across the development and (ii) incorporating sustainable construction methods, energy efficiency and other sustainable development initiatives set out in the Council's Making Places Supplementary Planning Document.

- 1.4. Each of the masterplans will take a bespoke approach to the site it relates to. The larger of the allocated sites will differ from the smaller sites, the more complex or more constrained sites may differ from less complex and constrained sites, for example. Most masterplans will cover additional content or will look at certain matters in more detail than others, as appropriate, but all will consider similar core content.
- 1.5. The masterplan does not secure detailed site planning.
- 1.6. Developer obligations will be secured by way of a s.106 Agreement as part of the Outline planning application.

## **2. The journey to this stage**

- 2.1 Through the Planning Performance Agreement (PPA) the developer is given a set of masterplanning parameters (written and in plan form). These relate to the Local Plan policy expectations for the site. In addition, the parameters identify key site constraints and the areas where development should be avoided, where it might be preferable to situate the main site access, other key considerations such as heritage setting, flood zones, for example. These are provided at a very broad level, intended only to provide the starting parameters of site construct, and are to be subject to refinement as part of the masterplan production.

- 2.2 Throughout the period of masterplan production there are recurrent discussions between officers and the developer. These generate numerous iterations of the masterplan; each of those refining the masterplan in light of the issues which have been the subject of discussion. Complementing and strengthening that approach the process involves various forms of local engagement which ultimately shape the masterplan into something which is tailored for its locality. The key inputs of that engagement are outlined below.

#### Public Consultation

- 2.3 Two public consultation drop-in events were held in July 2018, one in Writtle Village and a second on the Chignall Estate.
- 2.4 Crest Nicholson has also undertaken engagement with Writtle Parish Council, the Writtle Neighbourhood Plan Group, and local Councillors. This has included meetings and site visits to discuss potential highways and traffic mitigation measures for the village that could be delivered alongside the development.
- 2.5 Crest have also attended meetings with Chignall Estate Residents Association (CERA) and with local Councillors, primarily to debate the bus link.
- 2.6 A further public consultation event was held at Writtle College on 13 November 2018 to give local residents the opportunity to view the Masterplan.
- 2.7 The masterplan submission in November 2018 was subject to a public consultation by the local planning authority, similar to a planning application. The revised masterplan submitted in April 2020 was subject to a further round of consultation (four weeks as opposed to three, and a Council leaflet drop).

#### Community and Technical Stakeholder Workshops

- 2.8 Prior to producing a draft masterplan, a round of community and technical stakeholder workshops is run. This collates local expectations for the future development and draws key concerns and suggestions to the surface so that the developer can seek to include or resolve those as part of the first draft masterplan.
- 2.9 Two stakeholder workshop events were held in September 2018; one with statutory consultees (the technical workshop) including Essex County Council, the NHS, Anglian Water as well as officers from CCC; the other (community workshop) with City and County councillors, Writtle and Chignall Parish Councils, local school, and community and residents groups.

#### Neighbourhood Plan

- 2.10 The existence of a draft Neighbourhood Plan in Writtle will help shape the masterplan and content of the planning application going forward.

#### Member Presentation



- 2.11 Prior to the Chelmsford Policy Board meeting, all Members were invited to a presentation setting out the content of the final draft masterplan and have had the opportunity to ask questions about content.

### **3. Overview of Masterplan Content**

#### **Vision**

- 3.1. The vision set out within Strategic Growth Site Policy 2 is one for *‘a high-quality comprehensively-planned new sustainable neighbourhood that maximises opportunities for sustainable travel.’*
- 3.2. Crest Nicholson’s vision echoes the site policy and expands upon it. No objection is raised at this stage to their current vision.

#### **Site and context analysis**

- 3.3. The masterplan provides a site and context analysis, which supplements analysis work undertaken by the Council in the first stage of the masterplan process. It represents a suitable starting point for a masterplan.

#### **Layout Principles**

- 3.4. The requirement of the site policy is to provide a coherent network of public open space, formal and informal sport, recreation and community space within the site. Whilst different bodies and groups may share aspirations for alternative layouts, the masterplan should demonstrate a coherent layout underpinned by the site and context analysis.
- 3.5. The Local Plan site allocation dictates that the western segment of the site (roughly about ¼ of the site area of the allocation) should be allocated for future recreation use and/or SUDS. The context analysis has informed the location of the SUDS attenuation basins on the lower parts of the site towards the brook. Given the proposed location of SUDS features (along the eastern boundary), recreation use is the obvious remaining choice for the western segment – this is reflected in the masterplan denoting an ecology park, parkland, green space, orchard, park and recreation ground, within this space.
- 3.6. The two major residential parcels are roughly split into two by a central green space in the form of an arc, which sweeps from the south east to the west. The green arc encompasses the drainage features along the eastern boundary before arcing roughly centrally westwards, out towards the ecology park. It is a striking concept which places a green space through the centre of the site, enabling green connections with Chignall to the east and allowing new residents a green connection to the newly formed recreation area to the west.
- 3.7. Public representations from Writtle residents have requested a larger ‘green buffer’ to Roxwell Road. The masterplan shows a 30m buffer already – any extension to this buffer has to be balanced with the aspirations to secure a speed reduction along

Roxwell Road and the loss of other green space within the allocation to compensate the size of development areas which would be further squeezed from an enlarged buffer. The presence of a buffer along this route is presented within the masterplan and this is a sound principle. Officers view the buffer's primary role is to green the route into Chelmsford rather an aspiration to separate the site from Writtle village. Writtle Parish Council do not object to the depth as a matter of principle but are keen to influence greater depth in places – rear of car wash, entrances to residential parcels and along footpaths. Such changes can be facilitated as part of ongoing dialogue with stakeholders and do not undermine the ability to recommend approval for this masterplan.

- 3.8. The neighbourhood centre (NC) and school are positioned roughly centrally within the southern development parcel – a balance between accessibility from Roxwell Road, within the site itself and Chignall to the east. They are close enough to Roxwell Road to allow the primary road to 'loop' over the NC and school and re-join Roxwell Road further east at a newly created roundabout.
- 3.9. The principles adopted within the masterplan are coherent, albeit that public comments raise concerns with various aspects.

### **Movement and access**

- 3.10. Main vehicular access to the site will be from Roxwell Road (A1060), via two roundabouts.
- 3.11. Pedestrian and cycle connections are provided through use of the bus link to the east and the crossing of Roxwell Road. However, the number of connections can be expanded to allow greater permeability into the Chignall Estate and Writtle to the south.
- 3.12. The internal road layout allows for a loop around the school and neighbourhood centre to be served by buses using the bus link. The primary road from Roxwell Road will be capable of accommodating buses travelling along Roxwell Road. The provision of the bus link allows for bus priority measures to be in place and maximises opportunities for public transport and provides flexibility for future bus routing in the network. The bus link would be dedicated to bus, cycle and pedestrians. It would link into the existing Urban Area via Avon Road. The provision of the bus link would satisfy the policy requirements; however, there is concern from the residents within the Chignall Estate to its specific location. In order to address, these concerns, the masterplan has sought to detail the access arrangements and impact upon Avon Road beyond what would normally be expected within a masterplan. This matter remains contentious for the Chignall Estate Residents Association and its residents. However, the detail submitted to date demonstrates that the route is workable from a highways and safety perspective.
- 3.13. The site will also be served by the existing bus route running along Rowell Road and has the potential for buses to be diverted into the site, if bus operators choose to do so.
- 3.14. The secondary road, identified in the northern half of the site, is relatively long and straight. This will be less attractive to pedestrians (due to limited interest and lack of



terminating vista) and will encourage higher vehicle speeds. The form of the road should be revised.

- 3.15. Within the northern half of the site, the central pedestrian and cycle route (east-west) does not respond to the location of the PROW to the east or the Pavilion/Community centre to the west, a likely destination – it appears to be based on dissecting the parcels of development rather than meaningfully linking destinations. The reworking of the east-west connections would mean that it makes sense to split the development parcels into six, as opposed to four blocks.

**Further consideration:**

- The secondary access road to be realigned to give a greater curvature in a northern direction
- East-west pedestrian and cycle connections to be reworked
- The developer should address each of the issues identified in the ECC Highways consultation response dated July 2020

**Infrastructure strategy**

- 3.16. The site infrastructure requirements are listed within the site policy.
- 3.17. Land is shown to be designated for a co-located primary school and early years and childcare nursery. The stand-alone nursery can be accommodated within the neighbourhood centre. The presence of these also addresses the three key bullets of on-site developments listed in the site policy.
- 3.18. Improvements to the local and strategic road network will be detailed in the planning application and secured through legal agreement or planning conditions. Crest Nicholson's transport consultants have been engaged with ECC Highways for a number of years now as part of this process. Policy Board can therefore have a degree of confidence that improvements will be secured, as well as securing measures to promote and enhance sustainable modes of transport.
- 3.19. A multi-user crossing of Roxwell Road is necessary for both pedestrians and cyclists. The masterplan shows one at the new roundabout along Roxwell Road. ECC Highways recommendations include a requirement for another crossing near to the new roundabout at Lordship Road (see Appendix 2), amongst a list of other recommendations. One of the key criticisms is the reduction of connections from the site into Avon Road compared to the original masterplan in November 2018.
- 3.20. The illustrative masterplan shows provision for new leisure and recreation facilities.
- 3.21. Financial contributions to secondary education can be secured through legal agreement at planning application stage, as required by the Local Education Authority.
- 3.22. Contributions will be secured towards mitigation measures identified in the Essex Recreational disturbance Avoidance and Mitigation Strategy (RAMS) at planning application stage.

3.23. The masterplan demonstrates a commitment to conform with the site infrastructure requirements.

**Further consideration:**

- The developer should address each of the issues identified in the ECC Highways consultation response dated July 2020

**Land use and developable areas**

- 3.24. The masterplan successfully shows the integration of around 800 new homes to this locality. The approach taken is landscape-led and there are good opportunities for public open space as well as natural landscaping throughout the development. Neighbourhood facilities, including a new primary school, early years and childcare nursery, are focussed towards the centre of the site where they are most accessible to all areas of the new community. The central location offers opportunity for access to Chignall Estate residents via Avon Road.
- 3.25. There is sufficient open space to facilitate local recreation. These spaces are all located in accessible areas of the site for the benefit of new and existing residents. The relationship between development and public open spaces is such that safety and security are factored in from the outset through natural surveillance from the new homes.
- 3.26. Public responses have raised concerns related to the location of the travelling showpersons' site (TSP) within the allocated recreation area, and furthermore its access being taken from Roxwell Road. Firstly, the location of urban form within the recreation zone is not ideal as a matter of principle. However, the TSP site represents a use that will favour a peripheral urban location due to the nature of its industrial/residential content. This coupled with the desire for safe and direct access to the road network has created a challenge in balancing integration within the development parcels and a location which could be highly visible from the south. The compromise was locating it in an area of the site which could be well screened from the south (masterplan shows bunding and additional planting) and secure access to the main road. Furthermore, the loss of recreation space is compensated for within the central green space. The position of the access is not stipulated within the site policy and its proposed location will need to satisfy ECC Highways in terms of highway safety – current feedback is that it is a workable solution.

**Building heights and density**

- 3.27. Building heights are shown to be predominantly up to 2.5 storey, up to 3 storeys, along parts of the primary road and along the eastern edge next to open space, up to 4 storeys within the neighbourhood centre zone.
- 3.28. Given the lack of direct neighbouring properties, and the distance of separation from the nearest properties, the proposed building heights in principle are acceptable. However, it is apparent from the building heights plan there is a deep block of 'up to 3 storeys' to the north of the curve to the central open space 'arc'. The eastern edge of this block does not benefit from a large area of new open space and it is considered that this scale should be reshaped.



- 3.29. Up to 4 storeys is considered to be appropriate within the neighbourhood centre zone as mixed use development (shops with flats above) would be expected.
- 3.30. Densities are denoted as low (25-33dph), medium (30-37dph) and medium high (35-43dph). Low density is shown to north, west and the central part of the south edges, which is logical. Medium density is shown further within the site and fronting open space. Medium high density roughly follows the primary and secondary which is also logical given the separation of buildings by roads, however a similarly to building heights the density is shown as medium high extending eastwards on the north side of the curve to the open space. The result would be a large parcel of greatest scale and density positioned closest to One Bridge Brook – this rationale is questionable and should be reconsidered.

**Further consideration:**

- The northernmost block denoting 'up to 3 storeys' be reconsidered to be reshaped to more closely align with the edge of the newly created open space
- The northernmost block denoting 'medium high density' be reconsidered to focus this density more centrally to the secondary access road

**Sustainable Urban Drainage (SUDS) Strategy**

- 3.31. Drainage approach has used existing topography to promote a natural SUDS solution, through the inclusion of several attenuation basins along the eastern edge of the site. Given the topography and position of those basins within an area of amenity space, it is considered an appropriate design solution at this stage.

**Delivery and phasing**

- 3.32. Phasing is shown to be in two parts. Given that each phase could accommodate roughly 400 dwellings, such a phasing approach is considered to be unrealistic. The phasing plan also fails to take into account the timing of key infrastructure. Representations have been critical of the phasing of matters such as bus link, schools, sports pitches, highway works.
- 3.33. There will be other requirements, such as affordable and specialist housing, self/custom build housing, local healthcare, local highway improvements, etc. which do not have a bearing over masterplanning, but which will form part of the development and will be considered further as part of the outline planning application. These references to potential planning obligations are not to be taken as exhaustive.

**Further consideration:**

- Further detail is required on phasing of residential parcels as well key infrastructure such as roads, bus link, schools, neighbourhood centre, sports pitches and travelling showperson site.

**Livewell**

- 3.34. The Livewell campaign is designed to engage communities, families and individuals with the aim of providing information about all that is on offer in Essex to improve health and

wellbeing. Crest Nicholson are committed to embed the vision of the Livewell initiative within their development. The masterplan dedicates a section to discuss measures to reflect the aspirations of Livewell.

### **Sustainable development initiatives**

- 3.35. The masterplan focuses on Livewell as a means to drive sustainability. The application will be required to adhere to the Local Plan policies for sustainability. The masterplan does not include details for option for alternative means to power properties, however the absence of such facilities in this masterplan does not rule out the inclusion of community systems or other sustainable living/sustainable power generation measures on this site to meet the Council's objective of reaching a net carbon zero position by 2030.

## **4. Consultation Responses – Main Issues**

- Principle of allocation and details within it
- Traffic impact – through Writtle, Roxwell Road, during construction, during occupation
- Travelling showperson site – principle, location, access
- Bus link – principle, highway safety, environmental impact, impact on residential amenity
- Bus routes – query extent, improvements
- Landscape buffers – position, extent
- Density and building heights – concerns, key views
- Delivery and phasing – general acceptability, detail lacking
- Open/green spaces – content, layout
- Residential parcels – detail lacking
- Neighbourhood centre – content queried
- Pedestrian/cycle connections – location, detail
- Loss of agricultural land
- Loss of ecological habitats – trees, wildlife
- Flood risk – flooding within site, pumping station
- Archaeology – extent of consideration
- Consultation arrangements – criticisms of
- Masterplan revisions – criticisms of content compared to first

## **5. Additional Considerations**

- 5.1. An Independent Design Review shall be undertaken by Essex Quality Review Panel in the intervening period between Chelmsford Policy Board and Cabinet meetings. This verification of the masterplan allows for an independent sense-check and the outcome of the review will be considered by the Director of Sustainable Communities as part of the process outlined in the recommendations of the report.

## **6. Conclusion**



- 6.1. The masterplan demonstrates how the requirements of the Local Plan will be delivered on this site. The vision is sufficiently ambitious to achieve a high-quality development which is well related to its context. The masterplan layout and other content provides a sound framework to guide successful placemaking and will support the planning application process in an appropriate way.
- 6.2. The report highlights that changes are expected to the masterplan document in order to align it with the Council's aspirations for this site.
- 6.3. The masterplan is presented to Chelmsford Policy Board with recommendations that it be referred to Cabinet for approval subject to the inclusion of any further necessary changes with acknowledgement of those Further Considerations as listed in the body of the report.

#### List of appendices:

1. Masterplan document – dated April 2020
  2. ECC Highways consultation response – 2 July 2020
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#### Corporate Implications

Legal/Constitutional:

None

Financial:

None

Potential impact on climate change and the environment:

New housing delivery can have a negative impact on climate and environmental change issues. Planning Policies, Building Regulations and Environmental Legislation ensure that new housing meets increasingly higher sustainability and environmental standards which will help mitigate this impact.

Contribution toward achieving a net zero carbon position by 2030:

The new Local Plan and emerging Making Places SPD will provide guidance to assist in reducing carbon emissions through development. This development will follow the published guidance.

Personnel:

None

Risk Management:

None

Equality and Diversity:

None. An Equalities and Diversity Impact Assessment has been undertaken for the Local Plan.

Health and Safety:  
None

Digital:  
None

Other:  
None

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#### Relevant Policies and Strategies:

This report takes into account the following policies and strategies of the City Council:

Local Plan 2013-2036

Our Chelmsford, Our Plan, January 2020

Chelmsford Climate and Ecological Emergency Action Plan

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MINUTES  
of the  
CHELMSFORD POLICY BOARD  
held on 16 and 23 July 2020 at 7pm

Present:

Councillor G H J Pooley (Chair)

Councillors H Ayres, N Chambers, W Daden, I Fuller, M Goldman,  
S Goldman, N Gulliver, G B R Knight, R Moore, R J Poulter, I Roberts, A Sosin, M Steel,  
N Walsh, R T Whitehead and T N Willis

Also present:

Councillors M J Mackrory, S R Robinson, T E Roper and M D Watson

## 1. Attendance and Apologies for Absence

The attendance of those present was confirmed. Apologies for absence had been received from Councillor J Galley, who had appointed Councillor M Steel respectively as his substitute.

## 2. Minutes

The minutes of the meeting on 4 June 2020 were confirmed as a correct record.

## 3. Declarations of Interest

All Members were reminded to disclose any interests in items of business on the meeting's agenda and that they should do so at this point on the agenda or as soon as they became aware of the interest. They were also obliged to notify the Monitoring Officer of the interest within 28 days of the meeting, if they had not previously notified her about it.

## 4. Public Questions

Statements on the Masterplans for West Chelmsford and North of Broomfield and on the Essex Coast Recreational disturbance Avoidance Mitigation Strategy had been received from member of the public, details of which are given in minute numbers 5, 6 and 7 below.

## 5. Chelmsford Strategic Site Allocation 2 – Masterplan for West Chelmsford (Warren Farm)

The Board considered a masterplan prepared by Crest Nicholson for Strategic Growth Site Policy 2 – West Chelmsford. If approved by the Policy Board, the masterplan would be submitted to the Cabinet on 8 September 2020. A Green Sheet of additions and alterations had been distributed before the meeting setting out the Council's response to comments from consultees.

In allocating sites for strategic growth, policy required that Strategic Growth Sites be delivered in accordance with masterplans to be approved by the Council. This ensured the creation of attractive places to live and the successful integration of new communities with existing.

Masterplans were required to demonstrate how the site would satisfy the requirements of the respective site policies. They were a tool to help achieve a vision and key development objectives, considered sites at a broad level and set a framework for the future planning applications. The core content of masterplans were required to cover:

- A vision for the new place
- Site and context analysis e.g. surrounding landscape, heritage, contamination, flood risk, important views, etc
- Movement structure e.g. walking, cycling, public transport, vehicle circulation
- Infrastructure strategy
- Sustainable Urban Drainage (SUDS) strategy
- A framework for landscape, spaces and public realm
- Land use and developable areas
- Building heights
- Layout Principles
- Delivery and phasing

Following the update to the Masterplan Procedure Note in October 2019, the Council also required consideration of (i) supporting Livewell initiatives across the development and (ii) incorporating sustainable construction methods, energy efficiency and other sustainable development initiatives set out in the Council's Making Places Supplementary Planning Document.

The Board heard from representatives of the Chignal Estate Residents' Association and Writtle Parish Council, the organiser of a petition about aspects of the masterplan, and ward councillors for St Andrews and Writtle wards. Their concerns about the masterplan centred on the following issues:

- The proposed bus link from the development site to the urban area via Avon Road. In particular, there were concerns about the width of footways and the safety of pedestrians using them and possible conflict between them and cyclists; the negative effect of the link on the living conditions of nearby residents, in terms of



pollution, noise and light levels; and the detrimental loss of established green space and wildlife habitat and the visual impact of the provision of a heavily engineered bridge as part of the bus link.

- The depth of the green buffer between the development and Roxwell Road, which was in places 30 metres but, in the view of those who had signed a petition, needed to be much wider to reduce the visual impact of the development.
- The need for improvements to Lordship Road at an early stage of the development to accommodate the additional traffic expected and to improve safety; the need for a bus service to serve the new development; and for an entry and exit to the site for buses via both Roxwell Road and Avon Road.
- The need for safe and sustainable access to Hylands school from the development site.
- The location of the access to the site allocated for travelling showpersons.
- The lack of plans to upgrade the play area in Avon Road.
- The failure of the developer to include plans to provide the energy requirements of residential properties from clean and sustainable sources.

In response to those issues, officers informed the Board that:

- Many of the points made by the Residents' Association concerning pollution, light levels and noise were relevant planning concerns that were best addressed at the planning application stage.
- The bus link was considered to be a vital element in making the development sustainable, would provide residents with a choice of modes of travel and there would be incentives provided to encourage them to use it.
- On the question of road safety, the proposed bus link would be used only by buses, pedestrians and cyclists, complied with minimum standards and could accommodate safely the expected level of pedestrian traffic. The swept paths for turning buses were satisfactory but if the proposed arrangements for this changed at the details stage they would need to continue to comply with the standards. Traffic orders could be used to control parking at the junctions of the bus route. Generally, any outstanding issues arising from the road safety audit could be resolved at the planning application stage.
- Owing to its engineering requirements the bridge would have a visual impact but this could be mitigated to some extent by its design.
- As regards children walking between the school and the Park, the footway would be 1.2 metres at its narrowest point, increasing to 2 metres elsewhere, and would not be used by cyclists.
- Regarding the buffer along Roxwell Road, Writtle Parish Council had expressed no concerns about its depth and officers believed it to be sufficient, subject to the detailed design being satisfactory. Part of the reason for a 30 metre buffer was the effect a built frontage would have on helping to reduce traffic speeds on Roxwell Road. Increasing the depth of the buffer may necessitate increasing the housing density elsewhere on the site. As it was, the density had changed since the first masterplan for the site but remained broadly acceptable, subject to the suggestions outlined in the officer report.

- Works to improve Lordship Road could be carried out as part of a Section 106 agreement.
- Negotiations would take place with the developer to provide the bus link at an early stage of the development.
- Loss of parking in Avon Road could be compensated for by providing additional spaces elsewhere.
- The site for travelling showpersons could not be close to the residential area and providing access to it via the roundabout from Roxwell Road would not be possible in view of the size of the vehicles used by them. A separate access was therefore the preferred solution.

The Board was reminded that the submission of masterplans was just one stage in the development of a site, which included the wider principles regarding its allocation set out in the Local Plan and the details of its design and the mitigation of its impact as part of the submission of planning applications and Environmental Impact Assessments.

The discussion of the masterplan by the Board revealed that members had concerns about a number of its aspects. Prominent among these was the bus link in terms of its route, design and effect on the natural environment. Whilst it was desirable to provide a bus service to connect the development to the urban area, the loss of biodiversity and habitat was not acceptable, its safety for pedestrians and cyclists was questionable and the impact it would have on residents along the route was a cause for concern. On these points, the Board was informed that there would be six or eight buses an hour along the proposed route and that whilst a route could be provided via Roxwell Road, bus companies were not happy to access the site from Lordship Road and it would not be able to meet the requirement that no residents be no more than 400 metres from a bus route. Members felt, however, that the safety, viability and benefits of the bus route, and all the sustainable transport elements of the masterplan, needed to be looked at further.

Another major issue raised by members was the failure or reluctance of the developer to recognise the trend towards providing proven sustainable sources of energy as part of new developments and to anticipate likely future government policy on this. It asked that officers continue to urge developers strongly to take this into account in the development and design of this and other strategic sites. Officers said that they would do so via the developers forum and encourage them to take follow the Making Places Supplementary Planning Document.

The comment was made that the depth of the green buffer along Roxwell Road could be the subject of further negotiation with the developer, taking into account the relationship between the presence of built up frontages and the speed limit on that road.

RESOLVED that

1. The Cabinet be recommended to approve the masterplan for Strategic Site Allocation 2, West Chelmsford (Warren Farm).

2. Before consideration by Cabinet, the masterplan is subject to independent quality and design review undertaken by the Essex Quality Review Panel.
3. The Policy Board authorises the Director of Sustainable Communities in consultation with the Chair, Vice Chair and Cabinet Member for Sustainable Development, to negotiate the further considerations outlined in this report and other subsequent changes to the masterplan ahead of the consideration by Cabinet, and that the Opposition Spokespersons be informed of any changes.
4. The Policy Board acknowledges the significant doubts about the safety, viability and benefits of the bus link proposed in the masterplan. It therefore refers to officers all the sustainable transport elements of this development to officers and agrees, if necessary, to convene a special meeting of the Policy Board to review the masterplan before it is considered by the Cabinet.

(7.10pm to 9.35pm at the meeting on 16 July 2020)

At this point the Board varied the order of business on the agenda to consider the items on the Statement of Community Involvement and Neighbourhood Plans Update before adjourning the meeting.

## 6. Review of the Council's Statement of Community Involvement (SCI)

The Board were informed that the Council, as a Local Planning Authority, was required by Section 18 of the Planning and Compulsory Purchase Act 2004 to publish and keep up-to-date a Statement of Community Involvement (SCI). The Statement submitted to the meeting had been reviewed and updated and set out the Council's strategy for effectively involving the community, interested organisations and statutory stakeholders in planning and development matters which affected them. It covered both planning policy and development management functions and complemented Council-wide engagement commitments set out in the Consultation and Engagement Strategy and Our Chelmsford, Our Plan. The Board was requested to approve it for public consultation.

The following changes to the document were suggested:

1. On page 4 of the consultation document, the second bullet point under Committees to read: "The vast majority of planning applications are determined by officers under delegated powers. Determination is made by the Planning Committee of (a) changes to buildings which are owned by the Council; (b) applications for planning consent made by our own councillors or our own employees; (c) applications where ward councillors have requested determination by the Planning Committee for an application in his or her own ward, but the request must be for sound planning reasons; and (d) where the Director of Sustainable Communities feels it is appropriate for the Planning Committee to determine an application – this will only usually be for major planning applications".



2. On page 22, amend the third bullet point under We Will to read: "Publish your comments on our website".
3. On pages 22/23, add at the end of You Should: "covenants, title deeds and Documents".
4. On page 23, How we Make Decisions, make any necessary amendments to conform with point 1 above.

The Board was told that the suggested amendments would be considered, but avoiding unnecessary duplication of the Council's Constitution, with the consultation document would be amended accordingly.

RESOLVED that

1. That the draft Statement of Community Involvement submitted with the report to the meeting be approved for public consultation, subject to the inclusion of the suggested amendments mentioned above where officers consider it is appropriate to do so.
2. Any subsequent changes to the draft SCI and finalising of all consultation material is delegated to the Director of Sustainable Communities, in consultation with the Cabinet Member for Sustainable Development.

(9.39pm to 9.51pm at the meeting on 16 July 2020)

## 7. Neighbourhood Plans Update

An update was submitted on current progress on Neighbourhood Plans in the City Council's administrative area. A Neighbourhood Plan was a statutory planning document which established general policies for development and use of land in a neighbourhood, including the location of new homes and offices, and what they should look like. They were used positively to plan for future development and support growth, reflect and build on the strategic needs set out in the Local Plan, and be in conformity with the National Planning Policy Framework.

RESOLVED that the position on the eight Neighbourhood Plans in Chelmsford be noted.

(9.51pm to 10.02pm at the meeting on 16 July 2020)

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The meeting was adjourned at 10.02pm on 16 July and reconvened at 7.00pm on 23 July 2020. With the exception of Councillors M Goldman, R Hyland and N Gulliver, who submitted apologies, the members present at the first meeting were in attendance for the reconvened meeting. Councillor M Steel acted as the substitute for Councillor N Gulliver on this occasion.

## 8. Chelmsford Strategic Site Allocation 8 – Masterplan for Land North of Broomfield

The Board was requested to consider a masterplan prepared by Bloor Homes to guide the development of Strategic Growth site 8, Land North of Broomfield. Although not a member of the Policy Board, Councillor M Mackrory was present as the Cabinet Member for Sustainable Development and declared an interest in this item as a company member of Farleigh Hospice, which was located near the development site.

Members received a presentation from officers on the Masterplan which envisaged a 450 home, landscape-led development with a neighbourhood centre, early year and children's facilities, green and open spaces and an emphasis on sustainable movement to, from and around the development site. The key issues associated with the development were its sustainable design and construction, the provision of new community facilities and the construction of a spine road through the development that would provide access to Broomfield Hospital for staff, delivery and emergency vehicles and buses, thereby relieving pressure on the local road network.

The Board heard statements from a member of the public, representatives of Broomfield and Little Waltham Parish Councils and ward councillors for the area. Whilst accepting the principle of development, all emphasised the need to ensure that its impact on the area was mitigated. In particular,

- the effect the closure of Woodhouse Lane would have on residents was a concern, leading to longer journey times for them and fears that the creation of dead ends would attract criminal behaviour. If the stopping up of Woodhouse Lane could be avoided, measures would need to be taken to prevent rat-running;
- the fact that visitors to the Hospital would not be allowed to use the new access road raised doubts about the potential for improving the traffic situation on Blasford Hill/Main Road, Hospital Approach and other roads. The construction of the access road during the early phase of development would be crucial; and
- the adequacy of the proposed screening to reduce the visual impact of the development, especially on its western side, on existing settlements and the landscape was questioned.

Members were told that at a recent meeting with representatives of the Hospital Trust, ward councillors had been told that 70% of the traffic to and from the Hospital was staff-related and that it had plans for additional staff parking with access via the spine road through the development site. Ward councillors asked whether a detailed traffic analysis of current movements had been carried out.

Responding to those and other points, officers told the Board that:

- the proposal to prevent rat-running through Woodhouse Lane was a key component of the arrangements to improve traffic flow in the area, encourage the use of the new access road, place an emphasis on walking and cycling instead of on car use, and would benefit the residents of that road and North Court Road. It was not believed that CCTV would be necessary to monitor activity at the turning heads;
- the layout of the road network within the Hospital site and the location of the visitor car parks were such that, under the present arrangements, allowing the use of the new access road by visitors would lead to traffic backing up in Hospital Approach and have a detrimental effect on traffic flows on other roads;
- based on the work done on traffic movements in the area as part of the Local Plan and by Essex Highways and Bloor Homes, the 70% figure provided by the Hospital was thought to be accurate, with 60% of those vehicle movements coming from the north. A detailed traffic assessment would be required as part of future planning applications in respect of the development site. The developer was committed to providing the access road as early as possible, subject to technical considerations, and the timetable for its provision would be covered by a Section 106 agreement;
- it was expected that the Masterplan for Broomfield Hospital would be produced in due course. If it included revised arrangements that would enable the use of the access road by visitors without any detrimental effect on the surrounding road network, it would be possible to review the use of the access road;
- the Masterplan indicated a landscape belt around the west and north of the site of approximately 40 meters' depth. Details were yet to be agreed but it was anticipated that it would comprise hedges and trees with woodland characteristics. Settlement patterns had been taken into account in the design of the Masterplan and measures were proposed to separate the new site from existing settlements;
- a cross-valley cycle route was envisaged as part of development of the North East Chelmsford allocation sites, for which there was no timetable as yet. It was planned as part of this Masterplan that its cycling network would be able to connect to the cross-valley route.

In response to questions from and points made by members of the Board during their discussion of the Masterplan, officers said that:

- Bloor Homes were committed to signing up to the Livewell Accreditation scheme;
- it typically took about five years for landscape planting to mature sufficiently to provide adequate screening. More description of landscaping would be provided at the outline planning application stage;
- if the eventual Hospital Masterplan was able to overcome concerns about rat-running, the configuration of parking on the site and traffic flows on the wider road network, it may be possible to revisit the use of the access road by visitors to the Hospital;
- A physical control system was required to prevent rat-running. The use of number plate recognition (ANPR) to control access to the Hospital site via the new access road was not at this time considered sufficient, but officers would consider ANPR as part of the future works within the Hospital site;
- it was likely that encouraging cycling and pedestrian access to the Hospital would reduce traffic using the new access road;



- access to the Hospital for the Park and Ride service was likely to be via the Main Road/Hospital Approach roundabout. The new access road provided an opportunity for the shuttle service to enter the Hospital via that route. The Hospital was committed to carrying out works to the roundabout as part of a Section 106 agreement and it was anticipated that they would come forward soon;
- a traffic assessment would be carried out to determine the number of traffic movements to and from the Hospital and who they would be by. The Hospital had made an assessment of the effect of the development and the new access road on movements within its site but had not extended that to the wider road network;
- the cycle and walking paths, whether shared or segregated, would meet the required standards to ensure pedestrian safety.

In approving the Masterplan, the Board expressed the hope that the developer would optimise the use of alternative sources of energy to gas and follow the Making Places Supplementary Planning Document as closely as possible.

RESOLVED that

1. The Cabinet be recommended to approve the masterplan for Strategic Site Allocation 8, Land North of Broomfield.
2. Before consideration by Cabinet, the masterplan is subject to independent quality and design review undertaken by the Essex Quality Review Panel.
3. The Policy Board authorises the Director of Sustainable Communities in consultation with the Chair, Vice Chair and Cabinet Member for Sustainable Development, to negotiate the further considerations outlined in this report and other subsequent changes to the masterplan ahead of the consideration by Cabinet, and that the Opposition Spokespersons be informed of any changes.

(7.10pm to 8.53pm at the meeting on 23 July 2020)

## 9. Essex Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMS).

Chelmsford City Council was one of twelve partner local authorities working with Natural England to implement the Essex Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMS). The Strategy set out a long-term strategic approach to avoid and mitigate recreational disturbance on European designated sites along the Essex Coast, from an increasing residential population arising from new housebuilding throughout the County. The RAMS was adopted by the City Council in March 2019.

The aim of RAMS was to prevent bird and habitat disturbance from recreational activities through a series of management measures which encourage all coastal visitors to enjoy their visits in a responsible manner. It enabled a housebuilder to make a monetary 'developer contribution' towards the delivery of strategic mitigation measures to help

address recreational pressures that would otherwise occur, instead of needing to provide bespoke mitigation themselves.

The RAMS Supplementary Planning Document (SPD) provided a county-wide mechanism for securing developer contributions to fund measures identified in the Strategy. It distilled the Strategy document into a practical document for use by local planning authorities, developers and the public and was returning to the Board following public consultation.

A statement was made by a member of the public who questioned whether the Strategy gave sufficient attention to the principle of avoiding harm to habitats in the first place. He believed that the proposed approach favoured the speeding up of the planning application process at the expense of providing adequate protection to the environment. He also referred to the government's intention to consult on changing its approach to environmental assessment and mitigation in the planning system and asked whether it would be prudent to defer making judgement on the Strategy until any new arrangements that resulted from that were in place.

In response to those points, officers said that Natural England had signed off the Essex Coast RAMS, which was one of several such strategies elsewhere in the country. It had also been accepted by a recent Planning Inspector during an Examination of the North Essex Part 1 Local Plan and there was no evidence that RAMS did not work. One of the principal aims of such strategies was to avoid the impact of development on sensitive wildfowl habitats and whilst it could speed up the planning application process, this was alongside ensuring that effective mitigation measures were taken. The government had announced the publication of a new White Paper on changes to the planning system but it was not known what the timetable would be for making any change, and in the meantime the RAMS complied with existing policy. Should that policy change, the RAMS monitoring process would enable it to be adapted.

When discussing the Strategy and SPD, members of the Board referred to the impact the Strategy would have on development in South Woodham Ferrers, which was within a zone where greater measures would be required from developers. Asked whether developers in that area should still have the option to make their own mitigation arrangements, officers said that although the RAMS was voluntary most developers were unlikely to do so as making the required contributions was likely to be a more cost effective and quicker process. The level of contributions was based on the forecast of the number of dwellings expected to be provided in Essex and the cost of the mitigation measures needed to offset that growth and was set at a level that would be viable and affordable to developers. South Woodham Ferrers was closer to the coast and therefore measures beyond the standard financial contributions could need to be taken by developers to mitigate the recreational harm that new housing could cause to the coastal habitats of birds, in line with the Local Plan site allocation policy.

In response to a question as to why the Strategy only dealt with the protection of bird habitats, officers said that the European sites had predominantly been designated to protect the waders and wildfowl wintering in Essex coastal areas. The mitigation measures set out in the strategy and SPD would benefit other wildlife and habitats.

RESOLVED that

1. The Cabinet be recommended to adopt the Essex Coastal Recreational disturbance Avoidance and Mitigation Strategy Supplementary Planning Document presented in Appendix 2 to the report to the meeting.
2. The Cabinet be recommended to adopt the Essex Coastal Recreational disturbance Avoidance and Mitigation Strategy Supplementary Planning Document Adoption Statement presented in Appendix 3, and that it be published in accordance with Regulation 14 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).
3. The Cabinet be recommended to adopt the 'You Said We Did' Feedback Report, presented in Appendix 1 and that it be published.
4. The Cabinet be recommended to adopt SEA/HRA Screening Report, presented in Appendix 4, that it be published.
5. The Cabinet be recommended to authorise Director of Sustainable Communities in consultation with the Cabinet Member for Sustainable Development to make minor changes to the Supplementary Planning Document, Adoption Statement, You Said We Did Feedback Report and SEA/HRA Screening Report in Appendices 1 – 4 should it be necessary before adoption/publication, and to undertake all the necessary legal and procedural adoption processes.
6. The role of Chelmsford City Council as the Essex Coastal Recreational disturbance Avoidance and Mitigation Strategy project 'Accountable Body' for a period of three years, subject to the signing of a 'Partnership Agreement', be noted.

(8.53pm to 9.26pm of the meeting on 23 July 2020)

## 10. Work Programme of the Policy Board

An updated work programme for the Board over the coming months was submitted for information. The Board was informed that an item on the St Peters site Masterplan would be added to the programme at some stage. The work programme would be kept under review and an updated draft programme will be circulated to members of the Board well ahead of the next scheduled meeting on 1 October 2020.

RESOLVED that the work programme of the Board be noted.

(9.26pm to 9.37pm of the meeting on 23 July 2020)



## 11. Urgent Business

There was no urgent business for the meeting.

The meeting closed at 9.37pm

Chair



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## Chelmsford City Council Policy Board

**15 October 2020**

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### **Strategic Growth Site Policy 2 – West Chelmsford masterplan**

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**Report by:**

Director of Sustainable Communities

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**Officer Contact:**

Matthew Perry, Senior Planning Officer

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#### **Purpose**

This report is seeking the Policy Board to recommend to Cabinet the approval of the Masterplan for the West Chelmsford Local Plan Site Allocation.

#### **Recommendations**

1.     a) The Policy Board recommend to Cabinet that the Masterplan remains substantively as presented to the Board at its meeting on 16 July 2020 (to include a bus link into Avon Road) (as shown in Appendix 1) or;  
  
       b) The Policy Board recommend to Cabinet that the Masterplan is amended to reflect the content of the Masterplan Addendum (which substitutes the bus link for two pedestrian/cycle links - as shown in Appendix 2).
2.     The Policy Board recommend to Cabinet that the Masterplan be approved once the changes from the preferred option outlined in (1) are agreed.
3.     That before consideration by Cabinet, the Masterplan is subject to independent quality and design review undertaken by the Essex Quality Review Panel.

4. That the Policy Board delegate the Director of Sustainable Communities in consultation with the Chair, Vice Chair and Cabinet Member for Sustainable Development, to negotiate the further considerations outlined in this report and any other subsequent changes to the Masterplan ahead of the consideration by Cabinet.

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## 1. Introduction

- 1.1. The background to masterplans was outlined in the Policy Board report dated 16 July 2020 (see paragraphs 1.1 – 1.7 of Appendix 3). The background is not repeated within this report; however, Members are reminded that masterplans do not secure detailed site planning or developer planning obligations.
- 1.2. This report should be read in conjunction with the previous officer report dated 16 July 2020 (Appendix 3). This report provides an analysis of the Policy Board recommendation and the content of the Masterplan Addendum.

- 1.3. On 16 July 2020 the Policy Board resolved the following:

*4. The Policy Board acknowledges the significant doubts about the safety, viability and benefits of the bus link proposed in the masterplan. It therefore refers to officers all the sustainable transport elements of this development to officers and agrees, if necessary, to convene a special meeting of the Policy Board to review the masterplan before it is considered by the Cabinet.*

(see Policy Board minutes at Appendix 4)

- 1.4. In response to the Policy Board's resolution Crest Nicholson have submitted a Masterplan Addendum (dated September 2020). The Addendum details a proposed variation to the previously submitted Masterplan. Details of the amendments are as follows:

The removal of the proposed bus link between the site and its replacement with: -

- Two footpath/cycleway connections between the site and the Chignal Estate to the north and south of the allotments;
- A contribution towards the improvement of a third footway/cycleway connection at the north end of the open space;
- A contribution towards the Melbourne Way/Avon Road cycleway;
- The revision of one of the proposed bus routes to the site to run along Roxwell Road, Chignal Road and Melbourne Avenue to connect to the city centre;
- New/improved bus stops in Avon Road and Trent Road.

- 1.5. The most significant amendment is the removal of the bus link and replacement with two footway/cycleway connections into Avon Road. The merits of these are discussed in section 3 of this report.



- 1.6. The Masterplan Addendum, in addition to detailing amendments, also outlines further detail on bus services, bus stops, wider pedestrian and cycle improvements, other sustainability measures, and other highway improvements. It also provides further commentary on the proposed Travelling Showpersons (TSP) access on the A1060 Roxwell Road.

## **2. Review of bus link**

- 2.1 In acknowledging the concerns of the Policy Board, the safety, viability and benefits of bus link are reviewed.

### ***Safety***

- 2.2 The Masterplan provided a degree of detail on the bus link, sufficient for ECC Highways to form a recommendation based on its safety aspects. ECC Highways were content with the safety aspects of bus link (see ECC Highways consultation response – 2 July 2020 in Appendix 5).
- 2.3 Chelmsford Policy Board heard representations from the resident's group (Chignal Estate Residents Association) and local Councillors about the concern with width of footways and safety of pedestrians. The developer has designed the bus link around existing constraints such as residential gardens, watercourse, flood zone, and taking into account the requirements for maintenance access to the play area and allotments. Given the known existing constraints, the design of the bus link was specifically tailored to this location, in consultation with ECC Highways. ECC Highways remain of the view that the width of footways and the safety of pedestrians would be acceptable. The developer's specialist highway consultants also share this view.
- 2.4 The Policy Board are advised that ECC Highways are satisfied that the proposed bus link would comply with highway safety standards.

### ***Viability***

- 2.5 Viability in respect to the Board's resolution is taken to be a summary word for the ability of the scheme to work successfully (taking its plain English meaning). The Policy Board minutes refer to the effect on living conditions of nearby residents, loss of green space and wildlife habitat, and visual impact of an engineered bridge.
- 2.6 In terms of residential amenity - pollution, noise and light levels are cited within the Policy Board minutes. They are all valid planning matters. However, the Masterplan document does not include analysis on environmental impact – this would be submitted at planning application stage, as part of an environmental impact assessment. The nearest properties are situated next to an existing road which is an existing bus route and the presence of vehicles in the vicinity of these houses is not therefore out of the ordinary. Likewise, street lighting is already present in the locality. It is inevitable that there would be an impact upon the occupiers of nearby residential properties. However, whether this impact would be so detrimental to withhold

planning permission would be questionable. The design of all of the elements of bus link are not finalised, as a masterplan is not a planning application, but would need to include measures to mitigate the defined impacts.

- 2.7 The visual impact of the bridge to be used in crossing the brook was also a matter of debate. The flood zone in this location would necessitate land level changes, embankments and a bridge. Their design has not been finalised and therefore neither has their visual mitigation (potentially planting, cladding to the bridge, for example). A bridge in this location is unquestionably an engineering operation of some scale. It is inevitable therefore that the landscape would change in this location.
- 2.8 The bus link would require removal of some trees and a hardening of the landscape due to the levels changes and construction of a bridge. Three allotment plots would be lost in total but can be relocated within the wider allotment site.
- 2.9 The bus link proposal necessitates the loss of four parking bays along Avon Road. The masterplan suggests that these spaces could be re-provided further north, which would result in the loss of several street trees. The trees do not need to be lost if the parking spaces are not re-provided. Other alternative locations can be explored.
- 2.10 It is Officers' view that the bus link remains a viable option to achieve the requirements of the Strategic Growth Site Policy 2.

### ***Benefits***

- 2.11 One element of the Strategic Growth Site Policy 2 requirements is to provide:  
  
*a new dedicated bus, cycle and pedestrian link into the existing Urban Area.*
- 2.12 The reasoned justification in Strategic Growth Site Policy 2- West Chelmsford states:  
  
*7.101 Opportunities for sustainable transport modes should be maximised to create neighbourhoods where alternative forms of transport to the private car (walking, cycling and public transport) are prioritised. The Council will approve a sustainable transport-led masterplan that creates a place where walking, cycling and public transport is given priority over the private car. The development will provide good accessibility for bus services including a new bus link from Avon Road and bus priority measures within the site.*
- 2.13 The clear benefit of the bus link proposal is that it would conform with the site policy requirement and the reasoned justification - a bus link into Avon Road allowing bus priority measures within the site. The content of this policy has been adopted in the Local Plan in May 2020; its basis being sound planning for maximising sustainable transport modes to allow permeation into the Chignal Estate.
- 2.14 As a secondary benefit, the bus link (and its location) would facilitate all new residents being within 400m of a bus stop, by virtue of its potential routing within the site.

- 2.15 In the alternative option to bus link proposed by Crest, in order to achieve similar bus priority measures and to provide permeability into the Chignal Estate, the proposed bus route enters and exits the site from the A1060 Roxwell Road. Although the bus routes are indicative at this point, it is likely this would be a longer route to the city centre than the one facilitated by the bus link. The alternative option would also require the buses to be added to the traffic along Roxwell Road. These disbenefits of the alternative proposal highlight the benefits of the bus link – reduced travel times to the city centre, less traffic on Roxwell Road and greater options for future strategic bus routing.

#### **Alternative locations for bus link**

- 2.16 The proposed bus link enters Avon Road between Nos. 169 and 171. It is the northernmost access to the Council owned allotments. The existing track also provides maintenance access to Avon Road play area.
- 2.17 Over the course of a number of years, alternative locations have been explored with Crest and ECC Highways. The proposed route represented the preferred option.
- 2.18 The potential for a Compulsory Purchase Order (CPO) has not been considered to be an appropriate solution to be explored by this Council. The developer has therefore been reliant on exploring routes into Avon Road within existing interventions in the built form – the three allotment access points are obvious physical breaks between houses along Avon road.
- 2.19 The main allotment access, set between Nos. 113 and 115 Avon Road, represents a potential alternative route. It was discounted however, for several reasons. Firstly, as the main allotment access it also receives the majority of vehicle and pedestrian movements associated with the allotments and would have resulted in a conflict between users and potential bus route. Secondly, a bus route through this central area would have dissected the allotments and disrupted its day-to-day operation. Thirdly, the gap between boundary fences and a garage would not have been adequate to fit a joint route – it would have necessitated the loss of a garage and most likely land negotiations with nearby landowners. Fourthly, the entry point onto Avon Road would have resulted in a more circuitous route to get to Chignal Road. Similar to the preferred route further north, there would have been some loss of trees and a relatively close proximity to residential properties.
- 2.20 The southern allotment access, between Nos. 18 and 20 Avon Road, was the other alternative explored. The route is technically feasible, with some loss of trees, reorganisation of allotment access and an impact upon residential amenity. However, it is the most southern option and therefore the furthest access away from the northern segment of the new Warren Farm development. Any incentive for new residents to use that bus route would be negated by its likely circuit time within the new site and existing bus stop locations in Avon Road which would be quicker to walk to via new pedestrian links to the north.



### **3. Review of Masterplan Addendum**

#### **Bus link alternatives**

- 3.1. The Masterplan Addendum is presented as a supplementary document to explain how the Masterplan could be altered (prior to being approved by Cabinet) to provide an alternative option to the bus link. The significant elements of the alternative are provision of two footway/cycleway connections between the site and Avon Road.
- 3.2. Within the Masterplan Addendum the bus link would be removed and replaced with a footway/cycleway connection in the same location. The design of the route is amended to reduce the extent of the (i) bridge structure and (ii) its surrounding level changes. Maintenance access to the play area and allotments would be maintained. This would remove buses in close proximity to the two properties that bound the link – 169 and 171 Avon Road. Visually, the embankments can be lower in parts than the bus link option. The maintenance access to the allotments is simplified as it would not require a turning head. The bridge is also a less substantial structure. The route would still require illumination.
- 3.3. An additional footway/cycleway connection is proposed, sited between 18 & 20 Avon Road, utilising an existing maintenance access to the allotments. A drawing is provided within the Addendum to demonstrate its route. It would require a bridge over the brook. In order to achieve levels which are above the flood zone, the land surrounding the route would need to be built up. The allotments would require alternative security arrangements. The route would require illumination.
- 3.4. The footway/cycleway connections, whilst less severe in visual terms than a bus link, would still require physical interventions across the brook and directly through vegetation, respectively. There would remain an interaction between users and residents of nearby properties.

#### **Travelling Showpersons (TSP) Access**

- 3.5. The Masterplan Addendum provides further justification for the location of the TSP access directly onto the A1060 Roxwell Road.
- 3.6. A 5-arm roundabout was ruled out by Crest's transport consultants as an unsafe option. A significantly enlarged roundabout (as would have been required) would cause disruption to the flow of traffic along Roxwell Road. It would also appear unsightly and over engineered.
- 3.7. Access taken from within the site would mix TSP traffic with residential. Due to the clearance length required before a left turn into the TSP site, the location of the TSP site would effectively take up a larger segment of the ecology zone, than is currently proposed. Aside from highway safety concerns, the layout in planning terms would be far from optimal.

- 3.8. ECC Highways confirm the access directly from Roxwell Road is acceptable in principle subject to detailed design and a safety audit. The visibility splays shown in the submitted drawings would require the removal of some hedges along the frontage – this could be reduced if the speed limit is reduced to 30mph. Any tree loss will need to be addressed with replacement and additional planting. The masterplan demonstrates a commitment from the developer for such planting (which will also aid screening of the site).
- 3.9. The Showman’s Guild have withdrawn their previous objection and are now content with the location and design of the access onto Roxwell Road.

### **Policy compliance**

- 3.10. The removal of a bus link (in any form) would mean that the site policy requirement could not be fully fulfilled in line with the exact wording from the site policy, namely a ‘dedicated bus link into the Urban Area’ (as per the main body of the policy) or a ‘bus link from Avon Road’ (as per the reasoned justification for the site policy).
- 3.11. The site policy requirements are obviously the adopted planning policy, to be implemented through a masterplan process. In this case, the masterplan process has identified issues with one element of that policy requirement (through consideration of the Policy Board). The ‘link’ would still remain to provide a *‘cycle and pedestrian link into the existing Urban Area’*. Furthermore, it would be supplemented by an additional cycle and pedestrian link to the south. Crest have also tabled other measures which they consider are, in effect, above and beyond the likely standard requirements that ECC Highways may request through a legal agreement as part of a planning application. These measures would add to the sustainability credentials of the scheme.
- 3.12. Members should balance the visual and residential amenity benefits of replacing bus link, with a less direct compliance with the site policy. If members are not convinced by the further analysis on the safety, viability and benefits of bus link, they may consider the alternative proposed in the Masterplan Addendum. Officers view is that conformity with the aspirations of the site policy to ‘maximise opportunities for sustainable travel’ will only be achieved through the endorsement of at least two footway/cycleway connections into Avon Road, which would be ultimately maximised if one of the routes was also a bus link.

## **4. Further considerations revisited**

- 4.1 The officer report dated 16 July 2020, included numerous ‘further considerations’ in order to demonstrate to the developer where changes were expected in advance of consideration by Cabinet. For ease of reference they are listed as follows:
- The secondary access road to be realigned to give a greater curvature in a northern direction

- East-west pedestrian and cycle connections to be reworked
- The developer should address each of the issues identified in the ECC Highways consultation response dated July 2020
- The northernmost block denoting 'up to 3 storeys' be reconsidered to be reshaped to more closely align with the edge of the newly created open space
- The northernmost block denoting 'medium high density' be reconsidered to focus this density more centrally to the secondary access road
- Further detail is required on phasing of residential parcels as well key infrastructure such as roads, bus link, schools, neighbourhood centre, sports pitches and travelling showperson site

4.2 Following receipt of the consultation response to the Masterplan Addendum, ECC Highways have made numerous points for further consideration (see Appendix 6). Some of the suggestions could be incorporated into an amended Masterplan, others are advice notes for a forthcoming planning application. As such an additional 'further consideration' is included in this report as follows:

- Consideration of paragraphs 3 – 13 in the ECC Highways consultation response dated September 2020

4.3 Officers will need to review both of the ECC Highways consultation responses in light of the recommendation agreed by Policy Board on 15 October 2020 (as for example some of those comments refer to bus link).

4.4 Members will note that the previous report to Policy Board did not highlight the landscape buffer to the Roxwell Road frontage as a matter for 'further consideration'. This was on the basis that despite the submission of a petition requesting a greater depth, Writtle Parish Council did not support this view. Officers consider the indicative depth shown in the Masterplan (roughly 30m) to be sufficient. Officers are balancing the request for a landscaped frontage along Roxwell Road with a wider desire to reduce traffic speeds. Furthermore, increasing the depth of the buffer may necessitate increasing the housing density elsewhere on the site.

4.5 An Independent Design Review shall be undertaken by Essex Quality Review Panel in the intervening period between Chelmsford Policy Board and Cabinet meetings. This is currently scheduled to take place on 16 October 2020. The outcome of the review will be considered by the Director of Sustainable Communities as part of the process outlined in the fourth recommendation.

## **5. Consultation Responses – summary**

5.1 The consultation responses were summarised in the previous officer report and the green sheet for that agenda item (see Appendix 3).

5.2 The following comments are summarised from public bodies and are in relation to the Masterplan Addendum:



### **Writtle Parish Council**

- Parish Council has opposed this site since it was first proposed in 2015
- Key objection has always been traffic congestion
- New proposal means that all motor vehicles will be prohibited from leaving or entering the site using Avon Road
- All vehicles will have to use the Roxwell Road including all buses travelling to and from Chelmsford
- The Parish Council has been told by Essex Highways that for a development of this size there needs to be a second exit/entry as well as the Roxwell Road
- Current Masterplan, containing the bus exit, has been agreed by Crest Nicholson and the Local Planning Authority
- Alternative never been considered in the last five years and the Avon Road bus exit has been on every plan during that period
- Consider alteration to be undemocratic and will have a long-lasting negative impact for residents in Writtle.

### **Chignal Estate Residents Association**

- Thankful that residents' concerns taken on board
- Confirm formal acceptance of Addendum
- Welcome opportunity to discuss details of the links
- Contest Writtle PC assertions on traffic levels

### **Chignal Parish Council**

To be reported.

### **Good Easter Parish Council**

To be reported.

### **ECC Highways**

The provision of a bus link between the site and Avon Road, for use by buses, pedestrians, cyclists and CCC maintenance vehicles, is still considered to be necessary to mitigate the impact of the development because it would enable provision of a bus route which would be a genuine alternative to travel for residents rather than using the private car.

The Highway Authority could support the alternative package of sustainable transport measures subject to additional comments outlined within the recommendation.

5.3 The following comments are a summary of public representations made specifically since the publication of the Masterplan Addendum:

- Housing growth – welcomed, principle of development questioned
- Community facilities – welcome introduction to area

- TSP site – Showman’s Guild objection to site access; site should be set further back; trees to frontage should be retained with bund behind; terms of sale should restrict to 5 plots; site ownership should be limited to official Guild members
- Writtle – adverse impact on infrastructure

## 6. Conclusion

- 6.1. The masterplan demonstrates how the requirements of the Local Plan can be delivered on this site. The vision is sufficiently ambitious to achieve a high-quality development which is well related to its context. The masterplan layout and other content provides a sound framework to guide successful placemaking and will support the planning application process in an appropriate way.
- 6.2. The Masterplan Addendum offers an alternative to the bus link directly into Avon Road. As set out, the Highway Authority are content that the bus link can be delivered safely and maximise use of sustainable transport and it is the Officers view that the other impacts can be mitigated. However, if Members remain unpersuaded then in the absence of a bus link the alternative package as outlined within the Addendum is capable of complying with the site policy requirements of this strategic site.
- 6.3. This report highlights that changes are expected to the masterplan document in order to align it with the Councils aspirations for this site.
- 6.4. The masterplan is presented to Chelmsford Policy Board with recommendations that it be referred to Cabinet for approval subject to the inclusion of any further necessary changes.

### List of appendices:

1. Masterplan document – dated April 2020
  2. Masterplan Addendum – dated September 2020
  3. Chelmsford Policy Board – officer report 16 July 2020 & Green sheet
  4. Chelmsford Policy Board - minutes of meeting 16 July 2020
  5. ECC Highways consultation response – 2 July 2020
  6. ECC Highways consultation response – September 2020
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### Corporate Implications

Legal/Constitutional:  
None

Financial:  
None

Potential impact on climate change and the environment:

New housing delivery can have a negative impact on climate and environmental change issues. Planning Policies, Building Regulations and Environmental Legislation ensure that new housing meets increasingly higher sustainability and environmental standards which will help mitigate this impact.

Contribution toward achieving a net zero carbon position by 2030:

The new Local Plan and emerging Making Places SPD will provide guidance to assist in reducing carbon emissions through development. This development will follow the published guidance.

Personnel:

None

Risk Management:

None

Equality and Diversity:

None. An Equalities and Diversity Impact Assessment has been undertaken for the Local Plan.

Health and Safety:

None

Digital:

None

Other:

None

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#### Relevant Policies and Strategies:

This report takes into account the following policies and strategies of the City Council:

Local Plan 2013-2036

Our Chelmsford, Our Plan, January 2020

Chelmsford Climate and Ecological Emergency Action Plan

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**MINUTES**  
**of the**  
**CHELMSFORD POLICY BOARD**  
**held on 15 October 2020 at 7pm**

Present:

Councillor I Fuller (Vice-Chair in the Chair)

Councillors H Ayres, W Daden, N Dudley, M Goldman, S Goldman, N Gulliver,  
G B R Knight, R Moore, R J Poulter, I Roberts, T E Roper,  
A Sosin, N Walsh, M Watson, R T Whitehead and T N Willis

Also present:

Councillors L Ashley, A Davidson, C Davidson, M J Mackrory, S R Robinson,  
M S Steel and S Young

### 1. Attendance and Apologies for Absence

The attendance of those present was confirmed. Apologies for absence had been received from Councillors G H J Pooley, N Chambers and J Galley, who had appointed Councillors N Dudley, M Watson and T E Roper respectively as their substitutes.

### 2. Minutes

The minutes of the meeting on 1 October 2020 were confirmed as a correct record.

### 3. Declarations of Interest

All Members were reminded to disclose any interests in items of business on the meeting's agenda and that they should do so at this point on the agenda or as soon as they became aware of the interest. They were also obliged to notify the Monitoring Officer of the interest within 28 days of the meeting, if they had not previously notified her about it.

### 4. Public Questions

Nine questions were asked and statements made by members of the public on the West Chelmsford Masterplan, details of which are recorded at minute number 6 below.

## 5. Review of Special Expenses Mechanism

The Connectivity and Local Democracy Working Group had carried out a review of the mechanism by which charges for services provided by both Parish/Town Councils and the City Council were made. The aim of the special expenses mechanism was to ensure that taxpayers in the areas where the Parish Council provided the services and charged for them through their Parish precepts were not taxed twice for the same type of expenditure.

The review of special expenses had involved obtaining initial information from Parishes, looking at changes to methodology and consultation with Parishes. Given its complexity, the Connectivity and Local Democracy Working Group had concluded that it should look further into the potential for future abolition of the existing special expenses regime and to consider alternative delivery models to deal with double-taxation issues. However, given the necessity to have a reasonable method in place for the 2021/22 budget, the Working Group recommended retention of the existing special expenses regime, updated for current information from Parishes and with amended methodologies as set out in the report to the meeting and at Appendix B. Based on responses received to date, Appendix A outlined the potential changes to each Parish and Unparished area as a result of the recommendations.

RESOLVED that the Cabinet be recommended to:

1. approve the findings of the review of special expenses by the Connectivity and Local Democracy Working Group;
2. approve the retention of the current special expenses mechanism for the preparation of the budget for 2020/21, updated by the information and amended methodologies described in the report to the meeting; and
3. agree that the Working Group should explore other options for the future of special expenses such as abolition or replacement with another mechanism.

(7.05pm to 7.11pm)

## 6. Chelmsford Strategic Site Allocation 2 – Masterplan for West Chelmsford (Warren Farm)

(M5, CPB 8, 2020) At its meeting on 16 July 2020, the Policy Board had recommended that the Cabinet approve the Masterplan for Strategic Site Allocation 2, West Chelmsford (Warren Farm) prepared by Crest Nicholson. Before the Cabinet considered that recommendation, however, the masterplan was to be subject to independent quality and design review by the Essex Quality Review Panel. In addition, given the significant doubts

about the safety, viability and benefits of the bus link proposed in the masterplan expressed at the meeting, it referred to officers to re-examine the sustainable transport elements of the development and agreed, if necessary, to convene a special meeting of the Policy Board to review the masterplan before it was considered by the Cabinet.

Crest Nicholson had since submitted a Masterplan Addendum which detailed a proposed variation to the previously submitted Masterplan. As an alternative to the bus link it proposed its removal and its replacement with:

- Two footpath/cycleway connections between the site and the Chignal Estate to the north and south of the allotments
- A contribution towards the improvement of a third footway/cycleway connection at the north end of the open space
- A contribution towards the Melbourne Way/Avon Road cycleway
- The revision of one of the proposed bus routes to the site to run along Roxwell Road, Chignal Road and Melbourne Avenue to connect to the city centre
- New/improved bus stops in Avon Road and Trent Road

The officers' report to the meeting reviewed the safety, viability and benefits of the bus link, looked at alternative routes for it and examined the implications of the alternative measures suggested by the developer.

The report also referred to other considerations related to the Masterplan identified at the meeting on 16 July 2020 where changes were expected from the developer in advance of consideration by Cabinet. They involved:

- The secondary access road to be realigned to give a greater curvature in a northern direction
- East-west pedestrian and cycle connections to be reworked
- The developer to address each of the issues identified in the ECC Highways consultation response dated July 2020
- The northernmost block denoting 'up to 3 storeys' to be reconsidered and reshaped to more closely align with the edge of the newly created open space
- The northernmost block denoting 'medium high density' to be reconsidered to focus this density more centrally to the secondary access road
- Further detail on phasing of residential parcels as well as key infrastructure such as roads, bus link, schools, neighbourhood centre, sports pitches and travelling showpersons site

Since the Policy Board meeting in July, further consultation has been carried out on the Masterplan Addendum and the responses were summarised in the report to the meeting. The Policy Board also heard representations from Writtle Parish Council, the Chignal Estate Residents Association, Writtle Neighbourhood Plan Steering Group, the County Councillor for the Division and members of the public. Most of their comments related to the merits of providing a bus link or the alternative suggested by the developer, the implications for the local road network of providing the bus link on the route proposed, and the provision of



sustainable transport options for the development. Other comments related to the potential for flooding along the pedestrian and cycle routes to Chelmsford and Writtle; the inaccuracy of the information on the route to Hylands School; the highways improvements to the road network around the site; and whether the Council should be considering alternatives to the bus route when it was a component of the development site in the adopted Local Plan.

Responding to the comments and questions:

- officers acknowledged a point made by a member of the public that the route mapping for bus services did not include route 59 operated by Arriva but said it would be taken into account;
- even if the new bus route was not provided, residents of the development would have access to other routes;
- it was not proposed at this point to extend proposed bus route 2 beyond Writtle College but it was an option for the future;
- it was a fact that there was potential for flooding along the cycle and pedestrian routes but measures were proposed to mitigate localised flooding;
- the widening of the footpath crossing Warren Bridge would not be constrained by the presence of the bridge;
- there was an error on the plan showing the route to Hylands School; it should be shown as going along Beeches Road and not the field boundary and would be corrected if the Addendum was approved;
- elements of the proposals for the surrounding highways network needed further review but there was a commitment by the developer to carry out improvements to the Chignal Road/Roxwell Road junction; and
- the majority of the sustainable transport measures set out in the Addendum would be sought whether or not the bus link to Avon Road was provided; and
- It has always been the intention that buses would serve the development from the A1060 (Roxwell Road) in addition to buses using the proposed bus link via Avon Road.

During the debate on the item, it was moved that the proposed bus link be retained. It was argued that the route was strongly recommended by officers and would support the Council's determination to reduce pollution from motor vehicles and comply with its objective to be carbon neutral by 2030. However, it was accepted by the City Council, Essex Highways and users of the A1060 that the junction with Chignal Road was very busy and this contributed to significant pollution from stationary vehicles. The suggested alternative to the bus link would simply bring more traffic onto the Roxwell Road and encourage residents to use their cars instead. It was therefore proposed that the Cabinet be recommended to approve the Masterplan as submitted, subject to on-going discussions on alternatives to the route for the bus link that would both protect residents of Avon Road from undue noise and ensure that work could begin on the development, which would provide much need affordable housing, without further delay. It was further argued that as the bus route had been included in the adopted Masterplan it should not be removed unless material

considerations indicated otherwise and none were apparent. The issue was not the presence of the bus link but its proposed route and the purpose of the motion was to enable alternative routes to be explored that were acceptable. It was the view of those who supported the motion that this was an alternative option the Policy Board should consider recommending to the Cabinet before it decided whether or not to adopt the Addendum.

Those who spoke against the motion questioned the assertion heard at the meeting that the removal of the bus link would increase significantly the traffic using Roxwell Road. There would be a small increase in the number of buses using that road if the route to Avon Road was not provided, but there was no evidence to support the argument that not providing the link would mean that people living on the development would be more inclined to use their cars to travel into Chelmsford; Roxwell Road would remain the most direct route to the City Centre for a bus service. The view was also expressed that at the time of adoption of the Local Plan, the details of the bridge that would be constructed for the bus route had not been known. Those details had now been provided and it was clear that the bridge would have a major adverse impact on the residents and ecology of the area. This was a material change that had not been known when the Local Plan had been adopted.

On being put to the vote, the amendment was lost.

The Policy Board went on to consider the merits of either proceeding with the Avon Road bus link or the alternative put forward by the developer. Those who spoke in favour of the retention of the route were of the view that the material considerations that would justify its removal, and therefore a departure from the adopted Local Plan, had not been demonstrated. Not supporting the link would also be contrary to the Council's commitment to support the provision of sustainable transport.

Those who argued for not pursuing the bus link in favour of the alternative measures said that they did so on the grounds that the bridge across the Avon Road play area would be intrusive and have a disproportionate and negative impact on local people generally and the living conditions of those residents most directly affected by the actual bus link and do significant damage to the local ecology.

RESOLVED that:

1. The Policy Board recommend to Cabinet that the Masterplan is amended to reflect the content of the Masterplan Addendum, which substitutes the bus link for two pedestrian/cycle links, as shown in Appendix 2 to the report to the meeting.
2. The Policy Board recommend to Cabinet that the Masterplan be approved once the changes from the preferred option outlined in (1) are agreed.
3. That before consideration by Cabinet, the Masterplan is subject to independent quality and design review undertaken by the Essex Quality Review Panel.

4. The Policy Board delegate the Director of Sustainable Communities in consultation with the Chair, Vice Chair and Cabinet Member for Sustainable Development, to negotiate the further considerations outlined in this report and any other subsequent changes to the Masterplan ahead of the consideration by Cabinet.

(7.11pm to 9.10pm)

## 7. Chelmsford Garden Community Development Framework Document (masterplan) Update

The Board received an update on progress with the Development Framework Document (masterplan) for Strategic Growth Site Policy 6 (SGS6) – North East Chelmsford (Chelmsford Garden Community) allocated in the Chelmsford Local Plan. A number of workstreams were underway and governance and engagement arrangements were in place to enable the preparation of a comprehensive and collaborative Development Framework Document and associated supporting documents. Officers would continue to work with the North East Chelmsford Garden Village Consortium, Essex County Council, other statutory and local stakeholders and the local community during 2020 and 2021 to develop and finalise the Development Framework Document.

The Policy Board was informed that the Garden Community proposal would be a unique and important development of potentially 5,500 homes that would have at its heart the principles of sustainable development.

RESOLVED that the update on the Chelmsford Garden Community Development Framework Document be noted.

(9.10pm to 9.24pm)

## 8. Urgent Business

There were no items of urgent business.

The meeting closed at 9.24pm

Chair



06/11/2020

## **Essex Quality Review Panel: West Chelmsford, Warren Farm**

*Confidential in advance of a planning application*

Chair: Noel Farrer

Panel Members: Clive Burbridge, Michael Chang, Robin Buckle, Tom Gwilliam

Panel Manager: Chris King

Panel Admin: Adam Fall

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### **West Chelmsford, Warren Farm**

Architects: David Jarvis Associates

Applicant: Crest Nicholson

### **Panel Description**

The Essex Quality Review Panel (EQRP) were appointed to undertake a review of the strategic growth site for the residential led scheme West of Chelmsford referred to as Warren Farm. The proposal includes around 800 new dwellings, a site for Travelling Showpeople, a Neighbourhood Centre, a Primary School and network of green infrastructure.

The following report summarises the Panels comments and recommendations made during the review session held on Friday 16<sup>th</sup> October 2020.

### **General**

The Panel would like to thank the design team for a clear and cohesive presentation. They recognise this is a challenging site and appreciate that considerable work has been undertaken to develop the proposals to their current stage. As an overview, the Panel considers there to be a number of elements of design that will require further review and development as this masterplan evolves overtime, as well as some consideration towards the sustainability and longevity of the scheme. There are now further recommendations and comments made by the Panel to ensure this application continues to proceed positively and achieves greater design quality standards.

The following topics were discussed during the review session. The Panel recognised that some topic areas have been or are to be addressed. These comments are for guidance purposes only.

It is considered by the panel the current masterplan is at an early stage and has been developed around zoning and policy rather than placemaking and community. The Panel understands that the masterplan has been driven by the local plan in terms of numbers, layout, and connections. It is still considered that the masterplan requires a further narrative in order to create direction in building a community and place.

The panel would have expected to see more detail and understanding of the place and character the development is creating. It was outlined early on, that landscape would be creating this narrative, but following the presentation this was hard to identify within the proposals. The panel would recommend that the applicant review and develop the scheme in terms of layout, placement of key local centre and the site narrative to help drive a clear and coherent place making strategy.

## Site Access & Connectivity

The panel appreciate the site has an important role to play with regards to access and connectivity. It was identified early on within the panel presentation that consultations with the local community and a subsequent council recommendation had led to the loss of the key bus link to the East of the site. It is recognised by the panel that there are wider considerations within the existing community which should be taken into consideration, where following the presentation it was outlined by the panel as a whole that the loss of the bus link would hold a negative impact on the future of the community in creating a well-connected and sustainable transport approach. With the Council recommendation determining the future of this bus link, it is the panels understanding that this link will not be achievable in the future. Where the panels comments below have highlighted alternative uses and connections to better connect the community and development they were unanimous that the loss of the bus link has a negative impact on the future development of this site, which is not replaced by the other connections now being proposed.

It should be highlighted the panel as a whole agreed that wider connections and site access, which were still possible, were being considered and explored by the development team and that this was both encouraged and fully supported. It was however considered that further review was required to understand the demographics of each surrounding community. Understanding the need and requirements of these existing communities will help drive the location of key uses (sports provisions, neighbourhood centre, allotments etc) and connections both for the surrounding communities into the site and vice versa, particularly to meet their health needs as part of the overall Livewell Strategy

As outlined within the presentation, primary vehicle access will be from Roxwell Road where two roundabouts are proposed. It was highlighted by members of the Panel that this was positive and encouraging to help drive down speeds and create safer vehicle entrances and exits to the community. Other members of the panel highlighted that roundabouts can cause physical barriers particularly to walking and cycling and a balance needs to be struck between ease of access for vehicles and the convenience of pedestrians and cyclists.

Roxwell Road was highlighted and questioned throughout the panel session around its current use as both a vehicle and pedestrian link. It was outlined to the panel that there were aspirations for the road to be reduced to 30 mph. It was also highlighted that there was interest by the local community in creating a robust landscape buffer to Roxwell Road to aid in masking development. It was highlighted by the panel that both of these approaches could contradict one another. The panel recognised that should speed reduction be a primary issue, then creating a street frontage up to Roxwell Road in places would be appropriate. In particular, the area opposite the Horse and Groom pub could provide such a frontage but others should be explored which will increase interventions along the road, which would be more for the passing motorist to consider. Should the landscape approach to Roxwell Road be taken forward fully it was the opinion of the panel that it would be difficult to reduce speeds to this stretch of road.

The proposed connections to the North East boundary of the development site create positive approaches and utilise existing connection points. It was discussed by the panel that this boundary to the development holds key prominence in unifying the existing community to the North East and the proposed community to Warren Farm. Combination of uses within this landscape strip/floodplain will be key in creating shared resources. Existing allotments and play area already create well used open spaces where it was considered by the panel that this could be further enhanced by the placement of additional allotments, play spaces and sports provision, for example.

The Panel recognised the clear strategy in retaining the public rights of way throughout the proposed site where it was identified this holds key benefits in maintaining and enhancing the character of the site. It was strongly recommended by the panel that both existing and proposed footpaths need to include cycle provision to promote sustainable travel within the site and into the city centre.

The prominence of consideration of vehicles within the development was highlighted as unbalanced by the panel. It was recognised that priority of movement should be given towards people rather than cars. The panel expected to see a greater understanding both within and outside of the site of how pedestrian and cycle

movements can be further promoted. Furthermore, that the shape and character of the areas within the masterplan are to be formed around the priority routes of walking and cycling rather than the car.

## **Layout**

It was identified early on in the Panel discussion the split in development within the proposed site. The South of the site held stronger connections and focus in terms of use and identity. While the North of the site appeared to have little value or relationships to the South. It was recommended by the panel that further review in how the North of the site, north of the green link responds to both the southern part and wider communities and that this should be developed further in the design process. It was highlighted by a member of the panel that there are clear potentials in reviewing the location and siting of the neighbourhood centre and primary school to respond in a more positive manner to both the South and North parcels. Key considerations should be focused around how community uses are accessible and useable from all areas of the proposed development and by the wider community. The panel suggested that an approach to walkability around the time it takes to reach these destinations would help drive location.

How the edges of development are addressed are important for this application. The transition from the built environment into the open space to the West was identified as being clear cut and formal. The use of the existing track creates a stark straight-line division between the two environments. The panel proposed this prominent edge be disregarded and a less formal integration of the green spaces and amenities bring both the landscape and open space into the built environment with a more naturalistic edge. How this will affect density and numbers will need to be reviewed in greater detail.

## **Health and Wellbeing**

It was recognised that the aspirations for the application must conform to the 'Livewell' development scheme. The panel would expect to see further clarity and innovation in meeting these Livewell principles. It was highlighted that further review in the surrounding demographics will be key in understanding the requirements of the site, and particularly the siting and services to be provided in the Local Centre. It was identified the site falls between two contrasting communities both to the East and South of the site. Each community will be reliant on different needs to where the site layout, connections and uses should respond to their needs.

The approach to sustainability was not considered at the forefront of discussions. It was recommended a sustainability framework should accompany the creation of the masterplan and ongoing works. It was considered by the panel the development needs to be forward thinking in promoting sustainability principles from these early stages. Within the framework, a standard for the operational performance of the buildings and infrastructure should be set, including clear limits on energy demand and peak loads, as well as setting out a route to net zero performance in the near future. The panel support the exclusion of mains gas infrastructure across the development. The materials and carbon used in the construction of the development should be given equal importance and low carbon materials with end-of-life plans should be used throughout. Whole life carbon assessments should be undertaken and benchmarked against best practice.

Given the quantity of parking expected on the development, EV charging points are essential and their potential to increase over time should be factored into the overall utilities' capacity calculations for the development. A transition away from individual car ownership should be considered in the plans for parking and allowance should be made for transforming parking areas (both private and communal parking) into other potential uses without significant disruption or demolition, this could include garage conversions, dwelling extensions or flexible uses within communal parking areas.

## **Landscape**

It was highlighted by the panel that this was an important narrative missing as part of the masterplan. With the site located at the edge of settlement, overlooking open countryside and green belt land, it was clear to the panel the landscape character and response was lacking. The panel agreed the landscape narrative plays a large part in defining the character of this development. It was expected by the panel that further work around 'sense



of place' and understanding the landscape character will be important in delivering a distinctive and context led development.

### **Placemaking and Built Form**

Given the early stage of masterplanning, it was hard for the panel to appreciate the character of the place being created and push for design quality as part of this development. It was highlighted there are characteristics and elements of the masterplan which will create great placemaking opportunities but given the current split between the North and the South of the site it was recommended that further work is undertaken to create a well-connected community.

Sense of place was recognised as the missing link within the current narrative. It was expected by the panel that the presentation should have promoted and highlighted the landscape character and then a narrative leading to the place the applicant wished to create. It was recognised by the panel members that over 2000 people will be residing in this community. The sites location and connections create a great opportunity in creating a distinctive and responsive place.

### **Summary**

As an overview the panel considered the scheme to have many challenges but also presented many opportunities in creating a well-connected and responsive community for Chelmsford. It was recognised that this development will provide a high-quality opportunity in terms of design while also enhancing the communities surrounding the site.

The main drive of comments from the panel was around placemaking to which it was considered that this narrative or approach had not been sufficiently developed. Currently the masterplan demonstrated strong connections and zoning, but the panel expected a narrative leading from site character to the new sense of place derived from the new community they anticipate here.

The connections throughout the site were highlighted as important especially where they showed positive approaches in creating an outward and integrated community. The drive for strong connections to the East as well as a reviewed approach to Roxwell Road was encouraged. The panel were disappointed at the loss of the Eastern linked bus route and would encourage a review by Chelmsford City Council as the panel could not see any design or urban planning reason for the removal of the route. It was considered in order to enhance Roxwell Road further in terms of reducing speed and utilising its direct connection to the city centre, that built form should address this frontage positively.

In order to inform layout, it was highlighted by the panel that the surrounding demographics of the neighbouring communities should be reviewed further to ascertain need and requirements. This would be true to further enhancing the eastern boundary through community uses such as sports provisions and open space. It is clear that the community to the East have strong opinions around how development is connected, working alongside this community will only further enhance connectivity and sustainable travel.

Finally, it was highlighted that layout could be reviewed further in terms of locations of neighbourhood centre and primary school. It was considered by the panel that these uses could be positioned in a more central location benefiting both the North and South parcels as well as being more easily accessed from the east. There is further work required to integrate the western open space with the building plots moving away from the rigid arrangement currently proposed around the existing track.

The development holds a lot of potential in terms of the design and quality placemaking being proposed. It is particularly welcome to see a proposal at such an early stage. EQRP would certainly welcome the opportunity to review the scheme again prior to planning application once the narrative and sense of place as well as the other areas discussed in this letter have been addressed. It is our belief that this can become a truly successful and welcome addition to Chelmsford.





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## Chelmsford City Council Policy Board

14 January 2021

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### Planning Obligations Supplementary Planning Document (SPD) - Consultation Feedback and Proposed Changes

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#### Report by:

Director for Sustainable Communities

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#### Officer Contact:

Liz Harris-Best, Principal Housing Implementation and Strategy Officer, [liz.harris-best@chelmsford.gov.uk](mailto:liz.harris-best@chelmsford.gov.uk), 01245 606378

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#### Purpose

To present feedback from consultation on the Council's Planning Obligations SPD, which includes the supporting Self-Build and Custom Build Design Code Template; and seek approval for proposed changes to both documents; and for consideration by Cabinet.

#### Recommendations

- 1 That the Board agree the proposed changes to the SPD attached at **Appendix 2** of this report and recommend to the Council's Cabinet that it be adopted in accordance with those changes.
- 2 That the Board agree the proposed change to the Self-Build and Custom Build Design Code Template attached at **Appendix 3** of this report and recommend to the Council's Cabinet that it be published in accordance with the change specified.
- 3 That the Board recommend to the Council's Cabinet that any subsequent minor textual, presentational or layout amendments to the final version of the SPD and the



Self-Build and Custom Build Design Code Template is delegated to the Director of Sustainable Communities in consultation with the Cabinet Member for Sustainable Development.

- 4 That the necessary legal and procedural processes are undertaken to adopt the SDP and the Board recommend to the Council's Cabinet that the Director of Sustainable Communities in consultation with the Cabinet Member for Sustainable is delegated to approve the necessary legal and procedural adoption material.
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## 1. Introduction

- 1.1 This report follows the public consultation of the Council's draft Planning Obligations Supplementary Planning Document (SPD). It reports on the feedback received from the public consultation, which includes one comment on the supporting Self-Build and Custom Build Design Code Template. It recommends the adoption of the SPD and publication of the Self-Build and Custom Build Design Template, subject to some amendments following feedback received.

## 2. Background to the SPD and Self-Build and Custom Build Design Template

- 2.1 Once adopted the SPD will support the implementation of the new Local Plan. It sets out the City Council's approach towards seeking planning obligations which are needed to make development proposal acceptable in planning terms. It identifies topic areas where planning obligations may be applicable depending on the scale of development and sets out the required obligations or contributions.
- 2.2 The combination of the SPD and the Council's Community Infrastructure Levy (CIL) Charging Schedule set out a clear position to developers, landowners and stakeholders of the scope and scale of planning obligations applicable to difference scales and types of development. The guidance within the SPD is aligned with the priorities set out within 'Our Chelmsford, Our Plan' and will assist in creating development which is safer, greener, fairer, and better connected for all.
- 2.3 Once adopted the SPD will be a material consideration in the determination of planning applications and updates and replaces the following documents:
  - Planning Obligations Supplementary Planning Document approved on 26 February 2014 and effective from 1 June 2014.
  - Affordable Housing Implementation Guide (March 2015).
- 2.4 The Self-Build and Custom Build Design Template has been produced to assist in the implementation of the City Council's Local Plan Policy DM1 (Ci) and supports the

Planning Obligations SPD. It provides a template and supporting guidance to developers to ensure consistency across development sites and give developers greater certainty in the preparation of site-specific Design Codes for Self-Build and Custom Build Homes.

- 2.5 A Design Code is a form of design guidance that assists with the delivery of high-quality new development and is particularly useful for complex scenarios involving multiple parties.
- 2.6 The SPD states that sites with multiple services plots or other forms of self-build and custom housebuilding provision, will be required to be supported by a Design Code at outline planning stage.

### 3. Public consultation on the SPD

- 3.1 The draft SPD was approved for public consultation by Cabinet on 2 June 2020 but owing to the coronavirus situation public consultation was delayed until later in the year following the Council's adoption of a new Statement of Community Involvement (SCI) which set out revised forms of public consultation for such documents. Consultation took place between 15 October and 12 November 2020.
- 3.2 The draft SPD document which was the subject of public consultation can be viewed at: <https://www.chelmsford.gov.uk/resources/assets/inline/full/0/4645300.pdf>

### 4. Feedback from the public consultation

- 4.1. The consultation received 84 representations from 22 different individuals/organisations. All were from organisations/public bodies and developers. It should however be noted that one representation often referred to multiple sections/paragraphs within the document.
- 4.2. A feedback report, including a summary of the representations received can be found at **Appendix 1** of this report. This sets out who and how we consulted on the SPD and the feedback received from the consultation. The feedback is set out in document order and contain details of each representation and the Council's comments and/or change proposed as a result of those comments.
- 4.3. In general, there was support for the SPD and its contents, subject to some suggested changes. Most changes were to ensure clarity on what was required by development and consistency with Essex County Council's Developers' Guide to Infrastructure Contributions, which was recently revised.

- 4.4. It was also considered that elements of the SPD suggested that development was required to go beyond policy requirements in the Local Plan and / or relevant regulations.

## 5. Proposed changes

- 5.1. A final schedule of proposed changes to the SPD is found at **Appendix 2** of this report. This condenses proposed changes set out in the feedback report as well as some minor additional changes proposed, generally regarding drafting, to the SPD in document order. Changes are shown as ~~striketrough~~ where text is to be removed and underlined where additional text is proposed.

- 5.2. In summary the changes are:

- Clarification/wording changes to assist in clarifying where elements of the guidance are encouraged but not a mandatory policy requirement
- Changes to ensure greater clarity
- Minor word changes to ensure greater clarity on what is a policy requirement and what is a suggestion which goes beyond policy
- The inclusion of additional references/relevant documentation
- Minor typographic and editorial changes

- 5.3. A final schedule of the proposed change to the Self-Build and Custom Build Design Template is found at **Appendix 3** of this report.

- 5.4. Following agreement of the two schedules of proposed changes by the Board and Cabinet a final version of the document will be produced and published on the Council's website as soon as practicable.

- 5.5. As soon as reasonably practical following adoption of the SPD, in accordance with Regulation 14 of the Town and Country Planning (Local planning) (England) Regulations 2012 (as amended) the Council will make available the SPD and an Adoption Statement. The Council will also send the Adoption Statement to anyone who has asked to be notified of the adoption of the SPD.

## 6. Conclusions

- 6.1 The consultation on the draft SPD received a good level of response with general support for the document. Subject to the Board agreeing the schedule of proposed changes attached at **Appendix 2** of this report, the SPD is recommended to Council's Cabinet for adoption.



- 6.2 Subject to the Board agreeing the change attached at **Appendix 3** of this report, the Self-Build and Custom Build Design Template is recommended to Council's Cabinet for publication.

#### List of appendices:

- Appendix 1 Feedback Report for Planning Obligations Supplementary Planning Document
- Appendix 2 Schedule of proposed changes to the Planning Obligations Supplementary Planning Document
- Appendix 3 Schedule of proposed changes to the Self-Build and Custom Build Design Template

#### Background papers:

Planning Obligations Supplementary Planning Document Consultation Document :

<https://www.chelmsford.gov.uk/resources/assets/inline/full/0/4645297.pdf>

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#### Corporate Implications

##### Legal/Constitutional:

The SPD has been subject to consultation in accordance with the Planning and Compulsory Purchase Act 2004.

It complies with the statutory framework for planning obligations and CIL Regulations and guidance.

##### Financial:

Negotiated section 106 planning obligations, together with the Community Infrastructure Levy, make up the system of developer contributions used to secure funding towards mitigating the social and environmental effects of development. The value of section 106 contributions varies depending on the type of contribution.

##### Potential impact on climate change and the environment:

The SPD will seek to ensure new development within the administration area will contribute towards meeting the Council's Climate Change agenda.

##### Contribution toward achieving a net zero carbon position by 2030:

The SPD will seek to ensure new development within the administration area will contribute towards achieving a net zero carbon position by 2030.

##### Personnel:

There are no personnel issues arising directly from this report.

Risk Management:

None.

Equality and Diversity:

An Equalities and Diversity Impact Assessment has been undertaken for the Council's new Local Plan.

Health and Safety:

There are no Health & Safety issues arising directly from this report.

Digital:

There are no IT issues arising directly from this report.

Other:

The document will contribute to priorities in the Council's Our Chelmsford, Our Plan 2020: A Fairer and Inclusive Chelmsford, A Safer and Greener Place, Healthy, Enjoyable and Active Lives and A Better Connected Chelmsford.

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#### Consultees:

CCC – Development Management

CCC – Inward Investment and Economic Growth

CCC – Parks Services

CCC – Legal Services

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#### Relevant Policies and Strategies:

This report takes into account the following policies and strategies of the City Council:

Local Plan 2013-2036

Our Chelmsford, Our Plan, January 2020

Statement of Community Involvement 2020

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## Our Chelmsford, Our Plan

The above report relates to the following priorities in the Corporate Plan:

Promoting sustainable and environmentally responsible growth to stimulate a vibrant, balanced economy, a fairer society and provide more housing of all types.

Making Chelmsford a more attractive place, promoting Chelmsford's green credentials, ensuring communities are safe and creating a distinctive sense of place.

Encouraging people to live well, promoting healthy, active lifestyles and reducing social isolation, making Chelmsford a more enjoyable place in which to live, work and play.

Bringing people together, empowering local people and working in partnership to build community capacity, stronger communities and secure investment in the city.



## **APPENDIX 1: CHELMSFORD CITY COUNCIL PLANNING OBLIGATIONS SUPPLEMENTARY PLANNING DOCUMENT (SPD) FEEDBACK REPORT**

### **Introduction**

The SPD has been produced to assist in the implementation of the City Council's Local Plan policies to set out a clear position to developers, landowners and stakeholders, of the scope and scale of planning obligations applicable to different scales and types of development that are needed to make development proposals acceptable in planning terms.

### **Preparation of the draft SPD**

The review of this SPD commenced in April 2018 with an informal consultation with a range of internal City Council officers including those from:

- Development Management
- Inward Investment and Economic Growth
- Parks and Green Spaces
- Leisure Services
- Legal Services

Informal consultation was also carried out with a range of officers at Essex County Council.

Initially officers had input into the proposed content and format of the SPD. As sections were drafted officers were given the opportunity to comment on them and relevant changes were then incorporated into the draft SPD.

The City Council published the Chelmsford Local Plan Draft Planning Obligations Supplementary Planning Document (SPD) for consultation from 12 July to 6 September 2018 in accordance with Regulations 12, 13 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

A Consultation Feedback Report detailing representations to the formal consultation carried out from 12 July to 6 September 2018 and the City Council's responses to these representations, was reported to the Council's Development Policy Committee on the 8 November 2018.

The Draft Planning Obligations SPD that was published for consultation in July 2018 was submitted as an evidence base document (EB132) supporting the Independent Examination of the Local Plan.

In preparing this draft of the SPD, informal consultation has been carried out with the same range of City Council officers and representatives of the Housing Service, as well as officers from Essex County Council.

A workshop was also held for all City Council Members, where there were 26 attendees. This included a presentation on changes since the publication of the draft Planning

Obligations SPD in July 2018. Members provided comments on proposed policy and practice changes arising since the draft SPD was published for consultation in July 2018. These comments were incorporated into the final draft consultation SPD.

All the above consultations and consultees assisted in the structure and content of the revised consultation document. The formal and informal consultation stages resulted in relevant changes to the document including:

- Text updates to reflect City Council priorities, strategies, plans and initiatives
- Text updates to reflect changes in national planning policy guidance
- Text and structure changes to reflect changes to the Community Infrastructure Levy Regulations
- Text updates to reflect modifications to the Local Plan following the Independent Examination
- Additional examples of ways to mitigate development proposals
- Additional links to Council strategies and good practice examples
- Minor editorial and presentational changes to help clarify the SPD.

### **Self-Build and Custom Build Design Template**

The Self-Build and Custom Build Design Template (the 'Template') has been produced to assist in the implementation of the City Council's Local Plan Policy DM1 (Ci) and supports the Planning Obligations Supplementary Planning Document.

### **Preparation of the draft Template**

The Template was drafted in May 2020 following a review of the Planning Obligations SPD. It was developed through an informal consultation with a range of internal City Council officers including those from:

- Development Management
- Inward Investment and Economic Growth
- Legal Services

All the above consultees assisted in the structure and content of the consultation document

### **Who and how we formally consulted**

The formal public consultation took place between **10am Thursday 15 October 2020 until 4pm on Thursday 12 November 2020**.

The Council issued consultation notifications in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended). This included email/letter notifications to statutory bodies including Essex County Council, local Parish and Town Councils and Government bodies and all organisations/individuals on the Local Plan consultation mailing list, totalling 6,107 different consultees.

From Thursday 15 October 2020, the draft SPD and supporting documents were made available online at: [www.chelmsford.gov.uk/planningpolicyconsult](http://www.chelmsford.gov.uk/planningpolicyconsult) A dedicated web page was also set up on the Council's website containing detailed information about the consultation.

Paper copies were able to be viewed at the City Council's Customer Service Centre, Civic Centre, Duke Street, Chelmsford, CM1 1JE, Monday to Friday 10.00am to 4.00pm.

The document was available to view at Chelmsford Library, County Hall, Market Road, subject to its restricted opening restrictions which people were notified about and directed to the following link for the latest information: <https://libraries.essex.gov.uk/contact-essex-library-service/coronavirus-andlibraries-faqs/>

During the consultation period two virtual forums for Parish Council's and Agents/Developers were held on 2 and 4 November 2020, where a presentation was made on the SPD, questions were answered by the Council, and participants were encouraged to consider the SPD and make any necessary comments as part of the consultation.

An article about the SPD consultation was published in the Council's Winter edition of the 'City Life' magazine which is distributed to households across the administration area. Two press releases were issued and coverage of the consultation was made by the Council via Twitter and Facebook during the consultation period on 9 November 2020.

In accordance with the Council's Statement of Community Involvement (SCI) the Council published a Statement of Representations alongside the consultation, advising where and when comments could be made and alerting people to the consultation through the Council webpages. This was posted on the Council's website and sent to all those consulted. It also included details of how to make comments on our dedicated consultation portal.

The consultation portal provided a web-based feedback form to add comments to. A pdf form was also available from the Council's website to download and complete.

Comments were able to be made in the following ways:

Online: [www.chelmsford.gov.uk/planningpolicyconsult](http://www.chelmsford.gov.uk/planningpolicyconsult)

By email: [planning.policy@chelmsford.gov.uk](mailto:planning.policy@chelmsford.gov.uk)

By post: Spatial Planning Services, Civic Centre, Duke Street, Chelmsford, Essex, CM1 1JE

By hand: Monday to Friday 10.00am to 4.00pm - Customer Service Centre, Civic Centre, Duke Street, Chelmsford, CM1 1JE

### **Number of comments received**

84 representations were received from 22 different consultees. These are summarised in the table below. It should however be noted that where one representation refers to multiple sections/paragraphs within the document the comments made in the representation has been split and set against the relevant section/paragraph against the document to aid in the consideration of the representations. Therefore, the same representation number may appear multiple times in the table below.



## Summary of main issues raised and how they have been taken into account

Please note these are a summary of comments received. Copies of all comments are available to view in full at:

[https://consult.chelmsford.gov.uk/portal/po mp spd 2020/planning obligations spd 2020?tab=list](https://consult.chelmsford.gov.uk/portal/po_mp_spd_2020/planning_obligations_spd_2020?tab=list)

Comment ref ID	Name	Page	Paragraph/table/fig ref	Summary of Comments/Proposed change	Council comments
PO(2020)SP D33	Historic Environment		General	As a result of the number of consultations we are currently receiving, we regret that we are unable to comment specifically at this time. We do however recommend that the advice of your local authority conservation and archaeological staff is sought as they are best placed to advise on local historic environment issues and priorities, including access to data, indicate how historic assets may be impacted upon by the Plan, the design of any required mitigation measures and opportunities for securing wider benefits for the future conservation and management of the historic environment.	Noted.
PO(2020)SP D06	Transport for London		General	Thank you for consulting Transport for London (TfL). I can confirm that we have no comments to make on the Planning Obligations SPD.	Noted.
PO(2020)SP D08	South Woodham Ferrers Town Council		General	It is important that the planning process is open to the public and that relevant facts are published and available. Therefore, in relation to the Masterplan for the strategic site in South Woodham Ferrers, it is necessary that traffic measurements and predictions should be published prior to decisions taken. Our understanding is that Essex County Council do not intend to publish their results until a later stage in the planning process. If this is correct, we believe the decision should be amended and available results published soon.	Additional text on the role of the Masterplan Procedure will be added to Section 3. The Masterplan Procedure includes engagement with stakeholders and the public. Masterplans are separate from the planning application process. Following approval of a Masterplan further detailed work is undertaken through the normal pre-application planning process. Add new paragraph 3.5 to read: <u>Planning obligations should be clearly identified as early as possible in the planning process. This includes the Masterplan process required for all strategic scale development, the pre-application process which is encouraged for all forms/scales of development and planning performance agreements to ensure all parties are clear what is required of them at each stage of the planning application process.</u>
PO(2020)SP D03	Anglia Ruskin University		General	Sections 6, 7, 9, 11 and 13 - The requirements for non-residential Planning Obligations to be directly related to the specific development rather than applying prescriptive standards across particular types of developments as proposed in the SPD meets the tests and is supported.	Noted.
PO(2020)SP D04	Bellway Homes Limited		General	For the most part the SPD is a very high-level document which sets out 'Possible S106 Obligations'. It is not specific. We are concerned that this may lead to double counting of Section 106 monies and CIL towards a specific piece of infrastructure. This risks rendering a development unviable (as well as not being fairly and reasonably related in scale and kind to the development as required by the CIL Regs). It is respectfully requested that the Council publish further information on this matter to give landowners and developers comfort - it is currently not clear how the Council will safeguard against this. One amendment to help ensure that developments on strategic sites aren't rendered unviable is for the SPD to explicitly state that the total Section 106 costs associated with a given development does not exceed the Section 106 cost per unit for a given cluster as stated within the latest Infrastructure Delivery Plan (IDP) i.e. For example, individual developments within the North of South Woodham Ferrers strategic growth site should not be required to pay more than £21,537 per dwelling towards identified infrastructure as set out within the June 2018 IDP.	The site policies for each site allocation set out the amount and type of development provided as well as the specific supporting infrastructure and other requirements needed for each site. This information is derived from the IDP and summarized in Appendix 1 for clarity. The removal of the Regulation 123 Infrastructure List and pooling restrictions through the Community Infrastructure Levy (Amendment) (England) (No.2) Regulations 2019; gives local authorities two ways to provide greater flexibility for funding development: they can use as many planning obligations as they need to fund a specific piece of infrastructure, and they can use planning obligations and CIL revenues to fund the same infrastructure. The intended effect is to enable more flexible and faster infrastructure and housing delivery. Infrastructure Funding Statements (IFSs) are required to set out the infrastructure projects or types of infrastructure that the authority intends to fund, either wholly or partly, by the levy or planning obligations. IFSs will be required to be published annually from 31 December 2020 (for the preceding financial year 2019/20) reporting on CIL and planning obligations revenue received and allocated. The main purpose of

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					the IFs is to enable greater transparency regarding the use of CIL and S106 receipts.
PO(2020)SP D10	Gladman		General	Gladman has concerns with the overlap between some of the elements that would be required through a Planning Obligation and those required under the Council's Community Infrastructure Levy. Issues arise particularly in relation to the provision of open space and recreation, and early years, childcare and education contributions where the potential for 'double dipping' is apparent. The SPD should be reviewed to ensure that the potential double charging for a single contribution does not occur as specified in the CIL regulations.	See above response.
PO(2020)SP D11	Countryside Properties		General	In certain areas, we are concerned that the SPD is straying into creating policy and proposing measures that were not considered as part of the viability assessment supporting the Local Plan.	The SPD provides implementation guidance to supplement the requirements set out in the Local Plan, it does not introduce new policies. Some of the amendments proposed in this document clarify this.
PO(2020)SP D11	Countryside Properties		General	The Draft SPD includes a number of topic areas which are the responsibility of Essex County Council to administer. SPD – Section 6 on highways says nothing of substance really and refers to things that ECC may want as Highway Authority. As the ECC SPD already covers highway matters, it is not helpful to have two documents addressing the same issues and that could give rise to contradictions. This also applies to Sections 7 (Flood Protection and Water Management) and 10 (Early Years, Childcare and Education). CCC should give consideration to omitting these sections or merely signposting the existence of ECC guidance.	Essex County Council's (ECC's) comprehensive comments on the draft SPD ensure that no contradictions arise. Amendments and additional references will be added, as summarized in this document, against the various representations made by ECC.
PO(2020)SP D41	Grosvenor Developments Limited and Hammonds Estates LLP		General	We support your clarification that while obligations in the SPD will apply to all types of developments, proposals will be assessed on a site-specific basis giving due consideration to the circumstances of each development individually.	Noted.
PO(2020)SP D62	Hopkins Homes		General	There are references within the SPD to it supporting Local Plan policies, providing guidance, and being a material consideration, but we suggest that text within the SPD should also make clear that it does not introduce new policy and is not part of the Development Plan. As a general comment, we note that many of the suggestions / guidance are worded in the manner of policies, and in a somewhat definitive manner. For example, there are frequent references to "should" and "must" when referring to certain suggested approaches. We suggest there would be merit in reconsidering the tone of the language used, which as currently drafted could set inappropriate expectations as to status of the SPD.	The language adopted is designed to provide clarity. The supplementary role of the document in relation to the Local Plan Policies is clarified in paragraph 1.5.
PO(2020)SP D62	Hopkins Homes		General	It should be recognised that the Council's adopted Masterplan Procedure ensures the iterative preparation of masterplans for the relevant strategic growth sites, through a process whereby bespoke, site-specific planning obligations are likely to be associated with them.	Additional text on the role of the Masterplan Procedure to be added to Section 3 as a new paragraph 3.5 referenced above.
PO(2020)SP D78	Ptarmigan Land Ltd		General	Ptarmigan Land welcome CCC's proposals to provide clarity on the Council's approach to seeking planning obligations needed to make development acceptable in planning terms to follow up the adoption of the Chelmsford Local Plan earlier this year.	Noted.
PO(2020)SP D54	Crest Strategic Projects Ltd	4	1.3	This draft SPD has been produced to apply to varying scales of development, but proposals will be assessed on a site by site basis with the individual circumstances of each site being taken into consideration. Comment: This is supported.	Noted.
PO(2020)SP D79	Ptarmigan Land Ltd	4	1.3	There is not an acknowledgement that its requirements are not entirely relevant to the emerging proposals for CGC. The CGC allocation, set out as Strategic Site 6 in the Local Plan, provides for substantial development and is a major component of the	Additional text on the role of the Masterplan Procedure will be added to Section 3 as a new paragraph 3.5 reference above.

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				<p>Council's growth and infrastructure needs for the Local Plan period and beyond. CCC have agreed in principle a bespoke approach to the masterplan process for CGC with a significantly different delivery structure than any other major site in the Local Plan. That delivery structure will comprise three main components: • a Development Framework Document (DFD); • an Infrastructure Delivery Plan (IDP); and • a Planning Framework Agreement (PFA). Relevant to the necessary planning obligations for CGC will be the IDP and PFA. These will set out the strategy and mechanisms for delivering the identified infrastructure for CGC to support the DFD. Against this background, whilst the SPD will assist in providing background guidance to the content and approach of certain future obligations for CGC, it should not prescribe what is actually required due to the nature, scale and complexity of the planning obligations necessary for CGC. It is therefore recommended that an additional paragraph should be inserted in the SPD in Section 1, Purpose of the Document, after 1.3 to confirm that: In this regard and as an exception, the SPD will provide guidance but will not be applied to Strategic Growth Site Policy 6 (Chelmsford Garden Community (CGC)) in the Local Plan. The planning obligations required for CGC by Policy 6 and other relevant policies in the Local Plan will be taken forward and delivered by separate and "bespoke" mechanisms being prepared in full consultation with the City Council, key stakeholders, landowners and developers in an intended Infrastructure Delivery Plan and Planning Framework Agreement to be approved by the Council.</p>	<p>Add new paragraph 3.6 to read:  <u>Due to the scale and complexity of delivering the infrastructure required for the Chelmsford Garden Community, bespoke infrastructure delivery mechanisms may be appropriate and will be considered through the existing garden community governance structure and consulted upon as part of the Development Framework Document (Masterplan) for the site.</u></p>
PO(2020)SP D66	Essex County Council	5 - 7	Section 2	<p>ECC would like to stress that the costs and requirements contained in the IDP and used within the viability work to support the Local Plan, are based on the information available at the time. ECC reserve the right to review developer contributions on development sites at the application stage once more detailed information is available. It is important to stress that the costs in the IDP are based on a 'reasonable' approach for plan making and should not be strictly adhered to at the planning application stage, if circumstances have changed. ECC continues to work collaboratively with the City Council to bring forward the allocated strategic sites through masterplanning and responding to planning applications to ensure the necessary infrastructure is identified, costed and delivered in a timely manner.</p>	<p>Noted. The site policies for each site allocation set out the amount and type of development provided as well as the specific supporting infrastructure and other requirements needed for each site. This information is derived from the Infrastructure Delivery Plan and summarized in Appendix 1 for clarity; but the costs associated with the identified infrastructure will be updated via the Infrastructure Delivery Plan.</p>
PO(2020)SP D03	Anglia Ruskin University	5	2.6	<p>The continuing Community Infrastructure Levy zero rating for all development other than residential and retail remains logical and justified.</p>	<p>Noted.</p>
PO(2020)SP D67	Essex County Council	5	2.6	<p>ECC acknowledge that CCC has adopted CIL and has established governance arrangements for spending the pooled receipts for infrastructure across the administrative area. It is noted that the City Council retains 80% of CIL monies as a Strategic Allocation reserved for strategic priorities, and to which expressions of interest are invited from stakeholders (including ECC) for funding periodically, and which are subsequently approved by the City Council Cabinet. As ECC is not the CIL charging authority, it is required to bid for CIL monies alongside other infrastructure providers and City Council priorities. ECC presently has no formal role in the CIL governance process, in particular regarding when CIL monies are made available for bids; the amount of funds made available to bid for and how any monies will be prioritised and apportioned to strategic projects. This has led to some difficulties in securing monies for infrastructure projects that ECC is required to deliver with any degree of certainty or when they may be required.</p>	<p>The CIL governance arrangements are considered satisfactory and relate to the infrastructure in the Local Plan, as indicated in Appendix 1 of the SPD and the Infrastructure Delivery Plan.</p>
PO(2020)SP D02	Galleywood Parish Council	7	2.15	<p>What is the determination of 'fairer' in Our Chelmsford, Our Plan?</p>	<p>A wider description is provided in the Plan itself, along with actions, expected outcomes and a description of what success will look like.  Add a new paragraph 2.16 to read:</p>



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					The Plan can be downloaded here <a href="https://www.chelmsford.gov.uk/your-council/our-chelmsford-our-plan/">https://www.chelmsford.gov.uk/your-council/our-chelmsford-our-plan/</a>
PO(2020)SP D68	Essex County Council	8	Section 3	<p>The SPD makes minimal reference to waste management with the only reference in Appendix 1 to municipal waste being funded by other developer contributions and CIL, as identified in Local Plan policies S9 and S10, which relate to infrastructure requirements and funding. ECC recommend further reference is made to waste management in the SPD, and in particular in relation to the proposed new Chelmsford Garden Village (CGV). ECC is both the Waste Planning Authority (WPA) for Essex and the Waste Disposal Authority (WDA), and is responsible for the disposal of Local Authority Collected Waste (LACW) and providing publicly accessible Recycling Centres for Household Waste (RCHW). The Joint Municipal Waste Management Strategy (JMWMS) for Essex details the vision for the management of LACW in Essex. The JMWMS will be subject to review during the lifetime of the Guide to reflect national policy and emerging legislative changes resulting from the adoption of the Government's Resource and Waste Strategy. ECC will be seeking contributions in respect of the new CGV to support development of local waste management infrastructure to deliver the operational integrity of the waste management system. The level of contributions requested will be assessed following evaluation of infrastructure capacity within the locality prior to development, and an operational needs assessment and will be used to mitigate the impact of the CGC. At present the draft CGV Infrastructure Delivery Schedule refers to municipal waste as being provided off-site. Discussions will need to take place with ECC, as the WDA, in relation to RCHW capacity in the proximity of the site, and how the impact of 5,500 new homes will be accommodated. The nearest RCHW is at nearby Drovers Way, which is a constrained site with limited scope for expansion, and presently experiences operational pressures, which impact onto the local highway network. With regards libraries, section 5.10 of the Guide seeks contributions to provide additional facilities where there is expected to be significant growth in population created by development, or where a new community remote from an existing provision is established. For provision of new libraries, including within community shared facilities, the process below is followed, with local district considerations taken into account: • Planning applications for developments with 20 or more dwellings will be considered • Other known growth in the area will be taken into account • Long term capacity and future requirements across the area Where the increase in projected population more than doubles an existing library catchment area, it is likely that a new facility or building will be required. Provision of this space could be as part of a shared community or educational facility for example – and would allow consideration to be made for varying scales of development.</p>	<p>Insert a new reference to Municipal Waste in paragraph 12.2; including a reference to CGV to support development of local waste management infrastructure to deliver the operational integrity of the waste management system.</p> <p>Add a new sentence at the end of the paragraph 12.2 to read:  <u>This includes waste management, particularly in relation to the Chelmsford Garden Village.</u></p> <p>Additional wording to paragraph 12.4 will also clarify the threshold and form of provision for new libraries, to align the SPD with the guidance in the revised Essex County Council Developers' Guide to Infrastructure Contributions (Revised 2020).</p> <p>Amend the text in the second bullet point of paragraph 12.4 to read:  <u>Space for library use which Essex County Council's Developers' Guide to Infrastructure Contributions (Revised 2020), provides guidance on the threshold and form the contribution to library provision will take; but includes potentially being part of a shared community or education facility)</u></p>
PO(2020)SP D68	Essex County Council	8	Section 3	<p>ECC recommend reference is made in the SPD to the City Council pre-application process and Masterplan Procedure (including Planning Performance Agreements (PPAs). This seeks to front load the planning process giving applicants a clear direction and understanding of their proposals, solving problems and seeking solutions, where possible. This will ensure that much needed and necessary infrastructure, services and facilities are delivered by development to create sustainable development and communities. The Making Places SPD, paragraph 4.3 could be incorporated into this SPD with regards the masterplan procedure and pre-application process of the City Council. In addition, ECC also has its own pre-application advice procedure and has also produced a model PPA to outline the offer and to assist partners in this process.</p>	<p>Additional text on the Masterplan Procedure, pre-application process and Planning Performance Agreements added in the context of their role in setting out necessary infrastructure, services and facilities in Section 3 as a new paragraph 3.5 referenced above.</p>

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				Charges for this approach are also detailed in the Guide to ensure that costs are clear and transparent to assist with early engagement, once a PPA is signed. The weblinks below provide relevant information. <a href="https://www.essex.gov.uk/planning-advice-guidance/community-infrastructure-planning-obligations-advice">https://www.essex.gov.uk/planning-advice-guidance/community-infrastructure-planning-obligations-advice</a> <a href="https://www.essex.gov.uk/planning-advice-guidance/planning-performance-agreements">https://www.essex.gov.uk/planning-advice-guidance/planning-performance-agreements</a>	
PO(2020)SP D66	Essex County Council	8	3.2	Paragraph 3.2 acknowledges that Appendix 1, which identifies sites and their potential funding from Section 106, Community Infrastructure Levy (CIL) and other sources is a guide only, as it was published prior to the introduction of the Community Infrastructure Levy (Amendment) (England) (No.2) Regulations 2019 enabling the pooling of s106 contributions. ECC welcomes the lifting of S106 pooling restrictions, as it will assist in mitigating the cumulative impact of smaller scale developments which do have an impact on existing local infrastructure. ECC will seek to pool funding and to deliver necessary infrastructure once sufficient funds are available and a suitable scheme identified.	Noted.
PO(2020)SP D42	Grosvenor Developments Limited and Hammonds Estates LLP	8	3.3	The annual reporting should also include details of the money / funds actually spent (not only to be committed) throughout the previous year and how progress on these projects is tracking the CIL schedule of works/projects. It should also contain an indication of risks and mitigations in working towards the completion of these works.	Add wording to clarify that the role of the Infrastructure Funding Statements included funds spent and progress on works for clarity. Amend the last sentence of paragraph 3.3 to read: Infrastructure Funding Statements will also report on CIL and planning obligations revenue received, <del>and allocated and spent</del> ; <u>as well as reporting on progress of works that has received funding.</u>
PO(2020)SP D68	Essex County Council	8	3.4	For clarity, ECC recommends that paragraph 3.4 in the SPD is reviewed to provide additional reference to the type of contributions, and other matters covered by the update to the 2016 Essex Developers' Guide to Infrastructure Contributions (the 'Guide') that was published on 4 November 2020. Further points of clarification regarding the new sections, as indicated in Table 1 of the Guide should also be referenced in the SPD.	The reference to Essex County Council's Developers' Guide to Infrastructure contributions will be updated with a reference to Table 1 which outlines the new sections. Amend paragraph 3.4 to read: Essex County Council's (ECC) Developers' Guide to Infrastructure Contributions <del>(2016)</del> <u>(Revised 2020)</u> provides details of the impacts that development may have on ECC services and infrastructure, and guidance to developers regarding how Section 106 agreements and CIL may be used to secure works, finance and/or land to mitigate impacts. <u>Table 1 of the Guide outlines changes from the previous version. A copy of the Guide can be found here</u> <a href="https://www.essex.gov.uk/planning-advice-guidance/guidance-for-developers">https://www.essex.gov.uk/planning-advice-guidance/guidance-for-developers</a> .
PO(2020)SP D10	Gladman	9	Table 1	It should be made clear that the percentages shown in Table 1 will be used as the basis for negotiation on the mix of dwelling sizes as the actual mix will need to reflect the market conditions and housing need at the time of an application's determination.	Paragraph 4.3 states that Table 1 will be used to inform not determine the mix of market housing proposed as part of new residential development. The same table is included in the Reasoned Justification to Policy DM1 of the Local Plan. Paragraph 8.3 of the Local Plan already confirms that the final mix of housing/types will be subject to negotiation with the applicant.
PO(2020)SP D63	Hopkins Homes	9	Table 1	The SPD fails to acknowledge that the figures are used to inform negotiations, or to even acknowledge that there will negotiations, with the applicant. We consider that it is important that in respect of this issue the SPD makes clear that these figures are very much merely indicative, and that actual housing mix will be considered on a site-by-site, case-by-case basis. Factors could include, for example, responding to latest data on housing needs, responding to market sub-area needs, or redressing an existing imbalance in housing mix compared to local need. The need for flexibility is further underlined by the fact that the percentages cited in Table 1 of the SPD are taken from the SHMA 2015 and as such are now five years old and based on data that is older still.	Paragraph 4.3 states that Table 1 will be used to inform not determine the mix of market housing proposed as part of new residential development. The same table is included in the Reasoned Justification to Policy DM1 of the Local Plan. Paragraph 8.3 of the Local Plan already confirms that the final mix of housing/types will be subject to negotiation with the applicant. The Long-Term Balancing Housing Markets Model used to determine the market housing need in Table 1 provides a profile of market accommodation required in 22 years' time, in comparison to the size profile recorded when the SHMA Update (2015) was undertaken. It therefore provides a long-term projection that complied with relevant National Planning Policy Guidance and was considered robust at the Examination in Public of the Local Plan.

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PO(2020)SP D12	Countryside Properties	9	4.3	It is important that the SPD avoids undue prescription to ensure Policy H01 is workable. It is important that housing delivery is not be compromised or stalled due to: overly prescriptive requirements; requiring a mix that does not consider the scale or constraints of the site; or the need to consider additional evidence about market demand. Recommendation: Amend para 4.3 to state; 'Table 1 below will be used to inform the mix of market housing proposed as part of new residential development, it does not form a prescribed mix. Applications should justify the housing mix sought having regard to this mix'.	Paragraph 4.3 states that Table 1 will be used to inform not determine the mix of market housing proposed as part of new residential development. The same table is included in the Reasoned Justification to Policy DM1 of the Local Plan. Paragraph 8.3 of the Local Plan already confirms that the final mix of housing/types will be subject to negotiation with the applicant.
PO(2020)SP D43	Grosvenor Developments Limited and Hammonds Estates LLP	9	4.3	The SPD should clarify that this suggested mix is only indicative and should aim to enable flexibility that will help the deliverability and viability of schemes that are to be delivered over many years.	See above response.
PO(2020)SP D55	Crest Strategic Projects Ltd	9	4.3	The text should be revised to state that the indicative mix will be revised in line with future updates to the SHMA.	All relevant evidence base document will be reviewed at the time of the Local Plan review. It is not considered necessary to state this in the SPD.
PO(2020)SP D32	Mr Melville Dunbar	10	4.9 – 4.11	The explanation of the different types of self-build housing is helpful and welcomed.	Noted.
PO(2020)SP D04	Bellway Homes Limited	11	4.14	The Local Plan nor the draft Planning Obligations SPD make it clear how this requirement will be implemented across strategic growths sites. The SPD should make it clear that within strategic growth sites the provision of 5% self-build homes is expected to be delivered across the allocation in its entirety as opposed to individual development phases and / or applications.	The Council will not seek more than 5% but where the 5% requirement does not result in whole numbers of unit, the number will be rounded up. The masterplan approved for each strategic growth site will set out a clear vision for the wider development that will ultimately guide the preparation and assessment of outline and reserved matters applications. The SPD is not prescriptive about how the 5% requirement will be delivered as this will depend on the type and mix of self-build and custom build projects to be provided and identified in the masterplan where relevant, the occupation restriction on the market housing agreed in the Section 106 agreement and the phasing of a development; as well as the build sequence on a development phase.
PO(2020)SP D55	Crest Strategic Projects Ltd	11	4.14	At the time a planning application is submitted, the Council will review the requirements to provide 5% self-build and custom housebuilding against its register. However, the Council would not seek more than 5% self-build and custom housebuilding. Comment: This is supported.	Noted. The Council will not seek more than 5% but where the 5% requirement does not result in whole numbers of unit, the number will be rounded up.
PO(2020)SP D13	Countryside Properties	11	4.14	The SPD highlights that 'at the time a planning application is submitted, the Council will review the requirement to provide 5% self-build and custom housebuilding against its register'. Whilst we welcome that the Council will review need for such provision, this should be formally established through pre-application discussion with the Council, to inform the subsequent application. Advising of such a requirement during the application process would create significant delays and costs. Recommendation: Amend the text to refer to the need for self-build and custom housing to be agreed in writing in advance of the submission of the application. That such advice will establish the Council's position on this matter for a period of 6 months, if an application is lodged during this period, that will be the formal Council position on-need during the determination of the application.	Amend the text in paragraph 4.14 to acknowledge that it is preferable to review the requirement to provide the 5% self-build and custom householding against the register at the time a formal pre-application is submitted and not to review this need again if a full / detailed planning application is submitted within 6 months of the pre-application advice being provided. Amend paragraph 4.14 to read: At the time a <del>formal pre-planning</del> application is submitted, the Council will review the requirements to provide 5% self-build and custom housebuilding against its register. <del>It will not be necessary to review the requirements again if a full or detailed planning application is submitted within six months of the pre-application advice being provided. However, the</del> The Council would not seek more than 5% self-build and custom housebuilding.
PO(2020)SP D14	Countryside Properties	11	4.14 – 4.15	CCC are clear in policy and para 4.14 that 'the Council would not seek more than 5% self-build and custom housing'. Where the percentage of self-build and custom housing sought does not result in whole numbers of units, the number of plots should	At paragraph 8.5 of the Local Plan the Council is clear that where the 5% requirement does not result in whole numbers of units, it is the numerical output of percentage calculation that will be rounded up. This may lead to

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				only be rounded up in the event this does not exceed the stated 5% cap. Recommendation: Amend the text to reflect that the rounding up should not give rise to the 5% cap being exceeded.	more than 5% provision in some rounding instances, but the starting point is 5% of the total dwellings. If the Council does not round the numerical output of the 5% calculation, then the policy requirement of 5% will not be achieved. This matter was discussed at the EiP of the Local Plan.
PO(2020)SP D55	Crest Strategic Projects Ltd	12	4.21	Additional text should state that “This mix should also take into account individual site characteristics and context, and viability”.	A Design Code, as referenced in paragraph 4.30 will address the design rules and parameters in the context of the wider site. Based on the analysis undertaken in paragraphs 10.60 – 10.64 of the Local Plan Viability Study Including CIL Review (2018) the requirement for self-built plots will not adversely impact viability.
PO(2020)SP D15	Countryside Properties	12	4.24	For self-build and custom housing, the SPD seeks a 3-month priority window to residents or workers in the administrative area of Chelmsford. Given that no such tests are required by national policy or imposed on other forms of market housing, we are concerned that such an obligation could be deemed discriminatory and anti-competitive. Recommendation: Remove this priority window.	The Self-build and Custom Housebuilding Regulations 2016 (Statutory Instrument 2016: 950) allows local authorities to include a local connection test within the eligibility criteria for entry onto the Register. If a local connection test is applied, the Register is split into two parts; Part 1 for those who meet all eligibility criteria including the local connection test; and Part 2 for those who meet all eligibility criteria except for the local connection test. To date Chelmsford has not introduced a local connection test but taken the decision to prioritise applicants with a local connection for a short period of time at the marketing stage. Given the regulations permit Local Authorities to exclude applicants from Part A of the Register and the purpose of Policy DM1 (Ci) is to meet the need on the Register, this short period of prioritisation is not considered discriminatory nor anti-competitive.
PO(2020)SP D16	Countryside Properties	12	4.26	The SPD contains a stipulation that self-build and custom housebuilding will need to be made available and actively marketed before occupation of 50% of market housing provision. This is unduly low and prescriptive that could impact the location of such housing. Recommendation: That this is amended to a minimum of 70%.	There needs to be a mechanism by which to ensure the obligation is met and 50% of market occupation rather than completion is not considered unduly low or prescriptive, especially when applied to phased development. In order to avoid a situation where this stipulation could impact on the location of the self-build housing, the words ‘seek to’ will be inserted before, ‘secure’. Amend paragraph 4.26 to read: The Section 106 agreement will <u>seek to</u> secure that self-build and custom housebuilding provision will need to be made available and actively marketed before occupation of 50% of market housing provision.
PO(2020)SP D17	Countryside Properties	12	4.27	The stipulated 12-month period for marketing before reverting to market housing is too long. Leaving land vacant and unutilised for this length of time runs counter to the objective of boosting housing delivery. As a guide, the average selling time for a house in the second-hand market is between 3.7 and 5.8 months, depending on the strength of market conditions. The majority of this time is in legal process, with only 1.1 > 3.3 months of marketing. Whilst it is recognised that self-build and custom house is a more niche market segment, it is considered that a 6-month marketing period would be sufficient to establish if there is demand. Recommendation: Amend the marketing period to no more than 6-months.	Market conditions will vary and for a niche market 12 months is considered reasonable. This period of time was considered as part of the discussion on the Policy at the Examination in Public.
PO(2020)SP D55	Crest Strategic Projects Ltd	13	4.31	Within the Self Build and Custom Build Design Code Template (supporting document) the following change is proposed: 3.1.2. While the character of the Self-Build/Custom Build area will need to be appropriate for the wider masterplan vision and surrounding context. (delete: it should can be distinctive and separate to the housing delivered by the site wide developer or existing development nearby) (new text) in order to deliver a cohesive new development, it should not overly constrain the flexibility and design freedom that makes Self-build and Custom Build an attractive prospect.	Noted. Amend paragraph 3.1.2 of the Self-Build and Custom Build Design Code Template to read: The context and setting of each Self-Build/Custom Build area and intended method of delivery should inform the intended character. While the character of the Self-Build/Custom Build area will need to be <u>appropriate for coherent and appropriate with</u> the wider masterplan vision and surrounding context, it can <del>should</del> be distinctive <u>and innovative.</u> <del>and separate to the housing delivered by the site wide developer</del>



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PO(2020)SP D34	Inspired Villages	14	4.41	Specialist Residential Accommodation must have regard to 'Housing for older and disable people' (26 June 2019) <a href="https://www.gov.uk/guidance/housing-for-older-and-disabled-people">https://www.gov.uk/guidance/housing-for-older-and-disabled-people</a> and at Paragraph: 010 Reference ID: 63-010-20190626 to note the 'different types of specialist housing for older people'. Para 4.41 briefly mentions sheltered housing to care homes. Suggested change:- Paragraph 4.41 must be expanded to explicitly reference the four different types set out in the guidance, being: age restricted general market housing; retirement living or sheltered housing; extra care housing or housing-with-care; and residential care homes and nursing homes.	Paragraph 4.41 is only providing an example of the physical form that different types of specialist housing can be delivered in. It is not an exhaustive list and is not describing specialist housing for older people only; as the preceding paragraphs relate to specific needs of a variety of people within the community.
PO(2020)SP D18	Countryside Properties	14	4.44	The Council should identify the quantum of specialist residential accommodation during discussions / initial pre-application engagement, not during the application as this could lead to a substantial uncertainty, revisions, delay and costs. No detail is provided within the SPD as to how this quantum will be assessed, calculated and spatially distributed. The SPD should provide clarification. Notwithstanding this lack of critical detail, the quantum and nature of Specialist Residential Accommodation should: (1) not prejudice the delivery of housing, (2) Specialist Accommodation should be viable in its own right. (3) not threaten overall development viability, (4) be capable of being accommodated on-site without prejudicing the delivery of the quantum of housing identified in the Local Plan. (5) Be based on an understanding of the end use and operator. Recommendation: Amend the SPD to make clear that the Council shall identify the quantum of specialist residential accommodation prior to the submission of the application / during initial pre-application engagement, not during the application. Detail within the SPD how this need will be assessed, calculated and distributed. Set out criteria in this regard, including points 1-4 above.	Amend the text in paragraph 4.44 and 4.47 to acknowledge that it is preferable to review the requirement to provide Specialist Residential Accommodation at the Masterplan stage and when a formal pre-application is submitted. The Local Plan Viability Study Including CIL Review (2018) modelled separate appraisals for older peoples housing but paragraph 4.45 states that the scale of Specialist Residential Accommodation sought will depend on the scale, type and commercial model of the Specialist Residential Accommodation required and therefore acknowledges that the Specialist Residential Accommodation cannot threaten the overall viability of the development. The Council's Housing Strategy due to be published in Spring 2021, will provide more information on the priorities, form and anticipated distribution of Specialist Residential Accommodation required in the administrative area of the City. Amend paragraph 4.4 to read: Because of the wide range of forms Specialist Residential Accommodation can take and the wide range of needs the accommodation can cater to, the Council will advise on the quantum of Specialist Residential Accommodation required at the time a <u>formal pre-application</u> is submitted. Amend paragraph 4.47 to read: At the time a <u>formal pre-application</u> is submitted, the Council will consider the Specialist Residential Accommodation needs identified in the Council's Housing Strategy as well as the latest assessments of need, including the Strategic Housing Market Assessment, Joint Strategic Needs Assessment and the Essex Gypsy and Traveller and Travelling Showpeople Accommodation Assessment.
PO(2020)SP D64	Hopkins Homes	14	4.44	Different forms of Specialist Residential Accommodation, and the quantum expected, will have a fundamental impact on how proposals for the development of sites are formulated. It will be important to be able to determine the quantum of such accommodation expected ahead of the submission of a planning application. In respect of sites for which masterplans will be prepared, advice on the Council in this respect should come through the masterplan procedure, ensuring it can be properly considered and incorporated into proposals. In addition, as currently drafted, paragraph 4.44 reads as if the Council will simply inform the applicant as to how much Specialist Residential Accommodation will be expected. The text should be reworded to make clear there will be discussions between the Council and the applicant in respect of such provision.	Amend the text in paragraph 4.44 and 4.47 to acknowledge that it is preferable to review the requirement to provide Specialist Residential Accommodation at the Masterplan stage and when a formal pre-application is submitted. The Council's Housing Strategy due to be published in Spring 2021, will provide more information on the priorities, form and anticipated distribution of Specialist Residential Accommodation required in the administrative area of the City. Amended paragraphs 4.4 and 4.7 as referenced above.
PO(2020)SP D03	Anglia Ruskin University	14	4.44	The recognition that the quantum of Specialist Residential Accommodation including student accommodation will be advised "at the time an application is submitted" (rather than defined at any other time) is welcomed.	Noted although it is proposed to amend the text in paragraph 4.44 and 4.47 to acknowledge that it is preferable to review the requirement to provide Specialist Residential Accommodation when a formal pre-application is submitted; to address concerns that the 'application stage', is too late.

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PO(2020)SP D69	Essex County Council	15	4.48 – 4.49	Chapter 4 – Housing Paragraphs 4.48 and 4.49 include a commitment to consult ECC for advice on the priority Specialist Residential Accommodation needs, and that local demand will be identified through Position Statements regarding Independent Living for Older People and Adults with Disabilities, published by ECC. This is welcomed. Appendix K of the Guide provides details on the characteristics of suitable sites/buildings for older people and adults with learning disabilities.	Noted. A reference to Appendix K of the Essex County Council’s Developers’ Guide to Infrastructure Contributions (Revised 2020) will be added to the end of paragraph 4.48. Add a new sentence at the end of the paragraph 4.48 to read: <u>Further information on the characteristics of suitable sites/buildings for older people and adults with learning disabilities is available in Appendix K of Essex County Council’s Developers’ Guide to Infrastructure Contributions (Revised 2020).</u>
PO(2020)SP D03	Anglia Ruskin University	14	4.46	Paragraph 4.46 makes clear that Local Plan Policy DM1 does not apply to Specialist Residential Accommodation. The SPD should also make it explicit that Local Plan Policy DM2 (Affordable Housing) which refers to residential units does not apply to Specialist Residential Accommodation.	Paragraph 4.49 states that the Council will provide advice on the affordability evidenced by the local demand where this is not available in published assessments of need or statements of need such as the Council’s Housing Strategy. Policy DM2 (A) applies to all new residential development sites which comprise of 11 or more residential units and the relevant advice, if not published in assessments or statements of need, is set out in Section 5 of the SPD. It is proposed to amend paragraph 4.49 to clarify that the ‘default need’ is set out in Section 5 of the SPD where this is not separately identified in the Council’s Housing Strategy and Position Statements published by ECC. Add a new sentence at the end of the paragraph 4.49 to read: <u>Where affordability information is not provided in these statements / strategies; the default need is set out in Section 5 of this SPD.</u>
PO(2020)SP D35	Inspired Villages	15	4.52	Paragraph 4.52 sets out a local priority for ‘a set period of time’. This is vague and must be explicit of an appropriate period of time. Suggested change:- Paragraph 4.52 must define what ‘a set period of time’ is.	A period of three months to be inserted. Amend paragraph 4.52 to read: Where Specialist Residential Accommodation is meeting a housing need identified by Essex County Council and non-nomadic Gypsy and Travellers, a priority mechanism for households that reside, work or have strong family connections with persons living in the administrative area of Chelmsford City Council from whom they require support, will be prioritised for a <u>period of three months</u> set period of time.
PO(2020)SP D69	Essex County Council	15	4.52	Paragraph 4.52 states that where Specialist Residential Accommodation is meeting a housing need identified by ECC a priority mechanism for households that reside, work or have strong family connections with persons living in the administrative area of Chelmsford City Council from whom they require support, will be prioritised for a set period of time, and is welcomed.	Noted. A period of three months to be inserted in place of ‘set period of time’ as referenced above.
PO(2020)SP D19	Countryside Properties	15	4.53	The SPD stipulates that a ‘s106 agreement will secure the Specialist Residential Accommodation should be made available before occupation of 50% of market housing provision’. Paras 4.38-4.39 detail the wide-ranging definition of Specialist Residential Accommodation. Most forms of specialist residential accommodation (such as care homes, extra care, accommodation for those with support needs) require commissioning and delivery by specialist providers be they public, private or charity. Whist housing developers can make land available for such specialist accommodation, they are not necessarily in a position to build and then deliver specialist accommodation with the associated services (such as care provision). Recommendation: Para 4.53 should be amended to reference to the delivery of a serviced site only. The trigger for provision should be agreed as part of negotiations on the s106 agreement.	Paragraph 4.53 to be amended to acknowledge that the obligation could be met through the provision of a serviced site to a specialist provider. The trigger for the occupation restriction relating to the market housing will vary if the provision is through a serviced site or completed dwellings and the scale of the provision. Occupation text to be amended to state that the Council will seek to ensure that Specialist Residential Accommodation should be made available before occupation of 50% of market housing provision. Amend paragraph 4.53 to read: The Section 106 agreement will <u>seek to</u> secure that Specialist Residential Accommodation <del>is should be</del> made available before occupation of 50% of market housing provision, to ensure timely delivery of the Specialist Residential Accommodation. <u>The Specialist Residential Accommodation obligation could be met through the provision of a suitable serviced site or completed dwellings.</u>
PO(2020)SP D36	Inspired Villages	15, 19	4.54, 5.11 – 5.16	Support paragraph 4.54 – excludes Specialist Residential Accommodation (under DM1) from counting towards the affordable housing requirement (under DM2) as this	Policy DM2 (A) applies to all new residential development sites which comprise of 11 or more residential units and the relevant advice, if not published in

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				type of development “is meeting a different identified housing need”, which in the case of specialist housing for older people is significant in CCC. At paragraphs 5.11 to 5.16 (inclusive) the text should be clear that it applies to C3 residential units. Suggested change:- Paragraphs 5.11 to 5.16 (inclusive) to be amended to explicitly state that DM2 applies to ‘residential units (C3 dwelling houses)’.	assessments or statements of need, is set out in Section 5 of the SPD. It is proposed to amend paragraph 4.49 to clarify that the ‘default need’ is set out in Section 5 of the SPD where this is not separately identified in the Council’s Housing Strategy and Position Statements published by ECC. The Local Plan Viability Study Including CIL Review (2018) modelled separate appraisals for older peoples housing that included a range of affordable housing requirements. Add a new sentence at the end of the paragraph 4.49 to read: <u>Where affordability information is not provided in these statements / strategies; the default need is set out in Section 5 of this SPD.</u>
PO(2020)SP D55	Crest Strategic Projects Ltd	16	4.60	Water, electricity and foul drainage should replace the reference to ‘essential services’ and the reference to ‘a children’s play area’, should be replaced with ‘an area of play, adequate to serve the number of children on site’.	Essential services to be replaced with, ‘mains water, electricity supply, drainage and sanitation’. Additional text to state that ‘Sewerage should normally be through mains systems, however in some locations this may not always be possible and in that case suitable alternative arrangements can be made’. Additional text to also qualify that ‘all sanitation provision must be in accordance with current legislation, regulations and British Standards’. Reference to a children’s play area to be replaced with ‘Specifically designated play area should be provided that meets the normal council standards.’ Reference to be provided to the Ministry of Housing, Communities and Local Government’s Designing Gypsy and Travellers sites: good practice guidance’, which is also referenced in Homes England’s Capital Funding Guide. Amend paragraph 4.60 to read: Gypsy, Traveller or Travelling Showperson sites will need to provide a suitable living environment for the proposed residents, with safe and convenient access to the local highway network. <del>Essential services</del> <u>Mains water, electricity supply, drainage and sanitation</u> should be available on-site or be made available on-site. <u>Sewerage should normally be through mains systems, however, in some locations this may not always be possible and in that case suitable alternative arrangements can be made. All sanitation provision must be in accordance with current legislation, regulation and British Standards. Specifically designated play area should be provided that meets the normal Council standards. Sites should also include a children’s play area. Whilst there are no prescribed standards for the design and layout of traveller sites, site location and design should take into account the Ministry of Housing, Communities and Local Government’s Designing Gypsy and Traveller sites: good practice guide and where appropriate, relevant legislation.</u>
PO(2020)SP D84	Essex Police	16	4.62	Constructing well designed places and buildings is an objective that will be widely supported; however, they must also be safe, secure and accessible. The emergency services require development to adopt SBD guidance, incorporate fire safety measures and include suitable access for response vehicles (police cars, fire engines and ambulances alike) and provide the infrastructure necessary to enable service delivery and on-going coverage for the development in question. Current legislation and policy do not permit ambulance services, fire and rescue services and the police to downgrade the level of their provision to a new development because it incorporates crime prevention and fire safety design measures. Appropriate new infrastructure for the emergency services is therefore always required. Additionally, cognisant of future responses, the Essex Police DOCO would wish to clarify a component within 4.62 and understand the realisation of the size, construction and	A link to be provided to the Ministry of Housing, Communities and Local Government’s Designing Gypsy and Travellers sites: good practice guidance’, which is also referenced in Homes England’s Capital Funding Guide. This provides advice on a variety of matters, including designing a site to allow easy access for emergency vehicles and safe place for turning vehicles; as well as security.

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				security of the “amenity building containing a kitchen, lounge and dining area, shower and utility room; and separate toilet facilities”. The Essex Police Designing out Crime Team would welcome further consultation on the above.	
PO(2020)SP D55	Crest Strategic Projects Ltd	16	4.63	There is no standard size for a plot so delete ‘the Showmen’s Guild has published some model standards for sites, which are considered to form good practice guidance’, and replace with ‘The adopted Local Plan states that it is expected that 0.2 hectares per plot should be provided. This is considered sufficient to also enable the storage, repair and maintenance of equipment’.	Standards are different from size, so the reference to the Showmen’s Guilds’ model standards will be retained. However, the reference to no standard size for a plot will be replaced with the Local Plan expectation of 0.2 hectares per plot should be provided. Amend paragraph 4.63 to read: The term ‘plot’ refers to the space required on a site to accommodate a household of Travelling Showpeople. A number of plots are also sometimes referred to as ‘yards’. <del>There is no standard size for a plot, however</del> <u>The Local Plan expects 0.2 hectares per plot to be provided and</u> the Showmen’s Guild has published some model standards for sites, which are considered to form good practice guidance.
PO(2020)SP D55	Crest Strategic Projects Ltd	17	4.64	Delete – see reasons above.	Delete first sentence but retain the description and options for the layout of a plot. Amend paragraph 4.64 to read: <del>Plots for Travelling Showpeople should be of a size sufficient to enable the storage, repair and maintenance of equipment.</del> The area of land set aside for accommodation by one family unit and the area of land set aside for the storage and maintenance of equipment collectively forms a single plot. The storage and maintenance space can sometimes be a communal area, however, for security reasons there may be a preference for them to form part of individual plots.
PO(2020)SP D56	Crest Strategic Projects Ltd	18 - 27	Section 6	All references to Strategic Policy S8 should be revised to refer to Strategic Policy S6 and references to Policy HO2 should be revised to read DM2	These references have been amended in the draft document.
PO(2020)SP D44	Grosvenor Developments Limited and Hammonds Estates LLP	18, 19	5.4, 5.11 and 5.12	The SPD should clarify how and if the required percentage of Affordable Housing applies to Specialist Residential Accommodation and Self-build and Custom Houses. For example, it should be clarified if Self-build and Custom plots and Specialist Residential Accommodation units are exempt from both affordable housing and CIL.	Policy DM2 (A) applies to all new residential development sites which comprise of 11 or more residential units and the relevant advice, if not published in assessments or statements of need, is set out in Section 5 of the SPD. It is proposed to amend paragraph 4.49 to clarify that the ‘default need’ is set out in Section 5 of the SPD where this is not separately identified in the Council’s Housing Strategy and Position Statements published by ECC. Paragraph 4.20 advises that the Council will review the preferences on the register to advise developers and landowners on the type of self and custom housebuilding required.
PO(2020)SP D45	Grosvenor Developments Limited and Hammonds Estates LLP	21	5.23 – 5.27	We are concerned that a blanket approach to defining the proportion of affordable rent to ownership is too prescriptive and should be considered on a site specific basis and be driven by local need, site viability and deliverability. We think that this should include early conversations with local registered providers about the types of units that they would be willing to build and/or manage.	Paragraphs 5.23 – 5.27 are based on the Strategic Housing Market Assessment (SHMA) and assumptions in the Local Plan Viability Study. They are also set out in the Reasoned Justification to Policy DM2. Consultation with Registered Providers has recently occurred in relation to the development of a Housing Strategy, due to be published in Spring 2021. As a result of this consultation additional text will be added to the end of paragraph 5.30 to advise that 3 bedroom 6 persons affordable housing units for rent could be acceptable in lieu of 4 bedroom 6 person dwellings, when they comply with the minimum gross internal floor areas and storage requirements set out in Table 1 of the Nationally Described Space Standards and two separate reception rooms are provided. Add a new sentence at the end of the paragraph 5.30 to read:



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					<u>Three bedroom, six persons affordable housing for rent could be acceptable in lieu of four bedroom, six person dwellings, when they comply with the minimum gross internal floor areas and storage requirements set out in Table 1 of the Nationally Described Space Standards and two separate reception rooms are provided.</u>
PO(2020)SP D56	Crest Strategic Projects Ltd	21	5.24	Paragraph should include additional text in the first part of the sentence referencing the findings of the latest SHMA and include current in the latter part of the sentence to reference the need for 22% of the total number of dwellings within the development as either social or affordable rented accommodation.	Were the evidence base to change, the SPD would be updated.
PO(2020)SP D20	Countryside Properties	21	5.24	For clarity, this para should state that 'Specialist Residential Accommodation' is not included within the definition of the total number of residential units for the purposes of calculating affordable housing requirements (as per 4.54). Recommendation: See above amendment to wording.	Policy DM2 (A) applies to all new residential development sites which comprise of 11 or more residential units and the relevant advice, if not published in assessments or statements of need, is set out in Section 5 of the SPD. It is proposed to amend paragraph 4.49 to clarify that the 'default need' is set out in Section 5 of the SPD where this is not separately identified in the Council's Housing Strategy and Position Statements published by ECC. Specialist Residential Accommodation is a separate Policy requirement and paragraph 4.54 is clarifying that Policy DM2 will not be met through the provision of Specialist Residential Accommodation obliged to be provided under Policy DM1 (Ci). This is also clarified in paragraph 8.8 of the Local Plan.
PO(2020)SP D21	Countryside Properties	21	5.25	The SPD references the definition of affordable housing in Annex 2 of the NPPF. The SPD stipulates 22% 'Affordable Rent' and 13% 'affordable home ownership'. The definition of affordable housing in the NPPF is broader and incorporates 'starter homes', 'discounted market sale' and 'other affordable routes to home ownership'. The SPD should not exclude these forms of 'intermediate tenure' as they help address a range of housing needs. Recommendation: Amend the SPD to broaden the definition for the 13% to include the range of tenures in the NPPF Annex 2.	The term affordable home ownership housing refers to the different affordable ownership products listed in Annex 2 of the National Planning Policy Framework (NPPF) without seeking to repeat the definitions in the NPPF. 'Affordable home ownership' is the same term used in paragraph 64 of the NPPF.
PO(2020)SP D56	Crest Strategic Projects Ltd	21	5.26	The affordable housing provision (delete: for rent) should proportionately reflect the needs identified in the latest SHMA and shortages relative to supply, in determining the optimum affordable housing mix by size and type. Comment: central government is pushing for a higher number of dwellings to be delivered as shared equity or low cost home ownership, therefore the SPD should accommodate the flexibility needed to meet increases in demand for this type of dwelling in line with the latest SHMA.	The SHMA only identified a need for affordable housing for rent. The SHMA did demonstrate a demand for discounted market housing and shared ownership housing and this is reflected in the 13% specified, which is above the NPPF requirement for at least 10% of homes to be available for affordable home ownership.
PO(2020)SP D22	Countryside Properties	21	5.27	Table 5.13 in the SHMA relates to the 'Size of additional units required to meet housing need in Chelmsford' and as such does not differentiate by tenure. In light of this, the SPD should make clear that Table 3 relates to all affordable housing and not just the Affordable Rent component. Recommendation: Amend the SPD table 3 to make clear that it relates to the totality of affordable housing and not just the Affordable Rent component.	The SHMA only identified a need for affordable housing for rent.
PO(2020)SP D10	Gladman	21	Table 3	Flexibility should be built in to reflect the market conditions and housing need at the time of an application's determination.	Paragraph 5.27 states that the affordable housing provision for rent should reflect the 'Need requirement' where possible. Paragraph 5.28 notes that the Housing Strategy, which will be reviewed and published on a shorter timescale, will provide any additional information on the size and type of affordable housing required to meet priority housing needs.
PO(2020)SP D02	Galleywood Parish Council	23	5.36	How and to whom will robust justification be made?	Paragraph 5.36 sets out the position in the NPPF. Paragraph 5.37 sets out the circumstances when the Council may consider a financial contribution in lieu of on-site provision and why.
PO(2020)SP D32	Mr Melville Dunbar	25	5.48	The requirement for affordable housing to be provided in groups of no more than 15% of the total number of dwellings being provided or 25 affordable dwellings,	The purpose of an SPD is to provide clear guidance on the implementation of Local Plan Policies. Policy DM2 (A) iii states that affordable housing must be

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				whichever is the lesser is too prescriptive and goes beyond policy. The requirement for affordable housing to be dispersed in larger developments should be stated in more general terms.	integrated into residential layouts so as to avoid the over-concentration of affordable housing in any particular location within the development site and designed in such a way as to aid visual integration between market and affordable elements of a scheme. The advice in paragraph 5.48 enables developers and landowners to understand how the Council will interpret this policy requirement.
PO(2020)SP D46	Grosvenor Developments Limited and Hammonds Estates LLP	25	5.48 – 5.49	We are concerned that the clustering of no more than 25 affordable dwellings is not achievable on strategic sites with multiple thousand units in total. This is too arbitrary an approach that does not fully consider the management obligations both of buildings and the surrounding public realm.	Strategic sites are normally developed in phases and the purpose of an SPD is to provide clear guidance on the implementation of Local Plan Policies. Policy DM2 (A) iii states that affordable housing must be integrated into residential layouts so as to avoid the over-concentration of affordable housing in any particular location within the development site and designed in such a way as to aid visual integration between market and affordable elements of a scheme. The advice in paragraph 5.48 – 5.49 enables developers and landowners to understand how the Council will interpret this policy requirement.
PO(2020)SP D32	Mr Melville Dunbar	25	5.50	Paragraph 5.50 The requirement that single tenure blocks will not be accepted on flatted developments goes beyond policy and is too prescriptive. It is difficult to mix some types of tenures. This would give rise to management issues and difficulties in apportioning charges for maintenance. The specification of tenure mix is not a land use planning matter and should not be included in an SPD. This requirement should be deleted.	The purpose of an SPD is to provide clear guidance on the implementation of Local Plan Policies. Policy DM2 (A) iii states that affordable housing must be integrated into residential layouts so as to avoid the over-concentration of affordable housing in any particular location within the development site and designed in such a way as to aid visual integration between market and affordable elements of a scheme. The advice in paragraph 5.50 enables developers and landowners to understand how the Council will interpret this policy requirement. Paragraph 5.50 does enable flexibility on management or maintenance grounds and does allow for different affordable housing dwellings to be arranged in cores around stairwells.
PO(2020)SP D47	Grosvenor Developments Limited and Hammonds Estates LLP	25	5.50, 5.52	Prescribing multi-tenure in single residential blocks may not be practical or desirable in the context of management structures and challenges. Maximum flexibility should be allowed that enables Registered Provider to optimise their offers and long-term management of the buildings as well as public realm and communal areas.	The purpose of an SPD is to provide clear guidance on the implementation of Local Plan Policies. Policy DM2 (A) iii states that affordable housing must be integrated into residential layouts so as to avoid the over-concentration of affordable housing in any particular location within the development site and designed in such a way as to aid visual integration between market and affordable elements of a scheme. The advice in paragraph 5.50 and 5.52 enables developers and landowners to understand how the Council will interpret this policy requirement. Paragraphs 5.50 and 5.52 does enable flexibility on management or maintenance grounds and does allow for different affordable housing dwellings to be arranged in cores around stairwells.
PO(2020)SP D02	Galleywood Parish Council	25	5.52	What does the term pepper-potting mean?	Dispersal and arrangement of the affordable housing in accordance with paragraph 5.48. Amend paragraph 5.52 to read: If the Council accepts that there are legitimate concerns relating to management or maintenance of predominantly flatted development, which prevents pepper-potting in strict accordance with paragraph 5.48 this SPD, the Council will expect the provider of the affordable housing to be given an option to opt-out of any management arrangements and costs associated with the remainder of the site.
PO(2020)SP D48	Grosvenor Developments Limited and Hammonds Estates LLP	25	5.53	While we fully support that affordable housing should not be concentrated in particular areas of a development and especially not in less desirable locations, it is not possible or indeed desirable to define this at Outline Planning Application stage for strategic sites but rather should be a matter for Reserved Matters Applications. We suggest a tiered approach, whereby the principles for the delivery of Affordable	Noted. Insert the word 'Detailed' at the start of paragraph 5.53. Amend first sentence to read: <u>Detailed</u> Plans submitted to the Council for planning consideration should clearly show the location and layout of all affordable dwellings within the development.

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				Housing should be contained in an Affordable Housing Strategy which is conditioned via an Outline Planning Permission, with further Reserved Matters Applications bringing forward detailed proposal for each phase pursuant to the agreed Strategy.	
PO(2020)SP D23	Countryside Properties	25	5.54	Affordable housing is designed to be tenure blind and pepper potted in small groups. The example of 'less desirable' given in the SPD relates to the relationship to potential (not actual) sources of pollution. In considering planning applications, the Council will need to consider that the location and design of the whole scheme provides acceptable living conditions for all future residents, irrespective of tenure. This includes the relationship to other land uses. Therefore, no development should be permitted in an area that leads to unacceptable living conditions for future occupiers. Whether an area within a site is considered 'less desirable' than another is subjective. It is also a relative test, i.e. the whole of a development could be 'exemplar' but subjectively contain areas deemed 'less desirable' than others. For example, by applying the proposed test to an application for the Royal Crescent in Bath, how would you objectively assess the less desirable parts? This proposed stipulation is too imprecise and seeking to impose an additional policy requirement via the SPD. The location of affordable housing will need to be agreed with the Council as part of the application process. Recommendation: Remove this stipulation.	Delete the first sentence of 5.54 as it doesn't provide clarity. Retain the advice and guidance on car parking provision. Amend paragraph to read: <del>Proposals that locate affordable housing in the less desirable parts of a development will be resisted (e.g. closest to sources of potential pollution).</del> The Council requires the same level, design and layout of car parking provision to apply to affordable and market housing.
PO(2020)SP D24	Countryside Properties	26	5.62	NPPF para 71 is clear that LPA's should support the development of entry-level exception sites (ELES), suitable for first time buyers (or those looking to rent their first home). The NPPF is also clear that entry-level homes can comprise one or more types of affordable housing as defined in the NPPF. It is clear from the NPPF that ELES can contain one type of affordable tenure. The SPD is seeking to be prescriptive in requiring ELES to include affordable housing for rent. This level of prescription is contrary to the NPPF. ELES will contribute a small proportion to Chelmsford's overall Affordable Housing needs. If a single tenure type is advanced on an ELES site, such homes would still assist meeting Chelmsford's Affordable Housing Needs. Therefore, this level of prescription on affordable housing tenure for ELES is not necessary and contrary to the NPPF. Recommendation: Amend the SPD to make it clear that entry-level homes can comprise one or more types of affordable housing as defined in the NPPF.	Paragraph 5.62 is providing advice on what housing isn't being met in the administrative area of Chelmsford and what mix of affordable housing would be suitable to meet the need in the authority's area. This accords with the purpose of an SPD (to provide guidance on the implementation of policies) and the introductory text to paragraph 71 of the NPPF. The SHMA only identified a need for affordable housing for rent but paragraph 5.63 suggests that affordable home ownership product suitable for first time buyers could also be suitable to meet housing demand.
PO(2020)SP D70	Essex County Council	28	6.7	ECC notes the reference to public transport and sustainable travel planning, and further guidance on these matters is provided in the Guide in sections 5.6 and 5.7 respectively. However, ECC recommend that Public Rights of Way are included within paragraph 6, as the Highways Act 1980 places a responsibility on all Councils to protect Public Rights of Way, and they are a material consideration in the determination of any planning application. Section 5.8 of the Guide states that the Highway Authority may seek works or a financial contribution from developers to ensure that Public Rights of Way either on, or in areas adjoining new developments, are appropriate to accommodate the additional use new residents will generate. This may be via a Section 278 agreement if the land is within the developers control, or if works require the agreement of any third party owners, ECC may agree to take a financial contribution, and complete the appropriate works, but will only do so where it is evident that the upgrade is achievable.	Pubic Right of Way will be added to the list in paragraph 6.7. Add bullet point to paragraph 6.7 to read: <u>Public Right of Way</u>
PO(2020)SP D72	Essex County Council	28	6.6	ECC welcomes reference to 'cycling and footway links/improvements/crossing cycle/footbridges' as being necessary highway infrastructure obligations.	Noted.

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PO(2020)SP D82	Essex County Council	29	6.8	ECC recommend an amendment to paragraph 6.8 to provide clarification that works need to be 'built' to an adoptable standard. The developer is required to implement the agreed highway infrastructure works in such a way that the works can be adopted by the Highway Authority once it has been agreed that they are built to an adoptable (DELETE: in an adopted standard). In general, the developer is obliged to submit suitable detailed engineering drawings to the Highway Authority prior to any commencement of the development on site, for the Highway Authority's approval.	Noted. Wording to be amended to state that the developer is required to implement the agreed highway infrastructure works in such a way that the works can be adopted by the Highway Authority once it has been agreed that they are built to an adoptable standard. Amend first sentence of paragraph 6.8 to read: The developer is required to implement the agreed highway infrastructure works in such a way that the works can be adopted by the Highway Authority once it has been agreed that they are <u>built to an adoptable</u> standard.
PO(2020)SP D57	Crest Strategic Projects Ltd	29	6.9	Insert "Unless otherwise agreed with the Highway Authority" at the start of the paragraph as larger developments and strategic schemes may require off-site highway works to be phased and, in some cases, the Highway Authority may elect to carry out the works themselves, particularly if they are funded through CIL, HIF or by the developer.	Noted. Requested wording will be inserted. Amend first sentence of paragraph 6.9 to read: <u>Unless otherwise agreed</u> , <del>Before</del> occupation of a development, the developer is usually obliged to implement the approved scheme and the Highway Authority will issue a certificate of practical completion.
PO(2020)SP D70	Essex County Council	29	6.10	Reference should also be made to the need to cover the costs of processing and advertising Traffic Regulation Orders (TROs), as outlined in the Guide in section 5.5.6. Maintenance Payments	New text to be inserted. Amend first sentence of paragraph 6.10 to read: Developers will be required to pay fees to cover ECC's costs incurred in approving the detailed engineering drawings, <u>processing and advertising Traffic Regulation Orders</u> , and for inspecting the highway works and issuing the relevant certificate.
PO(2020)SP D70	Essex County Council	30	6.12	The Guide provides more detail on this matter (including the calculation of commuted sums) in section 5.5.7, Appendix G and H, and where the highway authority takes on assets from developers, there is requirement for maintenance costs for the life of the assets, and replacement costs at the end of their useful life.	Clarification to be added and a link to Essex County Council Developers' Guide to Infrastructure Contributions (Revised 2020). Amend paragraph 6.12 to read: Where the infrastructure works include items with the possibility of a major maintenance requirement e.g. traffic signals or where the works are beyond the usual ECC specification, the Highway Authority <del>will</del> require a commuted sum from the developer to maintain that infrastructure <u>for 15 years after adoption</u> . <u>Where the Highway Authority takes on assets from developers, there is a requirement for maintenance costs for the life of the assets, and replacement costs at the end of their useful life. Further information on this matter is available in Essex County Council's Developers' Guide to Infrastructure Contributions (Revised 2020).</u>
PO(2020)SP D82	Essex County Council	30	6.12	ECC recommend an amendment to paragraph 6.12 regarding maintenance payments to provide flexibility for changing circumstances in the future Where the infrastructure works include items with the possibility of a major maintenance requirement e.g. traffic signals or where the works are beyond the usual ECC specification, the Highway Authority currently (DELETE:will) requires a commuted sum from the developer to maintain that infrastructure for 15 years after adoption.	'Will' to be deleted from the text. Amendments referenced above.
PO(2020)SP D82	Essex County Council	31	6.15	ECC recommend an amendment to paragraph 6.15 regarding Bonds for clarification. Land compensation bonds will be required where there is a possibility of existing properties being affected by new highway development, e.g. by increased noise resulting from new highway development, including the possibility of a reduction in value (DELETE: price).	'Price' to be replaced by 'value'. Amend paragraph 6.15 to read: Land compensation bonds will be required where there is a possibility of existing properties being affected by new highway development, e.g. by increased noise resulting from new highway development, including the possibility of a reduction in value <del>price</del> .
PO(2020)SP D08	South Woodham Ferrers Town Council	32	7.9	The physical infrastructure regarding flood protection and water management is discussed on page 31 of the document and we need clarity as to whose responsibility these are.	The Environment Agency is responsible for the management of flooding from main rivers. Essex County Council is responsible for the management of flooding from ordinary watercourses, surface water and ground water. Anglian Water is responsible for managing sewer flooding and highway flooding is the responsibility of Essex Highways.



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					<p>Add a new sentence at the end of the paragraph 7.7 to read:  <u>The agencies responsible for different sources of flooding are set out in the Infrastructure Delivery Plan.</u>  Essex County Council is as the Lead Local Flood Authority is the statutory consultee on surface water for major developments, which is clarified in paragraph 7.9. New text to replace the existing paragraph 7.11 to state that where Essex County Council's is not the SuDS adoption body, the Council will work with developers to identify an alternative SuDS adoption body which could include a Water Authority or private management company. The Council will work with the developer to secure the long-term maintenance of all flood risk protection and water management through a combination of planning obligation, planning condition and commuted sum payment guaranteeing their long-term maintenance.</p> <p>Amend paragraph 7.9 to read:  As the Lead Local Flood Authority, Essex County Council has produced a Surface Water Management Plan for the urban area of Chelmsford (2014<del>18</del>). <u>The Essex SuDS Design Guide (February 2020) sets out practical guidance for new development to promote SuDS. Essex County Council only adopt SuDS in exceptional circumstances and further guidance is contained in Essex County Council's SuDS adoption policy.</u> There may be instances where individual sites come forward for development, which in turn raise issues of flood risk or water management. If these cannot be addressed on site or by way of condition, it is anticipated that a Section 106 Agreement may be needed. These may need to alleviate any/all forms of flood risk and such techniques could include:</p> <p>Amend paragraph 7.11 to read:  <del>Where the flood protection and water management infrastructure works include items with the possibility of major maintenance requirements or where works are beyond the usual specification, the Council will require a commuted sum from the developer to maintain that infrastructure for 15 years after adoption.</del>  <u>Where Essex County Council's is not the SuDS adoption body, the Council will work with developers to identify an alternative SuDS adoption body which could include a Water Authority or private management company. The Council will work with the developer to secure the long-term maintenance of all flood risk protection and water management through a combination of planning obligation, planning condition and commuted sum payment, guaranteeing their long-term maintenance.</u></p>
PO(2020)SP D71	Essex County Council	32	7.9	ECC acknowledges the role of ECC as the Local Lead Flood Authority, and the reference to the Surface Water Management Plan for the urban area of Chelmsford (2014) in paragraph 7.9. These maps have since been updated in 2018. Reference should be made to the Essex SuDS Design Guide (February 2020) which sets out the practical guidance for new development to promote SuDS and deliver better quality SuDS schemes across Essex.	<p>References to be updated and a link to the Essex SuDS Design Guide to be inserted.</p> <p>Amend paragraph 7.9 to state that Essex County Council will adopt SuDS only in exceptional circumstances and that further guidance is contained in Essex County Council's SuDS adoption policy, as referenced above.</p>
PO(2020)SP D71	Essex County Council	32	7.11	Section 5.11.1 of the Guide states that ECC will adopt SuDS only in exceptional circumstances, and further guidance is contained within the ECC SuDS adoption policy. Adoption of SuDS will be subject to features being designed and built to the required standard with the long-term maintenance cost being addressed through an up-front commuted sum payment. SuDS design should accord with the ECC SuDS	<p>New text to replace the existing paragraph 7.11 to state that where Essex County Council's is not the SuDS adoption body, the Council will work with developers to identify an alternative SuDS adoption body which could include a Water Authority or private management company as referenced above.</p>

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				Design Guide (February 2020). Agreement to adopt will be on a voluntary basis for the developer and ECC. The routine maintenance of SuDS is often more frequent/expensive and the replacement costs less frequent/expensive than other drainage measures. If SuDS were to be approved for adoption under ECC's exception policy, the commuted sum should reflect this short-term increase in cost. As vegetative SuDS features are expected to last longer before requiring replacement there is also an argument that the commuted sum fee period should be extended to include one replacement. Therefore, ECC will require a minimum 30 year commuted sum maintenance payment, to include the replacement cost of SuDS infrastructure. Where this exception SuDS adoption policy does not apply, local planning authorities will work with the developers to identify an alternative SuDS adoption body which could include a Water Authority or private management company. The Local Planning Authority will work with the developer to secure the long term maintenance of SuDS through a combination of planning obligation, planning condition and commuted sum payment guaranteeing their long term maintenance. Whichever SuDS maintenance option is chosen by the developer, early engagement with the relevant adoption organisation and the local planning authority is essential to achieving a successful outcome.	
PO(2020)SP D53	Danbury Parish Council		Section 8	The Parish Council would like to see a clear statement in the document that SSSIs (Sites of Special Scientific Interest) are not included as Recreational Amenity Space or Open Spaces for Recreational Purposes.	Paragraphs 8.9 and 8.10 of the SPD do not identify SSSIs within the list of open space to be provided to support new development. The SPD will ensure that open space provision that is necessary to support new development will be required together with any required mitigation measures to conserve and enhance SSSIs.
PO(2020)SP D09	The Land Trust		Section 8	An arrangement where the long term stewardship of green infrastructure depends on payments of commuted sums by land promoters or developers to the Local Authority, who then manage the site using these funds, is fraught with issues. The complexity of future maintenance and funding arrangements is nearly impossible to cover via a fixed schedule of commuted sum charges alone. The complexities include capital sums not being ring fenced; in this instance the commuted sum only covering 25 years of the cost of management creating a reliance on un-ringfenced Council Tax receipts after the 25 year period; green infrastructure management is not a statutory duty of Local Authorities therefore is subject to reduced council budgets; where significant changes are imposed this can reduce the quantum of green space because of financial pressure on the development and can also diminish the overall quality of the scheme. The Land Trust's model, which has been involved in the management of the site at Beaulieu, offers a more effective route on large volume housing schemes because it can guarantee long-term stewardship in perpetuity. The Land Trust (registered charity) are happy to take endowments which are ring-fenced and invested in a managed fund. The yield from the investment rather than the principal sum provide for the management services in perpetuity. The assessment of the level of endowment also considers the need for capital replacements on a cyclical basis. They can also operate resident service charges (tiered if necessary) across sites where annual contributions pay for the management of a site. It should not be the preference for all open spaces to be transferred to and adopted by the Council with a commuted maintenance sum when there are alternative and sometimes much better options when considering longer-term stewardship of green infrastructure.	The option for not-for-profit management trusts is set out in Paragraph 8.27 of the SPD.

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PO(2020)SP D72	Essex County Council	33	8.9	In order to ensure opportunities are made to link cycle and walking networks and to encourage sustainable trips reference to 'cycle and footway links and improvements' as part of Local Open Space requirements is welcomed.	Noted.
PO(2020)SP D05	Anglian Water Services	34	8.14	Reference is made to integrating sustainable urban Drainage systems being included within new public open spaces. Anglian Water is supportive of this principle but would suggest the term Sustainable Drainage Systems should be used for consistency with the wording of National Planning Policy	Noted. The reference to 'urban,' will be removed. Amend the last sentence to paragraph 8.14 to read: This may form part of the provision of Sustainable <del>urban</del> Drainage Systems (SuDS).
PO(2020)SP D37	Inspired Villages	35	8.18	This must be revised to recognise specialist housing for older people will have lower occupancy rates. Inspired Villages properties have an average occupancy of only 1.3 people per unit reflecting the predominance of single occupiers and a maximum of two people per unit. Suggested change:- caveats to be inserted into the text to acknowledge 'non-standard' occupancy rates and to be reflected in any sums / calculations expressed in the SPD (e.g. Table 9) and which satisfies para 14.5(c).	The formula in Table 7 will only apply where provision is not required onsite as set out in Table 6 of the SPD. In most cases, it is unlikely that Specialist Residential Accommodation for Older People will be provided in developments of less than 10 dwellings. The financial contributions set out in Table 9 only apply to Local Open Space transferred to the Council or a Parish or Town Council. Some dwellings will be occupied by more than 2.4 people and others will be occupied by less than 2.4 people. Applying the average occupancy to calculate a standard rate is considered fair and justified. Paragraph 14.5 sets out the national advice regarding the viability testing of Local Plans and the circumstances which need to be satisfied when a viability assessment is requested at the decision-making stage.
PO(2020)SP D01	Sport England	36	8.22	The Parks, Sport and Recreation contribution formula is based on Sport England's Facility Costs 2017 and this should be updated to reflect the 2020 costs.	The costs are aligned with the evidence base documents and will be revised when the Local Plan is reviewed.
PO(2020)SP D01	Sport England	36	Table 8 Strategic Open Space Formula	The Council's evidence base for outdoor sport (Playing Pitch and Outdoor Sports Strategy) did not recommend this generic 40 sqm per dwelling figure for the application to planning obligations for outdoor sport. The current approach to calculating demand for new playing pitch provision advocated by Sport England is to use the data on teams contained in a local authority's Playing Pitch Strategy and to apply this to new populations using Sport England's Playing Pitch Calculator. It is acknowledged that the Council's Playing Pitch and Outdoor Sports Strategy did not recommend a specific approach for calculating developer contributions in relation to outdoor sports facilities but new development and that Sport England's Playing Pitch Calculator was not available when the Local Plan or Playing Pitch and Outdoor Sports Strategy was prepared. It is therefore recommended that the approach to developer contributions towards outdoor sport is received when the Council's Playing Pitch and Outdoor Sports strategy is next reviewed as this should then inform the next review of the Local Plan and a subsequent review of this SPD.	Noted. The approach to developer contributions towards outdoor sport will be reviewed when the Local Plan and Playing Pitch and Outdoor Sports strategy are reviewed.
PO(2020)SP D72	Essex County Council	36	8.25	The extension of riverside walks and cycle paths in paragraph 8.25 is also supported. This approach is consistent with the Essex Green Infrastructure Strategy referenced in our response to Section 9 below.	Noted.
PO(2020)SP D08	South Woodham Ferrers Town Council	37 - 39	8.26 – 8.37	To clarify the maintenance contributions for open space and leisure areas facilities discussed on page 33 and 37 of the document, and whose responsibility these will be after the maintenance by the developer ceases.	The financial contributions toward the maintenance of Local Open Space transferred to the Council or a Parish or Town Council are set out in Table 9. The amount of financial contribution towards the maintenance of Strategic Open Space transferred to the Council or a Parish or Town Council is set out in Table 10. These are calculated on a 25-year period. The requirements that will be sought in a Section 106 agreement, should a developer wish to self-manage open space, are set out in paragraph 8.31.
PO(2020)SP D25	Countryside Properties	37	8.26	Para 8.26 states that 'Maintenance contributions will be required for all open space provided on-site. This will be calculated according to the landscape layout and quantified elements to be provided by the developer and will be required for 25 years	Noted. Additional text to be added to the end of the first sentence to confirm that maintenance contributions will only be required in the event that responsibility for long-term maintenance will reside with Chelmsford City

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				after completion'. The payment of a Maintenance Contribution to the Council is only relevant with regards to options (1) and (3) outline above. Recommendation: Amend para 8.26 of the SPD to make it clear that Maintenance contributions to CCC are only required in the event that responsibility for long-term maintenance will reside with CCC or Parish / Town Council.	Council or a Parish or Town Council. This will provide clarity and be consistent with the advice in paragraph 8.32. Amend the first sentence to paragraph 8.26 to read: <u>Maintenance contributions will be required for all open space provided on-site-when responsibility for the long-term maintenance resides with Chelmsford City Council or a Parish or Town Council.</u>
PO(2020)SP D26	Countryside Properties	37	8.27	This excludes two well-established and acceptable routes for securing this: (5) the adoption by a Management Company (6) Management Company acting as a Managing Agents on behalf of a Residents' Management Company. Both these approaches are widely used by the house building industry across the UK. Management Companies charge an annual fee for the services they provide. This is made clear to purchasers and ensures that the cost of management and maintenance is sustainable in the long-term. As detailed above, management companies can also be directly responsible to residents. It is common practice for such arrangements to be agreed with the LPA as part of a planning obligation. Chelmsford have previously accepted these approaches to long term maintenance and management. The SPD provides no explanation as to why these options are now being excluded and the evidence to support their exclusion. It also does not assess the impact on development viability of the cost associated with the four approaches detailed. This is surprising given that the Council's preferred approach is not a common approach employed in the industry and requires the developer to pay a commuted equivalent to the cost of 25 years management and maintenance. Options (1) and (3) mean that the Council will receive a commuted payment, equivalent to the cost of maintenance for a period of 25 years. Given that the open space would be transferred to the Council, the Council's liability for such areas would remain in perpetuity. Therefore, the long-term cost of management and maintenance would fall to the public purse. Given that Council's finances are coming under increased pressure, this is not financially prudent. We question whether this approach is sustainable in the long-term and whether management and maintenance regimes will diminish over time as a result of the lack of a sustainable and dedicate income to finance such works. Open space within developments often perform multiple functions. As well as a recreational resource, they often incorporate Sustainable Drainage features and the means by which ecological impacts can be mitigated. Open space and its ongoing management will also form an important component in achieving biodiversity gain. It is not clear from the SPD if the Council is willing and able to adopt SUDs and undertake the necessary management and maintenance regimes. Unless the Council can take responsibility for management and maintenance holistically, this will give rise to fragmented arrangements for the management of open space and give rise to additional costs. It is not clear if Table 9 and 10 in the SPD relate to the contribution per annum or over the 25-year period. This should be clarified and a worked-up example provided. The SPD options (1) and (3) require a substantial Maintenance Contribution. Furthermore, Option (4) requires a bond and for the developer to bear the cost of long-term responsibility for management and maintenance. In line with the Planning Practice Guidance, policy requirements should be informed by evidence including a proportionate assessment of viability that takes into account all relevant policies, and local and national standards, including the cost implications of the Community Infrastructure Levy (CIL) and section 106. The CCC Local Plan evidence base included 'Chelmsford City Council, Local Plan Viability Study, including CIL	Paragraph 8.27 sets out the Council's preferences. The requirements that will be sought in a Section 106 agreement, should a developer wish to self-manage open space, are set out in paragraph 8.31. The conditional bond in paragraph 8.31 is considered necessary in the event that that any private owner of open space becomes financially unviable or does not comply with the management and maintenance obligations under the Section 106 agreement.  The formulas in Table 9 and 10 set out a rate per dwelling that has been calculated using current annual maintenance amount across a 25-year period with an assume inflations rate of 2% and an investment return rate of 0.01729. The total dwelling rate in column 'E' of Tables 9 and 10 is therefore the sum that will be applied to each dwelling in a development proposal as a one-off charge.  New text to replace the existing paragraph 7.11 (referenced above) to state that where Essex County Council's is not the SuDS adoption body, the Council will work with developers to identify an alternative SuDS adoption body which could include a Water Authority or private management company. Where SuDS form part of the open space, the Council would consider adopting the open spaces including the SuDS.  The Council will work with the developer to secure the long-term maintenance of all flood risk protection and water management through a combination of planning obligation, planning condition and commuted sum payment guaranteeing their long-term maintenance.



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				Viability Review – January 2018’. The Viability Study does not factor in the costs associated with options (1), (3) and (4). Recommendation: The SPD should be amended to allow for (5) the adoption by a Management Company, (6) Management Company acting as a Managing Agents on behalf of a Residents' Management Company. Clarification is needed in relation to tables 9 and 10. It should not be the Council’s stated preference for all open spaces to be transferred to and adopted by the Council with a commuted maintenance sum. There are alternative and sometimes much better options when considering long-term stewardship of green infrastructure than the Council is currently seeking under this SPD. The Council should avoid stating a preference for any valid method, of which there are several. Notwithstanding the above, CCC need to give further consideration to whether they are willing to adopt, manage and maintain Open Space where they incorporate SUD’s features (both above and below ground) and undertake management regimes necessary to deliver ecological and biodiversity net gains. If they are not, consideration should be given to how such arrangements will be secured and funded. Further consultation with the development industry should be undertaken.	
PO(2020)SP D80	Ptarmigan Land Ltd	37	8.26 - 8.27	We note that the SPD sets out options for the long term management of all open spaces at para. 8.26 and 8.27 with a preference that all open spaces be transferred to and adopted by the Council. We are aware of and support the detailed comments made on the draft SPD by Countryside Properties and The Land Trust on this matter expressing concerns that this should not be expressed as a preference. For CGC, the quantum of green and blue infrastructure will be substantial. As part of the DFD, IDP and PFA process, work is being progressed on developing the right stewardship model that will provide benefits for the Garden Community, developers and the Council. Having regard to Garden City principles and for the community, it will mean putting people at the heart of delivering successful places, the long-term maintenance and management of high-quality facilities and moving towards social sustainability. For developers, it will create confidence that assets will be maintained in perpetuity, to add value to the development and improves place-making and marketability. For the Council, it will reduce long-term financial liabilities and provides greater value for the community of the City Council area. It is therefore recommended that the SPD should provide for greater flexibility and that the following models, as possible examples for large strategic sites and CGC, can meet the objectives set out above: • Community Land Trust - An organisation backed by a trust which is controlled by the community for the benefit of the community • Community Interest Company - A company which trades and uses its assets for a social purpose, to benefit the community The revenue for funding stewardship bodies will be dealt with through S106 planning obligations. In the case of CGC, this is intended to be dealt with through the IDP and PFA which will set out the mechanisms and funding for the provision and ongoing management of the community assets.	The option for not-for-profit management trust is set out in Paragraph 8.27 of the SPD. Additional text to be added to the end of paragraph 8.26 (as referenced above) to confirm that maintenance contributions will only be required in the event that responsibility for long-term maintenance will reside with Chelmsford City Council or a Parish or Town Council.
PO(2020)SP D49	Grosvenor Developments Limited and Hammonds Estates LLP	37	8.27, 8.31	We think the long term maintenance and governance structure should be informed through consultation with relevant stakeholders. Involving management trusts early in the design process enables management considerations to be incorporated from the outset and helps in defining the costs of long term maintenance. As a developer that takes a long term approach, we would like to consider various mechanisms for the management of open space including Local Authority and management trusts. Additionally, there are opportunities to explore alternative ways to provide an endowment other than solely through a commuted sum, including providing sufficient	The option for not-for-profit management trust is set out in Paragraph 8.27 of the SPD. Additional text to be added to the end of paragraph 8.26 to confirm that maintenance contributions will only be required in the event that responsibility for long-term maintenance will reside with Chelmsford City Council or a Parish or Town Council. Further advice regarding the scope of obligations to be sought should a developer wish to self-manage open space, is provided in paragraph 8.31

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				income streams as has been done successfully in Milton Keynes. By building greater flexibility into this approach, we believe that better outcomes that reflect the specific circumstances of a development will be achieved.	
PO(2020)SP D38	Inspired Villages	37	8.27, 8.31	Paragraph 8.27 (& 8.31) says the Council's preference is for open space to be transferred to and adopted by the Council, or where a developer chooses to retain open space it should be maintained by a recognised not-for-profit management trust. Inspired Villages operates its retirement communities for the long-term. Inspired Villages are responsible for the management and maintenance of its villages – with its own grounds keepers, gardeners, etc – and which residents will contribute towards the upkeep through their service charge. Suggested change:- Paragraph 8.27 to be amended to recognise the different operating models such as specialist housing for older people where the operator will be responsible for managing and maintain its own grounds. Paragraph 8.31 is onerous on Inspired Villages – funded by Legal & General (who will be the freehold owners) the payment of a 'conditional performance bond' is unnecessary.	Paragraph 8.27 sets out the Council's preferences. The conditional bond in paragraph 8.31 is considered necessary in the event that that any private owner of open space becomes financially unviable or does not comply with the management and maintenance obligations under the Section 106 agreement.
PO(2020)SP D58	Crest Strategic Projects Ltd	38	Table 9	Local Open Space Formula - robust justification is required for the formula and rates proposed.	The rates are based on operational costs at the time of drafting the SPD and considered robust. Text to be added to paragraph 8.33 to clarify that the rates are based on operational costs as at 2020. Amend the paragraph 8.33 to read: The annual maintenance amount varies for each type of open space from £0.03 per sq.m for allotments and community gardens to £0.45 per sq.m for amenity green space and play space-, <u>based on operational costs at 2020.</u>
PO(2020)SP D58	Crest Strategic Projects Ltd	39	Table 10	Strategic Open Space Formula - robust justification is required for the formula and rates proposed.	The rates are based on operational costs at the time of drafting the SPD and considered robust. Text to be added to paragraph 8.36 to clarify that the rates are based on operational costs as at 2020. Amend the paragraph 8.36 to read: The annual maintenance amount for natural green space is calculated to be £0.08 per sq.m for natural green space and £0.87 per sq.m for parks, sports and recreation grounds-, <u>based on operational costs at 2020.</u>
PO(2020)SP D02	Galleywood Parish Council	40	9.4	How will substantial harm to or total loss of significance of designated heritage asset be demonstrated against substantial public benefits or be judged as outweighing that harm or loss?	Policy DM13 and paragraphs 8.87 – 8.91 of the Local Plan provide further guidance on the criteria to be applied.
PO(2020)SP D02	Galleywood Parish Council	41	9.11	General Comment - CIL - It remains unclear as to how local parish councils can achieve Carbon Zero by 2030 without adequate infrastructure. The adequate allocation locally of a greater proportion of available CIL funds spent more locally could be considered to alleviate any burden. The use of funds achieved via CIL should however still be used on major district projects as a way of enhancing services and amenities to the local parish benefit. Any decision making on the use of CIL funding should remain as local to the particular planning district.	If development takes place within a Parish, the City Council give 15% of CIL funding to the parish or town council which Parish Councils could use on more localised projects to address climate change in their local areas. The Government has capped the amount of CIL money a parish or town council can receive in a year. In some cases, a parish or town council could be due more money than the cap allows. If this happens the City Council invite parish councils and neighbourhood groups near the development that generated the CIL to proposes how it is spent.
PO(2020)SP D50	Grosvenor Developments Limited and Hammonds Estates LLP	40, 41	9.12, 9.13	We would welcome the opportunity to work with stakeholders to identify potential pockets for woodland planting within our masterplan proposals and to consider how these could be delivered in the short term in advance of any development as this could deliver early environmental benefits. This could help to assist the Council in achieving their greening objectives, while enhancing the biodiversity in Hammonds Farm, ability to offset future carbon emissions and the creation of a more mature natural environment when first residents move in.	Noted. Comments welcome.

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PO(2020)SP D27	Countryside Properties	41	9.13	The SPD contains a stipulation that green spaces provided in connection with new housing development should include the planting of three trees per net new dwelling. Countryside recognise the importance of taking measures to address climate change. Whilst we recognise the role that tree planting can play as part of this, arbitrary mandatory requirements in this regard should be avoided. It is not the role of the SPD to set new policy requirements and there appears to be little consideration to the practical implication of this requirement, particularly in relation to development in the urban area. Recommendation: Omit	The last sentence in paragraph 9.13 will be replaced with 'Where practicable'. Amend the last sentence of paragraph 9.13 to read: <del>Green spaces provided in connection with new housing development should include the planting of three trees per net new dwelling.</del> <u>Where practicable, all new housing development should seek to plant three trees per net new dwelling.</u>
PO(2020)SP D39	Inspired Villages	41	9.13	Expresses a Council ambition for tree planting and then adds 'new housing development should include the planting of three trees per net new dwelling'. This is not policy but an ambition and the wording should be revised. Suggested change:- remove reference to it being a requirement ('should') to being an ambition and developers to be 'encouraged' to achieve this. Same change required in the Making Places SPD (p12 – bullet 11 and para 5.18).	As above.
PO(2020)SP D61	Natural England	41	9.14 – 9.16	We note and welcome the references to the Essex Coast Recreational Disturbance Avoidance and Mitigation Strategy (RAMS) SPD which provides the legal basis for RAMS; the level of developer contributions being sought for strategic mitigation and how and when applicants should make contributions. Natural England may request that Planning Obligations are required for matters within our remit on a case by case basis, and we advise that the Council ensure that provision is made for these requests within the SPD.	Noted. Natural England are a statutory consultee and planning obligations that are required to mitigate the impact of a development that are outside of the scope of The Essex Coast RAMs SPD, will still be secured as a planning obligation.
PO(2020)SP D73	Essex County Council	41 - 42	9.16	ECC welcomes reference to biodiversity offsetting and net gain; ecological mitigation, climate change mitigation/remediation including tree planting; and archaeological investigation in paragraph 9.16 as being appropriate for inclusion in S106 agreements. Section 6.3 and 6.4 of the Guide also includes further guidance on matters relating to biodiversity, including appropriate mechanisms and heritage assets, which should be borne in mind when considering a site and preparing a planning application.	A link to Essex County Council's Developers' Guide to Infrastructure Contributions (2020) will be inserted at the end of the paragraph. Add a new sentence at the end of the paragraph 9.16 to read: <u>Further guidance on matters relating to biodiversity, which should be borne in mind when considering a site and preparing a planning application, is set out in Essex County Council's Developers' Guide to Infrastructure Contributions (Revised 2020).</u>
PO(2020)SP D40	Inspired Villages	42	9.18	Inexplicably states that the Council will negotiate S106 agreements to secure show homes that incorporate optional sustainable design features. There is no policy basis for this and the wording should be revised. Suggested change:- wording to be revised to 'encourage' developers to do this.	Wording to be amended to include 'seek to' negotiate. Amend paragraph 9.18 to read: At developments of over 100 homes, the Council will <u>seek to</u> negotiate Section 106 agreements which secure show homes that incorporate optional sustainable design features to showcase the benefits of including such features in a new build and how to move towards a zero- carbon home.
PO(2020)SP D65	Hopkins Homes	42	9.18	This expressed within the SPD as a definitive requirement and appears to seek to introduce new policy. As such, it is wholly inappropriate for inclusion within a Supplementary Planning Document. Secondly, there is no justification for such a requirement to be imposed. It is considered a disproportionate demand, which will not necessarily be feasible in every circumstance. We suggest that if the Council wish to see show homes that show case optional sustainable design features, then the SPD could make reference to how the Council would support such an approach, and include guidance as to what this could entail.	As above.
PO(2020)SP D73	Essex County Council	42	9.23	Paragraph 9.23 refers to the Chelmsford Green Infrastructure Strategic Plan (2018 – 2036). ECC recommend reference is also made to the Essex Green Infrastructure Strategy (2020) (where the City Council was a partner in its preparation), which aims to enhance the urban and rural environment, through creating connected multi-functional green infrastructure (GI) that delivers multiple benefits to people and	Include a reference to the Essex Green Infrastructure Strategy (2020). Add a new sentence at the end of the paragraph 9.23 to read: <u>The Essex Green Infrastructure Strategy (2020) aims to enhance the urban and rural environment through creating connected, multifunctional green infrastructure that delivers multiple benefits to people and wildlife.</u>

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				wildlife. It meets the City Council's aspirations to improve GI and green spaces in our towns, cities and villages, especially close to areas of deprivation	
PO(2020)SP D07	Department for Education	43 - 44	Section 10	We would like to recommend that you also refer in the policy background section to the following: Planning Practice Guidance: Viability #29, Planning Obligations #007-008, Healthy and Safe Communities #007-008 DfE Guidance for Local Authorities on Securing Developer Contributions for Education - <a href="https://www.gov.uk/government/publications/delivering-schools-to-support-housing-growth">https://www.gov.uk/government/publications/delivering-schools-to-support-housing-growth</a>	Reference to non-statutory guidance for local authorities for education to support housing growth and seeking associated developer contributions to be inserted into paragraph 10.1. Add a new sentence at the end of paragraph 10.1 to read: <u>Non-statutory guidance for local authorities for education to support housing growth and developers' contributions is provided in the Department for Education publication – 'Securing developer contributions for education,' (November 2019).</u>
PO(2020)SP D74	Essex County Council	43 - 44	Section 10	For clarity, in referring to Education, the SPD should reference early years and childcare, primary, secondary, post 16 and Special Education Needs (SEN). ECC has a duty to secure sufficient and suitable education and training provision for all young people in the area who are over compulsory school age but under 19, or aged 19 to 25 and for whom an Education, Health and Care Plan (EHCP) is maintained. Some of the children generated by development of new dwellings will have special educational needs (SEN). It is extremely difficult to predict the number of SEN places required in any given planning area for each type of need. The Guide provides further guidance on both Post 16 (section 5.2.10) and SEN (section 5.29) in terms of calculating requirements and necessary contributions arising from growth and should be referenced within this chapter of the SPD.	Update the reference in paragraph 10.9 to the 2020 version of Essex County Council's Developers Guide to Contributions and include the list scope to which education applies. Amend the paragraph 10.9 to read: Essex County Council's (ECC) Developers' Guide to Infrastructure Contributions <del>(2016)</del> <u>4 (Revised 2020)</u> provides information on <del>how the need for Education</del> <u>contributions, which incorporates early years and childcare, primary, secondary, post 16 and Special Educational Needs. The Guide provides information on how the need for additional school and early years places is</u> <del>are</del> assessed; how to calculate demand from new housing development and additional site requirements. <u>The Guide also provides information on Essex County Council's statutory responsibility to make suitable travel arrangements free of charge for eligible children, which depending on the location of a development, may require a developer contribution</u>
PO(2020)SP D74	Essex County Council	43 - 44	Section 10	ECC recommends reference is made in the SPD to school transport. ECC has a statutory responsibility to make suitable travel arrangements free of charge for eligible children, namely a walking distance of two miles for those aged under 8 and three miles for those who have attained the age of eight years. In excess of these distances ECC has a to fund 'free' school transport. Where development is proposed in locations that may require ECC to provide school transport, developer contributions are sought. Section 5.3 of the 'Guide' provides further guidance on this matter, and should be referenced in the SPD.	Expand the text in paragraph 10.9 to include Essex County Council's statutory responsibilities regarding school transport, as referenced above.
PO(2020)SP D74	Essex County Council	43	10.6	Paragraph 10.6 refers to the need for new schools to be provided and funded by developers. If it is not planned to build a new school, financial contributions will be used to fund capital works to add additional capacity at academies, free schools or maintained schools in the appropriate area. ECC recommend this is referenced in the SPD.	Amend the wording in paragraph 10.6 to include the reference to additional capacity at academies, free schools or maintained schools in the appropriate area. Add a new sentence at the end of the paragraph 10.6 to read: <u>If it is not planned to build a new school, financial contributions will be used to fund capital works to add additional capacity at academies, free schools or maintained schools in the appropriate area.</u>
PO(2020)SP D74	Essex County Council	43	10.8	Paragraph 10.8 refers to Appendix 1, which is acknowledged as a guide in paragraph 3.2, and provides details of the contribution for specific items of early years, childcare and education infrastructure for each site referenced in the Local Plan. It includes pooled Section 106 contributions towards the expansion of existing primary and secondary education in specific locations to address needs arising from sites identified in the Local Plan. As previously stated, ECC reserve the right to review developer contributions on development sites at the application stage once more detailed information is available.	Noted.



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PO(2020)SP D74	Essex County Council	43	10.9	Paragraph 10.9 should be amended to also refer to early years and childcare ‘...need for additional school and early years places is assessed;..’	Text amended.
PO(2020)SP D51	Grosvenor Developments Limited and Hammonds Estates LLP	43	10.13	Community use agreements should be considered for indoor spaces as well as sports facilities. In our experience, schools can offer rooms of various sizes as venues for all kinds of activities from exercise classes to conference facilities and celebrations. Sharing communal spaces created within school buildings can help in bringing the community together and optimise the use of facilities created early on in the development, which can become active and well used in advance of stand-alone community facilities being created, if necessary.	Paragraph 10.13 to be amended to reflect community use in the wider sense and reference Essex County Council’s Developers’ Guide to Infrastructure Contributions and the Essex Design Guide (2018) advice on how schools should be designed to encourage access outside of school hours. Amend paragraph 10.13 to read: Where appropriate Section 106 Agreements will seek to secure a community use <del>agreement for the public use of school sports facilities</del> , and a separate contribution will be levied for this purpose. <u>The agreement will require absolute clarity regarding which facilities would be used both by the school and the public; how they would operate and who would provide and maintain them.</u> The ECC Developers’ Guide to Infrastructure Contributions (Revised 2020) provides details of how schools sites should be laid-out. The Essex Design Guide (2018) provides a School Design Checklist and criteria, which provides further advice on how schools should be designed to encourage community access outside of school hours.
PO(2020)SP D75	Essex County Council	45	Section 11	ECC welcomes the references to health and wellbeing in the policy background, and that this is embedded within the Local Plan. However, the section regarding S106 Obligations only refers to healthcare facilities, with no reference to other health and wellbeing measures, which are incorporated within other sections, and could be ‘signposted’. Section 6.6 of the Guide provides further advice on healthy place-making including the Active Design principles embedded throughout the Essex Design Guide. Reference is also made to these being further assessed through Health Impact Assessments (HIAs).	Additional text to be inserted that clarifies that health infrastructure includes health and well-being measures to be added to paragraph 11.5. Paragraph 11.7 does identify that Section 106 resources may also be sought to fund health and well-being across the population encouraging self-care, where there is an on-site need. Amend first sentence of paragraph 11.5 to read: New healthcare infrastructure, <u>which includes health and well-being measures,</u> will be required through Section 106 agreements.
PO(2020)SP D28	Countryside Properties	45	11.5	The CCC CIL 123 list confirmed that CIL would generate funding for Primary Healthcare provision. Whilst it is recognised that the requirement for CIL 123 lists have been removed, it was clearly CCC intention that part of the funding raised from CIL would go towards funding Primary Healthcare provision. It is evident that CIL money has already been passed to NHS or spending on a GP surgery as evidenced in the ‘how we spend CIL’ section on CCC’s website. The CCC ‘Community Infrastructure Levy Governance – Allocating and Spending CIL’ document states that CIL funding is directed towards strategic priorities, which involves consultation with strategic infrastructure delivery partners, including NHS England. It is unclear how CCC will ensure effective regulation and control of the relationship between CIL and section 106 obligations. It appears that the SPD will allow for ‘double-dipping’ whereby a s106 payment is sought for Primary Healthcare in addition to the CIL Payment. To avoid this, CCC should commits to use CIL to build healthcare facilities needed to support the Local Plan. Recommendation: CCC should commit to use CIL to build healthcare facilities needed to support the Local Plan and make clear where s106 would be needed.	The site policies for each site allocation set out the amount and type of development provided as well as the specific supporting infrastructure and other requirements needed for each site. This information is derived from the IDP and summarized in Appendix 1 for clarity. The removal of the Regulation 123 Infrastructure List and pooling restrictions through the Community Infrastructure Levy (Amendment) (England) (No.2) Regulations 2019; gives local authorities two ways to provide greater flexibility for funding development: they can use as many planning obligations as they need to fund a specific piece of infrastructure, and they can use planning obligations and CIL revenues to fund the same infrastructure. The intended effect is to enable more flexible and faster infrastructure and housing delivery. Infrastructure Funding Statements (IFSs) are required to set out the infrastructure projects or types of infrastructure that the authority intends to fund, either wholly or partly, by the levy or planning obligations. IFSs will be required to be published annually from 31 December 2020 (for the preceding financial year 2019/20) reporting on CIL and planning obligations revenue received and allocated. The main purpose of the IFSs is to enable greater transparency regarding the use of CIL and S106 receipts.
PO(2020)SP D68	Essex County Council	46	12.4	Reference to both flexible use of space for community uses and specifically for library use is supported. Section 5.10 of the Guide seeks contributions to provide additional facilities where there is expected to be significant growth in population created by development, or where a new community remote from an existing provision is established. For provision of new libraries, including within community shared	Add text to confirm that provision of library space could be as part of a shared community or education facility to the bullet point in para 12.4. Amend the text in the second bullet point of paragraph 12.4 to read: Space for library use <u>which Essex County Council’s Developers’ Guide to Infrastructure Contributions (Revised 2020) provides guidance on the threshold</u>

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				facilities, the process below is followed, with local district considerations taken into account: • Planning applications for developments with 20 or more dwellings will be considered • Other known growth in the area will be taken into account • Long term capacity and future requirements across the area Where the increase in projected population more than doubles an existing library catchment area, it is likely that a new facility or building will be required. Provision of this space could be as part of a shared community or educational facility for example – and would allow consideration to be made for varying scales of development.	<u>and form that the contribution to library provision will take; but includes potentially being part of a shared community or education facility.</u>
PO(2020)SP D76	Essex County Council	47	13.5	Paragraph 13.5 refers to the City Council is to prepare a Public Realm and Public Art Strategy in 2020/2021. ECC recommend reference is also made to the ECCs Public Art Strategy. Place Services lead the delivery of ECC's Public Art Strategy to ensure the work and skills of artists feature in the structures and functioning of new development, either as part of an ECC funded programme, through liaison with Districts, City and Borough Councils, or by acting as expert consultants for privately funded development. As these arrangements range from district to district, early consultation is strongly recommended. Contact Place Services at <a href="http://www.placeservices.co.uk">www.placeservices.co.uk</a> or email enquiries to <a href="mailto:enquiries@placeservices.co.uk">enquiries@placeservices.co.uk</a> .	No up to date strategy to reference.
PO(2020)SP D29	Countryside Properties	47	13.7	The SPD should make clear that these improvements to the public realm off-site should only be sought where they are (a) deliverable on adopted highway land, (b) supported by the highway authority, (c) pass the Reg 122 tests. It is considered unreasonable to expect such works on 3rd party land and to do so could jeopardise deliverability. Recommendation: Amendment as per above.	New text to be added to the first bullet point enable off-site public realm improvements or a financial contribution to such off-site improvements to address deliverability concerns. If the obligation does not meet the relevant tests, then it cannot be sought. Amend the text in the first bullet point of paragraph 13.7 to read: <ul style="list-style-type: none"> <li>Improvements to paving and planting on public highway and other space directly adjoining the site <u>or a financial contribution towards the required off-site improvements.</u></li> </ul>
PO(2020)SP D30	Countryside Properties	47	13.10	The SPD seeks to impose an arbitrary timescale for undertaking Public Realm works (prior to first occupation). Such prescription needs to be avoided and the timescale considered in light of the phasing of the development as a whole. Recommendation: Amendment as per above.	Paragraph 13.10 states 'usually be required,' this does not imply that it is fixed; and does provide flexibility depending on the phasing of works.
PO(2020)SP D31	Countryside Properties	47	13.10	The SPD mandates the transfer of all the 'public realm' to the appropriate Council together with a commuted payment. The term 'public realm' is often used loosely, sometimes interchangeably with 'public domain', to refer to external urban spaces that are publicly accessible. According to English Heritage, the public realm '... relates to all parts of the built environment where the public has free access'. Whilst many highways and parts of the public realm are adopted by the Highway Authority and maintained at public expense, there can be times where the public realm and roads are not adopted. There is no legal requirement in England for roads to be adopted. On such unadopted areas, legal measures are put in place to ensure that they are managed and maintained (by a management company) and that the costs of maintenance are borne through the estate management charge. The SPD requirement for adoption or transfer to the Council is both unnecessary and seeking to introduce policy through the SPD. The Chelmsford Local Plan Viability Study does not explicitly include an assessment of the cost of the SPD's proposed requirement for all roads and public realm to be adopted. This requirement also gives rise to serious practical issues. For instance, - The Highway Authority (ECC) has its own criteria as to what it is prepared to adopt. In some instances, roads, paths or areas of public realm that do not offer utility to the public and offer wider community benefits are not	Amend paragraph 13.10 to read: <del>Public realm improvements will usually be required to be completed prior to the first occupation of a development. There is a requirement for a developer to design and construct the area of Public Realm to a design and specification agreed by the Council. It will then be transferred to the appropriate Council (Parks or Highways) once it is in an adoptable condition. Upon transfer, a commuted maintenance payment will be required to cover the initial costs of maintaining the Public Realm. Development will not commence until the developer has submitted to and received written approval for a Public Realm Scheme from the Council.</del> <u>Development will not commence until the developer has submitted to and received written approval for a Public Realm Scheme from the Council.</u> <u>Developers will be required to illustrate what parts of the scheme are to be offered for adoption. For the parts of the scheme that will be offered for adoption, there is a requirement for a developer to design and construct the area of Public Realm to a design and specification agreed by the Council. It will then be transferred to the appropriate Council (Parks or Highways) once it is in an adoptable condition. Upon transfer, a commuted maintenance payment will</u>

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				adopted. - the Highway Authority is often reluctant / unable to adopt 'private' drives leading to dwellings. In such instances these drives are kept under one ownership (e.g. Man Co) to ensure they can be managed and maintained holistically. - The Highway Authority is often reluctant / unable to adopt areas of permeable paving. - The Highway Authority will not adopt public realm which contains some SUDS features (e.g. underground storage tanks used to store water and control discharge rates). - There is a limited pallet of materials / street furniture that the Highway Authority will consider acceptable for future adoption. It is not evident from the SPD that there is a joined up and considered approach between CCC and ECC as Highway Authority on this issue. Recommendation: That the requirement for adoption is removed. Developers should be required to illustrate what parts of the scheme are to be offered for adoption. The s106 agreement should put in place measures to agree the management and maintenance of any unadopted areas.	<u>be required to cover the initial costs of maintaining the Public Realm. The section 106 agreement will also put in place measures to agree the management and maintenance of any unadopted areas. Public realm improvements will usually be required to be completed prior to the first occupation of a development.</u>
PO(2020)SP D59	Crest Strategic Projects Ltd	50	14.4	Section 14 14.4 (new text) The Local Plan acknowledges that in negotiating planning obligations, the Council will take into account local and strategic infrastructure needs and financial viability. The use of (delete: further) viability assessments at the decision-making stage (delete: should not) may be necessary. It is up to the applicant to demonstrate whether circumstances justify the need for a viability assessment at the application stage.	National Planning Policy Guidance on Viability states that the role for viability assessment is primarily at the plan making stage. The Local Plan Viability Study Including CIL Review (2018) complied with guidance in the National Planning Policy Guidance on Viability. The Study concluded that in most of cases, the residual value exceeds the existing use value by a satisfactory margin indicating that most development likely to come forward under the Local Plan is viable and will be able to bear the range of developer contributions and CIL at the adopted, and subsequently indexed, rate.
PO(2020)SP D59	Crest Strategic Projects Ltd	50	14.5	Suggest insertion of 'or' before d) a recession or similar significant economic change has occurred since the Local Plan was adopted.	Noted. Insert, 'or,' before d). Amend the third bullet point of paragraph 14.5 to read: c) particular types of development are proposed which may significantly vary from standard models of development for sale, <u>or</u>
PO(2020)SP D77	Essex County Council	51	14.9	Chapter 14 – Implementation of this Planning Obligations SPD ECC welcomes reference to the 'Viability Protocol' in paragraph 14.9 but recommend that for clarity reference is made to this being prepared by the Essex Planning Officers Association (EPOA), and will be adopted by individual local authorities.	Amend the text in Paragraph 14.9 to clarify that it has been prepared by Essex Planning Officers Association (EPOA) and a link provided to the EPOA Local Viability Protocol. Amend paragraph 14.9 to read: <del>Essex County Council</del> <u>Planning Officers Association (EPOA)</u> <del>has</del> produced a Viability Protocol that sets out overarching principles for how Essex Local Planning Authorities will approach development viability. The protocol does not alter Local Plan policies or the guidance in this SPD but does provide additional advice and guidance on the information requirements and approach taken when assessing viability at the decision-making stage. <u>The EPOA Viability Protocol is available to download at</u> <a href="https://www.essexdesignguide.co.uk/supplementary-guidance/essex-planning-and-viability-protocol/">https://www.essexdesignguide.co.uk/supplementary-guidance/essex-planning-and-viability-protocol/</a>
PO(2020)SP D77	Essex County Council	51	14.15	Paragraph 14.15 states that S106 Agreements will be drafted by the City Council Legal Services team, or external solicitors. The Guide states that in most cases ECC provides a first draft of the clauses required to deliver the contributions it has requested. A template agreement is provided in Appendix A of the Guide, with a separate schedule for each type of contribution. ECC recommend that this template should be used as a starting point to avoid delays and unnecessary expense.	Add text to the end of paragraph 14.15 to note that in most cases Essex County Council provide a first draft of the clauses required to deliver contributions it has requested. Also, provide a reference to Appendix A of Essex County Council Developers' Guide to Infrastructure Contributions (Revised 2020). Add new sentence at the end of the paragraph 14.15 to read: <u>In most cases Essex County Council provide a first draft of the clauses required to deliver contributions it has requested. A template agreement is provided in Appendix A of Essex County Council Developers' Guide to Infrastructure Contributions (Revised 2020).</u>

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PO(2020)SP D77	Essex County Council	52	14.18	Financial Contributions Paragraph 14.18 refers to payment of a financial obligation on the commencement or on first occupation of a development. ECC recommend reference is made to the following. Section 3.2 of the Guide states that on larger phased developments there may be more triggers tied into occupation points. It should be noted that if payments are made at later stages in the development, then contributions should not be made beyond the stage where ECC will need to commence work on a new provision. This could result in ECC having to forward fund a new provision which would result in interest payments being incurred which the developer would be required to fund. It is therefore important that triggers for payment are met during early stages in the development in order to avoid additional costs. It should be noted, however, that ECC will not support contributions being paid in arrears i.e. after the buildings, to which the amounts pertain, have been occupied. If later payments are considered essential by the LPA to ensure development viability, ECC may request surety from the developer, through a bond provider, to protect payment in the event of insolvency.	Advice is not dissimilar. Add a reference to Section 3.2 of the Essex County Council's Developers' Guide to Infrastructure Contributions (Revised 2020) for larger, phased development regarding contributions requested by Essex County Council. Add sentence at the end of the paragraph 14.18 to read: <u>Section 3.2 of Essex County Council's Developers' Guide to Infrastructure Contributions (Revised 2020) provides further guidance for larger, phased development regarding contributions requested by Essex County Council.</u>
PO(2020)SP D81	Essex County Council	5 2	14.19	The ECC response makes reference in the final sentence to ECC being aware of the legal provisions for return of unspent contributions some 10 years after the payment has been made. However, ECC notes that Planning Practice Guidance (Paragraph: 021 Reference ID: 23b-021-20190315) states the following: Do local planning authorities have to pay back unspent planning obligations? Local planning authorities are expected to use all of the funding received by way of planning obligations, as set out in individual agreements, in order to make development acceptable in planning terms. Agreements should normally include clauses stating when and how the funds will be used by and allow for their return, after an agreed period of time, where they are not. The ECC Developers' Guide (2020) states in section 3.2, page 14 It is ECC's policy to ensure that contributions are spent within a period of 10 years following their receipt. This period is also referred to in the Department for Education (DfE) guidance 'Securing developer contributions for education' published in April 2019 and amended in November 2019. This DfE guidance states on page 6, paragraph 4 that 'We recommend that planning obligations allow enough time for developer contributions to be spent (often this is 10 years, or no time limit is specified).' Consequently, ECC would seek to acknowledge that there is no legal provisions for return of unspent contributions some 10 years after the payment has been made. However, in line with DfE guidance it is ECC policy, as contained in the 'Guide' to seek to ensure that contributions are spent within a period of 10 years following their receipt.	Text to be amended to clarify that it is the City Council's position that financial contributions, excluding commuted payments relating to maintenance and infrastructure items required beyond 2036, that remain unspent at the end of 10 years from the date the monies was paid, will be returned to the payee. Amend second sentence of paragraph 14.19 to read: Those financial contributions (excluding commuted payment relating to maintenance) that <u>are paid to the City Council and</u> remain unspent at the end of 10 years from the date when the money was paid will be returned to the payee in accordance with the terms of the individual agreements, unless they relate to infrastructure items that are required beyond 2036.
PO(2020)SP D52	Grosvenor Developments Limited and Hammonds Estates LLP	52	14.20	The quantum of financial contributions should be reassessed at the point of planning application and should then be indexed from the date of Planning Permission to the payment date. This approach will create much greater certainty that the actual costs of delivering the necessary infrastructure will be adequately covered through relevant contributions, as opposed to taking today's costs and indexing them into the future from the point of SPD adoption.	Noted. In practice Section 106 financial contributions are fixed from the point of planning permission and indexed at the relevant delivery date for the infrastructure item. Text in paragraph 14.20 to be amended to reflect this and correct the reference to BCIS PUBSEC Tender Price Index of Public Sector Building Non-Housing Indices. Additional text will also clarify that the CIL charging rate is fixed in the charging schedule and indexed on the 1 <sup>st</sup> January each year based on the BCIS All in Tender Price Index, published in the preceding November. Amend paragraph 14.20 to read: <del>All financial contributions will be subject to indexation from the date of adoption of this SPD. The indexation period will therefore start with the date of adoption and end with the date when each payment becomes due. The indices to be used are the BIS PUBSEC Tender Price Index of Public Sector Building Non-</del>



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					<p><del>Housing Indices. However, if a commuted sum is required for maintenance purposes, indexation will not be applied.</del></p> <p><u>The quantum of Section 106 financial contributions will be re-assessed at the point of planning application and fixed from the point of planning permission. All Section 106 financial contributions will be subject to indexation from the point of planning permission and end with the date each payment becomes due. The indices to be used are the BCIS PUBSEC Tender Price Index of Public Sector Building Non-Housing Indices. However, if a commuted sum is required for maintenance purposes, indexation will not be applied. The CIL charging rate is fixed in the CIL Charging Schedule and indexed on the 1st January each year based on the BCIS All in Tender Price Index, published in the preceding November. Essex County Council applies different indexation indices to different types of infrastructure. Further guidance is provided in Section 3.3 of Essex County Council's Developers' Guide to Infrastructure Contributions (Revised 2020).</u></p>
PO(2020)SP D83	Essex County Council	52	14.20	ECC recommends an amendment to paragraph 14.20 to clarify that ECC applies different indexation indices to different types of infrastructure, and is explained in Section 3.3 – Indexation of the Developers' Guide (2020) and Appendix A – Section 106 Agreement Template.	Clarification and a reference to Essex County Council's Developers' Guide to Infrastructure Contributions (Revised 2020) inserted, as referenced above.
PO(2020)SP D68	Essex County Council	53	14.28 – 14.29	ECC welcomes reference to ECC and the City Council charging separate monitoring fees for s106 obligations in paragraphs 14.28 – 14.29. Section 5.12 of the Guide states that ECC will seek a charge, on commencement of development consistent with CCC, towards the monitoring and administration of the relevant County Council obligations in S106 agreements. This will cover the following: • The maintenance and development of the planning obligations monitoring database system to assist in the co-ordinations of obligation preparation, completion, monitoring and review • The monitoring of trigger points and development progress; • Recovery of obligation contributions not made, including any necessary formal or legal action; • Liaison between ECC and district/city/borough councils in respect of financial contributions requested and those held for infrastructure being provided by ECC; • Reporting on the operation and outcome of ECC developer contributions (as required in the revised CIL Regulations – the Infrastructure Funding Statement).	Noted.
PO(2020)SP D05	Anglian Water Services	Appendix 1	Table 12	Reference is made to waste water supply. The word 'supply' is normally used for the supply of water and not for foul drainage. It is therefore suggested that Table 12 should refer to 'Waste Water Connections.'	Referenced as supply (to sites) in the Infrastructure Delivery Plan. For consistency, the same terminology will be used in the SPD.
PO(2020)SP D05	Anglian Water Services	Appendix 1	Table 12	Table 12 appears to refer to connections to the public sewerage network possibly being secured as site related S106 agreement. Anglian Water as a sewerage company seeks fair contributions through charges directly from developers under the provisions of the Water Industry Act 1991 to drain a site effectively. As such we would not, make use of planning obligations under Planning Legislation for this purpose. Therefore, please remove reference to planning obligations in Table 12 for this purpose as there is an existing funding source for developers to fund connections and improvements to foul sewerage networks to serve new development proposals. Anglian Water will also seek the imposition of planning conditions by Chelmsford Council for development proposals in relation to the foul sewerage network where we considered it is necessary to address the risk of downstream flooding.	Table 12 identifies waste water supply as secondary infrastructure that could be secured as a site related or pooled s106 obligations and identifies that there are other funding sources for this provision. The only on-site provision is identified for site 5 – Moulsham Hall/North of Great Leighs. The Infrastructure Delivery Plan notes that the Water Recycling Centre at Great Leighs will require enhancement to capacity and/or site related mitigation measures. Paragraphs 2.7 – 2.9 of the SPD explain the purpose of the Infrastructure Delivery Plan and categorization of funding in the Plan. Secondary infrastructure is described as infrastructure that is paid for by the developer but considered as standard so factored into their secondary development allowances. The text qualifies that only some of the secondary infrastructure is secured through Section 106 planning obligations. The funding categories in Appendix 1 are taken from the Infrastructure Delivery Plan and offers a guidance to what items of

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					infrastructure will be covered by Section 106 Planning Obligations and what will be covered by CIL. Paragraph 2.2 of the SPD explains that planning obligations should only be used where it is not possible to address unacceptable impact through planning conditions.
PO(2020)SP D05	Anglian Water Services	Appendix 1	Table 12	We would also suggest that SuDS should also be included in Table 12 or potentially Table 13 of the SPD.	Flood protection and water management is appropriately referenced in Table 12. This encompasses SuDS.
PO(2020)SP D60	Crest Strategic Projects Ltd	Appendix 1	Table 14	Community Infrastructure: The Pooled S106 related items should omit the provision of Community Centres in relation to the strategic growth site at the land north of Roxwell Road, west of Chelmsford. Clarity is required because such provision (either on-site or through pooled contributions) is not referred to in the Local Plan or supporting IDP.	The need for such facilities are clearly set out in the Infrastructure Delivery Plan, paragraphs 10.11 to 10.19 and proportioned to the three growth areas in the Local Plan in Table 10.1 of the IDP, as well as being included within the summary tables for each site in Section 13 of the IDP.

**Appendix 2: Schedule of proposed changes for Planning Obligations Supplementary Planning Document**

Page	Paragraph/ table/ fig ref	Council comments
7	<u>2.16</u>	Add a new paragraph to read: The Plan can be downloaded here <a href="https://www.chelmsford.gov.uk/your-council/our-chelmsford-our-plan/">https://www.chelmsford.gov.uk/your-council/our-chelmsford-our-plan/</a>
8	3.3	Amend the last sentence to read: Infrastructure Funding Statements will also report on CIL and planning obligations revenue received, <del>and allocated</del> <u>and spent</u> ; <u>as well as reporting on progress of works that has received funding.</u>
8	3.4	Amend paragraph to read: Essex County Council's (ECC) Developers' Guide to Infrastructure Contributions <del>(2016)</del> <u>(Revised 2020)</u> <sup>1</sup> provides details of the impacts that development may have on ECC services and infrastructure, and guidance to developers regarding how Section 106 agreements and CIL may be used to secure works, finance and/or land to mitigate impacts. <u>Table 1 of the Guide outlines changes from the previous version. A copy of the Guide can be found here <a href="https://www.essex.gov.uk/planning-advice-guidance/guidance-for-developers">https://www.essex.gov.uk/planning-advice-guidance/guidance-for-developers</a>.</u>
8	<u>3.5</u>	Add new paragraph to read: <u>Planning obligations should be clearly identified as early as possible in the planning process. This includes the Masterplan process required for all strategic scale development, the pre-application process which is encouraged for all forms/scales of development and planning performance agreements to ensure all parties are clear what is required of them at each stage of the planning application process.</u>
8	<u>3.6</u>	Add new paragraph to read: <u>Due to the scale and complexity of delivering the infrastructure required for the Chelmsford Garden Community, bespoke infrastructure delivery mechanisms may be appropriate and will be considered through the existing garden community governance structure and consulted upon as part of the Development Framework Document (Masterplan) for the site.</u>
11	4.14	Amend paragraph to read: At the time a <del>formal pre-planning</del> application is submitted, the Council will review the requirements to provide 5% self-build and custom housebuilding against its register. <u>It will not be necessary to review the requirements again if a full or detailed planning application is submitted within six months of the pre-application advice being provided.</u> <del>However, the Council would not seek more than 5% self-build and custom housebuilding.</del>
12	4.26	Amend paragraph to read: The Section 106 agreement will <u>seek to</u> secure that self-build and custom housebuilding provision will need to be made available and actively marketed before occupation of 50% of market housing provision.
14	4.44	Amend paragraph to read: Because of the wide range of forms Specialist Residential Accommodation can take and the wide range of needs the accommodation can cater to, the Council will advise on the quantum of Specialist Residential Accommodation required at the time a <del>formal pre-</del> application is submitted.
15	4.47	Amend paragraph to read: At the time a <del>formal pre-</del> application is submitted, the Council will consider the Specialist Residential Accommodation needs identified in the Council's Housing Strategy as well as

		the latest assessments of need, including the Strategic Housing Market Assessment, Joint Strategic Needs Assessment and the Essex Gypsy and Traveller and Travelling Showpeople Accommodation Assessment.
15	4.48	Add a new sentence at the end of the paragraph to read: <u>Further information on the characteristics of suitable sites/buildings for older people and adults with learning disabilities is available in Appendix K of Essex County Council's Developers' Guide to Infrastructure Contributions (Revised 2020).</u>
15	4.49	Add a new sentence at the end of the paragraph to read: <u>Where affordability information is not provided in these statements / strategies; the default need is set out in Section 5 of this SPD.</u>
15	4.52	Amend paragraph to read: Where Specialist Residential Accommodation is meeting a housing need identified by Essex County Council and non-nomadic Gypsy and Travellers, a priority mechanism for households that reside, work or have strong family connections with persons living in the administrative area of Chelmsford City Council from whom they require support, will be prioritised for a <u>period of three months</u> <del>set period of time</del> .
15	4.53	Amend paragraph to read: The Section 106 agreement will <u>seek to</u> secure that Specialist Residential Accommodation <del>is should be</del> made available before occupation of 50% of market housing provision, to ensure timely delivery of the Specialist Residential Accommodation. <u>The Specialist Residential Accommodation obligation could be met through the provision of a suitable serviced site or completed dwellings.</u>
16	4.60	Amend paragraph to read: Gypsy, Traveller or Travelling Showperson sites will need to provide a suitable living environment for the proposed residents, with safe and convenient access to the local highway network. <del>Essential services</del> <u>Mains water, electricity supply, drainage and sanitation</u> should be available on-site or be made available on-site. <u>Sewerage should normally be through mains systems, however, in some locations this may not always be possible and in that case suitable alternative arrangements can be made. All sanitation provision must be in accordance with current legislation, regulation and British Standards. Specifically designated play area should be provided that meets the normal Council standards. Sites should also include a children's play area. Whilst there are no prescribed standards for the design and layout of traveller sites, site location and design should take into account the Ministry of Housing, Communities and Local Government's Designing Gypsy and Traveller sites: good practice guide and where appropriate, relevant legislation.</u>
16	4.63	Amend paragraph to read: The term 'plot' refers to the space required on a site to accommodate a household of Travelling Showpeople. A number of plots are also sometimes referred to as 'yards'. <del>There is no standard size for a plot, however</del> <u>The Local Plan expects 0.2 hectares per plot to be provided and</u> the Showmen's Guild has published some model standards for sites, which are considered to form good practice guidance.
17	4.64	Amend paragraph to read: <del>Plots for Travelling Showpeople should be of a size sufficient to enable the storage, repair and maintenance of equipment.</del> The area of land set aside for accommodation by one family unit and the area of land set aside for the storage and maintenance of equipment collectively forms a single plot. The storage and maintenance space can sometimes be a communal area, however, for security reasons there may be a preference for them to form part of individual plots.
21	5.30	Add a new sentence at the end of the paragraph to read: <u>Three bedroom, six persons affordable housing for rent could be acceptable in lieu of four bedroom, six person dwellings, when they comply with the minimum gross internal floor</u>



		<u>areas and storage requirements set out in Table 1 of the Nationally Described Space Standards and two separate reception rooms are provided.</u>
25	5.52	Amend paragraph to read: If the Council accepts that there are legitimate concerns relating to management or maintenance of predominantly flatted development, which prevents pepper-potting in strict accordance with <u>paragraph 5.48</u> this SPD, the Council will expect the provider of the affordable housing to be given an option to opt-out of any management arrangements and costs associated with the remainder of the site.
25	5.53	Amend first sentence to read: <u>Detailed Plans</u> submitted to the Council for planning consideration should clearly show the location and layout of all affordable dwellings within the development.
25	5.54	Amend paragraph to read: <del>Proposals that locate affordable housing in the less desirable parts of a development will be resisted (e.g. closest to sources of potential pollution).</del> The Council requires the same level, design and layout of car parking provision to apply to affordable and market housing.
29	6.7	Add bullet point to read: <ul style="list-style-type: none"> <li>• <u>Public Right of Way</u></li> </ul>
29	6.8	Amend first sentence to read: The developer is required to implement the agreed highway infrastructure works in such a way that the works can be adopted by the Highway Authority once it has been agreed that they are <u>built to an adoptable</u> standard.
29	6.9	Amend first sentence to read: <u>Unless otherwise agreed, B</u> <del>efore</del> occupation of a development, the developer is usually obliged to implement the approved scheme and the Highway Authority will issue a certificate of practical completion.
29	6.10	Amend first sentence to read: Developers will be required to pay fees to cover ECC's costs incurred in approving the detailed engineering drawings, <u>processing and advertising Traffic Regulation Orders</u> , and for inspecting the highway works and issuing the relevant certificate.
30	6.12	Amend paragraph to read: Where the infrastructure works include items with the possibility of a major maintenance requirement e.g. traffic signals or where the works are beyond the usual ECC specification, the Highway Authority <del>will</del> require a commuted sum from the developer to maintain that infrastructure, <del>for 15 years after adoption.</del> <u>Where the Highway Authority takes on assets from developers, there is a requirement for maintenance costs for the life of the assets, and replacement costs at the end of their useful life. Further information on this matter is available in Essex County Council's Developers' Guide to Infrastructure Contributions (Revised 2020).</u>
30	6.15	Amend paragraph to read: Land compensation bonds will be required where there is a possibility of existing properties being affected by new highway development, e.g. by increased noise resulting from new highway development, including the possibility of a reduction in value <del>price</del> .
31	7.7	Add a new sentence at the end of the paragraph to read: <u>The agencies responsible for different sources of flooding are set out in the Infrastructure Delivery Plan.</u>
32	7.9	Amend paragraph to read: As the Lead Local Flood Authority, Essex County Council has produced a Surface Water Management Plan for the urban area of Chelmsford (2014 <u>18</u> ). <u>The Essex SuDS Design Guide (February 2020) sets out practical guidance for new development to promote SuDS. Essex County Council only adopt SuDS in exceptional circumstances and further guidance</u>

		is contained in Essex County Council's SuDS adoption policy. There may be instances where individual sites come forward for development, which in turn raise issues of flood risk or water management. If these cannot be addressed on site or by way of condition, it is anticipated that a Section 106 Agreement may be needed. These may need to alleviate any/all forms of flood risk and such techniques could include:
32	7.11	Amend paragraph to read: <del>Where the flood protection and water management infrastructure works include items with the possibility of major maintenance requirements or where works are beyond the usual specification, the Council will require a commuted sum from the developer to maintain that infrastructure for 15 years after adoption.</del> <u>Where Essex County Council's is not the SuDS adoption body, the Council will work with developers to identify an alternative SuDS adoption body which could include a Water Authority or private management company. The Council will work with the developer to secure the long-term maintenance of all flood risk protection and water management through a combination of planning obligation, planning condition and commuted sum payment, guaranteeing their long-term maintenance.</u>
34	8.14	Amend the last sentence to read: This may form part of the provision of Sustainable <del>urban</del> Drainage Systems (SuDS).
37	8.26	Amend the first sentence to read: Maintenance contributions will be required for all open space provided on-site- <del>when responsibility for the long-term maintenance resides with Chelmsford City Council or a Parish or Town Council.</del>
38	8.33	Amend the paragraph to read: The annual maintenance amount varies for each type of open space from £0.03 per sq.m for allotments and community gardens to £0.45 per sq.m for amenity green space and play space-, <u>based on operational costs at 2020.</u>
39	8.36	Amend the paragraph to read: The annual maintenance amount for natural green space is calculated to be £0.08 per sq.m for natural green space and £0.87 per sq.m for parks, sports and recreation grounds-, <u>based on operational costs at 2020.</u>
41	9.13	Amend the last sentence to read: <del>Green spaces provided in connection with new housing development should include the planting of three trees per net new dwelling. Where practicable, all new housing development should seek to plant three trees per net new dwelling.</del>
41 - 42	9.16	Add a new sentence at the end of the paragraph to read: <u>Further guidance on matters relating to biodiversity, which should be borne in mind when considering a site and preparing a planning application, is set out in Essex County Council's Developers' Guide to Infrastructure Contributions (Revised 2020).</u>
42	9.18	Amend paragraph to read: At developments of over 100 homes, the Council will <u>seek to</u> negotiate Section 106 agreements which secure show homes that incorporate optional sustainable design features to showcase the benefits of including such features in a new build and how to move towards a zero- carbon home.
42	9.23	Add a new sentence at the end of the paragraph to read: <u>The Essex Green Infrastructure Strategy (2020) aims to enhance the urban and rural environment through creating connected, multifunctional green infrastructure that delivers multiple benefits to people and wildlife.</u>
43	10.1	Add a new sentence at the end of the paragraph to read:

		<u>Non-statutory guidance for local authorities for education to support housing growth and developers' contributions is provided in the Department for Education publication – 'Securing developer contributions for education,' (November 2019).</u>
43	10.6	Add a new sentence at the end of the paragraph to read: <u>If it is not planned to build a new school, financial contributions will be used to fund capital works to add additional capacity at academies, free schools or maintained schools in the appropriate area.</u>
43	10.9	Amend the paragraph to read: Essex County Council's (ECC) Developers' Guide to Infrastructure Contributions <del>(2016)</del> <sup>4</sup> <u>(Revised 2020)</u> provides information on <del>how the need for</del> <u>Education contributions, which incorporates early years and childcare, primary, secondary, post 16 and Special Educational Needs.</u> The Guide provides information on how the need for <u>additional school and early years places is are</u> assessed; how to calculate demand from new housing development and additional site requirements. <u>The Guide also provides information on Essex County Council's statutory responsibility to make suitable travel arrangements free of charge for eligible children, which depending on the location of a development, may require a developer contribution.</u>
44	10.13	Amend paragraph to read: Where appropriate Section 106 Agreements will seek to secure a community use <del>agreement for the public use of school sports facilities,</del> and a separate contribution will be levied for this purpose. <u>The agreement will require absolute clarity regarding which facilities would be used both by the school and the public; how they would operate and who would provide and maintain them.</u> The ECC Developers' Guide to Infrastructure Contributions (Revised 2020) provides details of how schools sites should be laid-out. The Essex Design Guide (2018) provides a School Design Checklist and criteria, which provides further advice on how schools should be designed to encourage community access outside of school hours.
45	11.5	Amend first sentence to read: New healthcare infrastructure, <u>which includes health and well-being measures,</u> will be required through Section 106 agreements.
46	12.2	Add a new sentence at the end of the paragraph to read: <u>This includes waste management, particularly in relation to the Chelmsford Garden Village.</u>
46	12.4	Amend the text in the second bullet point to read: <ul style="list-style-type: none"> <li>Space for library use <u>which Essex County Council's Developers' Guide to Infrastructure Contributions (Revised 2020) provides guidance on the threshold and form that the contribution to library provision will take; but includes potentially being part of a shared community or education facility.</u></li> </ul>
47	13.7	Amend the text in the first bullet point to read: <ul style="list-style-type: none"> <li>Improvements to paving and planting on public highway and other space directly adjoining the site <u>or a financial contribution towards the required off-site improvements.</u></li> </ul>
48	13.10	Amend paragraph to read: <del>Public realm improvements will usually be required to be completed prior to the first occupation of a development. There is a requirement for a developer to design and construct the area of Public Realm to a design and specification agreed by the Council. It will then be transferred to the appropriate Council (Parks or Highways) once it is in an adoptable condition. Upon transfer, a commuted maintenance payment will be required to cover the initial costs of maintaining the Public Realm. Development will not</del>

		<p><del>commence until the developer has submitted to and received written approval for a Public Realm Scheme from the Council.</del></p> <p><u>Development will not commence until the developer has submitted to and received written approval for a Public Realm Scheme from the Council. Developers will be required to illustrate what parts of the scheme are to be offered for adoption. For the parts of the scheme that will be offered for adoption, there is a requirement for a developer to design and construct the area of Public Realm to a design and specification agreed by the Council. It will then be transferred to the appropriate Council (Parks or Highways) once it is in an adoptable condition. Upon transfer, a commuted maintenance payment will be required to cover the initial costs of maintaining the Public Realm. The section 106 agreement will also put in place measures to agree the management and maintenance of any unadopted areas. Public realm improvements will usually be required to be completed prior to the first occupation of a development.</u></p>
50	14.5	<p>Amend the third bullet point to read:</p> <p>c) particular types of development are proposed which may significantly vary from standard models of development for sale, <u>or</u></p>
51	14.9	<p>Amend paragraph to read:</p> <p><del>Essex County Council</del> <u>Planning Officers Association (EPOA) have</u> produced a Viability Protocol that sets out overarching principles for how Essex Local Planning Authorities will approach development viability. The protocol does not alter Local Plan policies or the guidance in this SPD but does provide additional advice and guidance on the information requirements and approach taken when assessing viability at the decision-making stage. The EPOA Viability Protocol is available to download at <a href="https://www.essexdesignguide.co.uk/supplementary-guidance/essex-planning-and-viability-protocol/">https://www.essexdesignguide.co.uk/supplementary-guidance/essex-planning-and-viability-protocol/</a></p>
51	14.15	<p>Add new sentence at the end of the paragraph to read:</p> <p><u>In most cases Essex County Council provide a first draft of the clauses required to deliver contributions it has requested. A template agreement is provided in Appendix A of Essex County Council Developers' Guide to Infrastructure Contributions (Revised 2020).</u></p>
52	14.18	<p>Add sentence at the end of the paragraph to read:</p> <p><u>Section 3.2 of Essex County Council's Developers' Guide to Infrastructure Contributions (Revised 2020) provides further guidance for larger, phased development regarding contributions requested by Essex County Council.</u></p>
52	14.19	<p>Amend second sentence to read:</p> <p>Those financial contributions (excluding commuted payment relating to maintenance) that <u>are paid to the City Council and</u> remain unspent at the end of 10 years from the date when the money was paid will be returned to the payee in accordance with the terms of the individual agreements, unless they relate to infrastructure items that are required beyond 2036.</p>
52	14.20	<p>Amend paragraph to read:</p> <p><del>All financial contributions will be subject to indexation from the date of adoption of this SPD. The indexation period will therefore start with the date of adoption and end with the date when each payment becomes due. The indices to be used are the BIS PUBSEC Tender Price Index of Public Sector Building Non-Housing Indices. However, if a commuted sum is required for maintenance purposes, indexation will not be applied.</del></p> <p><u>The quantum of Section 106 financial contributions will be re-assessed at the point of planning application and fixed from the point of planning permission. All Section 106 financial contributions will be subject to indexation from the point of planning permission and end with the date each payment becomes due. The indices to be used are the BCIS PUBSEC Tender Price Index of Public Sector Building Non-Housing Indices. However, if a commuted sum is required for maintenance purposes, indexation will not be applied. The</u></p>



		<p><u>CIL charging rate is fixed in the CIL Charging Schedule and indexed on the 1st January each year based on the BCIS All in Tender Price Index, published in the preceding November.</u></p> <p><u>Essex County Council applies different indexation indices to different types of infrastructure. Further guidance is provided in Section 3.3 of Essex County Council's Developers' Guide to Infrastructure Contributions (Revised 2020).</u></p>
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**Appendix 3: Schedule of proposed changes to the Self-Build and Custom Build Design Code Template**

Page	Paragraph/ table/ fig ref	Council comments
6	3.1.2	Amend the second paragraph to read: The context and setting of each Self-Build/Custom Build area and intended method of delivery should inform the intended character. While the character of the Self-Build/Custom Build area will need to be <del>appropriate for</del> <u>coherent and appropriate with</u> the wider masterplan vision and surrounding context, it can <del>should</del> be distinctive <u>and innovative.</u> <del>and separate to the housing delivered by the site wide developer or existing development nearby.</del>



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## Chelmsford City Council Policy Board

14 January 2021

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### Making Places Supplementary Planning Document (SPD) – Consultation Feedback and Proposed Changes

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#### Report by:

Director for Sustainable Communities

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#### Officer Contact:

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#### Purpose

To present feedback from consultation on the Council's Making Places SPD and seek approval for proposed changes to the SPD for consideration by Cabinet.

#### Recommendations

- 1 That the Board agree the proposed changes to the SPD attached at **Appendix 2** of this report and recommend to the Council's Cabinet that it be adopted in accordance with those changes.
- 2 That the Board recommend to the Council's Cabinet that any subsequent minor textual, presentational or layout amendments to the final version of the SPD is delegated to the Director of Sustainable Communities in consultation with the Cabinet Member for Sustainable Development.

- 3 That the necessary legal and procedural processes are undertaken adopt the SPD and the Board recommend to the Council's Cabinet that the Director of Sustainable Communities in consultation with the Cabinet Member for Sustainable is delegated to approve the necessary legal and procedural adoption material.
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## 1. Introduction

- 1.1 This report follows the public consultation of the Council's draft Making Places Supplementary Planning Document (SPD). It reports on the feedback received from the public consultation and recommends the adoption of the SPD subject to some amendments following feedback received.

## 2. Background to the SPD

- 2.1 Once adopted the SPD will support the implementation of the new Local Plan. It seeks to promote and secure high-quality sustainable new development. It is aimed at all forms of development, from large strategic developments, mixed use, public spaces and places, to small extensions to individual homes.
- 2.2 It sets out the standards the Council will require when considering future planning proposals by providing further detailed guidance on the policy requirements set out in the new Local Plan. It also provides good practice guidance on how development can go beyond planning policy requirements to create the most sustainable and environmentally friendly development possible. The guidance within the SPD is aligned with the priorities set out within 'Our Chelmsford, Our Plan' and will assist in creating development which is safer, greener, fairer, and better connected for all.
- 2.3 Once adopted the SPD will be a material consideration in the determination of planning applications and updates and replaces the following documents:
  - Making Places SPD: Urban site guidance for designers, developers and planners (2008)
  - Building for Tomorrow SPD: Guidance on Sustainable Design and Construction (2013), and
  - Recycling and Waste: Planning Guidance on Storage and Collection of Recycling and Waste (2013)
  - Interim residential parking guidance (2015).



### 3. Public consultation on the SPD

- 3.1 The draft SPD was approved for public consultation by Cabinet on 2 June 2020 but owing to the coronavirus situation public consultation was delayed until later in the year following the Council's adoption of a new Statement of Community Involvement (SCI) which set out revised forms of public consultation for such documents. Consultation took place between 15 October and 12 November 2020.
- 3.2 The draft SPD document which was the subject of public consultation can be viewed at: <https://www.chelmsford.gov.uk/resources/assets/inline/full/0/4645297.pdf>

### 4. Feedback from the public consultation

- 4.1. The consultation received 63 representations from 26 different individuals/organisations. The majority of these were from organisations/public bodies and developers. It should however be noted that one representation often referred to multiple sections/paragraphs within the document.
- 4.2. A feedback report, including a summary of the representations received can be found at **Appendix 1** of this report. This sets out who and how we consulted on the SPD and the feedback received from the consultation. The feedback is set out in document order and contain details of each representation and the Council's comments and/or change proposed as a result of those comments.
- 4.3. In general, there was support for the document and its contents, subject to some suggested changes. Most changes were to ensure clarity on what was required by development and updates to reflect the latest position on some issues.
- 4.4. It was also considered that elements of the SPD suggested that development proposals were required to go beyond policy requirements in the Local Plan.

### 5. Proposed changes

- 5.1. A final schedule of proposed changes is found at **Appendix 2** of this report. This condenses proposed changes set out in the feedback report as well as some minor additional changes proposed, generally regarding drafting, to the SPD in document order. Changes are shown as ~~strike through~~ where text is to be removed and underlined where additional text is proposed.
- 5.2. In summary the changes are:
- Clarification/wording changes to assist in clarifying where elements of the guidance are encouraged but not a mandatory policy requirement

- Changes to ensure greater clarity or to reflect the latest guidance or policy position
- Minor wording changes to ensure greater clarity on what is a policy requirement and what is a suggestion which goes beyond policy
- The inclusion of some further best practice examples
- Minor typographic and editorial changes

5.3. Following agreement of this schedule of proposed changes by the Board and Cabinet a final version of the document will be produced and published on the Council's website as soon as practicable.

5.4. As soon as reasonably practical following adoption of the SPD, in accordance with Regulation 14 of the Town and Country Planning (Local planning) (England) Regulations 2012 (as amended) the Council will make available the SPD and an Adoption Statement. The Council will also send the Adoption Statement to anyone who has asked to be notified of the adoption of the SPD.

## 6. Conclusions

6.1 The consultation on the draft SPD received a good level of response with general support for the document. Subject to the Board agreeing the schedule of proposed changes attached at **Appendix 2** of this report, the SPD is recommended to Council's Cabinet for adoption.

### List of appendices:

Appendix 1 Feedback Report for Making Places Supplementary Planning Document

Appendix 2 Schedule of proposed changes to the Making Places Supplementary Planning Document

### Background papers:

Making Places Supplementary Planning Document Consultation Document :

<https://www.chelmsford.gov.uk/resources/assets/inline/full/0/4645297.pdf>

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## Corporate Implications

### Legal/Constitutional:

The SPD has been subject to consultation in accordance with the Planning and Compulsory Purchase Act 2004.

### Financial:

There are no cost implications arising directly from this report.

Potential impact on climate change and the environment:

The SPD will seek to ensure new development within the administration area will contribute towards meeting the Council's Climate Change agenda.

Contribution toward achieving a net zero carbon position by 2030:

The SPD will seek to ensure new development within the administration area will contribute towards achieving a net zero carbon position by 2030.

Personnel:

There are no personnel issues arising directly from this report.

Risk Management:

None.

Equality and Diversity:

The SPD will seek to ensure new development provides access for all.

An Equalities and Diversity Impact Assessment has been undertaken for the Council's new Local Plan.

Health and Safety:

There are no Health & Safety issues arising directly from this report.

Digital:

There are no IT issues arising directly from this report.

Other:

The document will contribute to priorities in the Council's Our Chelmsford, Our Plan 2020: A Fairer and Inclusive Chelmsford, A Safer and Greener Place, Healthy, Enjoyable and Active Lives and A Better Connected Chelmsford.

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#### Consultees:

CCC – Development Management

CCC – Inward Investment and Economic Growth

CCC – Building Control

CCC – Parks Services

CCC – Legal Services

### Relevant Policies and Strategies:

This report takes into account the following policies and strategies of the City Council:

Local Plan 2013-2036

Our Chelmsford, Our Plan, January 2020

Statement of Community Involvement 2020

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### Our Chelmsford, Our Plan

The above report relates to the following priorities in the Corporate Plan:

Promoting sustainable and environmentally responsible growth to stimulate a vibrant, balanced economy, a fairer society and provide more housing of all types.

Making Chelmsford a more attractive place, promoting Chelmsford's green credentials, ensuring communities are safe and creating a distinctive sense of place.

Encouraging people to live well, promoting healthy, active lifestyles and reducing social isolation, making Chelmsford a more enjoyable place in which to live, work and play.

Bringing people together, empowering local people and working in partnership to build community capacity, stronger communities and secure investment in the city.



## **APPENDIX 1: CHELMSFORD CITY COUNCIL MAKING PLACES SUPPLEMENTARY PLANNING DOCUMENT (SPD) FEEDBACK REPORT**

### **Introduction**

The SPD has been produced to assist in the implementation of the City Council's Local Plan policies to ensure secure, high-quality, well-designed, sustainable development is achieved. It also provides good practice examples on how development can go beyond planning policy requirements to create the most sustainable and environmentally friendly, well-designed development possible.

### **Preparation of the draft SPD**

In preparing the draft SPD, informal consultation was carried out with a range of internal City Council officers including those from:

- Development Management
- Inward Investment and Economic Growth
- Parks
- Recycling and Waste

Initially officers had input into the proposed content and format of the SPD. As sections were drafted officers were given the opportunity to comment on them and relevant changes were then incorporated into the final draft SPD.

A workshop was also held for all City Council Members where there were 24 attendees. This included a presentation of the proposed contents and layout of the draft SPD. Members provided comments on the layout, content and proposed examples for inclusion in the SPD. These comments were then incorporated into the final draft SPD.

All the above consultees assisted in the structure and content of the document. The informal consultation stage resulted in relevant changes to the document including:

- Text updates to reflect City Council priorities, strategies, plans and initiatives
- Inclusion of specific examples throughout the SPD
- Minor editorial and presentational changes to help with the navigation of the SPD.

### **Who and how we formally consulted**

The formal public consultation took place between **10am Thursday 15 October 2020 until 4pm on Thursday 12 November 2020**.

The Council issued consultation notifications in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended). This included email/letter notifications to statutory bodies including Essex County Council, local Parish and Town Councils and Government bodies and all organisations/individuals on the Local Plan consultation mailing list, totalling 6,107 different consultees.

From Thursday 15 October 2020, the draft SPD was made available online at: [www.chelmsford.gov.uk/planningpolicyconsult](http://www.chelmsford.gov.uk/planningpolicyconsult) A dedicated web page was also set up on the Council's website containing detailed information about the consultation.

Paper copies were able to be viewed at the City Council's Customer Service Centre, Civic Centre, Duke Street, Chelmsford, CM1 1JE, Monday to Friday 10.00am to 4.00pm.

The document was available to view at Chelmsford Library, County Hall, Market Road, subject to its restricted opening restrictions which people were notified about and directed to the following link for the latest information: <https://libraries.essex.gov.uk/contact-essex-library-service/coronavirus-andlibraries-faqs/>

During the consultation period two virtual forums for Parish Council's and Agents/Developers were held on 2 and 4 November 2020, where a presentation was made on the SPD, questions were answered by the Council, and participants were encouraged to consider the SPD and make any necessary comments as part of the consultation.

An article about the SPD consultation was published in the Council's Winter edition of the 'City Life' magazine which is distributed to households across the administration area. Two press releases were issued and coverage of the consultation was made by the Council via Twitter and Facebook during the consultation period on 9 November 2020.

In accordance with the Council's Statement of Community Involvement (SCI) the Council published a Statement of Representations alongside the consultation, advising where and when comments could be made and alerting people to the consultation through the Council webpages. This was posted on the Council's website and sent to all those consulted. It also included details of how to make comments on our dedicated consultation portal.

The consultation portal provided a web-based feedback form to add comments to. A pdf form was also available from the Council's website to download and complete.

Comments were able to be made in the following ways:

Online: [www.chelmsford.gov.uk/planningpolicyconsult](http://www.chelmsford.gov.uk/planningpolicyconsult)

By email: [planning.policy@chelmsford.gov.uk](mailto:planning.policy@chelmsford.gov.uk)

By post: Spatial Planning Services, Civic Centre, Duke Street, Chelmsford, Essex, CM1 1JE

By hand: Monday to Friday 10.00am to 4.00pm - Customer Service Centre, Civic Centre, Duke Street, Chelmsford, CM1 1JE

### **Number of comments received**

63 representations were received from 26 different consultees. These are summarised in the table below. It should however be noted that where one representation refers to multiple sections/paragraphs within the document the comments made in the representation has been split and set against the relevant section/paragraph against the document to aid in the consideration of the representations. Therefore, the same representation number may appear multiple times in the table below.

## Summary of main issues raised and how they have been taken into account

Please note these are a summary of comments received. Copies of all comments are available to view in full at [https://consult.chelmsford.gov.uk/portal/po\\_\\_mp\\_spd\\_2020/making\\_places\\_spd\\_-\\_consultation\\_draft\\_2020?tab=list](https://consult.chelmsford.gov.uk/portal/po__mp_spd_2020/making_places_spd_-_consultation_draft_2020?tab=list)

Comment ref ID	Name	Page	Paragraph/table/fig ref	Summary of Comments/Proposed change	Council comments
MPSPD2	Sport England		General comment	Generally, the SPD is considered to represent good practice in relation to place-making. In particular, the incorporation of health and well-being considerations throughout the document is commended especially design considerations that would encourage physical activity.	Support welcomed.
MPSPD4	Highways England		General comment	The SPD is unlikely to have any impact upon the Strategic Road Network.	Noted
MPSPD39	Danbury Parish Council		General comment	The Parish Council is supportive of the SPD.	Support welcomed.
MPSPD41	National Grid UK		General comment	No comments to make in response to this consultation.	Noted.
MPSPD57	Crest Nicholson Partnerships and Strategic Land		General comment	<p>It is considered that there are several key points that need to be considered throughout the draft document:</p> <ul style="list-style-type: none"> <li>• It is imperative that that the SPD's content and tone should not be overly prescriptive. It should provide sufficient flexibility to allow for the pragmatic assessment of developments on their own individual merits and context.</li> <li>• A number of the SPD's principles relate to high quality design and "going beyond" Local Plan requirements. However, this is an aspiration and not a requirement, therefore it needs to be balanced against viability and deliverability.</li> <li>• The SPD needs to recognise that new character areas (particularly on a strategic development) can accentuate the sense of place and quality. The SPD fails to promote this sense of diversity in new development, with emphasis on new development replicating existing.</li> <li>• For clarity, greater reference should be made to masterplans in accordance with the adopted Local Plan's masterplan procedure (Strategic Policy S7 and paragraph 6.36) to ensure the SPD is consistent with the adopted local policy framework.</li> <li>• The content and objectives of the SPD should not adversely impact the viability and deliverability of a scheme.</li> </ul>	<p>The SPD does not require development to go beyond policy. It simply identifies areas where there may be scope to do more to encourage and promote the most sustainable forms of development. Some minor word changes are suggested throughout to ensure this is clear.</p> <p>Add new additional paragraph after 2.2 to read:  <u>As part of the Council's adopted Masterplan process the detail as to how relevant strategic sites will satisfy the requirements of the respective site policies in the Local Plan, as well as the aims and objectives of this SPD, will be considered through the iteration, consultation and quality review panel assessment of these sites. This SPD provides guidance but is not intended to stifle innovation and local design solutions identified through masterplans.</u></p>
MPSPD43	Countryside Properties		General Comment	We welcome the Council's decision to advance the SPD (Supplementary Planning Document). Where we do have areas of concern, we recommend amendments be made to the SPD followed by further engagement with the development industry prior to adoption. Supplementary planning documents (SPDs) should build upon and provide more detailed advice or guidance on policies in an adopted local plan. As they do not form part of the development plan, they cannot introduce new planning policies. In certain areas, we are concerned that the SPD is straying into creating policy and proposing measures that were not considered as part of the viability assessment supporting the Local Plan.	The SPD sets out at the beginning that it seeks to encourage but not require developments to go beyond policy requirements. Various amendments are proposed throughout the SPD to ensure this is clearer.
MPSPD3	Anglia Ruskin University		General comment	General support given to sections 1, 5, 6, 7, 9	Support welcomed
MPSPD5	Transport for London		General comment	No comments to make on the Making Places SPD.	

Comment ref ID	Name	Page	Paragraph/ table/ fig ref	Summary of Comments/Proposed change	Council comments				
MPSPD16	Runwell Parish Council		General comment	Support for the document.	Support welcomed.				
MPSPD22	Natural England		General comment	No specific comments to make.					
MPSPD42	Hopkins Homes		General comment	Support the intended purpose of promoting and securing high-quality sustainable new development. Some concerns in respect of specific aspects of the SPD, principally in terms of the nature of some of the wording in the guidance and how this might be interpreted by decision-makers. It is important to recognise that whilst Supplementary Planning Documents can build upon and provide more detailed advice or guidance on policies in the Local Plan and are a material consideration in decision-making, as they do not form part of the Development Plan, they cannot introduce new planning policies and the guidance they provide does not have the same status as the Development Plan. There are references within the SPD to it providing guidance and being a material consideration, but we suggest that text within the SPD should also make clear that it does not introduce new policy and is not part of the Development Plan. Without such clarification, our concern is that future decision-makers, the public and other stakeholders may wrongly infer that the SPD has greater weight than it can.	The document sets out the relevant policies throughout and provides practical implementation of the Local Plan policies and also encourages additional good practice to achieve high quality development. Some minor wording changes are suggested throughout the document to ensure this is clearer.				
MPSPD66	Essex Police		General comment	Essex Police welcome the inclusion of crime prevention theory throughout and consideration of the various components that makes a place.	Support welcomed				
MPSPD66	Essex Police		General comment	Lighting is prevalent throughout the documentation and Essex Police would strongly recommend that this notion is broadened to embody lighting as a crime prevention tool. Lighting plays a pivotal role in deterring criminal activity at all times (not just during the darker nights), but also promotes a feeling of safety within that space. When designing both public and private space, and when applied and designed correctly, lighting can reduce the potential for crime.	In addition to other references throughout, the principles for safety of spaces includes ensuring spaces are well lit. Paragraph 7.14 refers to secured by design which includes guidance on lighting for different types of development. As this SPD does not seek to repeat existing guidance it is considered the issue of lighting is appropriately covered by reference throughout the document as well as referring to secured by design.				
MPSPD66	Essex Police		General comment	Appreciative of the prospect of increasing opportunities for natural surveillance, community interaction, and environmental control, Essex Police would wish to be consulted around the placement of doors and windows facing into public space.	No suggested change to the document but Development Management will consider this request and discuss further with Essex Police to establish which further applications would be appropriate to consult the police on.				
MPSPD19	Anglian Water Services		Tables at beginning of each section	There are number of tables which reference different types of development but this doesn't appear to refer to specifically to employment or retail uses expect where these form part of a mixed use site.	Amend last development type column to read: Mixed use <u>and non-residential uses</u>				
MPSPD2	Sport England		Introduction	While the Council’s Livewell Development Accreditation Scheme is referenced in section 7 of the SPD, given the strong relationship between the content of the SPD and the health and well-being elements of place making that are encouraged to be exemplified through the accreditation scheme, it is requested that reference be made to the Livewell Development Accreditation Scheme in the introductory section of the SPD as well as in the section on the Accessibility of Public Spaces.	<div>Add the following to table on page 5 and 6:</div> <table><tr><td colspan="2">Livewell - <a href="https://www.essexdesignguide.co.uk/">https://www.essexdesignguide.co.uk/</a></td></tr><tr><td>Livewell is an accreditation scheme which seeks to place health and well-being at the heart of developments.</td><td>Encouraged to design a scheme in accordance with the Livewell accreditation for all strategic scale development</td></tr></table>	Livewell - <a href="https://www.essexdesignguide.co.uk/">https://www.essexdesignguide.co.uk/</a>		Livewell is an accreditation scheme which seeks to place health and well-being at the heart of developments.	Encouraged to design a scheme in accordance with the Livewell accreditation for all strategic scale development
Livewell - <a href="https://www.essexdesignguide.co.uk/">https://www.essexdesignguide.co.uk/</a>									
Livewell is an accreditation scheme which seeks to place health and well-being at the heart of developments.	Encouraged to design a scheme in accordance with the Livewell accreditation for all strategic scale development								
MPSPD23	Grosvenor Developments Limited and Hammonds Estates LLP	1	Paragraph 1.1 – 1.7	Fully supports the preparation and purpose of the SPD. It provides a clear direction not only when assessing proposals as set out in the currently adopted Local Plan, but also as the Plan moves towards the next phases of review and new sites are allocated for development.	Support welcomed.				
MPSPD57	Crest Nicholson Partnerships and Strategic Land	1	Paragraph 1.2	The following wording amendments are sought (strikethroughs identifying deleted text with new text highlighted in bold): <i>It sets out detailed guidance for the implementation of the policy requirements set out in the new Local Plan <b>and provides practical advice to help with schemes from single house extensions to strategic sites and their masterplans.</b></i>	Amend paragraph to read: It sets out detailed guidance for the implementation of the policy requirements set out in the new Local Plan <u>and provides practical advice to help with schemes from single house extensions to strategic sites and their masterplans.</u>				



Comment ref ID	Name	Page	Paragraph/table/fig ref	Summary of Comments/Proposed change	Council comments
MPSPD1	Galleywood Parish Council	1	Paragraph 1.4	It is unclear as to what the statement 'including the commitment to make the Council's activities net-zero carbon by 2030 and achieve 100% carbon energy across the Council's full range of functions by 2030' actually means.	The wording comes from the City Councils Climate and Ecological Emergency declaration made in 2019.
MPSPD24	Grosvenor Developments Limited and Hammonds Estates LLP	2	Paragraph 1.8	The document could be clearer in presenting what is a policy requirement and what is to be encouraged but not strictly required by policy.	The document sets out the relevant policies throughout and provides practical implementation of the Local Plan policies and also encourages additional good practice to achieve high quality development. Some minor wording changes are suggested throughout the document to ensure this is clearer.
MPSPD25	Grosvenor Developments Limited and Hammonds Estates LLP	2	Paragraph 2.2	As the current Local Plan moves towards the next stage of review, guidance provided in this SPD will also be helpful to developers, Councillors and officers in identifying the most suitable sites to deliver growth and quality in accordance to the SPD principles and the Council's priorities, at site selection stage and further Examination stages.	The SPD is not intended to identify future areas for growth, this will be done through the future review of the Local Plan.
MPSPD42	Hopkins Homes	2	Paragraph 2.2	This makes reference to masterplans and confirms that the guidance it provides is intended for use in the masterplanning process. We acknowledge that guidance within the SPD will be of use to all stakeholders in the masterplanning process. However, it is pertinent to note that the Council's adopted Masterplan Procedure ensures the iterative preparation of masterplan for the relevant strategic growth sites, through a process whereby bespoke, site-specific approaches to various site-specific issues are determined. In many cases, this will inevitably result in alternative solutions to those suggested within the SPD. We suggest that the SPD should acknowledge the unique status of the strategic sites required to go through the Masterplan Procedure, and that whilst the guidance will be a useful tool in this process, make expressly clear that it is not expected to be slavishly adhered to. Our concern is that without such clarification, entirely suitable proposals prepared in conjunction with the Council and other stakeholders for the masterplanned sites may be unjustifiably perceived negatively by decision-makers.	Add new additional paragraph after 2.2 to read: <u>As part of the Council's adopted Masterplan process the detail as to how relevant strategic sites will satisfy the requirements of the respective site policies in the Local Plan, as well as the aims and objectives of this SPD, will be considered through the iteration, consultation and quality review panel assessment of these sites. This SPD provides guidance but is not intended to stifle innovation and local design solutions identified through masterplans.</u>
MPSPD57	Crest Nicholson Partnerships and Strategic Land	2	Paragraph 2.4	The following wording amendments are sought (strikethroughs identifying deleted text with new text highlighted in bold): <i>This SPD provides detailed guidance to assist in the...Developer <del>going beyond</del> <b>meeting</b> the Local Plan requirements to deliver more sustainable forms of development.</i>	The SPD is aimed at encouraging development to go beyond policy requirements. When read alongside paragraph 2.6 it is clear that going beyond policy is to be encouraged but is not a requirement.
MPSPD57	Crest Nicholson Partnerships and Strategic Land	2	Paragraph 2.6	The following wording amendments are sought (strikethroughs identifying deleted text with new text highlighted in bold): <i>It also includes detailed guidance on how to <del>go beyond</del> <b>meet</b> the Local Plan policy requirements to encourage development to be futureproofed and be as sustainable and energy efficient as possible <b>without adversely affecting the viability and deliverability of a proposed scheme.</b></i>	Reference to viability is not necessary as this has been tested at a Local Plan level and the SPD is not requiring development to go beyond this.
MPSPD3	Anglia Ruskin University	3	Table	The 4 'Development types' referenced throughout the document do not include (and thereby do not apply to) a non-residential single use. The SPD should explicitly apply to a non-residential single use.	Amend last development type column to read: Mixed use <u>and non-residential uses</u>
MPSPD26	Grosvenor Developments Limited and Hammonds Estates LLP	4	Paragraph 2.12	This does not seem to happen in the actual chapters. Apart from the policy numbers being listed below the headings, there is no clear distinction in the main text between policy requirement and guidance that is 'strongly encouraged'.	The document sets out the relevant policies throughout and provides practical implementation of the Local Plan policies and also encourages additional good practice to achieve high quality development. Some minor wording changes are suggested throughout the document to ensure this is clearer where necessary.

Comment ref ID	Name	Page	Paragraph/table/fig ref	Summary of Comments/Proposed change	Council comments
MPSPD27	Grosvenor Developments Limited and Hammonds Estates LLP	4	Paragraph 2.13	The final sentence of this paragraph is unclear and would benefit from being more explicit (e.g. what other guidance elsewhere in the SPD is relevant and where conflict arises).	Amend last sentence of paragraph to read: Where there is conflict with other guidance <u>or policy published after the adoption of the SPD elsewhere the SPD guidance should take precedence</u> decision makers may give it weight, if appropriate, alongside the provisions of the SPD.
MPSPD57	Crest Nicholson Partnerships and Strategic Land	4 & 5	Paragraph 2.13 & 3.11	Is not considered that the SPD should conflict with recently adopted national, county or local policy/guidance. If any of the guidance contained within the table on pages 5 and 6 conflicts with the SPD, it should not be referred to.	This paragraph refers to other guidance documents referred to throughout in the SPD as a whole. The SPD does not conflict with any formally adopted guidance or policy. There may however be instances where such guidance documents referred to in the SPD differ on specific points due to the local context of Chelmsford.
MPSPD2	Sport England	5	Other Relevant Guidance	Sport England and Public Health England's Active Design guidance <a href="https://www.sportengland.org/how-we-can-help/facilities-and-planning/design-and-cost-guidance/active-design">https://www.sportengland.org/how-we-can-help/facilities-and-planning/design-and-cost-guidance/active-design</a> should be included in the list of other relevant guidance. Like Secured by Design and Lifetime Homes that have been listed, Active Design represents established guidance on designing to encourage physical activity that is relevant to much of the SPD. Furthermore, Active Design principles have been embedded into the Essex Design Guide and the Council's Livewell Development Accreditation scheme	Include link and reference to this document in the table of Other relevant guidance to read: Sport England and Public Health England's Active Design guidance <a href="https://www.sportengland.org/how-we-can-help/facilities-and-planning/design-and-cost-guidance/active-design">https://www.sportengland.org/how-we-can-help/facilities-and-planning/design-and-cost-guidance/active-design</a> Represents established guidance on designing to encourage physical activity. Encouraged for all forms/scales of development.
MPSPD59	Essex County Council	5	Paragraphs 3.7 – 3.9	Reference should be made to the adopted Essex Minerals Local Plan (MLP) (2014) and the Essex and Southend-on-Sea Waste Local Plan (WLP) (2017), which form part of the Development Plan for the Chelmsford administrative area.	It is acknowledged that the MLP and WLP, as well as the Marine Management Plan form part of the Development Plan. However, these are picked up in the production of the Local Plan itself. This SPD is about the implementation of the Local Plan, of which these three documents has informed, so further reference within it is not considered to be necessary. Further reference to these Plans is however made in paragraph 9.23.
MPSPD12	Melville Dunbar Associates	5	Paragraph 3.11	The precedence of different documents and standards may change over time. It should be the most recently adopted that takes precedence.	Amend last sentence of paragraph 2.13 to read: Where there is conflict with other guidance <u>or policy published after the adoption of the SPD elsewhere the SPD guidance should take precedence</u> decision makers may give it weight, if appropriate, alongside the provisions of the SPD.
MPSPD28	Grosvenor Developments Limited and Hammonds Estates LLP	5	Paragraph 3.11	This paragraph is unclear and would benefit from being more explicit. For example, it is unclear how this SPD can take precedence over policies as it is intended to be guidance that is applicable to a specific policy. Also, it is not clear if it suggested that when applying other standards (such as the TCPA Garden City Principles or the Essex design Guide) this SPD always take precedent in case of conflict.	This paragraph refers to other guidance documents referred to throughout the SPD as a whole. The SPD does not conflict with any formally adopted guidance or policy. There may however be instances where such guidance documents referred to in the SPD differ on specific points due to the local context of Chelmsford. It is however considered appropriate to amend the first sentence of the paragraph to be clear this SPD does not override adopted policies, to read: There are a number of other relevant <del>policies/</del> standards/benchmarks/strategies which should be considered alongside this SPD.
MPSPD58	Essex County Council	5 & 26	Paragraph 3.12 & 7.34	ECC supports the purpose of the SPD and recommend reference is made to the Essex Green Infrastructure Strategy (2020) in terms of other relevant guidance in paragraph 3.12 and 7.34 regarding public spaces.	The table of 'other relevant guidance' includes guidance which is referred to in various places throughout the document to save having to repeat throughout the document. It is however considered appropriate to add additional text to end of paragraph 7.34 to read: <u>The Essex Green Infrastructure Strategy (2020)</u> <a href="https://www.placeservices.co.uk/resources/built-environment/essex-gi-strategy/">https://www.placeservices.co.uk/resources/built-environment/essex-gi-strategy/</a> also seeks to enhance, protect and create an inclusive and integrated network of high-quality multi-functional green infrastructure in Greater Essex.

Comment ref ID	Name	Page	Paragraph/table/fig ref	Summary of Comments/Proposed change	Council comments
					<u>Opportunities for delivering and integrating with other green infrastructure set out within this Strategy should be considered.</u>
MPSPD1	Galleywood Parish Council	5 & 6	Section 3	The hyperlinks as published do not appear to work. Perhaps the document should have been considered as a web document rather than a pdf - A good example of which is the Essex Design Guide.	All hyperlinks appear to work but different computer settings can impact the use of pdf documents. Publication of the final SPD as a web-based document will be explored and made available if possible.
MPSPD11	Historic England	7	Section 4	We are pleased to note the inclusion of historic environment considerations under Site Analysis in this section. Where possible, we would encourage the document as a whole to present historic environment considerations in terms of 'opportunity' rather than as 'constraint', as is often seen. This is especially given the context of the research we link to above, which sets out the importance of embodied carbon bound up in the historic and pre-1919 built environment. We would also highlight that stakeholder consultation is potentially a stage that is missing from the Design Process set out on page 7. This includes, but is not limited to, those statutory consultees such as Historic England.	Various suggested detailed changes to the Historic Environment section are agreed in the comments below. The SPD includes a link to the Council's adopted Matserplan and pre-application processes, as well as the general design processes to following when preparing a scheme on page 7. These include the need for stakeholder consultation so it is not considered necessary to repeat these in this SPD which is about policy implementation rather than processes.
MPSPD29	Grosvenor Developments Limited and Hammonds Estates LLP	7	Paragraph 4.1 - 4.3	This Section needs to make reference to the importance of community and stakeholders engagement in the earlier stages of design and site appraisal. Residents, groups and organisations are local experts and therefore a helpful starting point that can give insights on a site that perhaps desktop and technical assessments cannot provide.	The SPD includes a link to the Council's adopted Matserplan and pre-application processes, as well as the general design processes to following when preparing a scheme on page 7. These include the need for stakeholder consultation so it is not considered necessary to repeat these in this SPD which is about policy implementation rather than processes.
MPSPD60	Essex County Council	7	Paragraph 4.3	Reference to the City Council pre-application process and Masterplan Procedure (including Planning Performance Agreements (PPAs)), and the Essex Quality Review Panel in paragraph 4.3, and is supported. In addition, ECC also has its own pre-application advice procedure and has also produced a model Planning Performance Agreement to outline the offer and to assist partners in this process. It also details fees for this service, which has a different charging structure to ECC pre-application advice services. ECC also provides pre-application highway advice providing an early indication of whether any proposal is likely to be acceptable to the Highway Authority or not and which details of information should be submitted with any planning application. <a href="https://www.essex.gov.uk/planning-advice-guidance/highways-planning-advice">https://www.essex.gov.uk/planning-advice-guidance/highways-planning-advice</a>	Support welcomed. CCC encourages pre-planning advice within its administration area to come through its planning services for a consistent approach. The link to the CCC pre-application advice service on page 7 provides a link to cover ECC Highway pre-application advice so further reference in the document is not considered necessary.
MPSPD61	Essex County Council	8	Objectives	In order to be consistent with the section 'What does success look like', the 3rd objective could be amended to read: Create a high-quality network of multi-functional Green Spaces.	Amend third 'Objective' to read: Create a high-quality network of <u>multi-functional</u> Green <del>Infrastructure</del> <u>Spaces</u> .
MPSPD19	Anglian Water Services	8	What does success look like	Reference is made to sustainable urban drainage. It is suggested that the term Sustainable Drainage Systems should be used for consistency with the wording of National Planning Policy.	Amend third bullet point to read: <ul style="list-style-type: none"> <li>Integrated sustainable <del>urban</del> drainage</li> </ul>
MPSPD8	Chelmsford & Central Essex RSPB Local Group	8	Paragraph 5.2	General support for section 5. The wording 'where necessary' should be deleted from paragraph 5.2.	As an ecological impact assessment will not always be required it is appropriate to retain the wording 'where necessary'.
MPSPD44	Countryside Properties	8	Paragraph 5.2	The Making Places SPD seeks net biodiversity gain and for all applications to demonstrate this using a biodiversity metric calculation. The new Local Plan confirms that development should deliver biodiversity net gain where possible in Policy DM16. Clause 90 of the Environment Bill introduces Schedule 14 which will amend the Town and Country Planning Act 1990 such that it will become mandatory for developers to	The Environment Bill is intended to make net gain mandatory and developers will need to provide 10% biodiversity net gain. The use of the metric will consider sites at outline and provide a baseline calculation for all area and linear habitats present. By using the metric at this stage it will steer and negotiate solutions by looking at the wider scheme to

Comment ref ID	Name	Page	Paragraph/table/fig ref	Summary of Comments/Proposed change	Council comments
				provide 10% biodiversity net gain in respect of any new development that results in habitat loss or degradation. The SPD should make it clear that; - Ahead of the Environment Bill, the requirement should be to demonstrate biodiversity net gain where possible in line with Policy DM16 - Post the passing of the Environment Bill, the target for Biodiversity Net Gain will follow that established by national legislation At sites such as Beaulieu, residential parcels and landscaping areas have been brought forward as separate reserved matters applications. The use of any metric needs to consider the strategic sites as whole and an integrated approach must be taken to any biodiversity calculation tools used moving forward. Therefore, a transitional arrangement should be introduced for sites which already have already obtained outline consent.	provide different net gain to achieve the best result. The provision of arrangements to secure the delivery of net gain and offsetting will be provided at reserved matters. When looking to implement net gain through DM16 it is important this is consistent and quantifiable therefore the use of the Defra 2.0 metric should be used.
MPSPD17	The Landscape Conservation Trust	9	Paragraph 5.3	To include the sentences indicated by " " to ensure a genuine, additional 10% biodiversity net gain is actually delivered. All types of development that have an impact on biodiversity, "must ensure a 10% biodiversity net gain" through an increase in ..."The City Council has a Biodiversity Net Gain Checklist (.....) which needs to be completed and submitted with all proposal likely to affect biodiversity."	Reference and a link to the Council's biodiversity checklist is provided in paragraph 5.2. A 10% biodiversity net gain is not a policy requirement but Policy DM16 does required all development to deliver a net gain in biodiversity where possible. Last sentence of paragraph to be amended to read: All types of development that have an impact on biodiversity, are <del>encouraged</del> <u>required to ensure deliver</u> biodiversity net gain through an increase in appropriate natural habitat and ecological features over and above those being affected.
MPSPD18	Bellway Homes Ltd	9	Paragraph 5.4	Section 5 of the SPD seeks to secure a net gain in biodiversity in line with the NPPF and Policies S4, S9 and DM16 of the Local Plan. However, paragraph 5.4 of the SPD refers to the use of a metric. The use of a metric is not referred to within the NPPF nor the Local Plan. It is expected that the use of a metric will be secured within the emerging Environment Bill, however, this has been delayed with recent reports stating that it won't come into force until after Brexit. The SPD should remove reference to the use of a metric as this has no grounding in enacted legislation or adopted policy. If the Environment Bill ever receives royal assent, then this would govern the use of a metric.	The biodiversity metric has come from Defra. There are two accepted metrics used nationwide; Defra 2.0 or the Warwickshire metric. We recommend the use of the Defra 2.0 metric (which may later be updated further) and it allows for consistency when considering all relevant applications within our district. To assist developers with implementing net gain correctly, and in order to quantify losses and gain to biodiversity consistently, a metric must be used.
MPSPD8	Chelmsford & Central Essex RSPB Local Group	9	Paragraph 5.4	Should the second sentence read "It uses a matrix as a proxy.....", rather than "it uses a metric as a proxy"?	As set out in response to comments above reference to 'metric' is correct.
MPSPD30	Grosvenor Developments Limited and Hammonds Estates LLP	9	Paragraph 5.4	We agree that Biodiversity Net Gain must be objectively measurable. However, we would note that it is important to retain flexibility and use a site-bespoke approach when selecting the metrics to be used to score BNG. In our experience, if metrics are utilised where the objective is simply to achieve maximum scores through a fairly number/units-driven exercise, interventions and landscape proposals could work against placemaking and quality objectives. We believe that standards and accreditations such as "Building with Nature" also have an important role to play in ensuring that the benefits of developments in key areas such as water/wellbeing/wildlife are assessed comprehensively and not only through scores and biodiversity units.	As set out above there are two metrics that have been tried and tested and adopted by the industry. A site-bespoke approach would not be supported. The metric tool would be used to steer and negotiate solutions by looking at the scheme to provide different net gain to achieve the best result, while taking account of other planning objectives. There will be occasions whereby offsetting is required as not all net gain would be deliverable on site.
MPSPD17	The Landscape Conservation Trust	9	Paragraph 5.5	To include the sentences indicated by " " to ensure a genuine, additional 10% biodiversity net gain is actually delivered. .... therefore delivered through Habitat Banking - "Habitat Banks providing biodiversity net gain should deliver a genuine, "additional" biodiversity net gain that is bigger, better, and more joined-up at a landscape-scale." In Chelmsford, 'The Habitat Bank' has been created to assist with this available at	The link to the Council's Habitat Bank covers these aspects. As set out at the beginning of the SPD it does not seek to repeat guidance elsewhere but provides links to this information.



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				<a href="https://acjecology.co.uk/habitat-bank">https://acjecology.co.uk/habitat-bank</a> "A Management and Monitoring Plan indicating who is responsible for delivering the biodiversity units must be submitted with the planning application to provide confidence to the City Council that actual biodiversity units are being delivered." "Regular reports should be provided to the Council on the progress and success of the biodiversity net gain project."	
MPSPD31	Grosvenor Developments Limited and Hammonds Estates LLP	9	Paragraph 5.5	We strongly support the approach recommended in this Section. In particular, we agree that compensating for biodiversity loss off-site should be seen as a last resort.	Support welcomed
MPSPD57	Crest Nicholson Partnerships and Strategic Land	9	Principles to be considered to incorporate biodiversity net-gain and ecological enhancements	The following wording amendments are sought (strikethroughs identifying deleted text with new text highlighted in bold): <ul style="list-style-type: none"> <li>• <b>Aim to</b> avoid losing irreplaceable habitat and biodiversity that cannot be offset elsewhere, such as aged or veteran trees</li> <li>• <b>Aim to</b> ensure that lost or damaged features are not replaced by features of lower biodiversity value.</li> <li>• Avoid fragmenting or isolating habitats, instead enhance connections between sites, either through corridors or through 'stepping stones' <b>where possible</b>.</li> </ul>	These bullet points are sufficiently worded regarding their objectives.
MPSPD8	Chelmsford & Central Essex RSPB Local Group	9	Paragraph 5.6	Support the examples of how features can be incorporated into the design of any scheme to enhance the ecological offer of a development. Further, more detailed wording suggestions re bird boxes. Culverts beneath busy roads, particularly when connecting green infrastructure could also be referenced in the third bullet point. The final bullet point could include wording to encourage hedgehog friendly fencing between gardens on new developments.	The details given are examples, further consideration and advice can be found in the relevant link provided or can offered by the Council for specific schemes. Amend wording for figure 1 to read: Swift bricks should be installed high up in gable ends or directly under eaves, <u>ideally no less than 4m above ground level</u> Amend final bullet point to read: <ul style="list-style-type: none"> <li>• Hedgehog <u>fencing/crossings</u>/highways can provide safe routes for hedgehogs to pass through development</li> </ul>
MPSPD57	Crest Nicholson Partnerships and Strategic Land	9	Paragraph 5.6	The following wording amendments are sought (strikethroughs identifying deleted text with new text highlighted in bold): Amendments to the bullet points within the paragraph: <ul style="list-style-type: none"> <li>• <b>Where possible</b>, bird nest provision should be placed north to north-east facing, in shade and away from windows.</li> <li>• Bat boxes should be installed south to south- west facing 3-5 <b>metres</b> high, away from direct lighting, adjacent to vegetation (connected, commuting corridor) and free from obstruction <b>where possible</b>.</li> <li>• <b>Where feasible, consider installing</b> guide walls or passageways to prevent access to roadways or use wildlife kerbs to provide a recess around drains to prevent small mammals and amphibians (frogs, toads, newts) falling into gullies and being unable to escape.</li> </ul>	Paragraph 5.6 makes it clear that these bullet points are examples of how features can be incorporated into development to offer enhance ecology within a development.  Amend second bullet point to read: <ul style="list-style-type: none"> <li>• Bat boxes should be installed south to south- west facing 3-5 <u>metres</u> high, away from direct lighting, adjacent to vegetation (connected, commuting corridor) and free from obstruction.</li> </ul>
MPSPD63	Essex County Council	10	Paragraphs 5.7 – 5.9	Reference to the future on-going maintenance of Green Infrastructure should be included in this section.	Add additional bullet point to the principles for Green Infrastructure to read: <ul style="list-style-type: none"> <li>• <u>Consider the future on-going maintenance of Green Infrastructure.</u></li> </ul>
MPSPD57	Crest Nicholson Partnerships and Strategic Land	10	Principles to be considered to assist in contributing to suitable Green Infrastructure	The following wording amendments are sought (strikethroughs identifying deleted text with new text highlighted in bold): <ul style="list-style-type: none"> <li>• <b>Consider</b> <del>Retain</del> key green infrastructure features and improve connectivity to them, for example linear corridors such as hedgerows, rivers/streams, and railway lines.</li> </ul>	Amend bullet point to read: <ul style="list-style-type: none"> <li>• <u>Seek to</u> retain key green infrastructure features and improve connectivity to them, for example linear corridors such as hedgerows, rivers/streams, and railway lines.</li> </ul>

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MPSPD2	Sport England	10	Principles to be considered to assist in contributing to suitable Green Infrastructure	While acknowledging that it is covered in other parts of the SPD, green infrastructure should be designed (where appropriate) to provide a destination for people to walk and/or cycle to for recreation and should be accessed by footpath and cycleways (subject to any environmental constraints). It is requested that this be reflected in the list of principles.	Add additional bullet point in 'Principles' to read: <ul style="list-style-type: none"> <li><u>Consider appropriate walking/cycle/bridleway access to Green infrastructure</u></li> </ul>
MPSPD61	Essex County Council	10	Principles to be considered to assist in contributing to suitable Green Infrastructure	Amend 3rd principle to read: Identify connections to the wider landscape with complementary habitats that provide ecological networks (including nature recovery networks) through the site and beyond.	The addition of '(including nature recovery networks)' is considered unnecessary. These can be included in such networks but will not always be applicable to development, depending on the opportunities for such recovery networks in the locality.
MPSPD63	Essex County Council	11	Paragraphs 5.10 – 5.14	Reference to the future on-going maintenance of SuDS should be included in this section.	Add additional bullet point to the principles for SuDS to read: <ul style="list-style-type: none"> <li><u>Consider the future on-going maintenance of SuDS within a scheme.</u></li> </ul>
MPSPD61	Essex County Council	11	Paragraph 5.11	Wording appears to missing from the end of this paragraph.	Amend paragraph to read: As such they make more efficient use of the open space network and provide informal <u>recreational access</u> .
MPSPD61	Essex County Council	11	Paragraph 5.12	Industry guidance and best practice for SuDS should also refer to the published BS8582 Code of practice for surface water management for development sites.	Add additional sentence to end of paragraph to read: <u>The published BS8582 Code of practice for surface water management for development sites should also be referred to.</u>
MPSPD61	Essex County Council	11	Paragraph 5.14	Reference to ECC SuDS Design Guidance is welcomed. A better weblink to the guide can be found via <a href="https://www.essexdesignguide.co.uk/suds">https://www.essexdesignguide.co.uk/suds</a> In addition, ECC has produced a guidance document called SuDS Planning Advice. This service can be used at any stage during the planning application process and is available at <a href="https://flood.essex.gov.uk/new-development-advice/apply-for-suds-advice/">https://flood.essex.gov.uk/new-development-advice/apply-for-suds-advice/</a>	Amend paragraph to read: ECC has produced a guidance document called 'SuDS design <u>guide 2020 advice</u> ', which should be followed and is available from: <del><a href="https://flood.essex.gov.uk/new-development-advice/how-to-design-suds-in-essex">https://flood.essex.gov.uk/new-development-advice/how-to-design-suds-in-essex</a></del> <a href="https://www.essexdesignguide.co.uk/suds">https://www.essexdesignguide.co.uk/suds</a> In addition, ECC has produced SuDS Planning Advice. This service can be used at any stage during the planning application process at: <a href="https://flood.essex.gov.uk/new-development-advice/apply-for-suds-advice/">https://flood.essex.gov.uk/new-development-advice/apply-for-suds-advice/</a>
MPSPD19	Anglian Water Services	11	Paragraph 5.14	Reference is made to consulting Essex County Council as a Lead Local Flood Authority at an early stage in relation to the design process for SuDS. In addition, we would ask that additional text be added to include reference to early engagement with Anglian Water where it is proposed to put forward SuDS features for adoption.	Add additional wording to end of paragraph 5.14 to read: <u>Anglian Water should also be consulted at an early stage where SuDs (which meet the legal definition of a sewer) are expected to be adopted by the sewerage company. Further guidance is available on Anglian Water's website: <a href="https://www.anglianwater.co.uk/developers/drainage-services/sustainable-drainage-systems/">https://www.anglianwater.co.uk/developers/drainage-services/sustainable-drainage-systems/</a></u>
MPSPD8	Chelmsford & Central Essex RSPB Local Group	11	Paragraph 5.15	'Reducing carbon / adding oxygen in the atmosphere' should be an additional bullet point.	Add additional bullet point to read: <ul style="list-style-type: none"> <li><u>Reducing carbon/adding oxygen in the atmosphere</u></li> </ul>
MPSPD8	Chelmsford & Central Essex RSPB Local Group	11	Principles to be considered when designing a SuDS scheme	Support given. Attenuation storage is encouraged and supported as it helps to reduce flooding whilst helping to control the peak allowable runoff rate. In addition, well-designed SUDS schemes using above ground storage should be considered in order to enhance biodiversity and green areas. The integration of above ground storage and open space does not always have to be in the form of an empty detention/infiltration basin. Where practicable; the storage facility could be divided into compartments connected by overflows and/or pipes. This could help slow the velocity of the water flow, thus encouraging the settlement of suspended solids before they enter the main	All of these may be acceptable depending on the nature of a scheme. The links provided within the document provide further reference in accordance with the requirements of the lead Local Flood Authority.

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				river. It would also provide a safety feature by controlling water depth. In addition it may provide damp areas in dry periods benefitting wildlife. Periodic maintenance to retain the capacity within the storage facility by the removal of silt can be carried out in the different compartments in different years thereby retaining a bank of flora and fauna that can re-colonise the cleared areas.	
MPSPD2	Sport England	11	Principles to be considered when designing a SUDS scheme	SuDS can provide an attractive destination that encourages people to walk/cycle if well connected to the existing and proposed walking/cycling network. In particular, they can provide attractive viewpoints and where appropriate should be supported by seating to encourage people to visit. It is requested that this be reflected in the list of principles.	Add additional bullet point in 'Principles' to read: <ul style="list-style-type: none"> <li>Consider multi-functional use of SUDS to enhance the open space/Green Infrastructure networks</li> </ul>
MPSPD19	Anglian Water Services	11	Principles to be considered when designing a SuDS scheme	Reference could also be made to water re-use measures where relevant - rainwater harvesting and surface water harvesting which can form part of an integrated system.	Add additional bullet point to read: <ul style="list-style-type: none"> <li>Consider if rainwater harvesting and surface water harvesting can form part of an integrated scheme.</li> </ul>
MPSPD57	Crest Nicholson Partnerships and Strategic Land	12	Paragraph 5.17	The following wording amendments are sought (strikethroughs identifying deleted text with new text highlighted in bold): <del>Hawthorn should be at least 50% of the mix and can be complemented with Hazel, Blackthorn, Dogwood, Field Maple, Holly, Spindle, Guelder Rose and Dog Rose. In non-urban locations non native species, such as conifers and laurel should be avoided.</del> <b>Tree and hedge planting should include appropriate native species where possible. Both the level of planting and species selection will be informed by individual site-characteristics and identified as part of the detailed planning application process.</b>	Insert additional wording before last sentence of paragraph to read: <u>Tree and hedge planting should include appropriate native species where possible.</u> In non-urban locations non native species, such as conifers and laurel should be avoided. <u>The level of planting and species selection will be informed by individual site-characteristics and identified as part of the detailed planning application process.</u>
MPSPD13	Melville Dunbar Associates	12	Paragraph 5.18	The ambition to secure three new trees for every new home is laudable. However, account should also be taken of existing vegetation. Where development areas already include a high level of landscaping and tree cover, a requirement to retain and maintain existing vegetation should be an acceptable alternative.	Amend last sentence of paragraph to read: Green spaces provided in connection with new housing development should, <u>where practicable</u> , include the planting of three trees per net new dwelling.
MPSPD18	Bellway Homes Ltd	12	Paragraph 5.18	Whilst Bellway supports this pledge in principle, it has significant concerns with the proposed delivery of this pledge. The requirement for developments to provide three new trees per net new dwelling within the development has significant space and cost implications which are likely to render most development unviable. This quantitative requirement is not referred to within the Local Plan and should therefore be removed from the SPD. Any additional tree planting within a development in accordance with Policy DM17 should be considered on a site and scheme specific basis taking into account specific constraints and circumstances.	Amend last sentence of paragraph to read: Green spaces provided in connection with new housing development should, <u>where practicable</u> , include the planting of three trees per net new dwelling.
MPSPD45	Countryside Properties	12	Paragraph 5.18	The document highlights the council's aspiration for the planting of three trees per net dwelling. Whilst Countryside wholly supports a landscape led approach and recognises the importance of tree planting in response to the climate emergency declared by the council in 2019, the stipulation of three trees per net dwelling may be difficult to achieve on some sites leading to costly delays in the delivery of homes. The introduction of a new policy, such as the requirement to plant three trees per net dwelling, is inappropriate within an SPD. A policy can only be introduced through the Local Plan process. Paragraph 5.18 should be amended to support the "Undertaking of a greening programme to significantly increase the amount of woodland and the proportion of tree cover in Chelmsford" to align with the Climate Emergency declaration and Action Plan, 2019.	Amend last sentence of paragraph to read: Green spaces provided in connection with new housing development should, <u>where practicable</u> , include the planting of three trees per net new dwelling.

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MPSPD57	Crest Nicholson Partnerships and Strategic Land	12	Principles to be considered when selecting trees and hedges to plant	The following wording amendments are sought (strikethroughs identifying deleted text with new text highlighted in bold): <ul style="list-style-type: none"> <li>• <b>Try to avoid planting large trees on a southern boundary due to shading, if necessary, plant trees that provide a light and dappled canopy.</b></li> <li>• <del>All new housing development should seek to plant three trees per net new dwelling.</del></li> </ul> This is too prescriptive and not justified. Housing developments will have individual site characteristics that inform the type and number of trees proposed.	Amend last bullet point to read: <ul style="list-style-type: none"> <li>• <u>Where practicable</u>, all new housing development should seek to plant three trees per net new dwelling.</li> </ul>
MPSPD8	Chelmsford & Central Essex RSPB Local Group	12	Principles to be considered when selecting trees and hedges to plant	Whilst the principles adequately cover new tree and hedge planting no mention has been made when building close to existing established trees. On a number of occasions in recent years, trees, even those with the benefit of Tree Preservation Orders, have been allowed to be felled. This is because of settlement problems where houses have been built too close to the trees. To avoid this in the future, the principle of a safeguarding stand-off to existing trees should be incorporated within this SPD.	Additional paragraph to be added after 5.18 to read: <u>Consideration of existing trees, especially protected trees, should be given to ensure the longevity of such trees is not compromised by future development.</u>
MPSPD62	Essex County Council	13	Objectives	The first objective should be amended to be consistent with the modal hierarchy stated in paragraph 4.10 of the adopted Chelmsford Local Plan, and consistent with the site infrastructure requirements for each strategic site allocation.	Amend first and second bullet points to read: <ul style="list-style-type: none"> <li>• Create spaces and places which put <u>walking, cycling, and</u> public transport before the private car</li> <li>• Ensure safe and accessible cycle and pedestrian routes, <u>and where appropriate bridleways</u>, at the heart of place making</li> </ul>
MPSPD32	Grosvenor Developments Limited and Hammonds Estates LLP	13 & 17	Content table  Principles to be considered for creating parking spaces	The principles to be considered for "Creating a parking space" should be applied to major developments. Subject to appropriate design, "Creating a parking space" and "Parking Standards" also tick the 'Fairer' and 'Connected' priorities.	This section is specifically for household development and single dwellings. The parking standards section deals with other types of parking. It is however considered that the title of the box on page 17 should be amended as follows to better reflect which section it relates to: Principles to be considered <u>regarding parking standards</u> <del>for creating parking spaces</del>
MPSPD64	Essex County Council	14	Paragraph 6.5	ECC welcomes this paragraph but reference should also made to the Local Cycling and Walking Infrastructure Plan (LCWIP) being prepared for Chelmsford. This has presently proposed 9 strategic cycle corridors, <a href="https://www.essexhighways.org/uploads/files/Getting%20Around/Cycling/70039118_32_Chelmsford_Proposed_Cycling_Network_RevB.pdf">https://www.essexhighways.org/uploads/files/Getting%20Around/Cycling/70039118_32_Chelmsford_Proposed_Cycling_Network_RevB.pdf</a> Paragraph 6.5 should also be amended due to a drafting error. 'All development for <del>net</del> new residential...	Amend paragraph to read: All development for net <u>Both</u> new residential and non-residential <u>development</u> uses should consider the Essex Cycling Strategy, and the Chelmsford Cycling Action Plan, and the Local Cycling and Walking Infrastructure Plan in terms of how their proposed development could feed into <u>can connect into and enhance</u> the wider cycle network.....
MPSPD65	Essex County Council	14	Paragraph 6.7	ECC recommend an amendment to paragraph 6.7 with regards cyclists and shared space with pedestrians.  The latest DfT guidance Cycle Infrastructure Design (LTN 1/20) states that in general, cycles must be treated as vehicles and not as pedestrians. On urban streets, cyclists must be physically separated from pedestrians and should not share space. Where cycle routes cross pavements, a physically segregated track should always be provided. At crossings and junctions pedestrians should be provided with a separate parallel route to cyclists. Shared use routes in streets with high pedestrian or cyclist flows should not be used, and distinct tracks for cyclists should be made, using sloping, pedestrian-friendly kerbs and/ or different surfacing. Shared use routes away from streets may be appropriate in locations such as canal towpaths, paths through housing estates, parks and other green spaces. Where cycle routes use such paths in built-up areas attempts should be made to separate them from pedestrians, potentially with levels or a kerb.	Amend paragraph to read: Consideration should be given regarding the type of cycle route and as to whether it is appropriate to be a shared route, with pedestrians, horse riders and other users. <del>Key routes designed to promote cycle use as an alternative to the private car may be more appropriate to be provided as segregated cycle routes to avoid conflict with pedestrians and other users. Other routes are expected to be provided as shared routes in accordance with Essex County Council guidance. Such multi-user routes should be provided without division by white lining or changes in levels. In general, cycles must be</del> <u>treated as vehicles and not as pedestrians. On urban streets, cyclists must be physically separated from pedestrians and should not share space. Where cycle routes cross pavements, a physically segregated track should always be provided. At crossings and junctions pedestrians should be provided with a separate parallel route to cyclists. Shared use routes in streets with high pedestrian or cyclist flows should not be used, and distinct tracks for cyclists</u>



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				<p>Shared use may be appropriate in some situations, if well-designed and implemented. Some are listed below:</p> <ul style="list-style-type: none"> <li>Alongside interurban and arterial roads where there are few pedestrians;</li> <li>At and around junctions where cyclists are generally moving at a slow speed, including in association with Toucan facilities;</li> <li>In situations where a length of shared use may be acceptable to achieve continuity of a cycle route; and</li> <li>In situations where high cycle and high pedestrian flows occur at different times.</li> </ul> <p>Paragraph 6.7 refers to the type of cycle route and as to whether it is appropriate to be a shared route, with pedestrians, horse riders and other users. The latest DfT guidance Cycle Infrastructure Design (LTN 1/20) is used by ECC, so where a route is also used by pedestrians, separate facilities should be provided for pedestrian and cycle movements. However, away from the highway, and alongside busy interurban roads with few pedestrians or building frontages, shared use might be adequate and should be designed to meet the needs of cycle traffic, including its width, alignment and treatment at side roads and other junctions. Cycle routes through developments should be hard surfaced, whereas natural surfaces are better for equestrians, therefore routes for horse riders and cyclists should be kept separate.</p>	<p><u>should be made, using sloping, pedestrian-friendly kerbs and/ or different surfacing. Shared use routes away from streets may be appropriate in locations such as canal towpaths, paths through housing estates, parks and other green spaces. Where cycle routes use such paths in built-up areas attempts should be made to separate them from pedestrians, potentially with levels or a kerb.</u></p> <p>Shared use may be appropriate in some situations, if well-designed and implemented. Some are listed below:</p> <ul style="list-style-type: none"> <li><u>Alongside interurban and arterial roads where there are few pedestrians;</u></li> <li><u>At and around junctions where cyclists are generally moving at a slow speed, including in association with Toucan facilities;</u></li> <li><u>In situations where a length of shared use may be acceptable to achieve continuity of a cycle route; and</u></li> <li><u>In situations where high cycle and high pedestrian flows occur at different times.</u></li> </ul> <p>Good examples of multi-user routes include 'Flitch Way' in Braintree District.</p>
MPSPD11	Historic England	15	Paragraph 6.8	<p>Support the reference in paragraph 6.8 to Manual for Streets, and the wider references to the careful consideration of surface materials in the "Principles for..." boxes. In addition, it is recommend that reference is also made to Historic England's advice on this subject: Streets for All, which can be found here: <a href="https://historicengland.org.uk/images-books/publications/streets-for-all/">https://historicengland.org.uk/images-books/publications/streets-for-all/</a> . This could be included alongside references to the Essex Design Guide and Manual for Streets.</p>	<p>Include additional sentence at the end of paragraph 6.8: <u>In addition, if a site is within a conservation area or effects a historic asset then consideration should be given to Historic England's advice 'Streets for All':</u> <a href="https://historicengland.org.uk/images-books/publications/streets-for-all/">https://historicengland.org.uk/images-books/publications/streets-for-all/</a></p>
MPSPD65	Essex County Council	15	Paragraph 6.8	<p>Reference is made to the Essex Design Guide as providing detailed information on how to create safe and suitable routes for cyclists in conjunction with the 'Highways Technical Manual. ECC recommend reference is also made to LTN 1/20, as this is the most up to date guidance from Department for Transport (DfT), is more up-to-date than the Essex Design Guide, and is presently being implemented by ECC.</p>	<p>Amend paragraph to read:  <del>The Essex Design Guide provides further detailed information on how to create safe and suitable routes for cyclists. This</del> The DfT guidance Cycle Infrastructure Design (LTN 1/20), available at <a href="http://www.gov.uk/government/publications/cycle-infrastructure-design-ltn-120">www.gov.uk/government/publications/cycle-infrastructure-design-ltn-120</a>, should be read in conjunction with the 'Highways Technical Manual', which provides specific technical guidance on how to build a layout in compliance with Essex Highways and 'Manual for Streets' standards. <del>For further guidance on these please see:-</del>, which are available at <a href="https://www.essexdesignguide.co.uk/">https://www.essexdesignguide.co.uk/</a></p>
MPSPD64	Essex County Council	15	Paragraph 6.9	<p>Refers to the ECC/EPOA Parking Standards (2009). This is presently being reviewed and reference should be made to ` , or successor document'.</p>	<p>Amend second sentence of paragraph to be consistent with Policy DM27 to read:  The standards for cycle parking are set out within the Essex County Council Parking Standards Design and Good Practice 2009, <u>or as subsequently amended.</u></p>
MPSPD64	Essex County Council	15	Paragraph 6.10	<p>Refers to Non-residential cycle storage. These facilities could be used as 'green roofs' providing wildlife habitats. For example, Green Roof shelters - <a href="https://greenroofshelters.co.uk/green-roof-cycle-shelter/">https://greenroofshelters.co.uk/green-roof-cycle-shelter/</a></p>	<p>Add additional sentence to end of paragraph to read:  <u>These facilities could be used as 'green roofs' providing wildlife habitats. For example, Green Roof shelters: <a href="https://greenroofshelters.co.uk/green-roof-cycle-shelter/">https://greenroofshelters.co.uk/green-roof-cycle-shelter/</a></u></p>

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MPSPD64	Essex County Council	16	Paragraph 6.11	Should also refer to all communal cycle storage facilities, both residential and non-residential, as being required to be covered, and protected from the natural elements.	It sets out they should ideally be covered but there may be instances where it is not appropriate.
MPSPD57	Crest Nicholson Partnerships and Strategic Land	16	Paragraph 6.13	The following wording amendments are sought (strikethroughs identifying deleted text with new text highlighted in bold): <i>Cycle parking for individual houses should be provided in garages or sheds and <b>where possible</b> ensure that they can be accessed without the need to take the bicycle through the house.</i>	Amend first sentence of paragraph to read: Cycle parking for individual houses should be provided in garages or sheds and <u>where possible</u> ensure that they can be accessed without the need to take the bicycle through the house.
MPSPD57	Crest Nicholson Partnerships and Strategic Land	16	Paragraph 6.15	The following wording amendments are sought (strikethroughs identifying deleted text with new text highlighted in bold): <b><i>Through the design / masterplan process, major new developments should be designed to explore accommodateing a bus service, which is attractive to passengers and efficient for the service operator.</i></b>	Amend first sentence of paragraph to read: <u>Through the pre-application/design/masterplan process</u> , major new developments should <del>be designed to explore</del> accommodateing a bus service, which is attractive to passengers and efficient for the service operator.
MPSPD64	Essex County Council	16	Paragraph 6.15	'fixed infrastructure' should be replaced with 'Bus Priority measures'. In addition to the scheme layout and positioning of bus routes and stops, ECC should also be involved in early discussions regarding the necessary level of service.	Amend third sentence of paragraph to read: <u>Bus priority measures</u> <del>Fixed infrastructure</del> , such as bus gates may be necessary, in some instances, to achieve preferential routing and faster journey times. Essex County Council Highways and the local bus service operator should be involved in the scheme layout, <del>and positioning of bus routes and stops, and level of service</del> at an early stage.
MPSPD64	Essex County Council	16	Paragraph 6.16	Should be amended to provide more certainty and emphasise the policy requirement regarding new development and their distance from a bus route. All new developments should be within 400m or a 5 minute walk of a bus route.	Amend paragraph to read: All new developments should <del>aim to</del> provide bus routes within 400m or a 5 minute walk of all dwellings <u>to meet Essex County Council standards as Highway Authority.</u>
MPSPD64	Essex County Council	16	Paragraph 6.17	ECC considers that bus stops are best located where they are highly accessible by cycling and walking but not necessarily at significant points of pedestrian and cycle movement. The siting of a bus stop on a busy cycle route could lead to conflict between cyclists and people getting on and alighting from buses. Bus infrastructure such as bus stops and shelters should be installed as the phases of development are constructed, so that there is a clear understanding of the proposed bus routes by new residents.	Amend paragraph to read: The location of bus stops should <u>be highly accessible</u> <del>relate</del> to the footpath and cycle network and key destination points within the development.; <del>they are generally best located at significant points of pedestrian and cycle movement.</del> <u>Bus infrastructure such as bus stops and shelters should be installed as the phases of development are constructed, so there is a clear understanding of the proposed bus routes by new residents.</u>
MPSPD64	Essex County Council	17	Principles to be considered regarding public transport provision	Reference should also be made to ECC, along with the bus operator, as being involved in agreeing the location of bus routes, bus stops, the level of service and other passenger transport infrastructure at an early stage. ECC notes that electronic bus timetables are mentioned in Principle 5 but is not discussed in the preceding text.	Reference to electronic timetables is covered sufficiently in the 'principles' box. Amend first bullet point to read: <ul style="list-style-type: none"> <li>The local bus service operator <u>and ECC</u> should be involved in the <u>bus routes, level of service</u> <del>scheme layout</del> and positioning of bus stops <u>and other passenger transport infrastructure</u> at an early stage.</li> </ul>
MPSPD64	Essex County Council	17	Paragraph 6.20	Recommend reference is made to parking standards 'may be relaxed' in first sentence. Reference to walking, cycling, passenger transport and car sharing in urban locations should be strengthened as being essential, and not just encouraged. Recommend bullet point two and three are amended to more closely reflect ECC/EPOA parking standards. As these are currently under review and all the dimensions in paragraph 6.20 will be subject to review it may be preferable to delete the bullets and refer to the parking standards or successor document.	Amendments to paragraph 2.13 makes it clear that where there are changes to guidance or policy which follow the adoption of this SPD regard will be had, and appropriate weight given to any changes, alongside the provisions of the SPD. Amend first sentence of paragraph to read: Parking standards may be <del>more</del> relaxed in urban locations with high levels of public transport accessibility. These bullet points are matters of clarity to be read alongside the parking standards.

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MPSPD64	Essex County Council	17	Principles to be considered for creating a parking spaces	Many of the principles are not referenced in the preceding text, and should at least be linked to some supporting context. The principles make reference to on-street parking. ECC consider that on-street parking is only acceptable where the development has been designed to incorporate an agreed level of un-allocated on-street parking in the form of parallel or angled parking bays, or parking squares. ECC recommend that where parking courts are provided they should be provided with a high level of natural surveillance. ECC recommend that visitor parking must be in parking spaces which are part of the highway design in accordance with ECC/EPOA parking standards, rather than making roads “suitably wide”.	Add additional paragraph after 6.20 to read: <u>On-street parking will only be considered where the development has been designed to incorporate an agreed level of un-allocated on-street parking in the form of parallel or angled parking bays, or parking squares.</u> Amend fourth bullet point to read: Parking courts are the least preferred option; if they are necessary, they should have direct access to the dwelling they serve, <u>have high levels of natural surveillance</u> <del>not be surrounded by high walls and not serve more than 6 dwellings.</del> <u>The number of dwellings a parking court serves will be considered on a site-by-site basis but in principle should be limited to avoid large, unattractive and disconnected parking courts.</u> Amend sixth bullet point to read: <ul style="list-style-type: none"> <li>An allowance should be made for visitor parking <u>as part of the highway design in accordance with ECC/EPOA parking standards to ensure in sensible places by making the road suitably wide enough for cars can to pass and visitors can to park.</u></li> </ul>
MPSPD57	Crest Nicholson Partnerships and Strategic Land	17	Principles to be considered for creating a parking space	The following wording amendments are sought (strikethroughs identifying deleted text with new text highlighted in bold): <ul style="list-style-type: none"> <li><b>Where possible</b>, Hhard and soft landscaping should be used to control on street parking.</li> <li><b>Where</b> parking courts <del>are the least preferred option; if they are necessary, they should aim to</del> have direct access to the dwelling they serve <b>and</b> not be surrounded by high walls <del>and not serve more than 6 dwellings.</del> <b>The number of dwellings a parking court serves will be considered on a site-by-site basis.</b></li> <li><i>Parking spaces within parking courts should be <b>suitably</b> delineated. <del>by means of</del> <del>Numbered plates or a sensitive change in material</del> <b>will be favoured over eg: with a brick paved parking court, by a line of paviers laid in stretcher course at right angles to the main pattern. <del>White lines should not be used</del> so that parking courts are read as pleasant hard and soft landscaped spaces when free of cars.</b></i></li> </ul>	Amend fourth bullet point to read: <ul style="list-style-type: none"> <li>Parking courts are the least preferred option; if they are necessary, they should <u>aim to</u> have direct access to the dwelling they serve, <u>have high levels of natural surveillance</u> not be surrounded by high walls and not serve more than 6 dwellings. <u>The number of dwellings a parking court serves will be considered on a site-by-site basis but in principle should be limited to avoid large, unattractive and disconnected parking courts.</u></li> </ul> Amend last bullet point to read: <ul style="list-style-type: none"> <li>Parking spaces within parking courts should be <u>suitably</u> delineated. <del>by means of</del> Numbered plates or a sensitive change in material eg: with a brick paved parking court, by a line of paviers laid in stretcher course at right angles to the main pattern <u>is the preference</u>. White lines should not be used so that parking courts read as pleasant hard and soft landscaped spaces when free of cars.</li> </ul> Other bullet points are sufficiently worded regarding their objectives.
MPSPD46	Countryside Properties	17	Principles to be considered for creating parking spaces	The principles to be considered for creating parking spaces contains a recommendation that parking courts should not serve more than 6 dwellings. Whilst it is understood that this is intended to provide guidance in relation to houses, it could equally be interpreted to apply to apartments. It would not be appropriate to impose such a stipulation on apartments, whereby parking courts for more than 6 dwellings are needed in order to comply with parking standards. Wording should be amended to make clear this relates to dwelling houses and not apartments.	Amend fourth bullet point to read: <ul style="list-style-type: none"> <li>Parking courts are the least preferred option; if they are necessary, they should have direct access to the dwelling they serve, <u>have high levels of natural surveillance</u> not be surrounded by high walls and not serve more than 6 dwellings. <u>The number of dwellings a parking court serves will be considered on a site-by-site basis but in principle should be limited to avoid large, unattractive and disconnected parking courts.</u></li> </ul>
MPSPD11	Historic England	18	Paragraph 6.21	It should be highlighted that, if in a conservation area, Article 4 Directions may have removed Permitted Development rights in order to conserve the character of the area, and that even if this is not the case, introducing hard landscaping to front gardens in this context would likely be inappropriate and should be discouraged.	The Historic Environment section covers the consideration of conservation areas and includes avoiding changes to hard surfaces in the ‘principles to be considered’ table. Specific reference to Article 4 Directions on this point would be in appropriate at this point int time as Chelmsford has no such Directions in place restricting such hard surfacing. Paragraph 8.21 seeks to encourage alternatives to be considered and to promote the use of permeable materials. It is therefore considered that the documents covers this issue sufficiently and in an appropriate manner.

Comment ref ID	Name	Page	Paragraph/table/fig ref	Summary of Comments/Proposed change	Council comments
MPSPD64	Essex County Council	18	Principles to be considered for creating an off-road parking space	<p>Clarification is requested in that any householder would need to apply to ECC highways for a vehicle crossover for a new space. Principle 2 should be amended to discourage on-street parking to read: Minimise the length of dropped curbs ECC recommend that permission will only be granted for a dropped kerb if there is adequate area for a 2.5 x 5m parking space (the minimum dimensions in the EPOA parking standards) and the parking space should be perpendicular to the road. Principle 7 refers to visibility splays. ECC recommend that 1.5 x 1.5 visibility splays are not required for every parking space. The visibility splay depends on the type of road the dwelling is fronting onto.</p> <p>Car sharing and car clubs These measures are supported in principle. Paragraph 6.25 refers to Enterprise as the current operator of the City Park West car club, but it should be noted that this may change during the lifetime of the SPD.</p>	<p>Add additional bullet point to read:</p> <ul style="list-style-type: none"> <li>• <u>Apply to ECC highways for consent for a new vehicle crossover.</u></li> </ul> <p>Amend second bullet point to read:</p> <ul style="list-style-type: none"> <li>• Minimise the length of dropped kerbs <u>(in accordance with the ECC/EPOA parking standards)</u> in order to retain as much street parking as possible</li> </ul> <p>Amend seventh bullet point to read:</p> <ul style="list-style-type: none"> <li>• Ensure <del>1.5 x 1.5</del> <u>appropriate</u> visibility splays in both directions</li> </ul>
MPSPD57	Crest Nicholson Partnerships and Strategic Land	18	Principles to be considered for creating an off-road parking space	<p>The following wording amendments are sought (strikethroughs identifying deleted text with new text highlighted in bold):</p> <ul style="list-style-type: none"> <li>• <b><i>Aim to minimise hard surfacing, especially hard, impermeable surfacing.</i></b></li> <li>• <b><i>Aim to minimise the length of dropped kerbs in order to retain as much street parking as possible.</i></b></li> <li>• <b><i>Consider the inclusion of <del>include generous</del> planting.</i></b></li> </ul>	<p>Amend bullet point four to read:</p> <ul style="list-style-type: none"> <li>• Include generous planting <u>where possible</u></li> </ul> <p>Other bullet points are sufficiently worded regarding their objectives.</p>
MPSPD47	Countryside Properties	18	Paragraph 6.24	Refers to requiring the use of ‘car clubs’ within larger strategic sites. Careful consideration must be given to how these spaces relate to parking standards applied within Chelmsford. Further guidance on the use of car sharing clubs and how they will work alongside existing parking standards should be provided.	The Local Plan identifies the site allocations where car clubs will be required and are considered as part of the overall parking package for a development.
MPSPD10	South Woodham Ferrers Town Council	18	Paragraph 6.24	Where are Car Club schemes proposed to be located within the development North of Burnham Road at South Woodham Ferrers. The present Covid-19 restrictions would obviously hinder such schemes.	This is a matter for the SWF Masterplan process to consider and assess. All schemes should be planning for the future rather than present circumstances.
MPSPD48	Countryside Properties	19	Paragraph 6.27	Policy DM25 of the adopted New Local Plan confirms that all dwellings with their own off-street parking should provide access to electric vehicle charging and flats with unallocated parking should provide 1 EV charging space for every 10 spaces. The wording of Para 6.27 states that ‘all new residential properties...should provide EV charging points’. The wording and requirement of the SPD therefore goes beyond the requirements of Policy DM25 with regards to apartments and needs to be amended.	No change required as Policy DM25 covers all dwelling types.
MPSPD48	Countryside Properties	19	Paragraph 6.28	Due to the unknown specification and speculative nature of future charging infrastructure it is suggested that this would be very difficult to include within strategic schemes and could have significant impact on the viability of strategic developments.	The wording in this paragraph clearly sets out such provision is simply encouraged and not ‘required’.
MPSPD33	Grosvenor Developments Limited and Hammonds Estates LLP	19	Paragraph 6.28	Reference to rapid EV charging/service stations could be added. The UK’s first Electric Forecourt delivered by GRIDSERVE near Braintree, Essex, is an example which could be included.	<p>Include a picture of the Braintree scheme if room allows and add new para after 6.26 to read:</p> <p><u>Mixed use development should consider the inclusion of rapid EV charging/service stations. The UK’s first Electric Forecourt delivered by GRIDSERVE near Braintree is an example of this.</u></p>
MPSPD34	Grosvenor Developments Limited and Hammonds Estates LLP	20 - 26	Section 7	Both Active Essex and the Essex Design Guide identify designing active lifestyles into new developments a key challenge. We feel that this section should contain reference to how landscape and streetscape could be designed for play and how local communities, groups and young people can have a big role in helping developers to design public spaces that promote active lifestyles, fun and social connections.	Reference to healthier communities is throughout this section and the Council’s ‘Livewell’ accreditation scheme is at the heart of promoting healthier lifestyles and referenced in this section. Livewell, Active Essex, and the Essex Design Guide are all referred to in this section and these provide further guidance on the best ways to achieve this. The purpose of this SPD is not to repeat guidance in other documents.



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MPSPD19	Anglian Water Services	20	What does success look like	Reference is made to integrated sustainable urban drainage. It is suggested that the term Sustainable Drainage Systems should be used for consistency with the wording of National Planning Policy.	Amend second to last bullet point in 'what does success look like box to read: <ul style="list-style-type: none"> <li>Sustainable <del>urban</del>-drainage systems and natural flood..</li> </ul>
MPSPD11	Historic England	20 & 22	Figures 17 and 20	Figures 17 and 20 captions appear to need a location adding.	Captions to be added: Figure 17: Homes overlooking open spaces at <u>Beaulieu</u> Figure 20: Development at <u>Channels</u>
MPSPD2	Sport England	21	Open Spaces	Supporting facilities play a major role in encouraging people to visit open spaces in the first place and influence how much time they spend there. This can range from simple measures such as appropriately located seating to allow people to rest or observe views/activities to more significant facilities such as toilets and refreshments (e.g. cafes) in more strategic spaces such as country parks and major urban parks. Further guidance is provided in the 'Appropriate Infrastructure' section of Sport England's Active Design guidance. It is requested that this be reflected in the list of principles.	Include additional paragraph after 7.12 to read: <u>Supporting facilities play a major role in encouraging people to visit open spaces and influence how much time they spend there. This can range from simple measures such as appropriately located seating to allow people to rest or observe views/activities to more significant facilities such as toilets and refreshments (e.g. cafes) in more strategic spaces such as country parks and major urban parks. Further guidance is provided in the 'Appropriate Infrastructure' section of Sport England's Active Design guidance:</u> <a href="https://www.sportengland.org/how-we-can-help/facilities-and-planning/design-and-cost-guidance/active-design">https://www.sportengland.org/how-we-can-help/facilities-and-planning/design-and-cost-guidance/active-design</a>  Add additional bullet point in 'Principles' for open spaces on p22 to read: <ul style="list-style-type: none"> <li><u>Consider appropriate supporting facilities for all open spaces.</u></li> </ul>
MPSPD63	Essex County Council	21	Paragraph 7.4	Reference to open space being required to be accessible by walking and cycling, and not simply via public transport connections should be included.	Amend last sentence of paragraph to read: Where the use of open space means it could be a destination point, e.g. sports pitches, their connection to <u>walking, cycling and</u> public transport routes should be considered and suitable links and access points put in place to encourage access to spaces via these modes public transport connections.
MPSPD11	Historic England	21	Paragraph 7.7	Should this read dog waste bins, rather than just dog bins?	Paragraph to be amended: Lighting and other items such as dog <u>waste</u> bins....
MPSPD35	Grosvenor Developments Limited and Hammonds Estates LLP	21 & 23	Paragraphs 7.8, 7.20 - 7.21	Support the role of water in creating successful public spaces. The painting of a basketball court in Frank Whitmore Green in Chelmsford by Artist Gareth Roberts could be used here as a good example of how public art, play areas and public realm can successfully interact and create inspiring space for people to connect and play.	If space allows add picture of this installation and include additional sentence at end of paragraph after 7.21 to read: <u>It can also be used to create areas for people to connect and play.</u>
MPSPD57	Crest Nicholson Partnerships and Strategic Land	21	Paragraph 7.9	The following wording amendments are sought (strikethroughs identifying deleted text with new text highlighted in bold): <del>To meet the standards expected by the Council green spaces should be designed from the outset to meet the quality mark of the 'Green Flag Award'. For more information on this visit: <a href="http://www.greenflagaward.org.uk/">http://www.greenflagaward.org.uk/</a>.</del> Comment: Not a Local Plan requirement and ambiguous – does this apply to all types and sizes of green space?	Amend first sentence of paragraph to read: To meet the standards expected by the Council <u>strategic green spaces and other green spaces where practicable are strongly encouraged to</u> <del>should</del> be designed from the outset to meet the quality mark of the 'Green Flag Award'.
MPSPD49	Countryside Properties	21	Paragraph 7.9	The SPD requires green space to be designed to meet the quality mark of the 'Green Flag Award'. The Green Flag Award assesses green spaces on 8 criteria. This is not a requirement of the adopted Local Plan. The SPD should not be used to introduce additional policies. The SPD should be amended to refer to the Green Flag Criteria as guidance only.	Amend first sentence of paragraph to read: To meet the standards expected by the Council <u>strategic green spaces and other green spaces where practicable are strongly encouraged to</u> <del>should</del> be designed from the outset to meet the quality mark of the 'Green Flag Award'.
MPSPD57	Crest Nicholson Partnerships and Strategic Land	22	Principles to be considered for all spaces	The following wording amendments are sought (strikethroughs identifying deleted text with new text highlighted in bold): <ul style="list-style-type: none"> <li><i>Ensure roads, cycle ways and footpaths are comfortable to use, direct, well-lit and overlooked, <b>as far as possible.</b></i></li> </ul>	These bullet points are sufficiently worded regarding their objectives.

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				<ul style="list-style-type: none"> <li>Communal spaces are easy to access, overlooked, well lit, attractive and defined by buildings, <b>where possible</b>.</li> </ul>	
MPSPD19	Anglian Water Services	22	Paragraph 7.11	Reference is made to Sustainable Urban Drainage Systems. It is suggested that the term Sustainable Drainage Systems should be used for consistency with the wording of National Planning Policy.	Amend paragraph to read: Sustainable <del>Urban</del> Drainage Systems (SuDS) can be ....
MPSPD66	Essex Police	22	Paragraph 7.13	Essex Police would recommend that within the Historic Environment designs reflect the past, but are cognisant of current designing out crime concepts. Heritage indirectly features within designing out crime in many respects to ensure that any developments within the conservation areas, (containing listed buildings or other features of value), are protected from crime and anti-social behaviours within those early planning considerations.	It is considered that this is more appropriately covered in the 'safety of spaces' section. Add additional sentence of end of paragraph 7.13 to read: <u>Where a scheme impacts a heritage asset specific design consideration as set out in section 8 should also be considered.</u>
MPSPD2	Sport England	22	Principles to be considered for all spaces	While acknowledging that it is covered in other parts of the SPD, attention should be given to the planting of trees in areas where physical activity will take place such as open spaces and civic spaces. Trees which screen such areas can block natural surveillance and discourage activity taking place. This is particularly important for encouraging activity by groups such as children, disabled users and the elderly. It is requested that this be reflected in the list of principles and in the Safety of Spaces section.	Add additional bullet point in 'Principles' on safety of spaces on p22 to read: <ul style="list-style-type: none"> <li><u>Ensure landscaping features, including trees, allow for natural surveillance and do not unduly restrict the use of open spaces</u></li> </ul>
MPSPD19	Anglian Water Services	22	Principles to be considered for all spaces	Reference is made to incorporating sustainable urban systems within open spaces. It is suggested the term Sustainable Drainage Systems should be used for consistency with the wording of National Planning Policy.	Amend last principles to be considered for all spaces to read: Consider the incorporation of Sustainable <del>Urban</del> Drainage Systems within open space.
MPSPD11	Historic England	23	Principles to be considered for all spaces	Welcome the principles set out in the centre of this page, and consider that many of them will apply positively to existing historic public spaces. In particular, we're pleased to see the emphasis on avoiding clutter and to be careful with the positioning of street furniture, as well as the importance of appropriate lighting and signage. Again, we would highlight the additional advice provided on this topic in Streets for All, which could helpfully be referenced in this section.	As set out in paragraph 2.8 the document is theme based and the guidance should be read across the different sections depending on the development type being considered. It is therefore not considered necessary to repeat guidance in multiple places.
MPSPD57	Crest Nicholson Partnerships and Strategic Land	23	Principles to be considered for all spaces	The following wording amendments are sought (strikethroughs identifying deleted text with new text highlighted in bold): <ul style="list-style-type: none"> <li><i>Make routes direct and <del>include</del> <b>consider</b> seating areas along the route.</i></li> <li><i><del>Incorporate</del> <b>Consider</b> ramps as well as or instead of steps if there is a <b>steep</b> gradient.</i></li> </ul>	These bullet points are sufficiently worded regarding their objectives.
MPSPD11	Historic England	23	Paragraph 7.19	Paragraph 7.19 includes "Public realm should be" twice.	Add in the . between 7 and 19 and remove first bullet point in paragraph 7.19: <ul style="list-style-type: none"> <li><del>Public realm should be</del></li> </ul>
MPSPD11	Historic England	23	Paragraph 7.20	Welcome the identification that Public Art can be an important tool for education. We would suggest that the opportunities for linking new development in an area to the history of its locality via public art could also be highlighted in this section.	Amend last sentence of paragraph 7.20 to read: Public art also provides enjoyment, adds prestige to a development and can provide an educational opportunity, <u>including the opportunity to link to the history of an area.</u>
MPSPD63	Essex County Council	24	Paragraph 7.22	Public Realm Paragraphs 7.22 refers to a requirement for a Public Art Strategy to be incorporated within planning applications and is supported. Paragraphs 13.5 of the draft Planning Obligations SPD refers to the City Council preparing a Public Realm and Public Art Strategy in 2020/21. Place Services lead the delivery of ECC's Public Art Strategy to ensure the work and skills of artists feature in the structures and	While Place Services look after ECC Public Art Strategy, they also act as independent advisors for public art projects as well as for urban design work, of which there are many other organisations which offer such services so it would be inappropriate to single out their services. Further guidance is available on

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				functioning of new development, either as part of an ECC funded programme, through liaison with Districts, City and Borough Councils, or by acting as expert consultants for privately funded development. As these arrangements range from district to district, early consultation is strongly recommended with Place Services.	the City Council's website so it is considered appropriate to add the following to the end of paragraph 7.22: <u>For further information on commissioning public art visit:</u> <a href="https://www.chelmsford.gov.uk/planning-and-building-control/developments-and-improvements-in-chelmsford/public-art-in-chelmsford/organisations-wishing-to-commission-public-art/">https://www.chelmsford.gov.uk/planning-and-building-control/developments-and-improvements-in-chelmsford/public-art-in-chelmsford/organisations-wishing-to-commission-public-art/</a>
MPSPD11	Historic England	24	Paragraph 7.24	Welcome the emphasis on future maintenance in this and other paragraphs. We consider that this element is of great importance, particularly in the context of utilities providers. We would recommend that the SPD makes it a requirement for the design of public realm to take the future provision of services into account, ensuring that adequate sub-surface ducting is provided for example, which will avoid the need for expensive or bespoke public realm surface treatments to be removed for utilities provision. Where this is not possible, we would recommend the inclusion of guidance regarding the provision of spare material to effect repairs, and a requirement for utility companies to replace like for like, rather than with tarmac, as often happens.	Add additional sentence to the end of paragraph 7.24: <u>This should include the consideration of ensuring the future ease of access to utility services.</u>
MPSPD63	Essex County Council	24	Paragraph 7.24	Support the inclusion of reference to the future on-going maintenance of the public realm.	Support welcomed.
MPSPD63	Essex County Council	24	Paragraph 7.25	Site Planning Paragraph 7.25 states that the layout of all schemes should consider the intended function of spaces and streets from the outset, and is supported by ECC, particularly with regards new education facilities. ECC recommend the following is referenced with regards future requirements for site planning. In assessing whether a new site is appropriate for a new education facility, the 'ECC Developers' Guide to Infrastructure Contributions (2020)' identifies the issues and matters that should be considered in the Education Site Suitability Checklist provided in 'Appendix C: Education Site Suitability Checklist' and 'Appendix D: Exemplar Layouts for Education and Community Facilities' provides exemplar layouts. The objectives as displayed in the exemplar layouts are to: <ul style="list-style-type: none"> <li>• create a sense of place;</li> <li>• avoid congestion by dispersing school drop off;</li> <li>• provide a safe environment around school entrances; and</li> <li>• encourage sustainable travel.</li> </ul>	This paragraph is not intended to cover all use types. It sets out that schemes should consider their intended function and that may be any use, not just schools. It is however considered suitable to add the following as a new paragraph after paragraph 8.49:  <u>In assessing whether a new site is appropriate for a new education facility, the 'ECC Developers' Guide to Infrastructure Contributions (2020)' identifies the issues and matters that should be considered in the Education Site Suitability Checklist provided in Appendix C: Education Site Suitability Checklist. The 'Guide' seeks to ensure that new education facilities fit with, and are complemented by, the rest of the proposed development. Appendix D: Exemplar Layouts for Education and Community Facilities, provides exemplar layouts. The objectives as displayed in the exemplar layouts are to:</u> <ul style="list-style-type: none"> <li>• <u>create a sense of place;</u></li> <li>• <u>avoid congestion by dispersing school drop off;</u></li> <li>• <u>provide a safe environment around school entrances; and</u></li> <li>• <u>encourage sustainable travel.</u></li> </ul>
MPSPD11	Historic England	25	Paragraphs 7.27 and 7.28	Welcome the emphasis on character, and the potential for special requirements within Conservation Areas. We would highlight that tactile paving need not be a different colour, and that this is at the discretion of the local highways authority. We would recommend that, in sensitive historic areas, natural materials (e.g. York Stone) are used, and that where this is the case tactile pavements are made using the same material.	The requirements in these paragraphs reflect this authorities local highways requirements.
MPSPD57	Crest Nicholson Partnerships and Strategic Land	25	Paragraph 7.29	The following wording amendments are sought (strikethroughs identifying deleted text with new text highlighted in bold): <i>Boundaries are important in defining the character of a place and the quality of a street, particularly, where private land meets a public street; boundaries should take the form of brick walls, or walls with railings, thick hedges, or special timber fencing...<b>Where possible, Boundary features should be set at least 450mm from the carriageway shared surface and the margin paved in the same surface material, where practicable, with demarcation markers.</b></i>	Amend last sentence of paragraph to ensure most current standards are met to read: Boundary features should be set <del>at least 450mm</del> <u>an appropriate distance</u> from the carriageway shared surface <u>to meet Essex County Council Highway standards</u> , and the margin paved in the same surface material, where practicable, with demarcation markers.

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MPSPD10	South Woodham Ferrers Town Council	25	Principles to be considered for site planning	"lighting should be positioned on buildings where possible" needs clarification whether this is on privately owned properties.	It may be on private or public buildings depending on the nature and type of development.
MPSPD36	Grosvenor Developments Limited and Hammonds Estates LLP	25	Principles to be considered for site planning	Some of these principles are overly prescriptive and should be decided as part of the Design Codes prepared with planning applications.	The points listed are sound principles of good site planning and come from years of developing out major sites in Chelmsford, which should be used by any developer as a sound reference point when designing a scheme. The points regarding pedestrian priority and avoiding lots of street signage and clutter, which then makes it difficult for pedestrians and cyclists to move around, simply follow what national guidance is advocating us to do, which is to put the pedestrian and cyclist before the car when designing schemes.
MPSPD64	Essex County Council	26	Paragraph 7.33	'Building with Nature' is an accreditation scheme which seeks to incorporate green infrastructure into development. This approach is a voluntary approach that enables developers to create places that really deliver for people and wildlife. It brings together guidance and good practice to recognise high quality green infrastructure at all stages of the development process including policy, planning, design, delivery, and long-term management and maintenance. For more information please visit here: <a href="https://www.buildingwithnature.org.uk/about">https://www.buildingwithnature.org.uk/about</a>	Add additional sentence to end of paragraph to read: <u>'Building with Nature' is an accreditation scheme which seeks to incorporate green infrastructure into development. This approach is a voluntary approach that enables developers to create places that really deliver for people and wildlife. For more information please visit here: <a href="https://www.buildingwithnature.org.uk/about">https://www.buildingwithnature.org.uk/about</a></u>
MPSPD57	Crest Nicholson Partnerships and Strategic Land	27	Objectives	The following wording amendments are sought (strikethroughs identifying deleted text with new text highlighted in bold): <ul style="list-style-type: none"> <li><i>Integrate new development with its surroundings and make a positive contribution to the built environment. <b>In order to create an identity and sense of place, new character areas are encouraged to avoid development simply replicating existing.</b></i></li> </ul>	There may instances where new development should replicate existing. However, to allow for both instances a further bullet point should be added to read: <ul style="list-style-type: none"> <li><u>Create an identity and sense of place in new character areas</u></li> </ul>
MPSPD11	Historic England	27, 40, 49	Bullet point in 'what does success look like', End of paragraph 8.54, First sentence paragraph 10.8	Recommend that the term 'heritage asset' is used throughout the SPD in order to ensure it is in line with the terminology found in the National Planning Policy Framework (NPPF).	Amend references to: <u>heritage</u> <del>historic</del> -assets
MPSPD1	Galleywood Parish Council	27	Section 8	Support for the section on Household extensions as a key part of the documentation and very relevant to those at Parish Council level.	Support welcomed.
MPSPD9	Little Waltham Parish Council	27	Section 8	It should be a requirement for development that rather than erecting wooden panel fencing, natural hedging should be installed to delineate the boundaries between properties. Panel fencing often blows down and is often not sturdy whereas natural hedging is a good consumer of CO2 thus more environmentally friendly and also more visually pleasing.	Paragraph 8.54 seeks to encourage hedging for boundaries but to make it a requirement would be unreasonable as there is the need for different forms of boundary treatment in different settings.
MPSPD66	Essex Police	30	Paragraph 8.9	Essex Police would insist that in light of the lessons learnt from the Grenfell Tower tragedy, that all flat doorsets are certified for both Security and Fire. Therefore, Essex Police would request that all door sets undergo the detailed process of Dual Certification through the relevant notified bodies.	This requirement is covered by Building Regulations so is not considered necessary to include within this document.



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MPSPD56	Londonewcastle	30 - 32	Paragraph 8.9 – 8.20 Figure 29	The approach to focus 6+ storey heights in areas of regeneration nearer to the city centre is supported. However other areas in the City Centre could be considered appropriate for tall buildings of 6+ storeys and should also include: <ul style="list-style-type: none"> <li>• Areas with waterfront locations or important river frontage</li> <li>• Areas that link the transport interchange around the station with the city centre</li> <li>• Areas that link the waterside regeneration area with the city centre</li> <li>• Larger sites with regeneration potential around the city centre and high street.</li> </ul>	Figure 29 is intended to be a guide, as set out in paragraph 8.11. However, for the avoidance of doubt an additional sentence should be added to the end of paragraph 8.11 to read: <u>It should be noted that figure 29 sets out the broad locations for taller buildings in the City Centre which takes into account the provisions of Policy DM28. Taller buildings may be appropriate in other locations providing they meet the requirements of Policy DM28.a</u>
MPSPD18	Bellway Homes Ltd	31	Figure 29/ Paragraph 8.11	Whilst only a guide, Figure 29 is too specific and could conflict with Policy DM28 of the Local Plan. Policy DM28 sets out a number of criteria that proposals for building above 5 storeys in the City Centre would need to meet. The policy does not set specific zones in which such buildings may be appropriate, rather it takes an individual site and scheme approach where individual characteristics are assessed. A proposed development could meet all of the criteria of Policy DM28 but not be located within a 6+ Storey zone as shown on the 'Height Guide'. Due to this conflict, it is respectfully requested that Figure 29 be removed from the SPD so that it doesn't undermine Policy DM28 of the Local Plan.	Figure 29 is intended to be a guide, as set out in paragraph 8.11. However, for the avoidance of doubt an additional sentence should be added to the end of paragraph 8.11 to read: <u>It should be noted that figure 29 sets out the broad locations for taller buildings in the City Centre which takes into account the provisions of Policy DM28. Taller buildings may be appropriate in other locations providing they meet the requirements of Policy DM28.a</u>
MPSPD2 MPSPD20	Anglia Ruskin University	31	Figure 29 / Paragraph 8.11	General support for section 8. However, the guidance on tall buildings is unduly restrictive and not an accurate reflection of building heights in some areas e.g. ARU Campus. Local Plan Policy DM28 does not suggest a maximum height and it is considered that the SPD should not do so either. It is acknowledged that paragraph 8.11 refers to Figure 29 being used as a guide, but if a guide is to be retained in the final version of the SPD, it is considered that it should be more explicit that a building taller than the heights on Figure 29 could be supported if the proposed Principles set out in the SPD are met.	Figure 29 is intended to be a guide, as set out in paragraph 8.11. However, for the avoidance of doubt an additional sentence should be added to the end of paragraph 8.11 to read: <u>It should be noted that figure 29 sets out the broad locations for taller buildings in the City Centre which takes into account the provisions of Policy DM28. Taller buildings may be appropriate in other locations providing they meet the requirements of Policy DM28.a</u>
MPSPD11	Historic England	32	Paragraph 8.15	Support the reference to Historic England's advice on Tall Buildings and the historic environment in this paragraph.	Support welcomed
MPSPD50	Countryside Properties	30 - 32	Paragraph 8.9 - 8.18	Support the inclusion of criteria for tall buildings and notes the requirement for 360 degree view analysis of tall buildings. In some cases other forms of visual analysis, from key view points, may be more appropriate and paragraph should allow for visual analysis of tall buildings via visual impact assessments.	Add additional wording after second sentence to paragraph 8.18 read: <u>Where the applicant can demonstrate it is appropriate a visual analysis via a visual impact assessment may be accepted by the Council.</u>
MPSPD11	Historic England	33	Paragraph 8.21	Welcome the subsection on the Historic Environment and are pleased to see it links to a range of Historic England advice throughout the supporting text.	Support welcomed
MPSPD11	Historic England	34	Paragraph 8.26	This paragraph could link to Historic England Advice Note 2: Making Changes to Heritage Assets <a href="https://historicengland.org.uk/images-books/publications/making-changes-heritage-assets-advice-note-2/">https://historicengland.org.uk/images-books/publications/making-changes-heritage-assets-advice-note-2/</a> , which is aimed at homeowners/developers, as well as the good practice advice on Decision Taking already included.	Additional link to be added to end of paragraph: Assets <a href="https://historicengland.org.uk/images-books/publications/making-changes-heritage-assets-advice-note-2/">https://historicengland.org.uk/images-books/publications/making-changes-heritage-assets-advice-note-2/</a>
MPSPD11	Historic England	35	General comment	Suggest that the section on conservation areas could link to Historic England's Advice Note1: Conservation Area Designation, Appraisal and Management, for further information <a href="https://historicengland.org.uk/images-books/publications/conservation-area-appraisal-designation-management-advice-note-1/">https://historicengland.org.uk/images-books/publications/conservation-area-appraisal-designation-management-advice-note-1/</a>	Although a useful tool for the Council this guidance is largely relating to the designation of Conservation Areas and how the Council should seek to manage them, so it is not considered appropriate to include.

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MPSPD11	Historic England	35	Principles to be considered relating to conservation areas	The first principle should remove reference to ‘timber sliding sash’ windows and simply refer to historic windows as not all are sash, and/or timber.	Amend first bullet point of principles for conservation areas to read: <ul style="list-style-type: none"> <li>Avoid the loss of traditional front doors, <del>timber sliding sash</del> windows, chimneys, decorative bargeboards and cast iron rainwater goods.</li> </ul>
MPSPD11	Historic England	36	Paragraph 8.36	I should be made clear that Scheduled Monument Consent is obtained from Historic England.	Amend -first sentence of paragraph to read: Scheduled Monument Consent will be required <u>from Historic England</u> , where activities physically affecting a scheduled monument are proposed.
MPSPD11	Historic England	36	Paragraph 8.40 & 8.41	Welcome the inclusion of detailed guidance on Heritage Statements, and consider that it is helpful and sets out the requirements for applicants clearly. However, we would highlight that while HER information is available on the Heritage Gateway, it may not be appropriately up-to-date enough to inform planning applications, particularly where the information is intended to inform a judgement regarding below ground archaeological potential for larger schemes. We would recommend that the SPD instead makes reference, in that context, to Essex County Council, who keep the most up-to-date copy of the HER.	ECC update the Heritage Gateway with a summary of their Historic Environment Record. As the Historic Gateway is a free service and provides the necessary details required it is considered appropriate to refer to this record.
MPSPD11	Historic England	37	Paragraph 8.44	Recommend that reference is made to the need to agree this work with the relevant archaeological advisory service.	Add additional second sentence to the paragraph: <u>The scope of such work should be agreed in advance with the County Archaeologist</u>
MPSPD11	Historic England	37	Paragraph 8.46	Welcome the reference to our advice on recording historic buildings but note that the full title of the document is missing from the paragraph.	Amend last sentence of paragraph to read: Guidance is set out in Historic England's Understanding Historic Buildings: <u>A a guide to Good Recording Practice</u> :
MPSPD37	Grosvenor Developments Limited and Hammonds Estates LLP	38	Principles to be considered regarding mixed use development	While a higher floor-to-ceiling height is supported in lower floors where it is appropriate to accommodate mixed use or live work units, reference to 4m is too prescriptive here and should not be used as a blanket requirement. In some instances where height is sensitive, this height may need to be reduced to take into account visual and environmental impact.	The guidance clearly states ‘(of around 4m)’. This is intended as a guide and is therefore not considered to be too prescriptive.
MPSPD3	Anglia Ruskin University	38	Principles to be considered regarding mixed use development	The ‘Principles to be considered regarding mixed use development’ on page 28 should recognise that in commercial/education centres other commercial uses rather than just residential uses will be appropriate above non-residential uses.	Amend box heading to read: Principles to be considered regarding mixed use <u>and non-residential</u> development
MPSPD57	Crest Nicholson Partnerships and Strategic Land	39	Paragraph 8.51	The following wording amendments are sought (strikethroughs identifying deleted text with new text highlighted in bold): <del>Design Codes are encouraged for all strategic scale developments.</del> <b>The Local Plan requires the use of masterplans and encourages design codes where appropriate for strategic scale developments.</b> Comment: inserted to replicate the wording of the adopted Local Plan.	Amend first sentence of paragraph to read: <del>Design Codes are encouraged for all strategic scale developments.</del> <u>The Local Plan requires the use of masterplans and encourages design codes for strategic scale developments.</u>
MPSPD57	Crest Nicholson Partnerships and Strategic Land	40	Principles to be considered relating to materials and detailing	The following wording amendments are sought (strikethroughs identifying deleted text with new text highlighted in bold): • <b>Where appropriate, B</b> <del>break down facades,</del> <b>for example,</b> <i>by using different materials, physical articulation, balconies, deeper and framed windows and door treatments etc.</i>	Amend third bullet point to read: <ul style="list-style-type: none"> <li>Break down facades, <u>for example</u>, by using different materials, physical articulation, balconies, deeper and framed windows and door treatments etc.</li> </ul> <p>Other bullet point is sufficiently worded regarding the objective.</p>

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				<ul style="list-style-type: none"> <li>• Use high quality, long lasting materials with a low environmental impact <b>where the use of such materials can be achieved without adversely affecting the viability and deliverability of new development.</b></li> </ul>	
MPSPD57	Crest Nicholson Partnerships and Strategic Land	40	Principles to be considered to make buildings accessible	<p>The following wording amendments are sought (strikethroughs identifying deleted text with new text highlighted in bold):</p> <ul style="list-style-type: none"> <li>• Avoid steps <b>where possible.</b></li> </ul>	Bullet point is sufficiently worded regarding the objective.
MPSPD57	Crest Nicholson Partnerships and Strategic Land	41	Objectives	<p>The following wording amendments are sought (strikethroughs identifying deleted text with new text highlighted in bold):</p> <ul style="list-style-type: none"> <li>• <b>Explore future proofing new development to allow for fast changing technology and building standards.</b></li> </ul>	This is an objective of this section which is fulfilled, in part, by meeting policy requirements.
MPSPD57	Crest Nicholson Partnerships and Strategic Land	41	What does success look like	<p>The following wording amendments are sought (strikethroughs identifying deleted text with new text highlighted in bold):</p> <ul style="list-style-type: none"> <li>• <b>Buildings that can adapt to changing energy technologies needs and are built into the design. e.g. solar panels, boiler requirements etc</b></li> </ul>	These are clearly examples of the types of ways this can be achieved.
MPSPD55	Ptarmigan Land	41	Section 9	The SPD does not refer specifically to the Government's consultations on the Future Homes Standard for Building Regulations with its proposals to increase energy efficiency requirements for new homes. It is noted that the consultation was carried out in late 2019 but has yet to be resolved by changes to the Building Regulations but the SPD may need a future change to deal with this.	This is noted but the document can only deal with current legislation.
MPSPD7	Mr Alan Garman	41	Section 9	<p>Small developments of 1-3 houses including triple glazing, solar heating, heat pumps, wall and loft insulation should just be approved without question as long as there are checks to insure all of the above are incorporated when built.</p> <p>When built on small pockets of land it would improve the look of some villages. It should be easier to get approval for small developments like this to save large areas of farmland which are being built on to produce food.</p>	There are a number of factors which have to be considered before planning permission can be granted for new homes. Energy efficiency is one consideration and is also required by building regulations regardless of the size of the development.
MPSPD19	Anglian Water Services	41 & 42	Paragraph 9.2 & principles to be considered for reducing water consumption in dwellings	Anglian Water as sewerage undertaker is supportive of reducing water consumption within new homes as it has wider community and environmental benefits including reducing impact on the public sewerage network. Reference is made to a number of measures to reduce water consumption in new dwellings. It would be helpful to clarify that water re-use measures outside of new dwellings would allow developments to improve on the optional higher water efficiency standard dependent upon the proposed measures. We would also suggest that reference could also be made to stormwater harvesting systems capture surface water runoff in a storage tank or pond. The water can be treated, if required, then supplied to houses through a dedicated pipe network. These systems can also be combined with Sustainable Drainage Systems (SuDS). In addition, we understand that Part G of the Building Regulations requires a planning condition to be applied where the Optional Higher Water Efficiency Standard is included in an adopted Local Plan. It is also expected that further details of the expected water consumption are provided. Therefore, we would suggest that the text refers to the requirement to apply a planning condition and sets out what information would be expected to be provided by applicants for residential proposals at planning application stage.	There are various ways in which these standards can be met. As set out in paragraph 9.2 the document provides some suggested methods, which includes examples which could be applicable to most homes. Development will need to meet the relevant Building Regulations to comply with this requirement in the most appropriate way for each development. No further changes are therefore required.
MPSPD57	Crest Nicholson Partnerships and Strategic Land	42	Paragraph 9.3	The following wording amendments are sought (strikethroughs identifying deleted text with new text highlighted in bold):	Amend first sentence of paragraph to read: BREEAM is a national scheme that assesses the sustainability performance of <u>non-residential</u> buildings.

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				<i>BREEAM is a national scheme that assesses the sustainability performance of <b>non-residential</b> buildings.</i> Comment: to reflect adopted Local Plan policy.	
PSPD57	Crest Nicholson Partnerships and Strategic Land	42	Paragraph 9.6	The following wording amendments are sought (strikethroughs identifying deleted text with new text highlighted in bold): <i>Compliance with Policy DM25 will be ensured by means of a <b>suitably worded</b> planning condition <b>agreed on a site by site basis</b>. This will typically include:</i> <ul style="list-style-type: none"> <li><i>• A <del>pre-commencement condition requiring an Interim Certificate or a Summary Score sheet following a formal Design Stage assessment</del></i></li> <li><i>• A <del>post-completion condition requiring the submission of either the Final Certificate or the Assessor's summary score sheet verifying that the agreed standards have been met before the building is occupied</del></i></li> <li><i>• If the Final Certificate has not been submitted prior to occupation, this will be required within six months following approval of the summary score sheet.</i></li> </ul>	This is the Council's current working practice for dealing with such requirements and as set out is typically how this issue will be approached.
MPSPD57	Crest Nicholson Partnerships and Strategic Land	43	Paragraph 9.8	The following wording amendments are sought (strikethroughs identifying deleted text with new text highlighted in bold): <i>Policy DM25 includes all forms of residential accommodation, including those listed as <del>multi-residential in the table above</del>.</i>	This clarifies which forms of development policy DM25 applies to.
MPSPD57	Crest Nicholson Partnerships and Strategic Land	43	Paragraph 9.11	The following wording amendments are sought (strikethroughs identifying deleted text with new text highlighted in bold): <i>The City Council does however support the use of the Home Quality Mark (HQM). This standard replaces the Code for Sustainable Homes and has been developed by BRE. The Council strongly encourages all residential development to be built to the HQM standard.</i> Comment: HQM not referred to in recently adopted Local Plan.	The paragraph makes it clear that this standard is encouraged but is not a policy requirement.
MPSPD51	Countryside Properties	43	Paragraph 9.11	The document strongly encourages all residential development to be built to the High Quality Mark standard (HQM), however the council recognises that this cannot be required of residential development. The document must make clear that development schemes will not be expected to meet this standard nor penalised for not designing schemes to the HQM standard. Reference to the HQM standard for residential development should be removed.	The paragraph makes it clear that this standard is encouraged but is not a policy requirement.
MPSPD11	Historic England	43	Paragraph 9.13	The present government policy is for no new-build properties to contain gas boilers from 2025.	Noted, this will be covered by building regulations. This document also seeks to provide guidance to those who may be seeking to improve energy efficiency and have existing gas boilers.
MPSPD11	Historic England	44	Paragraph 9.15	Recommend the inclusion of references to Historic England's advice notes in the 'Other Relevant Guidance' section on page 5 or section 9. Specifically, to advice note 14 "Energy Efficiency and Traditional Homes" <a href="https://historicengland.org.uk/images-books/publications/energy-efficiency-and-traditional-homes-advice-note-14">https://historicengland.org.uk/images-books/publications/energy-efficiency-and-traditional-homes-advice-note-14</a> , published in July 2020, and the technical note "Energy Efficiency and Historic Buildings" published in 2018 available from the same link, are included. There is also a range of guides and advice notes on the subject of Energy Efficiency and Historic Buildings available for free from our website here: <a href="https://historicengland.org.uk/advice/technical-advice/energy-efficiency-and-historic-buildings/">https://historicengland.org.uk/advice/technical-advice/energy-efficiency-and-historic-buildings/</a> . These cover topics such as insulation, draft proofing, and the successful integration of low/zero carbon technologies such as solar panels, heat pumps and others into historic fabric. We would recommend that your SPD provides links to these resources.	The table of 'other relevant guidance' includes guidance which is referred to in various places throughout the document to save having to repeat throughout the document. It is however appropriate to include reference to these documents in the historic environment section of the document as a new paragraphs after 9.15 to read: <u>For a designated or non-designated heritage assets or buildings within a conservation area the requirements for energy efficiency should be balanced against preserving the importance of the historic asset, its setting or the wider historic environment. Site-specific guidance should be sought from the Local Planning Authority in such circumstances. Further guidance is also available from Historic England at: <a href="https://historicengland.org.uk/images-books/publications/energy-efficiency-and-traditional-homes-advice-note-14">https://historicengland.org.uk/images-books/publications/energy-efficiency-and-traditional-homes-advice-note-14</a> and <a href="https://historicengland.org.uk/advice/technical-advice/energy-efficiency-and-historic-buildings/">https://historicengland.org.uk/advice/technical-advice/energy-efficiency-and-historic-buildings/</a></u>



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				At the outset we would emphasise that Chelmsford's historic environment - whether designated or non-designated - will play a crucial role in achieving the council's ambitions of reducing and eliminating carbon emissions by 2030. We would recommend you review our recent research into Carbon and the Built Historic Environment, published in 2019's 'Heritage Counts' report. This can be accessed here: <a href="https://historicengland.org.uk/research/heritage-counts/2019-carbon-in-built-environment/">https://historicengland.org.uk/research/heritage-counts/2019-carbon-in-built-environment/</a> and here: <a href="https://historicengland.org.uk/research/heritage-counts/2019-carbon-in-built-environment/carbon-in-built-historic-environment/">https://historicengland.org.uk/research/heritage-counts/2019-carbon-in-built-environment/carbon-in-built-historic-environment/</a> The headline finding of part of this research is that retrofit and refurbishment options for historic structures can reduce carbon emissions by 60% as compared to other options for redevelopment such as new build, and overall it demonstrates the importance that 'heritage', at all levels of significance, will play in achieving your ambitions.	<u>Retrofitting and refurbishment options for historic structures can reduce carbon emissions by 60% compared to other options for redevelopment such as new build. Further information on this is available at: <a href="https://historicengland.org.uk/research/heritage-counts/2019-carbon-in-built-environment/">https://historicengland.org.uk/research/heritage-counts/2019-carbon-in-built-environment/</a> and <a href="https://historicengland.org.uk/research/heritage-counts/2019-carbon-in-built-environment/carbon-in-built-historic-environment/">https://historicengland.org.uk/research/heritage-counts/2019-carbon-in-built-environment/carbon-in-built-historic-environment/</a></u>
MPSPD57	Crest Nicholson Partnerships and Strategic Land	44	Paragraph 9.16	The following wording amendments are sought (strikethroughs identifying deleted text with new text highlighted in bold): <del>At new Strategic scale developments over 100 homes, the Council will negotiate Section 106 agreements which secure show homes that incorporate optional sustainable design features to showcase the benefits of including such features in a new build and how to move towards a zero carbon home.</del> Comment: providing optional features in a show home is not necessary to make the development acceptable in planning terms.	Amend paragraph to read: At new Strategic scale developments over 100 homes, the Council will <u>seek to</u> negotiate Section 106 agreements which secure show homes that incorporate optional sustainable design features to showcase the benefits of including such features in a new build and how to move towards a zero carbon home.
MPSPD52	Countryside Properties	44	Paragraph 9.16	It is clear that a range of new measures will need to be incorporated into new homes to meet future Building Regulations but there is no requirement within the Local Plan for this measure. The SPD is seeking to introduce a policy requirement. Whether a developer wishes to offer additional optional measures which goes beyond nationally set standard within Building Regulations is a matter for the developer and cannot be mandated by the Council. Whilst the Council may wish to encourage developers to offer optional sustainable design features, it cannot legally mandate this in the manner proposed. The wording needs to be amended to 'encourage' developers to offer this and the reference to legal obligations in this regard needs to be removed, as it would not be legally compliant with the Regulation CIL tests.	Amend paragraph to read: At new Strategic scale developments over 100 homes, the Council will <u>seek to</u> negotiate Section 106 agreements which secure show homes that incorporate optional sustainable design features to showcase the benefits of including such features in a new build and how to move towards a zero carbon home.
MPSPD53	Countryside Properties	44	Paragraph 9.17	The SPD states that 'all new developments are encouraged to include renewable, low carbon and where possible decentralised energy schemes on site. The provision of energy by renewable sources is subject to large variations due to the intermittent nature of the wind and sun. One way to overcome this is through Battery Energy Storage which evens out the inevitable peaks and troughs of renewable energy supply.' Whilst Countryside recognise the importance of low carbon and renewable energy, the Council should avoid undue levels of prescription as to how developers meet the requirements under Building Regulations. The use of decentralised energy schemes and renewable energy are site specific and may have a significant impact on the viability in some cases. The paragraph should be amended to 'encourage, the inclusion of renewable, low carbon and decentralised energy schemes where practical and viable'.	The paragraph makes it clear that this is encouraged.
MPSPD57	Crest Nicholson Partnerships and Strategic Land	44	Paragraph 9.17	The following wording amendments are sought (strikethroughs identifying deleted text with new text highlighted in bold): <del>All new developments are encouraged to include renewable, low carbon and where possible decentralised energy schemes on site</del> <b>where these can be provided without adversely affecting the viability and deliverability of individual sites.</b>	The paragraph makes it clear that this is encouraged.

Comment ref ID	Name	Page	Paragraph/table/fig ref	Summary of Comments/Proposed change	Council comments
MPSPD57	Crest Nicholson Partnerships and Strategic Land	44	Principles to be considered to reduce harmful emissions and the use of natural resources	<p>The following wording amendments are sought (strikethroughs identifying deleted text with new text highlighted in bold):</p> <ul style="list-style-type: none"> <li>• <b>Where possible</b>, arrange buildings to avoid overshadowing, allow natural cooling in the summer through circulation of air yet avoid high heat losses created by too high wind speeds.</li> <li>• <b>If feasible and viable</b>, explore the provision of <del>Provide</del> shelter belts of trees on exposed edges of the site to reduce heat loss from strong wind.</li> <li>• <b>Where possible</b>, reduce the exposed surface area of buildings to minimise heat loss.</li> <li>• <del>Adopt</del> <b>Explore</b> a fabric first approach to buildings e.g. use best possible insulation and reduce thermal bridging.</li> </ul>	The bullet points are sufficiently worded regarding their objectives.
MPSPD38	Grosvenor Developments Limited and Hammonds Estates LLP	44	Principles to be considered to reduce harmful emissions and the use of natural resources	We support the principles in this section, in particular the need to optimise the layout of the development to respond to climate conditions and the 'fabric first' approach.	Support welcomed
MPSPD64	Essex County Council	46	Paragraph 9.23	ECC acknowledges that the scope of the SPD is set more towards design-led considerations rather than a wider, holistic approach to sustainable development. However, ECC recommend reference is made to the role and importance of sustainable minerals and waste management in providing new development, to which the SPD is presently silent. ECC, as the Minerals and Waste Planning Authority, are committed to working with the City Council on the shared ambition of delivering sustainable development and welcome further dialogue as appropriate.	<p>As acknowledged by ECC the SPD does not seek to repeat policy elsewhere. The SPD is about the implementation of the Local Plan, of which the MLP and WLP have informed so further detailed reference in this section is not considered to be necessary. However, for clarity additional sentence to be added to end of paragraph 9.23 to read:</p> <p><u>The Minerals Local Plan and Waste Local Plan set out further detailed policies and guidance regarding the re-use and recycling of materials on sites. These can be found at: <a href="https://www.essex.gov.uk/minerals-waste-planning-policy/minerals-local-plan">https://www.essex.gov.uk/minerals-waste-planning-policy/minerals-local-plan</a></u></p>
MPSPD18	Bellway Homes Ltd	47	Paragraph 10.2	Policy DM1 does not require or encourage 100% of new dwellings to be constructed to meet requirement M4(2). If this was deemed necessary by the Council it would have been secured within the Local Plan. The current wording of the SPD seeks to secure something that is not required by planning policy. It is therefore respectfully requested that this paragraph be deleted from the SPD.	<p>The wording in this paragraph clearly sets out what the policy requirement and simply encourages all new homes to go beyond that but clearly does not 'require' them to. It is however considered that the wording in paragraph 10.4 should be reflected in paragraph 10.2 to read:</p> <p>Although this is a mandatory requirement for a minimum of 50% of new homes within any scheme it is <del>strongly</del> encouraged that all new homes are built to this standard <u>as a minimum to allow for greater flexibility</u>.</p>
MPSPD14	Melville Dunbar Associates	47	Paragraph 10.2	This refers to Policy DM1 of the Local Plan requiring a minimum of 50% of all new homes to meet Approved Document Part M4(2) of the Building Regulations. It goes on to state "it is strongly encouraged that all new homes are built to this standard as a minimum." The use of such coercive language is tantamount to using the SPD as a vehicle to create new policy. The purpose of SPD is to explain and advise on policy, not to make it. This wording should therefore be deleted or amended. A requirement for all new homes to be built to M4(2) standards is unrealistic and unachievable.	<p>The wording in this paragraph clearly sets out what the policy requirement and simply encourages all new homes to go beyond that but clearly does not 'require' them to. It is however considered that the wording in paragraph 10.4 should be reflected in paragraph 10.2 to read:</p> <p>Although this is a mandatory requirement for a minimum of 50% of new homes within any scheme it is <del>strongly</del> encouraged that all new homes are built to this standard <u>as a minimum to allow for greater flexibility</u>.</p>
MPSPD54	Countryside Properties	47	Paragraph 10.3	Support the Council's promotion of home working, as this has become a necessity to many of late and can assist in reducing the need to travel. However, the Council need to recognise that dedicated offices should not be counted as bedrooms for the purpose of calculating parking requirements as this practice can discourage developers from making specific provision.	While this issue is acknowledged the use of the home may change over time and parking requirements should be applied if such a room also complies with minimum bedroom size to avoid potential parking issues.

Comment ref ID	Name	Page	Paragraph/table/fig ref	Summary of Comments/Proposed change	Council comments
MPSPD 15	Melville Dunbar Associates	48	Paragraph 10.4	This refers to Policy DM1 of the Local Plan requiring a minimum of 5% of all new affordable homes to meet Approved Document Part M4(3) of the Building Regulations. It goes on to state “it is encouraged that all new homes are built to this standard to provide great flexibility.” The use of such coercive language is tantamount to using the SPD as a vehicle to create new policy. The purpose of SPD is to explain and advise on policy, not to make it. This wording should therefore be deleted or amended. A requirement for all new homes to meet M4(3) standards is unrealistic and unachievable.	The wording in this paragraph clearly sets out what the policy requirement and simply encourages all new homes to go beyond that but clearly does not ‘require’ them to.
MPSPD3	Anglia Ruskin University	49	Principles to be considered to achieving accessibility to all buildings	This principle is supported but it is considered that this is a Principle that should be achieved for all non-residential buildings unless circumstances dictate otherwise rather than just a “Principle to be considered...”.	Amend bullet point to read: <ul style="list-style-type: none"> <li>Access to buildings and access within buildings and the use their facilities, both for visitors and for people who live or work within the building is required People for all, regardless of disability, age or gender. should be able to gain access to buildings and to gain access within the buildings and use their facilities, both as visitors and as people who live or work in</li> </ul>
MPSPD11	Historic England	49	Paragraph 10.8	Pleased to note the SPD makes clear that appropriate solutions for accessibility will need to be sought on a case by case basis where listed buildings and other heritage assets are concerned. The principles for how to approach considerations of equitable access to heritage assets is set out on our website here: <a href="https://historicengland.org.uk/advice/hpg/compliantworks/equalityofaccess/">https://historicengland.org.uk/advice/hpg/compliantworks/equalityofaccess/</a>	Add additional sentence to end of paragraph 10.8 to read: The principles for how to approach considerations of equitable access to heritage assets is set out here: <a href="https://historicengland.org.uk/advice/hpg/compliantworks/equalityofaccess/">https://historicengland.org.uk/advice/hpg/compliantworks/equalityofaccess/</a>
MPSPD18	Bellway Homes Ltd	49	Principles to be considered regarding space standards of new homes	Asking development to consider going beyond these standards where possible does not accord with Policy DM26 of the Local Plan. Policy DM26 does not require or encourage the Nationally Described Space Standard to be exceeded. If this was deemed necessary by the Council it would have been secured within the Local Plan. The current wording of the SPD seeks to secure something that is not required by planning policy and should be deleted from the SPD.	This section of the SPD makes it clear what the policy requirements are in paragraph 10.10 and simply encourages all new homes to ‘consider’ going beyond that in paragraph 10.11 and the principles box, but clearly does not require them to.

## Appendix 2: Schedule of proposed changes for Making Places Supplementary Planning Document

Page	Paragraph/ table/ fig ref	Council comments
Throughout	Tables at beginning of each section	Amend last development type column to read: Mixed use <u>and non-residential uses</u>
1	Paragraph 1.2	Amend paragraph to read: It sets out detailed guidance for the implementation of the policy requirements set out in the new Local Plan <u>and provides practical advice to help with schemes from single house extensions to strategic sites and their masterplans.</u>
1	Paragraph 1.7	Amend paragraph to read: This draft Making Places Supplementary Planning Document (SPD) <u>was formally adopted by the Council on XXX 2021.</u> <del>is published for four weeks public consultation from 30 April to 28 May 2020.</del> <del>Feedback received will be used to inform the final version of the SPD which is anticipated for adoption in Summer/Autumn 2020. Once adopted, the new Making Places SPD will</del> <u>It replaces</u> the following documents:
2	Paragraph 2.2	Add new additional paragraph after 2.2 to read: <u>As part of the Council's adopted Masterplan process the detail as to how relevant strategic sites will satisfy the requirements of the respective site policies in the Local Plan, as well as the aims and objectives of this SPD, will be considered through the iteration, consultation and quality review panel assessment of these sites. This SPD provides guidance but is not intended to stifle innovation and local design solutions identified through masterplans.</u>
2	Paragraph 2.6	Amend last sentence of the paragraph to read: It also includes detailed guidance on how to go beyond the Local Plan policy requirements to encourage development to be futureproofed and be as sustainable and energy efficient as possible, <u>although such elements of the guidance within this SPD are not mandatory and should not be read as a policy requirement.</u>
3	Table	Amend last development type column to read: Mixed use <u>and non-residential uses</u>  <u>Add a tick for public realm for smaller developments of up to 10 dwellings.</u>  Amend titles to read: Single dwellings/small scale development (< <u>under</u> 10 dwelling units) Major development (< 10+ dwelling units)
4	Paragraph 2.13	Amend last sentence of paragraph to read: Where there is conflict with other guidance <u>or policy published after the adoption of the SPD elsewhere the SPD guidance should take precedence</u> <del>decision makers may give it weight, if appropriate, alongside the provisions of the SPD.</del>
5	Other Relevant Guidance	Include additional text in the table to read:  <b><u>Sport England and Public Health England's Active Design guidance</u></b> <a href="https://www.sportengland.org/how-we-can-help/facilities-and-planning/design-and-cost-guidance/active-design">https://www.sportengland.org/how-we-can-help/facilities-and-planning/design-and-cost-guidance/active-design</a>



Page	Paragraph/ table/ fig ref	Council comments
		<div>Represents established guidance on designing to encourage physical activity.</div> <div>Encouraged for all forms/scales of development.</div> <div>Livewell - <a href="https://www.essexdesignguide.co.uk/">https://www.essexdesignguide.co.uk/</a></div> <div>Livewell is an accreditation scheme which seeks to place health and well-being at the heart of developments.</div> <div>Encouraged to design a scheme in accordance with the Livewell accreditation for all strategic scale development</div>
5	Paragraph 3.11	<p>Amend the first sentence of the paragraph to read: There are a number of other relevant <del>policies</del>/standards/benchmarks/strategies which should be considered alongside this SPD.</p> <p>Amend last sentence of paragraph 2.13 to read: Where there is conflict with other guidance <u>or policy published after the adoption of the SPD</u> elsewhere the SPD guidance should take precedence <u>decision makers may give it weight, if appropriate, alongside the provisions of the SPD.</u></p>
5 & 26	Paragraph 3.12 & 7.34	<p>Add additional text to end of paragraph 7.34 to read: <u>The Essex Green Infrastructure Strategy (2020)</u> <a href="https://www.placeservices.co.uk/resources/built-environment/essex-gi-strategy/">https://www.placeservices.co.uk/resources/built-environment/essex-gi-strategy/</a> also seeks to enhance, protect and create an inclusive and integrated network of high-quality multi-functional green infrastructure in Greater Essex. Opportunities for delivering and integrating with other green infrastructure set out within this Strategy should be considered.</p>
7	Paragraph 4.2	Web link to be added ahead of publication
8	Objectives	Amend third 'Objective' to read: Create a high-quality network of <u>multi-functional Green Infrastructure Spaces</u> .
8	What does success look like	Amend third bullet point to read: <ul style="list-style-type: none"> <li>Integrated sustainable <del>urban</del> drainage</li> </ul>
9	Paragraph 5.3	Last sentence of paragraph to be amended to read: All types of development that have an impact on biodiversity, are <del>encouraged</del> <u>required to ensure deliver</u> biodiversity net gain through an increase in appropriate natural habitat and ecological features over and above those being affected.
9	Figure 1	Amend wording for figure 1 to read: Swift bricks should be installed high up in gable ends or directly under eaves, <u>ideally no less than 4m above ground level</u>
9	Paragraph 5.6	<p>Amend second bullet point to read:</p> <ul style="list-style-type: none"> <li>Bat boxes should be installed south to south- west facing 3-5 <u>metres</u> high, away from direct lighting, adjacent to vegetation (connected, commuting corridor) and free from obstruction</li> </ul> <p>Amend final bullet point to read:</p> <ul style="list-style-type: none"> <li>Hedgehog <u>fencing/crossings</u>/highways can provide safe routes for hedgehogs to pass through development</li> </ul>

Page	Paragraph/ table/ fig ref	Council comments
10	Principles to be considered to assist in contributing to suitable Green Infrastructure	<p>Amend third bullet point to read:</p> <ul style="list-style-type: none"> <li>• <u>Seek to retain key green infrastructure features and improve connectivity to them, for example linear corridors such as hedgerows, rivers/streams, and railway lines.</u></li> </ul> <p>Add additional bullet points to read:</p> <ul style="list-style-type: none"> <li>• <u>Consider the future on-going maintenance of Green Infrastructure.</u></li> <li>• <u>Consider appropriate walking/cycle/bridleway access to Green infrastructure</u></li> </ul>
11	Paragraphs 5.10 – 5.14	<p>Add additional bullet point to the principles for SuDS to read:</p> <ul style="list-style-type: none"> <li>• <u>Consider the future on-going maintenance of SuDS within a scheme.</u></li> </ul>
11	Paragraph 5.11	<p>Amend paragraph to read:</p> <p>As such they make more efficient use of the open space network and provide informal <u>recreational access</u>.</p>
11	Paragraph 5.12	<p>Add additional sentence to end of paragraph to read:</p> <p><u>The published BS8582 Code of practice for surface water management for development sites should also be referred to.</u></p>
11	Paragraph 5.14	<p>Amend paragraph to read:</p> <p>ECC has produced a guidance document called 'SuDS design <u>guide 2020 advice</u>', which should be followed and is available from:  <a href="https://flood.essex.gov.uk/new-developmentadvice/how-to-design-suds-in-essex">https://flood.essex.gov.uk/new-developmentadvice/how-to-design-suds-in-essex</a>  <a href="https://www.essexdesignguide.co.uk/suds">https://www.essexdesignguide.co.uk/suds</a></p> <p>In addition, ECC has produced SuDS Planning Advice. This service can be used at any stage during the planning application process at:  <a href="https://flood.essex.gov.uk/new-development-advice/apply-for-suds-advice/">https://flood.essex.gov.uk/new-development-advice/apply-for-suds-advice/</a></p> <p>Add additional wording to end of paragraph 5.14 to read:</p> <p><u>Anglian Water should also be consulted at an early stage where SuDs (which meet the legal definition of a sewer) are expected to be adopted by the sewerage company. Further guidance is available on Anglian Water's website: <a href="https://www.anglianwater.co.uk/developers/drainage-services/sustainable-drainage-systems/">https://www.anglianwater.co.uk/developers/drainage-services/sustainable-drainage-systems/</a></u></p>
11	Paragraph 5.15	<p>Add additional bullet point to read:</p> <ul style="list-style-type: none"> <li>• <u>Reducing carbon/adding oxygen in the atmosphere</u></li> </ul>
11	Principles to be considered when designing a SUDS scheme	<p>Add additional bullet points to read:</p> <ul style="list-style-type: none"> <li>• <u>Consider multi-functional use of SUDS to enhance the open space/Green Infrastructure networks</u></li> <li>• <u>Consider if rainwater harvesting and surface water harvesting can form part of an integrated scheme.</u></li> </ul>
12	Paragraph 5.17	<p>Insert additional wording before last sentence of paragraph to read:</p> <p><u>Tree and hedge planting should include appropriate native species where possible.</u> In non-urban locations non native species, such as conifers and laurel should be avoided. <u>The level of planting and species selection will be informed by individual site-characteristics and identified as part of the detailed planning application process.</u></p>
12	Paragraph 5.18	<p>Amend last sentence of paragraph to read:</p>

Page	Paragraph/ table/ fig ref	Council comments
		<p>Green spaces provided in connection with new housing development should, <u>where practicable</u>, include the planting of three trees per net new dwelling.</p> <p>Additional paragraph to be added after 5.18 to read:  <u>Consideration of existing trees, especially protected trees, should be given to ensure the longevity of such trees is not compromised by future development.</u></p>
12	Principles to be considered when selecting trees and hedges to plant	<p>Amend last bullet point to read:</p> <ul style="list-style-type: none"> <li>• <u>Where practicable</u>, all new housing development should seek to plant three trees per net new dwelling.</li> </ul>
13	Objectives	<p>Amend first and second bullet points to read:</p> <ul style="list-style-type: none"> <li>• Create spaces and places which put <u>walking, cycling, and</u> public transport before the private car</li> <li>• Ensure safe and accessible cycle and pedestrian routes, <u>and where appropriate</u> <u>bridleways</u>, at the heart of place making</li> </ul>
13 & 17	Principles to be considered for creating parking spaces	<p>Amend title of the box on page 17 to read:  Principles to be considered <u>regarding parking standards for creating parking spaces</u></p>
14	Paragraph 6.3	<p>Add additional sentence to end of paragraph to read:  <u>All development should ensure routes have good natural surveillance. This includes ensuring development does not have an adverse impact on the surveillance of existing routes in and around a site.</u></p>
14	Paragraph 6.5	<p>Amend paragraph to read:  <del>All development for net</del> <u>Both new residential and non-residential development uses</u> should consider the Essex Cycling Strategy, <del>and the</del> <u>Chelmsford Cycling Action Plan, and the Local Cycling and Walking Infrastructure Plan</u> in terms of how their proposed development <del>could feed into</del> <u>can connect into and enhance the wider cycle network.....</u></p>
14	Paragraph 6.7	<p>Amend paragraph to read:  Consideration should be given regarding the type of cycle route and as to whether it is appropriate to be a shared route, with pedestrians, horse riders and other users. <del>Key routes designed to promote cycle use as an alternative to the private car may be more appropriate to be provided as segregated cycle routes to avoid conflict with pedestrians and other users. Other routes are expected to be provided as shared routes in accordance with Essex County Council guidance. Such multi-user routes should be provided without division by white lining or changes in levels. In general, cycles must be treated as vehicles and not as pedestrians. On urban streets, cyclists must be physically separated from pedestrians and should not share space. Where cycle routes cross pavements, a physically segregated track should always be provided. At crossings and junctions pedestrians should be provided with a separate parallel route to cyclists. Shared use routes in streets with high pedestrian or cyclist flows should not be used, and distinct tracks for cyclists should be made, using sloping, pedestrian-friendly kerbs and/ or different</del></p>

Page	Paragraph/ table/ fig ref	Council comments
		<p><u>surfacing. Shared use routes away from streets may be appropriate in locations such as canal towpaths, paths through housing estates, parks and other green spaces. Where cycle routes use such paths in built-up areas attempts should be made to separate them from pedestrians, potentially with levels or a kerb.</u></p> <p><u>Shared use may be appropriate in some situations, if well-designed and implemented. Some are listed below:</u></p> <ul style="list-style-type: none"> <li>• <u>Alongside interurban and arterial roads where there are few pedestrians;</u></li> <li>• <u>At and around junctions where cyclists are generally moving at a slow speed, including in association with Toucan facilities;</u></li> <li>• <u>In situations where a length of shared use may be acceptable to achieve continuity of a cycle route; and</u></li> <li>• <u>In situations where high cycle and high pedestrian flows occur at different times.</u></li> </ul> <p>Good examples of multi-user routes include 'Flitch Way' in Braintree District.</p>
15	Paragraph 6.8	<p>Amend paragraph to read:</p> <p><del>The Essex Design Guide provides further detailed information on how to create safe and suitable routes for cyclists. This</del> The <u>DfT guidance Cycle Infrastructure Design (LTN 1/20)</u>, available at <a href="http://www.gov.uk/government/publications/cycle-infrastructure-design-ltn-120">www.gov.uk/government/publications/cycle-infrastructure-design-ltn-120</a>, should be read in conjunction with the 'Highways Technical Manual', which provides specific technical guidance on how to build a layout in compliance with Essex Highways and 'Manual for Streets' standards. <del>For further guidance on these please see:-</del>, which are available at <a href="https://www.essexdesignguide.co.uk/">https://www.essexdesignguide.co.uk/</a></p> <p><u>In addition, if a site is within a conservation area or effects a historic asset then consideration should be given to Historic England's advice 'Streets for All': <a href="https://historicengland.org.uk/images-books/publications/streets-for-all/">https://historicengland.org.uk/images-books/publications/streets-for-all/</a></u></p>
15	Paragraph 6.9	<p>Amend second sentence of paragraph to read:</p> <p>The standards for cycle parking are set out within the Essex County Council Parking Standards Design and Good Practice 2009, <u>or as subsequently amended.</u></p>
15	Table below paragraph 6.9	<p>Amend text for minimum provision for dwelling houses to read:</p> <p>None if garage or secure area <u>(which can include a private garden)</u> is provided within the curtilage of a dwelling, otherwise 1 secure covered space per dwellings plus 1 space per 8 dwellings for visitors</p>
15	Paragraph 6.10	<p>Add additional sentence to end of paragraph to read:</p> <p><u>These facilities could be used as 'green roofs' providing wildlife habitats. For example, Green Roof shelters: <a href="https://greenroofshelters.co.uk/green-roof-cycle-shelter/">https://greenroofshelters.co.uk/green-roof-cycle-shelter/</a></u></p>
16	Paragraph 6.13	<p>Amend first sentence of paragraph to read:</p> <p>Cycle parking for individual houses should be provided in garages or sheds and <u>where possible</u> ensure that they can be accessed without the need to take the bicycle through the house.</p>
16	Paragraph 6.15	<p>Amend first sentence of paragraph to read:</p>



Page	Paragraph/ table/ fig ref	Council comments
		<p><u>Through the pre-application/design/masterplan process</u>, major new developments should <del>be designed to</del> <u>explore</u> accommodating a bus service, which is attractive to passengers and efficient for the service operator.</p> <p>Amend third sentence of paragraph to read:  <u>Bus priority measures</u> <del>Fixed infrastructure</del>, such as bus gates may be necessary, in some instances, to achieve preferential routing and faster journey times. Essex County Council Highways and the local bus service operator should be involved in the scheme layout, <del>and positioning of bus routes and stops, and level of service</del> at an early stage.</p>
16	Paragraph 6.16	<p>Amend paragraph to read:  All new developments should <del>aim to</del> provide bus routes within 400m or a 5 minute walk of all dwellings <u>to meet Essex County Council standards as Highway Authority</u>.</p>
16	Paragraph 6.17	<p>Amend paragraph to read:  The location of bus stops should <u>be highly accessible</u> <del>relate</del> to the footpath and cycle network and key destination points within the development.; <del>they are generally best located at significant points of pedestrian and cycle movement.</del> <u>Bus infrastructure such as bus stops and shelters should be installed as the phases of development are constructed, so there is a clear understanding of the proposed bus routes by new residents.</u></p>
17	Principles to be considered regarding public transport provision	<p>Reference to electronic timetables is covered sufficiently in the 'principles' box.</p> <p>Amend first bullet point to read:</p> <ul style="list-style-type: none"> <li>• The local bus service operator <del>and ECC</del> should be involved in the <u>bus routes, level of service scheme layout and positioning of bus stops and other passenger transport infrastructure</u> at an early stage.</li> </ul>
17	Paragraph 6.20	<p>Amend first sentence of paragraph to read:  Parking standards may be <del>more</del> relaxed in urban locations with high levels of public transport accessibility.</p> <p>Add additional bullet point to read:  <u>Preferred car bay size 5.5m x 2.9m (6m for parallel bay)</u></p> <p>Add additional paragraph after 6.20 to read:  <u>On-street parking will only be considered where the development has been designed to incorporate an agreed level of un-allocated on-street parking in the form of parallel or angled parking bays, or parking squares.</u></p>
17	Principles to be considered for creating a parking space	<p>Heading to be amended to 'parking standards'</p> <p>Amend fourth bullet point to read:  Parking courts are the least preferred option; if they are necessary, they should have direct access to the dwelling they serve, <u>have high levels of natural surveillance</u> <del>not be surrounded by high walls and not serve more than 6 dwellings.</del> <u>The number of dwellings a parking court serves will be considered on a site-by-site basis but in principle should be limited to avoid large, unattractive and disconnected parking courts.</u></p> <p>Amend sixth bullet point to read:</p>

Page	Paragraph/ table/ fig ref	Council comments
		An allowance should be made for visitor parking <u>as part of the highway design in accordance with ECC/EPOA parking standards to ensure in sensible places</u> <del>by making the road suitably wide enough for cars can to pass and visitors can to park.</del>
18	Paragraph 6.23	Amend paragraph to read: For those areas of hardstanding that require planning permission the following <u>principles guidance</u> should be considered:
18	Principles to be considered for creating an off-road parking space	Amend second bullet point to read: <ul style="list-style-type: none"> <li>Minimise the length of dropped kerbs <u>(in accordance with the ECC/EPOA parking standards)</u> in order to retain as much street parking as possible</li> </ul> Amend bullet point four to read: <ul style="list-style-type: none"> <li>Include generous planting <u>where possible</u></li> </ul> Amend seventh bullet point to read: <ul style="list-style-type: none"> <li>Ensure <del>1.5 x 1.5</del> <u>appropriate</u> visibility splays in both directions</li> </ul> Add additional bullet point to read: <ul style="list-style-type: none"> <li><u>Apply to ECC highways for consent for a new vehicle crossover</u></li> </ul>
19	Paragraph 6.28	Include a picture of the Braintree scheme if room allows and add new para after 6.26 to read: <u>Mixed use development should consider the inclusion of rapid EV charging/service stations. The UK's first Electric Forecourt delivered by GRIDSERVE near Braintree is an example of this.</u>
20	Table	Add a tick for public realm for smaller developments of up to 10 dwellings.
20	What does success look like	Amend second to last bullet point in 'what does success look like box to read: <ul style="list-style-type: none"> <li>Sustainable <del>urban</del> drainage systems and natural flood..</li> </ul>
20 & 22	Figures 17 and 20	Captions to be added: Figure 17: Homes overlooking open spaces at <u>Beaulieu</u> Figure 20: Development at <u>Channels</u>
21	Paragraph 7.4	Amend last sentence of paragraph to read: Where the use of open space means it could be a destination point, e.g. sports pitches, their connection to <u>walking, cycling and</u> public transport routes should be considered and suitable links and access points put in place to encourage access to spaces via these modes public transport connections.
21	Paragraph 7.7	Paragraph to be amended: Lighting and other items such as dog <u>waste bins</u> ....
21	Paragraph 7.9	Amend first sentence of paragraph to read: To meet the standards expected by the Council <u>strategic green spaces and other green spaces where practicable are strongly encouraged to should</u> be designed from the outset to meet the quality mark of the 'Green Flag Award'.
22	Paragraph 7.11	Amend paragraph to read: Sustainable <del>Urban</del> Drainage Systems (SuDS) can be ....
22	Paragraph 7.12	Include additional paragraph after 7.12 to read:

Page	Paragraph/ table/ fig ref	Council comments
		<u>Supporting facilities play a major role in encouraging people to visit open spaces and influence how much time they spend there. This can range from simple measures such as appropriately located seating to allow people to rest or observe views/activities to more significant facilities such as toilets and refreshments (e.g. cafes) in more strategic spaces such as country parks and major urban parks. Further guidance is provided in the 'Appropriate Infrastructure' section of Sport England's Active Design guidance: <a href="https://www.sportengland.org/how-we-can-help/facilities-and-planning/design-and-cost-guidance/active-design">https://www.sportengland.org/how-we-can-help/facilities-and-planning/design-and-cost-guidance/active-design</a></u>
22	Principles to be considered for all spaces (left-hand side)	Add additional bullet point to read: <ul style="list-style-type: none"> <li>• <u>Consider appropriate supporting facilities for all open spaces.</u></li> </ul>
22	Paragraph 7.13	Add additional sentence of end of paragraph 7.13 to read: <u>Where a scheme impacts a heritage asset specific design consideration as set out in section 8 should also be considered.</u>
22	Principles to be considered for all spaces (right-hand side)	Amend last bullet point to read: <ul style="list-style-type: none"> <li>• Consider the incorporation of Sustainable <del>Urban</del> Drainage Systems within open space.</li> </ul> Add additional bullet point to read: <ul style="list-style-type: none"> <li>• <u>Ensure landscaping features, including trees, allow for natural surveillance and do not unduly restrict the use of open spaces</u></li> </ul>
23	Paragraph 7.19	Add in the . between 7 and 19 and remove first bullet point in paragraph 7.19: <ul style="list-style-type: none"> <li>• <del>Public realm should be</del></li> </ul>
23	Paragraph 7.20	Amend last sentence of paragraph to read: Public art also provides enjoyment, adds prestige to a development and can provide an educational opportunity, <u>including the opportunity to link to the history of an area.</u>
23	Paragraph 7.21	If space allows add picture of painted basketball court in Frank Whitmore Green in Chelmsford and include additional sentence at end of paragraph after 7.21 to read: <u>It can also be used to create areas for people to connect and play.</u>
24	Paragraph 7.22	Add the following to the end of paragraph 7.22: For further information on commissioning public art visit: <a href="https://www.chelmsford.gov.uk/planning-and-building-control/developments-and-improvements-in-chelmsford/public-art-in-chelmsford/organisations-wishing-to-commission-public-art/">https://www.chelmsford.gov.uk/planning-and-building-control/developments-and-improvements-in-chelmsford/public-art-in-chelmsford/organisations-wishing-to-commission-public-art/</a>
24	Paragraph 7.24	Add additional sentence to the end of paragraph 7.24: <u>This should include the consideration of ensuring the future ease of access to utility services.</u>
25	Paragraphs 7.27 and 7.28	The requirements in these paragraphs reflect this authorities local highways requirements.
25	Paragraph 7.29	Amend last sentence of paragraph to read: Boundary features should be set <del>at least 450mm</del> <u>an appropriate distance</u> from the carriageway shared surface <u>to meet Essex County Council Highway</u>

Page	Paragraph/ table/ fig ref	Council comments
		<u>standards</u> , and the margin paved in the same surface material, where practicable, with demarcation markers.
26	Paragraph 7.33	Add additional sentence to end of paragraph to read: <u>'Building with Nature' is an accreditation scheme which seeks to incorporate green infrastructure into development. This approach is a voluntary approach that enables developers to create places that really deliver for people and wildlife. For more information please visit here:</u> <a href="https://www.buildingwithnature.org.uk/about">https://www.buildingwithnature.org.uk/about</a>
27	Objectives	Add additional bullet point to read: <ul style="list-style-type: none"> <li>• <u>Create an identity and sense of place in new character areas</u></li> </ul>
27, 40 , 49	Bullet point in 'what does success look like', End of paragraph 8.54, First sentence paragraph 10.8	Amend references to: <u>heritage</u> <del>historic</del> -assets
31	Paragraph 8.11	Add additional sentence to the end of paragraph 8.11 to read: It should be noted that figure 29 sets out the broad locations for taller <u>buildings in the City Centre which takes into account the provisions of Policy DM28. Taller buildings may be appropriate in other locations providing they meet the requirements of Policy DM28.a</u>
32	Paragraph 8.18	Add additional wording after second sentence to paragraph 8.18 read: <u>Where the applicant can demonstrate it is appropriate a visual analysis via a visual impact assessment may be accepted by the Council.</u>
34	Paragraph 8.26	Additional link to be added to end of paragraph: Assets <a href="https://historicengland.org.uk/images-books/publications/making-changes-heritage-assets-advice-note-2/">https://historicengland.org.uk/images-books/publications/making-changes-heritage-assets-advice-note-2/</a>
35	Principles to be considered relating to conservation areas	Amend first bullet point of principles for conservation areas to read: <ul style="list-style-type: none"> <li>• Avoid the loss of traditional front doors, <del>timber sliding sash</del> windows, chimneys, decorative bargeboards and cast iron rainwater goods.</li> </ul>
36	Paragraph 8.36	Amend first sentence of paragraph to read: Scheduled Monument Consent will be required <u>from Historic England</u> , where activities physically affecting a scheduled monument are proposed.
37	Paragraph 8.44	Add additional second sentence to the paragraph: <u>The scope of such work should be agreed in advance with the County Archaeologist</u>
37	Paragraph 8.46	Amend last sentence of paragraph to read: Guidance is set out in Historic England's Understanding Historic Buildings: <u>A a guide to Good Recording Practice:</u>
38	Paragraph 8.49	Add the following as a new paragraph after paragraph 8.49:



Page	Paragraph/ table/ fig ref	Council comments
		<p><u>In assessing whether a new site is appropriate for a new education facility, the 'ECC Developers' Guide to Infrastructure Contributions (2020)' identifies the issues and matters that should be considered in the Education Site Suitability Checklist provided in Appendix C: Education Site Suitability Checklist. The 'Guide' seeks to ensure that new education facilities fit with, and are complemented by, the rest of the proposed development. Appendix D: Exemplar Layouts for Education and Community Facilities, provides exemplar layouts. The objectives as displayed in the exemplar layouts are to:</u></p> <ul style="list-style-type: none"> <li><u>• create a sense of place;</u></li> <li><u>• avoid congestion by dispersing school drop off;</u></li> <li><u>• provide a safe environment around school entrances; and</u></li> <li><u>• encourage sustainable travel.</u></li> </ul>
38	Principles to be considered regarding mixed use development	Amend box heading to read: Principles to be considered regarding mixed use <u>and non-residential</u> development
39	Paragraph 8.51	Amend first sentence of paragraph to read: <del>Design Codes are encouraged for all strategic scale developments.</del> <u>The Local Plan requires the use of masterplans and encourages design codes for strategic scale developments.</u>
40	Principles to be considered relating to materials and detailing	Amend third bullet point to read: <ul style="list-style-type: none"> <li>• Break down facades, <u>for example</u>, by using different materials, physical articulation, balconies, deeper and framed windows and door treatments etc.</li> </ul>
42	Paragraph 9.3	Amend first sentence of paragraph to read: BREEAM is a national scheme that assesses the sustainability performance of <u>non-residential</u> buildings.
44	Paragraph 9.15	<p>Add new paragraphs after 9.15 to read:</p> <p><u>For a designated or non-designated heritage assets or buildings within a conservation area the requirements for energy efficiency should be balanced against preserving the importance of the historic asset, its setting or the wider historic environment. Site-specific guidance should be sought from the Local Planning Authority in such circumstances. Further guidance is also available from Historic England at: <a href="https://historicengland.org.uk/images-books/publications/energy-efficiency-and-traditional-homes-advice-note-14">https://historicengland.org.uk/images-books/publications/energy-efficiency-and-traditional-homes-advice-note-14</a> and <a href="https://historicengland.org.uk/advice/technical-advice/energy-efficiency-and-historic-buildings/">https://historicengland.org.uk/advice/technical-advice/energy-efficiency-and-historic-buildings/</a></u></p> <p><u>Retrofitting and refurbishment options for historic structures can reduce carbon emissions by 60% compared to other options for redevelopment such as new build. Further information on this is available at: <a href="https://historicengland.org.uk/research/heritage-counts/2019-carbon-in-built-environment/">https://historicengland.org.uk/research/heritage-counts/2019-carbon-in-built-environment/</a> and <a href="https://historicengland.org.uk/research/heritage-counts/2019-carbon-in-built-environment/carbon-in-built-historic-environment/">https://historicengland.org.uk/research/heritage-counts/2019-carbon-in-built-environment/carbon-in-built-historic-environment/</a></u></p>

Page	Paragraph/ table/ fig ref	Council comments
44	Paragraph 9.16	Amend paragraph to read: At new Strategic scale developments over 100 homes, the Council will <u>seek to</u> negotiate Section 106 agreements which secure show homes that incorporate optional sustainable design features to showcase the benefits of including such features in a new build and how to move towards a zero carbon home.
46	Paragraph 9.23	Add additional sentence to end of paragraph 9.23 to read: <u>The Minerals Local Plan and Waste Local Plan set out further detailed policies and guidance regarding the re-use and recycling of materials on sites. These can be found at: <a href="https://www.essex.gov.uk/minerals-waste-planning-policy/minerals-local-plan">https://www.essex.gov.uk/minerals-waste-planning-policy/minerals-local-plan</a></u>
47	Paragraph 10.2	Amend paragraph to read: Although this is a mandatory requirement for a minimum of 50% of new homes within any scheme it is <del>strongly</del> encouraged that all new homes are built to this standard <u>as a minimum to allow for greater flexibility.</u>
47	10.3	Amend paragraph to read: Consideration should also be given to the need to provide homes with the ability for occupiers to readily work from home. This may include suitable space within habitable rooms, or specific rooms for home offices. <del>This includes the need to ensure that new homes have connections to superfast broadband readily work from home.</del> This may include suitable space within habitable rooms, or specific rooms for home offices. <del>This and</del> includes the need to ensure that new homes have connections to superfast broadband.
49	Principles to be considered to achieving accessibility to all buildings	Amend bullet point to read: <ul style="list-style-type: none"> <li>Access to buildings and access within buildings and the use their facilities, both for visitors and for people who live or work within the building <u>is required People for all,</u> regardless of disability, age or gender. <del>should be able to gain access to buildings and to gain access within the buildings and use their facilities, both as visitors and as people who live or work in</del></li> </ul>
49	Paragraph 10.8	Add additional sentence to end of paragraph 10.8 to read: The principles for how to approach considerations of equitable access to heritage assets is set out here: <a href="https://historicengland.org.uk/advice/hpg/compliantworks/equalityofaccess/">https://historicengland.org.uk/advice/hpg/compliantworks/equalityofaccess/</a>



## Chelmsford City Council Cabinet

26 January 2021

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### OPTIONS FOR LOCAL COUNCIL TAX SUPPORT (LCTS) SCHEME 2021/22

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#### Report by:

Cabinet Member for a Fairer Chelmsford

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#### Officer Contact:

Rob Hawes, Revenue and Benefit Services Manager, 01245 606695,  
[robert.hawes@chelmsford.gov.uk](mailto:robert.hawes@chelmsford.gov.uk)

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#### Purpose

To agree a Local Council Tax Support (LCTS) scheme for 2021/22 to put forward for Full Council approval before 11 March 2021.

#### Options

1. To amend 2020/21's existing LCTS scheme to make it more or less generous to working age claimants

OR

2. To make a minor change to the existing 2020/21 LCTS scheme to mitigate the risk that unpredictable changes in benefits rules could have unintended consequences for LCTS claimants.

## Preferred option and reasons

Option 2. The proposed change allows the Council to alter the LCTS scheme mid-year, in certain circumstances, to ensure that LCTS claimants are not negatively affected by Government changes intended to increase benefit recipients' income.

## Recommendations

That Cabinet recommends to Full Council a LCTS scheme for approval before 11 March 2021. The recommendation is that the 2021/22 LCTS scheme is amended to allow in-year alterations to scheme rules in specific circumstances.

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### 1. Introduction

- 1.1. Since 2013/14, every billing authority has been required to approve a Local Council Tax Support (LCTS) scheme, prior to 11 March, in respect of the forthcoming financial year. The LCTS scheme assists people on a low income to pay their Council Tax by reducing the amount they have to pay. Entitlement to Council Tax support (CTS) is 'means-tested', whereby entitlement reduces as household income increases. The Council must incorporate Government rules in respect of pensioners, but it has significant freedom to decide the rules in respect of 'working age' households.
- 1.2. In 2013/14, the Council decided to reduce the maximum level of CTS which could be awarded to an amount equivalent to 80% of a household's Council Tax (CT) liability. This meant that all working age households paid a minimum of 20% of their CT liability. This decision was taken to ensure that scheme expenditure did not exceed the funding provided. Following a reduction in Government grant for 2014/15, the minimum payment was raised to 23%, where it has remained ever since. Subsequent reductions in Government grants have meant that the scheme expenditure now exceeds any grant received and Chelmsford taxpayers are now contributing to the cost of the scheme. The amount of that contribution cannot be calculated exactly as the direct link with Government grant for LCTS was broken in 2014/15 when the specific grant was incorporated into the overall Settlement Funding Assessment.



## 2. Current 2020/21 LCTS scheme summary

### Key principles

2.1. The amount of any reduction in CT for people on low incomes is means-tested. This means that a household's income is compared against a set of allowances. These allowances vary depending on the personal circumstances of the household e.g. number of children, any disabilities, etc. Households with an income equal to, or below, the relevant allowances qualify for the maximum allowable LCTS i.e. 77% of CT liability (capped at Band D rates, as described below). Households with an income above the relevant allowances have support withdrawn at the rate of 20p for every pound by which income exceeds allowances. The rules for pensioner households are set by the Government. Local councils have the power to decide how much help is given to working age households. The main criteria are:

- All working age claimants pay a minimum of 23% of their CT liability as the maximum LCTS is 77%. For pensioners, the minimum CT liability is nil as they can qualify for LCTS of up to 100% of their CT liability.
- For the purpose of calculating entitlement, CT liability is restricted to the appropriate Band D level for those of working age, but not pensioners. For example, a working age person in a Band H property will have their LCTS calculated using the Band D amount applicable to that area, leaving them with a CT liability of at least 46% of the standard Band H charge. By contrast, a pensioner household can claim LCTS based on their actual liability regardless of Band, so their Band H liability could be reduced to nil.
- LCTS is not available to working age households with more than £6,000 in savings. Pensioners can have up to £16,000 in savings before entitlement is removed completely.
- Households with other non-dependent adults in them have their LCTS reduced as these other adults are expected to contribute towards the running costs of the household.
- £10 per week of child maintenance received is disregarded. Any child maintenance paid to a pensioner household is disregarded in full.
- There are additional disregards to earned income to encourage work. This provision is more generous for those of working age than for pensioners.
- For self-employed claimants, national minimum wage levels are assumed as income for the purposes of calculating LCTS entitlement if the declared income from self-employment is lower than the minimum wage. This applies after the first year of self-employment.

### 3. Scheme Finances

- 3.1. The Government takes account of the need for LCTS schemes in its annual settlement for Chelmsford City Council, Essex County Council and the Police and Fire authorities. It is the billing authority, Chelmsford City Council, which is responsible for assessing the amount of LCTS payable and reconciling this through the Council Tax collection fund.
- 3.2. Since the amount of grant in respect of LCTS is no longer separately identified, it is not possible to accurately estimate the amount by which the cost of LCTS scheme exceeds the available grant. What is clear is that overall amounts of Government grant have reduced since 2013/14, while the cost of the LCTS scheme has remained relatively constant at around £6.5m per annum until 2019/20.
- 3.3. As a result of an increase in caseload numbers caused by COVID-19, the cost of the scheme is expected to exceed £6.8m in 2020/21. As at December 2020, the amount of LCTS for working-age households totalled £3.56m, with a further £3.31m for pensioner households. £2.37m of the working-age total is being granted to households receiving minimum levels of income. As the only cost-effective method of recovery available in such cases is a £3.70 per week deduction from benefits, there is a strong likelihood that any reduction in LCTS would be matched by a comparable fall in collection rates.
- 3.4. The Government's provisional settlement for 2021/22 includes £189,000 in new funding in recognition of the increased costs of providing LCTS and other help to economically vulnerable households.

### 4. Equality Issues

- 4.1 When deciding upon a scheme, the Council is required to have due regard to its Public Sector Equality Duties (PSED), found in s149 of the Equality Act 2010, which require public authorities to give due regard to the need to:
  - i. Eliminate unlawful discrimination and harassment in the respective fields of race, sex and disability;
  - ii. Promote equality of opportunity between those with a protected characteristic and others (in addition to the need to promote good race relations);
  - iii. Take steps to take account of disabled people's disabilities even where that involves treating disabled people more favourably than others; and,
  - iv. Promote positive attitudes towards disabled people and to encourage participation by them in public life.
- 4.2 An Equality Impact Assessment (EIA) for 2021/22's LCTS scheme is attached for reference at Appendix 1. This would need to be revisited if changes to the scheme occur. The EIA identifies impacts upon relevant groups and any mitigations which are in place. It is important that decisions relating to our LCTS scheme are taken with these matters in mind. Although the PSED do not prevent councils from taking

decisions which impact adversely on groups with ‘protected characteristics’, they must ensure that they are not impacted in a worse fashion than non-protected groups.

## 5. Council Options

5.1 The Council is required to approve a LCTS scheme for 2021/22. It is proposed that the 2020/21 scheme is retained in its current form with the sole addition of a clause which will allow amendment of the scheme mid-year in certain circumstances. There may be amendments required for pensioner households after any Council decision as a result of changes to the Prescribed Regulations. The 2021/22 LCTS scheme will be amended as required by law once any relevant Statutory Instrument is published. There is no requirement for Cabinet or Full Council to approve statutory changes.

5.2 Option 1 – To amend 2020/21’s existing LCTS scheme to make it more, or less, generous to working-age claimants.

The cost of the LCTS scheme is covered by the preceptors, each according to their share of the Council Tax collection fund. It is likely that the scheme cost will increase in 2021/22 as a result of increases in claims caused by wider economic factors. The only way to reduce the cost of the scheme would be to make it less generous for working-age households. It is highly unlikely that CT collection rates could be maintained at current levels hence reducing the generosity of the LCTS scheme is unlikely to be a realistic option. Conversely, the pressure on the City Council’s budget in 2021/22 means that making the LCTS scheme more generous to working-age households, increasing its cost, is not affordable.

5.3 Option 2 – To amend 2020/21’s LCTS scheme to allow the Council the freedom to ensure that the LCTS assistance provided is not adversely affected by sudden changes in Government welfare policy.

It is a condition of LCTS schemes that significant changes cannot be made during a financial year. However, the Government’s general increase in benefits in 2020/21 in response to the COVID-19 pandemic would have consequentially reduced the amount of housing benefit and LCTS payable to those households. The Government amended the housing benefit regulations to remove the negative impact on housing benefit. The Council was not able to make the equivalent changes to the LCTS scheme rules and hence entitlement was unintentionally reduced. We used additional hardship funding from the Government (provided as part of the COVID-19 response) to restore the intended position, but this option may not be available in subsequent years.

It is proposed that the following wording is inserted into the LCTS scheme for 2021/22:

*In the event of unexpected changes to Government welfare benefit regulations which are intended to:*

*increase the income of benefit recipients; and,*

*which are introduced during a financial year;*

*Chelmsford City Council reserves the right to amend the provisions of its Local Council Tax Support Scheme to ensure that those changes do not negatively impact the entitlements of working age recipients of Council Tax Support.*

This alteration will allow the Council to ensure that LCTS claimants receive the full intended benefit of any Central Government measure intended to improve their financial position without the requirement to consult on the change or wait until the following financial year to implement it.

## 6. Consultation

6.1 In accordance with regulations, a public consultation took place between 3 December 2020 and 18 January 2021, which invited comments on the existing provisions of the LCTS scheme and specific comment regarding the wording alteration suggested in Option 2. The results are attached as Appendix 2.

## 7. Conclusion

7.1 The LCTS scheme is an important support for low-income households. It would be undesirable and unfair to reduce the level of support provided by the LCTS scheme. Given the uncertain economic outlook, it would be especially unfair to do so for 2021/22. The Council's finances for 2021-22 must share the extra burden of the LCTS fairly and not expect it to be carried by those in our community with the least ability to do so. Option 2 allows the Council to maintain its LCTS scheme and ensure that any changes to wider welfare policy implemented by Government do not generate unintended consequences for those it is designed to help.

**List of appendices:**

Appendix 1 – Equality Impact Assessment

Appendix 2 – Consultation outcome

**Background papers:**

None

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**Corporate Implications**

**Legal/Constitutional:** A local scheme must be agreed by Full Council before 11 March 2020. If Cabinet is minded to propose changes to the existing scheme, a public consultation lasting a minimum of six weeks must take place on any proposed change. This paper cannot be deferred to a later meeting as a delay would mean that there would be insufficient time to consult on any changes and report on the results of that consultation.

**Financial:** LCTS scheme costs will increase in 2021/22 as a result of Council Tax increases and increases in caseload.

**Potential impact on climate change and the environment:** None.

**Contribution toward achieving a net zero carbon position by 2030:** None

**Personnel:** None

**Risk Management:** None

**Equality and Diversity:** No change. Equality impact Assessment attached as Appendix 1

**Health and Safety:** None

**Digital:** The existing Benefits software is capable of maintaining the current scheme. Any radical proposed changes will need to be evaluated as to whether the software can deliver them.

**Other:** None

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**Consultees:** Director of Financial Services, Director of Corporate Services, Legal and Democratic Services Manager, Pan Essex Council Tax Support Scheme Project Group

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**Relevant Policies and Strategies:**

The report takes into account the following policies and strategies of the Council:



Benefits Operational and Internal Security Policy  
Benefits Customer Service Policy

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This form enables an assessment of the impact a policy, strategy or activity on customers and employees.

A: Assessor Details	
Name of policy / function(s):	Local Council Tax Support scheme with effect from April 2021
Officer(s) completing this assessment:	Robert Hawes
Date of assessment:	18 January 2021
B: Summary Details	
Description of policy, strategy or activity and what it is aiming to do	<input type="checkbox"/> new                      OR <input checked="" type="checkbox"/> existing ( <i>If existing, when was the last assessment?</i> November 2018) <input type="checkbox"/> internal                OR <input checked="" type="checkbox"/> external (i.e. public-facing) <input type="checkbox"/> statutory            OR <input checked="" type="checkbox"/> non-statutory – parts of the policy will be governed by statute, those affecting pensioners and rules relating to entitlement to persons from abroad for both pensioners and working age
Policy Owner (service)	Revenues and Benefits
Scope: Internal - Service/Directorate/Council wide External – specify community groups	External – applies to any member of the community on a low income requiring assistance with their Council Tax liability

**C: Assessment of impact**

Using the information above, assess if the policy / function could potentially disproportionately impact on different protected groups. Specify if the potential impact is positive, could adversely impact or if there is no impact. If an adverse impact, indicate how the impact will be mitigated.

**Please note any data used in the impact assessment should be anonymised and with due regard given to data privacy in line with GDPR.**

Characteristic	Positive impact	Could adversely impact	No impact	How different groups could be affected	Actions to reduce negative or increase positive impact
<b>Age</b> What will the impact be on different age groups such as younger or older people?		The amount of assistance available does vary dependent upon age, although no changes are proposed in this respect for 2021/22.		Pensioners receive additional allowances that ensure that they receive more support than a working age person with the same income. Individuals or households where both members are under 25 will receive less assistance than when one or both members are over 25. This disparity in assistance is a standard feature of all welfare benefit schemes. Pensioner households are entitled to a maximum of 100% of their Council Tax liability. Working age households are entitled to a maximum of 77% of their Council Tax liability	The amendment to the policy proposed for 2021 allows the Council to ensure that working-age households receive the full benefit of any Government policy change intended to increase their income.

Characteristic	Positive impact	Could adversely impact	No impact	How different groups could be affected	Actions to reduce negative or increase positive impact
<b>Disability</b> Consider all disabilities such as hearing loss, dyslexia etc as well as access issues for wheelchair users where appropriate			No changes are proposed to affect people with this characteristic		Additional allowances are already in place for people receiving specified disability benefits. The proposed alteration to the 2021/22 policy could be beneficial depending on the type of changes Government may implement.
<b>Pregnancy and maternity</b> Pregnant women and new and breastfeeding Mums			No changes are proposed to affect people with this characteristic		Households with children receive additional allowances which result in higher entitlements. Chelmsford City Council has not implemented the wider welfare benefit policy which restricts that assistance to the first two children in a household. The amendment to the policy proposed for 2021/22 allows the Council to ensure that working-age households receive the full benefit of any Government policy change intended to increase their income.
<b>Marriage or Civil Partnership</b> Could this policy discriminate on the grounds of marriage or civil partnership			There is no distinction between the treatment of married persons or		The amendment to the policy proposed for 2021/22 allows the Council to ensure that working-age households receive the full benefit of any Government policy change intended to increase their

Characteristic	Positive impact	Could adversely impact	No impact	How different groups could be affected	Actions to reduce negative or increase positive impact
			persons in a civil partnership.		income.
<b>Sex</b> Is the service used by people of both male and female biological characteristics or intersex and are the sexes given equal opportunity?			No distinction is made in the assessment of entitlement as a result of biological gender.		The amendment to the policy proposed for 2021/22 allows the Council to ensure that working-age households receive the full benefit of any Government policy change intended to increase their income.
<b>Gender reassignment</b> Is there an impact on people who are going through or who have completed Gender Reassignment?  Additionally, is there an impact on people with different gender identity?			No distinction is made in the assessment of entitlement as a result of gender identity.		The amendment to the policy proposed for 2021/22 allows the Council to ensure that working-age households receive the full benefit of any Government policy change intended to increase their income.
<b>Religion or belief</b> Includes not having religion or belief			No distinction is made in the assessment of entitlement as a result of religious belief.		The amendment to the policy proposed for 2021/22 allows the Council to ensure that working-age households receive the full benefit of any Government policy change intended to increase their income.
<b>Sexual Orientation</b>			No distinction		The amendment to the policy



Characteristic	Positive impact	Could adversely impact	No impact	How different groups could be affected	Actions to reduce negative or increase positive impact
What is the impact on people of different sexual orientation such heterosexual, lesbian, gay or bisexual people?			is made in the assessment of entitlement as a result of sexual orientation.		proposed for 2021/22 allows the Council to ensure that working-age households receive the full benefit of any Government policy change intended to increase their income.
<b>Race</b> Includes ethnic or national origins		Yes		Brexit will remove entitlement from EU nationals without 'settled status'. This is in addition to the restrictions to benefit already in place on non-EU nationals.	This element of the policy is dictated by Government by way of statutory instrument and cannot be amended by the Council.
<b>Are there any other groups who could find it difficult to access or make use of the policy / function?</b> For example: low income / people living in rural areas / single parents / carers and the cared for / past offenders / long-term unemployed / housebound / history of domestic abuse / people who don't speak English as a first language / people without computer access etc.			No		

**D: Consultation process, information used to analyse the effects on protected groups/equality and key findings**

Please describe the consultation process and evidence gathered. You may attach copies or links to the data / research you are using.

1.	<p><b><u>Consultation/engagement</u></b>  <b>What consultation or engagement has been undertaken regarding this policy?</b>  <i>[Please summarise what, when and who was involved]</i></p>	<p>The policy was subject to public consultation between 3/12/20 and 18/01/21. Following analysis of the consultation responses, this impact assessment has been amended and is being considered at Cabinet level and Full Council before the local scheme is finalised.</p>
2.	<p><b><u>Key findings</u></b>  <i>(Summarise the key findings of your consultation in relation to protected groups as outlined above).</i></p>	<p>The consultation attracted very few responses. However, each of the three respondents identifying themselves as being in one or more of the protected groups agreed that the proposed change in wording should be made, with one respondent suggesting that the change should be more wide-ranging to allow changes in scheme design to be made at any time.</p>
3.	<p><b><u>Data/Information</u></b>  <b>What relevant data or information is currently available about the customers and employees who may use this service or could be affected by this policy?</b>  <i>(For example: equality monitoring, surveys, demographic data, research, evidence about demand/ take-up/satisfaction etc).</i></p> <p><b>What additional information could be collected which would increase your understanding about the potential impact of the policy?</b>  <i>(What involvement or consultation with affected groups is still needed?)</i></p>	<p>Incomes, capital holdings, age, sex and household make-up of existing recipients of Council Tax Benefit recipients are known. Data regarding disability can be inferred from both income and qualification for additional premiums. Data regarding ethnicity, sexual orientation, religious beliefs and language is minimal as these characteristics are not relevant when assessing entitlement. Respondents to the consultation were given the option to provide ethnicity, age, sexual orientation, disability and religious beliefs in addition to their answers.</p> <p>Feedback from customers, voluntary or community groups, advice agencies and residents was sought as part of the consultation.</p>

4.	<p><b>For existing policies, strategy, activity only:</b></p> <p><b>What has changed since the last assessment?</b></p> <p><i>(For example: evidence of public concern or complaints / new information has come to light / changes in service provision / changes in service users/ assessed impact on protected groups etc)</i></p>	<p>Reductions in overall grants from central Government are placing pressure on Chelmsford's finances. Councillors are able to decide whether or not to increase expenditure on Local Council Tax Support.</p>
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**E: Relevance to the Equality Duty Aims:**

*Consider how the policy relates to the aims below (directly or indirectly), and if it could be adjusted to further meet these equality aims.*

1.	<p><b>To eliminate unlawful discrimination, harassment and victimisation</b></p>	<p>People with disabilities will continue to receive additional premiums as part of the calculation of local Council Tax Support. Chelmsford's Local Council Tax Support scheme has retained additional premiums for disabled people and continues to disregard the whole of any Disability Living Allowance or its replacement, Personal Independence Payment, from the assessment of entitlement.</p>
2.	<p><b>To advance equality of opportunity between people who share a protected characteristic and those who do not</b></p> <p><i>(This means removing or minimising disadvantages, taking steps to meet needs of different people and encouraging participation. It can involve treating people better than others, e.g. disabled people).</i></p>	<p>As above, disabled people will continue to be treated more favourably than non-disabled people with a similar income, which recognises the extra costs attributable to disability. Parents with dependent children will continue to receive additional premiums in respect of children as part of the calculation of support, thereby recognising the extra costs associated with bringing up a family. In 2015, Councillors rejected the option to remove the Family Premium (worth a maximum of £3.48 per week in Council Tax Support) from the calculation of LCTS for new working age claimants with effect from April 2016. There is no intention to remove the additional premiums awarded to households with more than 2 children within the means test. Therefore, people with children will still be treated more favourably than people without insofar as the additional cost of raising children is reflected in the amount of income a household with children can have before CTS is affected.</p>

3.	<p><b>To foster good relations between those who share a protected characteristic and those who do not. If so, how?</b>  <i>(This means promoting understanding between different groups and tackling prejudice)</i></p>	<p>This policy is not intended to affect community relations and no such effects have been identified, nor are any anticipated.</p>
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F: Conclusion	
Decision:	Explanation:
<p><input checked="" type="checkbox"/> <b>Continue the policy with no changes</b>  <i>[For example: evidence suggests no potential for discrimination / all opportunities have been taken to advance equality.]</i></p>	<p>The recommended change to the policy ensures that no group will face reduced entitlement to CTS as a result of changes to wider Government welfare policies which are intended to increase the income of benefit recipients.</p>
<p><input type="checkbox"/> <b>Continue the policy with adjustments</b>  <i>[For example: Low risk of negative impact / actions or adjustments would further improve positives or remove a potential negative impact.]</i></p>	
<p><input type="checkbox"/> <b>Adverse impact but continue</b>  <i>[For example: Negative impact has been objectively justified.]</i></p>	
<p><input type="checkbox"/> <b>Suspend or withdraw the policy for further review / consideration of alternative proposals</b>  <i>[For example: High risk of negative impact for any group / insufficient evidence / need to involve or consult with protected groups / negative impact which cannot be mitigated or justified / unlawful discrimination etc.]</i></p>	

**Approved by:**

Lead Officer / Responsible officer: .....Date: .....

Senior Manager: ...Robert Hawes.....Date: ...18 January 2021.....

***[Please save a copy and send one to Human Resources for publication on the website as appropriate]***



### **Chelmsford LCTS consultation 2021/22**

The consultation was available online on the Chelmsford City Council website between 3 December 2020 and 18 January 2021. The opening of the consultation was published via a press release, Twitter and Facebook. As has been the case with previous consultations, very few responses have been received – only 11 at the close.

The consultation asked a specific question regarding the one proposed change to the current scheme and some general questions regarding the current design aspects of the scheme. The full questionnaire and responses are reproduced below.

With respect to the active proposal to amend the scheme to allow changes mid-year in specific circumstances, 6 people responded positively. Of the 2 'No' answers, one suggested that the proposal be widened to allow changes to the scheme at any point in the year for any reason. Such a course of action would not be legal. The Council has to conduct a meaningful consultation setting out the proposed advantages and disadvantages of specified changes before coming to a decision in advance of the forthcoming financial year.

With respect to the current scheme provisions, there are mixed views regarding funding the scheme with a slight majority in favour of using the Council's reserves to fund any shortfall between the cost of the LCTS scheme and Government grants received. Increasing the level of Council Tax or cutting services were not popular. There was general agreement regarding the basic principle that working-age households should pay something towards their Council Tax, but mixed views as to the level of that contribution. This is to be expected and any future proposals regarding changing any existing aspects of the scheme should be the subject of a much longer and more detailed consultation than has been carried out this time.

### **Consultation questions and responses**

1. The Council is very keen that you have all the information you need to provide informed answers. The background to the consultation and information about the Council Tax Support scheme is available on the Council's website at: <http://www.chelmsford.gov.uk/consultations>. This explains the scheme itself and also how the scheme is currently funded. Please confirm that you have reviewed this information: **I have reviewed the background information about the Council Tax Support scheme.**

**Outcome: Yes: 11      No: 0**

**2. Do you agree with the Council making a change to the existing scheme by adding the wording below:**

*In the event of unexpected changes to Government welfare benefit regulations which are intended to:*

*increase the income of benefit recipients; and,*

*which are introduced during a financial year;*

*Chelmsford City Council reserves the right to amend the provisions of its Local Council Tax Support Scheme to ensure that those changes do not negatively impact the entitlements of*

*working age recipients of Council Tax Support.*

**Outcome: Yes: 6 No: 2 Don't know/No answer: 3**

**Comment from a 'No' answer:**

Regarding the proposed change I recommend that the words 'to ensure.....' be deleted from the proposal. This would allow for subsequent amendments to be made without further submissions.

**3.** The original basis of the current Council Tax Support scheme was that it is 'self-funding', so it costs the same as the amount of Government grant that the Council and other bodies receive. However, ongoing reductions to Government grants have meant that the 2021/22 scheme costs more than the grant we receive. As the amount of Council Tax collected each year and the arrears still being collected in respect of previous years has remained high, Chelmsford decided in 2020 that it would not reduce the amount of help that the scheme gives. Making the scheme self-funding in 2021/22 would have meant that every working age household would have to pay at least two thirds of their Council Tax, rather than the 23% that they currently pay. A completely 'self-funding' scheme would mean that nobody of working age would receive any help towards their Council Tax. From 2017/18 onwards, Chelmsford will begin to subsidise the Council Tax Support scheme for pensioners as well. As the Government sets the rules for the pensioner scheme, Chelmsford has no choice in this matter. **Do you think that the Council should design a scheme which is self-funding? Please select one answer only**

**Outcome: Yes: 7 No: 1 Don't Know: 3**

**4.** If the Council does not design a self-funding scheme and still provides the current level of support, it will need to find additional funding from other sources. Paying for this could mean a Council Tax increase of up to 4%; a reduction in services equivalent to 14 staff; using reserves (Savings); or, a combination of these three things. **Do you think we should adopt any of the following options to help fund the scheme? Please select one answer for each source of funding**

	Yes	No	Don't know
Increase the level of Council Tax	3	8	0
Use the Council's reserves	5	5	1
Reduce funding available for other Council Services	3	8	0

**5. If the Council continues to partly or fully fund the scheme how do you think it should pay for it? Please choose one of the following options (strongly agree/agree/disagree/strongly disagree):**

	Strongly agree	Agree	Disagree	Strongly Disagree
Increase the level of Council Tax	3	0	1	7

Use the Council's reserves	2	4	5	0
Reduce funding available for other Council Services	1	2	3	5

**5. Please use the space below to make any other comments you may have about how the council should fund the scheme:**

Using savings is not a long-term solution The funds will run out, then what will happen.

Rich people should pay more to help the poorer members of society (I say this as a rich person!)

Make schemes the council support pay for themselves, this would include any events the council run.

Given the current climate and following on from 10 years of austerity I am strongly of the opinion that those of us who can pay more should do so to relieve the financial hardship that some of our fellow residents are experiencing.

**6. Do you agree with the principle of every working age person having to make a minimum payment? (One answer only)**

Outcome: Yes: 8 No: 2 Don't Know: 1

**7. If you do agree, what level of minimum payment do you think should be applied?**

25%	3
30%	
35%	1
More than 35%	4
Don't know/No response	3
Other % please specify	

**8. Do you think we should reduce the minimum payment?**

Yes	2
No	5
Don't know	4

**9. Do you have any other comments?**

What do you class as "every working age person" a student aged 19 in uni accommodation? A 15 year old with a Saturday job? A person who works for the council on a zero hours contract who has

not received furlough or wages for 10 months?

Whether or not a working age person should contribute rather depends upon the individual circumstances. Say, for example, I am disabled with absolutely no possibility of finding paid employment, I should not be required to contribute merely on the basis of date of birth. On a general basis I agree that people of working age should contribute but not on a broad brush basis. There must be caveats.

#### **10. What is your postcode?**

**4 x CM1, 6 x CM2, 1 unanswered**

#### **11. Do you receive a Council Tax bill for your property?**

Yes	11
No	0

#### **12. Are you in receipt of council tax support?**

Yes	1
No	10

#### **13. Are you...?**

Male	4
Female	6
Prefer not to say	1

#### **14. Age**

18 - 24	
25 - 34	1
35 - 44	1
45 - 54	2
55 - 64	5
65 - 74	1
75 - 84	

85+	1
Prefer not to say	

**15. Marital Status and Nationality:**

Married	8
Single	1
Widowed	1
Divorced/separated	1
Other, please state	

White British	9
White Irish	1
Prefer not to say	1

**16. Do you consider yourself to have a physical impairment?**

Yes	2
No	8
Prefer not to say	0

**17. Do you consider yourself to have a sensory impairment?**

Yes	1
No	10

**18. Do you consider yourself to have a learning difficulty or disability?**

Yes	0
No	10
Prefer not to say	1

**19. Do you consider yourself to have any mental health needs?**

Yes	2
No	9





## Chelmsford City Council Cabinet

26<sup>th</sup> January 2021

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### Capital, Treasury Management & Investment Strategies 2021/22

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#### Report by:

Cabinet Member for a Fairer Chelmsford

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#### Officer Contact:

Phil Reeves, Accountancy Services Manager, 01245 606562, [phil.reeves@chelmsford.gov.uk](mailto:phil.reeves@chelmsford.gov.uk)

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#### Purpose

To recommend an approach for managing the Council's:

- Cash
- Capital investments (capital expenditure programme)
- Other types of investment, including property

#### Options

1. Accept the recommendations contained within the report
2. Recommend changes to the way the Council's investments are to be managed

#### Preferred option and reasons

Recommend the report to Council, without amendment, for consideration and thereby meet statutory obligations.

## Recommendations

That Cabinet requests that Full Council approve the Capital, Treasury Management and Investment Strategies.

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### 1. Background

1.1. There are three financial strategies that the Council is obliged by Government to approve when setting a budget:

- Capital Strategy
- Treasury Management Strategy
- Investment Strategy

#### 1.2. Capital Strategy

The Capital strategy sets out a framework for the self-management of capital finance in the following areas:

- How Capital expenditure plans are identified
- Prudential Indicators
- External debt

#### 1.3. Treasury & Investment Strategies

Members of the Treasury Management & Investment Sub-Committee have reviewed the contents of the Treasury Management and Investment strategies and recommended that the Cabinet note their contents and seek Council approval for the Strategies.

The activities around the management of the Council's cash and external borrowing are known as Treasury Management. Under statute and the CIPFA Code of Practice on Treasury Management ("the Code"), members are required to receive reports on the Council's Treasury Management (TM) activities. The report in **Appendix 1** complies with the Code and relevant Government regulations.

Full Council has overall responsibility for the Treasury Strategy, but it delegates to the Treasury Management and Investment Sub-committee the responsibility to monitor activity and recommend changes to strategy. The Director of Financial Services has been delegated responsibility to manage operational TM activities within the approved strategy.

Investment Strategy. The Ministry of Housing, Communities and Local Government requires the Council to publish and have approved an Investment Strategy. This covers

investments that are deemed not to be Treasury Management Activities. The Investment Strategy is in **Appendix 2**.

## 2. Executive Summary

### Capital Strategy

- Set limits to amounts that can be borrowed by the Council (page 9 of the report).
- Summarises the costs of the capital programme.
- Identifies how the Council plans to finance its capital expenditure programme.

### Treasury Strategy

#### *Investments*

- No changes are recommended to how long the Council can invest or with which counter parties.
- Cashflow and investment balances are more difficult to predict because of COVID-19.
- It is proposed to have a target of at least £15m of liquid funds to manage cashflow during the year.
- There is a risk of negative interest rates which would mean the Council would effectively pay someone to hold cash investments.
- Cash available for investment will reduce as the Council intends to internally borrow to fund the capital programme.

#### *Borrowing*

- Borrowing will only be undertaken for temporary liquidity or to fund the capital programme.
- HM Treasury has published details of new Public Works Loans Board (PWLB) lending terms reducing rates by 1% from 26 November 2020 but also confirming that it will not lend to an authority that plans to buy investment property primarily for yield anywhere in their capital plans. The Council will therefore not seek to purchase investment properties primarily for the return they provide.
- The Director of Financial Services under the constitution manages investments and borrowings. Current planning assumes internal borrowing will be the main source of funding, but the Director will externalise borrowing should it represent better financial value.

### Non-Cash Investments (Investment Strategy)

- It is recommended that no new commercial property investments will be made where the purpose of the investment is primarily for the yield. This will enable access to PWLB loans if required.
- The strategy has provision to allow for the creation of a stand-alone housing company.

- The monitoring of non-treasury investments is undertaken by the Treasury Management and Investment Sub-committee.

### 3. Conclusion

3.1. Cabinet is asked to recommend to Council the Capital, Treasury Management and Investment Strategies.

#### List of appendices:

Appendix 1 – Capital Strategy 2021/22

Appendix 2 – Treasury Management Strategy 2021/22

Appendix 3 – Investment Strategy 2021/22

#### Background papers:

Nil

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### Corporate Implications

Legal/Constitutional: The report meets statutory obligations on reporting for Council's to produce Capital, Treasury Management and Investment Strategies

Financial: As detailed in the report

Potential impact on climate change and the environment:

Any fund managers will be required to consider ESG (Environmental, Social and Governance) factors in their investment process. All the fund managers would be expected to have signed up to the UN Principles for Responsible Investment (PRI). PRI argues that active participation in ESG and exercising shareholder rights on this basis can help to improve the performance of companies which may otherwise not address such concerns and so being an engaged corporate stakeholder is a more effective way to bring about change in corporate behaviour on ethical issues.

Further requirements from those identified above are not practical given the limited ability to directly influence any immediate change in the financial markets.

Any potential impact on climate change and the environment from individual Capital Schemes will be assessed as part of the business case or rationale for those schemes, on a case by case basis.

Contribution toward achieving a net zero carbon position by 2030:

N/A

Personnel:

N/A

Risk Management:

The report is part of the Council's approach to managing risks arising from Treasury Management, non-cash investments and capital expenditure plans.

Equality and Diversity:

N/A

Health and Safety:

N/A

Digital:

N/A

Other: N/A

Consultees: None

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Relevant Policies and Strategies:



## Capital Strategy

- 1.1 This capital strategy report gives a high-level overview of how capital expenditure, capital financing and treasury management activity contribute to the provision of local public services along with an overview of how associated risk is managed and the implications for future financial sustainability.

Decisions made this year on capital and treasury management will have financial consequences for the Authority for many years into the future. They are therefore subject to both a national regulatory framework and to local policy framework, summarised in this report.

- 1.2 Capital expenditure is where the Council spends money on assets, such as property or vehicles, that will be used for more than one year. Additionally, in local government it can include spending on assets owned by other bodies, and loans or grants to other bodies which enable them to buy assets. The Council has some limited discretion on what counts as capital expenditure, for example assets costing below £10,000 do not have to be capitalised and can be charged to revenue in year.

- 1.3 Governance : Capital Investment in Council Services - Capital Schemes and Replacement Programme

Replacement Programme is expenditure required to maintain existing levels of service provision, including Digital hardware, and in some cases software, vehicles and plant and it also includes annual grants and improvement loans which are budgeted for annually.

Capital Schemes items are usually building works such as the Riverside Redevelopment but can be anything which does not meet the criteria of replacement, including regeneration schemes.

Governance: Service managers bid annually in September to include projects and replacement items in the Council's capital programme. Bids are collated by Accountancy who review the financial elements of the bid and calculate any financing and/or running costs.

In determining viability, capital bids must include:

- details of the intended outcomes and potential running costs;
- statement of the risks of undertaking the scheme and how these will be managed;
- details of consultations undertaken in arriving at the proposal and any potential alternatives; and
- identification of additional annual contribution to Asset Replacement Reserves required to fund future replacements.

The bids are reviewed and prioritised by Management Team then referred to Cabinet which then makes recommendations to Council in February each year.

There are always going to be schemes which need to be approved outside this process, due to urgent health and safety issues for example, or the need to respond quickly to market opportunities, and will need approval in line with financial rules.

- 1.4 Funding the Costs of Capital Expenditure

Below is an explanation of the Council's proposed approach to funding capital expenditure.

### Methods of Capital Financing

Capital resources, i.e. the funds that pay for capital expenditure, can come from many sources. Broadly speaking these are:

- Sales of Assets (Capital Receipts): Any disposal of property or equipment over £10,000 in value is a capital receipt. These can only be spent on other capital items.

- Leasing: This is where we can use an asset in exchange for making a series of revenue payments over several years. From 2020/21 all leasing will be counted as a debt. However, leasing differs from traditional debt as often the leasing company can retain legal ownership of the asset and is able to obtain capital allowances to reduce the cost to the Council.
- Borrowing (excluding leasing):
  - The Council can borrow externally from other local authorities, the Government or the private sector.
  - Borrowing can also be carried out internally, where cash balances are “borrowed” to fund capital expenditure.

If the Council undertakes any form of internal or external borrowing, then payments must be made to cover future or current principal debt repayments (Minimum Revenue Provision (MRP)). The method to calculate MRP is set out in the section on Borrowing Strategy. Councils can choose to pay off debt from surplus capital resources, such as capital receipts, at any time.

- Revenue contributions to capital; the Council can use revenue budgets to fund capital expenditure.
- Lottery or Government grants; the Council can often bid for grants from external organisations towards specific works.
- Section 106 agreements and CIL; if a new development is undertaken in the City, the Council is legally entitled to ask for assets or money to mitigate the impact of the development.

The circumstances where each type of capital resource will be used depends on the nature of the scheme. Whilst developing scheme proposals, consideration should be given to the types of funding which offer the best value for money for the Council. Clearly, the optimal funding arrangements are those where third parties fund or help fund the investment. The Director of Financial Services will, at the end of each financial year, determine the appropriate funding for the capital programme.

#### 1.5 Cost of the Capital Programme

In 2021/22 budget, the Council is planning capital expenditure as summarised below:

	2019/20 actual	2020/21 forecast	2021/22 budget	2022/23 budget	2023/24 budget
Replacement Programme	£2.720m	£3.212m	£6.346m	£2.702m	£1.582m
Capital Projects	£17.315m	£16.001m	£39.126m	£15.215m	£5.902m
New Capital Bid Submissions 2020/21 Require Approval			£1.730m	£0.125m	
Provision for potential new Capital Projects		£0.137m	£3.000m	£4.600m	£2.000m
TOTAL	£20.035m	£19.350m	£50.202m	£22.642m	£9.484m

Details of the programme can be found in the Budget Report 2021/22 section 4 table 5 and section 10, elsewhere on this agenda.

Financing of the programme is currently planned as

	2019/20 actual	2020/21 forecast	2021/22 budget	2022/23 budget	2023/24 budget
Capital Receipts	£3.919m	£2.330m	£3.150m	£8.055m	£5.743m
Grants and Contributions	£3.687m	£6.751m	£29.844m	£6.741m	£3.600m
Revenue Contributions		£0.000m	£2.018m	£0.884m	£0.000m
Borrowing	£11.649m	£10.269m	£13.603m	£6.889m	£0.000m
Finance Leases	£0.780m	£0.000m	£1.587m	£0.073m	£0.141m
<b>TOTAL</b>	<b>£20.035m</b>	<b>£19.350m</b>	<b>£50.202m</b>	<b>£22.642m</b>	<b>£9.484m</b>

#### 1.6 Borrowing strategy

The Capital Financing Requirement (CFR) is the calculation of the Council's internal and external borrowing used to finance its capital expenditure. Statutory guidance is that long-term debt should remain below the capital financing requirement. Temporary breaches for cashflow are acceptable.

Estimates of Gross Debt and the Capital Financing Requirement in £ millions

	31.3.2020 actual	31.3.2021 forecast	31.3.2022 budget	31.3.2023 budget	31.3.2024 budget
Leasing (Debt)	£0.738m	£0.635m	£1.783m	£1.286m	£0.845m
External Borrowing	£0.000m	£0.000m	£0.000m	£0.000m	£0.000m
<b>Total "External Borrowings"</b>	<b>£0.738m</b>	<b>£0.635m</b>	<b>£1.783m</b>	<b>£1.286m</b>	<b>£0.845m</b>
Total Capital Financing Requirement (CFR)	£12.387m	£22.399m	£36.623m	£42.124m	£40.772m
Internal Borrowing (makes up the difference between CFR and external borrowings)	£11.649m	£21.764m	£34.840m	£40.838m	£39.927m

The Government guidance identifies that local authorities should not borrow more than, or in advance of, their needs purely in order to profit from investment of extra sums borrowed. It also makes clear that this extends to borrowing taken on to finance the acquisition of property or other forms of non-financial assets. Local authorities can acquire financial or non-financial assets from capitals receipts but should not repurpose receipts allocated to the acquisition of assets that contribute to service delivery to fund the purchase of investments, solely to avoid the requirements against borrowing in advance of need. However, the guidance does allow for local authorities to disregard this provision of borrowing to fund investment activity with appropriate explanations contained in the Capital and Investment Strategy. The City Council will undertake borrowing to finance commercial property where it meets other strategic requirements such as economic regeneration or supporting small and medium enterprises (SMEs) for example, and

also to profit from the sums borrowed, but only after undertaking robust due diligence and review of risk (including an assessment of proportionality of the investment to reflect the scale of the Council's operations).

The Council is required to approve a policy for repaying debt (MRP) which is in italics below:

*MRP will be determined by charging the expenditure over the expected useful life of the relevant asset on an annuity basis. Any MRP on purchases of freehold land will be charged over a period of 50 years. MRP on expenditure not related to fixed assets but which has been capitalised by regulation or direction will be charged over 20 years. For assets acquired under finance leases the principal repayment inherent in the lease will be used as the basis for MRP in respect of those assets. This policy does not prevent the Council from making early or one-off repayments of debt from Capital receipts or from revenue provisions.*

Planned repayments of debt are from

	2019/20 actual	2020/21 forecast	2021/22 budget	2022/23 budget	2023/24 budget
MRP	Nil	£0.154m	£0.527m	£0.891m	£0.911m
Finance Leasing MRP	£0.042m	£0.103m	£0.439m	£0.570m	£0.582m
Capital Receipts	Nil	Nil	Nil	Nil	Nil

**Affordable borrowing limit:** The Council is legally obliged to set an affordable borrowing limit (also termed the authorised limit for external debt) each year and to keep it under review. In line with statutory guidance, a lower “operational boundary” is also set as a warning level should debt approach the limit. The higher borrowing limit may not reflect long-term need and may only be reached for short periods. It therefore can be higher than the Capital Financing Requirement.

*Authorised limit and operational boundary for external debt in £m*

	2019/20 limit	2020/21 limit	2021/22 limit	2022/23 limit
Authorised limit - total external debt	£13m	£23m	£37m	£43m
Operational boundary - total external debt	£0.8m	£0.7m	£1.8m	£1.3m

Authorised limit – total external debt – this includes Finance leases.

Operational Boundary – total external debt – this is based on the debt outstanding on forecast finance leases.

Governance: Decisions on treasury management investment and borrowing are made daily and are therefore delegated to the Director of Financial Services and staff, who must act in line with the annual treasury management strategy approved by Council. Three times a year the Treasury Management Sub-committee meets to review activity and any new material issues, recommend new strategy and review year-end performance.

2. Sustainability - Capital Funding

The consequences of the Capital programme, such as loss of interest on capital receipts spent or scheme running costs, will be included in the annual revenue budget reports to Council and Medium-Term Financial Forecast. This mechanism does provide Members with assurance of the affordability and sustainability of the capital expenditure plans.

The Council has a plan for disposals of assets and the expected funding is summarised below (individual values of receipts are not shown for commercial reasons)

	2019/20 actual	2020/21 forecast	2021/22 budget	2022/23 budget	2023/24 budget
Asset sales	£3.994m	£0.805m	£2.000m	£7.025m	£10.000m

The material disposals include Threadneedle House and retail premises in 2019/20 and Waterside parcels of land and Riverside old pool site in future years.

At the end of 2023/24 there is currently forecast a balance of £9.5m receipts from the sales of significant assets.



## **Treasury Management Strategy**

- 1.1 Chelmsford City Council complies with both the CIPFA Treasury Management in Public Services Code of Practice and Cross Sectoral Guidance Notes and the Ministry of Housing, Communities and Local Government's Guidance on Local Government Investments. Both the Code and MHCLG regulations require the Authority to prepare and authorise a Treasury Management Strategy prior to the start of each financial year. This report fulfils the Council's legal requirement under the Local Government Act 2003.
- 1.2 Treasury Management covers both borrowing and investment. Chelmsford City Council has substantial cashflows and investments from its activities and is therefore exposed to a series of financial risks including the loss of invested funds. Risk also comes from possible changes in interest rates affecting investment income or the cost of any external borrowings.
- 1.3 The Council's investment priorities, as required by Government regulations are, in order of priority:
  - (a) the security of capital
  - (b) the liquidity of its investments; and
  - (c) yield.
 The Government regulations and CIPFA both advise that absolute certainty of security of capital and liquidity does not have to be achieved before seeking yield from investments. An appropriate balance of all three should be sought and that balance is determined by the Council in its Treasury Strategy.
- 1.4 It is important to note that the borrowing of monies purely to invest or lend on to make a return is unlawful and this Council will not engage in such activity. The borrowing of monies to fund the capital programme is allowed.
- 1.5 In the event of major changes to the external or internal context in which this strategy has been set, it may be necessary for the Council to revise its strategy during the year.
- 1.6 This Treasury Management Strategy will focus solely on investments arising from the organisation's cashflows and debt management activity and matters of borrowing. Non-treasury investments will be covered separately under the Investment Strategy (**Appendix 2**). The monetary limits on borrowing will be set in the Capital Strategy which forms part of the 2021/22 Budget papers going Cabinet and Council in the new calendar year.

## **2. External Context**

- 2.1 The Council's Treasury Management Strategy operates in a macroeconomic environment which can have a significant impact on the Council's treasury operations in terms of inflation, interest rate and counterparty risks.

### **The economic environment and interest rate forecast**

- 2.2 The impact on the UK from coronavirus, together with its exit from the European Union and future trading arrangements with the bloc, will remain a major influence on the Authority's Treasury Management Strategy for 2021/22.
- 2.3 The Bank of England (BoE) maintained Bank Rate at 0.10% in November 2020 and also extended its Quantitative Easing programme by £150 billion to £895 billion. The Monetary Policy Committee

voted unanimously for both, but no mention was made of the potential future use of negative interest rates. Within the latest forecasts, the Bank expects the UK economy to shrink -2% in Q4 2020 before growing by 7.25% in 2021, lower than the previous forecast of 9%. The BoE also forecasts the economy will now take until Q1 2022 to reach its pre-pandemic level rather than the end of 2021 as previously forecast.

UK Consumer Price Inflation (CPI) for September 2020 registered 0.5% year on year, up from 0.2% in the previous month. Core inflation, which excludes the more volatile components, rose to 1.3% from 0.9%. The most recent labour market data for the three months to August 2020 showed the unemployment rate rose to 4.5% while the employment rate fell to 75.6%. Both measures are expected to deteriorate further due to the ongoing impact of coronavirus on the jobs market, particularly when the various government job retention schemes start to be unwound in 2021, with the BoE forecasting unemployment will peak at 7.75% in Q2 2021.

The COVID-19 pandemic has increased the risk that the Bank of England will set its Bank Rate at or below zero, which is likely to feed through to negative interest rates on all low risk, short-term investment options. Since investments cannot pay negative income, negative rates will be applied by reducing the value of investments. In this event, security will be measured as receiving the contractually agreed amount at maturity, even though this may be less than the amount originally invested.

### **Credit Outlook and counterparty risk**

2.4 Over recent years the Council has reduced the amount of unsecured bank deposits it holds in reaction to the “bail in” risk arising from reform to the banking sector. Under “bail in” provisions, investors would face losses to their deposits and share-holdings in order to recapitalise a bank before any Government bailout would occur.

2.5 Public Bodies provide much less risk as investment counterparties but a balance between risk and return does allow the use of other types of investment counter party. The Council should, where possible, continue to spread investments over different organisations and different investment categories (property, pooled funds, public bodies, etc) to provide a satisfactory balance of security of capital and return.

### **3. Investment Balances and Potential External Borrowing**

3.1 At the end of November 2020, the Council held £60m of investments. These investments arise from balances including unspent Community Infrastructure Levy (CIL) and reserves, as well as income received in advance of expenditure. Also, the Government’s support to Councils and Businesses has increased cash holding at least temporarily. The Council has been in receipt of significant sums from Government that can take a number of weeks to pay out. It is not expected that this level of investment balance will be retained beyond 2020/21.

3.2 During most months the cash balance can rise and fall by £10m due to receipt of income and payment of precepts to other Essex bodies. The Council should therefore aim to keep sufficient cash to hand to manage these fluctuations. Alternatively, it can undertake temporary borrowing, but will do so wherever possible in advance of need to ensure sufficient liquidity. The financial year-end tends to be the lowest point for the Council’s cash balances. This is because most residents pay their Council Tax over 10 instalments, but the Council pays these out to central government and other precepting authorities on a monthly basis; so significant net cash outflows occur in February and March each year. The principles to establish how investments should be managed are discussed in Section 4 below.

- 3.3 The Capital Strategy published with the Revenue 2021/22 budget papers will include debt limits reflective of the 2021/22 budget.

The CFR (Capital Financing Requirement) is the amount of capital expenditure the Council has financed by (internal or external) borrowing. The budget report will update the forecast of the CFR. The current level of CFR reflects the decisions taken by Council to cease revenue contributions to capital in 2019/20 and 2020/21 which represents around £10m of extra CFR (borrowing).

The historic level of CFR is shown in the table below with the external and internal debt.

Temporary Use of Surplus cash	April 2020 £m's	Forecast March 2021 £m's
Capital Financing requirement	12.4	22.4
External Debt	0.8	0.6
Surplus cash internally borrowed	11.6	21.8

It should be noted that the Council has invested/borrowed internally. The surplus cash being relied upon comes from Council Tax and NNDR income received in advance of payments to precepting authorities and the Government, other timing differences between receipts from debtors and payments to creditors, grants, subsidies and contributions such as CIL, received in advance of spend.

The main advantages of this strategy are a lower exposure to external debt, and at the same time, lower exposure to counterparty risk in external investments.

However, no strategy is entirely risk free. The main risk of using cash surpluses generated as described above is that some will be available only temporarily. When the cash is required for its original purposes the authority may need to borrow externally to fund its capital spending plans at a time when interest rates are higher or other conditions are not favourable.

The Council has reserves which can be considered as cash backed and can be invested for longer periods as the Council always maintain a certain level of reserves and working capital. It is not unusual for Councils to hold investments equal to working capital whilst external debt is being used to fund capital expenditure.

There can be an opportunity cost on internal borrowing which is the interest we could have earned externally (the margin between external borrowing costs and investment income). On most occasions the interest rates on borrowing are higher than those earned on investments made by the Council. However, if long term borrowing rates are expected to rise, then it may be favourable to borrow to lock into favourable funding, the cash can be held as investments until utilised to pay for expenditure.

The Director of Financial Services undertakes Treasury Management within the limits set by the Capital Strategy and has the flexibility to adjust the balance between borrowing and investments to meet changing circumstances. The current preferred option is to as far as possible, internalise all surplus funds. However, with historically low borrowing rates it may become prudent to lock into longer-term debt and increase investment balances, perhaps by using external managers.

- 3.4 The principles of how borrowing could be undertaken externally are discussed in Section 5 below.

#### 4 Investment 2021/22

- 4.1 The Council's investment strategy will prioritise its investment objectives in the following order:
- Security of assets – investing in counterparties only where the risks of incurring a capital loss through default and the risks of late payment of principal and interest, are low
  - Liquidity – Ensuring that the authority can access enough cash to meet its obligations with appropriate notice. It is recommended for 2021/22 a target of at least £15m of short notice funds is held. The definition of short notice will be less than 35 days.
  - Yield – subject to the management of risks associated with security and liquidity of assets, the Council will seek to maximise the yield from its investment portfolio

This is a prudent approach in line with CIPFA and MHCLG guidance.

- 4.2 No changes to Investment counter party rules are proposed for 2021/22 compared to those in 2020/21. The Council takes advice from Arlingclose, the Council's Treasury Advisors in determining who are suitable counter parties to hold Council funds.

- 4.3 No fixed duration investments over 365 days are currently proposed for 2021/22. This can be reviewed during 2021/22 depending on cashflow and counterparty risk. It is recommended any investments beyond 365 days are at the discretion of the Director of Financial Services.

- 4.4 The Council use Credit Ratings and Arlingclose's recommendations to determine suitable Counter Parties. Arlingclose's approach is not based on a rigid model but on an assessment of a range of measures that require a final human judgement of the overall risk. The assessments include the following; credit ratings, the likelihood of UK or another Government support, market information (e.g. share price or Credit Default Swap), collateral offered by the Counter Party, types of activity undertaken by the institution and other external advice. The Counter Parties recommended in this report reflect discussions by officers with Arlingclose, the Cabinet Member for Fairer Chelmsford and the Treasury Management and Investment Sub-committee.

No investments will be made with an organisation if there are substantive doubts about its credit quality, even though it may meet the credit rating criteria.

Given the advice received by the Council regarding credit risks, sub inflation returns and potential economic slowdown the Council will retain within the strategy the following investments types:

- Enhanced Money Market Funds & Money Market Funds (MMF)
- UK Public bodies
- Unsecured Bank Investments
- Unsecured Building Society Investments
- Unsecured Non-UK Banks Investments
- Unsecured Registered Social Landlord Loans
- Covered Bonds, Reverse Repurchase Agreements and Supranational Bonds
- Potential to undertake unsecured Challenger bank investments
- Multi asset funds Bond and property funds

- 4.5 **Enhanced Money Market and Money Market Funds.** The Council has access to enhanced money market funds (AAA rated) which offer a rate of return (0.0-0.1%) but require 2 – 5 days' notice to withdraw funds.

The Council invests short-term cash in several AAA-rated money market funds. These funds provide a modest rate of interest around 0.01% at November 2020 and most importantly allow same day access to funds. These funds spread the Council's investment over many financial institutions, so reducing risk. Historically the funds have proved very safe.

- 4.6 **UK Public Bodies.** Debt Management Agency Deposit Facility, Government Treasury Bills or Gilts as these are all investments with the UK Central Government. These are the safest possible form of UK investment, so the Council will place no limit on the amount that can be invested. Local Authorities / Bank Deposits Collateralised (guaranteed against local authority loans). These are theoretically as safe as lending to Government, but what would happen should a Local Authority go bankrupt has never been tested in law. It is therefore prudent to place some limit on investments with each local authority but recognising this type of investment is much safer than most alternatives. Arlingclose offer some guidance on risks of each local authority but the data is based on snap-shot year end accounts as only a few authorities can afford the cost of ratings by credit agencies.
- 4.7 **Unsecured UK bank investments.** The changes to UK Bank regulation from the adoption of a “bail-in” approach to recapitalising banks and the move to ringfencing of UK bank retail operations has increased the amount that could be lost in the event of a bank failure. With the completion of ringfencing activities by major banks to protect retail investors from investment banking losses, different banks have placed local authority depositors in either the retail or investment banking divisions. It should be noted that the credit scores for the banks with which the Council operates have either remained the same or improved as a result of ringfencing. The Council believes that it is still prudent to invest with banks subject first to credit rating criteria but considering the advice supplied by Arlingclose.
- 4.8 **Unsecured building society investments.** The Council’s treasury strategy takes a different, more cautious approach to building societies than that recommended by Arlingclose, who undertake their own analysis to identify building societies that they believe have good financial characteristics. The Council instead requires that building societies have a long-term credit rating of at least A-.
- 4.9 **Unsecured Non-UK bank investments.** Arlingclose review the approach to investment with non-UK banks separately to UK banks. This reflects the different risks and ownership structures that affect the security of the investment. The Council first uses credit rating information to select appropriate non-UK banks and then uses Arlingclose advice to make investment decisions. The Council uses credit rating of AA- for selecting investments with non-UK banks of up to 364 days but over 100 days and A- for investments of up to 100 days.
- 4.10 **Registered Social Landlord (RSL) Loans.** The Council can lend to RSLs in the pursuit of treasury management objectives but must treat loans made for policy reasons as capital expenditure. The option to lend for Treasury purposes has been on the Council’s counter party list for several years but there has not been a suitable opportunity.
- 4.11 **Covered Bonds, Reverse Repurchase Agreements and Supranational Bonds.** These are all different investment products but have the highest levels of credit rating. They are either backed by a pool of guaranteed bank assets or UK and/or foreign Governments. The Council takes advice from Arlingclose before undertaking any of these investments, so an investigation of the individual strength of each investment has been determined. They are rarely used by the Council.
- 4.12 **Multi-Asset, Bond and Property Funds.** These potentially offer the Council income and capital growth of the sum invested. There are several types of fund including property funds, bond funds, equity funds and mixed asset funds. Funds seek to reduce risk by building a pool of investments and as such are considerably safer than an investment of comparable size in a specific single asset. However, any fund exposes the Council to market price volatility. Officers will carefully consider any investment opportunities and always keep any ownership under review. A review of the risks



and benefits of using Funds was made in the summer of 2019 and which concluded that Multi-asset, Bond and Property funds provide a suitable method to invest Council funds.

At the time of drafting this report the Council has an investment of over £6m in the CCLA property fund and the Director of Financial Services is considering making investments in Multi-Asset and Bond funds, this decision is pending determination of the funding needs of the Council for its future capital programme.

- 4.13 **Challenger Banks.** As part of the Government's policy to reduce the size of banks and to encourage competition, new 'challenger banks' are appearing in the UK banking market. Many of these challenger banks are unrated but do have high levels of capital buffers. There has been insufficient evidence to demonstrate during 2020/21 that investments would be appropriately secure. However, it is recommended that the Treasury Management Sub-committee reviews any new evidence on these challenger banks and if satisfied that they provide sufficient Security, Liquidity and Return, that up to £3m could be invested by the Council.

4.14 **Counterparty – Duration and Monetary Limits**

The duration that an investment is made for impacts on the level of risk to capital invested. The longer the investment the more risk of some unexpected change occurring to the financial strength of the deposit taker. Perhaps, more importantly the Council can only invest for durations that enables Council liquidity to be managed effectively. To reduce these risks limits can be placed on the length of investments. The Council is required by law to identify the proposed investment criteria under the categories Specified and Non-Specified, as shown below:

<b>Specified Investments</b>				
-investments of duration less than 365 days and denominated in sterling.				
-investments made to UK Government, UK local authorities or institutions of high credit quality.				
- high credit quality defined as a minimum A- by Fitch or the equivalent score of the other main rating bodies.				
<b>Specified Counterparty</b>	<b>Minimum Credit Criteria</b>	<b>Max. Limit £m</b>	<b>Max. maturity period</b>	<b>Change from Prev. approach</b>
Enhanced Money Market Funds (Variable Unit Price) Up to 5 funds	AAA	£6m each fund	2-5-day notice	None
Money Market Funds (per fund)	AAA	£6m each fund	Instant Access	None
Debt Management Agency Deposit Facility, Government Treasury Bills or Gilts	UK Government	No Limit	364 days	None
Local Authorities / Bank Deposits Collateralised (guaranteed against local authority loans)	UK Government	£10m each authority	364 days	None

## Appendix 2

UK Banks	A-	£3m for each group	364 days	None
Building Societies	A-	£3m for each group	364 days	None
Non-UK Banks	AA-	£3m each group	364 days	None
Non-UK Banks	A-	£3m each group	100 days	None
Registered Social Landlord Loans	A-	£3m each group	364 days	None
Covered Bonds	AA-	£6m	364 days	None
Reverse Repurchase Agreements (each agreement)	AA-	£6m	364 days	None
Supranational Bonds (per institution)	AAA	£6m	364 days	None

A factor in setting the current individual limit of £3m per financial institution was it represented some 5% of total funds, clearly as investment balances fall the £3m represents a greater percentage of total funds, so investments become less spread proportionally if the £3m limit is kept. However, reducing the £3m limit would reduce the number of institutions willing to take Council deposits as the investment is judged too small to be economic for large institutions. The strategy must therefore balance these factors and for 2021/22 has retained the £3m limit.

### Non-specified Investments

These do not meet the criteria of specified investments. They are identified separately to ensure the Council understands that these are higher risk, either due to counter party risk, liquidity risk, market risk or interest rate risk

Counterparty	Min. Credit Criteria	Max. Limit £m	Max. maturity period	Change from existing approach
CCLA Local Authority Property Fund	Unrated	£8m	n/a	None
Multi-Asset or Bond funds	Unrated	£5m per fund	n/a	None
Covered Bonds (per bond)	AA-	£6m	3 years	None

## Appendix 2

Supranational Bonds (per each institution)	AAA	£6m	3 years	None
Debt Management Agency Deposit Facility, Government Bills or Gilts	UK Government	No Limit	5 years	None
Local Authorities / Bank Deposits Collateralised (guaranteed against local authority loans)	UK Government	£10m each authority	5 years	None
Challenger Banks e.g. Aldermore, Metro etc	Unrated	Delegate to Treasury Management and Investment Sub-Committee authority to determine criteria to invest up to £3m		

### 5. Borrowing Sources

- 5.1 The Council has a need to fund its capital plans from borrowing. This section of the strategy sets out the Council's approach to borrowing. However, it is important to restate that borrowing is only used to fund the capital programme so the level of borrowing will never exceed the CFR for any meaningful amount of time. As previously stated, the CFR (Capital Financing Requirement) is the amount of capital expenditure the Council has financed by internal or external borrowing and so will be determined by the Budget Report 2021/22.
- 5.2 As stated in 3.3 the current assumption is internal borrowing is prioritised over externalising debt, however, the Director of Finance will monitor external rates of borrowing and the sustainability of using internal borrowing to determine if it becomes more beneficial to externalise the debt and invest core cash in deposits or investment funds.
- 5.3 When the Authority needs to borrow externally it will seek to strike a balance between minimising interest costs and securing certainty of borrowing costs. Examples of where the Council can seek to borrow funds from are:
- Public Works Loan Board (PWLB). This is only allowed if a Council has no approved plans to purchase properties primarily for the purposes of yield. More details can be found in the Investment Strategy and paragraph 5.4 below.
  - Other UK Local Authorities. This is usually relatively short-term debt running from a few days to two years in duration.
  - Any institution which meets the Council's investment criteria.
  - UK public or private sector pension funds (Excluding the Essex Local Authority Pension Fund).
- 5.4 The PWLB can lend for up to 50 years and also for the short term to Local Government. The PWLB is the source of loans/funds if no other lender can provide finance. The Government after a period of consultation has announced that the PWLB will not lend to an authority that plans to buy investment assets primarily for yield that is identified in their capital programme. The Director of Financial Services will be expected by the PWLB to certify that no such purposes are planned. The CIPFA guidance by which Local Authority treasury management is assessed and governed is also likely to be altered to encourage further restriction of borrowing to fund investment purchases.

From a Treasury Management perspective it is recommended that the PWLB should be retained as a borrowing option and therefore the purchase of investment properties primarily for yield should be excluded from the capital programme. This is recommended not only due to the reduced rates now available through PWLB but due to the backstop accessibility of this source of borrowing.

5.5 The Council already has in place the following set of debt indicators and will revise them in the Capital Strategy:

- The Authorised Limit is the limit placed by the Council on the absolute level of its gross debt at any time. The Local Government Act 2003 stipulates that it must not be breached at any time.
- The Operational Boundary on the other hand is a lower figure reflecting the planned maximum level of debt at any time, the difference being designed to give headroom to deal with unforeseen movements in cash flow. It will not normally be a matter of concern if the Operational Boundary is breached temporarily due to variations in cash flow. However, a sustained or regular trend above the Operational Boundary would require investigation and appropriate action.

The authorised and operational borrowing will be set out in the Capital Strategy to be published in January 2021; they will be linked to the CFR (the borrowing needed to fund the capital programme).

Should the Council undertake long-term borrowing during 2021/22 then the Director of Finance will establish indicators to assist in the management of borrowing and these will be reported back to members.

5.6 Officers may decide to undertake very short-term borrowing for liquidity purposes.

5.7 In addition to borrowing via loans, other debt financing models may be used to finance the capital programme where this represents best value for the authority. These forms of debt are included in the overall borrowing limits. Such debt finance models include:

- Sale and leaseback arrangements
- Hire purchase arrangements

## 6. Role of the Treasury Management and Investment Sub-committee

6.1 The Sub-committee will be informed of investment activity and of significant changes in conditions that lessen or increase the risks of the Council's Treasury Management activity. The Sub-committee will recommend changes to officers and where necessary report back to Council.

## Investment Strategy

This document ensures compliance with the requirements of the CIPFA Prudential Code and Ministry of Housing, Communities and Local Government (MHCLG) guidance on local authority investment. The CIPFA code and MHCLG guidance recognise that organisations may make investments for reasons outside of treasury management objectives and these investments may prioritise other objectives above the security of capital.

### **Contents of the Investment Strategy**

Identifies

- the types of Non-cash investments
- how Council monitors performance
- the role of the subcommittee

### **Service Investments: Loans and Shareholdings**

These are investments, including making loans to and buying shares in local service providers, local small businesses to promote economic growth and for some authorities to subsidiary companies that provide services. In light of the public service objective, Councils can take moderate risk with the principal invested but still plan for such investments to return the sum invested.

The main risk when making service loans is that the borrower will be unable to repay the principal lent and/or the interest due. In order to limit this risk, and ensure that total exposure to service loans remains proportionate to the size of the Authority, upper limits on the outstanding loans have been set as follows

Category of borrower	31.3.2020 actual			2021/22
	Balance owing	Loss allowance	Net figure in accounts	Approved Limit
Chelmsford City Football Club	£0.125m	£0.122m	£0.003m	£0.122m
BID Company	£0.033m	Nil	£0.033m	£0.022m
Maximum New loans if required.	Nil	Nil	Nil	£10.000m
<b>TOTAL LIMIT</b>	<b>£0.158m</b>	<b>£0.122m</b>	<b>£0.036m</b>	<b>£10.144m</b>

The above table includes an allowance of up to £10m of new loans should the Council decide to create a standalone company for example to facilitate the creation of additional affordable housing or for other trading purposes. Any decision would be subject to Council approval.

Before entering and whilst holding loans or shares, the Council will monitor the financial position of the recipient through the use of (but not limited to) financial reporting tools, Credit



ratings where appropriate, published financial information (such as annual accounts), press articles and by maintaining an open dialogue.

Accounting standards require the Authority to set aside loss allowance for loans, reflecting the likelihood of non-payment. However, the Authority makes every reasonable effort to collect the full sum lent and has appropriate credit control arrangements in place to recover overdue repayments.

Governance: Service managers bid annually in September in the same way as for Capital Projects and Replacement Programme.

The bids are reviewed and prioritised by Management Team then referred to Cabinet which then makes recommendations to Council in February each year.

There are always going to be schemes which need to be approved outside this process, due to urgent health and safety issues for example, or the need to respond quickly to market opportunities and will need approval in line with financial rules.

### Commercial Investments: Property

The Ministry of Housing Communities and Local Government defines property to be an investment if it is held primarily or partially to generate a profit. This type of investment may also involve making loans to subsidiaries or partners, but the aim is achieving profit.

The Council's commercial property investments are summarised below.

Property Type	31.3.2020 actual £ms					31.3.2021 expected £ms			
	Acquisitions	Disposals	Transfers*	Gains or (losses)	Value in accounts	Acquisitions	Disposals	Additional Gains or (losses)	Value in accounts
	In Year	In Year				In year	In Year	In Year	
Office	£3.57	£0.00	£0.00	-£0.13	£20.39	£0.00	£0.00	-£3.57	£16.82
Other	£0.00	-£0.21	-£0.65	-£0.48	£7.57	£0.00	£0.00	£0.00	£7.57
Retail	£0.00	-£0.47	£0.00	-£3.94	£51.29	£0.00	£0.00	-£10.26	£41.03
TOTAL	£3.57	-£0.69	-£0.65	-£4.55	£79.25	£0.00	-£0.19	-£13.83	£65.23

\*The transfer of Baddow Rd shops to other Land and Buildings as it now considered as part of change to that part of the City.

Given the consequences of Covid19 it is felt appropriate to assume a 20% reduction in retail and 17% reduction in Office accommodation property assets will take place by 31 March 2021. Please note the values for 31/03/20 are from valuations included in the accounts and the external valuer placed a statement making clear there is material uncertainty over those valuations.

The Council can purchase commercial property for the partial or sole aim of generating profit. These commercial investments are a matter for the Council to decide as a policy and the previous policy included the limitation that purchases had to be within the Council's geographic borders. The principal risk of such investments includes:

- Investments funded from borrowing expose the Council to risk that the income generation from schemes is less than the cost of repaying the borrowing.
- Such investments must be proportionate to the size of the authority and do not concentrate risk in one particular sector or activity.
- Capital appreciation may not occur, and the value of the investment could fall in real terms.
- If future purchases are primarily for profit rather than for supporting service provision or regeneration, for example, this will prevent the Council from borrowing from PWLB for any purpose, under recently announced rules. This would increase the risks to cash liquidity and in the longer term increase the cost of Council financing.

The Council will continue to purchase commercial property but only where it supports regeneration, facilitates land assembly for future regen projects, supports Council priorities set out in "Our Chelmsford: Our Plan" but not where the primary purpose would be for yield.

Properties will only be purchased within the Council's geographic area or within the wider economic area (something that facilitates being able to buy on the borders if necessary)

Any properties purchased that generate commercial yield will be monitored by the sub-committee until redevelopment occurs.

### **Loan Commitments and Financial Guarantees**

Although not strictly counted as investments, since no money has exchanged hands yet, loan commitments and financial guarantees carry similar risks to the Authority and are included here for completeness. The Council has not committed to any such agreements.

### **Capacity, Skills and Culture**

The Council employs professionally qualified and experienced staff in senior positions with responsibility for making capital expenditure, borrowing and investment decisions. For example, the Director of Finance is a qualified accountant with 20 years' experience, the Head of Property is a member of the Royal Institution of Chartered Surveyors with over 20 years' experience in both Public and Private Sectors. The Council pays for junior staff to study towards relevant professional qualifications including CIPFA and external short courses in order to keep abreast of developments and maintain up to date skills and knowledge.

**Elected members:** The Council does not expect members to make investment decisions but to understand the risks the Treasury Strategy creates. The Council therefore provides training for members on the appropriate issues by providing advice and access to Arlingclose, the Council's Treasury Advisors.

## Due Diligence

When undertaking investments there is a need to recognise where the Council is lacking detailed market knowledge and then external advisors will be employed. The Council uses Arlingclose as Treasury Management Advisors and external property valuers are engaged when undertaking material purchases.

## Investment Indicators

The Authority has set the following quantitative indicators to allow elected members and the public to assess the Authority's total risk exposure as a result of its investment decisions.

**Total risk exposure:** The first indicator shows the Authority's total exposure to potential investment losses. This includes amounts the Authority is contractually committed to lend but have yet to be drawn down and guarantees the Authority has issued over third-party loans.

Total investment exposure	31.03.2020 Actual	31.03.2021 Forecast	31.03.2022 Forecast
Treasury management investments	£50.4m	£21m	£21m
Service investments: Loans	£0.158m	£0.144m	£10.144m
Commercial investments: Property	£79.25m	£65.23m	£65.23m
TOTAL INVESTMENTS	£129.808m	£86.374m	£86.374m

The changes in commercial property values are projected changes in assets values, which given the Covid pandemic are highly uncertain.

**How investments are funded:** Investments funded from borrowing have more risk than those funded from surplus resources, so the Government guidance is that there should be indicators on how investments are funded. Since the Authority does not normally associate particular assets with particular liabilities, this guidance is difficult to comply with. However, the following investments could be described as being funded by borrowing.

Investments funded by borrowing	31.03.2020 Actual	31.03.2021 Forecast	31.03.2022 Forecast	31.03.2023 Forecast
Service investments: Loans	Nil	Nil	Nil	Nil
Commercial investments: Property*	£3.5m	£3.5m	£3.5m	£3.5m
Regeneration with commercial rent*			£0.7m	£0.7m
TOTAL FUNDED BY BORROWING	£3.5m	£3.5m	£4.2m	£4.2m

\*The commercial property funded by debt in 2019/20 are a result of the Council decision to not make revenue contributions to capital in 2019/20. If the revenue contributions had been made the overall level of borrowing would have been lower and the commercial assets (Aquarium offices) would not have been funded from internal borrowing. The increase in borrowing in 2021/22 reflects an economic regeneration scheme at Galleywood Hall, this will be commercial units for rent aimed at increasing employment.

**Rate of return received:** This indicator shows the investment income received less the associated costs, including the cost of borrowing where appropriate, as a proportion of the sum initially invested. Note that due to the complex local government accounting framework, not all recorded gains and losses affect the revenue account in the year they are incurred.

Investments net rate of return (income)	2019/20 Actual	2020/21 Forecast	2021/22 Forecast
Treasury management investments	1.25%	0.8%	0.8%
Service investments: Loans	Nil	Nil	Nil
Commercial investments: Property	6.7%	6.2%	5.9%
ALL INVESTMENTS Return	4.6%	4.1%	5.1%
Treasury Management Income £ms (draft estimate 21/22)	£0.8m	£0.3m	£0.3m
Investment Rent Income £ms (draft budget)	£5.3	£4m	£3.9m

The change in projected assets values result in higher rates of income return. The changes in rent income reflect falls in retail rent income, expected vacancies in an office block but are partially offset by a new source of income the Aquarium office purchase in the last part of 2019/20.

*Other investment indicators*

The Director of Finance has identified the following estimates to help assess Risks and Proportionality of investment activity at the Council:

Estimates	2020/21 estimate	2021/22 estimate	2022/23 estimate	2023/24 estimate
Income from Treasury Management as Percentage of Net Revenue Income	No longer to be measured less than 1% of budget			
Total Borrowing Undertaken to Fund Investment Properties & regeneration projects with commercial rents	£3.5m	£3.5m	£4.2m	£4.2m
Commercial Income as percentage of Net Service Expenditure	9%	8%	9%	9%

The estimates/indicators reflect the historic decisions and the schemes included in the proposed/approved Capital programme. Below are limits on investments which reflect the estimates above plus allowance for some headroom or flexibility to undertake higher levels of investment activity. The limit is that recommended by the Director of Finance. These limits are required under Government guidance and should not be exceeded. If the Council does exceed these limits then it is expected not to rashly dispose of investments but instead should avoid entering into any further investments except for short term Treasury Management activity until appropriate alleviation of the breach is undertaken.

Limits	2020/21 Limit	2021/22 Limit	2022/23 Limits	2023/24 Limits
Commercial Income as percentage of Net Service Expenditure	16.9%	13%	13%	13%

**Role of Treasury and Investment Sub-committee**

The non-cash investments require continuous monitoring and the role of the sub-committee is to undertake that ongoing assessment. At a previous subcommittee meeting it was agreed that the following would be the basis of the ongoing monitoring:

- any changes in the portfolio in the period (acquisitions and sales);
- all charges and receipts, indicating any arrears;
- capital expenditure, planned or reactive;
- performance against budgets both expenditure and income;
- any potential changes to the income through lease renewals and rent reviews;
- any changes to Dunn and Bradstreet rating of tenants.

The Sub-committee is also responsible for recommending the Investment Strategy. The strategy requires Full Council approval.





## Chelmsford City Council Cabinet

26<sup>th</sup> January 2021

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### Budget Report 2021/22

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#### Report by:

Cabinet Member for a Fairer Chelmsford

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#### Officer Contact:

Phil Reeves, Accountancy Services Manager, 01245 606562, [phil.reeves@chelmsford.gov.uk](mailto:phil.reeves@chelmsford.gov.uk)

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### Purpose

The primary purpose is to make recommendations to Council for 2021/22 Revenue and Capital Budgets and the level of 2021/22 Council Tax for the City.

### Options

To agree or vary the proposals contained within this report but with regard to the financial sustainability of any amendments.

### Preferred option and reasons

Recommend the report to Council for consideration to meet statutory obligations

### Recommendations

- 1 That Cabinet recommends to Council the contents of Appendix 1, the budget report, being:
  - i. The new Capital and Revenue investments in Council Services shown in **Section 4**
  - ii. The delegations to undertake the new capital schemes identified in **Section 4**, Table 5
  - iii. The Revenue Budgets in **Section 9** and Capital Budgets in **Section 10**
  - iv. An increase to the average level of Council Tax for the City Council, increasing the average annual Band D Council Tax to £203.95, the maximum allowed before a referendum, in **Section 8**

- v. The fees and charges changes above the budget guidelines, as identified on the Savings schedule set out in **Section 3**, and that current car parking charges are frozen for 2021/22
  - vi. The movement in reserves shown in **Section 6**
  - vii. The Budget forecast in **Section 6** and the report of the Director of Financial Services on the risks and robustness of the budget in **Section 7** (Council should note these in particular)
  - viii. Special expenses, Parish and Town Councils' precepts as identified in **Section 8**, Table 11 (Parish precepts are not likely to be available until Full Council).
  - ix. Delegation to the Chief Executive to agree, after consultation with the Leader of the Council, the pay award for 2021/22 within the normal financial delegations.
- 2 That Cabinet approve:
- i. A delegation to the Director of Financial Services to prepare a budget report and legal resolution for submission to Council for consideration, including updating the Business Rate Retention Income following completion of NDR1 statutory return to Government.
  - ii. Should the final Government grant settlement details change following the Cabinet meeting, that the Director of Financial Services is authorised, after consultation with the Cabinet Member for a Fairer Chelmsford, to amend the report and identify the impact to Council.
  - iii. Additional capital budgets of £10k for Hylands Park North Kiosk Toilet Refurbishment (as detailed in table 15 of the budget report) and £27k for asset replacements as detailed in table 17. These approvals are sought from Cabinet due to the necessity of placing the orders before the Full Council Meeting in February.
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## 1. Background

1.1. Each year, Cabinet is required to make a proposal to Council to agree:

- Chelmsford City Council Tax rates; and
- Revenue and Capital budgets for the next financial year.

This report contains such proposals for a budget for 2021/22. Full details of the budget are in Appendix 1.

## 2. Executive Summary

2.1. The budget report in Appendix 1 provides the funding for core Council Services and supports the aims of Our Chelmsford, Our Plan. The budget reflects the need to find budget reductions to offset low government funding and to invest in the priorities of the authority. Key elements of the budget proposals are:

2.2. New Capital and Revenue Service Investment as shown in Section 4.

2.3. New Revenue investment of £100k of which £73k is ongoing after 2021/22.

2.4. New capital investment of £1.855m. This is predominantly targeted to achieve improvements to the Civic Theatre.

2.5. Council Tax proposal. The Government rules allow Chelmsford to raise Council tax up to £5.00 without triggering a local referendum. It is proposed to increase the City Council's

Council Tax by 2.5% or just under 10 pence per week (£4.95 per year) in 2021/22, similar to the level of increase in previous years.

- 2.6. A review of reserves to ensure that they are sufficiently robust to sustain the Council in the medium term, as set out in **Section 6**.
- 2.7. The report identifies special expenses and their effect on the overall Council Tax levels in Section 8 of Appendix 1. However, the precepts from Parishes, Essex Police and Fire Crime Commissioner and the County Council will not be agreed until after Cabinet.

#### Government Funding

- 2.8. The report has been produced based on the Government's provisional funding settlement which is a one-year-only agreement, which provides a net extra £2.125m for 2021/22. There is no further clarity on funding for 2022/23 and beyond. Given the settlement is provisional, a delegation is included in the recommendations enabling the report to be amended after Cabinet but before Council. The key points of the settlement for 2021-22:
  - Additional one-off funding of £2.3m (detailed in Section 2) less;
  - Ongoing funding streams down by £0.1m Section 31 grants relating to Business rates adjustments

#### Financial Challenges

- 2.9. The report identifies an estimated budget shortfall for 2022/23 of £2.2m and a further £0.6m by 2025/26, however these estimates will change over time as events and income become more certain. Details can be found in Section 6 of Appendix 1.  
Risks and a Robust Budget in Section 7
- 2.10. An analysis of the major risks contained within the budget and an opinion on the robustness of the estimates and the adequacy of reserves are made by the Director of Financial Services in Section 7, in line with statutory requirements. The Director identifies the key considerations that have been taken into account in arriving at the opinion, which Members are required to consider when setting the Council's budget.

### 3. Conclusion

- 3.1. Cabinet is asked to review the Budget Report and agree to the recommendations.

#### List of appendices:

Appendix 1 – Budget Report 2021/22

#### Background papers:

Nil

## Corporate Implications

Legal/Constitutional: To meet the legal requirements placed on the Council to set a balanced budget and approve a level of Council Tax for the coming year

Financial: As detailed in the report

Potential impact on climate change and the environment: The Council's budget supports the Council in delivering its environmental objectives

Contribution toward achieving a net zero carbon position by 2030:

The report provides funding for initiatives to contribute towards this goal.

Personnel:

N/A

Risk Management:

A review of the risks is identified

Equality and Diversity:

N/A

Health and Safety:

N/A

Digital:

N/A

Other:

N/A

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Consultees:

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Relevant Policies and Strategies:

Capital, Investment Treasury Management Strategies 2021/22

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## Budget report 2021/22

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## Section 1 Introduction to the Council's 2021/22 Budget

This report contains the revenue and capital budgets for 2021/22 and background context.

The budget reflects the impact of the Covid-19 pandemic. It forecasts significant reductions in the level of Council income in 2021/22 and a significant use of reserves to reduce the shortfall. It is financially sustainable, and in line with Council policy, to use the Unearmarked reserves as the income shortfalls in 2021/22 are mostly expected to be temporary. Additionally, the overall level of reserves is sufficient over the medium term to cover other financial risks.

The pandemic has meant budgets and forecasts have been subject to regular revision as measures to contain the virus change. The length and impact of the Government's Covid-19 regulations are uncertain. So, it is likely that the actual level of income and expenditure for 2021/22 will be materially different from the forecasts contained in this budget report. The report identifies a £7.557m shortfall before Council actions and one-off Government funding.

The level of reserves to manage the financial risk is therefore the key assurance that the budget plans are affordable. It should be noted that the report identifies reserve levels that depend on the forecast of 2020/21 income and expenditure which may also be materially different when a financial outturn is determined after the 31<sup>st</sup> March 2021.

The table below shows a summary of how the revenue budget has changed and how it has been balanced between 2020/21 and 2021/22:

Summary Budget Movements Between 2020/21 and 2021/22	
£000s	
2,794	Base Budget Position (see Section 2)
4,763	Covid Losses (see Section 2)
<b>7,557</b>	<b>Initial Budget Gap</b>
-2,215	Government Funding (Section 2)
-2,101	Savings & Efficiencies (Section 3)
155	Service Enhancements (revenue and capital Section 4)
-1,723	Asset Replacement Reserve (See Section 5)
-352	Council Tax Income (Section 6)
-1,321	Use of Unearmarked Reserves
<b>-</b>	<b>Budget Gap</b>

The Government is providing significant extra one-off funding for 2021/22 and **Section 2** identifies the various streams of funding. The funding position is provisional, and the Government will not confirm the final figures until after publication of the Cabinet Agenda.

The Council, in common with all other Local Authorities, has faced significant revenue budget pressures for a number of years. **Section 3** identifies the cost pressures the Council continues to face. By practising strong financial management, we have planned and dealt with those challenges. The actions, savings and efficiencies proposed to balance the budget are identified in **Section 3** in Table 3c.

Even within the financial constraints, there is a need to adapt and improve service provision to deliver Our Chelmsford, Our Plan. **Section 4** identifies the new investments in services that are funded by revenue and capital resources in the 2021/22 budget.

**Sections 5 to 7** identify the medium- to long-term financial planning issues that the Council needs to consider.

The Local Government Act 2003 Section 25 includes a specific personal duty on the Chief Financial Officer (CFO) to make a report to the authority when it is considering its budget and Council Tax for the forthcoming year. The report must deal with the robustness of the estimates and the adequacy of the reserves included within the budget. (For the purpose of the Act, 'reserves' include 'general balances'.) The Act requires the Council to have regard to the report in making its decisions. The report is contained in **Section 7**.

The Government has based its grant funding settlement on the assumption that all Councils will increase their Council Tax by the maximum allowed before a referendum is required, which is £5. The budget includes proposals to increase an average band D Council Tax by £4.95 per year, after allowing for rounding of Council Tax bills into ninths.

**Section 8** identifies the detail of the Council Tax proposals and the associated legal matters, including meeting the legal requirement to declare a Business Rate Surplus or Deficit.

**Sections 9 & 10** contain a breakdown of the revenue and capital budgets.

## Section 2

### Government Funding (estimated)

The Council's main Government revenue streams are often referred to as Formula grant or Settlement Funding Assessment. The Council has been provided with a provisional settlement for 2021/22, which is not likely to be finalised until February 2021. The Government has based its settlement on the assumption that all Councils will increase their Council Tax by the maximum allowed (before a referendum is required).

The Government has for the last few years proposed reviews of the funding arrangements for Local Government, but each review has been delayed. The Government has again committed to making radical changes with a new target of implementation during 2022/23. The changes are expected to include:

- Reset Business Rate Baselines, which initially is likely to reduce income from the business rate retention scheme
- Changing how funding is allocated between local authorities, 'fair funding'
- Reform of the New Homes Bonus Scheme

Further discussion of these matters is covered in **Sections 6 and 7**.

If the final 2021/22 funding allocation differs from that contained in this report, then the Director of Financial Services will provide revised information to Cabinet at the meeting. If revisions to the settlement occur after the Cabinet meeting then it is proposed that the Director of Financial Services, after consultation with the Cabinet Member for a Fairer Chelmsford, should be given delegated authority to amend the proposal on the use of reserves in the report to Council and identify the impact to Council.

**Table 1** below shows a comparison of 2020/21 Government funding to the provisional settlement for 2021/22. The 2021/22 settlement is for a one-year period only, so there remains uncertainty regarding the Government's long-term funding intentions. There are a number of new grants which the Government says it has provided to reflect the challenges caused by Covid-19. The grants are un-ringfenced (can be used for any purpose).

**Table 1**

Funding Streams	2020/21 £m	2021/22 (provisional) £m	2021/22 (Final) £m
<b>A) Revenue Support Grant</b>	0	0	Intentionally blank
<b>B) Baseline business rate retention</b>	3.4	3.4	
<b>C) Sec 31 Grants</b>	0.28	0.18	
<b>Ongoing Funding</b>	<b>3.68</b>	<b>3.58</b>	
<b>Temporary Funding 2021/22</b>			
<b>D) Lower Tier Funding</b>		0.64	
<b>E) Covid-19 Expenditure pressures grant</b>		0.78	
<b>F) Local Council Tax Support Grant</b>		0.19	
<b>G) Sales, Fees and Charges Grant</b>		0.7	
<b>H) Local tax income guarantee 20-21 Losses</b>		Payable in 2020/21	
<b>Temporary Funding</b>		<b>2.31</b>	

- A. Revenue Support Grant (RSG) £Nil – a central government grant given to local authorities which can be used to finance revenue expenditure on any service. The amount of RSG given to each authority is determined by a needs assessment which includes estimates of local resources such as council tax, population and other local data. The Council lost all its remaining RSG in 2018/19, however some authorities still receive RSG as a result of the needs assessment.
- B. Business Rates Baseline £3.4m – the City Council retains only a small share (around 4%) of the Business Rates collected locally; a Government formula is used to determine the amount the local authority can keep. The Business Rate Retention scheme detailed later is measured against this baseline.
- C. Section 31 Grants (£0.177m) – The complexity of the Business Rates Retention Scheme has led to grants being paid to local authorities for Government initiatives such as not increasing business rates in line with inflation. These grants vary in value each year.

#### **Temporary Grants**

- D. Lower Tier Services Grant £0.65m. The Government is allocating a one-off new “un-ringfenced” (can be spent on anything) Lower Tier Services Grant in 2021-22, which will allocate £111 million to local authorities with responsibility for lower tier services (for example, homelessness, planning, recycling and refuse collection, and leisure services). This is shared using a traditional needs-assessment methodology and a “floor” to ensure that no local authorities have a reduction in spending power as measured by Government. The Government has stated “it is clear that this funding is in response to the current exceptional circumstances and is a one-off. No local authority should take this funding floor as guaranteeing similar funding floors in future years, including in future finance reforms.”
- E. Covid-19 Expenditure pressures grant £0.78m. This is “un-ringfenced” so can be spent on anything but the Government has suggested the priorities: adult social care, children’s services, public health services, household waste services, shielding the clinically extremely vulnerable, homelessness and rough sleeping, domestic abuse, managing excess deaths, support for re-opening the country and, in addition, the additional costs associated with the local elections in May 2021.
- F. Local Council Tax Support Grant (Provisional) £0.189m. New funding for 2021-22 in recognition of the increased costs of providing local council tax support (LCTS) and other help to economically vulnerable households following the pandemic. The funding is un-ringfenced and can be used for any purpose including to provide other support to vulnerable households, which may be through local welfare schemes. The Council budget proposes that it is used to fund additional costs of the LCTS scheme that may occur during 2021/22. Such additional costs will impact on the budget in 2022/23 and later years through Collection Fund (Council Tax) deficits. The Council policy is to fund Collection fund deficits by using Unearmarked Reserves, so £0.189m grant will be transferred into Unearmarked reserves.
- G. Sales, Fees and Charges. The Council estimate of the grant is £0.7m and un-ringfenced. The scheme would again feature a 5% deductible rate, whereby councils will absorb losses up to 5% of their planned sales, fees and charges income against the 2020/21 budget, and compensation for 75% of eligible losses.
- H. Local tax income guarantee for 2020-21. This funding will be used to make up 75% of calculated losses in Council Tax and Business Rate income. The grant will be included in 2020/21 outturn. The Council Tax element is anticipated to be around £70k. The Business Rate grant is uncertain and will be dealt with as part of the 2020/21 closure of accounts.

With the exception of Local Council Tax Support, all un-ringfenced grants will be used generally to support the budget instead of drawing down reserves. The LCTS grant will be held in the Unearmarked Reserves during 2021/22 and used to offset the additional impact of LCTS costs in later years which will be identified when the Collection Fund deficits are estimated.

### Retained Business Rate Growth (Above Baseline Funding)

Under this scheme, the Government allows local authorities to share some of the growth in Business rate income in their area.

The Government scheme is materially unchanged from 2021/22, so in summary:

- i. A baseline funding position is calculated on our historic business rates collection, adjusted by a 'tariff' payment. A local authority must pay a tariff if its individual authority business rates share is greater than its assessed baseline funding level. Conversely, a local authority will receive a top-up if its baseline funding level is greater than its individual authority business rate share. The City Council in 2021/22 must pay a tariff of £27.5m and is able to retain Baseline Funding of £3.40m of the Business Rates it collects.
- ii. Under the Business Rates Retention Scheme, local authorities can come together on a voluntary basis to pool their business rates receipts and then agree collectively how these will be distributed between pool members. Pooling provides the opportunity to keep a greater share of business rates growth which otherwise would be paid to Government as a 'Levy'. However, the protection each authority receives is less in the event of losses, so in the event of the pool having an overall reduction in Business Rate Income against the Baseline set by Government, an authority could share a higher burden than they would have done outside a pool. Chelmsford has been a member of an Essex pool for a number of years and re-joined for 2021/22. The income from the pool is difficult to project as it relies upon the approach taken by other authorities as well as Chelmsford.  
The Business Rate Retention Scheme is complex with gains and losses occurring in one financial year but then not impacting on the Council's finances until later ones. The Business Rate Retention Reserve is used to manage these timing differences. The value of Business Rate transactions passing through the Council's revenue account will be significantly increased during 2020/21 and 2021/22 due to Covid-19. Nearly £17m will be transferred into the Business Rate Timing Reserve in 2020/21 and paid out in 2021/22.
- iii. The forecast for the business rate retention scheme income is based on assumptions regarding the level of appeals made by taxpayers against their property valuations and reliefs. It is of note that some taxpayers are making appeals for the effects of Covid-19 on their businesses. This type of claim may not be eligible but, if it were, it could have an impact on the Retention Scheme and Council income.
- iv. The Government is providing support to Councils to meet some types of business rate losses arising from Covid-19 under the Local tax income guarantee grant for 2020-21. The grant will be payable in 2021/22 and accrued for in 2020/21 but it is unclear at this time how much grant will be received.
- v. Additional net Retention income of £673k is expected in 2021/22. However, the Council's budget reflects only £200k of Business Rate Retention being used to support annual service expenditure which is broadly the same as 2019/20 and 2020/21. This reflects the level of risk in the estimates of Business Rate Retention income.
- vi. The Council is required to finalise, and provide to Government, its Business Rate Retention income estimate in late January which will be after the Cabinet meeting. The submission is made by completing a NDR1 return. The Director of Financial Services will therefore provide the Council with any appropriate amendments which result from the final estimates. Any changes would only have an impact on the Business Rate Retention Reserve.

### New Homes Bonus (NHB)

This is a grant paid by central government to local authorities. It aims to reward councils for each additional home added to the council tax base, including newly built properties and conversions as well as long-term empty properties brought back into use, after allowing for certain deductions



such as demolitions. An additional sum is paid for each new affordable home built. The scheme, as previously reported, has over its life been made less generous. New payments are only receivable for one year rather than the previous four years. The expected funding for New Homes Bonus is shown in **Table 2** below:

**Table 2**

	2019/20	2020/21	2021/22	2022/23	2023/24
	£000s	£000s	£000s	£000s	£000s
2016/17	715				
2017/18	1,082	1,082			
2018/19	1,134	1,134	1,134		
2019/20	884	884	884	884	
2020/21		1,326			
2021/22			1,113		
2022/23				Not known	
2023/24					Not known
	3,815	4,426	3,131	884	0

It has been assumed in the financial planning that:

- the sums payable will be contributed to the Chelmsford Development Reserve which is available to be used to fund the capital programme or other large one-off projects and
- no further NHB will be received after 2022/23.

#### **Homelessness Grant**

The government has changed the homelessness funding arrangements. A Homelessness Prevention Grant replaces two existing funding streams: the Flexible Homelessness Support Grant and the Homelessness Reduction Grant. The funding provided is £877k, an increase of £106k over 2020/21 budget.

The grant is ringfenced for the following purposes:

- To fully implement the Homelessness Reduction Act and contribute to ending rough sleeping by increasing activity to prevent single homelessness,
- Reduce family temporary accommodation numbers through maximising family homelessness prevention,
- Eliminate the use of unsuitable bed and breakfast accommodation for families for longer than the statutory six-week limit.

The Housing expenditure budgets have been increased to match the additional funding.

### **Section 3**

#### **Cost Pressures, Covid-19 Assumptions and Efficiencies**

#### Cost Pressures

The cost pressures are detailed in table 3a below. It should be noted that Covid-19 is not felt to result in significant additional costs, rather loss of income, so Table 3a reflects many of the normal issues the Council faces when setting its budget, including some normal income changes. Background narrations of the more significant items are set out after the table.

**Table 3a Cost Pressures 2021/22**

<b>2021/22</b>	
<b>£000s</b>	<b><u>(Increases/changes over previous year)</u></b>
662	Pay inflation - 2% year on year
30	Utilities - 2% year on year
-300	Fees & charges 2% inflation
204	Interest Income
534	Minimum Revenue Provision (capital financing) & interest
225	Pension deficiency
114	Riverside & other business rates
200	Recycling income (price volatility)
40	CIL - review of allocation of administrative fee
30	Ground Maintenance Income
15	Audit fees
	<b><u>Review of 2019/20 Outturn</u></b>
20	Tree Maintenance
153	Housing Benefit Subsidy Funding
38	Fleet costs
108	Leisure Casual Staff & Centre Maintenance
75	Utilities
46	Outturn review of Leisure Income (Dovedale & CSAC)
65	Outturn review of Hylands Income
246	Housing Other - cost of Temporary accommodation
50	Insurance Claims - annual contribution
239	Other
<b>2,794</b>	<b>Total</b>

#### **Cost Inflation and Pay**

The Council experiences cost inflation on the supplies and services it purchases. The budget only allows for increases on Pay, Business Rates and Energy. This means, in real terms, service budgets decrease in 2021/22. The real terms reduction is difficult to quantify as each service purchases different supplies and services and therefore experiences different inflation.

A potential pay award of 2% (£662k) was built into earlier budget planning, as usual. However, this has now been modified in line with the Government's guidance for other public sector workers (excluding the NHS), replacing the value of a 2% award with an increase of £250 per annum to those grades earning below £24,000. The resulting net reduction in costs is included alongside other savings and efficiencies in Table 3c.

The Council is required to consult with Unison before implementing changes to staffing pay and conditions. Additionally, national pay bargaining on behalf of local government workers may influence the outcome of local negotiations. It is therefore proposed that a delegation be made to the Chief Executive to agree, after consultation with the Leader of the Council, the pay award for 2021/22 with any change from the above assumptions being funded in 2021/22 from General (unearmarked) reserves within the normal financial delegations.

Inflation changes in the cost for Utilities are £30k in 2021/22.

### **Fees and Charges Inflation**

The budget guidelines recommended a 2% increase in fees and charges in 2021/22. The areas where a different approach is recommended in the budget are:

- Building Control. Additional increase is recommended on the savings schedule, Table 3c
- Bereavement Services. Additional increase is recommended on the savings schedule, Table 3c
- Pre-application planning charge. Additional increase is recommended on the savings schedule, Table 3c
- Court Fees. Additional increase is recommended on the savings schedule, Table 3c
- Car Parking Charges. No increase in current charges is recommended

### **Minimum Revenue Provision and Interest**

The variance reflects the net impact on the budget from additional borrowing costs. More details can be found in **Section 5**.

### **Pension Costs – 3-year Actuarial Valuation**

The Council is obliged by statute to offer its employees membership of the Local Government Pension Scheme (administered in Essex County Council). The scheme changed from a “final salary” to a “career average” scheme in 2014/15. The scheme offers members a defined benefit funded by employee and employer contributions. Every three years an actuarial valuation of the fund takes place which determines the Council’s contributions for the current employees and a deficiency payment to make good any estimated historic shortfalls in the fund’s assets measured against its expected liabilities.

For the 3-year valuation period from 1<sup>st</sup> April 2020 to 31<sup>st</sup> March 2023, it is more cost-effective to fund the 3-year pension deficiency cost with an up-front payment as a discount is offered compared to paying by annual instalments. The Council therefore makes contributions into a reserve to ensure it has funds to meet the next valuation cycle’s upfront payment. It is planned to increase the 2021/22 budget by £225k and for later years by £175k each year until the annual payment into the deficiency reserve reaches the required level.

### **Recycling Income**

The Council sells collected materials to part fund the cost of service. The prices achieved for these do change and currently there has been a significant decline.

### **Review of 2019/20 Outturn**

The Council has for the last two years reported an overspend of its budget at financial year-end. The Council does have in place a number of processes to try to resolve this potential trend. Officers have reviewed the 2019/20 overspend and recommend the budget is increased in several areas, as identified in the table. Matters perhaps requiring further explanation are:

- **Housing Services and Housing Benefits**

The Council’s Strategic Housing team has a significant budget intended to enable it to deliver statutory duties to alleviate homelessness. As well as the direct costs of housing services, the Council incurs additional costs (subsidy loss) from placing households in temporary accommodation due to the interaction with the Government’s Housing

Benefit rules which do not fully fund the cost to the Council of this temporary accommodation.

The capital programme 2020/21 approved a budget of £7m for investment in 20 additional, Council-owned properties to be used as temporary accommodation, with the aim of reducing both the direct cost of housing homeless families and this subsidy loss. In 2021-22, this is forecast to enable a net cost reduction of £150k in housing services as well as reducing the subsidy loss by some £50k, after making provision to repay debt used to fund the house purchases. The Government has also provided an extra £106k of funding for Homelessness Prevention services as part of the Provisional Settlement.

This means that there is additional funding of just over £300k in total for 2021-22 which we have used to increase the Housing Service's budget as contingency, to help manage the potential increase in caseload arising from the Council's statutory housing duties in a year when economic conditions may well lead to increased homelessness.

- **Leisure Casual Staff & Centre Maintenance**

The costs of the Leisure centres, especially Riverside, were due to be reviewed. It is not possible during the Covid-19 pandemic to undertake that review. The costs identified in 2019/20 outturn review should therefore be built into the base budget subject to a review, post-pandemic.

### **Covid-19 Forecast Financial Impact (Income Changes)**

**Table 3b**

<b>2021/22 £000s</b>	<b>COVID-19 Losses</b>
2,228	Car Parking (30% loss compared to 2020/21 budget)
30	Building control
146	Theatre - full audiences by Panto 2021
108	Budgeted Savings 2020/21 not achieved Theatres
50	Museum - income loss
36	Legal and Democratic income from legal agreement work
1,257	Rents (High Chelmer and Meadows)
505	Leisure
35	Ice show cancelled
88	Markets Income loss
80	Hylands Income loss
150	Council Tax Sharing Agreement. Fall in number of properties built
50	Housing Benefit Bad debt provision increase
<b>4,763</b>	<b>Total Covid-19 Losses</b>

**Section 6** Revenue Forecast and Reserves, identifies the assumed changes in income in later years, which includes a recovery in many income streams. The Director of Financial Services in **Section 7** comments on the risks around fluctuations in income, including how that will be managed, but effectively that will be by having robust reserves.

### **Efficiencies**

The increased costs identified and enhancement to services give rise to a budget gap. To fund some of this shortfall, Directors and Cabinet Members have identified cost reductions and income generation plans whose financial impact is shown on the next page in **Table 3c**.

## Savings and Efficiencies

Service	Description	Indicative Saving 2021/22 £s	Indicative Saving 2022/23 £s	Indicative Saving 2023/24 £s	Note
Pay Award	The pay award is budgeted at 2% (£660k) across the Council. In line with the government's guidance on Public Sector Pay the 2% pay award for staff has been removed from the budget apart from the payment of £250 for those staff earning less than £24,000. Any potential pay award will be subject to negotiations with the union via a delegation to the Chief Executive in consultation with the Leader.	£541,000	£541,000	£541,000	
Bereavement Service	Bereavement Services income including increase in cremation charge to just below the Essex average (equates to a 12% increase)	£193,300	£193,300	£193,300	
Service Reviews	A number of reviews of service costs are being undertaken and the current target for savings is shown	£282,320	£282,320	£282,320	
Parks	Introduce car parking charges at Hylands.	£145,000	£290,000	£290,000	
Insurance	Agreed new insurance arrangements	£110,000	£110,000	£110,000	Renegotiated prices and structure of insurance
Car Parking	one-off payment from Park and Ride Operational Fund.	£100,000			one-off saving
Revenues and Benefits	Vacancy savings: Respond to changing caseloads through organisational changes to Benefits Service coupled with increased automation in Council Tax administration, enabling vacant posts to be released.	£75,600	£75,600	£75,600	Improved productivity from homeworking has reduced risks
Events	Increase ticket price for 3Foot festival	£71,000	£71,000	£71,000	
Digital Services	Changes to the print service	£57,000	£57,000	£57,000	
Planning	one-off payment from Garden Communities PPA to reduce the Local Plan budget in 2021-22.	£50,000			Costs will be incurred; will existing resource be sufficient
Planning	Additional income from Master planning work for 2 years	£50,000	£50,000		Costs will incurred will existing resource be sufficient



## Savings and Efficiencies

Service	Description	Indicative Saving 2021/22 £s	Indicative Saving 2022/23 £s	Indicative Saving 2023/24 £s	Note
Arts & Culture	Review project budget after Essex 2020 project	£45,200	£45,200	£45,200	
City Life	Review delivery mechanism for City Life content	£40,000	£40,000	£40,000	Greater use of digital to produce the saving so efforts must directed to avoid exclusion
Planning	Planning Post (vacant)	£31,900	£31,900	£31,900	
Customer Services	Customer Service Centre. Vacant post	£30,000	£30,000	£30,000	
Love Your Chelmsford	Reduction in capacity of Technical Support Team at Freightier House [post is vacant]	£28,000	£28,000	£28,000	
Digital Services	Remove vacant service desk post	£24,000	£24,000	£24,000	
Building Services	Changes in staffing level within the Facilities Management and Post Room team reflecting workload flow and demand.	£22,900	£22,900	£22,900	Already implemented
Building Control	Increase Building Applications charges by 5%	£21,000	£21,000	£21,000	This necessary to ensure full recovery of costs as required by statute
Finance	Finance restructure enabling release of vacant post	£20,000	£20,000	£20,000	Implementation of new practices following launch of new One Council, Technology One, ERP Finance module
Theatres	Review box office software and ticketing	£20,000	£20,000	£20,000	
Planning	Reduce budget for appointing Counsel / consultants supporting planning appeals from £69k to £50k	£19,000	£19,000	£19,000	
Legal & Democratic	New Election team management arrangements	£16,000	£16,000	£16,000	

## Savings and Efficiencies

Service	Description	Indicative Saving 2021/22 £s	Indicative Saving 2022/23 £s	Indicative Saving 2023/24 £s	Note
Vehicle Fleet	Stop using Tracker system.	£15,000	£15,000	£15,000	
Pest Control	Changes to the provision of pest control services	£15,000	£30,000	£30,000	
Revs and Bens	Court Fees, increase to ensure recovery of costs. Charge increase from £92.50 to £95.00, in line with most other Essex LAs	£15,000	£15,000	£15,000	
Planning	Charges for supporting Recreational disturbance Avoidance & Mitigation Strategy (RAMS). The Council is providing admin and Mgt from existing resources	£13,000	£13,000	£13,000	
CCTV	CCTV income from Maldon for provision of monitoring services	£10,000	£10,000	£10,000	
Planning	Reduce Conservation Grants Budget from £20k to £10k	£10,000	£10,000	£10,000	
Planning	Increase pre-application inquiry fees by 10%.	£10,000	£10,000	£10,000	
Digital Services	Printing costs reduce as we move to paperless working	£8,000	£8,000	£8,000	
Accountancy & Exchequer	Technical VAT change to some Leisure Income	£7,800	£13,000	£13,000	
Accountancy & Exchequer	Cheque Printing - cease printing cheques	£2,000	£2,000	£2,000	
Accountancy & Exchequer	Work for Recreational disturbance Avoidance & Mitigation Strategy (RAMS). Provide financial administration.	£2,000	£2,000	£2,000	
	<b>Total</b>	<b>£2,101,020</b>	<b>£2,116,220</b>	<b>£2,066,220</b>	

### **Digital Portfolio Office**

The Council established a Digital Portfolio Office (DPO) in order to accelerate the Digital Programme and reap the benefits from the investment in digital technology. The projects undertaken are on an invest-to-save basis and it is anticipated that over time the savings generated together with the service enhancements will significantly outweigh the investment. As with any new initiative, particularly involving technology, it cannot be said with complete certainty what the level of benefits will be. Initially, a budget for 2020/21 of £150k was established to develop proof of concept and a further £500k was made available through a specific reserve on successful completion of pilot work. The pilots have been successful and the second tranche (£500k) of funding has been released. The Reserve will be spent on staffing costs to develop business cases, design business processes and purchase any additional software. The 2021/22 budget includes planned DPO savings of £78k, but to sustain ongoing Digital investment, any savings will initially be used to repay the reserve. Whilst at this stage the annual staffing costs will initially be greater than the savings delivered, it is anticipated that the work streams currently being explored will deliver savings that outweigh the cost of investment. The DPO Reserve is shown in **Section 6** on reserves. The 2021/22 budget will be treated as an extension of the Pilot; progress will be reviewed, and an update included in the 2022/23 budget.

## **Section 4**

### **2021/22 Service Investment**

The Council's budget is a financial plan to contribute to delivering Our Chelmsford, Our Plan. This section of the report identifies increases in 2021/22 budget to deliver new corporate initiatives. These investments in services are categorised according to how they are funded.

#### **Revenue Funded Service Investments**

There are two types:

- Those that create ongoing costs and must be funded from ongoing financial resources to be sustainable. Examples of sustainable funding streams are statutory sources of income such as Council tax or grants and Council-generated income such as fees and charges or from budget reductions/service efficiencies.
- One-off or temporary enhancements funded by the use of unearmarked reserves or temporary income streams such as one-off grants.

The one-off service investments are being funded by Unearmarked Reserves. The ongoing items are being built into the ongoing base budget and will be funded from ongoing income sources.

**Table 4** on the next page identifies the new revenue service investments.

#### **Capital Investments in Services**

Capital Expenditure relates to the acquisition or enhancement of assets which have a useful life in excess of 12 months and are charged to the Council's balance sheet. To be an enhancement, the expenditure on the asset must lengthen substantially the useful life of the asset, increase substantially its open market value or increase substantially the extent to which the Council can use the asset.

Local Authorities can, under statute, also fund grants to other bodies or individuals from capital resources, if they meet the definition of capital. Such items are referred to in the capital programme as REFCUS (Revenue Expenditure Funded by Capital Under Statute). Additionally, Government can, on an individual basis, grant permission to capitalise non-capital costs such as redundancy.

Council approval is sought annually each February for the Capital Strategy, which provides details of overall funding and capital expenditure plans. A summary of how revenue and capital expenditure are linked is included in **Section 5** of this report.

**TABLE 4 - REVENUE FUNDED - New Service Investment for 2021/22**

Scheme		Cost 2021/22 £000s	Cost Ongoing £000s	Details
1	Transport and Operation of Knife Angel	10.6	0	
2	Digital Apprentice	13	13	The service took on 2 developer apprentices in Sept 2019 and they have worked out exceptionally well. They will graduate in January 2022 and therefore to ensure a rolling stock of apprentices, we would like to recruit 1 new apprentice in Sept 2021.
3	O365 & D365 Licence Growth	15.4	15.4	As more services are bought onto the platform for Dynamics and new starters to the organisation over the course of the year, additional licences will be required.
4	Extension of MetaCompliance Agreement	4.8	0	The MetaCompliance system assists the Council in reaching some of its compliance milestones for GDPR, as well as providing data protection training to staff. The agreement includes Data Mapping, Data Protection Training, Phishing and Policies. Just prior to GDPR, the Council signed a three-year agreement with the system provider. It is necessary to extend the products we currently have for one more year before a partly reduced product set can be considered. By signing this agreement, our provider is offering December to March free of charge, and the one-year extension will run from April 2021 to March 2022.
5	Letting Aquila House	20	0	Property Services Professional Fees (one-off for rent review/lease renewal for Aquila House)
6	Credit Processing Regulations	5	1.6	Additional Software requirements to meet new regulations



Scheme	Cost 2021/22 £000s	Cost Ongoing £000s	Details
7 Provision of Chelmsford Greening project, Conservation and Arboricultural Services	31	43	<p>The Chelmsford City Council - Mass Tree and Woodland Planting Policy calls for the implementation of a 10-year tree and woodland planting programme, whilst routine regular conservation and arboricultural activities/requirements continue. In practice, there is a requirement to identify sites for woodland and street tree planting, site checks/scoping, organise practical tree planting and volunteer/community liaison and participation, site monitoring and organising continued aftercare/replacement planting to establish the planted areas/trees. In the meantime, in past 3 years the level of expenditure on routine tree works has exceeded budget and for 2020/21 onwards the tree budget has been uplifted by £25k (30%) reflecting higher levels of requirements and activity (arranged and managed by the Conservation and Arboricultural Officer). The safety inspections of the City Council's tree stock is risk assessed as requiring an annual safety/condition inspection of all trees in the most highly frequented public areas such as parks and recreation grounds (some 8,500 trees). The level of annual inspections in the past 3 years have not reached 100% of this annual inspection requirement. The current level is on average 85%. In part this is due to other work commitments and in the short/medium term further work pressures are anticipated. This indicates levels of requirements and activity beyond the available resources. A further factor prompting a review of these arrangements is that the current Conservation and Arboricultural Officer is reaching retirement age. The post represents among its scope a critical safety and risk management function which requires specific expertise/qualification, experience and familiarity with the City Council's tree stock. It follows that a succession plan needs to be devised and implemented to ensure future consistency and continuation of arrangements.</p>
<b>Total</b>	<b>99.8</b>	<b>73</b>	<b>One-off costs funded from Reserves and Ongoing Costs are funded from ongoing income</b>

### **Approval of New Capital Schemes**

**Table 5** shows the new capital schemes. Within the scheme narrations in **Table 5**, the approval process for capital expenditure is dealt with in three ways: firstly a number of schemes are fully approved for officers to undertake; a second category requires Directors and Cabinet members to agree a more detailed business case before undertaking the scheme; a third category allows for the budget to be initially approved by Council with delegation to future Cabinet meetings to agree individual business cases. The ongoing revenue impact is £55k in 2021/22 and further £88k in 2022/23.

**Table 5 - CAPITAL PROGRAMME - New Schemes Identified for Approval**

	Details	2020/21	2021/22	2022/23	2023/24	2024/25	Later Years	Total Spend
		£000s	£000s	£000s	£000s	£000s	£000s	£000s
	<b>New Schemes (see table 5 for details)</b>							
1	Flood Lighting Central Park Skateboard Ramps		35					35
2	Wayfinding Signs Phase 3		100	50				150
3	Townfield Street Car Park Water Ingress Prevention Works		360					360
4	Hylands Park Introduction Car Parking Charges		135					135
	<u>Schemes where Delegation Required for Cabinet/Officers to Spend Once Business Cases Received</u>							
5	Digital Services Helpdesk System		25					25
9	Web Platform Architecture Upgrade and Development		75	75				150
7	Civic Theatre Enhancement Project		1,000					1,000
	<b>Sub Total</b>	<b>0</b>	<b>1,730</b>	<b>125</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1,855</b>

Details	2020/21	2021/22	2022/23	2023/24	2024/25	Later Years	Total Spend
	£000s	£000s	£000s	£000s	£000s	£000s	£000s
<u>Potential Funding</u>							
External Funding Agreed - Wayfinding Signs	-50	-50	-50				-150
<b>Total of New Scheme Proposals After Funding Applied</b>	<b>-50</b>	<b>1,680</b>	<b>75</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1,705</b>

## CAPITAL PROGRAMME - New Schemes Identified for Approval Narrative

### New Schemes

### Details (delegations in red italics)

1 Flood lighting Central Park Skateboard Ramps

This scheme is a proposal for the provision of flood lighting at the Central Park Skateboard Ramps. This will extend the time the skateboard ramps can be used safely into the evenings, especially in the autumn and winter when dusk is early. It is technically feasible to install LED-type floodlighting on 6 columns, each 8 metres high, equipped with an independent electrical supply and switch gear allowing the floodlights to be time-managed and operated remotely. Consideration will be given to type of floodlight to ensure an appropriate lighting (lumen) level on all surfaces avoiding double/false shadows. *It is requested that delegated authority is given to the Director of Public Places to spend within the approved budgets.*

2 Wayfinding Signs Phase 3

This proposal is for the implementation of Phase 3 of the City Centre Wayfinding Scheme, which comprises a further 35 signs. Essex County Council (ECC) has agreed to fund this scheme over three years with contributions from the Local Highways Panel (LHP). This will further enhance the Chelmsford public realm programme, providing residents and visitors to the City Centre with clear directional information and continue to build on Chelmsford's reputation as the premier retail and leisure destination in Essex and further support the £15m investment through the Chelmsford City Growth Package being implemented by ECC. It will also support the City Centre's recovery from the economic impact of COVID-19. The wayfinding signs help to give confidence to members of the public to walk and cycle in the city centre, by helping them find where to go when using our streets and spaces, therefore helping to achieve the Council's objective of becoming net zero carbon by 2030. *It is requested that delegated authority is given to the Director of Sustainable Communities to spend within the approved budgets.*



3 Townfield Street Car Park Water Ingress Prevention Works

This proposal is to repair the water seeping through cracks in roof levels 6 and 7, by stripping all the existing coating on the top decks and applying a new structural waterproofing system. This will ensure that the building continues to be well maintained and prolongs the useful life of the structure and makes a significant difference to the customer experience. There has been concrete falling from the ceiling and landing on the upwards ramp to level 4 from level 3. Inspections of the car park have identified numerous cracks and water ingress. Should the water continue to seep through the cracks in these areas, this could cause degradation to the concrete decking slab and could lead to health and safety concerns for staff and the public. Furthermore, this could increase future maintenance or repair costs and reduce the overall life of the building. It is estimated that there will be an 8-week period of closure whilst the works are completed. *It is requested that delegated authority is given to the Director of Sustainable Communities to spend within the approved budgets.*

4 Hylands Park Introduction Car Parking Charges

This proposal seeks approval for the funding of car parking machines and additional security measures, including CCTV, to be installed at Hylands Park to support the introduction of car parking charges. The additional income generated from this proposal is included in the revenue estimates and forecast to be £290k per annum. *It is requested that delegated authority is given to the Director of Public Places to spend within the approved budgets.*

## 5 Digital Services Helpdesk System

This proposal seeks to replace the current on-premise Service Desk software with a more capable, cloud-based product. This will support the strategic development of Digital Services, reduce the administrative cost per incident and enhance the communication between Digital Services and their customers and key users, as well as improving the ability for flexible remote working. The project deliverables will include an enhanced single-sign-on, self-service portal to support IT requests, bids and small projects. The current software has been in place since 2009 and its functionality is outdated, with services such as instant chat and artificial intelligence not featured. The Service Desk resource was reduced by one permanent position from September 2020. Without a new system, the current volume of support calls will result in an impaired capacity to achieve the agreed Service Level Agreements (SLAs). There is also the potential for the Service Desk replacement to be made available as a central solution to other departments or organisations allowing them to service their customers through a customised portal. The annual costs of a new cloud-based product are estimated to be £20k per annum which is an increase of £14k per annum compared to the existing system. *It is requested that delegated authority is given to the Director of Connected Chelmsford, after consultation with the Cabinet Member for Connected Chelmsford, to agree on the selection and acquisition of an appropriate cloud-based system which meets the requirements of the organisation and to spend within the approved budgets.*

6 Web Platform Architecture Upgrade and Development

The Council currently operates multiple web platforms and has over 40 differing types of online presence. This is spread across our main website, microsites, standalone sites and public access portals. This presents a problem for the Council in maintaining so many differing platforms at not only a skills level but also in terms of keeping the vast amount of information current. It also creates a large overhead in costs to maintain all the platforms using many different suppliers. This proposal therefore is about using new technology that will allow the Council to use a single platform to cater for all the Council's needs. This will include building new websites, microsites and portals and for each offering to have their own unique branding. This will remove the need for multiple suppliers and will allow service teams to update and refresh content as required. The key here is that the Council will have the ability and flexibility to create new sites as required for zero cost. The current main website supplier has proven to be unreliable in recent months and has indicated that the product is at the end of its life. This capital bid is required to set up and develop the new platform and to transfer existing offerings onto the platform. These are one-off costs and not recurring. There is an opportunity to present more information online and for residents and businesses to interact in a paperless fashion thereby helping the Council to achieve its objective of being net zero carbon by 2030. The proposal is for an additional full-time contractor post to perform the initial development work and then, ongoing, for the role to maintain the new platform. Once the initial development has been completed a consultant would be appointed to develop and project manage the implementation work. The net ongoing revenue budget is estimated to be £40k per annum. *It is requested that delegated authority is given to the Director of Connected Chelmsford, after consultation with the Cabinet Member for Connected Chelmsford, to agree on the preferred option for implementation which meets the requirements of the organisation and to spend within the approved budgets.*

## 7 Civic Theatre Enhancement Project

This proposal focuses on two main areas of improvement:

1. Rethinking the front of house, transforming the Foyer across both the Civic and Cramphorn Theatres into a joined-up, welcoming and active social hub. Including a Cafe/Bar, Tourist Information Centre with integrated box office facilities and flexible event spaces. Creating a prestigious destination venue to attract the wider Chelmsford demographic rather than just providing a facility for theatre customers.
2. Replacing the seating in the main Civic Theatre House with a more flexible, retractable solution. Creating room for a multitude of configurations and programming from stand-up music gigs and comedy cabaret-style to theatre in the round, conventions and tea dances. Maintaining at least the existing 500 seating capacity, exploring possible future steps to enable the venue to take larger commercial touring shows, e.g. back-of-house provisions.

*It is requested that delegated authority is given to Cabinet to agree the preferred option for a scheme which achieves the outcomes of the proposed scope of the project within the proposed budget and for the Director of Connected Chelmsford to deliver the scheme within the approved budget.*

## **Section 5**

### **The impact of Capital Expenditure on the Revenue Budget**

The Council is required by statute to produce a Capital Strategy each year. It gives a high-level overview of how capital expenditure, capital financing and treasury management activity contribute to the provision of local public services. It also provides an overview of how the associated risks are managed and the implications for the future financial sustainability of the Council. The next few paragraphs are a short summary of how the capital expenditure links to the revenue budget.

The Council capital programme is shown in **Section 4** (table 5, new schemes) and **Section 10** (Replacement Programme and previously approved schemes). The capital programme is different from revenue budgets in that borrowing and asset sales may be used to fund expenditure.

The Council's financing of its capital programme is always estimated as part of the budget process and concluded at financial year-end. The actual methods of financing can differ from the estimates depending whether the relative costs of each method change. The Director of Financial Services will determine the optimal mix of resources at the end of the financial year.

The Medium-Term Financial Strategy identified the following policy:

The Council will only undertake capital investment in support of its priorities and where it supports asset maintenance, invest-to-save schemes or strategic intent (such as the provision of affordable housing). Capital spending plans, whether funded from internal resources or through borrowing, will be affordable, prudent and sustainable.

The impact on the Council's revenue budget of undertaking capital investment is via:

- Additional running costs, income or savings resulting from the acquisition of equipment or on completion of a capital project.
- Funding of capital schemes
  - A. Direct Revenue Financing of capital schemes. An expenditure line in the Council's Revenue budget which in effect funds capital expenditure
  - B. Borrowing costs. Interest and principal repayments (Minimum Revenue Provision (MRP)) are a revenue cost
  - C. Aborted Schemes. Feasibility or design works on schemes that are aborted are revenue cost. So, any such costs funded from capital, capital grants or borrowing will need to be charged to revenue resources. This is a requirement under government accounting practice.

#### **A. Direct Revenue Financing of capital schemes**

The revenue budget for 2021/22 contains a contribution to (Direct Revenue Financing) Capital expenditure of £3.1m.

- New Homes Bonus (NHB) has previously contributed to funding of capital expenditure and will continue to do so. The NHB of £3.1m (current year allocation plus previous legacy payments) will be fully utilised to fund capital expenditure. The funding will pass through the Chelmsford Development reserve and remain there if unspent in 2021/22 until applied in a later year to the capital programme.
- The Council has previously made contributions (£1.7m per year) to an Asset Replacement Reserve (ARR) which could then be used to finance capital expenditure. Mostly this would be to fund short-life assets (vehicles and plant). Given the significant financial pressures on the Council it is proposed to cease this

contribution and instead undertake additional borrowing. This borrowing would be repaid by MRP contributions met by revenue. Both funding mechanisms result in revenue contributions to the capital programme. The financial impact on the revenue budget of ceasing the ARR is to release £1.7m of savings into the 2021/22 budget. The saving will gradually reduce in size over the next few years as MRP costs increase to repay borrowing. This change will result in an additional interest cost after 5 years of around £85k per annum, however, it remains an option to avoid this interest cost by re-instating the ARR should savings or additional funding become available.

#### B. Borrowing Costs

The Council's capital programme does require the use of borrowing which is currently planned to be internal borrowing using council cash balances instead of taking on external loans. The cost of internal borrowing is the interest forgone from not investing Council funds and a Minimum Revenue Provision. These matters are discussed in the Capital Strategy 2021/22 elsewhere on the agenda.

Minimum Revenue Provision, money set aside to repay the principal of debt of £966k. Further details can be found in the Capital Strategy 2021/22. The MRP charge is made to revenue budgets for any assets funded from borrowing the year after the asset is complete. The use of borrowing means the Council will finance its programme on a sustainable basis but through annual contributions to repay debt. The gross budget variation between 2020/21 and 2021/22 is £888k but

- Operational Leasing budgets transferred out of services and included in the MRP reserve: £396k
- Additional debt cost from not making 2019/20 and 2020/21 revenue contributions to capital (boosting reserves instead) in 2021/22: £140k
- Self-Financing Housing Purchases: £70k

Debt costs for the authority can increase if planned capital receipts are delayed, as borrowing will be used to fund the capital expenditure instead.

#### C. Aborted Schemes Feasibility or Design Works

The Council can charge feasibility and design works to capital resources only when a scheme creates an asset. Should a scheme not continue to completion, any costs charged to capital would be required under Government accounting practice to be charged to revenue. The risk of costs falling on revenue increases when the Council undertakes schemes with partners or where the scheme is only viable due to external funding. In these circumstances, the Council may find it cannot continue with a scheme for reasons beyond its control. The capital programme includes a number of large schemes with significant third-party involvement; the works at Chelmer Waterside, supported by Homes England's Housing Infrastructure Fund (HIF), are the best example. Given the significant size of these types of scheme and their structure, provision should be made for the risks of costs falling back onto revenue by creating an earmarked reserve to alleviate the consequences, which is detailed in **Section 6**.



## **Section 6**

### **Balanced Revenue Budget 2021/22, Forecast & Reserves**

#### **Balanced Revenue Budget 2021/22**

Covid-19 income losses of £4.8m estimated for 2021/22, created a significant challenge to balance the budget. Given the size of the gap, it is prudent to target to resolve the shortfall over two years, rather than one. This will avoid the risk of making savings that may not be necessary due to forecasting error. More importantly, most of the income losses caused by Covid-19 are likely to be temporary, reducing in severity during 2021/22, with only a few services such as Car Parking expected to suffer long-term losses. In line with the Council's Financial Strategy, it is proposed to use Unearmarked Reserves, £1.321m, to support the 2021/22 Revenue budget.

Additional one-off Government funding has also been provided for 2021/22, which provides support to meet these temporary income losses, and additional costs, due to Covid-19. This reduces the immediate strain on Reserves which had previously been expected to be much higher.

The draft budget assumes a Council tax increase of £4.95 (£340k of extra income), the maximum allowed without a referendum. After allowing for a tax-base increase, this results in total additional Council Tax income of £405k. Further details on Council Tax can be found in **Section 8**.

**Table 6a** below summarises the movements and variation in resources applied to balance the 2021/22 budget.

**Table 6a Balanced Revenue Budget 2021/22**

<b>2021/22</b>	
<b>£000s</b>	<b>Balanced Revenue Budget 2021/22</b>
<b>2,794</b>	Base Budget Position (see section 2)
<b>4,763</b>	Covid Losses (see Section 2)
<b>7,557</b>	<b>Budget Gap</b>
100	Growth in Revenue Budget
	One-off Growth removed from future years
55	New Capital Schemes
-2,101	Savings (Section 2)
-405	Council Tax Funding
53	Council Tax Deficit (funded Unearmarked reserves)
-1,723	Fund asset replacement from debt
<b>3,536</b>	<b>Budget Gap (before use of unearmarked reserves) &amp; One-off Govt Funding</b>
102	Change in Business rate including Sec 31 grants
-700	Sales, Fees and Charges Grant
-189	Local Council Tax Support
-783	Covid-19 Expenditure pressures grant
-645	Lower Tier Grant
-1,321	Use of Unearmarked Reserves
<b>-</b>	<b>Budget Gap remaining</b>

Without the additional Government funding, the Council would have used £3.5m (budget use £1.321m) of Reserves to meet one-off pressures and enable a transition to a post-Covid-19 income position. The explanation on the Revenue forecast and Reserves below plus the Risks & Robust Budget Section (**section 7**) provide further context as to why it is prudent to meet the budget gap from one-off resources.

#### Revenue Budget Forecast

The Director of Financial Services produces regular forecasts of the Council's finances and an annual Medium-Term Financial Strategy which uses these forecasts to set out a financial strategy to manage the financial challenges faced.

The Budget should be considered along with the forecast (including Reserves and Council tax) when decisions are made regarding whether the budget is affordable and sustainable.

A forecast of capital expenditure and income is contained in the Capital Strategy, in line with statutory requirements.

#### Revenue Forecast

In summary the projected budget shortfalls are shown in **Table 6** below:

Year on Year Budget Forecast Budget Changes	2022/23 £000s	2023/24 £000s	2024/25 £000s	2025/26 £000s	Notes
Pre-Covid-19 Budget Position	967	513	482	317	A
Covid-19 Income changes	-2,403	-50	-	-	B
<b>Initial Budget Gap</b>	<b>-1,436</b>	<b>463</b>	<b>482</b>	<b>317</b>	
Service Investments	388	300	300	300	C
Impact of 2021/22 Savings	-15	50	-	-	D
Council Tax Income	-526	-525	-577	-540	E
Government Funding (net)	2,517	-	-	-	F
Use of Unearmarked Reserves	1,250	-	44	-	G
<b>Budget Gap</b>	<b>2,178</b>	<b>288</b>	<b>249</b>	<b>77</b>	
<b>Cumulative</b>		<b>2,466</b>	<b>2,715</b>	<b>2,792</b>	

The notes to Table 6 are:

- A. Base Assumptions: These costs are essentially the normal year-on-year increases for pay inflation 2% £660k, pension fund deficiency £175k, MRP £495k (2022/23), less assumed increases from inflationary price rises on fees and charges levied by the Council £450k. The MRP cost rises more slowly after 2022/23 reflecting the costs within the approved capital programme, anticipated capital receipts and the removal of ARR (**Section 5**).
- B. Income Recovery Assumptions: The 2021/22 Budget includes £4.8m of losses but the forecast projects a recovery of £2.4m of income in 2022/23. Broadly, all income streams are expected to return to pre-Covid-19 levels with the exception of
  - o Car Parking Income. This expected to return to 80% of pre-Covid-19 levels
  - o Rental Income from shopping centres is not expected to recover until 2023/24.
- C. Service Investments: The impact of the 2021/22 revenue and capital service investments (**Section 4**) will not be fully realised until 2022/23. Additionally, a presumed £300k of service enhancements are allowed for in each year.

- D. Impact of 2021/22 Savings plan: The identified savings are not all ongoing so, as these benefits cease, the budget gap for later years increases. Details are in **Section 3**
- E. Council Tax Income: The forecast assumes 800 properties a year are built in Chelmsford and a £5 increase in annual Band D, which is the current maximum allowed for by Government (without triggering a referendum).
- F. Government funding: The settlement is for one year, 2021/22, and nearly all the key elements are proposed to be reviewed by the Government in 2021/22. The reviews have in most cases all been deferred from previous years. Given the uncertainty, the forecast reflects the removal of all the new grants deemed one-off by Government (£2.2m), changes to Sec31 grants and the reset of Business Rate Retention baseline (£200k of Business Rate Retention income that currently supports ongoing service expenditure).
- G. Reserve: The use of reserves in 2021/22 to support the budget is effectively the same as one-off income, so the forecasts assume this will cease in 2022/23. Any additional use of reserves should be considered in the light of the overall level of reserves and budget risk.

### Reserves

The Reserves are intended to be used in the following circumstances:

- The need to fund planned one-off expenditure/loss of income such as:
  - The use of reserves to temporarily balance loss of car parking income
  - Capital funding including the partial funding of the redevelopment of Riverside
- The need to protect against unbudgeted risks, for example:
  - Business Rate retention timing difference or reduced business rate income
  - Temporary falls in income
  - Homelessness and other demand-led costs

The Council will seek to increase the level of its unearmarked reserves (General Fund plus Contingency) and maintain this at an appropriate level commensurate with the level of financial risk it faces. As a minimum, the Council should work towards a target level of approximately £9m, whilst recognising that the level of balances will fluctuate over time as it adjusts to short-term pressures in the revenue budget. **Section 7** identifies the issues that the Director of Financial Services considers when setting the target.

The Reserve levels have been updated and are discussed below.

In summary, the material transfers to and from reserves in 2021/22 are:

**Table 7**

Transfer +to/-from reserve £m	Reserve Name
<u>Contribution from Revenue:</u>	
£0.717m	To the Pension deficiency cost
£3.1m	New Homes Bonus to Chelmsford Development Reserve and then contribute to Capital
£0.05m	Insurance Reserve. The Council as part of its Risk Management Strategy self-insured part of some types of claims. The funding comes from the insurance reserve. The insurance reserve has in the past been funded from Council underspends. It is proposed to start making revenue contributions to the insurance reserve from 2021/22, with annual increases thereafter, so that the fund will eventually have some £200-£250k of annual funding.
Savings of £0.078m	DPO: The projects identified will enable budgets to be reduced
<u>Transfer from General Fund and Contingency</u>	
£2.0m	To establish Infrastructure Provision, as discussed in Section 5 note c.
£0.3m	To Local Development Framework. To fund local plan expenditure.
<u>Use of Reserves to Support expenditure</u>	
£0.19m	Local Development framework
£0.16m	DPO Reserve. To support investment in Digital Technology. See <b>Section 3</b>
£0.1m	Use of Park and Ride Reserve as a saving in 2021/22
£3.1m	Chelmsford Development Reserve to support the capital programme
£0.2m	Anticipated use of Insurance reserve to cover uninsured losses.
£1.321m	Use of General Balance to meet Covid-19 losses and other items, including the Council Tax deficit for 2020/21

A forecast of the reserves for 2021/22 and future years is shown in **Table 8**, at the end of this section. It also identifies the purpose of each reserve and any delegation for their use.

Table 8 - Usable Reserves Projections																	
		2020/21 (Forecast)			2021/22 Budget					2022/23 (Forecast)				2023/24 (Forecast)			
			Budgeted (use of) / contribution to reserves	Closing Balance		Opening Balance	Budgeted (use of) / contribution to reserves	Transfers	Closing Balance		Opening Balance	Budgeted (use of) / contribution to reserves	Closing Balance		Opening Balance	Budgeted (use of) / contribution to reserves	Closing Balance
	Earmarked	£000s	£000s	£000s		£000s	£000s		£000s		£000s	£000s	£000s		£000s	£000s	£000s
	1 Cultural Support 'Fund'	154		154		154			154		154		154		154		154
	2 Chelmsford development	0		0		0			0		0		0		0		0
	3 Infrastructure Provision	0		0		0		2,000	2,000		2,000		2,000		2,000		2,000
	4 Growth fund	69		69		69			69		69		69		69		69
	5 Insurance	1,183		1,183		1,183	-150		1,033		1,033	-100	933		933	-50	883
	6 Local Development Framework	642	-191	451		451	-190	300	561		561	-200	361		361	-225	136
	7 Pension deficiency	3,370	-2,136	1,234		1,234	717		1,951		1,951	892	2,843		2,843	-1,611	1,232
	8 Park and Ride	213		213		213	-100		113		113		113		113		113
	9 Hylands House Reserve	3		3		3			3		3		3		3		3
	10 Housing Initiatives		150	150		150			150		150		150		150		150
	11 DPO Reserve	108	142	250		250	-80		170		170	-80	90		90	-80	10
	12 Project Evaluation Resrve		390	390		390			390		390		390		390		390
	13 Carry forwards	50	-50	0		0			0		0		0		0		0
	Total Earmarked Reserves	5,792	-1,695	4,097		4,097	197	2,300	6,594		6,594	512	7,106		7,106	-1,966	5,140
	Unearmarked																
	14 General Fund & Contingency	10,641	1,974	12,615		12,615	-1,323	-2,300	8,992		8,992	-44	8,948		8,948	-44	8,904
		10,641	1,974	12,615		12,615	-1,323	-2,300	8,992		8,992	-44	8,948		8,948	-44	8,904
	Total other reserves	16,433	279	16,712		16,712	-1,126	0	15,586		15,586	468	16,054		16,054	-2,010	14,044
	Not Available to Support Spend, until financial year end when the actual position is determined.																
	15 Business Retention reserve	1,954	17,602	19,556		19,556	-17,017		2,539		2,539	-1,033	1,506		1,506	-1,033	473

**Table 8 Continued - Reserves - Purpose and Delegation**

		<b>Purpose</b>	<b>Delegation</b>
1	Cultural Support 'Fund'	To contribute to Cultural Services costs	Relevant Director & Cabinet member
2	Chelmsford development	To support the ongoing development of the Chelmsford City area. New Homes Bonus plus other expected one-off income will be added to the reserve	Director of Financial Services & Cabinet member for a Fairer Chelmsford
3	Infrastructure Provision	To manage the risk of Capital costs becoming chargeable to revenue	Director of Financial Services & Cabinet member for a Fairer Chelmsford
4	Growth fund	Funding Held for Strategic Planning issues	Relevant Director & Cabinet member
5	Insurance	To meet losses and policy excesses where more appropriate to insure internally than externally.	Relevant Director & Cabinet member
6	Local Development Framework	To meet expenditure on the LDF	Relevant Director & Cabinet member
7	Pension deficiency	To support the financing of the annual deficiency payments on the pension fund. To fund one off staff costs e.g. flexible retirement, redundancy.	Chief Executive, Director of Corporate Services for one-off staff costs.
8	Park and Ride	To smooth management contract costs of Park and Ride	Relevant Director & Cabinet member
9	Hylands House	To contribute to Hylands House and Estate costs	Relevant Director & Cabinet member
10	Housing Initiatives	To establish funding to undertake initial stages of projects that may not be capital costs.	Director of Financial Services & Cabinet member
11	DPO Reserve	The Medium-Term Financial Strategy reported to October 2019 Cabinet established a DPO process	Chief Executive
12	Project Evaluation	The capital programme includes schemes which require further feasibility and business work, so this reserve enables production of robust business plans	Director of Financial Services & Cabinet member
13	Carry forwards	These are working balances arising from the carry forward policy, set out in financial regulations	Relevant Director & Cabinet member
15	General Fund	These are uncommitted working balances to meet the unforeseen needs of the Council.	Normal Supplementary estimate rules (within constitution)
16	Business Retention reserve	To manage the volatility of the business rate retention scheme.	To be used by Director of Financial Services as part of the annual closure of the Business Rate account



## **Section 7**

### **Risks & Robust Budget**

#### **Statement from the Chief Financial Officer under s25 of the Local Government Act 2003**

##### **Introduction**

The Local Government Act 2003 (Section 25) places a statutory duty on the Chief Financial Officer to report to the authority, at the time the budget is considered and the council tax is set, on the robustness of the budget estimates and the adequacy of the financial reserves. The Act requires the Council to have regard to the report in making its decisions at its budget and council tax setting meetings.

In expressing this opinion, I have considered the financial management arrangements of the Council, the overall financial and economic environment, the financial risk facing the Council, the budget assumptions, the level of reserves, and the Council's overall financial standing.

##### **Financial Management Arrangements**

The Council has a rigorous system of budget monitoring and financial control in place, with regular reporting both at Executive and Scrutiny level, via the Audit & Risk Committee (year-end review), Overview and Scrutiny Panel (mid-year review) and Cabinet. Where budget variances have arisen, prompt management actions are identified to minimise any adverse effect and enable early corrective action to be put in place where relevant.

The budget process for 2021/22 included informal discussions and workshop sessions with Cabinet Members in order to ascertain the priorities for the budget, and to understand cost drivers, demand pressures and the underlying assumptions contained within the budget, such as inflation, interest rates and the cost of borrowing.

Cabinet Members also supplied an additional layer of budget challenge to the process, through meetings with their Directors, to explore opportunities for efficiencies, cost reduction or income generation. The Council's Management Team has reviewed and challenged the budget at various stages throughout its construction, including the reasonableness of the key budget assumptions, such as estimates of inflationary and corporate financial pressures, realism of income targets and the extent to which known trends and liabilities are provided for.

The budget has been prepared within the terms of the Medium-Term Financial Strategy and in consideration of the key financial risks identified.

In recent years, there has been a growing trend to increase the range of tools available to Councils to assess, and where necessary, improve their financial management. The Chartered Institute for Public Finance and Accountancy (CIPFA) has developed a Financial Management Code, designed to support good practice in financial management by setting out a series of principles supported by specific standards and statements of good practice. The Council will carry out a self-assessment against the new Code and create an action plan if required to meet the over-arching principles. CIPFA also produce an annual Resilience Index which allows authorities to view their position in respect of a range of indicators of financial risk. While such tools can be blunt instruments, which do not take account of local circumstance, they are nevertheless a useful starting point for provoking internal challenge.

The Council continues to meet requirements to produce what has now become a suite of financial management reporting, including the budget report, Medium-Term Financial Strategy (MTFS), Treasury Management and Investment Strategies and Capital Strategy, which form the framework for financial decision-making. In addition, the Council has due regard to both statutory and non-statutory guidance including the Prudential Code for Capital Finance in Local Authorities and related MHCLG Investment Guidance. Due to the financial effects of Covid-19 on the Council's budget, additional reporting has been undertaken during the year, including a financial briefing note to all Members in the early months of the crisis, and both a July MTFS and an updated MTFS in November/December to ensure early budget actions were captured and progressed in a timely manner. In addition, there have been regular opportunities for Members to raise queries in weekly briefings from the Chief Executive or during Member Information sessions on capital financing or budget setting, for example.

Reporting against the financial framework is undertaken via the budget monitoring process referred to earlier in this section and through the external review of the financial statements of the Council and its arrangements to secure economy, efficiency and effectiveness in its use of resources (value for money conclusion) from the Council's external auditors and is supported by the Performance review work of the Overview and Scrutiny Committee, the Treasury Management and Investment Sub-committee and the recently refreshed Risk Management process.

I consider the financial management arrangements of the Council to be sufficiently robust to maintain adequate and effective control of the budget for 2021/22.

#### **Financial and Economic Environment, Risks and Assumptions**

Chelmsford has received additional (but one-off) funds from the Provisional Local Government Finance Settlement and associated emergency funding for Covid-19 pressures. Without this additional Covid-19-related funding, the Council would have had to draw considerably higher amounts from its reserves to plug the temporary gap in its budget, while waiting for income streams to recover over time. This would have left the Council with a severely reduced buffer to deal with unpredicted spending (such as future unknown events related to Covid or anything else or to compensate for any falls in major income streams).

The Government has a headline figure of "core spending power" (CSP), which is meant to represent the overall revenue funding available for local authority services. For 2021/22 this will rise by 4.5% across England. However, this assumes maximum Council Tax increases and growth in the number of homes paying Council Tax. This would not hold true for many authorities, including Chelmsford, who are likely to experience lower than average Council Tax base growth, due to slow down in development. There could be a further fall in Council Tax income from an increasing caseload for local council tax support.

For Chelmsford, core spending power for 2021/22 as measured by Government, is in fact retained at its 2020/21 level i.e. zero growth. The major reduction in New Homes Bonus, due to removal of legacy payments from 2020/21, meant that an overall reduction in resources would have been experienced. To combat this, the Government introduced a floor mechanism, for 2021/22 only, so that the new Lower Tier Services grant was topped up by an additional £500k (from £145k to £645k in total) to avoid a reduction in overall CSP.

	2020/21	2021/22	Change £m	Change %
<b>Core Spending Power (£m)</b>	21.553	21.553	0.0	0.0%
<i>Breakdown of core spending power:</i>				
Settlement Funding Assessment	3.408	3.408	0.0	0.0%
Assumed Council Tax	13.582	14.192	0.610	4.5%
Other grants	4.563	3.953	-0.610	-13.4%

<i>Breakdown of other grants:</i>				
New Homes Bonus	4.426	3.130	-1.296	-29.3%
Lower Tier Services Grant	-	0.645	0.645	
Other	0.137	0.178	0.041	30.0%

The risks inherent in the funding announcement are multi-fold. First and foremost is the continued uncertainty provided by a single-year Settlement, exacerbated by the lack of information on progress with the Fair Funding review, rescheduled for introduction in 2022/23, which could see seismic shifts in the redistribution of funding between authorities, based on a major overhaul of the mechanism for assessing their relative needs. While the 2021/22 Settlement removed the threat of negative Revenue Support Grant and provided the funding floor mechanism described above, there is no guarantee that this will not unwind under a new allocation mechanism, leaving the Council worse off. The expectation would be that any major redistributive effects would have some sort of transition arrangements attached, to allow Councils time to respond, however, this is simply speculation at this point.

The remodelling of the Business Rates Retention Scheme has also been deferred, with one of the major factors at play being whether the baselines for business rates growth will be reset within the system, potentially wiping out gains to date. The New Homes Bonus Scheme is also set for review, with both the 2020/21 and 2021/22 allocations being announced for a single year payment instead of being payable for 4 years as per previous allocations. While Chelmsford City Council has reaped the benefits of New Homes Bonus by supporting and facilitating local housing growth, it is difficult to predict what future changes to the scheme may mean locally. Outside of core spending power, funding streams for homelessness support and prevention have been increased but, once again, are for a single year with no certainty as to future allocations or mechanisms for distribution.

During 2020/21, much of the financial focus has been on the effect of the coronavirus pandemic on the Council's income streams, with parking, commercial rents, Leisure and other income streams being badly hit. For 2021/22, and beyond, assumptions have been made in the budget as to how quickly, and to what extent, these income streams will recover. While compensation has been announced for some losses in the first three months of the new financial year, some effects may be longer lasting. It remains to be seen, for example, whether the demand for parking returns to previous levels as High Streets take time to recover, businesses look for premises in new locations and people work from home more often than before the pandemic.

The economic climate may also have an effect on income received for other services offered by the Council, on the collection rates for both Council tax and Business Rates, and on the level of bad debts experienced by the Council. The efficacy of Test and Trace and the speedy roll-out of vaccines will be essential in supporting a return to a more stable economic future.

These are all key considerations in assessing the robustness of the estimates contained within the budget report and the adequacy of the Council's reserves. There is interplay between the two, as the more certain we can be about the estimates, the lower the level of "just in case" reserves we need to keep and vice versa. The 2021/22 budget will contain a great deal of uncertainty and risk, and while the estimates are the best that can be produced under the current circumstances, it is vital that sufficient reserves are held to guard against changes to these estimates.

The Council continues to seek other forms of funding and has an excellent track record in securing grant from a variety of sources such as Homes England (Housing Infrastructure Fund), MHCLG (Rough Sleeper Initiatives, Rapid Rehousing Pathway, Next Steps Accommodation Programme), Arts Council (Culture Recovery Fund), National Lottery Heritage Fund and many others. However, it is important that any one-off funding is used to provide additional services over and above that provided by core delivery or to provide one-off enhancements to assets, rather than to form any part of funding for on-going service delivery.

Financial Risk within the budget has been mitigated by using New Homes Bonus to support capital spend via the Chelmsford Development Reserve, building up the insurance reserve to fund uninsured losses and creating a reserve to hedge against the risk from aborted capital projects. In addition, sums have been set aside previously to support the Digital Portfolio Office (DPO), in order to drive technological change from within the business and build on the infrastructure already in place. The DPO is expected to deliver on-going revenue savings or efficiencies in service delivery, once costs are paid back to the reserve, adding to the financial sustainability of the Council moving forward.

Risk is further mitigated by holding back income from the Business Rates Retention Scheme until it is certain and not building it into base budgets at the start of the year. Business Rates income can be volatile and heavily affected by national and local economic conditions and assumptions around appeals against business rates, which can take years to unwind and require the Council to set aside sums to settle current and future appeals. At this stage, it is unknown whether businesses will be able to appeal their business rate valuations due to the effect of Covid-19, under what is known as a Material Change of Circumstances. The Valuation Office Agency (VOA) are currently considering this matter which could have far-reaching consequences for business rates income.

Complex assumptions are incorporated into the estimates for Business Rates income and the provision for appeals, as well as provision for bad debts across wider service areas including Council Tax and Benefits. Other assumptions within the budget include pay assumptions, pension valuations, inflation assumptions and interest rate assumptions. These are based on expert knowledge both within and outside of the Council, using experts where necessary and incorporating data from the Bank of England, central government statistics and other sources. Assumptions around demand levels are based on the professional expertise and local knowledge of service managers, within the local economic and demographic context, and take account of the continuing growth of the City area. Income budgets are set having due regard to demand constraints, affordability, cost inflation pressures, trend analysis and strategic aims. Further detail on the assumptions used in the budget are set out in **Section 3** of the budget report.

I consider that these budget proposals take due regard to risk, including the financial and economic environment, that the assumptions within the budget are reasonable and the estimates used are robust.

### **Level of Reserves and overall Financial Standing**

In the wake of Covid-19, we have seen a number of Councils reportedly considering issuance of a section 114 notice, as they struggle to balance their budgets. A s114 notice stops all non-essential spending and provides for a 21-day period for the Council to consider the report and what action it may take as a result. A further notice must be issued if the budget remains unbalanced. Cipfa amended their guidance on issuing s114 notices, so that Councils could hold off issuing them if they were in talks with Government about funding. This has likely reduced the number of s114 reports that would otherwise have been issued in response to the effects of Covid-19. In November, Croydon Council became only the second authority in 20 years to issue a s114 notice, due to a reported potential budget gap for 2020/21 of some £66m, a significant part of which was non-Covid-19 related, with the Council requiring Government support to enable it to return to financial sustainability.

Whilst having robust estimates, that are adhered to, is critical to balancing any budget, the level of reserves held to support any movement in the estimates is critical for longer-term sustainability. In past years, councils have been criticised for holding too high a level of reserves but more recently, given the increased awareness of the potential for local government failure, there has been greater emphasis on financial sustainability, which requires holding a “reasonable” level of reserves. What is reasonable will be dependent on local circumstances and there is no mandated minimum level set by regulators.

The Council’s Medium-Term Financial Strategy previously set a target for its unallocated reserves (General Fund and Contingency) of 5% of its gross revenue expenditure (around £7m) whilst recognising that the level held will fluctuate over time as it adjusts to short-term pressures in the revenue budget. The latest Strategy, approved by Council in December 2020, contained a recommendation to increase this target level to £9m. While this is only a small percentage rise (to around 6% of gross expenditure) it provides some additional capacity to cope with variations in the estimates. This is vital in the current circumstances, particularly given the volatility of the Council’s income streams during the pandemic and the increased difficulty of projecting how these income streams will respond in the future. This will be affected by the level of restrictions imposed by Government, the progress of vaccination, the economic landscape and the level of any further Government funding.

We have seen during 2020/21, that Chelmsford’s levels of reserves would have been inadequate to balance the budget without Government support and measures taken internally to divert funds that would otherwise have been used for capital acquisitions. Chelmsford has also fared poorly in comparison of its reserves with other authorities, although care must be taken when considering such indices, as local circumstance is not always fed into the calculations.

The high-level forecast set out in **Section 6** shows a potential budget gap of £2.2m in 2022/23 rising to some £2.8m by 2025/26. The report has already highlighted the potential risks in this forecast, not least from the unknown changes that may occur in Government funding from 2022/23, and reserves need to be at a level to support these future risks.

The Council will need to make an early start on identification of savings proposals to ensure a balanced budget moving forward and will continue to look for innovation and efficiency in its use of resources. The economic climate however may curtail some forms of income generation as commercial rents are squeezed, business rates income falls, or other income streams do not recover as predicted. In addition, the regulatory framework continues to change with tighter restrictions on borrowing from the Public Works Loan Board effectively ruling out commercial

investment predominantly for return (this is set out in more detail in the Council's Investment Strategy) and an expected tightening of the Prudential Code that sets out the framework for Capital financing by local authorities.

After many years as a debt-free authority, following transfer of its Housing stock in 2002, the Council's capital receipts have largely been deployed, requiring it now to borrow to support the Capital programme. The estimates contained in the budget make assumptions about the level of borrowing and the costs of carrying debt (provision for repayment (MRP) and interest costs). The Capital budget assumes some capital receipts during the programme timescale and the Council has earmarked next year's New Homes Bonus to support capital expenditure. Previously the Council made revenue contributions to the Asset Replacement Reserve to support capital expenditure, but these contributions have been ceased in order to balance the budget and are replaced in part by revenue cost of debt as described above. This approach is supported by the MTFS.

Changes to timing of project delivery and/or the timing or level of capital receipts or external funding will affect the level of borrowing required and the impact on the revenue account. While the Capital Programme over the medium-term is an ambitious one, the cost of any borrowing to fund this programme is prudent and affordable within the terms of the Prudential Code and can be met from the revenue budget as set out in the report. As decisions made now can affect the Council for many years to come, in terms of interest payment and provision for repayment of borrowing, it is important to ensure that the on-going effect of borrowing is affordable in future years. The potential variability, however, again highlights the need for sufficient reserves to be maintained to be able to respond to any changes in costs and timing.

In addition to un-earmarked reserves, the Council holds a number of earmarked reserves to provide for future expenditure such as pension deficit payments, to guard against specific risk such as the proposed new reserve to support revenue costs of abortive capital projects, and to hold uncertain income until it is fully realised (Business Rates Retention income). Further detail on these reserves is contained in **Section 6** of the report.

The Council has a good track record for delivering its budget commitments and making prudent financial provision against risk and for future expected spending plans.

I consider the level of reserves presented in the budget estimates to be adequate to support the on-going financial sustainability of the Council. However, early identification of future net savings (cost reductions or increased income generation) is essential to support the sound financial standing of the Council.

### **Conclusions**

Taking all of the above into account, as the Council's Chief Financial Officer, I am satisfied that the budget proposals set out in this report are robust and sustainable and that the level of reserves is adequate to address the financial risk facing the Council.

Amanda Fahey - Director of Financial Services/Chief Financial Officer



## **Section 8**

### **Council Tax & Business Rates**

The Council's budget is heavily dependent on Council tax income. Not only is the amount significant (£14m) but it also provides a stable income. The Council has only limited discretion to increase Council Tax, as the Government annually set a threshold which if exceeded requires a local referendum.

The Council also benefits from business rates, keeping some 4% of the total business rates raised locally. This share is determined as part of the Government's formula funding assessment. Additionally, through the Business Rates Retention Scheme, the Council receives one-off rewards for growth in the total local business rate income. The Council has no ability to increase local business rates but does have some limited ability to locally offer reductions in business rates paid but at the Council's cost.

This section identifies the issues arising from Business Rates and Council Tax when setting the Council's Budget for 2021/22.

#### **Council Tax Referendums**

The Government has announced that Council Tax increases of the greater of either 2% or £5 for District authorities will not be subject to a local referendum. The budget includes proposals to increase a band D Council Tax by up to £4.95 per year.

#### **Council Tax, Parish Grant & Special Expenses Proposal 2021/22**

The Council levies Council Tax by identifying a Precept (net Council expenditure after government grants); a charge is then calculated for each residential property. The average of these charges is expressed as a "Band D Average". The average is estimated by dividing the precept by the tax base (the number of Band D equivalent properties in the City Council area). The tax base for 2021/22 is 68,579.83.

A summary of the known Council Tax charges from each of the precepting authorities (an average is shown for Parishes) is shown in **Table 10**.

**Table 10**

	<b>2020/21</b>	<b>2021/22</b>	<b>Increase</b>	
	<b>£</b>	<b>£</b>	<b>£</b>	<b>%</b>
Chelmsford City Council (average)	199.00	203.95	4.95	2.48%
Essex County Council				
Police, Fire and Crime	To			
Commissioner for Essex	follow			
Essex Police, Fire & Crime				
Commissioner Fire & Rescue				
Authority				
<hr/>				
Parish and Town Councils (average)	To			
	follow			
<hr/>				
<b>TOTAL</b>				
<hr/>				

There was a review of Special Expenses during 2020/21 and the allocations reflect the findings of the review and are shown in **Table 11**. The Parish Council figures are not yet all available but will be included in the report to Council in February.

A Council Tax resolution will be drafted for Council upon approval of the precepts. The dates when the precepts become known are Essex County Council on the 23<sup>rd</sup> February and Essex Police & Fire 4<sup>th</sup> February.

If any precepts are not available by the 24th February Council meeting, an additional Council meeting will be convened to approve Council Tax billing levels.

The Director of Financial Services will prepare a formal Council Tax and Budget resolution for February Council based on the Cabinet recommendations in this report. The budget resolution is a technical document which reflects the information contained in the Revenue Budget reports. The resolution can only be completed on receipt of all the Parish information and after the Council has declared its Collection Fund Surplus or Deficit.

The Average Band D Council Tax for Chelmsford City for 2021/22 is £203.95.

Collection fund surplus/deficit: As part of the formal budget-setting process, the Council is required to estimate each year the estimated surpluses or deficits arising from Council Tax and Business Rates collection.

#### **Council Tax Surplus or Deficit**

The Collection Fund records the amount of income collected from Council Tax, the LCTS costs, together with precept payments to principal authorities. These elements will generate a surplus or a deficit which should be taken into account when determining the Council Tax for the following year. Chelmsford City Council's share of the Council Tax Deficit for 2021/22 is £143k; the Government allows this to be spread over 3 years (using a set formula) so £53k is included within the 2021/22 budget.

#### **Business Rate Surplus or Deficit**

To meet the legal requirements when setting the budget for 2021/22, the Council is required to declare by the 31st January 2021 a Business Rate Retention Surplus or Deficit, after submitting a return (NDR1) to Government. The Business Rate Retention figures contained in this report are therefore provisional and will be updated so that the Council Tax Resolution produced for Council will include a summary of the final surplus or deficit. Any changes to the figures will be managed through Reserves (Business Rates Timing Reserve and Unearmarked Reserves)

# CHARGES TO PARISH AND TOWN COUNCIL AREAS

Table 11

PARISH/ TOWN COUNCIL	2020/21									2021/22								
	<-- PARISH PRECEPTS -->			<----- BAND D EQUIVALENTS ----->						<-- PARISH PRECEPTS -->			<----- BAND D EQUIVALENTS ----->					
	Precept Request	Rounding to ninths	Rounded Precept	CCC charge (excl Special Expenses)	Special Expenses	Total CCC charge	Net Parish Precept	Total Charge to Parishes		Precept Request	Rounding to ninths	Rounded Precept	CCC charge (excl Special Expenses)	Special Expenses	Total CCC charge	Net Parish Precept	Total Charge to Parishes	
	(1) £	(2) £	(3) £	£	(5) £	£	(4) £	(6) £		(1) £	(2) £	(3) £	£	(5) £	£	(4) £	(6) £	
Great Baddow	434,319	219	434,538	171.27	13.41	184.68	79.56	264.24						8.28				
Little Baddow	46,053	2	46,055	171.27	13.59	184.86	52.83	237.69						19.08				
Boreham	89,950	18	89,968	171.27	11.16	182.43	65.61	248.04						5.67				
Broomfield	139,316	-20	139,296	171.27	15.30	186.57	55.44	242.01						22.50				
Chignal	7,600	8	7,608	171.27	11.16	182.43	26.28	208.71						29.70				
Danbury	212,481	68	212,549	171.27	6.03	177.30	87.57	264.87						3.42				
Galleywood	106,214	-75	106,139	171.27	24.21	195.48	50.22	245.70	To be calculated on a receipt of the last Parish precept.					27.54				
Good Easter	10,700	2	10,702	171.27	4.50	175.77	62.01	237.78						17.55				
East Hanningfield	35,703	15	35,718	171.27	11.25	182.52	72.00	254.52						26.37				
South Hanningfield	86,500	0	86,500	171.27	4.32	175.59	72.63	248.22						19.44				
West Hanningfield	26,828	-10	26,818	171.27	15.93	187.20	56.07	243.27						21.33				
Highwood	31,851	7	31,858	171.27	12.60	183.87	100.17	284.04						19.62				
Great & Little Leighs	30,000	-6	29,994	171.27	25.02	196.29	26.28	222.57						32.58				
Margaretting	12,420	-12	12,408	171.27	14.76	186.03	32.04	218.07						19.89				
Mashbury	0	0	0	171.27	9.63	180.90	0.00	180.90						17.55				
Pleshey	7,506	6	7,512	171.27	19.26	190.53	54.09	244.62						17.55				
Rettendon	41,494	-15	41,479	171.27	15.21	186.48	53.82	240.30						24.48				
Roxwell	15,000	-15	14,985	171.27	1.53	172.80	31.41	204.21						0.00				
Runwell	100,450	79	100,529	171.27	2.79	174.06	56.16	230.22						17.91				
Sandon	33,530	31	33,561	171.27	25.11	196.38	44.46	240.84						23.31				
Springfield	387,242	-349	386,893	171.27	34.56	205.83	49.23	255.06						31.86				
Stock	44,790	35	44,825	171.27	12.60	183.87	37.53	221.40						18.90				
Great Waltham	49,898	36	49,934	171.27	15.39	186.66	53.01	239.67						21.78				
Little Waltham	44,102	-1	44,101	171.27	14.85	186.12	54.81	240.93						23.85				
South Woodham Ferrers	428,187	78	428,265	171.27	29.16	200.43	70.38	270.81						23.85				
Woodham Ferrers & Bicknacre	77,610	29	77,639	171.27	4.23	175.50	62.91	238.41						18.63				
Writtle	132,100	5	132,105	171.27	10.26	181.53	65.34	246.87						2.34				
Town Centre (non-Parished area)				171.27	43.02	214.29	0.00	214.29						33.57				
<b>TOTALS</b>	<b>2,631,844</b>	<b>135</b>	<b>2,631,979</b>															
	.....	.....	.....															
<b>AVERAGE</b>						199.00	38.56	237.56										
								.....										

## NOTES

- (1) The total amount that the Parish/ Town Council intend to spend in the year.
- (2) An adjustment to make the Parish/Town precept divisible by 9 for Council Tax charging purposes.
- (3) The rounded Parish/ Town Council precept that is charged to the parishioners of the Parish.
- (4) The net Parish/ Town Council precept expressed as a charge to the average parish Band D property.
- (5) The actual amount spent on Special Expense items by the City Council in individual Parish/ Town Council areas, expressed as a charge on the average Band D property.
- (6) The total charge in individual Parish/ Town Council areas for Parish/ Town Council expenditure (the Parish/ Town Council precept), and other items, expressed as a charge on the average Band D property.

## Section 9

### Revenue Budget Reports

#### Revenue Service Budgets

This section contains

1. Subjective Analysis of the Council Revenue Budget (**Table 12**)
2. A summary of the budget (**Table 13**)
3. Service Budgets (Expenditure and Income) for 2021/22 (**Table 14**)

**Table 12 - SUBJECTIVE ANALYSIS OF THE REVENUE BUDGET**

2019/20 Actual £000s		2020/21 Original £000s	2021/22 Estimate £000s
	<b>EXPENDITURE</b>		
32,977	Employees - Salaries	36,588	33,678
432	- Other	277	343
7,241	Premises	6,624	7,146
5,735	Supplies and Services	5,350	5,466
2,390	Transport and Plant	2,243	1,865
7,632	Third Party Payments	8,154	7,487
39,289	Benefit Payments	44,235	39,035
-	Miscellaneous	-	
<b>95,696</b>	<b>TOTAL CONTROL EXPENDITURE</b>	<b>103,471</b>	<b>95,020</b>
	<b>INCOME</b>		
-38,729	Government Grants	-43,871	-38,510
-3,708	Other Grants and Reimbursements	-2,131	-2,409
-1,159	Sales	-1,231	-919
-24,504	Fees and Charges	-27,239	-24,104
-8,943	Rents	-9,631	-7,975
-606	Other	-493	-505
<b>-77,649</b>	<b>TOTAL CONTROL INCOME</b>	<b>-84,595</b>	<b>-74,422</b>
<b>18,047</b>	<b>NET CONTROL EXPENDITURE</b>	<b>18,876</b>	<b>20,598</b>
	<b>INTERNAL RECHARGES</b>		
23,929	Service Management and Overheads	25,174	25,352
-24,082	Recharges	-25,341	-25,506
<b>-153</b>		<b>-168</b>	<b>-154</b>
<b>17,894</b>	<b>SERVICE EXPENDITURE</b>	<b>18,708</b>	<b>20,444</b>
	<b>OTHER ITEMS</b>		
-765	Interest Receivable & Investment Income	-494	-290
56	Interest Payable & MRP	80	1,009
-4,126	Business Rate Retention Adjustment	-2,262	16,817
-	Direct Revenue Financing of Capital	4,823	3,130
-4,011	New Homes Bonus & Other Govt Grants	-4,652	-5,625
<b>-8,846</b>		<b>-2,505</b>	<b>15,041</b>
	<b>USE OF RESERVES AND BALANCES</b>		
2,629	Contributions - from / to Earmarked Reserves	726	-16,820
4,558	Contributions - from / to Un-Earmarked Reserves	162	-1,323
<b>7,187</b>		<b>888</b>	<b>-18,143</b>
<b>16,235</b>	<b>BUDGET REQUIREMENT</b>	<b>17,090</b>	<b>17,342</b>
-3,353	<b>LESS GOVERNMENT SUPPORT</b>	-3,408	-3,408
54	Collection Fund (Surplus) / Deficit	-100	53
<b>12,936</b>	<b>CALL ON COLLECTION FUND</b>	<b>13,582</b>	<b>13,987</b>

**TABLE 13 - SUMMARY OF REVENUE ESTIMATES**

2020/21 Original Estimate £'000	Original Estimates 2021/22	2021/22 Estimated Spend £'000	2021/22 Estimated Income £'000	2021/22 Net Estimate £'000
330	<b>Chief Executive</b>	498	0	498
8,380	<b>Connected Chelmsford</b>	10,101	-1,739	8,362
-195	<b>Fairer Chelmsford - CDRM</b>	229	-200	29
3,348	<b>Fairer Chelmsford</b>	49,913	-47,660	2,253
-3,919	<b>Sustainable Development</b>	6,584	-8,565	-1,981
10,932	<b>Greener &amp; Safer Chelmsford</b>	27,696	-16,258	11,438
18,876	<b>Service Expenditure</b>	95,021	-74,422	20,599
	<b>Other General Fund Items</b>			
-168	- Charges to SEPP			-155
-494	- Interest Income			-290
80	- Minimum Revenue Provision & Interest Paid			1,009
4,823	- Revenue Funding of Capital			3,130
-4,706	- Other Grants (including New Homes Bonus, Section 31 Grants)			-5,625
-1,946	- Business Rate Retention Scheme			16,817
	<b>Earmarked Reserves</b>			
-50	- Use of Carry Forward Reserves			0
1,746	- Business Rates Retention Scheme Reserve			-17,017
-1,286	- Contributions to / -use of Other Earmarked reserves			197
16,874	<b>Net Expenditure</b>			18,665
216	Contribution to / -from Balances			-1,323
17,090	<b>Budget Requirement</b>			17,342
-3,408	Baseline Retained Business Rates			-3,408
-100	Council Tax -Surplus/+Deficit			53
13,582	<b>Income from Council Tax</b>			13,987



**TABLE 14 - SERVICE BUDGETS**

**CHIEF EXECUTIVE**

2020/21 Original Budget £		2021/22 Estimated Spend £	2021/22 Estimated Income £	2021/22 Net Estimate £
329,600	CHIEF EXECUTIVE & DPO	497,500	-	497,500
<b>329,600</b>		<b>497,500</b>	<b>0</b>	<b>497,500</b>
<b>329,600</b>		<b>497,500</b>	<b>0</b>	<b>497,500</b>

## CONNECTED CHELMSFORD

2020/21 Original Budget £		2021/22 Estimated Spend £	2021/22 Estimated Income £	2021/22 Net Estimate £
	<b>DIRECTOR OF CONNECTED CHELMSFORD</b>			
253,300	DIRECTOR OF CONNECTED CHELMSFORD	258,500	-	258,500
<b>253,300</b>		<b>258,500</b>	<b>0</b>	<b>258,500</b>
	<b>DIGITAL SERVICES</b>			
2,841,800	DIGITAL SERVICES	2,925,100	-50,000	2,875,100
<b>2,841,800</b>		<b>2,925,100</b>	<b>-50,000</b>	<b>2,875,100</b>
	<b>MARKETING AND ENGAGEMENT TEAM</b>			
794,700	CUSTOMER SERVICES	764,000	-	764,000
1,027,800	MARKETING & ENGAGEMENT	1,061,100	-341,900	719,200
<b>1,822,500</b>		<b>1,825,100</b>	<b>-341,900</b>	<b>1,483,200</b>
	<b>HUMAN RESOURCES</b>			
778,800	HUMAN RESOURCES	781,500	-37,800	743,700
124,400	PAYROLL	129,200	-4,200	125,000
<b>903,200</b>		<b>910,700</b>	<b>-42,000</b>	<b>868,700</b>
	<b>LEGAL &amp; DEMOCRATIC SERVICES</b>			
692,600	LEGAL AND DEMOCRATIC SERVICES	795,600	-18,500	777,100
222,600	ELECTIONS	241,000	-1,300	239,700
777,800	DEMOCRATIC SERVICES	786,100	-	786,100
<b>1,693,000</b>		<b>1,822,700</b>	<b>-19,800</b>	<b>1,802,900</b>
	<b>CULTURE</b>			
191,600	CULTURE	82,900	-	82,900
70,100	THEATRES	1,538,900	-1,217,100	321,800
604,500	MUSEUM	736,600	-68,300	668,300
<b>866,200</b>		<b>2,358,400</b>	<b>-1,285,400</b>	<b>1,073,000</b>
<b>8,380,000</b>		<b>10,100,500</b>	<b>-1,739,100</b>	<b>8,361,400</b>

## FAIRER CHELMSFORD - CDRM

2020/21 Original Budget £		2021/22 Estimated Spend £	2021/22 Estimated Income £	2021/22 Net Estimate £
-195,100	CORPORATE MANAGEMENT & DEMO. REPRESENT.	229,200	-200,700	28,500
-195,100		229,200	-200,700	28,500
-195,100		229,200	-200,700	28,500

## FAIRER CHELMSFORD

2020/21 Original Budget £		2021/22 Estimated Spend £	2021/22 Estimated Income £	2021/22 Net Estimate £
	<b>DIRECTOR OF FINANCIAL SERVICES</b>			
172,800	FINANCE MANAGER	181,800	-3,100	178,700
3,412,800	FINANCE CM & DRM	765,500	-5,100	760,400
<b>3,585,600</b>		<b>947,300</b>	<b>-8,200</b>	<b>939,100</b>
	<b>ACCOUNTANCY, SYSTEMS &amp; EXCHEQUER</b>			
303,700	FINANCE EXCHEQUER	292,600	-	292,600
722,900	ACCOUNTANCY	695,300	-2,400	692,900
<b>1,026,600</b>		<b>987,900</b>	<b>-2,400</b>	<b>985,500</b>
	<b>PROCUREMENT, RISKS &amp; INSURANCE</b>			
162,600	PROCUREMENT	140,000	-	140,000
290,000	VOLUNTARY GRANTS	290,000	-	290,000
141,800	INSURANCE & RISK	147,100	-	147,100
55,200	FRAUD INVESTIGATIONS	55,300	-	55,300
<b>649,600</b>		<b>632,400</b>	<b>0</b>	<b>632,400</b>
	<b>AUDIT</b>			
185,000	INTERNAL AUDIT	189,900	-	189,900
<b>185,000</b>		<b>189,900</b>	<b>0</b>	<b>189,900</b>
	<b>PROPERTY SERVICES</b>			
-5,040,800	PROPERTY HOLDINGS	136,500	-3,866,500	-3,730,000
403,500	PROPERTY - SUPPORT SERVICES	436,900	-2,000	434,900
<b>-4,637,300</b>		<b>573,400</b>	<b>-3,868,500</b>	<b>-3,295,100</b>
	<b>BENEFITS &amp; REVENUES</b>			
212,000	REVENUES	829,000	-642,800	186,200
472,000	HB ADMINISTRATION	930,900	-540,500	390,400
255,800	HB CONTROL & DEVELOPEMENT	258,600	-	258,600
-238,200	HB SUBSIDY	38,135,000	-38,416,600	-281,600
<b>701,600</b>		<b>40,153,500</b>	<b>-39,599,900</b>	<b>553,600</b>

	HOUSING SERVICES			
161,500	STRATEGIC HOUSING	1,327,300	-941,100	386,200
217,900	TEMPORARY ACCOMMODATION	1,519,100	-1,322,100	197,000
175,800	BED & BREAKFAST	2,174,500	-1,896,300	278,200
21,000	HOUSING NEEDS	33,000	-12,200	20,800
244,500	STRATEGIC HOUSING - RDGS	268,500	-	268,500
1,016,300	STRATEGIC HOUSING SUPPORT	1,106,200	-9,000	1,097,200
<b>1,837,000</b>		<b>6,428,600</b>	<b>-4,180,700</b>	<b>2,247,900</b>
<b>3,348,100</b>		<b>49,913,000</b>	<b>-47,659,700</b>	<b>2,253,300</b>

## SUSTAINABLE DEVELOPMENT

2020/21 Original Budget £		2021/22 Estimated Spend £	2021/22 Estimated Income £	2021/22 Net Estimate £
	<b>DEVELOPMENT MANAGEMENT</b>			
612,500	DEVELOPMENT MANAGEMENT	1,979,800	-1,500,600	479,200
-81,300	LOCAL LAND CHARGES	134,200	-224,100	-89,900
<b>531,200</b>		<b>2,114,000</b>	<b>-1,724,700</b>	<b>389,300</b>
	<b>ECONOMIC DEVELOPMENT AND IMPLEMENTATION</b>			
248,100	ECONOMIC DEVELOPMENT & IMPLEMENTATION	548,900	-265,000	283,900
<b>248,100</b>		<b>548,900</b>	<b>-265,000</b>	<b>283,900</b>
	<b>BUILDING CONTROL</b>			
122,900	BUILDING CONTROL	546,000	-463,800	82,200
<b>122,900</b>		<b>546,000</b>	<b>-463,800</b>	<b>82,200</b>
	<b>PLANNING POLICY</b>			
957,700	PLANNING POLICY	877,600	-114,700	762,900
<b>957,700</b>		<b>877,600</b>	<b>-114,700</b>	<b>762,900</b>
	<b>CAR PARK OPERATIONS</b>			
-5,867,800	CAR PARKS	2,000,400	-5,617,900	-3,617,500
136,700	PARKING SUPPORT	141,300	-	141,300
-47,400	PARK AND RIDE	355,400	-378,600	-23,200
<b>-5,778,500</b>		<b>2,497,100</b>	<b>-5,996,500</b>	<b>-3,499,400</b>
<b>-3,918,600</b>		<b>6,583,600</b>	<b>-8,564,700</b>	<b>-1,981,100</b>



## GREENER & SAFER CHELMSFORD

2020/21 Original Budget £		2021/22 Estimated Spend £	2021/22 Estimated Income £	2021/22 Net Estimate £
	<b>OPERATIONS</b>			
1,946,700	WASTE & GARDEN COMPOSTING	2,408,300	-549,900	1,858,400
-513,700	TRADE WASTE	1,013,200	-1,505,900	-492,700
604,700	RECYCLING - MRF, GENERAL & FOOD	3,390,700	-2,866,800	523,900
408,300	VEHICLE MAINTENANCE WORKSHOP	480,700	-72,500	408,200
<b>2,446,000</b>		<b>7,292,900</b>	<b>-4,995,100</b>	<b>2,297,800</b>
	<b>STREET CARE AND PERFORMANCE</b>			
159,200	PUBLIC CONVENIENCES	160,200	-	160,200
-182,700	MARKET	413,300	-458,400	-45,100
1,625,700	STREET CLEANING	1,564,200	-85,700	1,478,500
108,000	STREET SERVICES	213,600	-114,400	99,200
184,800	SERVICE DEVELOPMENT TEAM & NICE	165,500	-	165,500
271,100	FREIGHTER HOUSE DEPOT	262,600	-8,000	254,600
1,002,500	FREIGHTER HSE CUSTOMER & BUSINESS SUPP	1,007,700	-	1,007,700
<b>3,168,600</b>		<b>3,787,100</b>	<b>-666,500</b>	<b>3,120,600</b>
	<b>BUILDING SERVICES</b>			
504,200	BUILDING SERVICES - SUPPORT	478,200	-	478,200
1,167,100	BUILDING SERVICES - PROPERTIES	1,304,000	-170,700	1,133,300
243,800	ENERGY & CONTRACT MANAGEMENT	255,200	-	255,200
84,400	PRINT UNIT	28,100	-	28,100
<b>1,999,500</b>		<b>2,065,500</b>	<b>-170,700</b>	<b>1,894,800</b>
	<b>PUBLIC HEALTH AND PROTECTION SERVICES</b>			
41,900	HIGHWAYS	44,700	-	44,700
-6,100	SCIENTIFIC	35,600	-43,600	-8,000
-205,400	LICENSING	170,600	-383,200	-212,600
-4,900	BUSINESS COMPLIANCE	9,300	-13,600	-4,300
27,400	PUBLIC HEALTH PROTECTION	40,200	-13,500	26,700
27,600	HEALTH & SAFETY	27,600	-	27,600
-5,100	PEST CONTROL	12,900	-24,100	-11,200
1,444,300	PUBLIC HEALTH & PROTECTION SUPPORT	1,433,500	-27,100	1,406,400
279,200	CCTV	359,700	-53,800	305,900
109,400	COMMUNITY SAFETY	134,700	-27,300	107,400
9,900	HOUSING STANDARDS	49,400	-36,900	12,500
1,600	ANIMAL WELFARE	15,900	-14,300	1,600
<b>1,719,800</b>		<b>2,334,100</b>	<b>-637,400</b>	<b>1,696,700</b>
	<b>PARKS AND GREEN SPACES</b>			
-7,000	ALLOTMENTS	18,100	-28,500	-10,400
509,600	PARKS & HERITAGE CUSTOMER & BUSINESS SUP	554,400	-	554,400
45,000	HYLANDS PARK & ESTATE	110,200	-211,100	-100,900

79,800	PARKS GARDENS & RECREATION GROUNDS	116,500	-16,200	100,300
126,400	PLAY AREAS	126,800	-	126,800
-64,100	PARKS EVENTS & ACTIVITIES	1,300	-65,600	-64,300
-96,900	OUTDOOR SPORTS & PLAYING FIELDS	301,700	-364,200	-62,500
100,300	TREE INSPECTION & MAINTENANCE	124,000	-3,700	120,300
-11,600	NATURAL & GREEN SPACE, COMMON	15,400	-27,100	-11,700
-1,000	AMENITY GREEN SPACE& GREEN INFRASTR	177,600	-178,700	-1,100
2,057,100	GROUND MAINTENANCE OPERATIONS	2,492,900	-434,700	2,058,200
185,100	GROUND MAINTENANCE - CREMATORIUM	186,000	-	186,000
-1,465,300	CEMETERY AND CREMATORIUM	623,900	-2,308,700	-1,684,800
<b>1,457,400</b>		<b>4,848,800</b>	<b>-3,638,500</b>	<b>1,210,300</b>
	<b>LEISURE AND HERITAGE SERVICES</b>			
-28,300	DOVEDALE SPORTS CENTRE	203,800	-168,200	35,600
258,400	CHELMSFORD SPORTS AND ATHLETIC CENTRE	832,900	-496,200	336,700
-462,700	RIVERSIDE ICE AND LEISURE	3,695,100	-3,376,100	319,000
380,200	SOUTH WOODHAM FERRERS LEISURE CENTRE	1,084,100	-666,100	418,000
-210,000	CULTURAL EVENTS	-	-210,000	-210,000
259,100	COMMUNITY SPORTS & WELLBEING	366,200	-110,600	255,600
-56,000	HYLANDS HOUSE & VISITORS CENTRE	1,185,400	-1,122,500	62,900
<b>140,700</b>		<b>7,367,500</b>	<b>-6,149,700</b>	<b>1,217,800</b>
<b>10,932,000</b>		<b>27,695,900</b>	<b>-16,257,900</b>	<b>11,438,000</b>

## Section 10

### Capital Budget Reports

#### Capital Budgets

This section contains:

- Revisions to Existing Approved Capital Schemes – Details in **Table 15** and **Table 16**
- Revisions to the Asset Replacement Programme 2020/21 and proposals for new budgets for 2021/22 – Details in **Table 17** and **Table 18**

#### **Introduction**

The capital programme for 2020/21 identified in **Section 10** of this report reflects updated information in December 2020.

Capital schemes have in most cases two types of cost. One-off, those which result from procuring or improving an asset and are funded from capital and On-going, those incurred to run the asset and these must be funded from Council Tax, i.e. revenue costs.

Capital expenditure is separated between Capital Schemes and the Asset Replacement Programme.

Capital schemes are one-off projects which are required to either maintain an existing service, for example essential repairs to an existing car park, or aim to enhance service delivery or generate additional income, for example additional provision of sports facilities.

The Asset Replacement Programme ensures that the existing service provision is maintained and replaces larger items of equipment and vehicles as the need arises.

#### Existing Approved Capital Schemes

Project Officers have been monitoring schemes and the updated budgets in **Table 15** reflect the latest estimated cost information. The total estimated cost is £129.840m.

A summary of variations for the current approved total scheme costs across all years is a net decrease of £10.057m. Proposed increases in budget will require approval. Details of the £10.057m net decrease are shown in **Table 15** with further details in **Table 16** where those variations are in excess of £25k.

Scheme number 19, Hylands Park North Kiosk Toilet Refurbishment, needs Cabinet approval of an increase in cost to ensure timely delivery of the project. A £10k additional budget is required due to higher returned tenders for works. Increase from £138k to £148k.

#### Asset Replacement Programme

In order to maintain the existing level of service delivery it is necessary to replace items of equipment and vehicles on a regular basis.

Previously, asset replacements have been approved as part of the overall programme. A decision has been taken to challenge the need for scheduled replacements to take place, and although an

estimated overall cost of the asset replacement programme will be kept for forward planning purposes to enable the monitoring of the resource position, approval of individual items will be on an annual basis.

#### 2020/21 Asset Replacements

**Table 17** provides details of the 2020/21 asset replacement programme. The current approved programme is £3.619m. It has now been identified that £374k is required to be rephased to 2021/22 and future years, due to services deferring or delays in acquiring the assets. These assets require approval to be rephased to 2021/22. Details of these delays are provided in **Table 18**.

**Table 17** also shows a net change in scheme costs, a net reduction of £46k. Increases to individual budgets will require approval. **Table 18** provides further details for those variations in excess of £25K.

After allowing for the above adjustments, **Table 17** shows the total proposed budget requirement for 2020/21 as £3.212m.

#### 2021/22 Replacements

As stated above, £374k will need to be rephased, with £345k into 2021/22.

**Table 17** provides details of the new asset replacements or refurbishments for 2021/22 which total £6.346m.

**Table 17** includes a number of items that need approval by Cabinet in order to have timely delivery

- Scheme 41 £10k additional budget required for Wet team Vehicle due to increased cost.
- Scheme 22 £13k CSAC Plant Additional ventilation system due to Covid-19.
- Scheme 29 £4k Chancellor Park floodlights - increased cost due to expanded scope of scheme.

These need to be agreed by Cabinet. Due to the need to raise orders quickly, Cabinet approval of the budget in January 2021 is sought. The balance of costs is for approval by Council in February 2021.

#### Capital and Revenue Resources

The Council funds its capital programme from leasing, contributions, government grants, capital receipts, revenue contributions and borrowing.

The Capital Strategy 2021/22 identifies the capital resources position and the Medium-Term Financial Forecast in **Section 6** identifies the revenue budget position allowing for financing costs. The Prudential Indicators are detailed in the Capital Strategy 2021/22.

		<b>CAPITAL SCHEMES</b>	<b>VARIATION IN TOTAL CAPITAL SCHEME COSTS</b>						
			Latest Approved Budget - Approved July 2020 and Additional New Schemes Approved Since that Date			Latest Forecast Budget - Additional Requires Approval			
Committed Spend 31st December 2020			Original Approved Scheme Budget	Additional/ Reduced (-) Approved Budget	Latest Approved Budget	More/(Less) Than Approved Budgets	Proposed Budget	Scheme Scheduled to Complete on Time against Original Programme	Additional Budget Approval Narrative
£000s		SCHEME DESCRIPTION	£000s	£000s	£000s	£000s	£000s		
		<b>Connected Chelmsford</b>							
	1	Theatres' Toilets Phase I	155		155	-155	0	Proposal withdrawn	Approved at Council February 2020 and programmed for 2021/22.
	2	Theatres' Modernisation Phase I	100		100	-100	0	Proposal withdrawn	Approved at Council February 2020 and programmed for 2022/23. Delegated authority to Director and Cabinet Member for Connected Chelmsford.
		<b>Fairer Chelmsford</b>							
	3	Provision for Temporary Car Park Provision - Wharf Road	798		798	-798	0	Proposal Withdrawn	Approved Council July 2016. November 2020 - No scheme identified for this provision therefore removed from programme.
1,459	4	Enabling Lockside Growth Area	450	4,050	4,500		4,500	In Negotiations Late delivery	A Report taken to Cabinet in March 2018 requesting £4.5m and recommended to go on for Council approval. As there was a requirement to spend the budget earlier than the Council approval in July 2018 a sum of £450k was approved via an urgency. The remaining budget for the scheme was approved by Council in July 2018.
472	5	Homelessness Initiatives - Acquisition of Property for Temporary Accommodation	567		567		567	Yes	Unspent budget following the completion of the Modular Unit schemes. Agreed by delegation to purchase property for use as temporary accommodation.
950	6	Investment for Future Development - Riverside Demolition	940	30	970		970	Completed	Approved at Cabinet June 2018. Additional £30k approved at Cabinet November 2019.
20	7	Galleywood Hall Development Industrial Units	1,200		1,200	-400	800	Awaiting planning permission - Late Delivery	Approved at Council February 2019.
38	8	Bridge Repairs	300		300		300	No	Approved at Council February 2019. May 2020 non urgent works deferred to later year.
	9	Land Acquisition Cemetery/Crematorium	1,800	1,800	3,600		3,600	To identify potential Land Site	Approved at Council February 2019. Additional £1.8m approved Council February 2020.
	10	High Chelmer Roof	1,500		1,500		1,500	Awaiting Proposal	Approved at Council February 2020 and programmed for 2021/22.
	11	Refurbishment of Commercially Leased Properties	720		720		720	Under Review	Approved at Council February 2020 and programmed for 2021/22. Delegated authority to Director and Cabinet Member for Fairer Chelmsford.
	12	Strategic Property Purchase	10,000		10,000	-10,000	0	Proposal Withdrawn	Approved at Council February 2020 and currently programmed for 2021/22. Delegated authority to Director and Cabinet Member for Fairer Chelmsford.
986	13	Housing Initiatives to Support the Homelessness and Rough Sleeper Strategy	7,000		7,000		7,000	Yes	Approved at Council February 2020 and currently programmed for 2020/21. Delegated authority to Director and Cabinet Member for Fairer Chelmsford.
	14	Housing Initiatives to Support the Homelessness and Rough Sleeper Strategy and Affordable and Social Housing	9,900		9,900		9,900	Business Case to be Developed	Approved at Council February 2020 and currently programmed for 2020/21. Delegated authority to Director and Cabinet Member for Fairer Chelmsford. The programme of spend has been reviewed and it is now anticipated that any spend will be delayed until 2021/22.

			Latest Approved Budget - Approved July 2020 and Additional New Schemes Approved Since that Date			Latest Forecast Budget - Additional Requires Approval					
Committed Spend 31st December 2020			Original Approved Scheme Budget	Additional/ Reduced (-) Approved Budget	Latest Approved Budget	More/(Less) Than Approved Budgets	Proposed Budget		Scheme Scheduled to Complete on Time against Original Programme	Additional Budget Approval Narrative	
£000s		SCHEME DESCRIPTION	£000s	£000s	£000s	£000s	£000s				
	15	Cemetery and Crematorium Infrastructure	6,800		6,800	10	6,800		Business Case to be Developed	Approved Council February 2020 with a delegation for Cabinet to approve a final scheme.	
348	16	Coval Lane Window Replacement	250	100	350		350		Yes	£250k approved Council February 2019. Additional £100k approved at Cabinet July 2019.	
	17	Civic Offices Improvement Programme	460		460		460		Under Review	Approved Council February 2020 with a delegation for the Director and Cabinet Member for Safer and Greener Chelmsford to approve a final scheme.	
11	18	Community Flood Improvements	184		184		184		Third party Dependent - Late Delivery	Capital grant received to enable the works to be completed. This scheme was approved by Cabinet in June 2017.	
141	19	Hylands Park North Kiosk Toilet Refurbishment	60	78	138		148		Earlier Delivery	£60k approved Council February 2019. Scheme review resulted in additional £138k approved July 2020 Cabinet.	
138	20	Hylands Estate Structural Work to Pleasure Garden Pond	147	-8	139		139		Yes	£147k approved Council February 2019. Contingency not required therefore reduction in budget reported at July 2020 Council.	
34	21	Hylands' Hanbury Memorial Garden	45		45		45		Yes	Approved via supplementary estimate 2/9/19 funded by a contribution from The Friends of Hylands House (FOHH).	
28	22	Galleywood Common Access Road Improvements	30		30		30		Yes	Approved at Council February 2020 and programmed for 2021/22.	
2	23	Saltcoats Park and Compass Gardens Car Park	253		253		253		Earlier Delivery	Approved at Council February 2020 and programmed for 2021/22.	
	24	Beaulieu Park Pavilion Refurbishment	57		57		57		Yes	Approved at Council February 2020 and programmed for 2021/22.	
	25	Chancellor Park Pavilion Works	46		46		46		Yes	Approved at Council February 2020 and programmed for 2021/22.	
	26	Rivers and Waterways Improvements	600	-107	493		493		Scheme to be developed	Approved at Council February 2020 with a delegation to the Director and Cabinet Member for Greener and Safer Chelmsford. Programmed over 3 years commencing 2021/22.	
	27	Automatic Floodgates and Provisin of Locks - Feasibility		107	107		107		Yes	Budget approved September 2020 Cabinet. Budget vired from Rivers and Waterways Improvements.	
	28	Mass Tree planting and Woodland Creation	4,400		4,400		4,400		Yes	Approved at Council February 2020 £4.4m with delegated authority to Director of Public Places and the Director of Finance and the relevant Cabinet Members. Funding to be sought circa £2m. Three year programme scheduled wef 2021/22.	
9	29	CIL Landscape Enhancement Scheme Chignal Road	11		11		11		Yes	CIL funding approved October 2018 Chignal Road Landscaping scheme approved February 2019 Council.	
	30	CIL Parks and Open Space	6		6		6		No	£6k CIL funding approved July 2019 for Coronation Park Basketball Court.	
3	31	CIL Savernake Road Scout Hut Replacement Windows	4		4		4		No	Approved via delegation as per CIL report March 2019 £4k for windows, CCC owned building.	
532	32	Chelmsford Indoor Market Refurbishment	500	100	600		600		No	Approved supplementary estimate February 2018. Scheme design is still to be finalised. Additional supplementary estimate approved for £200k December 2018 in order to implement the preferred design with suspended ceiling. Estimate reduced by £50k. New budget reported Council February 2020. A further reduction in budget, £50k, was noted by Council in July 2020.	
40,146	33	Riverside Ice and Leisure Centre Scheme	950	39,216	40,166		40,166		Building Works Completed	£700,000 approved Council July 2015. £60,000 budget vired to fund conversion of outdoor pool to car park. £180K approved April Cabinet for Project Manager and a further £945K approved June Cabinet for the design to RIBA stage 7. £400K approved at October 2016 Cabinet for early enabling works (main contractor). Additional £1m approved Cabinet April 2017 for early works. Additional early works required a further £500k, approved in June. £250k approved for Cafe fit out at Council February 2018. Full scheme cost excluding cafe approved at July 2018 Council as £35.216m. Additional £4.5m approved at February 2019 Council. Additional £200k approved by Cabinet November 2019.	
22	34	Riverside Elevations	2,000		2,000		2,000		Under Review	£2m approved at Council February 2020 with delegation to Cabinet to approve detailed scheme.	

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			Latest Approved Budget - Approved July 2020 and Additional New Schemes Approved Since that Date			Latest Forecast Budget - Additional Requires Approval					
Committed Spend 31st December 2020			Original Approved Scheme Budget	Additional/ Reduced (-) Approved Budget	Latest Approved Budget	More/(Less) Than Approved Budgets	Proposed Budget		Scheme Scheduled to Complete on Time against Original Programme	Additional Budget Approval Narrative	
£000s		SCHEME DESCRIPTION	£000s	£000s	£000s	£000s	£000s				
31	35	Dovedales - Grant for Works 2019/20	32	2	34	-78	34			Approved at Council February 2019 contribution towards new studio. Additional £2k approved November 2019 cabinet based on actual spend.	
15	36	Dovedales - Grant for Works 2020/21	42		42		42			Approved at Council February 2020 and programmed for 2020/21.	
108	37	SWFLC Wet Changing Rooms Upgrade Phase 2	104		104		104	Yes		£104k approved at Council February 2019.	
42	38	CSAC Refurbishment of Changing Room	42		42		42	Under Review		£42k approved at Council February 2019. Deferred to 2021/22 scheme will be reviewed.	
165	39	Hylands House Refurbishment First Floor Accommodation	174		174		174	Earlier Delivery		£174k approved at Council February 2019 3 year programme for refurbishment.	
34	40	Hylands House Refurbishment Terrace Room	35		35		35	Yes		£35k approved via supplementary estimate December 2019. Scheme funded by contribution from Friends of Hylands House.	
22	41	Hylands House Banqueting Room Refurbishment	24		24		24	Yes		Approved at Council February 2020 and programmed for 2020/21.	
	42	Hylands House Stable Block Toilets	44		44		44	Yes		Approved at Council February 2020 and programmed for 2022/23.	
		<b>Sustainable Development</b>									
1,667	43	Flood Alleviation Scheme	6,100	400	6,500		6,500	Dependent on Third Party - Late delivery		Increased cost of scheme from EA now capped at £6.5 million approved Cabinet July 2013	
122	44	Public Realm Wayfinding Signs Phase 2	310	-155	155		155	Unspecified		Approved at Council February 2018. Two year programme to go ahead only if funding is secured from ECC and CIL. CIL funding of £78k approved January 2019. As funding not secured from ECC the scheme has been reduced. Forecast to complete in 2020/21.	
132	45	Public Realm Tindal Square Design	160	320	480		480	No		Approved at Council February 2018. The design works will not be completed until 2020/21. Additional £320k approved by Cabinet June 2020 for design and tender to be funded from S106. A further report will be taken to Council after the tenders are back in March 2021 for approval of the scheme and budget.	
	46	Public Realm City Centre Greening/Tree Planting	115	-33	82		4	Yes		Approved at Council February 2018. Three year programme. To date actual spends have not been capital and therefore budget reduced in year of spend as transferred to revenue.	
4	47	HIF Access Road and Bridge - CCC Budget		250	250		250	Yes		Virement from 5 above sum allocated for HIF bid design works.	
1,033	48	HIF Access Road and Bridge - Grant Funded	15,500	11,000	26,500		26,500	Yes		£15.5m approved at Council February 2020 with a delegation to Cabinet to approve final scheme. Report taken to September cabinet requesting an additional budget of £11m of which is to be funded by £5.05m CIL, £1.1m S106 and £2.85m additional HIF grant. £2m provision for commuted sum could also be funded by CIL if available otherwise it would result in additional borrowing. This will need to be approved by Council. £11m approved by Council December 2020.	
1,461	49	S106 Beaulieu Park Station	100	1,550	1,650		1,650	Unspecified		Scheme approved for £100,000 via Director of Sustainable Communities delegated authority. £1,550,000 approved at Council February 2016. The expenditure on this scheme will be funded by S106.	
2,277	50	S106 Beaulieu Park Station 2nd Phase	2,917		2,917		3,431	Unspecified		£2,917m approved at February Council 2018. The expenditure on this scheme will be funded by S106.	
1,311	51	S106 Beaulieu Sports Facility	477	834	1,311		1,311	Unspecified		£477k approved by Cabinet in January 2019 with delegation to spend further S106 contributions when received. Additional contributions received and therefore added to approved budget.	
37	52	S106 Public Art Bond Street	44		44		44	Yes		Approved by delegation February 2019.	
13	53	S106 Stonebridge Illuminations	37	6	43		43	Yes		Approved by delegation April 2019. Additional budget approved by delegation March 2020 £6k.	
6	54	S106 River Can Pathway Lighting Design	10	6	16		16	Yes		Approved by delegation £10k January 2020. Additional budget approved by delegation March 2020 £6k.	
21	55	S106 Public Art Channels	21		21		21	Yes		Approved by delegation January 2020 £21k.	
3	56	S106 Habitat Mitigation	3		3		3	Unspecified		Requests from Essex County Council for grant from S106 towards the cost of works.	
55	57	CIL REFCUS Schemes 19/20	72	30	102		102	Yes		Scheme approved April 2019 £72k. Revenue Expenditure Funded by Capital Under Statute (REFCUS). NEW £30k various CIL schemes approved July 2019.	
7	58	CIL REFCUS Schemes 20/21	17		17		17	Unspecified		£17k Approved March 2020.	

Committed Spend 31st December 2020	SCHEME DESCRIPTION	Latest Approved Budget - Approved July 2020 and Additional New Schemes Approved Since that Date			Latest Forecast Budget - Additional Requires Approval		Scheme Scheduled to Complete on Time against Original Programme	Additional Budget Approval Narrative
		Original Approved Scheme Budget	Additional/ Reduced (-) Approved Budget	Latest Approved Budget	More/(Less) Than Approved Budgets	Proposed Budget		
£000s		£000s	£000s	£000s	£000s	£000s		
	59 CIL Sutherland Lodge Refurbishment	525		525	950	525	Awaiting Business case - Late delivery	Approved Council July 2017.
56	60 CIL North Avenue Youth Centre Grant	41	15	56		56	Yes	Approved CIL funding April 2018. NEW Additional £15k CIL funding approved July 2019.
	61 CIL St Andrew's Scout Hut Building	80		80		80	Yes	CIL funding approved Cabinet October 2018 scheme to be included in capital programme approved by February Council 2019.
47	62 CIL Moulsham Lodge Community Centre Café (MLCT)	47		47		47	Yes	CIL funding approved July 2019.
15	63 CIL Sanctus First Floor Refurbishment Grant	15		15		15	Yes	CIL funding approved July 2019.
	64 CIL Homelessness Day Centre CHESS New London Rd	300		300		300	Yes	CIL funding approved July 2019.
	65 CIL Age Concern First Floor Extension Grant	212		212		212	Yes	Approved scheme with CIL funding March 2020.
24	66 CIL Integrated Cycling Infrastructure Grant	100		100		100	Yes	CIL funding approved at meeting of the CIL Panel 23/1/2020.
	67 CIL Trinity Road School Improvements					950		Proposal for CIL funding will need to be approved by Cabinet once notification of support received from ECC's Capital Investment Board.
104	68 High Chelmer Multi Storey Car park (HCMSCP) Movement Joints	105		105		105	No	Approved at Council February 2017. Scheme was originally forecast to complete by September 2018. These works are now being carried out with the drainage works (scheme 71) and it is anticipated that they will be completed in 2020/21.
31	69 HCMSCP Drainage Improvements	31		31		31	No	Approved at Council February 2018. See scheme 70 for details.
49	70 Enabling Role - Housing	237		237		237	Dependent on Third party - Late delivery	The remaining balance is for a previously agreed payment to CHP.
54,231	Grand Total	80,306	59,591	139,897	-10,057	129,840		
				Net Variation	-10,057			
66,764	Total Forecast Expenditure to 31/3/2021	Summary of Changes Since Previous Council Reports 2020						
-12,533	Forecast Remaining in Year Expenditure	Latest Approved Council July 2020						
		Supplementary Estimates Approved for Existing Schemes						
		Completed schemes removed						
		Total Approved Budget						
		Latest Forecast Variations shown above (Increased Budgets Require Approval)						
		Latest Forecast Budget March 2021						

<b>Capital Schemes - Reasons for Projected Variations to Latest Approved Total Scheme Costs More Than £25,000</b>							
Scheme Description	Latest Approved Budget	Latest Estimated Expenditure - If Additional Budget Requires Approval	Variation	Variation Type	Percentage Change in Scheme Cost	Reason	
	£000's	£000's	£000's				
<b>Director of Connected Chelmsford</b>							
1 Theatres' Toilets Phase I	155	0	-155	Saving on Budget	-100.00%	There is a new scheme proposal being submitted for a larger project of enhancements works to the theatres and therefore this budget provisions has been removed.	
2 Theatres' Modernisation Phase I	100	0	-100	Saving on Budget	-100.00%	There is a new scheme proposal being submitted for a larger project of enhancements works to the theatres and therefore this budget provisions has been removed.	
<b>Director of Fairer Chelmsford</b>							
3 Provision for Temporary Car Park Provision - Wharf Road	798	0	-798	Saving on Budget	-100.00%	Decision to remove provision from programme as scheme no longer required.	
7 Galleywood Hall Industrial Units	1,200	800	-400	Saving on Budget	-33.33%	Following the planning application the size of the project has been reduced which has resulted in a reduction in cost. This will also impact on the revenue which will be generated from the scheme as the number of units available for rent will be reduced.	
12 Strategic Property Purchase	10,000	0	-10,000	Saving on Budget	-100.00%	Decision to remove provision from programme as PWLB borrowing regulations have changed and can not borrow against investment properties.	
<b>Sustainable Development</b>							
46 Public Realm City Centre Greening/Tree Planting	82	4	-78	Saving on Budget	-95.12%	Budget and spend to be transferred to revenue as spend does not qualify as capital.	
50 S106 Beaulieu Park Station	2,917	3,431	514	Additional Budget Required	17.62%	ECC have informed us of the estimated cost of the works up to the end of March 2021, an additional £514k. The S106 contribution will not be received from the developer until April 2021.	
67 CIL Trinity Road School Grant	0	950	950	Additional Budget Required	100.00%	This scheme has been discussed by the CIL panel and CCC are awaiting the outcome of ECC's Capital Investment Board which met in early October. Once ECC confirms their support the scheme will require Cabinet approval.	

**Table 16**

CAPITAL ASSET ROLLING/REPLACEMENT PROGRAMME																		
2020/21											2021/22							
2020/21 ASSET REPLACEMENT PROGRAMME - CAPITAL EXPENDITURE VARIATIONS FROM LATEST APPROVED ESTIMATE											2021/22 ASSET REPLACEMENT PROGRAMME - CAPITAL EXPENDITURE PROJECTED VARIATIONS FROM LATEST APPROVED PROGRAMME AND REQUESTS FOR NEW BUDGETS							
VARIATION FROM 2020/21 BUDGET ONLY											2021/22 BUDGET							
Committed Spend 31/12/2020	CAPITAL ASSET REPLACEMENT PROGRAMME	Analysis of Variations									Variations							
		Original Approved Estimates for 2020/21	Additional/ Reduced (-) Approved Budget	Reason for Change - see Key Below	Latest Approved Estimates for 2020/21	Change in Scheme Phasing	New Proposal	More/Less (-) Than Approved Budgets	Variance for 2020/21 Additional Budget	Total Proposed Budget Requirement 2020/21	Original Approved Estimate 2021/22	Additional/ Reduced (-) Approved Budget	Reason for Change - see key below	Latest Estimate for 2021/22	Re phasing from 2020/21	More/Less(-) Than Approved Budgets - More Requires Approval	Approved Replacements Deferred from 2021/22 to Later Years	Total Proposed Budget Requirement for 2021/22
£000's	SCHEME DESCRIPTION	£000s	£000s		£000s	£000s	£000s	£000s	£000s	£000s		£000s		£000s	£000s	£000s	£000s	£000s
	<b>Connected Chelmsford</b>																	
103	1 Digital Services Replacement Programme	373	-80	PH, PV	293	-181			-181	112		90	PH	90	181	48		319
	2 Financial Module of Enterprise Resource Planning (ERP)	89			89				0	89				0				0
36	3 Civica System Upgrade	36			36				0	36				0				0
8	4 Theatres' Fire Alarm Replacement	15			15				0	15				0				0
11	5 Theatres' Equipment	149			149				0	149				0		40		40
	6 Cramphorn Theatre Replacement Floor	17			17				0	17				0				0
	<b>Fairer Chelmsford</b>																	
	No Schemes				0				0	0				0				0
	<b>Greener and Safer Chelmsford</b>																	
113	7 CCTV Replacement Equipment	118			118			-5	-5	113				0		7		7
40	8 CCTV Various Schemes Sites CIL	67			67				0	67				0				0
75	9 CCTV Maldon DC Joint Procurement	74	1	PV	75				0	75				0				0
	10 Crematorium Equipment	17			17	-17			-17	0				0	17			17
	11 Crematorium Columbarium	14			14	-14			-14	0				0	14			14
38	12 Civic Centre Alarm	46			46				0	46				0				0
	13 Civic Centre Boiler Flues	32	-32	PH	0				0	0		32	PH	32			-32	0
	14 Civic Centre Building Management System	13			13				0	13				0				0
	15 Civic Centre Server Room Air Conditioning													0		40		40
	16 Civic Centre Floor Replacements													0		31		31
	17 Print and Post Room Replacement Equip.	25			25	-25			-25	0				0	25	3		28
	18 Dovedales Replacement Equipment	5	-5	PH	0				0	0		5	PH	5		5		10
148	19 Riverside Replacement Equipment	150			150				0	150				0		48		48
10	20 CSAC Replacement Equipment	60	-47	PH	13				0	13		47	PH	47		88		135
	21 CSAC Flood lights	29			29	-29			-29	0				0				0
	22 CSAC Plant				0		13		13	13				0		6		6
	23 SWFLC Replacement Programme	58	-54	PH	4				0	4		56	PH, PV	56		9		65
12	24 SWFLC Plant Replacement	19	-7	PH	12				0	12		7	PH	7				7
8	25 Riverside Plant Replacement	8			8				0	8				0				0
40	26 Hylands Pavilion Replacement Flooring	48			48			-8	-8	40				0				0
	27 Play Area Replacements	265	-265	PH	0				0	0	311	-46	PH	265				265
34	28 Outdoor Gyms		39	SEG	39				0	39				0				0
14	29 Sports Equipment, floodlights, Irrigation	10			10			4	4	14				0				0
105	30 Parks Replacement Vehicles and Equipment	205	-60	PH, PV, SEN	145				0	145		89	PH	89		482		571
	31 PHPS Vehicles	24			24			-24	-24	0				0		100		100
	32 PHPS Air Monitoring Equipment				0				0	0				0		20		20
	33 PHPS Street Lighting	21			21	-21			-21	0				0	21			21
	34 CIL Street Lighting Meadows Car Park	5			5				0	5				0				0
16	35 Freight House Plant	16			16				0	16				0				0
	36 Travel pool Cars	60	-60	PH	0				0	0		60	PH	60				60
	37 Scootas for the Disabled	2			2				0	2				0		8		8
318	38 Retail Market Intruder Alarm	13			13			-13	-13	0				0				0
31	39 Retail Market Vehicle	24	7	PV	31				0	31				0				0
	40 Street Cleansing Vehicles	0			0				0	0	356			356		326		682



Reasons for Variations Greater Than £25,000 in Asset Replacement Programme							Table 18
	Scheme Description	Latest Approved Budget	Estimated Budget Required	Variation	Variation Type	Percentage Change	
		£000's	£000's	£000's			
	<b><u>2020/21</u></b>						
	<b><u>Connected Chelmsford</u></b>						
1	Digital Services Replacement Programme	293	112	-181	Rephasing of spend to 2021/22	-61.77%	
	<b><u>Greener and Safer Chelmsford</u></b>						
17	Print and Post Room Replacement Equip.	25	0	-25	Rephasing of spend to 2021/22	-100.00%	
21	CSAC Floodlights	29	0	-29	Rephasing of spend to 2022/23	-100.00%	
41	Wet Team Vehicles	71	0	-71	Rephasing of spend to 2021/22	-100.00%	