

# Chelmsford Policy Board Agenda

26 May 2022 at 7pm

Council Chamber, Civic Centre, Chelmsford

## **Membership**

Councillor I Fuller (Chair)

## **and Councillors**

H Ayres, D Clark, J Galley, N Gulliver, G B R Knight,  
R Massey, G H J Pooley, I C Roberts, A Sosin, N Walsh,  
R T Whitehead and T N Willis

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email [brian.mayfield@chelmsford.gov.uk](mailto:brian.mayfield@chelmsford.gov.uk)

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# CHELMSFORD POLICY BOARD

26 MAY 2022

## AGENDA

### PART 1

Items to be considered when members of the public are likely to be present

#### 1. 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. Appointment of Vice Chair

#### 4. Minutes

Minutes of meeting on 3 March 2022

#### 5. Public Questions

Any member of the public may ask a question or make a statement at this point in the meeting. Each person has two minutes and a maximum of 20 minutes is allotted to public questions/statements, which must be about matters for which the Board 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.

6. Longfield Solar Farm Development Consent Order – Consultation Response and Draft Local Impact Report
7. Review of Adopted Chelmsford Local Plan - Update
8. Strategic Housing and Employment Land Assessment (SHELAA) – Update to Methodology and Criteria Note
9. Self-Build and Custom Housebuilding Register – Proposed Consultation
10. Policy Board Work Programme
11. Urgent Business

To consider any other matter which, in the opinion of the Chairman, should be considered by reason of special circumstances (to be specified) as a matter of urgency.

## PART II (EXEMPT ITEMS)

NIL

**MINUTES**  
**of the**  
**CHELMSFORD POLICY BOARD**  
**held on 3 March 2022 at 7:00pm**

Present:

Councillor I Fuller (Chair)

Councillors H Ayres, D Clark, G B R Knight, G H J Pooley, R J Poulter,

J Raven, A Sosin, N Walsh and T N Willis

Also present: Councillors C Davidson and M J Mackrory

**1. Apologies for Absence**

Apologies for absence had been received from Councillors W Daden, J Galley and N Gulliver. Councillor Raven had been appointed to substitute for Councillor Galley.

**2. Declarations of Interest**

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

**3. Minutes**

The minutes of the meeting on 17 February 2022 were confirmed as a correct record.

**4. Public Questions**

There were no questions or statements from members of the public.

## 5. Chelmsford Housing Strategy 2022-27

The Housing Working Group had carried out an assessment of the main housing challenges facing Chelmsford as the local housing authority. A consultation document that set out their initial findings, and included feedback from Registered Providers, was approved for wider consultation at a meeting of the Policy Board on 5 July 2021. Feedback from that consultation had been used to inform the final version of the Chelmsford Housing Strategy 2022 – 2027, attached at Appendix 1 to the report to the meeting. The Strategy was supported by a Statistical Appendix, attached at Appendix 2 to the report, which provided more detailed information on the supply of, and demand for, a range of affordable homes.

The Strategy's vision was "To address the housing needs of all Chelmsford residents so everyone can reasonably aspire to having a home that meets their needs." It was supported by the following strategic priorities that aimed to achieve a better, more balanced supply of homes that met the Council's statutory duties and the City's strategic housing needs:

- 1) Increasing the supply of affordable homes with a focus on larger units.
- 2) Increasingly the supply of affordable homes from the existing housing stock.
- 3) Supporting landlords and tenants of privately rented homes.
- 4) Enabling the right supply of specialist housing to meet local need.
- 5) Developing effective partnerships.
- 6) Monitoring trends and performance to inform future actions.

The strategic priorities were supported by a range of initiatives and interventions, which the Council was seeking to implement with its partners and were summarised in Appendix 3 'Action Plan and Outputs' in the Strategy document.

The Strategy would be delivered between 2022 and 2027 and progress would be reported to the Policy Board through updates to the Action Plan and Outputs section of the Strategy and updating of the Statistical Appendix. The Chelmsford Housing Strategy 2022 - 2027, along with the Council's Homelessness and Rough Sleeper Strategy, would form the future focus of the Council's Strategic Housing Service.

A Green Sheet setting out amendments to clarify aspects of the Strategy and correct minor errors had been distributed before the meeting.

In welcoming the Strategy as a positive response to the housing challenges facing the city, members raised a number of questions and made several observations on it.

- The Green Sheet included a proposed change to the wording of Action 1c to read "Seek to ensure that the affordable housing element of First Homes sites best meets local housing needs". It was asked whether the First Homes share of the allocation for affordable homes could be redistributed to the homes available for social rent and shared ownership elements, if the First Homes share could not be provided affordably. Officers said that Action 1c related only to First Homes exception sites and sought to achieve additionality in the provision of affordable housing for rent. The wording of that action would be further amended to make that clear.

- On Action 2g, it was requested that the wording of the last sentence of the first paragraph be amended to clarify the timescales for the provision of modular units.
- Table 4 in Appendix 4 showed that the number of long term empty affordable rented properties in Chelmsford was higher than in neighbouring authorities. Action 2c, to reduce the number of empty private properties, was no different to what was already be done, without apparent success, and it was questioned what further steps could be taken. Officers said that the reference in Table 4 was to long term empty properties owned or operated by housing associations and related to Action 2b rather than 2c, which was aimed at properties in private ownership. One of the strategic priorities was to improve communications with partners, including Registered Providers, and seeking to understand the reasons for the high number of empty properties owned by them, and how to reduce that number, would be a feature of discussions with those providers. The Council had a programme to tackle privately-owned long term empty properties and whilst this took a long time and was resource intensive it was gradually bringing such properties back into use.
- In response to a question on the provision of housing for those with special needs, officers said that all options were explored to ensure that they were provided with suitable accommodation, including relocation and the provision of adaptations funded by Disabled Facilities Grants. On a related question, the Board was informed that accommodation for overnight carers would still be considered on a case by case basis.
- Asked whether it was possible to ensure that pre-paid energy meters were not provided in affordable accommodation, the Board was told that this was primarily decided by the providers of such housing. However, providers were conscious of the costs to tenants of pre-paid meters and CHP, for example, was trying to move all of its tenants to a contract with one energy provider which did not involve the use of pre-paid meters. On a related question about thermal insulation of older properties, the Board was informed that housing associations could now bid directly to the government for home insulation grants.
- Responding to a question on what was being done to ensure the provision of larger affordable homes in the short term, officers said that Action 1a was a response to the evident need for such dwellings which was being addressed through Planning Advice Notes on additionality, the planning application process and street purchases. The current review of the Local Plan would also review the affordable housing contributions sought through the planning system. However, these were not short term solutions and would take time to increase the number and proportion of larger affordable homes.
- It was asked whether the trend in the proportion of housing being provided through the private rented sector was likely to continue. Officers said that this trend was reflected across the south-east of England and was a response to housing demand. The Council would continue to work constructively with the private sector to provide affordable and temporary accommodation.

The Policy Board thanked the Housing Working Group, members and officers for their work on the Housing Strategy, which it was happy to recommend to the Cabinet with the amendments on the Green Sheet and those agreed during the above discussion.

RESOLVED that

1. the Chelmsford Housing Strategy 2022-27 be supported and that, subject to the amendments on the Green Sheet and those made at the meeting, the documents set out at Appendix 1 and 2 of the report to the meeting be referred to the Cabinet for approval ; and
2. any subsequent textual or presentation changes be delegated to the Director of Sustainable Communities in consultation with the Cabinet Member for Fairer Chelmsford and Cabinet Member for Sustainable Development.

(7.02pm to 8.27pm)

## 6. Chelmsford Policy Board Work Programme

The Board received the latest version of its Work Programme for 2021-22. It was advised that an additional meeting was being provisionally earmarked for 28 April 2022 but that date was subject to confirmation.

RESOLVED that the latest Work Programme of the Board, as amended at the meeting, be noted.

(8.27pm to 8.28pm)

## . Urgent Business

There were no items of urgent business.

The meeting closed at 8.28pm

Chair





## Chelmsford Policy Board

26 May 2022

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### Longfield Solar Farm Development Consent Order - Consultation Response and Draft Local Impact Report

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#### Report by:

Director of Sustainable Communities

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#### Officer Contact:

Ruth Mabbutt, Planning Officer [ruth.mabbutt@chelmsford.gov.uk](mailto:ruth.mabbutt@chelmsford.gov.uk), 01245 606441

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#### Purpose:

The purpose of this report is to outline the Council's draft Local Impact Report following the acceptance of the Longfield Solar Farm Development Consent Order by the Planning Inspectorate and to request the necessary Officer delegations for the Council's future involvement in the forthcoming Independent Examination.

#### Recommendations:

1. To consider the draft consultation response set out at **Appendix 1**.
  2. To consider the draft Local Impact Report set out in **Appendix 2** and to recommend that the Director of Sustainable Communities in consultation with the Cabinet Member for Sustainable Development finalise the Local Impact Report to enable its submission to the Planning Inspectorate by submission date which is still to be confirmed.
  3. To authorise the Director of Sustainable Communities and his appointed Officers to engage within and respond on behalf of Chelmsford City Council on all matters relating to the Examination and subsequently thereafter.
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## 1. Introduction

### Scope and Purpose of the Consultation

- 1.1 The Longfield Solar Farm Development Consent Order has been accepted by the Planning Inspectorate for examination. The proposal is currently within the pre-examination process where the examining authority is appointed and the date for the preliminary meeting, setting out procedural decisions on how the application is to be examined, is expected to be in June/July 2022.
- 1.2 Currently Longfield Solar Energy Farm Limited, on behalf of the Planning Inspectorate are inviting all interested parties, which includes the residents, to make relevant representations to the proposal. The time period for making relevant representations runs to 2 June 2022. Chelmsford City Council as one of three host authorities is not required to submit relevant representations in this period and will be automatically registered as a Statutory Party.
- 1.3 As such, Chelmsford City Council will be invited to submit a Local Impact Report (LIR) giving detail of the likely impact of the proposed development on the authority's area. However, Officers believe that ahead of the submission of the LIR, Chelmsford City Council should also submit a short representation in response to the current consultation to highlight the main issues that will be contained in the LIR.
- 1.4 The Local Impact Report must be submitted to the Planning Inspectorate by a given deadline which is yet to be confirmed. It will be considered by the Examining Authority; a single Inspector or a panel of Inspectors, who will examine the application. After the examination has been concluded, the Examining Authority will make a recommendation to the Secretary of State, who will make a decision on whether or not to make a Development Consent Order (DCO) authorising the project. In coming to a decision, the Secretary of State must have regard to any Local Impact Reports that are submitted by the deadline.
- 1.5 The examining authority will hold a preliminary meeting before the commencement of the examination and will circulate a procedural note concerning the details and timetables in respect of various aspects of the examination. This will specify the deadline for the final submission of Local Impact Report and the period within which interested parties will have the opportunity to make comments on them.
- 1.6 In practice, as the Local Impact Report will be required early in the examination process, with the deadline for submission of the LIR to be set very soon after the preliminary meeting, the draft version of the LIR is presented to members now for consideration and comment.
- 1.7 The Planning Inspectorate recommends that Local Authorities should ensure that any necessary internal authorisation processes are in place to meet the examination table and it is entirely a matter for local authorities to determine

whether or not a LIR requires approval by Members and what form (paragraph 3.7 of PINS Advice Note One Local Impact Reports).

1.8 In order to comply with the likely early submission deadlines, and to ensure that the examining authority and Secretary of State take into consideration Chelmsford City Council's views, it is recommended that the Director of Sustainable Communities submits the final version of the LIR to the Planning Inspectorate at the requested date.

1.9 As other documentation, including the Statement of Common Ground is also likely to be subject to early submission deadlines, it is recommended that the Director of Sustainable Communities submit all other relevant reports on Longfield Solar Farm at the requested date.

1.10 Details of the application can be found on the planning Inspectorates website <https://infrastructure.planninginspectorate.gov.uk/projects/eastern/longfield-solar-farm/> and also on <https://www.longfieldsolarfarm.co.uk/>.

## 2. Proposal

2.1 The proposal is for a new solar energy farm co-located with battery storage and associated infrastructure, which if approved could help meet the country's need for low carbon energy.

2.2 Longfield Solar Energy Farm propose to use ground mounted fixed solar panels to generate electricity from the sun and the batteries would store energy for when it is most needed. The proposal includes grid connection infrastructure (including an extension to the existing Bulls Lodge Substation, to connect Longfield Solar Farm to the National Grid.

2.3 Full details of the proposal can be found within the Draft Local Impact Report attached at **Appendix 2**.

## 3. Background and Context

3.1 A non-statutory consultation was held from 2<sup>nd</sup> November to 14<sup>th</sup> December 2020. The Council's response to the non-statutory consultation was agreed at Policy Board on 3<sup>rd</sup> December 2020. Following which, statutory consultation was held on the proposal from 1<sup>st</sup> June to 2<sup>nd</sup> July 2021. The Council's response to the statutory consultation was sent in July 2021.

3.2 To inform the Final Design Masterplan, following the statutory consultation, the DCO application proposal has been refined further in the following ways:

- Reduction on in the site area,
- Reduction in the use of Best and Most Versatile Agricultural Land
- Moved development away from specific views

- Replacement of land allocated for the siting of solar arrays for use as biodiversity enhancement
- Refinement of Grid Connection Route
- Development of proposals for landscape planting and biodiversity enhancement.

### Location

3.3 The site is located on farmland north east of Chelmsford and north of the A12 between Boreham, Hatfield Peverel, Great Leighs and Terling as stated at **Appendix 2**. The site is located on around 453 hectares of land. Whilst mainly located within the Braintree District administrative area, the western parts of the site fall within the City Council area. Not all of the proposed site area would be used for the solar arrays and battery storage, the proposed site allows space for landscaping, habitat enhancement and mitigation.

### Operation

3.4 Longfield Solar Farm is being proposed by Longfield Solar Energy Farm Ltd., a joint venture between EDF Renewables (EDFR) and Padero Solar. It is proposed that the Solar Farm would operate for a temporary period of 40 years.

### Solar and Battery Storage

3.5 Energy generation currently makes up a significant amount of the UK's carbon emissions. To meet the Government's target of achieving net zero carbon emissions by 2050, the UK requires significant investment in new renewable energy generation.

3.6 Solar energy is one of these sources which can contribute to offer clean, low carbon sources of energy generation.

3.7 The proposal is to use ground mounted PV panel arrays to generate electricity. This is supported by localised cabling and solar stations (comprising inverter, transformer and switchgear) to transfer the electricity to the substations and battery storage.

3.8 The battery storage element of the proposal would play a role in stabilising the National Grid. Solar and other forms of renewable energy generation are intermittent by their nature. The battery storage allows electricity to be stored at times of an excess or shortfall in demand, and then released to the National Grid when it is needed or by removing surplus power from the grid and storing it to be released later.

### Construction, operation and management

3.9 Access to the main site would be from Waltham Road/Boreham Road and the A130 Essex Regiment Way via Wheelers Hill, Cranham Road and Boreham Road. Generals Lane would be used for access to the Bulls Lodge Substation site. Access arrangements would apply to and from the site in the construction, operation and decommissioning stages.

- 3.10 The proposal anticipates that the total construction period would take approximately 24 months to complete and, with the exception of the Battery Energy Storage System (BESS) which is likely to be built in two phases, the scheme would be built in a single phase.
- 3.11 Whilst operational, activity across the site would be minimal and restricted to monitoring, maintenance and the management of the site. Consent is sought for an operational lifespan of 40 years, with the infrastructure being removed once it reaches the end of its lifespan.

#### 4. Policy Context

- 4.1 As the solar farm would have capacity to generate more than 50 megawatts (MW) of electricity, it is classified as a Nationally Significant Infrastructure Project (NSIP). As such it is required to follow the Development Consent Order (DCO) process under the Planning Act 2008.
- 4.2 DCO applications are made to the Planning Inspectorate (PINS) who manage the application on behalf of the relevant Secretary of State. In this case it would be the Secretary of State for Business, Energy and Industrial Strategy who will be the final decision maker.
- 4.3 The proposal will be assessed against relevant national and local planning policies, including the National Planning Policy Statements (NPS), National Planning Policy Framework (NPPF) and the statutory Development Plans for Chelmsford and Braintree Councils.

#### National Planning Policy

- 4.4 The overarching National Policy Statement for Energy (NPS EN-1) and National Policy Statement for Renewable Energy Infrastructure (NPS EN-3) set out national policy for delivery of nationally significant energy infrastructure, including renewable energy although neither explicitly covers solar powered electricity generation or battery storage. The NPSs set out assessment principles for judging impacts of energy projects at National level and will form material considerations when considering development proposals for National Significant Infrastructure Projects.
- 4.5 The NPPF talks generally about renewables although does not specifically mention solar farms. It favours sustainable energy systems as long as that any impacts are (or can be) made acceptable, and that local planning authorities should approach these as part of a positive strategy for tackling climate change.

#### Local Planning Policies

- 4.6 Relevant adopted local planning policies and guidance, include:

- Chelmsford Local Plan 2013-2036, May 2020

- Essex County Council and Southend-on-Sea Waste Local Plan, 2017
- Essex County Council Minerals Local Plan, July 2014
- Made Neighbourhood Plans
- Making Places Supplementary Planning Document (SPD)
- Planning Obligations SPD
- Solar Farm Development SPD

## 5. Environmental Impact Assessment

5.1 An Environmental Statement (ES) has been prepared as part of the Development Consent Order application.

5.2 This considers the proposals environmental impact upon a range of matters including, but not limited to landscape and visual impact, cultural heritage, ecology, trees and biodiversity, flood risk, noise and vibration and transport and access.

5.3 The ES describes the national and local planning policies that are relevant to the assessment, but it does not assess the proposal. The assessment forms part of the applicants Planning Statement to the DCO application.

5.4 The ES considers the impacts resulting from the construction, operation (including maintenance) and decommissioning of the scheme. It considers measures to avoid, reduce, or mitigate any significant adverse effects on the environment, and where possible enhances the environment. It also identifies any 'residual' impacts following the implementation of any mitigation measures.

5.5 The topics considered in the ES and their impacts are listed as:

<b>Topic Area</b>	<b>Construction</b>	<b>Operation</b>	<b>Decommissioning</b>
<b>Climate Change</b>	No significant residual effects	Major beneficial Significant impact	No significant residual effects
<b>Cultural Heritage</b>	Moderate Adverse – Significant impact upon setting of Ringers Farmhouse	No significant residual effects, although effects on Ringers Farmhouse likely to transfer	No significant residual effects
<b>Ecology</b>	No significant residual effects	No significant residual effects	No significant residual effects
<b>Flood Risk, Drainage and Surface Water</b>	No significant residual effects	No significant residual effects	No significant residual effects
<b>Landscape and Visual Amenity</b>	Moderate Adverse – Significant impacts to changes Western Farmland Plateau	Moderate Adverse – Significant Impact year 1 and year 15 on Western Farmland	Major Adverse – Significant to recreational users of two Public Rights of Way

	and Toppinghoe Hall Woods landscape character areas Major / moderate Adverse impact to visual amenity for some local residents and users of Public Right of Way	Plateau and Toppinghoe Hall Woods Moderate / Major Adverse Significant Impact year 1 and year 15 to visual amenity for some local residents and users of the Public Right of Way	
<b>Noise and Vibration</b>	No significant residual effects	No significant residual effects	No significant residual effects
<b>Socio Economic</b>	Moderate Beneficial Significant Impact	No significant residual effects	Moderate Beneficial – Significant impact to local economy Major Beneficial Significant impact to agricultural land
<b>Transport and Access</b>	No significant residual effects	No significant residual effects	No significant residual effects
<b>Air Quality</b>	No significant residual effects	No significant residual effects	No significant residual effects
<b>Health Impact Assessment</b>	No significant residual effects	No significant residual effects	No significant residual effects
<b>Other Environmental Topics including glint and glare, ground conditions, accidents and disasters, telecoms, TV reception and utilities and waste</b>	No significant residual effects	No significant residual effects	No significant residual effects

5.6 Full consideration and summary of the topic areas is given within the Draft Local Impact Report. Of the topic areas identified as having significant impacts, a summary of the Officers initial commentary to the Draft LIR in respect of is set out below:

#### [Landscape Character and Visual Amenity](#)

5.7 By reason of its mass and scale, the proposal would lead to some significant adverse effects upon landscape character and visual amenity.



- 5.8 However, the significant effects of the proposal would be limited in extent and duration to this location and the visual effects of the solar farm would be mitigated by its mostly single storey form, existing boundary screening and proposed mitigation.
- 5.9 From close quarters, the proposal would result in a significant change to high sensitivity visual receptors (local residents and Public Rights of Way (PRoW) users) and medium sensitivity users (motorists). Yet, the localised harm that the proposal would have would not diminish the overall quality of the landscape character of the site, or negatively impact upon users experience of walking through or passing along the Local Public Rights of Way and highway network in the long term. Effects upon residential amenity can be mitigated through appropriate mitigation.
- 5.10 The main effect on landscape character would be limited to the locality of the site. Over time, the changes to the landscape character would diminish to a degree as the mitigation proposals establish and reach maturity.
- 5.11 Although the mitigation scheme will take time to establish, year on year the screening will improve. The additional planting plus use of the existing field boundaries; to minimise the need to create new accessways and breaches of field boundaries, together with plant equipment painted in an appropriate finish and colour, would all help integrate the development into the landscape from the start of the operational phase.
- 5.12 Overall, on balance, when weighing up the overall benefits of the proposal and its contribution to promoting renewable energy, the proposal would not have a significant major adverse environmental effect, such that it would warrant a specific objection on this ground.
- 5.13 This is dependent on mitigation landscaping and other conditions set out in the Outline Landscape and Ecological Management Plan (OLEMP).

#### Natural Environmental and Loss of Agricultural Land

- 5.14 The proposal is not expected to lead to any significant adverse residual effects upon ecology, trees and biodiversity. The scheme has been designed to avoid impact to important habitats including ancient woodland, veteran trees, marshy grassland, hedgerows, running water and ponds and ecology.
- 5.15 Significant biodiversity enhancements would be created through planting and appropriate management of wildlife friendly habitats including the provision of large planting belts along the site boundaries, the creation of land for natural regeneration and the formation of natural woodland and species rich grassland. The Biodiversity Net Gain Assessment confirms that the proposal would deliver 79% habitat and 20% linear overall net gains through habitat retention, creation and enhancement primarily from the change of arable fields into grassland which has greater ecological value when managed as a wildflower meadow.



- 5.16 The proposal would lead to the loss of about 150 hectares (34% of the site boundary) of Best and Most Versatile Agricultural Land. This would be broken up in Grade 2 (55 hectares) and 3a (101 hectares). The loss of this amount of BMV land would be significant and would be of high magnitude and could not be mitigated or offset elsewhere.
- 5.17 The loss of 34% of BMV land is disappointing and is not within the spirit of National and Local Planning policies which consider this to be protected.
- 5.18 Yet, the loss of agricultural land would be reversible after the use ceases, albeit the proposal is for a forty-year timeframe which by its very nature would represent a considerable period of time for the loss of agricultural land. The forty-year timeframe would not be perceived by those who frequent the area as being temporary.
- 5.19 The removal of arable production is a material consideration, but this must be balanced against the benefit of the proposal in reducing greenhouse gas emissions through renewable and low carbon energy and associated infrastructure.
- 5.20 The proposal would deliver significant ecological and environmental improvements, and requirements (conditions) relating to the appliance of an Outline Soil Resource Management Plan (OSRMP) appended to the Outline Construction Environmental Management Plan (OCEMP) would ensure the protection and conservation of soil resources on site during operation during the operation of the development.
- 5.21 On balance, it is considered that these measures outweigh the loss of Best and Most Versatile Agricultural Land, particularly when considered in the wider context of the proposal in its totality.

#### Historic Environment

- 5.22 In weighing applications that directly or indirectly affect designated and non-designated heritage assets, a balanced judgement is required having regard to the scale of any harm or loss and the significance of the heritage asset.
- 5.23 The proposal would only lead to significant adverse harm in relation to a number of assets during the construction of the scheme and that harm would be temporary. During operation, no significant residual effects on cultural heritage that would warrant a specific objection are proposed. Any residual effects from the scheme would be of low level and could be mitigated against.
- 5.24 Any harm to a designated heritage asset should be balanced against any public benefit delivered by the proposals. Overall, on balance, when weighing up the overall benefits of the proposal and its contribution to promoting renewable energy, the proposal would not have a significant adverse cultural heritage effect, such that it would warrant a specific objection on this ground.

## Residential living environment

- 5.25 The proposal would lead to a clear and noticeable change in residential living environment, particularly for those residents living immediately adjacent to the Order limits. Yet a change in residential living environment does not in itself mean that a proposal is harmful.
- 5.26 Any perceived and direct effects upon living environment could be mitigated against and the ES concludes that the proposal would not lead to any material and significant adverse effect.
- 5.27 Although the mitigation scheme will take time to establish, year on year the screening will improve. The additional planting plus careful siting and screening of boundary treatment, CCTV and other features would all help integrate the development into the landscape and reduce the impact upon residential living environment from the start of the operational phase.
- 5.28 Overall, on balance, when weighing up the overall benefits of the proposal and its contribution to promoting renewable energy, the proposal would not have a significant major adverse environmental effect, such that it would warrant a specific objection on this ground.
- 5.29 This is dependent on mitigation landscaping and other conditions set out in the Outline Landscape and Ecological Management Plan (OLEMP) and other documents.

## 6. Overall Conclusions and summary of Local Impact Report Response

- 6.1 There is a recognised need and support for renewable energy technology through National and Local Planning policy and this development would contribute towards the targets set for the UK's greenhouse gas emission reduction and increasing the country's energy supply from renewable sources.
- 6.2 The assessment of renewable energy proposals requires the impacts to be considered in the context of the strong "in principle" policy support given the Government's conclusion that there is a pressing need to deliver renewable energy generation.
- 6.3 The proposal would deliver 356,475 MW of energy a year which would provide a valuable contribution to cutting greenhouse gas emissions. This is given significant weight in favour of the proposal.
- 6.4 The proposal is not considered to lead to significant adverse harm, such that it would warrant a specific objection from CCC.
- 6.5 The proposal would not have an unacceptable adverse impact on the surrounding landscape both visually and with regard to landscape character. The predicted landscape effects arising from the proposed development are

acceptable on balance when weighing up the overall benefits of the proposal and can be overcome by the proposed mitigation.

6.6 The proposal would have a low level of less than substantial harm on heritage assets. Landscaping would partly mitigate the harm, but a very low level of harm would remain. This harm, in the context of public benefits delivered by the proposal with regard to increasing the country's energy supply from renewable sources, would not amount to a reason for objection on these grounds.

6.7 The proposal is not expected to have a harmful adverse impact on ecology, residential amenity, highway safety or flood risk, subject to controls recommended by planning requirements (conditions).

6.8 The main benefit arising from the scheme is the contribution to the production of renewable energy and consequential reduction in CO2 emissions. These benefits are afforded substantial weight.

6.9 For the reasons given above and having regard to all other matters raised it is concluded that the proposed development is likely to be acceptable in accordance with the adopted Local Plan Policies, national planning policy and guidance and the Adopted Solar Farm Supplementary Planning Document.

## 7. Next Steps and Timetable

7.1 The indicative timetables are:

- Pre-examination and meeting – May 2022 – July 22
- Examination – August 22 – February 23
- Decision – Spring / Summer 23

7.2 In the meantime, Officers will continue to collaborate with Essex County Council and Braintree District Council in responding to the proposal.

### List of appendices:

Appendix 1 – Proposed consultation response

Appendix 2 – Draft Local Impact Report

### Background papers:

None

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### Corporate Implications:

### Legal/Constitutional:

CCC will be a statutory consultee the DCO process. Failure to respond would reduce the Council's ability to influence the development process and the legacy of planning decisions which could have an impact on its area.

Financial:

The cost of responding to the consultation has been in officer time. In spite of entering into a PPA with Longfield Solar Energy Farm, the DCO submission and examination could / will involve significant officer-time so additional funding from the Councils' own resources may be required to continue to effectively engage in the process. There could also be a need for legal support associated with the DCO examination and for drafting S106 agreements in connection with associated development within the CCC area. These costs are currently unknown.

Potential impact on climate change and the environment:

The Longfield Solar Farm consultation promotes a sustainable form of energy generation. It would contribute to reducing carbon emissions, reliance on fossil fuels and provide local energy security. Consideration of the environmental implications and mitigation will occur as part of the DCO planning process.

Contribution toward achieving a net zero carbon position by 2030:

To meet the Government's target of achieving net zero carbon emissions by 2050, the UK requires significant investment in new renewable energy generation. This proposal would contribute to meeting the UK's future need for low carbon energy and achieving target of net zero carbon by 2050.

Personnel:

The cost of responding to this consultation has been in officer time. Additional officer time will be required to effectively engage in the process going forward.

Risk Management:

CCC risks not being able to influence the development proposals and the impacts it will have on its area and local communities if it does not respond to the consultation.

Equality and Diversity:

It is the responsibility of Longfield Solar Farm to satisfy itself that requirements for equality impacts assessments have been undertaken.

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:

None.

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Consultees:

Development Management

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Relevant Policies and Strategies:

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

- Chelmsford Local Plan 2013-2036 (Adopted on 27 May 2020)
  - Draft Planning Obligations Supplementary Planning Document
  - Statement of Community Involvement, 2020
  - Climate and Ecological Emergency Action Plan, January 2020
  - Chelmsford Adopted Solar Farm Supplementary Planning Document
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## APPENDIX 1

### Draft Relevant Representation to Longfield Solar Farm

Thank you for confirming that Chelmsford City Council, as a host (B Authority), has been automatically registered as an interested Party in the Longfield Solar Farm application, under section 102(1)(c) of the Planning Act 2008, and therefore its views will be considered for the duration of the examination.

To assist the Examining Authority (ExA) in forming its initial assessment of principal issues in advance of the preparation of the draft examination timetable, and ahead of the submission of the Local Impact Report, Chelmsford City Council makes the following representation, as set out below, in respect of its main areas of interest to the Development Consent Order Application.

Chelmsford City Council acknowledges that there is a recognised need and support for renewable energy technology through National and Local Planning policy and this development would contribute towards the targets set for the UK's greenhouse gas emission reduction and increasing the country's energy supply for renewable sources.

The assessment of renewable energy proposals requires the impacts of the proposal to be considered in the context of the strong "in principle" policy support given the Government's conclusion that there is a pressing need to deliver renewable energy generation.

The proposal would deliver 356,475 MW of energy a year which would provide a valuable contribution to cutting greenhouse gas emissions. This is given significant weight in favour of the proposal.

Chelmsford City Council considers that the main issue arising from the proposal is its impact upon landscape character and amenity. By reason of its mass and scale, the proposal would lead to some significant adverse effects upon landscape character and visual amenity. The Council is particularly concerned about the impact upon the Ter Valley. From close quarters, the proposal would result in a significant change to high sensitivity visual receptors (local residents and Public Rights of Way (PRoW) users) and medium sensitivity users (motorists).

The Council also requests that consideration be given to the loss of Best and Most Versatile Agricultural Land. The proposal would lead to the loss of about 150 hectares (34% of the site boundary) of Best and Most Versatile Agricultural Land. This would be broken up in Grade 2 (55 hectares) and 3a (101 hectares). The loss of this amount of BMV land would be of high magnitude and it would not be possible to mitigate against the loss of this.

Whilst the proposal would deliver significant ecological and environmental improvements, this is dependent upon the mitigation landscaping and other conditions set out in the Outline Landscape and Ecological Management Plan (OLEMP) and other documents. Full consideration of the impact of the proposal upon ecology and the natural landscape will need to be explored as part of the examination.

The proposal would lead to a clear and noticeable change in residential living environment, particularly for those residents living immediately adjacent to the Order limits. Any perceived and direct effects upon living environment will need to be thoroughly considered and the views of those affected residents taken into account. The appropriateness and reasonableness of mitigation to mitigate against any concerns should be considered.

## APPENDIX 1

The proposal has potential to effect matters including, but not limited to, Cultural Heritage, Noise, Vibration, Air Quality and Contamination, Traffic and Highway Safety, Flooding and Drainage and Human Health and Battery Safety. Chelmsford City Council expects a full and thorough consideration of those including detailed measures to mitigate identified adverse impact, plus any other associated matters raised within the Relevant Representation from other interested parties and stakeholders, to take place within the Examination

Without prejudice to the above, Chelmsford City Council will be producing a Local Impact Report and will set out its position in full within this document.

The City Council looks forward to receiving further information regarding the submission timeframe of this, and other associated documents. The City Council will continue to engage with both the applicant, Longfield Solar Energy Farm Ltd, and our neighbouring Host Authorities, Braintree District Council and Essex County Councils regarding the Development Consent Order.

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Longfield Solar Farm Draft Local Impact Report

May 2022

Chelmsford City Council Draft Response

## **1. Introduction**

- 1.1 This report comprises the City Council's draft Local Impact Report (LIR) to the Longfield Solar Farm. The report has been prepared in accordance with the advice and requirements set out in the Planning Act 2008 and Advice Note One (Local Impact Reports (Version 2) issued by the Infrastructure Planning Commission in April 2012.
- 1.2 The Advice note states that the LIR is a report in writing giving details of the likely impact of the proposed development on the authority's area. The LIR should centre around whether the Local Authority considers the development would have a positive, negative or neutral effect on the area.
- 1.3 At the time of writing this draft report, a final view on the effect of the development has not been formulated. This is so not to prejudice the Council's position during the Relevant Representation period.
- 1.4 The proposed site is located within the administrative areas of Chelmsford and Braintree, and Essex County Council. The site is located on farmland north-east of Chelmsford, and north of the A12 between Boreham, Hatfield Peverel, Great Leighs and Terling.
- 1.5 The proposal is for the construction, operation and maintenance, and decommissioning of a new solar farm with co-located Battery Energy Storage System (BESS) and export connection to the national electricity transmission network (NETS), including extension of the existing Bulls Lodge Substation.
- 1.6 It would be sited on 453 ha of land located north-east of Chelmsford. The proposal put forward by the applicant; Longfield Solar Energy Farm, a joint venture between EDF – Renewables and Padero Solar, includes:
  - A ground mounted solar photovoltaic generating station
  - Battery Energy Storage System (BESS) compounds
  - On site substation compound (Longfield substation)
  - Works to lay high voltage electrical cables including works to lay one 400KV cable circuit and associated infrastructure and temporary construction laydown areas
  - An extension to the Bulls Lodge Substation comprising an electricity switching station including access and temporary overhead line alterations
  - Other works including and not limited to cables, boundary treatment, CCTV, lighting, landscaping, biodiversity enhancement, tracks, earthworks, surface water management, temporary construction compounds, temporary footpath diversions, and diversion of cables



- Temporary construction laydown areas for Solar Farm Site
- Office, warehousing and plant storage building,
- Works to facilitate access, including road widening of highways to facilitate access to the Order limits
- Access for habitat management.

1.7 The land within the Order limits comprises four distinct areas:

- **The Solar Farm Site** – which mainly comprises agricultural land.
- **Bulls Lodge Substation Site** - located to the south-west of the Solar Farm Site and comprises the Bulls Lodge substation, and neighbouring agricultural fields.
- **Grid Connection Route** – the land between the Solar Farm Site and the Bulls Lodge Substation Site.
- **Site Access Works** – the land needed to access the Solar Farm Site and Bulls Lodge Substation from the public highway.

1.8 As the proposal is located across multiple host authorities, the three authorities of Chelmsford City Council, Braintree District Council and Essex County Council have continued to work collaboratively and where necessary shared expertise in assessing the proposal.

## 2. Description of site and surroundings

### Order limits

- 2.1 The site is located on farmland north-east of Chelmsford and north of the A12 between Boreham, Hatfield Peverel, Great Leighs and Terling. The farmland is mainly under arable production (mainly Grades 3a to 3b), and spans a broadly largely flat, plateaued landscape interspersed with trees, hedgerows, tree belts and small blocks of woodland. The hedgerows and woodland range between lengths of dense tall vegetation and thin lines of vegetation with sporadic trees present. Within the site are some small areas of pasture interspersed with individual trees, hedgerows, small woodland blocks and farm access tracks.
- 2.2 The northern part of the site consists of undulating and elevated landform comprising part of the River Ter Valley, which rises steeply from the base of the valley to the northward edge of the Order limits.
- 2.3 Most of the central and southern parts of the Order limits are located across flat and low-lying land between Waltham Road, Boreham Road and Terling Road.
- 2.4 Public Rights of Way (PRoW), including the Essex Way, cross the site and surrounding area. Other existing infrastructure includes a network of 400 kV, 132 kV and 11kV pylons and overhead powerlines (OHLs) supported by towers and wooden poles. These extend from the south-west of the Order limits to the north west of Boreham and to the west of Sandy Wood, where there is a diversion to Fuller Street.

- 2.5 Boreham Road and Waltham Road run north-south along the western edge of the Order limits, with the A12 carriageway, B1137 and railway line connecting Chelmsford and Witham running to the south and south-west of the Order limits.
- 2.6 Terling Road and Terling Hall Road border the site to the east, serving the settlements of Fuller Street and Terling. Noakes Farm Road crosses the Order limits connecting Boreham Road in the west with Terling Hall Road in the east.
- 2.7 The existing Bulls Lodge 400kV National Grid Electricity Transmission (NGET) substation lies within the south-west part of the Order limits to the west of Brick House Farm and about 400 metres to the north of the A12 carriageway.

### **Surrounding Area and allocations**

- 2.8 A number of settlements lie within the vicinity of the Order limits. Boreham and Chelmsford within Chelmsford District and Fuller Street, Gambles Green, Terling and Hatfield Peverel within Braintree District.
- 2.9 To the west of the Order limits, the land has been used for sand and gravel extraction. Boreham Airfield lies about 800 metres to the west of the limits. The River Chelmer flows about 2.5km to the south of the Order limits, with several large lakes and reservoirs adjacent to the river, which extend close to Waltham Road.
- 2.10 Bulls Lodge sand and gravel quarry lies directly to the north of the existing Bulls Lodge Substation. Directly to the south of the substation is Brick House Farm access track and the A12.
- 2.11 A number of residential properties, comprising individual houses, lie on or close to the boundary of the Order limits.
- 2.12 The majority of the site is located within Flood Zone 1 with a very small section of the site forming part of the Grid Connection Route within Flood zones 2 and 3. The Grid Connection Route would cross the southern end of Boreham Road Local Wildlife Site (LoWS).
- 2.13 There are no designated heritage assets within the Order limits, although several listed buildings are located close to the Order edges. Three Scheduled Ancient Monuments are within 3km of the Order limits and there are four Registered Parks and Gardens. Terling Conservation Area lies about 650 metres to the south-east and Boreham Conservation Area about 750 metres to the south. A network of Green Lanes extends across the Order limits and the surrounding area.
- 2.14 There are no ancient woodlands or trees protected by Tree Preservation Order (TPO's) within the Order limits, although several ancient woodlands are located next to the Order limits. One ancient woodland; Toppinghoe Hall Wood and Porters Wood, is encircled by the Order. No development is proposed within 15 metres of ancient woodland.
- 2.15 The Order limits include a Minerals Safeguarding Area (MSA), Minerals Consultation Area (MCA) and Waste Consultation Area (WCA).

- 2.16 Whilst mainly located within the Braintree District administrative area, the western parts of the site, including the some of the land used for the siting of the solar arrays, Bulls Lodge Substation site, Grid Connection Route and primary access route (from Wheelers Hill), fall within the City Council area. The proposed site allows space for landscaping, habitat enhancement and mitigation.
- 2.17 Land to the west of the Solar Farm site is allocated in the Chelmsford Local Plan for North East Chelmsford urban extension to form a new Garden Community.
- 2.18 Locally the site falls within the Rural Area beyond the Green Belt.

### **3. Details of the proposal**

- 3.1 The proposal is for the construction, operation and maintenance, and decommissioning of a new solar farm with co-located Battery Energy Storage System (BESS) and export connection to the national electricity transmission network (NETS), including extension of the existing Bulls Lodge Substation.
- 3.2 It would be sited on 453 ha of land located north-east of Chelmsford. The proposal put forward by the applicant; Longfield Solar Energy Farm Limited, is a joint venture between EDF – Renewables and Padero Solar, and includes:

- A ground mounted solar photovoltaic generating station
- Battery Energy Storage System (BESS) compounds
- On site substation compound (Longfield substation)
- Works to lay high voltage electrical cables including works to lay one 400KV cable circuit and associated infrastructure and temporary construction laydown areas
- An extension to the Bulls Lodge Substation comprising an electricity switching station including access and temporary overhead line alterations
- Other works including and not limited to cables, boundary treatment, CCTV, lighting, landscaping, biodiversity enhancement, tracks, earthworks, surface water management, temporary construction compounds, temporary footpath diversions, and diversion of cables
- Temporary construction laydown areas for Solar Farm Site
- Office, warehousing and plant storage building,
- Works to facilitate access, including road widening of highways to facilitate access to the Order limits
- Access for habitat management.

- 3.3 The site would comprise four areas of development:

#### **The Solar Farm site – including Longfield Substation, Battery Storage and ancillary works**

- 3.4 The solar farm site would comprise the installation of photovoltaic panels laid out in a framework of rows running from east to west across the Order limits. They would be fixed

to a framework that would be primarily driven or piled into the ground and linked to solar stations (comprising inverter, transformer and switchgear) along underground cables, to a depth of about 1 metre. The structures would have a maximum height of about 3 metres above ground level and a separation distance of between 2.0 – 4.0 metres apart.

- 3.5 Associated infrastructure (plant) would comprise Balance of Solar System (BoSS) comprising inverters, transformers and switchgears necessary to manage the electricity generated by the PV panels. Some of these would be housed within Solar Stations, where plant is housed together in pre-configured units measuring about 12.5 metres by 3.1 metres in plan and 3.5 metres in height. A maximum of 150 solar stations are shown within the design principles.

#### *Longfield Substation and battery storage*

- 3.6 Within the Solar Farm Site, underground cables would link from the Solar Farm Site to the Longfield Substation which would be located within a fenced compound of about 1.7ha, 20 metres to the north of Toppinghoehall Wood. The substation would convert electricity generated, imported and stored by the scheme to 400kV for onward transmission to the National Grid along the Grid Connection Cables and Bulls Lodge substation extension.
- 3.7 The substation compound would contain plant, typical to that found within the BoSS, as well as a control building housing office, storage and welfare facilities, monitoring and control systems, a 400 kilovolt filter compound and electrical cables. The maximum height of the compound would be 13 metres high. The control room and office would have a footprint of up to 27 metres by 14 metres and a height of about 7 metres.
- 3.8 Next to the substation, The Battery Energy Storage System (BESS) of the proposal would allow electricity to be stored at times of an excess or shortfall in demand, and then released to the National Grid when it is needed or by removing surplus power from the grid and storing it to be released later.
- 3.9 The BESS compound would be located in two fenced compounds sited either side of the Longfield substation, north of Toppinghoehall Wood. It would be constructed in two separate phases, one during the construction of the wider scheme, the other five years after commencement.
- 3.10 The BESS would comprise batteries and associated equipment housed within individual enclosures known as units. They would be supported by plant and electrical infrastructure used for operating the system, including monitoring and control systems, and heating, ventilation and air conditioning systems. These would all be system housed within containers and enclosures to a maximum height of four metres. Fire safety infrastructure including water storage tanks and a shut of valve for containment of fire water and hardstanding to accommodate emergency vehicles would be provided. Sound attenuation in the form of an acoustic fence may be required.

#### *Other ancillary works*

3.11 Ancillary works would comprise, but is not limited to the following:

- Fencing, mainly stock proof, would be installed around the perimeter of the Solar Farm Site. Fencing in the form of palisade would surround the Longfield substation, Battery Storage Area and Bulls Lodge substation.
- Security management systems including CCTV columns, lighting columns and lighting, cameras, water stations, communications infrastructure and perimeter fencing.
- Landscaping, biodiversity mitigation and enhancement measures including planting, earthworks and SUDs ponds.
- Means of access, internal access tracks, footpaths, permissive paths, cycle routes and roads including the laying and construction of drainage and irrigation systems.
- Works to divert the existing electric overhead lines.
- Highways works would include the laying down of access tracks.

### **Grid Connection Route**

3.12 Energy would be transferred from the Solar Farm Site and battery storage along the Grid Connection Route to the existing Bulls Lodge Substation site which will need to be expanded. The Grid Connection Route would comprise a single 400KV cable circuit consisting of three cables running underground from Longfield substation north of Toppinghoe Hall Wood to Bulls Lodge Substation, about 1.9 km to the south-west. No Overhead lines (OHLS) are required within the proposal.

3.13 The construction access area for the Grid Connection Route would be accessed from Generals Lane and Waltham Road. There would be a single crossing point of Waltham Road, just to the north of Chantry Lane to allow access to the cable route between the central crossing of Boreham Brook and Waltham Road.

### **Bulls Lodge Substation**

3.14 The existing Bulls Lodge Substation is operated and managed by National Grid. It comprises an open 400KV air-insulated substation that is designed to supply the National Grid and power the Anglian railway line.

3.15 The proposal would extend the existing substation to provide a new electric connection point to the National Grid to facilitate the import and export of electricity to and from the Solar Farm Site. It would comprise the installation of a new main substation building with switchgears, associated plant rooms, amenities block, storage and workshop units, an outdoor air insulated switchgear, temporary overhead line alterations including two temporary pylons and realignment of the existing 400KV overhead line.

3.16 Other works comprise the creation of a new permanent access road including new bell mouth entrance, internal roadways and footpaths, parking, lighting, permanent fencing and drainage outdoor. The new access would be located to the northern side of the existing private road, about 180m to the west of the existing substation access.

- 3.17 Following completion of the Radial Distributor Road, the substation would be accessed from the Boreham interchange.

### **Site Access Works**

- 3.18 Two access roads are included within the Order limits. These are Wheelers Hill and Cranham Road to the west of the Solar Farm Site and Generals Lane to the south of the Bulls Lodge Substation Site. Internal access tracks would be formed throughout the site. Minor widening works are proposed along Wheelers Hill, Cranham Road and Waltham Road within the existing highway boundary.

### **Construction, operation and management**

- 3.19 It is proposed to use Waltham Road/Boreham Road and A130 Essex Regiment Way via Wheelers Hill, Cranham Road and Boreham Road for access to and from the site in the construction, operation and decommissioning stages. Generals Lane would be used for access to the Bulls Lodge Substation site.
- 3.20 A construction compound would be formed off the Wheelers Road access, set on a concrete base comprising crushed hardcore.
- 3.21 The proposal anticipates that the total construction period would take approximately 24 months to complete. With the exception of the Battery Storage System (BESS), it is expected that the scheme would be built in a single phase. The BESS would be built in two phases, the first during the construction of the main scheme, with phase two to follow after an estimated 5 years after completion.
- 3.22 At the peak of construction, it is estimated that up to 600 workers would be required. Working hours on site would run from 7 am until 7 pm Monday to Saturday.
- 3.23 Whilst operational, activity across the site would be minimal and restricted to monitoring, maintenance and the management of the site. The Solar farms would have an operational lifespan of 40 years and the DCO would be valid for this duration. It is anticipated that about 8 permanent staff would be on site with parking for up to 9 vehicles.
- 3.24 The Bulls Lodge Substation would be maintained and managed by National Grid.
- 3.25 During operation, no part of the proposal would be continuously lit. Manually operated and motion detection lighting would be utilised for operation and security purposes around electrical infrastructure and within the BESS compound, Longfield Substation and Bulls Lodge Substation Extension.
- 3.26 The Decommissioning Strategy states that decommissioning is expected to take between 12 and 24 months according to a phased programme managed through a Decommissioning Environment Management Plan (DEMP) and Decommissioning Traffic Management Plan.

- 3.27 The land within the Solar Farm Site would be returned to the landowner and its original use after decommissioning. The infrastructure, comprising all solar PV array infrastructure including modules, mounting structures, cabling, inverters and transformers, would be removed once it reaches the end of its lifespan.
- 3.28 Foundations and other below ground infrastructure, which are not practicable to remove, would be cut to 1 metre below the surface to enable any future ploughing. Piles would be removed.
- 3.29 The works and extension to Bulls Lodge Substation would remain under the National Grid control and the buried cables would be left in situ.
- 3.30 Some primary access accesses would be retained by the landowner, although some permissive paths may be removed. The Decommissioning Strategy assumes that established habitats, such as hedgerows and woodland would be retained.
- 3.31 To restore the land to its pre-condition construction, the soil resource would be managed throughout construction, preparation and decisioning through an Outline Soil Resource Management Plan.

## **Planning History**

- 4.1 A full consideration of the planning history is set out in the applicants Environmental Statement (ES).
- 4.2 As a largely agricultural site, much of the planning history within the Order limits is limited and associated with the mineral workings close to the Bulls Lodge Substation site and Grid Connection Route.
- 4.3 A scoping opinion was adopted by the Secretary of State on 16<sup>th</sup> December 2020.
- 4.4 The Bulls Lodge Substation site benefits from the following planning history:
- 15/01581/FUL Construction of a new 400kV gas-insulated substation to supply additional power to the Anglia railway. Access track to be upgraded with temporary access to be provided during the construction period. Approved 7<sup>th</sup> January 2016.
- 4.5 Not implemented and superceded by the following application:
- 16/00911/FUL Construction of a new 400kV air-insulated substation to supply additional power to the Anglia railway. New car park, fencing and landscaping. Access track to be upgraded with temporary access to be provided during the construction period. Approved 20<sup>th</sup> September 2016.

## **Relevant planning policy**

## National Planning policy

- 5.1 The overarching National Policy Statement for Energy (NPS EN-1) and National Policy Statement for Renewable Energy Infrastructure (NPS EN-3) set out national policy for the delivery of nationally significant energy infrastructure, including renewable energy; although neither explicitly covers solar powered electricity generation or battery storage. These Statements set out assessment principles for judging impacts of energy projects and are material considerations when considering development proposals.
- 5.2 The Government is reviewing and updating the Energy NPS EN-1 and published a suite of documents for consultation on 6<sup>th</sup> September 2021. The emerging draft update to NPS EN-3 would bring solar NSIP developments into the coverage of the NPS's. This draft statement proposes specific policies for solar photovoltaic generation and states at paragraph 2.47.1 that such is a key part of the Governments strategy for low-cost decarbonisation of the energy sector.
- 5.3 It states that factors that will influence site selection by the application include irradiance and site topography, proximity of site to dwellings capacity of a site, grid connection, agricultural land classification and land type and accessibility (section 2.48 refers).
- 5.4 At section 2.49 it proposes that technical considerations for the Secretary of State are access tracks, site layout, design and appearance, security and lighting, project lifetimes, and flexibility. At sections 2.50 – 2.54, the draft NPS advises that consideration should be given to biodiversity and nature conservation, landscape, visual and residential amenity, glint and glare, cultural heritage, construction including traffic and transport noise and vibration
- 5.5 The Environment Act 2021 contains legislation to protect and enhance the UK's Environment for future generations and contains a series of principles to guide future policy making to protect the environment. It contains legally binding environmental targets that will be enforced by law through a new independent Office for Environmental Protection (OEP).
- 5.6 The National Planning Policy Framework (NPPF) states that planning plays a key role in helping shape places to secure radical reductions in greenhouse gas emissions, minimising vulnerability and providing resilience to the impacts of climate change, and supporting the delivery of renewable and low carbon energy and associated infrastructure.
- 5.7 The National Planning Policy Guidance outlines guidance on the specific planning considerations that relate to large scale ground-mounted solar PV farms. It states that one consideration amongst others should be whether land is being used effectively; recommending that large scale solar farms are focused on previously developed and non-agricultural land.

## Local Planning Policy

- 5.8 The adopted Chelmsford Local Plan and Making Places Supplementary Planning Document (SPD) set the key principles for development within Chelmsford. There are several local planning policies that are relevant to the consideration of the proposal. These are Strategic Policy S2 and Development Management Policy DM19.



5.9 Strategic Policy S2 - Addressing climate change and flood risk, sets out the Councils strategic policy requirements for mitigating and adapting to climate change. In addressing the move to a lower carbon future for Chelmsford, it states that the Council will, amongst other considerations, encourage new development that provides opportunities for renewable and low carbon energy technologies and schemes and provides opportunities for green infrastructure including city greening, and new habitat creation.

5.10 Policy DM19 - Renewable and low carbon energy sets out the criterion that renewable and low carbon planning application proposals will be considered against.

- i. Do not cause demonstrable harm to residential living environment; and
- ii. Avoid or minimise impacts on historic environment; and
- iii. Can demonstrate no adverse effect on the natural environment including designated sites; and
- iv. Do not have an unacceptable visual impact which would be harmful to the character of the area; and
- v. Will not have a detrimental impact upon highway safety.

5.11 Several other local plan policies are relevant to the consideration of proposals including:

- Strategic Policy S3 - Conserving and Enhancing the Historic Environment,
- Strategic Policy S4 - Conserving and Enhancing the Natural Environment,
- Strategic Policy S11 - The role of the countryside,
- Policy DM8 - New buildings and structures in the rural area,
- Policy DM10 - Change of use (Land and buildings) and Engineering operations.
- Policy DM13 - Designated heritage assets,
- Policy DM14 - Non designated heritage assets,
- Policy DM15 - Archaeology,
- Policy DM16 - Ecology and biodiversity,
- Policy DM17 - Trees, Woodland and landscape features,
- Policy DM18 - Flooding / SUDs
- Policy DM23 - High quality and inclusive design,
- Policy DM27 - Parking standards,
- Policy DM29 - Protecting living and working conditions,
- Policy DM30 - Contamination and pollution.

5.12 The Council adopted its Solar Farm Development Supplementary Planning Document Consultation Document (SPD) on 16<sup>th</sup> November. The SPD contains local guidance on preparing and submitting proposals for solar farms. It also gives guidance on how planning applications should be considered in light of national and local requirements

5.13 Other relevant adopted local planning policies and guidance include:

- Chelmsford Local Plan 2013-2036, May 2020
- Essex County Council and Southend-on-Sea Waste Local Plan, 2017
- Essex County Council Minerals Local Plan, July 2014

- Made Neighbourhood Plans
- Emerging Making Places Supplementary Planning Document (SPD)
- Emerging Planning Obligations SPD

## **Principle of development and likely significant effects**

### **Introduction**

6.1 On 16<sup>th</sup> July 2019, Chelmsford City Council (CCC) declared a Climate and Ecological emergency. The declaration represented a commitment to take appropriate action to make the Council's activities net-zero carbon by 2030.

6.2 CCC recognises that solar energy development can help meet targets for reducing carbon emissions, reduce reliance on fossil fuels and provide local energy security. They can also provide economic diversification for farmers and landowners and support local employment opportunities.

6.3 CCC support the development of solar energy development in principle provided there are no significant environmental impacts that cannot be appropriately managed and/or mitigated through the Development Consent Order process.

6.4 The following are identified as main issues / key areas of concern.

- Landscape character and visual amenity
- Natural environment and loss of agricultural land
- Historic Environment
- Residential living environment
- Noise, Vibration, Air Quality, and contamination
- Traffic and Highway Safety
- Flooding and Drainage
- Socio economic and other matters

### **Landscape character and visual amenity**

#### **Context**

6.5 The site is currently in agricultural use and has a well vegetated character. Trees and hedgerows border the site boundaries and would mainly be retained.

6.6 The solar farm would mainly cover the agricultural fields which make up the rolling landscape of the Terling and Boreham Farmland Plateau. The northern part of the site consists of undulating and relatively elevated landform that rises relatively steeply northwards from the River Ter and Terling Spring. The central area of the site comprises a plateau between the valley of the River Ter to the north and east and the valley of the River Chelmer to the south and west. The land to

the south of the site, close to the River Chelmer and the location of Bulls Lodge Substation has a flat and low-lying landform with which are several large lakes and reservoirs,

- 6.7 The development would be located across a series of agricultural fields with a gently sloping gradient. Whilst the agricultural character results in an open character to the fields, there are many mature woodlands and extensive tracts of vegetation. The fields within the site are delineated and divided by existing tree belts, woodland and hedgerows.
- 6.8 There are several ancient woodlands bordering the Order limits including Sandy Wood north of the Order limits, Scarlets Wood and Ringers Wood in the centre (but excluded from the Order limits) and Toppinghoehall Wood and Porters Wood bordering the southern boundary of the Order limits.
- 6.9 The site is located within the South Suffolk and North Essex Clayland National character area. Locally, the Braintree, Brentwood, Chelmsford, Maldon, and Uttlesford Landscape Character Assessment (CBA 2006) locates it within LCA B17 Terling Farmland Plateau.
- 6.10 Key characteristics of the land include:
- Rolling arable farmland
  - Irregular pattern of medium to large scale fields
  - Scattered settlement pattern with frequent small hamlets, typically with greens and ponds.
  - Network of narrow winding lanes
  - Mostly tranquil away from the A12 and A131
- 6.11 The proposal would lead to a significant change in the character and appearance of the landscape, which could be argued to lead to a change in the quality of the landscape and loss of agricultural character. However, green energy equipment such as solar arrays and wind turbines are rapidly becoming features that are becoming an integrated part of the agricultural landscape.
- 6.12 The proposal would retain the original field pattern in situ. Within the site, the panels would be sat on the flat land within east-westerly arrays (rows).
- 6.13 The applicant has provided a Landscape and Visual Impact Assessment (LVIA). This document describes the baseline qualities and current condition of local landscape character. It identifies several locations (visual receptor viewpoints) from which the site can be viewed.
- 6.14 The LVIA also identifies steps that would be taken to mitigate against any harm that would likely to arise from the implementation of the development.
- 6.15 The LVIA has been reviewed by the Councils external landscaping consultants, Wynne Williams Associates (WWA).
- 6.16 WWA were appointed at pre-application stage to review and advise upon the landscape implications of the proposal.

## **Methodology**

- 6.17 WWA confirm that the landscape character and visual impact assessment has been carried out using the methodology set out in the Guidelines for Landscape and Visual Impact Assessment (3<sup>rd</sup> Edition) which is the current commonly applied professional guidance.
- 6.18 They state that the definition and the extent of the local landscape character has been agreed to give a fine-grained approach to the LVIA.
- 6.19 They note there is one area of disagreement which is with reference to the categorisation of the Ter Valley (see paragraph 6.27 and 6.62 below).
- 6.20 WWA confirm that following a review of the proposal at pre-application stage, there is no requirement to undertake a residential amenity assessment.
- 6.21 WWA confirm that a cumulative assessment has been undertaken using current methodology, although this is less defined than standard LVIA methodology and that the worse case scenario (known as the 'Rochdale Envelope') have been applied to the assessment.
- 6.22 From the point of view of landscape and visual assessment, there are two aspects of the proposal that have potential to cause an effect on visual amenity and landscape character. These are the activities and elements of the proposal that would affect the fabric of the site landscape, and the activities and visual characteristics of the elements that would be visible from the surrounding locality.
- 6.23 The nature of solar farm developments is that these activities and elements would occur in three distinct phases, a short-term construction phase, a long-term operational phase, and a short-term decommissioning phase.

### **Visual amenity**

- 6.24 The proposal has been supported by Zone of Theoretical Visibility (ZTV) mapping which extended to an initial area of 4km from the Order limits in all directions. The study area was then reduced to 2km to the north, east and west and 4km to the south. As part of establishing a baseline, and in addition to defining landscape character types at national, regional and district scale, a total of 13 local level landscape character areas were defined within the site to provide a finer level of landscape detail.
- 6.25 In addition, the effect of the development from 57 viewpoints has been considered. The viewpoints were selected to represent the most open views of the solar farm from a range of distances, directions and viewpoint receptor locations.
- 6.26 The harm caused from the visual effects of the development has been assessed to range from major/moderate adverse in year 1 of operation. By year 15, with the exception of viewpoints 9 and 16, where there would be a moderate and major adverse effect, the effect would reduce to moderate minor adverse/ no effects after 15 years post construction during the operational phase.

- 6.27 WWA do not agree with the classification of viewpoint 45 – from the Essex Way footpath north of the River Ter looking south. The ES assessment is that the mitigation planting would reduce the impact on this view from moderate adverse in year one reducing to minor adverse in year 15. Although the proposed planting would provide screening, they consider that enough of the solar farm would be visible in year 15 for the impact of the view to be assessed as moderate adverse.
- 6.28 The visual effects of the various aspects of the construction phase would be temporary, intermittent, and short term. As the fields are predominantly arable, there would be limited loss of ground vegetation as result of the temporary site compounds, new tracks, medium voltage power stations, substations, and cable trenches. Ground disturbance and waste management would be minimised by site management with full reinstatement over temporary disturbed and excavated areas.
- 6.29 Construction would result in major or moderate adverse visual affects to local residents in close proximity to the Order limits. This is because the proposal would result in construction activity in close range across a wide extent of view. The construction of the development would also be noticeable to users of the Public Rights of Way and road users.
- 6.30 From a landscape and visual perspective, the site is set on generally flat/rolling fields that make up the rolling landscape of the Terling and Boreham Farmland plateau. During the operational stage, aspects that are likely to give significant effects on landscape character and amenity are the solar panels/arrays, site tracks, fencing, CCTV, and the associated single storey substations and transformer/inverter buildings, which would have a maximum height of about 4 metres.
- 6.31 Many key features of the landscape would be maintained, including the undulating landform, woodlands and landscape pattern. However, the proposal would result in the loss of some key characteristics of the landscape, namely the agricultural character and a reduction in the sense of openness given the change of land use and introduction of noticeable and visible new built features in the landscape.
- 6.32 In general terms, the proposal would lead to loss of open character and visibility which can be appreciated from the well-used footpath network. However, the visual effects of the solar farm would be mitigated by its mostly single storey form, existing boundary screening and proposed mitigation.
- 6.33 Although the mitigation scheme will take time to establish, year on year the screening will improve. The additional planting plus use of the existing field boundaries; to minimise the need to create new accessways and breaches of field boundaries, together with plant painted in an appropriate finish and colour, would all help integrate the development into the landscape from the start of the operational phase.
- 6.34 The photovoltaic panels would be seen within the existing field pattern and enclosing vegetation. There is a core area to the north of field PDF1 which could be visible in spite of mitigation. The utilitarian design would not be aesthetically pleasing but would be softened by the existing hedgerows and proposed boundary screening.

- 6.35 From close quarters, the proposal would result in a significant change to high sensitivity visual receptors (local residents and Public Rights of Way (PRoW) users) and medium sensitivity users (motorists).
- 6.36 In relation to the effect that the proposal would have upon local residents' amenity, because the panels are single storey, the presence of intervening boundary treatment and vegetation would broadly screen them from ground floor views. In cases where boundary treatment is limited/open, the arrays would be sited an acceptable distance from residential boundaries so to not be overbearing. At first floor level, it would be possible to see the arrays across an expansive viewpoint. Further consideration to this matter is given in the section on residential living environment below.
- 6.37 The views available on the PRoW would be more extensive, especially as they are used recreationally by walkers, cyclists and horse riders. Given the purpose of their journey and the slower speed at which they would pass through the landscape, PRoW users would be more sensitive to the visual impact of the development. Yet views would be short lived and would be seen in the context of the landscape and roadside frontages. As mitigation planting proposals grow, the sensitivity and harm arising from this change would be reduced such that it would not be unacceptable.
- 6.38 Most receptors using Waltham Road and other vehicle highways would be moving fairly quickly, with drivers in particular having their attention focused ahead. Motorists are not regarded as sensitive to landscape impact as the view they would gain would be short lived.
- 6.39 Decommissioning, at approximately 24 months duration, would be temporary and offset by the restoration of the landscape.

### **Landscape Character**

- 6.40 The proposal would lead to the change of use of the land from agricultural to solar panels and associated infrastructure. The proposal would lead to a significant change to the agricultural character and there would be a reduction in the sense of openness within the site given the change of land use and introduction of noticeable and visible new built features in the landscape.
- 6.41 As a result, the proposal would bring about a significant change to the character of the local landscape and would have an impact on the appearance of the environment within which it would be situated.
- 6.42 There would be no significant adverse effects on landscape fabric during the construction phase. Chapter 6 of the ES states that there would be 450.6 sq.m of hedgerow loss and 469 sq.m of woodland loss.
- 6.43 The majority of the removal of trees and hedgerows is shown as breaks through existing hedgerows, otherwise the existing field pattern would remain. Alongside Noakes Lane, more widespread removal of trees and hedgerows is proposed either side of the carriageway.

6.44 As arable fields, there would be minimal loss of ground vegetation as a result of the solar arrays, new tracks, power stations, substations and cable trenches. Mitigation planting is proposed in compensation across the site with advanced planting proposed in selected areas.

6.45 The ES states that the scheme would create the following green infrastructure:

- 8.6km of native hedgerow with trees
- 20.6km of native hedgerow enhancement (gapping up and infill planting including 200 new trees)
- More than 3 ha for new native woodland buffer planting in 25 metre copses
- 0.6ha of linear tree belts
- 272ha of species rich grassland provided adjacent to and beneath the PV arrays
- An additional 131ha of species rich grassland provided in open areas not subject to development
- 42km of species rich mown grassland around the perimeter of the solar arrays
- Bird and bat boxes

6.46 Close to the end of the construction phase, the proposed mitigation proposals would be commenced.

6.47 The main effects on the landscape character on the site would occur during the operational phase because of the presence of solar panels and infrastructure. Construction would be over a wider area at local level but would not result in the loss of key features such as overall landscape structure or areas of local woodland.

6.48 Two District landscape character areas would be directly impacted by the proposals. These are the Terling farmland plateau and the Boreham farmland plateau.

6.49 The majority of the site falls within the Terling farmland plateau which is defined as having the following characteristics:

- Rolling arable farmland,
- Irregular pattern of medium to large fields
- Scattered settlement pattern with frequent small hamlets, typically with greens and ponds and a network of narrow winding lanes. It is mostly tranquil away from the A1 and A131.

6.50 Designated ancient woodlands including Ringers Woods, Porters Wood and Scarlets Farm are within the Order limits. Ancient woods at Sandy's Wood and Lost wood are adjacent to the Order limits. Replanted ancient woodlands at Toppinghoehall Woods are adjacent to the Order limits.

6.51 Listed farmsteads are scattered across the site area at Leylands Farm, Whitehouse Farm, Scarletts Farm, Sparrows Farm, Ringers Farm, Birds Farm and Noakes Farm.

6.52 The combination of the narrow lanes, listed farmsteads, ancient woodlands and agricultural land use give the area a sense of time depth and relative tranquillity once away from the Waltham/ Boreham Roads.

- 6.53 Overall, a medium sensitivity to change is given to the effect of the development upon the whole character area, which includes busier and more built-up areas including Great Leighs, Waltham Road, and Hatfield Peverel.
- 6.54 Within the wider character area, the proposal would cover a relatively small part of the area, such that the noticeable effects of the development would decline once mitigation planting has been established.
- 6.55 The effect on landscape character would be limited to the locality of the site. During the operational stage, the construction of the solar panels/arrays, site tracks, fencing, CCTV, and the associated single storey substations and transformer/inverter buildings and battery storage would contrast with the existing agricultural character such that they would result in a significant effect on the landscape and moderate adverse effect on the local area at initial start-up.
- 6.56 Over time, these significant changes to the landscape character would diminish to a degree as the mitigation proposals establish and reach maturity, but the changes would still be evident, particularly within the Terling Farmland Plateau where the relative tranquillity and historic features and Presence of the River Ter contribute to the higher sensitivity of the character area.
- 6.57 The Longfield ES divides the landscape character areas into nine separate character areas to provide a more fine grained assessment of the proposal. The physical extent of the solar farm would fall in four of the local landscape character areas (LLCA's) and the assessment findings, as stated in the ES, during the operation of the proposal can be summarised below:

*Ter Valley north*

- 6.58 This has a high sensitivity to change. However, there would be a low magnitude of effects due to only a very small incursion of the physical area of the solar area (resulting in 1% of the LLCA). The proposal would lead to a minor adverse significant effect in construction reducing to negligible in year 15 once the mitigation planting has established.

*Western Farmland Plateau*

- 6.59 This has a medium sensitivity to change. The proposal would lead to a medium magnitude of effect (15% of character area) and would have a minor adverse significance of effect during construction. This would reduce to negligible in year 15 once the mitigation planting has established.

*Toppinghoehall Woods*

- 6.60 This has a medium sensitivity to change. The proposal would lead to moderate adverse effects in year one reducing to minor adverse by year 15 due to mitigation planting.

*Boreham North*



- 6.61 This has medium sensitivity to change. The proposal would lead to low adverse effects in year one with negligible adverse effects by year 15.
- 6.62 WWA agree that the assessment above is a reasonable conclusion if the character areas are assessed in isolation from each other. However, when considering the Ter Valley and its setting, a different conclusion is reached to that stated in the ES.
- 6.63 WWA consider that the interplay between the Ter Valley North Local Landscape character area and adjacent Western Farmland plateau to the south of the river should not be ignored. The lower slopes of the Western Farmland Plateau provide part of the setting for the northerly reach of the River Ter.
- 6.64 The Ter Valley is recognised as a highly sensitive landscape in the LCA at all scales. The solar arrays would be visible from the Essex Way footpath which runs along the valley floor at this point for some years before mitigation planting becomes established. The mitigation planting can not be continuous along the valley side because of the presence of pylons with overhead cables which span across the valley and present a distracting factor in what is a sensitive view.
- 6.65 The ES concludes that there are insignificant adverse effects on the upper Ter Valley North. Strictly speaking this is true if the assessment is confined to the boundaries of the character area. Yet, because of the loss of view through farmland and the visual intrusion of the solar arrays, is that in year one there would be a moderate adverse effect on the environs of the River Ter at this point which would reduce to minor adverse once planting is established by year 15. This moderate adverse effect could be eliminated if field PDF1 was removed from the solar array area.
- 6.66 Within the neighbouring Boreham Farmland Plateau B12, this is defined as having the following key characteristics:
- 6.67 Irregular field pattern of mainly medium sized arable and pastoral fields marked by hedgerows, banks and ditches
- Small woods and copses provide structure and edges in the landscape
  - Scattered settlement pattern with frequent small hamlets
  - Concentration of isolated farmstead
  - Network of narrow winding lanes.
- 6.68 The area is dominated by the A12 road corridor and overall has a low to moderate sensitivity to change.
- 6.69 The south western extent of the Order lines crosses into the Boreham Farmland Plateau where the grid connection is made from the solar array fields through to the Bulls Lodge Substation extension. No solar arrays are proposed for this route and the cable routes would be below ground.
- 6.70 The main impact would be the local extension to the Bulls Lodge Substation and the access works needed to undertake the extension works. The works would be viewed against the backdrop of the existing substation, which has an industrialised character and appearance.

- 6.71 There would be a minor adverse effect of the development during construction, decreasing to negligible once the construction works are concluded.

### **Cumulative assessment**

- 6.72 The Longfield ES identifies over 40 proposals which have passed their threshold for inclusion in the cumulative assessment.
- 6.73 In landscape character terms, the potential proposal with the widest impact on the character areas are the north east Chelmsford urban extension and Chelmsford Garden Village, which are both located, along with the proposed eastern bypass, between the existing settlement edge and the Order limits.
- 6.74 The site allocation for the housing to the east of Chelmsford extends to approximately 1 km to the east of the Longfield site with a new country park allocation extending to around 200 m of the Longfield site at its furthest extent. The existing gravel workings to the west of Waltham Road provide a 'break' between the Longfield site and the sites allocated for countryside park and housing. The effect of the Longfield proposals on the farmland plateau is minor reducing to negligible so the development of the solar farm would result in negligible cumulative effect within the LCA.

### **Overall assessment**

- 6.75 Once constructed the development would involve very little activity that would disrupt the tranquillity of the landscape. The relatively low level and the horizontal emphasis of the arrays means they would be seen to follow the existing topography. The use of stockproof type fencing would be consistent with the wider agricultural landscape, albeit would be of a height taller than generally used.
- 6.76 Over time, the visual effects of the development would reduce to one viewpoint having major adverse impact (viewpoints 9 and 16) and moderate adverse only to viewpoint 5 by year 15. The significant adverse effects would be limited to a very limited part of the Landscape Character Area (LCA) and would be site specific.
- 6.77 The proposal would become gradually more screened as the planting establishes and the perception of the proposal as an extension of urban form would become less and less discernible within the LCA. Whilst the presence of the development in the surrounding development would be clearly noticeable and loss of agricultural fields would remain, it would not undermine its character and any impact would reduce significantly away from the site.
- 6.78 Overall, the mitigation planting proposed would have a positive visual impact on the proposals and would successfully screen the solar arrays and other features for most of the viewpoints.
- 6.79 There would, however, be loss of longer views and appreciation of the open character of the landscape from PRoW's due to mitigation planting.

6.80 During decommissioning, all planting measures would remain and there would be a minimal effect on landscape fabric. This would result in a beneficial effect to the site.

### **Initial commentary**

6.81 By reason of its mass and scale, the proposal would lead to some significant adverse effects upon landscape character and visual amenity.

6.82 However, the significant effects of the proposal would be limited in extent and duration to this location and the visual effects of the solar farm would be mitigated by its mostly single storey form, existing boundary screening and proposed mitigation.

6.83 From close quarters, the proposal would result in a significant change to high sensitivity visual receptors (local residents and Public Rights of Way (PRoW) users) and medium sensitivity users (motorists). Yet, with the exception of the harm to the Ter Valley and field PDA1, the localised harm that the proposal would have, could be acceptably mitigated such that it would not diminish the overall quality of the landscape character of the site, or negatively impact upon users experience of walking through or passing along the Local Public Rights of Way and highway network in the long term. Effects upon residential amenity can be mitigated through appropriate mitigation.

6.84 The main effect on landscape character would be limited to the locality of the site. Over time, the changes to the landscape character would diminish to a degree as the mitigation proposals establish and reach maturity.

6.85 Although the mitigation scheme will take time to establish, year on year the screening will improve. The additional planting plus use of the existing field boundaries; to minimise the need to create new accessways and breaches of field boundaries, together with plant equipment painted in an appropriate finish and colour, would all help integrate the development into the landscape from the start of the operational phase.

6.86 Overall, on balance, when weighing up the overall benefits of the proposal and its contribution to promoting renewable energy, the proposal would not have a significant major adverse environmental effect, such that it would warrant a specific objection on this ground.

6.87 This is dependent on mitigation landscaping and other conditions set out in the Outline Landscape and Ecological Management Plan (OLEMP).

## **Natural environment and loss of agricultural land**

### **Trees, Ecology and Biodiversity**

6.88 The Environmental Statement identifies and proposes measures to address the potential impacts and effects of ecology brought about by the proposal during the construction, operation and decommission.

- 6.89 The habitats within the development site consist of mainly arable fields with a few improved grassland livestock fields to the north west. There are mature trees and hedges, small wooded copses and ponds. The River Ter, with adjacent woodland and grassland, bisects the Order limits to the north. The surrounding habitat is mainly arable and mature broadleaved woodland (plantation, semi natural and ancient). Other habitats include residential development and water course and ponds.
- 6.90 The surrounding landscape is predominantly agricultural including arable and pastoral land use. The field systems are demarked by hedgerows with varying densities of standard trees. Active gravel workings are located to the west of the site to the north of Bulls Lodge Quarry.
- 6.91 There are six sites designated for biodiversity value within 10 – 5 km of the Order limits. The closest of which is the River Ter Site of Special Scientific Interest whose boundary is located immediately next to the Order limits.
- 6.92 31 non statutory designated sites for nature conservation lie within 2km of the Order limits of which Boreham Road Gravel Pits, The Grove, Sandy Wood Scarlets Wood, Ringers Wood, Toppinghoehall Wood, Lost Wood and Porters Wood are located adjacent to the order limits. Boreham Road Gravel Pits is also located within the site by reason of being sited close to Bulls Lodge Substation.
- 6.93 There are no Ancient Woodland within the Order limits, although Toppinghoehall Wood and Porters Wood form an island encircled by the Order limits. Ancient woodland is present at Brickhouse Wood, Hookley Wood, Sandy Wood, Scarlets Wood, Ringers Wood, Scrub Wood and Blakes Wood.
- 6.94 The solar arrays and other apparatus would be sited on grassland areas of the site. The layout of the arrays has allowed for 15 metre buffer zones for the ancient woodland and proposes plots/wintering /breeding birds. Hedgerow removal is proposed to facilitate access into and out of and within the side as well as the widening of the access route along Wheelers Hill / Cranham Road.
- 6.95 The proposal would lead to the temporary loss of hedgerows during construction within the Order limits (for access and grid connections only), loss of habitat for breeding bird assemblage across the scheme and disturbance to breeding Red Kite, Hobby and Barn Owl (also during decommissioning).
- 6.96 The potential impacts identified during the operational phase includes changes to foraging and commuting habitats, potential attraction or avoidance of species, potential nesting/roosting opportunities, and indirect benefits from a lapse in agricultural practices.
- 6.97 The scheme has been designed to avoid impact to important habitats including ancient woodland, veteran trees, marshy grassland, hedgerows, running water and ponds.
- 6.98 The embedded mitigation would include habitat creation and replacement within inclusion of undeveloped buffers to the important habitats. The proposal seeks to improve ecological and recreational connectivity across the site. Additional tree and woodland planting are proposed

and would increase woodland cover in this area and the Chelmsford District, in line with the Council's Climate and Ecological Emergency declarations and Action Plan.

- 6.99 Significant biodiversity enhancements would be created through planting and appropriate management of wildlife friendly habitats including the provision of large planting belts along the site boundaries. The enhancement forms part of a suite of proposed ecological improvements that would be secured by an Outline Landscape and Ecological Management Plan (OLEMP).
- 6.100 The enhancement includes the provision of 8.6 km of new native hedgerows and 20.6 km of hedgerow enhancement. 23.2 ha of land would be utilised for natural regeneration, 3 ha of native woodland and buffer planting to provide ecological corridors, 0.6 ha of linear tree belts.
- 6.101 Approximately, 272 ha of species rich grassland would be provided between the arrays as well as 131 ha's of land in open areas and 42 km of mown paths around the perimeter of the areas. Other enhancement would include the provision of 15 metre buffer zones around ancient woodlands.
- 6.102 A Biodiversity Net Gain Assessment has been completed in accordance with the DEFRA 3.0 metric. This confirms that the proposal would deliver 79% habitat and 20% linear overall net gains through habitat retention, creation and enhancement primarily from the change of arable fields into grassland which has greater ecological value when managed as a wildflower meadow.
- 6.103 Mitigation would be embedded in the design to successfully integrate the development proposals so that impact upon habitats and species are avoided, reduced and compensated for.
- 6.104 The Outline Landscape and Biodiversity Management Plan, the details of which to be agreed at Regulations (conditions) stage would focus on investigating the possibilities to limit fencing and allow for permeability of mobile species across the landscape, maximising environmental benefits.
- 6.105 The construction of the proposal would require temporary lighting which has potential to spill into adjacent habitats. Construction working hours would be 7 am to 7pm Monday to Saturday and during construction in the winter months, mobile lighting towers with a power output of 8KVA would be used. Any lighting required for the construction of the proposal would be directed away from existing restrained and sensitive habitats to minimise light disturbance.
- 6.106 Lighting would be directed downwards and away from boundaries. No visible lighting would be used along the side perimeter fences, except from the site entrance points. Infra red lighting would be provided by the CCTV/security system to provide night vision functionality. Lighting would be provided at enclosure entrances to the Solar Stations. These would be annually operated. PIR (Passive InfraRed) operated lighting would be provided to the Longfield substation, BESS and at site entrances and access to warehouse buildings. Luminaires would differ throughout the site, but lighting could be controlled and managed by the Outline Ecological Management Plan.
- 6.107 Decommissioning impacts would be similar to those occurring during construction. The decommissioning of the scheme is unlikely to impact upon designated sites and there would be

no fragmentation of habitats or populations using habitats within designed sites.  
Decommissioning would be unlikely to affect species mortality.

6.108 A Decommissioning strategy has been submitted with the ES and sets out a range of potential mitigation and management measures in relation to Ecology. These include the implementation of precautionary working method statements, the use of avoidance methods and provision of buffer zones, especially regarding bats and badgers and the undertaking of ground clearance works outside of the bird breeding season (March to August).

6.109 Any impacts arising from decommissioning fully in line with relevant legislative and policy requirements.

### **Loss of Agricultural Land**

6.110 The NPPF at paragraph 174 (b) states that planning policies and decisions should contribute to and enhance the natural environment by recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services - including the economic and other benefits of the best and most versatile agricultural land.

6.111 Annex 2: Glossary of the NPPF defines Best and Most Versatile (BMV) agricultural land as land in Grade's 1, 2 and 3a of the Agricultural Land Classification.

6.112 The need to protect BMV land is reiterated within the Council's SPD which states that the land of such quality is an important area for food protection and reducing the agricultural land available increases the reliance on the importation of food, with subsequent impacts such as increased carbon emissions. The SPD advises that developments in the first instance should consider sites on previously developed land, brownfield or contaminated land, industrial land or land of grades 3b, 4 or 5.

6.113 An agricultural land survey was undertaken between September and December 2020 at EIA scoping stages with baseline conditions analysis focused on an area of about 453 ha within the order limits.

6.114 At the time of the survey, most of the land was under arable use (cereals and oilseed rape), with potatoes in the south, beef pasture in the north and an area of sugar beet. The land use has not changed since the surveys took place, although some crops may be rotated and fields left fallow or grazed.

6.115 The site was found to comprise land limited to Grade 2 (55 hectares / 12% of the site boundary), 3a (101 hectares/ 22% of the site boundary), 3b (262 hectares / 58% of the site boundary) 4 (22 hectares/ 5% of the site boundary) and non-agricultural/unknown (37 hectares/ 8 % of the site boundary).

6.116 No areas of a grade one agricultural land would be used

- 6.117 About 150 hectares (34% of the site boundary) would be Best and Most Versatile (BMV) land and would be converted to the solar farm for the lifetime of the scheme, with an additional 15 hectares (6 hectares of BMV) would be lost permanently.
- 6.118 The proposal would lead to a significant loss of BMV agricultural land. The impact of would be of high magnitude; as more than 20ha of agricultural land will be lost. Due to the nature of the proposal, it would not be possible to mitigate against the loss of the 34% of BMV agricultural land.
- 6.119 Most effects relating to the loss of agricultural land would arise during the construction of the scheme and there would be no new potential or additional impacts on agricultural land during the operation of the scheme.
- 6.120 The ES considers that as the loss of agricultural land would be reversible after the use ceases the temporary effect of the scheme is not significant. Yet, the proposal is for a forty-year timeframe which by its very nature would represent a considerable period of time for the loss of agricultural land. The forty-year timeframe would not be perceived by those who frequent the area as being temporary.
- 6.121 It is possible the land will become sterile and unworkable given the years of not being worked for agricultural purposes. However, an Outline Soil Resource Management Plan (SRMP) appended to the Outline Construction Environmental Management Plan (OCEMP) has been prepared to set out measures to ensure the protection and conservation of soil resources on site during operation and identifies best practice to maintain the physical properties of soil on site including the management of traffic to reduce the risk of compaction.
- 6.122 Prior to the commencement of decommissioning, an assessment would be made of the land and soil and a programme of remedial action would be agreed to return land back to agricultural use. The programme may include subsoiling and installation of a field drainage scheme and there is potential for an increase in soil organic matter content during the lifetime of the solar farm. The ES suggests that the land would be the same or better condition than it currently is as a result of expected natural enhancement through approximately 40 years of being set aside and remedial actions being undertaken.

### **Initial Commentary**

- 6.123 The proposal is not expected to lead to any significant adverse residual effects upon ecology, trees and biodiversity. The scheme has been designed to avoid impact to important habitats including ancient woodland, veteran trees, marshy grassland, hedgerows, running water and ponds and ecology.
- 6.124 Significant biodiversity enhancements would be created through planting and appropriate management of wildlife friendly habitats including the provision of large planting belts along the site boundaries, the creation of land for natural regeneration and the formation of natural woodland and species rich grassland. The Biodiversity Net Gain Assessment confirms that the proposal would deliver 79% habitat and 20% linear overall net gains through habitat retention,

creation and enhancement primarily from the change of arable fields into grassland which has greater ecological value when managed as a wildflower meadow.

- 6.125 The proposal would lead to the loss of about 150 hectares (34% of the site boundary) of Best and Most Versatile Agricultural Land. This would be broken up in Grade 2 (55 hectares) and 3a (101 hectares). The loss of this amount of BMV land would be significant and would be of high magnitude and could not be mitigated or offset elsewhere.
- 6.126 The loss of 34% of BMV land is significant and weighs against the proposals as National and Local Planning policies seek to protect this finite resource.
- 6.127 Yet, the loss of agricultural land would be reversible after the use ceases, albeit the proposal is for a forty-year timeframe which by its very nature would represent a considerable period of time for the loss of agricultural land. The forty-year timeframe would not be perceived by those who frequent the area as being temporary.
- 6.128 The removal of arable production is a material consideration, but this must be balanced against the benefit of the proposal is reducing greenhouse gas emissions through renewable and low carbon energy and associated infrastructure.
- 6.129 As outlined above, the proposal would deliver significant ecological and environmental improvements, and requirements (conditions) relating to the appliance of an Outline Soil Resource Management Plan (SRMP) appended to the Outline Construction Environmental Management Plan (OCEMP) would ensure the protection and conservation of soil resources on site during operation during the operation of the development.
- 6.130 On balance, it is considered that these measures outweigh the loss of Best and Most Versatile Agricultural Land, particularly when considered in the wider context of the proposal in its totality.

## **Historic Environment**

### **Designated and non-designated sites excluding archaeology**

- 6.131 The site covers 453 ha of largely arable agricultural land, with a framework of lanes, field boundaries and woodlands. The wider rural landscape comprises a number of villages, hamlets farms, houses and cottages, with a concentration of development along and near to the Waltham Road/Boreham Road closest to the application site.
- 6.132 The Environmental Statement Cultural Heritage Assessment uses a study area of 1km for designated heritage assets and 3km for designated heritage assets of the highest significance, with non-designated heritage assets nearby the site also assessed.
- 6.133 There are no designated assets within the site boundary. There are 73 listed buildings within a 1km study area, including three Grade I listed buildings comprising Ringers Farmhouse, the Church of St Mary the Virgin Great Leighs and the Church of St Andrew, Boreham. One Grade



11\* listed building, the Old Rectory, is located within 1 km of the study area. The remaining listed buildings are Grade II.

- 6.134 Terling Place Registered Park and Garden falls partly within the 1 km study area and surrounds Grade II listed Terling Place House on all sides. Other nearby Registered Parks and Gardens include at New Hall and Boreham House
- 6.135 Three Conservation Areas fall within 1 km of the site and include Terling Conservation area (650 m to the north-east of the site), Boreham Road/Plantation Road Conservation Area (300 metres to the south of the site, separated by the A12 and railway line) and Boreham Church Road, about 1 km from the site.
- 6.136 Approximately 151 non archaeological assets would be located within the 1 km study area of which approximately 13 are located within the Order limits.
- 6.137 Noakes Farm Lane, Birds Farm Lane and Noakes Farm Road comprise protected Lanes and are sited within the Order limits. Terling Hall Road lies to the east and north of the Order limits.
- 6.138 The assessment provided gives a detailed and thorough evidence base to aid the understanding of the heritage assets and their settings' which may be affected by the development proposal. The scope of the document includes an adequate study area to capture any heritage asset which may be affected.
- 6.139 All relevant designated heritage assets, including listed buildings, Conservation Areas, Scheduled Monuments and Registered Parks and Gardens are identified. The non-designated heritage assets in the vicinity of the site are adequately identified. Previous comments to include additional heritage assets nearby the site have been addressed.
- 6.140 There would be short term impacts due to construction traffic. Long term heritage impacts ranging from negligible to low are identified post mitigation. The various setbacks of panel locations and the landscaping proposals would partly mitigate the impacts.
- 6.141 The level of harm identified within the assessment is generally concurred with, but there are several locations where there is additional harm. The group of buildings comprising Stocks Farm, The Thatched Cottage, Stocks Cottages, Little Holts (grade II listed) and Whalebone Cottages which are sited to the east and west of Boreham Road, rely on a rural setting which contributes to their significance, especially Stocks which was directly associated with the agricultural landscape. Stocks Farm is a traditional farmstead with group value and should be considered as medium value/significance.
- 6.142 The landscaping and offset proposed to the western side of field PDA 28 is not adequate to mitigate the impacts. It has previously been suggested the western limit of PDA 28 should be moved away from this group of historic buildings, which is not reflected in the current scheme.
- 6.143 There is disagreement to the assessment of significance of Whitehouse Farm and Birds Farm which are considered to have a negligible and minor adverse effect in the ES.

6.144 Whitehouse Farm should be considered to be of medium significance, reflecting its group value and moat. Birds Farm should be considered to be of high significance as high quality sixteenth century building. The level of significance impacts on the magnitude of impact.

6.145 Noakes Lane is a protected lane, on the eastern part it forms part of the setting to Noakes Barn (grade II listed). Where PDA 11 and PDA 12 enclose the lane on both sides, the impact on its setting would be considerable. Further mitigation should be provided, with additional setbacks and landscaping.

6.146 The heritage assets all rely on an essential rural setting. This will notably change through the development. The level of harm varies but is generally at the lower end of the less than substantial harm scale, with the most notable impacts where there is a closer proximity. In the context that any heritage harm is a matter of great weight, the mitigation measures proposed would reduce the harm, but not avoid it.

6.147 As identified above there is a need for further mitigation works at Stocks Farm (and the adjacent buildings) and Noakes Farm Lane. The detail, phasing and management of the landscaping will also be important in maximising mitigation.

### **Archaeology**

6.148 CCC will be guided by Essex County Council on archaeology as the lead Authority covering the proposal site.

### **Initial Commentary**

6.149 In weighing applications that directly or indirectly affect designated and non-designated heritage assets, a balanced judgement is required having regard to the scale of any harm or loss and the significance of the heritage asset.

6.150 In this case, the proposal would only lead to a significant adverse harm in relation to a number of assets during the construction of the scheme and that harm would be temporary. During operation, no significant residual effects on cultural heritage that would warrant a specific objection are proposed. Any residual effects from the scheme would be of low level and could be mitigated against.

6.151 Any harm to a designated heritage asset should be balanced against any public benefit delivered by the proposals. Overall, on balance, when weighing up the overall benefits of the proposal and its contribution to promoting renewable energy, the proposal would not have a significant adverse cultural heritage effect, such that it would warrant a specific objection on this ground.

### **Residential living environment**

- 6.152 Chapter 15 of the ES deals with the impact upon Human Health. There is no consolidated methodology or practice for the assessment on human health, although regard is had to ES chapters on Transport and Assess, Noise and Vibration, Air Quality and Socio Economics.
- 6.153 The arrays themselves would be passive during operation, they have no running parts and emit no carbon, noise smell or light. Once installed, the system itself needs minimum maintenance and will be unmanned.
- 6.154 The study area is mostly rural and sparsely populated. There are a few individual residential properties within close proximity to the Order limits, some of which are within 10 metres of the boundary along Terling Hall Road and Waltham Road.
- 6.155 The closest cluster of residential properties are located 60 metres away from the Order limits boundary on Braintree Road, near Fuller Street. There are a few residential properties located 200 m west of the Order limits on Fairstead Hall Road.
- 6.156 The substation at Bulls Lodge is 500 metres away from the village of Boreham. A residential property, Brick House Farm, is located to the west of the existing substation. It is not accepted that the closest residential properties to the substation are located within Boreham.
- 6.157 Public Rights of Way (PRoW) cross the site.
- 6.158 The site also adjoins the Waltham Road to the west and the A12 which would further reduce the perceived noise impact from either on-site plant or construction noise.
- 6.159 In relation to noise, the ES states that there would be negligible to minor adverse impacts on surrounding receptors arising from the construction of the scheme. Any period of regular high construction noise levels would not exceed one month. The Outline Construction Environmental Management Plan (OCEMP) contains measures to mitigate and minimise adverse noise effects.
- 6.160 Residential properties are defined as sensitive noise receptors.
- 6.161 Users of the Public Right of Way (ProW) are defined as sensitive receptors, but due to the transient nature of users, they would not be subject to long term noise experience and any noise experienced would be when users are within proximity to the scheme.
- 6.162 The dominating noise source within the Order limits has been observed to be road traffic from the surrounding road network.
- 6.163 The plant used in association with the development can produce sound, but this can be acoustically rated and managed and rated such that acceptable noise levels are achieved. The Noise Statement submitted with the applicant considers the operational effect upon residential receptors to be low.
- 6.164 It is acknowledged that during the construction phases, there will be periods when works are likely to be audible to at nearby receptors. A Construction Traffic Management Plan is proposed to minimise against these temporary impacts. Construction/delivery hours would also be restricted to 7 am - 7pm (Monday to Saturday on the main Solar Site. Construction working

hours on the Bulls Lodge Substation extension would run from 7:00 am to 19:00 pm Monday to Saturday, with the exception of overhead line works which would run from 7:00 am to 19:00 pm Monday to Sunday.

- 6.165 Within Chelmsford, the proposal would be visible from a cluster of residential properties along and next to Waltham Road. The panels themselves, at a maximum of only 3 metres in height are not considered to be overbearing in relation to proximity from existing residential properties.
- 6.166 From close quarters, the proposal would result in a significant change in outlook, but the combination of existing and proposed vegetation and the panels themselves would generally screen views of other panels that would be a similar height. The impact of residential first floor views would only offer a more expansive viewpoint and would not be unacceptable given their separation distance and the inclusion of substantial planting boundaries.
- 6.167 In relation to glint and glare, the solar panels are designed to absorb light, rather than reflect light. Although the surface is glass, it is not reflective in the same way as a mirror or window.
- 6.168 A glint and glare study has been submitted as part of the ES and is currently under consideration by the authorities. Due to the need for further assessment of this report, it is not possible to comment on the effects of glint and glare to residential receptors at this point in time.
- 6.169 For those receptors where there is no existing screening, mitigation in the form of planting, secured by the Outline Landscape and Ecological Management Plan (OLEMP), may be recommended.
- 6.170 Precise details of the location of CCTV and security can be secured by condition/ requirements so that it does not lead to loss of privacy.
- 6.171 Effects on residential properties at Decommissioning are likely to be similar to the construction effects of the development. In relation to noise and vibration, the effect on receptors would vary according to the locations and types of work taking place. The Outline Construction and Environmental Management Plan and Decommissioning strategy set out measures and mitigating for managing noise and vibration and the effects upon residential properties. This would need to be managed and secured by requirements (condition).

### **Initial Commentary**

- 6.172 The proposal would lead to a clear and noticeable change in residential living environment, particularly for those residents living immediately adjacent to the Order limits. Yet a change in residential living environment does not in itself mean that a proposal is harmful.
- 6.173 In this case, any perceived and direct effects upon living environment could be mitigated against and the ES concludes that the proposal would not lead to any material and significant adverse effect.

- 6.174 Although the mitigation scheme will take time to establish, year on year the screening will improve. The additional planting plus careful siting and screening of boundary treatment, CCTV and other features would all help integrate the development into the landscape and reduce the impact upon residential living environment from the start of the operational phase.
- 6.175 Overall, on balance, when weighing up the overall benefits of the proposal and its contribution to promoting renewable energy, the proposal would not have a significant major adverse environmental effect, such that it would warrant a specific objection on this ground.
- 6.176 This is dependent on mitigation landscaping and other conditions set out in the Outline Landscape and Ecological Management Plan (OLEMP) and other documents.

## **Noise, Vibration, Air Quality, and contamination**

### **Noise and Vibration**

- 6.177 The ES confirms that baseline noise monitoring has been carried out to establish the existing noise climate in the area. Sensitive receptors which have the potential to be affected by the scheme were identified.
- 6.178 During the surveys the dominant noise source at the majority of the locations was observed to be road traffic from the surrounding road network, particularly at monitoring locations located near to the A12. At more distant monitoring locations noise from the A12 was less audible although noise from passing vehicles on nearby roads was still observed.
- 6.179 Construction noise levels are predicted to be at their highest during site preparation, which include ground works and piling activities also leading to vibration. The duration of any construction noise and vibration effects would be short-term, with no permanent residual effect once works are completed. Working hours during construction will be from 7am to 7pm Monday to Saturday, with worker trips the hour before and after the core working hours.
- 6.180 There would be a daily maximum of 96 HGV's on the strategic road network of which 50 HGV's would use the local highway network to access the site along Wheelers Hill, Waltham Road and Cranham Road with the remainder travelling to/from Bulls Lodge Substation along Generals Lane.
- 6.181 Construction noise levels and vibration are proposed to be controlled through a number of mitigation measures and the use of a Construction Environmental Management Plan (CEMP).

### **Air Quality**

- 6.182 In relation to air quality, the ES has considered this against the impact upon traffic flows, dust and the construction of Battery Energy Storage System, which has been assumed to be out in a single phase, the worst in terms of road traffic numbers and expose of sensitive receptors to dust.

- 6.183 CCC will be guided by Essex County Council on those matters in relation to the effect upon the local highway network.
- 6.184 In relation to decommissioning, whilst details are not fixed at this stage, it is expected that the decommissioning stage would be similar in nature to construction, albeit of a slightly shorter duration with fewer traffic movements and equipment.
- 6.185 The air quality within the site is generally considered to be good and there are no Air Quality Management Areas within 5 km of the Order limits. Dust generation is expected to occur during the duration of the site works and a large dust emissions magnitude is anticipated for construction phase activities mainly attributable to piling works. There is medium risk of dust soiling to sensitive receptors.
- 6.186 The sensitivity of the area is low for human health impacts due to low background particulate matter concentrations. This means the risk of dust impact for construction activities is classified as having low risk to human health.
- 6.187 The operation of the scheme is not anticipated to have a significant impact upon local air quality, meaning the effect would be negligible.

#### **Contamination**

- 6.188 Due to the nature of the development, it is not expected to lead to contamination. There would be no 'end users' who could be affected by any contamination in the ground.
- 6.189 CCC will be guided by Essex County Council in relation to surface water drainage. A Battery Safety Management Plan has been included within the ES concerning the key provision of Battery Energy Storage System (BESS) including minimising the risk of fire and the associated contamination that could arise from this.
- 6.190 Decommissioning, through the removal of equipment and reinstatement of ground, is anticipated to span 12-14 months with impacts on local air quality confined to this time. Effects are expected to be short term, temporary and negligible.

#### **Initial commentary**

- 6.191 The proposal is not expected to lead to any significant residual effects on noise and vibration, air quality and contamination. Any effects arising from the development could be mitigated against through measures such as the implementation of Construction Environmental Management Plan (CEMP) and other requirements.
- 6.192 Once operational, the proposal would be subject to any relevant public health and protection legislation, with responsibility for some service and operational requirements given to the relevant statutory undertaker / service provider.

## Traffic and highway safety

- 6.193 A Transport and Access Statement has been submitted as part of the ES. This considers the potential effects of the scheme on traffic and transport during the construction, operation and decommissioning phases.
- 6.194 A Construction Traffic Management Plan (CTMP) and Glint and Glare study has been submitted that considers the specifics of the proposal in respect of site access, routing, vehicle frequency, condition surveys and effect of Glint and Glare.
- 6.195 The CTMP shows that the Solar Farm site would be accessed from Waltham Road. Two access roads are included within the Order limits. These are Wheelers Hill and Cranham Road to the west of the Solar Farm Site and Generals Lane to the south of the Bulls Lodge Substation Site. Internal access tracks would be formed throughout the site. Minor widening works are proposed along Wheelers Hill, Cranham Road and Waltham Road within the existing highway boundary.
- 6.196 It is proposed to use Waltham Road/Boreham Road and A130 Essex Regiment Way via Wheelers Hill, Cranham Road and Boreham Road for access to and from the site in the construction, operation and decommissioning stages. Generals Lane would be used for access to the Bulls Lodge Substation site.
- 6.197 The main construction phase for the site is anticipated to be between January 2024 and December 2025. Although this may be extended, and the battery storage system may be phased over a 5-year period. The assessment is based on a reasonable worst-case scenario of the rapid construction period, that would generate the highest number of peak hour and daily road trips on the local network.
- 6.198 In relation to construction and decommissioning, it is inevitable that the development would result in some impacts on the road network, but this would be restricted during the construction / decommissioning phases where there may be some disruption to local traffic. The use of appropriate traffic management regimes, as is commonplace with schemes of this nature, would minimise any difficulties. Whilst there would be a degree of inconvenience, this is likely to be relatively short lived.
- 6.199 CCC will be guided by Essex County Council on transport and access matters, including the effect upon Public Rights of Way (PRoW) as the Local Highway Authority covering the proposal site.
- 6.200 A glint and glare assessment has been submitted as part of the proposal. CCC consider the relationship of glint and glare to the highway and residential amenities are material to the proposals. CCC has further stated that the impact upon landscape/visual amenity, aircraft, rail and road safety are material considerations.
- 6.201 The effect of glint and glare upon the Highway network is a matter for ECC Highways and CCC will be guided by their comments.

### **Initial Commentary**

6.202 The effect of the proposal on traffic and highway safety will be a matter for ECC Highways.

6.203 However, it is not expected that the proposal would lead to significant adverse impacts upon the highway network. Any traffic and highway impacts could be most likely designed in/conditioned such that that the proposal is not expected to be harmful on highway grounds.

### **Flooding and drainage**

6.204 Chapter 9 of the ES deals with Water Environment and is accompanied by a Flood Risk Assessment and Sequential and Exceptions Tests.

6.205 The document covers the entirety of the proposal and sets out measures to address the potential impact on waterbodies such as ponds, lakes, rivers and ground water.

6.206 Regard has been had to matters including ecology (including Great Crested Newts and Riparian mammals), nature conservation and the effect of climate change; which is predicted to alter future fluvial flood risk and drainage through increased storm intensity and rainfall patterns.

6.207 The construction of the scheme would take place in accordance with a Construction Environmental Management Plan which contains a range of measures to deal with matters including but not limited to pollution control and water management.

6.208 Cable routes at the south-west margin of the Order limits that form part of the Grid Connection Route connecting the Battery Energy Storage System (BESS) to Bulls Lodge Substation would cross Flood Zone 3 at Boreham Tributary. The cable route would be installed beneath the water course using underground techniques including directional drilling.

6.209 During the operation, most of the scheme would be located within flood zone one. There would be a minimum buffer of 8 metres around water courses (measured from the water channel edge). A Drainage Strategy has been prepared to deal with matters such as run off, fire water storage for the BESS, the creation of drainage outfalls and the operation and management of drainage infrastructure.

6.210 The effect of flooding and drainage is a matter for ECC SUDS and the Environment Agency and CCC will be guided by their comments.

### **Initial commentary**

6.211 The effect of the proposal on flooding and SUDS will be a matter for ECC SUDS and the Environment Agency.

6.212 However, it is not expected that the proposal would lead to significant adverse impacts upon flood risk, drainage and surface water such that they could warrant a specific objection on this



ground. Any impacts arising from the scheme could be most likely designed in/ conditioned such that that the proposal is not expected to be harmful on water management grounds.

### **Socio economic and other matters**

6.213 Chapter 12 of the ES deals with Socio – Economics. It is estimated that 380 direct full time employment jobs would be created in the construction phase (with a total of about 428 net jobs per annum). Only 8 would become permanent roles. At decommissioning, it is assumed that a similar number of jobs would be required as construction.

6.214 It is estimated that about 45% of construction staff (192 jobs per annum) could be sourced from the local area (taken within a 60 minute travel time). The remaining 55% of construction staff would be likely to reside outside of the construction area, with the larger proportion of jobs taken by skilled solar PV professions owing to the scarcity of solar development within local areas.

6.215 During construction, it is intended that a Local Skills and Employment Plan would be implemented, the purpose of which would be to promote employment and training opportunities associated with the construction of the proposal.

6.216 In addition, measures unrelated to planning would include a Community Benefit Fund Structure document including a Skills and Education Contribution to potentially enhance the effects arising from the temporary employment generation and mitigate against the lost opportunity in agricultural employment.

6.217 It is not clear how the training provided, and experience gained could be transferred to other projects and vice versa, ultimately contributing to the creation of a sustainable, local workforce and not encouraging displacement or shortages in certain skills.

6.218 A Community Liaison Group would be established to provide the local community with a forum for discussion.

### **Initial commentary**

6.219 The proposal is not considered to lead to significant socio-economic effects, such that it would warrant a specific objection on these grounds. The proposal would lead to some moderate, beneficial effect on the local economy during construction.

### **Other matters**

#### **Human Health**

6.220 The human health aspects associated with air quality, noise and ground conditions are covered within the ES and consideration of those has taken place in the preceding paragraphs.

**6.221** CCC notes that other health issues such as Electric and Magnetic Fields (EMF) have been considered in the Environmental Statement. Grid connection cables are proposed to be underground, therefore removing the potential sources of EMF such that there is not expected to present an issue for human health.

### **Climate Change**

6.222 The ES states that the operation of the scheme would result in significant, major beneficial effects on the climate (specifically green house gas emissions) due to the nature of the scheme being for renewable energy. Renewable energy generation during the first year of operation is estimated to be 356, 475 MW and a total energy generation figure of around 13, 076, 218 MW over the total 40 year scheme lifetime.

### **Major accidents and disasters**

6.223 Major accidents and disasters have the potential to lead to moderate or major adverse effects. The ES includes the submission of flood modelling, the identification of mitigation measures for glint and glare, and the production of a battery safety management plan.

6.224 Until the Council has considered all comments on the proposal for battery safety, CCC reserves judgement on the safety aspects of the proposal.

### **Telecommunications, Television Reception and Utilities**

6.225 There is potential for utilities to be impacted during the construction phase through possible short-term damage to services during excavation and engineering operations. Necessary precautionary measures include the mapping of all utilities and infrastructure. The impact upon services will be considered separately to the planning considerations under the DCO and will be subject to independent agreement secured from the relevant service providers.

6.226 The construction environmental management plan (CEMP) sets out the full details of measures to be adopted during the construction phase.

### **Minerals and Waste**

6.227 The Essex and Southend on Sea Waste Local Plan (2017) sets out further detailed policies and guidance regarding the re-use and recycling of materials on sites.

6.228 In line with the Making Places Supplementary Planning Document (SPD), CCC encourages all developers to register with the Considerate Constructors scheme to promote respect for the community, ensure safe building sites, and responsible site management.

6.229 Matters including refuse and recycling would be set out within the Construction Environmental Management Plan (CEMP) and the construction resource management plan (CRMP).

6.230 CCC will be guided by Essex County Council on this matter, as the waste authority covering the proposal site.

### **Fear of Crime**

6.231 The proposal has potential to affect fear of crime. The siting of 3 metre high solar arrays, plus mitigation in close proximity to long and uninterrupted channels of footpaths has potential to create a tunnelling effect, harmful to the user experience of the Public Rights of Way.

6.232 CCC is aware that discussions have been held with Essex Police to ensure that the proposals 'Design Out Crime' and provide safe access along the Public Rights of Way and any other areas that may be affected by the proposal.

### **Initial commentary**

6.233 Overall, the proposal would result in a significant major beneficial effect that would deliver substantive public benefits through reducing greenhouse gas emissions.

6.234 Subject to appropriate requirements (conditions), the proposal would not lead to a significant effect upon human health, major accidents and disasters, telecommunications and fear of crime. Any significant effect upon Minerals and waste will be a matter for ECC Minerals and Waste Planning and would need to be balanced against the wider environmental benefits of the proposal.

### **DCO Obligations and impact upon the local authority's area**

6.235 CCC will look to work with Longfield Solar Energy Farm limited and the Host Authorities to agree Obligations and Requirements (Conditions) as part of the Statement of Common Ground.

6.236 A full analysis and assessment of the impact of the proposal will be given as part of the final version of the Local Impact Report.

### **Initial Conclusions**

7.1 There is a recognised need and support for renewable energy technology through National and Local Planning policy and this development would contribute towards the targets set for the UK's greenhouse gas emission reduction and increasing the country's energy supply for renewable sources.

7.2 The assessment of renewable energy proposals requires the impacts to be considered in the context of the strong "in principle" policy support given the Governments conclusion that there is a pressing need to deliver renewable energy generation.

- 7.3 The proposal would deliver 356,475 MW of energy a year which would provide a valuable contribution to cutting greenhouse gas emissions. This is given significant weight in favour of the proposal.
- 7.4 The proposal is not considered to lead to significant adverse harm that cannot be mitigated, such that it would warrant a specific objection from CCC.
- 7.5 The proposal would have an adverse impact on the surrounding landscape both visually and with regard to landscape character. However, predicted landscape affects arising from the proposed development, which are not permanent, are acceptable on balance when weighing up the overall benefits of the proposal and can be overcome by the proposed mitigation.
- 7.6 The proposal would have a low level of less than substantial harm on heritage assets. Landscaping would partly mitigate the harm, but a very low level of harm would remain. This harm, in the context of public benefits delivered by the proposal with regard to increasing the country's energy supply for renewable sources, would not amount to a reason for objection on these grounds.
- 7.7 The proposal would not have or is expected to have a harmful adverse impact on ecology, residential amenity, highway safety or flood risk, subject to controls recommended by planning requirements (conditions).
- 7.8 The main benefit arising of the scheme is the contribution to the production of renewable energy and consequential reduction in CO2 emissions. These benefits are afforded substantial weight.
- 7.9 For the reasons given above and having regard to all other matters raised it is concluded that the proposed development is likely to be acceptable in accordance with the adopted Local Plan Policies, National Planning Policy and Guidance and the Adopted Solar Farm Supplementary Planning Document.
- 7.10 CCC will continue to engage with the applicants and further comments will be made throughout the examination of the proposal.



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## Chelmsford Policy Board

26 May 2022

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### Review of the Adopted Chelmsford Local Plan - Update

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#### Report by:

Director for Sustainable Communities

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#### Officer Contact:

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#### Purpose

To provide an update on the next steps and timetable of the review of the adopted Chelmsford Local Plan.

#### Recommendations

To note the contents of the report.

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### 1. Introduction

- 1.1 The Government requires all councils to review their local plans every five years from adoption, and then update them where necessary. The Chelmsford Local Plan was adopted on 27 May 2020, so any necessary updates to the Local Plan must be completed by May 2025 in order to ensure the Local Plan is kept fully up to date.
- 1.2 The Council agreed the Local Development Scheme (LDS), the project plan and timetable for the review the Local Plan, at the meeting of the Council's

Cabinet on 16 November 2021. The LDS sets out the key stages of preparation required to update the Local Plan by May 2025 and extends the Local Plan horizon five years from 2036 to 2041.

## 2. Context

2.1 Although there is a need to review local plans every five years that does not necessarily mean that the entirety of a local plan will need updating. Changes to Chelmsford's Local Plan will be required to consider and address the following:

- Changes to legislation, national policy and guidance since adoption
- Updates to the Council's Technical Evidence Base
- Changes to the Council's Strategic Priorities
- Meeting the development needs of Chelmsford within the new plan-period
- Analysis of the performance of the adopted Local Plan through its monitoring framework.

2.2 Officers are utilising the Planning Advisory Service's (PAS) Local Plan Route Mapper. This includes two toolkits which are being used to review the adopted Local Plan to help identify the parts of it that require updating. It is not mandatory for a local authority to use the toolkits, however, Officers consider it is good practice to do so and propose to publish these alongside the forthcoming Issues and Options (Regulation 18) Local Plan consultation.

## 3. Timetable for Reviewing and Updating Local Plan

3.1 The approved LDS set out a timetable for the review of the Local Plan which has been replicated at **Appendix 1** of this report. Updates to the Local Plan Evidence Base are continuing as per the timetable. More detail is provided in Local Plan Key Evidence Base Update set out at **Appendix 2** of this report. An updated Duty to Co-operate (DtC) Strategy was approved by the Council's Cabinet at its meeting on the 25 January 2022 and engagement with DtC bodies has continued throughout this year.

3.2 Due to the need to adhere to the requirements of the pre-election publicity period in May for a by-election, the timetable for the Regulation 18 Issues and Options consultation period has been moved from Quarter 2 into Quarter 3 of 2022. The consultation document is now programmed for consideration at the meeting of the Chelmsford Policy Board on 30 June 2022. This change has consequential impacts on the workstreams which are set out below for the next 12 months:

<b>Stage</b>	<b>Updated estimated timescale</b>
Issues and Options Consultation (Regulation 18)	Consultation Mid-July to September 2022 (Minimum of 8 weeks)
Review comments and revise Plan	Quarter 4 2022/ Quarter 1 2023
Preferred Options Consultation (Regulation 18)	Consultation Quarter 1 2023 (6 weeks)

- 3.3 The Issues and Options stage of consultation stage is an opportunity to consult on broad issues related to the updates to the Local Plan, rather than the actual new Plan itself.

#### 4. [Levelling-Up and Regeneration Bill 2022](#)

- 4.1 As part of the Queen's Speech, the Government announced proposals for national changes to the planning system as part of the Levelling-Up and Regeneration Bill. Officers' will continue to monitor the passage of the Bill through Parliament. However, it is the Officers' opinion that the proposed changes do not fundamentally affect the principle to start the review of the Local Plan and there are proposed transitional arrangements within the Bill which will be subject to further consultation.

#### 5. [Next Steps](#)

- 5.1 There is a requirement to review and update Chelmsford's Local Plan. Officers are currently preparing a consultation document for the Regulation 18 Issues and Options which is programmed for consideration at the Chelmsford Policy Board on 30 June 2022.

#### [List of Appendices:](#)

**Appendix 1** Local Plan Timetable (LDS November 2021)

**Appendix 2** Local Plan Key Evidence Base Update

#### [Background papers:](#)

[Chelmsford City Council Adopted Local Plan](#)

[Chelmsford Authority Monitoring Report 2021](#)

[Chelmsford Local Development Scheme 2021](#)

[National Planning Policy Framework](#)

## Corporate Implications

### Legal/Constitutional:

There is a need to ensure the Review of the Local Plan accords with the latest legislative requirements.

### Financial:

There are no cost implications arising directly from this report.

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

The Review of the Local Plan 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 Review of the Local Plan 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:

Without undertaking the PAS Toolkits there is the risk that the Review of the Local Plan may not be compliant with the 2021 NPPF (National Planning Policy Framework) and could be found unsound at examination.

### 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 Review of the Local Plan will seek to 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 – 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.

**Local Plan Timetable (LDS November 2021)**

Stage	Estimated timescale
New Local Development Scheme Approved	Quarter 4 2021
New/revised Evidence Base procured/produced/revised	Quarter 4 2021 and on-going thereafter
Duty to Co-operate engagement	Quarter 4 2021/Quarter 1 2022 and on-going thereafter
Formal Regulation 18 Consultation (Issues and Options)	Quarter 2 2022 (6 week consultation)
Review comments and revise Plan	Quarter 2/Quarter 3 2022
Formal Regulation 18 Consultation (Preferred Options)	Quarter 4 2022/Quarter 1 2023 (6 week consultation)
Review comments and revise Plan	Quarter 2/Quarter 3 2023
Submission Local Plan Consultation (Regulation 19)	Quarter 4 2023
Review comments and revise Plan	Quarter 2 2024
Submission of Local Plan and representations to Secretary of State (Regulation 20, 22 and 35)	Quarter 3 2024
Independent Examination (Regulation 20)	Quarter 4 2024
Inspector's Report and Adoption of Local Plan (Regulations 20 and 35)	Quarter 1/Quarter 2 2025

Quarter 1 = January/February/March

Quarter 2 = April/May/June

Quarter 3 = July/August/September

Quarter 4 = October/November/December

## Local Plan Key Evidence Base Update

Key Evidence Base Document	Stage of Preparation
Integrated Impact Assessment (SA, SEA, HRA, HIA EqIA)	Consultant engaged and technical consultation on Scoping Report undertaken
Strategic Housing and Employment Land Availability Assessment	Proposed updates to methodology and site criteria complete. Call for Sites to run alongside Issues and Options consultation.
Local Housing Needs Assessment	Consultants Brief under preparation
Updated Employment Study	Procurement underway
Updated Retail Capacity Study	Procurement underway
Updated Viability Assessment	Consultants Brief under preparation
Updated Strategic Flood Risk Assessment	Procurement underway
Updated Water Cycle Study	Project brief to be completed
Highways Modelling	Procurement underway
Updated Infrastructure Delivery Plan	Project brief to be completed



## Chelmsford Policy Board

26 May 2022

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### Strategic Housing and Employment Land Availability Assessment (SHELAA) – Update to Methodology and Criteria Note

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Report by:  
Director of Sustainable Communities

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#### Purpose

To inform the Board of the updated drafting to the SHELAA Report and accompanying Criteria Note for use in the 2022 SHELAA.

#### Recommendations:

To note the changes to the SHELAA Methodology and Criteria Note

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## 1. Introduction

- 1.1 Paragraph 68 of the NPPF sets out that local authorities are required to undertake land availability assessments to establish an understanding of what sites within the administrative area may be suitable, available, and achievable

for development.

- 1.2 To identify sites for this assessment, the Council have issued 'calls for sites' at appropriate intervals in the preparation of the Local Plan, as detailed below:
  - Winter 2014
  - Winter 2015/16 alongside the new Local Plan Issues and Options consultation
  - Spring 2017, alongside the Preferred Options consultation
  - Spring 2018, alongside the Pre-Submission consultation
- 1.3 In Autumn 2018, the Council created a facility that enables the call for sites process to remain live all year round. This provides flexibility to site promoters who are now able to submit sites and propose amendments to previously submitted sites on a year-round basis. Cut-off periods are set so that a land availability assessment can be conducted.
- 1.4 Following each call for sites, a desktop assessment of the suitability, availability and achievability of each promoted site was conducted, with a report of the outcomes produced and published on our webpage<sup>1</sup>.
- 1.5 The assessment used from Autumn 2018 onwards by the Council is the Strategic Housing and Employment Land Availability Assessment (SHELAA) which, as the name suggests, provides a strategic overview of land that has been promoted to us for housing and employment uses.
- 1.6 The SHELAA provides a high-level profile of sites promoted by developers and landowners: identifying a wide range of site characteristics; highlighting the strengths and constraints that sites may face in achieving the local authority requirements; and establishing the likelihood of site developability/deliverability. It is not the purpose of the SHELAA to allocate land for future development, that is for the Local Plan, instead the assessment outcomes are considered alongside other evidence base documents to enable officers and members to make informed decisions of where to allocate future development.
- 1.7 The methodology and criteria that the SHELAA follows is developed and periodically updated by officers internally to ensure that these remain reflective of both national and local policy. Accordingly, in preparation for the upcoming review of the Local Plan, officers have reviewed and refined the SHELAA methodology and criteria to reflect emerging national and local priorities as well as to provide greater clarity and transparency to stakeholders on how the process is carried out.

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<sup>1</sup> The 2021 SHELAA is currently viewable on our webpage at:  
<https://www.chelmsford.gov.uk/planning-and-building-control/planning-policy-and-local-plan/call-for-sites-shelaa-and-parish-maps/>

- 1.8 The purpose of this report is to provide an overview of the update to the drafting of the SHELAA Report and supporting Criteria Note.

## 2. Purpose and Scope of the SHELAA Review

- 2.1 The Housing and Economic Land Availability Assessment Planning Practice Guidance (PPG) recognises land availability assessments to be an important source of evidence to inform plan-making and decision-taking, and the identification of land supply.
- 2.2 In accordance with the PPG, Chelmsford's SHELAA is designed to achieve the following for each promoted site:
- Estimate development potential
  - Determine the suitability for the proposed development
  - Determine whether the site is available for development and if not, identifying the constraints in place that are preventing it from being available
  - Determine whether the site is achievable for development including consideration for whether the proposed use is economically viable
- 2.3 The most recent SHELAA was undertaken in May 2021. The methodology, criteria and viability study utilised to achieve the above are all published online along with parish maps of promoted sites and an output report detailing the individual site assessment outcomes.

### Why a review is needed

- 2.4 The next SHELAA is due to take place following the Issues and Options consultation for the Local Plan Review. The Council will be reliant upon findings from this assessment along with feedback from the consultation to help guide the determination of which sites are promoted for allocation in the Preferred Options Consultation to ensure an appropriate land supply is identified to meet need across the plan period.
- 2.5 It is therefore vital that the SHELAA methodology and suitability, availability and achievability criteria are all reflective of the Council's priorities and comply with NPPF and PPG guidance.
- 2.6 Furthermore, it is important that both the assessment methodology and criteria used adopt a reasonable approach and are conveyed in a clear manner. It is good practice to review the assessment periodically to ensure that this is still achieved and to consider informal feedback for improvement that has been received in the interim.
- 2.7 This ensures that the assessment is robust, justified, transparent, and that a level of confidence can be had in findings.

### What has been reviewed

- 2.8 As suggested from the above, the key elements that have been reviewed and refined are the SHELAA Report – in particular, the methodology section that sets out in detail how the Council carry out the assessment; as well as the supporting SHELAA Criteria Note, which sits as an appendix to the SHELAA Report and details the criteria and scoring method used in the assessment.
- 2.9 The Planning Advisory Service (PAS), a national body funded by Government that provides ‘Peer Challenge’, have reviewed both the SHELAA Report and accompanying SHELAA Criteria Note and provided support in the redraft of these documents. Comments, guidance, and best-practice examples provided by PAS have been worked into the updated drafts, with greater detail of the changes provided in the following sections.

### 3. Updates to the SHELAA Report

- 3.1 The SHELAA Report is a comprehensive document covering the following key aspects of the assessment:
- National policy backdrop that sets out the purpose and scope of the assessment.
  - The methodology followed by Chelmsford City Council in undertaking the assessment
  - A high-level analysis of the latest SHELAA, including breakdowns by performance, promoted uses, land classifications and yields.
  - Details on how the assessment outcomes are used by Chelmsford City Council
- 3.2 The report is updated as and when policy or methodology change and following each assessment. When published, the SHELAA Report is appended with the supporting Criteria Note and Viability Study that inform the assessment, as well as the site performance outputs, parish maps showing the location of the promoted sites and details of any promoted sites that have been omitted from the assessment.
- 3.3 In consulting PAS on our approach to the SHELAA, feedback was provided suggesting that the methodology portion of the SHELAA Report required greater clarity and more detail around each stage of the assessment to provide a greater level of transparency, robustness and improve the readers understanding of the assessment.
- 3.4 The updated SHELAA Methodology, proposed for use in the 2022 assessment is appended to this report as Appendix 1. Note that there are numerous gaps in the analysis portion of this document as the 2022 assessment has not yet taken place.
- 3.5 The following table details the key updates that have been made to the methodology with an added justification. The section column references

where these updates can be seen within the updated SHELAA Report in Appendix 1:

<b>Section</b>	<b>Updated Feature</b>	<b>Justification</b>
Figure 1 (following para 3.1)	A diagrammatic flow chart has been added detailing the five stages of the assessment: review of SHELAA criteria, call for sites, pre-assessment checks, site assessment, and refinement of sites.	Taken as an example of best practice that other local authorities include, this flowchart provides an effective visual summary of the assessment process broken down into stages. It is clearer then for the reader to digest what information is required or used at each stage and what the outcome is.
Paras 3.7 – 3.10	In the explanatory text surrounding the call for sites, greater detail regarding how the online call for sites facility works and how this can be accessed are included.	Included for completeness and as an aide to readers who may wish to understand the process before submitting a site.
Figure 2 (following para 3.9)	In explaining the call for sites process, a map of Chelmsford's administrative area is included.	This provides clarity to those readers unfamiliar with the administrative boundary and seeks to prevent receipt of sites that predominantly lie within other administrative areas.
Paras 3.11 – 3.14	The explanatory text surrounding the pre-assessment checks has been added.	Adds clarity and understanding in which sites can and cannot proceed to the assessment stage
Paras 3.15 – 3.16	In the explanatory text surrounding the site assessment stage, details of the new RAG rated scoring system have been detailed.	The RAG rated scoring (explained under the Criteria Note update) is a universally accepted ranking method. Providing details on what each colour represents sets a precedent to the reader on what to expect when viewing the site performance report
Figure 1 (following para 3.1), Table 2 (following para 3.17)	Both in the flowchart and the site assessment stage explanations, details of all evidence base sources that are used to undertake the assessment are provided.	This provides transparency to how the assessment is carried out and confirms robustness of the assessment
Paras 3.24 – 3.25	The explanatory text surrounding the refinement of sites has been added.	Adds clarity surrounding the situations whereby assessments outcomes may change



- 3.6 Aside from the methodology, the remainder of the SHELAA Report has also undergone some minor redrafting to ensure coherence against the revised methodology section and to ensure a general clarity around the purpose, process, and outcomes of the SHELAA has been conveyed.

#### 4. Updates to the Criteria Note

- 4.1 The SHELAA Criteria Note sits as an appendix to the SHELAA Report. Its purpose is to list the suitability, availability, and achievability criteria that each site is measured against, along with details on how the tally of scores against each criterion determine the site's performance.
- 4.2 Complexity is added by the fact that different criteria are applied to different sites depending on the promoted use, and weighted criteria can cap the site's total score which can alter the overall performance.
- 4.3 These elements are necessary as part of the assessment to be able to gauge where policy non-compliance exists; the extent to which identified constraints are mitigable; and ultimately to identify sites that are likely deliverable, developable or neither (in accordance with the NPPF requirement) as accurately as possible.
- 4.4 However, it was acknowledged when reviewing the documents with PAS that there was scope to improve the clarity and transparency in the presentation of this information within the Criteria Note.
- 4.5 The updated Criteria Note, proposed for use in the 2022 assessment is appended to this report as Appendix 2.
- 4.6 The following table details the key updates that have been made to the Criteria Note with a justification. The section column references where these updates can be seen within the updated SHELAA Criteria Note in Appendix 2:

<b>Section</b>	<b>Updated Feature</b>	<b>Justification</b>
Sections 7 and 9	Promoted use categories of Community Facilities and Renewable Power Generation have been added.	This expansion of promoted uses signifies an evolution of the assessment to incorporate NPPF aspirations on promoting healthy communities and planning for climate change. Further, understanding what land may be available for community facilities or renewable power generation helps the City Council make informed decisions of where to allocate these uses to sustainably support future housing and employment development.
Throughout whole document	Division of the document into sections on each promoted use category: residential, employment, retail, community facility, mixed use and renewable power generation.	Clarity is provided to the reader in showing what criteria is applied to the differing promoted uses.
Paras 3.4, 4.21, 8.22	The criterion addressing locality in relation to Defined Settlement Boundaries and Urban Areas has been removed and replaced with a weighted criteria measuring proximity to established amenities.	This shifts the focus onto assessing the sustainability of a site and enables officers to be guided by the SHELAA outcomes when considering any alterations to the spatial strategy and settlement hierarchy
Paras 4.7, 5.4, 6.4, 7.6, 8.7 and 9.4	Criterion measuring the proximity to PROWs and established cycle networks has been added	This provides additional overview of whether promoted sites are well connected to sustainable transport routes
Paras 3.3, 3.4, 4.13, 4.16, 5.11, 5.14, 6.10, 6.13, 7.12, 7.15, 8.14, 8.17, 9.11 and 9.14	Weighting added to the criteria regarding Open Space and Protected Natural Features	This ensures greater alignment to national and local policy that seek to conserve and enhance the natural environment

Section	Updated Feature	Justification
Throughout whole document	Each criterion is labelled with the Local Plan Policy reference/s, Sustainability Appraisal Objective/s and (as applicable) the NPPF section that the criterion is reflective of.	This provides clearer justification of each criterion, highlighting their importance in being included within the assessment. It also indicates which criterion are reflective of local and national policy.
Throughout whole document	Criterion wording has been strengthened and each features an accompanying paragraph to explain how the criterion is assessed. Where applicable, this includes details of the evidence base document or software used, measurement taken, and specialist officer consulted.	This removes confusion that could have been had on how the criterion are assessed and adds transparency to the process. It also eliminates any cause for doubt that there may have been subjectiveness in how the assessment is carried out.
Paras 3.3 – 3.5 and throughout remainder of document	The labelling of weighted criteria has been simplified, with a single underline if it is weighted and no underline if not. All weighted criteria are listed at the start of the Note, with details as to whether it is in place to reflect national or local policy.	The simplification reduces the level of complexity improving comprehensibility and clarity
Paras 10.1 – 10.3	Overall scoring of the sites now follows a RAG rated system with Red indicating non-compliance with national policy and/or significant non-mitigable constraints; Amber indicating non-compliance with local policy and/or moderate constraints requiring mitigation; Yellow indicating well scoring likely developable site with minor mitigable constraints; and Green indicating well performing deliverable sites with minimal constraints and compliant with local and national policy.	This provides a more effective visual indication of site performance and facilitates easier comparison of site performance. Additionally, it distinguishes sites that are non-compliant with local policy from those non-compliant with national policy as well as identifying an indicative level of mitigation that would be required.

## 5. Next Steps

- 5.1 In the drafting of the Local Plan Issues and Options consultation, an open-ended question regarding the SHELAA methodology and criteria used is to be included to enable stake holders to comment on the changes set out above.
- 5.2 At the point of notifying consultees of the opening of the Issues and Options consultation, currently scheduled for Summer 2022, a reminder will be included for site promoters to submit their sites/provide update to their submissions so as these can be considered within the Local Plan Review.
- 5.3 The cut-off point to the call for sites facility is scheduled to coincide with the end of the Issues and Options consultation, at which point the consultation responses will be reviewed and the changes noted in this report will be applied to the 2022 SHELAA.

### List of appendices:

Appendix 1 – SHELAA Report

Appendix 2 – SHELAA Criteria Note

### Background papers:

National Planning Policy Framework

Housing and Employment Land Availability Assessment PPG

Chelmsford Local Plan

Chelmsford Sustainability Appraisal Report: Addendum

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## Corporate Implications

Legal/Constitutional:

N/A

Financial:

N/A

Potential impact on climate change and the environment:

Updated drafting to the SHELAA Criteria Note will enable site promoters to submit parcels of land for renewable power generation sites and will also enable officers to better identify sites most likely to achieve sustainable development. Criteria within the SHELAA has been updated to ensure that promoted sites are scored favourably based upon their sustainability.

Contribution toward achieving a net zero carbon position by 2030:  
Sites allocated within the Local Plan Review – which will be informed by the  
SHELAA – will need to comply with the relevant policies and Building Regulations  
which are currently working towards a net zero carbon position by 2030.

Personnel:

N/A

Risk Management:

N/A

Equality and Diversity:

N/A

Health and Safety:

N/A

Digital:

N/A

Other:

N/A

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#### Relevant Policies and Strategies:

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

Chelmsford Local Plan 2013-2036, 2020

Our Chelmsford, Our Plan

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## **Appendix 1 – Strategic Housing and Employment Land Availability Assessment (SHELAA) Report**

# 1. Introduction

- 1.1 Chelmsford City Council conduct a Strategic Housing and Employment Land Availability Assessment (SHELAA) to gain an understanding of the potential developability of sites proposed for future development.
- 1.2 The SHELAA forms part of the evidence base for the preparation and review of the Local Plan. The purpose of the SHELAA is to help the City Council make informed decisions of where to allocate future development and in preparing annual housing and employment trajectories.
- 1.3 In preparation for the upcoming review of the Local Plan, Chelmsford City Council have reviewed and refined the SHELAA methodology to reflect emerging national and local priorities as well as to provide greater clarity and transparency to stakeholders on how the process is carried out. To ensure a justified and robust approach is taken, the Planning Advisory Service have been involved as part of this reviewing and refining process.
- 1.4 This report has been prepared to set out the revised SHELAA methodology and summarise the outputs of the 2022 assessment.

## 2. Policy Background

- 2.1 Paragraph 68 of the National Planning Policy Framework (NPPF)<sup>1</sup> sets out the requirement that local authorities are to undertake land availability assessments to establish their understanding of sites that may be suitable, available and achievable for development:

*“Strategic policy-making authorities should have a clear understanding of the land available in their area through the preparation of a strategic housing land availability assessment. From this, planning policies should identify a sufficient supply and mix of sites, taking into account their availability, suitability and likely economic viability”.*

- 2.2 Planning Practice Guidance (PPG) for Housing and Economic Land Availability Assessments elaborates further on this, by clarifying that:

*“...the assessment does not in itself determine whether a site should be allocated for development” but to “provide information on the range of sites which are available to meet the local authority’s requirements...”*

*“An assessment should:*

- Identify sites and broad locations with potential for development;*
- Assess their development potential; and*
- Assess their suitability for development and the likelihood of development coming forward (the availability and achievability).”*

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<sup>1</sup> NPPF 2021 Update

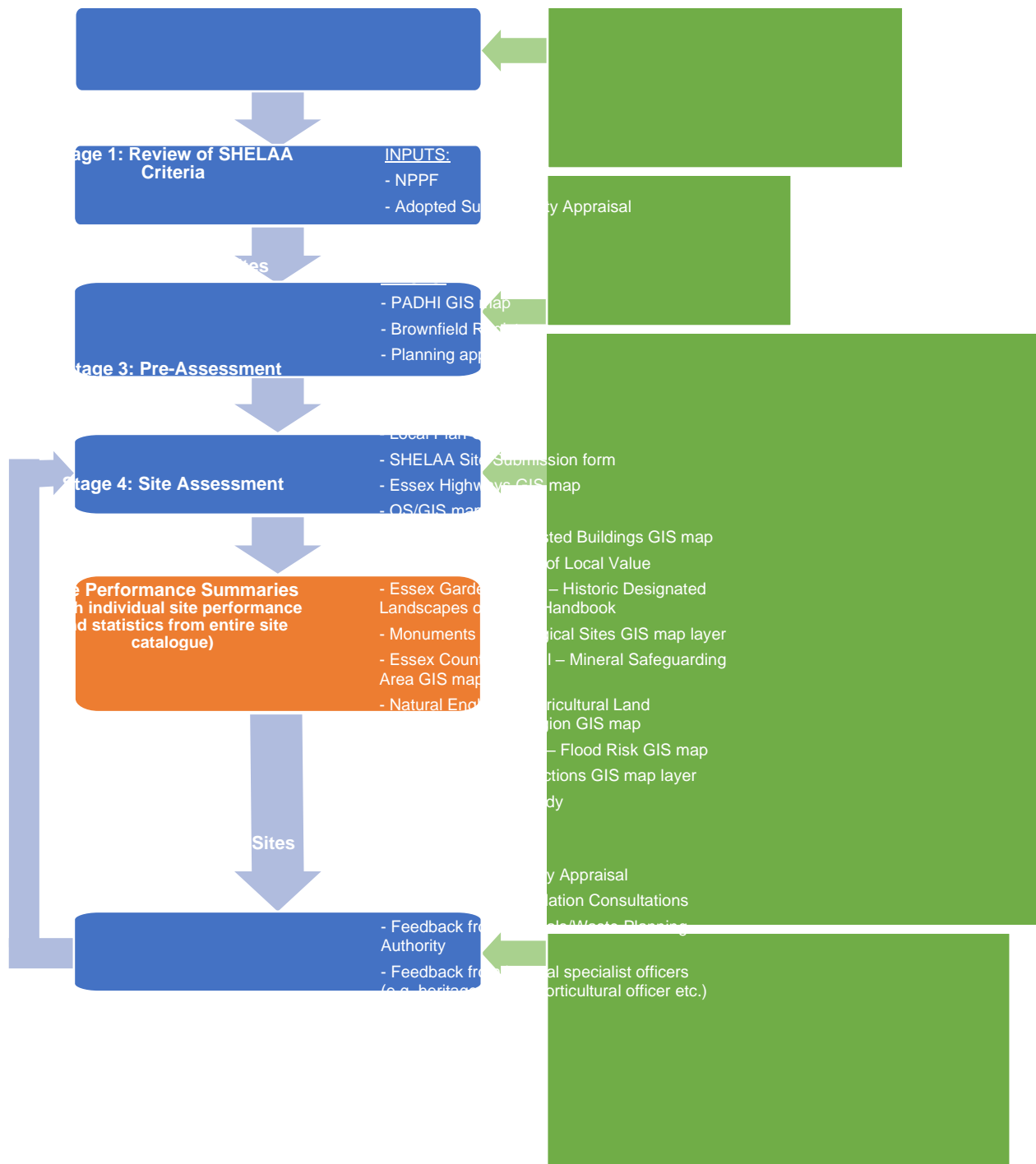
- 2.3 To adhere to the guidance, Chelmsford City Council have in place a 'Call for Sites' facility enabling site owners, developers, interested parties, and members of the public put forward sites for consideration. The facility is accessible through the Council's Consultation Portal, is open for submissions all year round and enables promoters to submit new sites for consideration and/or to propose amendments to existing SHELAA sites.
- 2.4 This approach provides flexibility to promoters and further seeks to ensure that the Council hold a continued up-to-date catalogue of sites that may be available within the administrative area.
- 2.5 Cut-off periods to the 'Call for Sites' facility are scheduled so that the assessment can be carried out. The assessment is desk-based and considers a wide range of suitability, availability and achievability criteria (see Appendix 1 – Criteria Note), which together help determine whether each site is likely deliverable, likely developable or neither.
- 2.6 To be developable, the NPPF states that:
- "Sites should be in a suitable location for housing development with a reasonable prospect that they will be available and could be viably developed at the point envisaged".*
- 2.7 To be deliverable, a site must meet additional criteria. The NPPF states that deliverable sites:
- "... should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years. In particular:*
- a) sites which do not involve major development and have planning permission, and all sites with detailed planning permission, should be considered deliverable until the permission expires, unless there is clear evidence that homes will not be delivered within five years (for example because they are no longer viable, there is no longer a demand for the type of units or sites have long term phasing plans).*
- b) where a site has outline planning permission for major development, has been allocated in a development plan, has a grant of permission in principle, or is identified on a brownfield register, it should only be considered deliverable where there is clear evidence that housing completions will begin on site within five years."*
- 2.8 To reiterate the national guidance, it is not the purpose of the SHELAA to allocate land for future development. Instead, the assessment provides a high-level profile of the promoted sites; identifies a wide range of site characteristics; highlights the strengths and constraints that sites may face in achieving the local authority requirements; and establishes the likelihood of site developability/deliverability. Together this information is considered alongside other evidence base documents to enable officers and members to make informed decisions of where to allocate future development.



### 3. Methodology

3.1 In undertaking the SHELAA, Chelmsford City Council follow five stages detailed within Figure 1 on the following page. Explanation of our processes at each stage follow below.

Figure 1: Methodology Flowchart



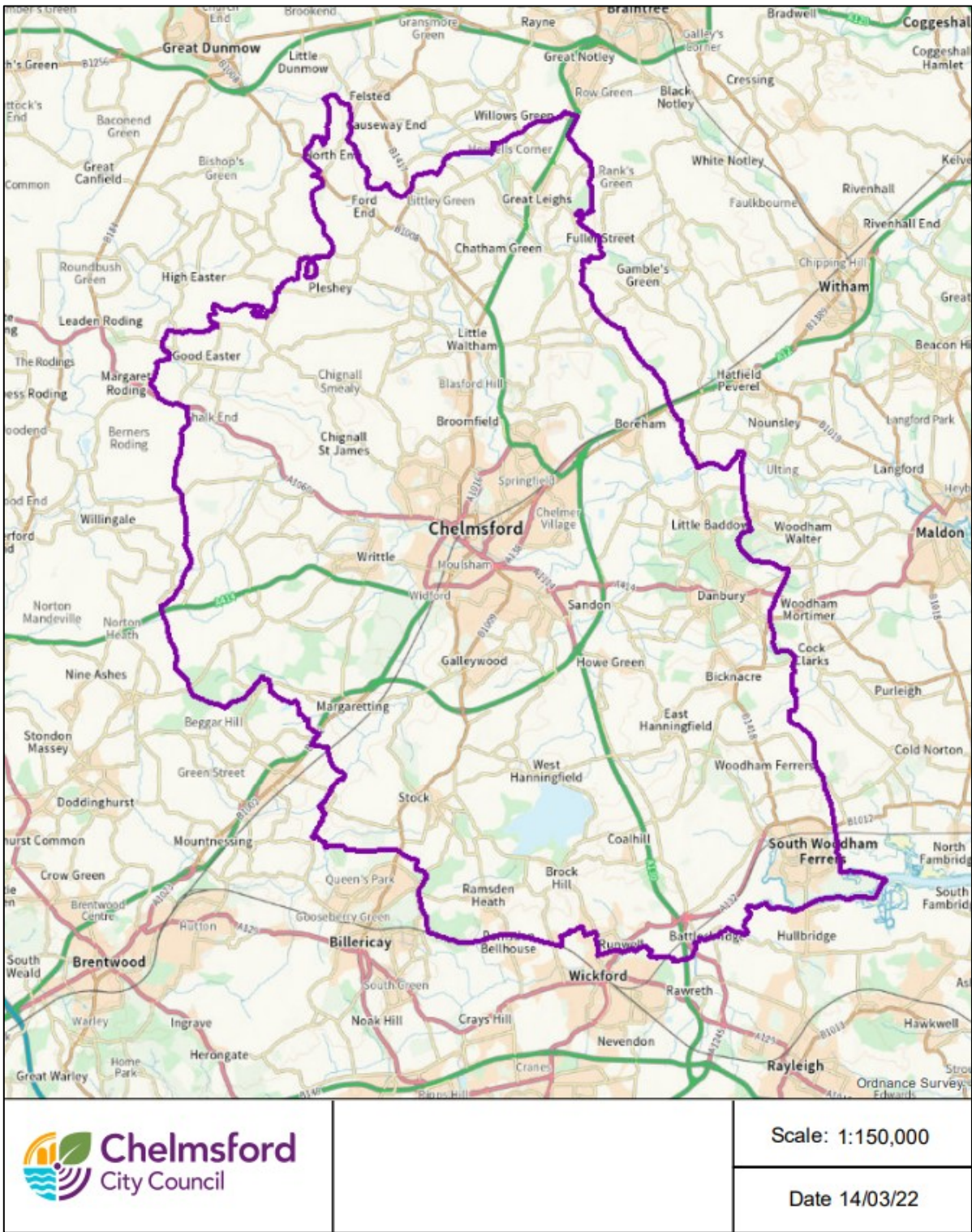
### **Stage 1: Reviewing the SHELAA Criteria**

- 3.2 Prior to each assessment, Chelmsford City Council undertake an internal review of the existing SHELAA criteria and assessment process. This is to ensure the criteria remain in alignment with National Policy; are reflective of the sustainability objectives set out within the Sustainability Appraisal, as well as emerging local policy priorities; and are feasible to be measured through desk-top methods.
- 3.3 The SHELAA is undertaken in-house by dedicated officers within the Spatial Planning Team. The assessment process has been developed (and is continually reviewed) to maximise the utilisation of available digital software including GIS mapping. This ensures that a robust desk-top site assessment can be undertaken with algorithms in place to minimise, as far as possible, any subjective assessment decisions or human error.
- 3.4 For the 2022 iteration of the SHELAA, the assessment criteria have expanded to cover proposals not only for residential and employment/commercial use, but also for community facilities (including education, healthcare, places of worship, sports, leisure, or recreation facilities) and renewable power generation. A full breakdown of the criteria is featured in Appendix 1 – Criteria Note.
- 3.5 The inclusion of these uses reflects the aims within the NPPF, particularly in relation to promoting healthy communities and planning for climate change. Understanding what land may be available for community facilities or renewable power generation helps the City Council make informed decisions of where to allocate these uses to sustainably support future housing and employment development.
- 3.6 Impartial feedback has been sought on the updated SHELAA Criteria Note from the Planning Advisory Service, who have helped to ensure that the assessment criteria is reasonable and forms a robust assessment.

### **Stage 2: Call for Sites**

- 3.7 Chelmsford City Council maintain a 'Call for Sites' facility that is open for submission all year round and enables promoters to submit new sites to be included within the SHELAA and/or to propose amendments to existing promoted sites. This facility is accessible through our website at: <https://www.chelmsford.gov.uk/planning-and-building-control/planning-policy-and-local-plan/call-for-sites-shelaa-and-parish-maps/>
- 3.8 Promoters are required to complete the relevant submission form, which requires them to provide an OS map outlining the site, site ownership details, proposed use/s, delivery timescales, known legal issues, and an overview of some of the site's characteristics.
- 3.9 Sites will be considered for the SHELAA providing most of the site (over 50% of the promoted area) falls within the Chelmsford administrative area, detailed in Figure 2 below. There is no site size threshold for submission.

Figure 2: Chelmsford Administrative Area



Source: CCC, 2022.

3.10 At the scheduled 'Call for Sites' cut-off times, all new submitted sites and proposed amendments are individually reviewed to ensure that the promoter has provided enough information to be able to carry out an assessment, to make any proposed amendments to sites, and to ensure that any new sites are not a duplication of an

existing SHELAA site.

### **Stage 3: Pre-Assessment Checks**

- 3.11 Using Council databases and GIS software, the entire catalogue of SHELAA sites (new and existing) are checked to see if they feature on the Brownfield Register, have been granted Planning in Principle, have received planning permission for development, or have previously been refused planning permission. Where areas of/whole sites have permission and are well underway with or have completed development, these areas/sites will be omitted from the SHELAA. Simply having permission granted is not enough to remove an area/site from the SHELAA as these do not always get developed out.
- 3.12 Again, using GIS software, SHELAA sites are also checked for the presence of any human hazards on site (this includes gas and oil pipelines, electricity towers/lines and electricity substations). Any hazardous areas identified within promoted sites are discounted from the SHELAA.
- 3.13 At this stage, a list of sites to be omitted from the assessment is produced. Sites can be omitted for the following circumstances:
- If the site consists wholly of a human hazard
  - If the site is considered to be identical or almost identical to another submission. Where a site is considered almost identical to another site, the assessing officer makes a judgement to remove the site if they feel the discrepancy would not likely impact the assessment outcome
  - If subsequent to submission, the site has commenced/completed development
  - If removal of site is requested by the landowner. In the case where only a portion of a SHELAA site is owned, only this portion will be omitted from the submission
  - If removal of site is requested by the person/organisation who submitted the site
- 3.14 Sites that are omitted from the SHELAA through Stages 2 and 3 are listed within Appendix 5 – List of Omitted Sites with their reason for omission.

### **Stage 4: Site Assessment**

- 3.15 Sites that have passed through the pre-assessment checks are brought through to Stage 4 where they are each profiled and assessed against suitability, availability, and achievability criteria. The sites are then RAG rated determined by their scores and compliance with national and local policy, as summarised in Table 1 below.

Table 1: SHELAA RAG Rating Summary

Red	Site is contrary to national policy and/or faces significant constraints or adverse impacts that cannot be mitigated.
Amber	Site scores poorly against criteria, is contrary to local policy, and faces moderate constraints that would require mitigation.
Yellow	Site scores well against criteria but has some characteristics contrary to local policy. Site faces minor constraints that would require mitigation. Site is considered developable.
Green	Site scores highly against criteria and demonstrates compliance with national and local policy. Site faces minimal constraints and is considered deliverable.

- 3.16 The Criteria Note (Appendix 1) provides a full technical breakdown of how each proposed use is assessed and RAG rated. The criteria that are used have been developed based upon policy requirements in both the NPPF and Chelmsford's Local Plan, and to reflect the current Sustainability Appraisal site appraisal criteria. This is to ensure that the SHELAA can highlight the most suitable sites, favour sites that look likely to achieve sustainable development, and to provide alignment between the SHELAA and subsequent iterations of the Sustainability Appraisal which will look to test the economic, environmental, and social impacts of the Reviewed Local Plan.
- 3.17 The assessment is desk-based and utilises the evidence sources detailed in Table 2 below to determine the suitability, availability, and achievability of each site.



Table 2: Evidence Sources Utilised within SHELAA

Criterion	Evidence used to undertake assessment
<b>Suitability Criteria</b>	
Proximity to employment areas	Local Plan GIS map (viewable online*)
Impact on retail areas	SHELAA submission form, Local Plan GIS map (viewable online*)
Proximity to the workplace	Local Plan GIS map (viewable online*)
Public transport	Local Plan GIS map (viewable online*), <a href="https://www.essexhighways.org/getting-around">https://www.essexhighways.org/getting-around</a>
PROW and cycling connectivity	<a href="https://www.essexhighways.org/getting-around">https://www.essexhighways.org/getting-around</a>
Vehicle access	GIS map (also viewable on any up-to-date OS map)
Strategic road access	GIS map (also viewable on any up-to-date OS map)
Impact on designated heritage assets	Local Plan GIS map (viewable online*), <a href="https://historicengland.org.uk/listing/the-list/">https://historicengland.org.uk/listing/the-list/</a>
Impact on non-designated heritage assets	Local Plan GIS map (viewable online*), Register of Buildings of Local Value, Essex Gardens Trusts: Historic Designated Landscapes of Essex Handbook
Impact on archaeological assets	Monuments & Geological Sites GIS map
Minerals and waste constraints	Local Plan GIS map (viewable online*), Mineral Safeguarding Area GIS map provided by Essex County Council as the minerals and waste planning authority Essex County Council minerals and waste officers
Impact on areas of defined open space	Local Plan GIS map (viewable online*)
Impact on the Green Belt and Green Wedge	Local Plan GIS map (viewable online*)
Land classification	Natural England's Agricultural Land Classification East Region (ALC008), Aerial Photos GIS map
Impact on protected natural features	Local Plan GIS map (viewable online*)
Impact on flood risk	Local Plan GIS map (viewable online*), updates provided from Environment Agency
Impact on Air Quality Management Areas	Local Plan GIS map (viewable online*)
Ground condition constraints	Environmental Restrictions GIS map
Neighbouring constraints	SHELAA submission form, Aerial Photos GIS map
Proximity to key services	Local Plan GIS map (viewable online*)
Impact on community facilities	SHELAA submission form, GIS map
<b>Availability Criteria</b>	
Ownership	SHELAA submission form
Land condition	SHELAA submission form, Aerial Photos GIS map
Legal constraints	SHELAA submission form, Aerial Photos GIS map
<b>Achievability Criteria</b>	
Viability	Viability Study (See Appendix 2)
Timescale for deliverability	SHELAA submission form

\*See Policies Map at: <https://www.chelmsford.gov.uk/planning-and-building-control/planning-policy-and-local-plan/adopted-local-plan/>

3.18 To ensure the SHELAA is transparent, most of the criteria is assessed using maps, documents or websites that are accessible to the public. GIS maps that are not

accessible to the public feature designations are generally ones provided to the Council by third parties (such as the Environment Agency or Essex County Council).

- 3.19 Chelmsford City Council also do not publish the SHELAA submission forms in line with GDPR since these forms contain personal and sensitive information. Therefore, the information detailed on these forms is not visible to the public.
- 3.20 The Viability Study (Appendix 2) has been prepared by Chelmsford City Council for the purpose of determining the likely economic viability of SHELAA sites. The study follows the same methodology as the Local Plan Viability Study in the development and appraisal of a number of typologies, representative of the range of sites and uses considered within the SHELAA. The Viability Study is reviewed on the same regular basis that the SHELAA criteria is reviewed to ensure all typologies, associated build costs and CIL/S106 contributions are up to date.
- 3.21 The Viability Study does not feature appraisals for the community facilities nor renewable power generation uses. Instead, at the call for sites stage, promoters will be asked to provide evidence of viability to justify their promoted use for the assessing officer to consider. The reasoning behind this is because of the varied and ever current evolving nature of both of these uses, it has not been possible for the Council to develop typologies to cover these uses.
- 3.22 In addition to the assessed criteria, the proximity of each site to defined settlement boundaries, retail allocations and employment allocations is recorded, as well as the general gradient of the site, and utilities (water, electric, gas) that are already present on site. These features are not scored against but provide greater clarity of the general character of the site.
- 3.23 Performance for each site is summarised in a concise report, with RAG rating and details of their suitability, availability, and achievability outcomes. All SHELAA sites are also plotted on parish maps to provide additional spatial context. The most up-to-date assessment outcomes and parish maps feature as Appendices 3 and 4 to this document.

### **Stage 5: Refinement of Sites**

- 3.24 A refinement of sites will be undertaken by Chelmsford City Council to ensure that the final site performance summaries are accurate.
- 3.25 Dependent on the findings from the assessment undertaken within Stage 4, there are instances whereby further information may be sought, or additional information inputs identified. Though not exhaustive, the list below identifies such instances:
- When the Council is in the process of drafting a Local Plan or Local Plan Review, feedback from regulatory consultations will be incorporated;
  - Where a site has been identified as requiring assessment from the Minerals and Waste Planning Authority, feedback from this authority will be incorporated;
  - If a SHELAA site is selected as an allocation option, an external consultant will undertake a Sustainability Appraisal. The outcomes of that appraisal will then be incorporated;

- If additional investigation is sought from specialist officers, then their assessments will be incorporated.

## 4. SHELAA 2022 Assessment Statistics

- 4.1 The outputs from the SHELAA provide gross figures for all sites in the Council's SHELAA Database. However, a refinement of these figures is required to provide a more accurate assessment of available land. Sites which have an approved planning consent or have been allocated within the Local Plan are included within the Council's Housing Site Schedule. Therefore, the gross outputs would represent, potentially significant, double counting of land and a double counting of yield within the various site categories. As a result, the area and yield of these sites are discounted to give a more accurate picture of the quantum of land available.
- 4.2 Additionally, there are instances where submissions lie wholly within other submissions. Again, to avoid a double counting of yield and area, these sites are also discounted from the outputs.

### Outputs: 2022 Assessment

- 4.3 The 2022 SHELAA assessed a total of XXX sites, of which XX sites have been discounted. Of these XX sites, XX have either been allocated within the Local Plan or have an approved planning permission, whilst the remaining XX lie wholly within another SHELAA submission. As stated in above, these sites areas and yields have been discounted to avoid, potentially significant, double counting. Tables 3 and 4 below provide details of these XX sites:

Table 3: SHELAA sites allocated within the Local Plan or have an approved planning permission, where the permission covers the entire SHELAA submission.

Site Reference	Site Address	Permitted Planning Reference	Site Area (ha)	Yield	RAG Rating	PDL / GF

Table 4: Site submissions that wholly lie within another submission

Site Reference	Site Address	Site lies within	Site Area (ha)	Yield	RAG Rating	PDL / GF

- 4.4 Considering the above, the following overall figures have been removed from the SHELAA total outputs.



Table 5: Figures discounted from the SHELAA outputs

	Previously Developed Land			Greenfield			Yield Total
	No. Sites	Area (ha)	Yield (dwellings)	No. Sites	Area (ha)	Yield (dwellings)	
Green							
Yellow							
Amber							
Red							
<b>TOTAL</b>							

4.5 Taking account of the above discounts, the SHELAA outputs are detailed below in Tables 6, 7 and 8.

Table 6: Proposed Uses

Proposed Use	Number of Sites	Site Area (ha)
Residential		
Employment		
Retail		
Community Facility		
Renewable Power Generation		
Mixed Use		
<b>TOTAL</b>		

Table 7: Contribution to housing by Category

Category	Number of Sites	Site Area (ha)	Yield (dwellings)
Green			
Yellow			
Amber			
Red			
<b>TOTAL</b>			

4.6 As can be seen from Table 7, a yield of XXX dwellings can be achieved from Green sites and XXX from Yellow sites. Amber and Red sites, those which are not currently developable, amounts to XXX dwellings.

Table 8: Contribution to housing by Category and land type

	Previously Developed Land			Greenfield			Yield Total
	No. Sites	Area (ha)	Yield (dwellings)	No. Sites	Area (ha)	Yield (dwellings)	
Green							
Yellow							
Amber							
Red							
<b>TOTAL</b>							

4.7 Table 4.6 provides a greater level of detail including the land type. The yield of previously developed (brownfield) dwellings from Green sites amounts to XXX, compared to a yield of XXX greenfield dwellings. The yield of previously developed (brownfield) dwellings from Yellow sites amounts to XXX, compared to a yield of XXX greenfield dwellings. Finally, the Amber and Red rated sites together yield XXX dwellings from previously developed (brownfield) sites and XXX dwellings from

greenfield sites.

- 4.8 It should also be noted that there are some sites which overlap each other. Since some of these overlapping sites may fall within differing categories and have varying levels of Greenfield/PDL splits between them it is impossible to discount site areas and site yields in a fair and consistent manner. As such the reporting output figures should be viewed with some caution as, although the majority of double counting has been removed, there will be elements of site overlapping, but is not possible to give an accurate figure for how much and in which categories.

## 5. Uses of SHELAA outcomes

- 5.1 The purpose of the SHELAA is not to allocate land for future development. The assessment helps officers and Members make their own informed decisions of where to allocate future development.
- 5.2 The assessment does this by highlighting areas of likely deliverable land. This is a particularly useful feature when looking at how the Council's Housing and Employment targets are going to be met within the plan period, and further into the future, as the assessment offers an indicator of how many dwellings could possibly be delivered, what size site is needed and whether the type of development would likely be viable or not.
- 5.3 Additionally, the assessment acts as a sieve to filter through sites that could be eligible to be added onto the Council's Part 1 of the Brownfield Register. If the assessment deems the site to be predominantly previously developed land, an officer will review the site against the Brownfield Register Regulations to see if it is eligible to be added to the register.

## 6. Appendices:

- Appendix 1 – Criteria Note
- Appendix 2 – Viability Study
- Appendix 3 – SHELAA 2022 Site Performance Summaries
- Appendix 4 – SHELAA 2022 Parish Maps
- Appendix 5 – List of Omitted Sites

## **Appendix 2 – SHELAA Criteria Note**

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# 1. Overview

- 1.1. The Strategic Housing and Employment Availability Assessment (SHELAA) is a desk-based assessment that, in line with the NPPF and PPG guidance, scores sites promoted for development against Suitability, Availability and Achievability criteria. Based on performance, a RAG rating process is then used to determine whether a site is likely deliverable (Green), developable (Yellow), or neither (Amber if constraints are mitigable, or Red if non-mitigable).
- 1.2. Site promoters can propose a whole range of uses for a site including residential, employment, retail, community facilities, renewable power generation or a mix of all the above. The criteria for which the site is assessed against is dependent on the proposal.
- 1.3. The Suitability criteria for each promoted use are assessed predominantly using GIS maps in conjunction with information provided by the site promoter. Details of how each criterion is assessed and where relevant maps can be viewed are provided against each criterion.
- 1.4. Availability and Achievability are assessed using information provided by site promoters within a site submission in relation to ownership, legal constraints, relocation of uses and timescales for delivery. The viability aspect of the Achievability criteria is predominantly assessed using the typology appraisals within the SHELAA Viability Study (see Appendix 2 to the SHELAA 2022 Update).
- 1.5. All criteria have been developed based upon policy requirements set out within the NPPF and Chelmsford's Local Plan, including the supporting Sustainability Appraisal to ensure sustainable development is favoured. Where appropriate, additional constraints are also in place to either discount non-developable land from a site assessment or to cap a site's overall performance where policy non-compliances are not mitigable.
- 1.6. This Criteria Note sets out the Suitability, Availability and Achievability criteria for which each proposed use is assessed against – including applicable constraints – and identifies which National Policies, Local Plan Policies and Sustainability Objectives are reflected within the assessment.

## 2. Pre-Assessment Checks

- 2.1. Prior to assessing sites against the Suitability, Availability and Achievability criteria detailed in the next section, the catalogue of sites is checked to ensure sites are suitable to be assessed.
- 2.2. This involves checking whether the site features within the Brownfield Register, checking the site's planning history, and checking whether the site features a hazard to human health.

### Brownfield Register

- 2.3. Regulation 4 of The Town and Country Planning (Brownfield Land Register) Regulations 2017 sets out that as part of the criteria to be on the Brownfield Register, a site must be suitable, available, and achievable for residential development.
- 2.4. As such, any SHELAA sites promoted for residential use that are identified to be on Chelmsford's Brownfield Register are automatically considered to be suitable, available and achievable and will be categorised as either Yellow or Green dependent upon identified policy compliancy and constraints.
- 2.5. Note however, that this is not to say that sites determined as suitable, available and achievable within this assessment are to be added to the Brownfield Register. There are additional strict criteria that a site must meet to feature on the Brownfield Register, set out in legislation, and this is dealt with in a separate assessment.

### Planning History

- 2.6. The purpose of the SHELAA is to identify land within the administrative area that may be suitable, available and achievable for future development. The catalogue of SHELAA sites is therefore checked for both permitted and refused planning applications as this helps to identify the following:
  - If a whole or part of a SHELAA site has live planning permission and development is underway then the whole/part of the site being developed is removed from the SHELAA. Note that just having planning permission is not enough to remove a site from the SHELAA as development does not always commence and permissions can expire.
  - If a site has had a planning application refused, the reasons for refusal may indicate that the site is unsuitable for development. In this scenario, the unsuitability of the site will be reflected within the assessment scores.

## Hazards to Human Health

- 2.7. For sites proposed for residential, employment, retail uses, if any portion of the site lies within land considered to be a hazard to human health, this part of the site will be discounted from the SHELAA assessment.
- 2.8. Land is a hazard to human health if it features one or more of the following: gas pipelines, electricity towers, electricity substations, gas installation buffers, gas pipeline feeders, high pressure gas pipelines, gas pipeline buffers and oil pipelines. The location of the pipelines and buffers are as determined by the Health and Safety Executive's Planning Advice for Developments near Hazardous Installations (PADHI).
- 2.9. After the hazard to human health areas are discounted, the remaining portion of the site is to be assessed against the Suitability, Availability and Achievability criteria covered within the latter portion of this note.



### 3. Capped Constraints

- 3.1. In assessing the Achievability of a site, two criteria are considered: viability and timescale for delivery. Should a site be considered likely unviable, then it will be capped at Amber as this is viewed as a moderate constraint that would require mitigation. In terms of deliverability, if the site has an anticipated development time that exceeds 5 years, then the site will be capped at Yellow as it would be considered developable rather than deliverable in accordance with the NPPF definitions.
- 3.2. In assessing the Suitability of a site, if any part of the site meets one or more criterion listed below, the site's RAG rating will be capped at Red if the constraint is contrary with national policy, and Amber if the constraint goes against local policy. The purpose of this is to ensure that promoted sites that will not/cannot be compliant with national policy or Chelmsford's Local Plan policies are not identified as deliverable or developable sites.

### National Policy Constraints

- 3.3. If any part of a SHELAA site meets one or more of the following criteria, the site will be attributed a Red RAG rating:
- Site lies within the Green Belt (NPPF section 13, Sustainability Appraisal Objective 14; Strategic Policy S11; Policies DM6)
  - Site lies within one of the following international or national designated site of importance for biodiversity: Site of Special Scientific Interest (SSSI), Ancient Woodland, Special Protection Area (SPA), Special Area of Conservation (SAC) or a Ramsar Site (NPPF section 15, Sustainability Appraisal Objectives 1 and 13; Strategic Policy S4; Policies DM13, DM16, DM17 and DM24)

### Local Policy Constraints

- 3.4. Providing a national policy constraint has not been identified, if any part of a SHELAA site meets one or more of the following criteria, the site will be attributed an Amber RAG rating:
- Where a site proposed for a non-employment use lies within an existing/proposed employment area (Sustainability Appraisal Objective 3; Strategic Policy S8; Policy DM4)
  - Site is in excess of 400m walking distance from any existing/proposed public transport services

(Sustainability Appraisal Objective 6; Strategic Policies S9, S10 and S11; Policies DM20 and DM24)

- Where a site has identified constraints that would prevent the implementation of a vehicle access route to the site  
(Sustainability Appraisal Objective 6; Strategic Policies S9 and S10; Policy DM20)
- Site lies within a Waste/Minerals site or a Waste/Minerals site with extant Planning Permission  
(Sustainability Appraisal Objective 12; Policy DM30)
- Site lies within an area of defined Open Space  
(Sustainability Appraisal Objective 5; Policies DM21, DM24 and DM26)
- Site lies within the Green Wedge  
(Sustainability Appraisal Objective 14; Strategic Policy S11; Policy DM7)
- Where a site is promoted for a residential use but features a neighbouring constraint in the form of an adjacent employment/industrial use or an adjacent major road or dual carriageway, where there is no potential to mitigate impacts of these uses  
(Sustainability Appraisal Objective 5; Policy DM29)
- Where development is proposed for a residential use but is in excess of 2km walking distance from Chelmsford City Centre or South Woodham Ferrers Town Centre and in excess of 2km walking distance away from any one of the following key services: GP surgery, school, convenience goods store  
(Sustainability Appraisal Objectives 4 and 5; Strategic Policies S5 and S7)
- Where the promoted use of the site would result in the loss of a community facility such as a school, GP surgery, place of worship, or a sports and leisure facility  
(Sustainability Appraisal Objectives 4 and 5; Strategic Policy S5; Policies DM21 and DM22)

3.5. In exceptional circumstances, there may be additional constraints not listed above that may result in the performance of a site to be capped. Any such instances will be detailed within the relevant site assessment sheet.

## 4. Residential Criteria

- 4.1. Any sites that have been promoted for a residential use will be assessed against the Suitability, Availability and Achievability criteria detailed below. This includes proposals for specialist accommodation and gypsy & traveller pitches.

### Suitability Criteria

- 4.2. Note that any underlined criteria represent where Policy Constraints are in place. If a site achieves a score of (0) against such criteria, the site will be capped at an Amber or Red RAG rating dependent on whether the site is contrary to local or national policy.

4.3. **Proximity to Employment Areas**

(Strategic Policy S8; Policies DM4 and DM29)

- (5) Site is outside of any existing/proposed employment allocation
- (3) Site is adjacent to an existing/proposed employment allocation
- (0) Site is wholly/partially located within an existing/proposed employment allocation

**How this is assessed:**

Using the Local Plan GIS map, the proximity of the promoted site to areas labelled Proposed Employment Area, Existing Employment Area and rural Employment Area is observed.

4.4. **Impact on Retail Areas**

(Strategic Policy S12; Policy DM5)

- (5) Development does not result in the loss of established shops and services within Chelmsford City Centre, South Woodham Ferrers Town Centre or any designated Neighbourhood Centres
- (0) Development would result in the loss of established shops and services within Chelmsford City Centre, South Woodham Ferrers Town Centre or any designated Neighbourhood Centres

**How this is assessed:**

Using the Local Plan GIS map, the site is checked to see if it falls within the City Centre, South Woodham Ferrers Town Centre or a designated Neighbourhood Centre. If so, information submitted by the promoter is used to determine whether loss of shops or services would occur.

4.5. **Proximity to the Workplace**

(Sustainability Appraisal Objective 3; Strategic Policies S7 and S8)

- (5) Site is within 2km walking distance of an employment allocation
- (0) Site is in excess of 2km walking distance of an employment allocation

**How this is assessed:**

Using the Local Plan GIS map, the GIS analytics feature showing walking distances from a promoted site is used to see if the site falls within the specified ranges to a Proposed Employment Area, Existing Employment Area or Rural Employment Area.

#### 4.6. **Public Transport**

(Sustainability Appraisal Objective 6; Strategic Policies S9, S10 and S11; Policies DM20 and DM24)

*Public transport services consist of proposed/existing bus stops, rail stations and park and ride facilities*

- (5) Site is within 400m walking distance of one or more services
- (0) Site is in excess of 400m walking distance from all services

##### How this is assessed:

Using a combination of the Local Plan GIS map and Essex Highways maps (<https://www.essexhighways.org/getting-around>), the GIS analytics feature showing walking distances from a promoted site is used to see if the site falls within the specified ranges to a bus stop, rail station and park and ride facility.

#### 4.7. **PROW and Cycling Connectivity**

(Sustainability Appraisal Objectives 5 and 6; Strategic Policies S2 and S9; Policies DM20 and DM24)

- (5) Site is within 100m walking distance to either a PROW or cycle network
- (0) Site is not connected to either an existing PROW or cycle network

##### How this is assessed:

Using the Essex Highways map (<https://www.essexhighways.org/getting-around>), the distance between the boundary of the site and the nearest PROW and cycle path is measured.

#### 4.8. **Vehicle Access**

(Strategic Policies S9 and S10; Policy DM20)

- (5) A route exists enabling vehicle access into/adjacent to the site
- (3) There are no visible constraints that would likely prevent the implementation of a route to enable vehicle access into/adjacent to the site
- (0) There are visible constraints that would likely prevent the implementation of a route to enable vehicle access into/adjacent to the site

##### How this is assessed:

Using a standard GIS (or OS) map, it is observed whether the existing road network connects to the site and if not, whether any physical features (such as a river, or housing, or protected areas) exist that would prevent implementation of an access route.

#### 4.9. **Impact on Designated Heritage Assets**

(Sustainability Appraisal Objective 13; Strategic Policy S3; Policies DM13 and DM24)

Designated heritage assets include: Grade 1 listed buildings, Grade 2\* listed

buildings, Grade 2 listed buildings, Scheduled Ancient Monuments, Registered Parks or Gardens of Special Historic Interest, Conservation Areas

- (5) Site does not contain any designated heritage assets
- (3) Site is adjacent to one or more designated heritage assets
- (0) Site contains one or more designated heritage assets

How this is assessed:

Using the Local Plan GIS map, the proximity of the promoted site to areas Scheduled Monuments and Registered Park and Garden of Special Historic Interest is observed. Historic England's map (<https://historicengland.org.uk/listing/the-list/>) is used to observe the proximity of the site to any Listed Buildings.

#### 4.10. **Impact on Non-Designated Heritage Assets**

(Sustainability Appraisal Objective 13; Strategic Policy S3; Policies DM14 and DM24)

Non-designated heritage assets include: protected lanes, buildings of local land value and the inventory of landscape of local interest

- (5) Site does not contain any non-designated heritage assets
- (3) Site is adjacent to one or more non-designated heritage assets
- (0) Site contains one or more non-designated heritage assets

How this is assessed:

Using the Local Plan GIS map, the proximity of the promoted site to protected lanes is observed. Essex Garden Trust's Historic Designated Landscapes of Essex Handbook is used to observe the proximity of the site to a landscape of local interest. The Register of Buildings of Local Value is used to identify such assets, with proximity of these to the site observed using a GIS map.

#### 4.11. **Impact on Archaeological Assets**

(Sustainability Appraisal Objective 13; Strategic Policy S3; Policies DM15 and DM24)

- (5) Site is not thought to contain any assets of archaeological interest
- (3) Site is thought to be adjacent to one or more assets of archaeological interest
- (0) Site is thought to contain one or more assets of archaeological interest

How this is assessed:

Using the Council's Monuments & Geological Sites GIS map, the proximity of the promoted site to identified archaeological sites is observed. Where there is uncertainty, the Council's Heritage Officer will be consulted.

#### 4.12. **Mineral and Waste Constraints**

(Sustainability Appraisal Objective 12; Policy DM30)

- (5) Site is not within an identified Minerals or Waste Site nor a Minerals or Waste Safeguarding or Consultation Area
- (4) Site is wholly or partially within an identified Minerals or Waste Safeguarding or Consultation Area but does not require mitigation for development

- (2) Site is wholly or partially within an identified Minerals or Waste Safeguarding Area or Consultation Area and is either awaiting confirmation or has been deemed by the Minerals and Waste Planning Authority to require mitigation measures for development
- (0) Site is wholly or partially within an identified Minerals or Waste Site

How this is assessed:

Using the Local Plan GIS map alongside a Mineral Safeguarding Area GIS map – provided by Essex County Council – the proximity of promoted sites to identified minerals or waste sites, safeguarded areas and consultation areas is observed. Where a promoted site lies within a Minerals or Waste consultation area or has an area of 5ha or greater within a safeguarded area, Essex County Council will be consulted to confirm what mitigation measures are required.

**4.13. Impact on Areas of Defined Open Space**

(Sustainability Appraisal Objective 5; Policies DM21, DM24 and DM26)

‘Other’ Green Space includes (but is not limited to) areas of planned strategic landscape enhances, future recreation areas and Sustainable Drainage Systems (SuDS)

- (5) Site does not lie within an area defined as Open Space, an existing/proposed Country Park or ‘Other’ Green Space
- (3) Site partially lies within an area defined as Open Space, an existing/proposed Country Park or ‘Other’ Green Space
- (0) The majority of the site (90% or more) lies within an area defined as Open Space, an existing/proposed Country Park or ‘Other’ Green Space

How this is assessed:

Using the Local Plan GIS map, the proximity of the promoted site to areas of defined Open Space, Country Park or Other Green Space is observed.

**4.14. Impact on the Green Belt and Green Wedge**

(NPPF section 13, Sustainability Appraisal Objective 14; Strategic Policy S11; Policies DM6 and DM7)

- (5) Site does not lie within the Metropolitan Green Belt or Green Wedge
- (3) Site partially lies within the Metropolitan Green Belt or Green Wedge
- (0) The majority of the site (90% or more) lies within the Metropolitan Green Belt or Green Wedge

How this is assessed:

Using the Local Plan GIS map, the area of the promoted site that falls within the Green Belt or Green Wedge is measured.

**4.15. Land Classification**

(Sustainability Appraisal Objective 7; Strategic Policies S4, S7, S8)

*Agricultural Land Classification are as per Natural England’s ALC map East Region (ALC008)*

- (5) Site is predominantly Previously Developed Land

- (3) Site is predominantly Greenfield and primarily within the agricultural land classification/s: Grade 4, Grade 5, non-agricultural use, or urban use
- (0) Site is predominantly Greenfield and primarily within the land classification/s: Grade 1, Grade 2 or Grade 3

How this is assessed:

Using a GIS map with aerial photos, area measurement/s are taken to determine the proportionate ratio of Greenfield land to PDL that make up the promoted site. Greenfield land and PDL are as defined within the NPPF. Using Natural England's map ALC008, the Agricultural Land Classification for the promoted site is observed.

**4.16. Impact on Protected Natural Features**

(NPPF section 15, Sustainability Appraisal Objectives 1 and 13; Strategic Policy S4; Policies DM13, DM16, DM17 and DM24)

*International/national protected natural features include: Ancient Woodland, Special Protection Areas, Special Areas of Conservation, RAMSAR, SSSIs, Marine Conservation Zone, and the Nature Recovery Network.*

*Local protected natural features include: Local Nature Reserves, the Essex Wildlife Trust Nature Reserve, TPOs, and Coastal Protection Belt.*

- (5) Site is in excess of 100m of any locally designated protected natural features and in excess of 500m of any international/national designated protected natural features
- (3) Site does not comprise of any protected natural features but is within 100m of a locally designated protected natural feature or within 500m of an international/national designated protected natural feature
- (0) Site partially or wholly comprises of one or more protected natural features

How is this assessed:

Using the Local Plan GIS map, the shortest distance between the promoted site boundary and the closest locally designated and nationally/internationally designated protected natural feature is measured.

**4.17. Impact on Flood Risk**

(Sustainability Appraisal Objective 9; Strategic Policies S2 and S9; Policy DM18)

*Flood Risk Zones are as determined by the Environment Agency*

- (5) Site is wholly within Flood Zone 1
- (4) Site is wholly or partially within Flood Zone 2, with the remainder in Flood Zone 1
- (2) Up to 25% of the site area is within Flood Zone 3
- (1) 25%-50% of the site area is within Flood Zone 3
- (0) Over 50% of the site area is within Flood Zone 3

How this is assessed:

Using the Local Plan GIS map – or updated GIS map from the Environment Agency – the areas of the promoted site that fall within Flood Zones 2 and 3 are measured.

#### 4.18. **Impact on Air Quality Management Areas**

(Sustainability Appraisal Objective 10; Policy DM30)

- (5) Site is in excess of 500m from a designated AQMA
- (3) Site is within 500m from a designated AQMA
- (0) Site is within a designated AQMA

##### How this is assessed:

Using the Local Plan GIS map, the GIS analytics feature shows a 500m buffer around the designated AQMAs. The relationship between the designation and buffer to the promoted site is then observed.

#### 4.19. **Ground Condition Constraints**

(Sustainability Appraisal Objective 7; Policy DM30)

*The type and level of contamination identified on site provides an indication as to the level of ground treatment required to ensure the development is safe.*

- (5) Ground treatment is not expected to be required
- (3) Ground treatment is expected to be required on part of the site
- (0) Ground treatment is expected to be required on the majority (90% or more) of the site

##### How this is assessed:

Using the Council's Environmental Restrictions GIS map, the proximity of the promoted site to areas of ground contamination can be observed. Areas of promoted sites that lie within areas of ground contamination are considered to require ground treatment.

#### 4.20. **Neighbouring Constraints**

(Sustainability Appraisal Objective 5; Policy DM29)

*For the purpose of this assessment, a site has a neighbouring constraint if existing B2 or B8 use classes are present on or adjacent to the site; if existing sports venues that have large spectator capacity (the racecourse, cricket stadium and Melbourne stadium in particular) are adjacent to the site; or if a major road or dual carriageway runs adjacent to the site.*

- (5) Site has no neighbouring constraints
- (3) Site has neighbouring constraints with potential for mitigation
- (0) Site has neighbouring constraints with no potential for mitigation

##### How this is assessed:

The SHELAA submission form asks for details of current uses on and adjacent to the promoted site. The information provided by the site promoter in addition to using GIS maps with aerial photos enable the proximity of the promoted site to unsuitable neighbours to be observed. It is assumed, for the benefit of doubt, that there is potential for mitigation unless a B2/B8 use sits on or adjacent to the site or that a major road/dual carriageway runs adjacent to the site.

#### 4.21. **Proximity to Key Services**

(Sustainability Appraisal Objectives 4 and 5; Strategic Policies S5 and S7)



*Key services include: GP surgeries, primary and secondary schools, and supermarkets/convenience goods stores*

- (5) Site is within 800m walking distance of all services and/or the City Centre/South Woodham Ferrers Town Centre
- (3) Site is within 2km walking distance of all services and/or the City Centre/South Woodham Ferrers Town Centre
- (0) Site is in excess of 2km walking distance of one or more services and the City Centre/South Woodham Ferrers Town Centre

**How this is assessed:**

Using the Local Plan GIS map, the analytics feature showing walking distances from a promoted site is utilised to observe the proximity of the site to GP surgeries, schools, and convenience stores.

**4.22. Impact on Community Facilities**

(Sustainability Appraisal Objectives 4 and 5; Strategic Policy S5; Policies DM21 and DM22)

- (5) Development would not result in the loss of nor put additional strain on an existing/proposed school/healthcare facility/place of worship/sports, leisure, or recreation facility
- (3) Development would put additional strain on but not result in the loss of on an existing/proposed school/healthcare facility/place of worship/sports, leisure, or recreation facility
- (0) Development would result in the loss of an existing/proposed school/healthcare facility/place of worship/sports, leisure, or recreation facility

**How this is assessed:**

Using the SHELAA submission form and a GIS map, the development proposal is compared against the existing use to determine whether any community uses will be gained or lost. Development that would yield 10 or more dwellings is considered to add strain on existing facilities unless such facilities are incorporated within the proposal

## Suitability Scoring

- 4.23. The maximum 'Suitability' score for sites assessed under the Residential Criteria is 100 (i.e. 20 criteria applied, each with a maximum score of 5). **Unless a capped constraint determines otherwise**, a Suitability RAG rating will then be attributed as follows:

- Sites scoring 80% or over are Green
- Sites scoring 40%-79% are Yellow
- Sites scoring less than 40% are Amber

- 4.24. In exceptional circumstances, suitability factors not listed above may be considered to give a different overall score. These exceptions will always be explained fully within the relevant site's output report.

## Availability Criteria

### 4.25. **Ownership**

- (5) Held by developer/willing owner/public sector
- (3) Promoter has an option to purchase site or collaborate with existing owner
- (0) Known to be in particularly complex/multiple ownership

#### How this is assessed:

This is determined using details provided within the SHELAA submission form. Where there is uncertainty, the site promoter will be contacted to clarify.

### 4.26. **Land Condition**

- (5) Vacant land and buildings
- (4) Established single use
- (3) Low intensity land use
- (2) Established multiple uses

#### How this is assessed:

Using the SHELAA submission form in conjunction with GIS maps, the current use of the land is determined.

### 4.27. **Legal Constraints**

- (5) Site does not face any known legal issues
- (3) Site may possibly face legal issues
- (0) Site faces known legal issues

#### How this is assessed:

This is determined using details provided within the SHELAA submission form. GIS maps are also used to identify if ransom strips exist.

## Availability Scoring

- 4.28. The maximum unweighted 'Availability' score for sites assessed under the Residential Criteria is 15 (i.e. 3 criteria applied, each with a maximum score of 5). An Availability RAG rating will then be attributed as follows:

- Sites scoring 80% or over are Green
- Sites scoring 40%-79% are Yellow
- Sites scoring less than 40% are Amber

- 4.29. In exceptional circumstances, availability factors not listed above may be considered to give a different overall score. These exceptions will always be explained fully within the relevant site's output report.

## Achievability Criteria

### 4.30. **Viability**

- (5) Development is likely viable
- (3) Development is marginal
- (0) Development is likely unviable

How this is assessed:

Using the SHELAA Viability Study, the site is algorithmically attributed a typology. Where each typology has then been appraised as either likely viable, marginal, or likely unviable, the appropriate category is attributed to the site.

4.31. **Timescale for Deliverability**

- (5) Up to 5 years
- (4) Over 5 years

How this is assessed:

This is determined using details provided within the SHELAA submission form. Where these details are not provided, the assessing officer makes a judgement based upon whether any mitigation is required, and the yield of dwellings anticipated.

## Achievability Scoring

- 4.32. The maximum unweighted 'Achievability' score for sites assessed under the Residential Criteria is 10 (i.e. 2 criteria applied, each with a maximum score of 5). **Unless a capped constraint determines otherwise**, an Achievability RAG rating will then be attributed as follows:

- Sites scoring 100% or over are Green
- Sites scoring 60%-99% are Yellow
- Sites scoring less than 60% are Amber

- 4.33. In exceptional circumstances, achievability factors not listed above may be considered to give a different overall score. These exceptions will always be explained fully within the relevant site's output report.

## 5. Employment Criteria

- 5.1. Any sites that have been promoted for an employment use will be assessed against the Suitability, Availability and Achievability criteria detailed below. For the purpose for this assessment, this includes proposals for hotels and travelling show person sites.

### Suitability Criteria

- 5.2. Note that any underlined criteria represent where Policy Constraints are in place. If a site achieves a score of (0) against such criteria, the site will be capped at an Amber or Red RAG rating dependent on whether the site is contrary to local or national policy.

5.3. **Public Transport**

(Sustainability Appraisal Objective 6; Strategic Policies S9, S10 and S11; Policies DM20 and DM24)

*Public transport services consist of proposed/existing bus stops, rail stations and park and ride facilities*

- (5) Site is within 400m walking distance of one or more services
- (0) Site is in excess of 400m walking distance from all services

How this is assessed:

Using a combination of the Local Plan GIS map and Essex Highways maps (<https://www.essexhighways.org/getting-around>), the GIS analytics feature showing walking distances from a promoted site is used to see if the site falls within the specified ranges to a bus stop, rail station and park and ride facility.

5.4. **PROW and Cycling Connectivity**

(Sustainability Appraisal Objectives 5 and 6; Strategic Policies S2 and S9; Policies DM20 and DM24)

- (5) Site is within 100m walking distance to either a PROW or cycle network
- (0) Site is not connected to either an existing PROW or cycle network

How this is assessed:

Using the Essex Highways map (<https://www.essexhighways.org/getting-around>), the distance between the boundary of the site and the nearest PROW and cycle path is measured.

5.5. **Vehicle Access**

(Strategic Policies S9 and S10; Policy DM20)

- (5) A route exists enabling vehicle access into/adjacent to the site
- (3) There are no visible constraints that would likely prevent the implementation of a route to enable vehicle access into/adjacent to the site
- (0) There are visible constraints that would likely prevent the implementation of a route to enable vehicle access into/adjacent to the site

How this is assessed:

Using a standard GIS (or OS) map, it is observed whether the existing road network connects to the site and if not, whether any physical features (such as a river, or housing, or protected areas) exist that would prevent implementation of an access route.

**5.6. Strategic Road Access**

(Sustainability Appraisal Objective 6, Strategic Policies S7 and S9)

- (5) Site has direct access to or is adjacent to the strategic road network
- (4) Site has direct access to or is adjacent to a primary road network
- (2) Site has direct access to or is adjacent to a safeguarded trunk road or B-road
- (0) Site has no direct access to nor is adjacent to the strategic road network, primary road network, a safeguarded trunk road or a B-road

How this is assessed:

Using a standard GIS (or OS) map, it is observed whether the existing road network connects or can be connected to the site and if so, what type of road network this is.

**5.7. Impact on Designated Heritage Assets**

(Sustainability Appraisal Objective 13; Strategic Policy S3; Policies DM13 and DM24)

Designated heritage assets include: Grade 1 listed buildings, Grade 2\* listed buildings, Grade 2 listed buildings, Scheduled Ancient Monuments, Registered Parks or Gardens of Special Historic Interest, Conservation Areas

- (5) Site does not contain any designated heritage assets
- (3) Site is adjacent to one or more designated heritage assets
- (0) Site contains one or more designated heritage assets

How this is assessed:

Using the Local Plan GIS map, the proximity of the promoted site to areas Scheduled Monuments and Registered Park and Garden of Special Historic Interest is observed. Historic England's map (<https://historicengland.org.uk/listing/the-list/>) is used to observe the proximity of the site to any Listed Buildings.

**5.8. Impact on Non-Designated Heritage Assets**

(Sustainability Appraisal Objective 13; Strategic Policy S3; Policies DM14 and DM24)

Non-designated heritage assets include: protected lanes, buildings of local land value and the inventory of landscape of local interest

- (5) Site does not contain any non-designated heritage assets
- (3) Site is adjacent to one or more non-designated heritage assets
- (0) Site contains one or more non-designated heritage assets

How this is assessed:

Using the Local Plan GIS map, the proximity of the promoted site to protected lanes is observed. Essex Garden Trust's Historic Designated Landscapes of Essex Handbook is used to observe the proximity of the site to a landscape of local interest. The Register of Buildings of Local Value is used to identify such assets, with proximity of these to the site observed using a GIS map.

#### 5.9. **Impact on Archaeological Assets**

(Sustainability Appraisal Objective 13; Strategic Policy S3; Policies DM15 and DM24)

- (5) Site is not thought to contain any assets of archaeological interest
- (3) Site is thought to be adjacent to one or more assets of archaeological interest
- (0) Site is thought to contain one or more assets of archaeological interest

##### How this is assessed:

Using the Council's Monuments & Geological Sites GIS map, the proximity of the promoted site to identified archaeological sites is observed. Where there is uncertainty, the Council's Heritage Officer will be consulted.

#### 5.10. **Mineral and Waste Constraints**

(Sustainability Appraisal Objective 12; Policy DM30)

- (5) Site is not within an identified Minerals or Waste Site nor a Minerals or Waste Safeguarding or Consultation Area
- (4) Site is wholly or partially within an identified Minerals or Waste Safeguarding or Consultation Area but does not require mitigation for development
- (2) Site is wholly or partially within an identified Minerals or Waste Safeguarding Area or Consultation Area and is either awaiting confirmation or has been deemed by the Minerals and Waste Planning Authority to require mitigation measures for development
- (0) Site is wholly or partially within an identified Minerals or Waste Site

##### How this is assessed:

Using the Local Plan GIS map alongside a Mineral Safeguarding Area GIS map – provided by Essex County Council – the proximity of promoted sites to identified minerals or waste sites, safeguarded areas and consultation areas is observed. Where a promoted site lies within a Minerals or Waste consultation area or has an area of 5ha or greater within a safeguarded area, Essex County Council will be consulted to confirm what mitigation measures are required.

#### 5.11. **Impact on Areas of Defined Open Space**

(Sustainability Appraisal Objective 5; Policies DM21, DM24 and DM26)

'Other' Green Space includes (but is not limited to) areas of planned strategic landscape enhances, future recreation areas and Sustainable Drainage Systems (SuDS)

- (5) Site does not lie within an area defined as Open Space, an existing/proposed Country Park or 'Other' Green Space
- (3) Site partially lies within an area defined as Open Space, an existing/proposed Country Park or 'Other' Green Space

- (0) The majority of the site (90% or more) lies within an area defined as Open Space, an existing/proposed Country Park or 'Other' Green Space

How this is assessed:

Using the Local Plan GIS map, the proximity of the promoted site to areas of defined Open Space, Country Park or Other Green Space is observed.

**5.12. Impact on the Green Belt and Green Wedge**

(NPPF section 13, Sustainability Appraisal Objective 14; Strategic Policy S11; Policies DM6 and DM7)

- (5) Site does not lie within the Metropolitan Green Belt or Green Wedge
- (3) Site partially lies within the Metropolitan Green Belt or Green Wedge
- (0) The majority of the site (90% or more) lies within the Metropolitan Green Belt or Green Wedge

How this is assessed:

Using the Local Plan GIS map, the area of the promoted site that falls within the Green Belt or Green Wedge is measured.

**5.13. Land Classification**

(Sustainability Appraisal Objective 7; Strategic Policies S4, S7, S8)

*Agricultural Land Classification are as per Natural England's ALC map East Region (ALC008)*

- (5) Site is predominantly Previously Developed Land
- (3) Site is predominantly Greenfield and primarily within the agricultural land classification/s: Grade 4, Grade 5, non-agricultural use, or urban use
- (0) Site is predominantly Greenfield and primarily within the land classification/s: Grade 1, Grade 2 or Grade 3

How this is assessed:

Using a GIS map with aerial photos, area measurement/s are taken to determine the proportionate ratio of Greenfield land to PDL that make up the promoted site. Greenfield land and PDL are as defined within the NPPF. Using Natural England's map ALC008, the Agricultural Land Classification for the promoted site is observed.

**5.14. Impact on Protected Natural Features**

(NPPF section 15, Sustainability Appraisal Objectives 1 and 13; Strategic Policy S4; Policies DM13, DM16, DM17 and DM24)

*International/national protected natural features include: Ancient Woodland, Special Protection Areas, Special Areas of Conservation, RAMSAR, SSSIs, Marine Conservation Zone, and the Nature Recovery Network.*

*Local protected natural features include: Local Nature Reserves, the Essex Wildlife Trust Nature Reserve, TPOs, and Coastal Protection Belt.*

- (5) Site is in excess of 100m of any locally designated protected natural features and in excess of 500m of any international/national designated protected natural features



- (3) Site does not comprise of any protected natural features but is within 100m of a locally designated protected natural feature or within 500m of an international/national designated protected natural feature
- (0) Site partially or wholly comprises of one or more protected natural features

How is this assessed:

Using the Local Plan GIS map, the shortest distance between the promoted site boundary and the closest locally designated and nationally/internationally designated protected natural feature is measured.

#### 5.15. **Impact on Flood Risk**

(Sustainability Appraisal Objective 9; Strategic Policies S2 and S9; Policy DM18)

*Flood Risk Zones are as determined by the Environment Agency*

- (5) Site is wholly within Flood Zone 1
- (4) Site is wholly or partially within Flood Zone 2, with the remainder in Flood Zone 1
- (2) Up to 25% of the site area is within Flood Zone 3
- (1) 25%-50% of the site area is within Flood Zone 3
- (0) Over 50% of the site area is within Flood Zone 3

How this is assessed:

Using the Local Plan GIS map – or updated GIS map from the Environment Agency – the areas of the promoted site that fall within Flood Zones 2 and 3 are measured.

#### 5.16. **Impact on Air Quality Management Areas**

(Sustainability Appraisal Objective 10; Policy DM30)

- (5) Site is in excess of 500m from a designated AQMA
- (3) Site is within 500m from a designated AQMA
- (0) Site is within a designated AQMA

How this is assessed:

Using the Local Plan GIS map, the GIS analytics feature shows a 500m buffer around the designated AQMAs. The relationship between the designation and buffer to the promoted site is then observed.

#### 5.17. **Ground Condition Constraints**

(Sustainability Appraisal Objective 7; Policy DM30)

*The type and level of contamination identified on site provides an indication as to the level of ground treatment required to ensure the development is safe.*

- (5) Ground treatment is not expected to be required
- (3) Ground treatment is expected to be required on part of the site
- (0) Ground treatment is expected to be required on the majority (90% or more) of the site

How this is assessed:

Using the Council's Environmental Restrictions GIS map, the proximity of the promoted site to areas of ground contamination can be observed. Areas of



promoted sites that lie within areas of ground contamination are considered to require ground treatment.

5.18. **Impact on Community Facilities**

(Sustainability Appraisal Objectives 4 and 5; Strategic Policy S5; Policies DM21 and DM22)

- (5) Development would not result in the loss of nor put additional strain on an existing/proposed school/healthcare facility/place of worship/sports, leisure, or recreation facility
- (3) Development would put additional strain on but not result in the loss of on an existing/proposed school/healthcare facility/place of worship/sports, leisure, or recreation facility
- (0) Development would result in the loss of an existing/proposed school/healthcare facility/place of worship/sports, leisure, or recreation facility

**How this is assessed:**

Using the SHELAA submission form and a GIS map, the development proposal is compared against the existing use to determine whether any community uses will be gained or lost. Development that would yield 10 or more dwellings is considered to add strain on existing facilities unless such facilities are incorporated within the proposal

## Suitability Scoring

- 5.19. The maximum 'Suitability' score for sites assessed under the Employment Criteria is 80 (i.e. 16 criteria applied, each with a maximum score of 5). **Unless a capped constraint determines otherwise**, a Suitability RAG rating will then be attributed as follows:

- Sites scoring 80% or over are Green
- Sites scoring 40%-79% are Yellow
- Sites scoring less than 40% are Amber

- 5.20. In exceptional circumstances, suitability factors not listed above may be considered to give a different overall score. These exceptions will always be explained fully within the relevant site's output report.

## Availability Criteria

5.21. **Ownership**

- (5) Held by developer/willing owner/public sector
- (3) Promoter has an option to purchase site or collaborate with existing owner
- (0) Known to be in particularly complex/multiple ownership

**How this is assessed:**

This is determined using details provided within the SHELAA submission form. Where there is uncertainty, the site promoter will be contacted to clarify.

#### 5.22. **Land Condition**

- (5) Vacant land and buildings
- (4) Established single use
- (3) Low intensity land use
- (2) Established multiple uses

How this is assessed:

Using the SHELAA submission form in conjunction with GIS maps, the current use of the land is determined.

#### 5.23. **Legal Constraints**

- (5) Site does not face any known legal issues
- (3) Site may possibly face legal issues
- (0) Site faces known legal issues

How this is assessed:

This is determined using details provided within the SHELAA submission form. GIS maps are also used to identify if ransom strips exist.

### Availability Scoring

5.24. The maximum unweighted 'Availability' score for sites assessed under the Employment Criteria is 15 (i.e. 3 criteria applied, each with a maximum score of 5). An Availability RAG rating will then be attributed as follows:

- Sites scoring 80% or over are Green
- Sites scoring 40%-79% are Yellow
- Sites scoring less than 40% are Amber

5.25. In exceptional circumstances, availability factors not listed above may be considered to give a different overall score. These exceptions will always be explained fully within the relevant site's output report.

### Achievability Criteria

#### 5.26. **Viability**

- (5) Development is likely viable
- (3) Development is marginal
- (0) Development is likely unviable

How this is assessed:

Using the SHELAA Viability Study, the site is algorithmically attributed a typology. Where each typology has then been appraised as either likely viable, marginal, or likely unviable, the appropriate category is attributed to the site.

#### 5.27. **Timescale for Deliverability**

- (5) Up to 5 years

- (4) Over 5 years

How this is assessed:

This is determined using details provided within the SHELAA submission form. Where these details are not provided, the assessing officer makes a judgement based upon whether any mitigation is required, and the yield of dwellings anticipated.

## Achievability Scoring

- 5.28. The maximum unweighted 'Achievability' score for sites assessed under the Employment Criteria is 10 (i.e. 2 criteria applied, each with a maximum score of 5). **Unless a capped constraint determines otherwise**, an Achievability RAG rating will then be attributed as follows:
- Sites scoring 100% or over are Green
  - Sites scoring 60%-99% are Yellow
  - Sites scoring less than 60% are Amber
- 5.29. In exceptional circumstances, achievability factors not listed above may be considered to give a different overall score. These exceptions will always be explained fully within the relevant site's output report.

## 6. Retail Criteria

- 6.1. Any sites that have been promoted for a retail use will be assessed against the Suitability, Availability and Achievability criteria detailed below.

### Suitability Criteria

- 6.2. Note that any underlined criteria represent where Policy Constraints are in place. If a site achieves a score of (0) against such criteria, the site will be capped at an Amber or Red RAG rating dependent on whether the site is contrary to local or national policy.

6.3. **Public Transport**

(Sustainability Appraisal Objective 6; Strategic Policies S9, S10 and S11; Policies DM20 and DM24)

*Public transport services consist of proposed/existing bus stops, rail stations and park and ride facilities*

- (5) Site is within 400m walking distance of one or more services
- (0) Site is in excess of 400m walking distance from all services

**How this is assessed:**

Using a combination of the Local Plan GIS map and Essex Highways maps (<https://www.essexhighways.org/getting-around>), the GIS analytics feature showing walking distances from a promoted site is used to see if the site falls within the specified ranges to a bus stop, rail station and park and ride facility.

6.4. **PROW and Cycling Connectivity**

(Sustainability Appraisal Objectives 5 and 6; Strategic Policies S2 and S9; Policies DM20 and DM24)

- (5) Site is within 100m walking distance to either a PROW or cycle network
- (0) Site is not connected to either an existing PROW or cycle network

**How this is assessed:**

Using the Essex Highways map (<https://www.essexhighways.org/getting-around>), the distance between the boundary of the site and the nearest PROW and cycle path is measured.

6.5. **Vehicle Access**

(Strategic Policies S9 and S10; Policy DM20)

- (5) A route exists enabling vehicle access into/adjacent to the site
- (3) There are no visible constraints that would likely prevent the implementation of a route to enable vehicle access into/adjacent to the site
- (0) There are visible constraints that would likely prevent the implementation of a route to enable vehicle access into/adjacent to the site

**How this is assessed:**

Using a standard GIS (or OS) map, it is observed whether the existing road

network connects to the site and if not, whether any physical features (such as a river, or housing, or protected areas) exist that would prevent implementation of an access route.

#### 6.6. **Impact on Designated Heritage Assets**

(Sustainability Appraisal Objective 13; Strategic Policy S3; Policies DM13 and DM24)

Designated heritage assets include: Grade 1 listed buildings, Grade 2\* listed buildings, Grade 2 listed buildings, Scheduled Ancient Monuments, Registered Parks or Gardens of Special Historic Interest, Conservation Areas

- (5) Site does not contain any designated heritage assets
- (3) Site is adjacent to one or more designated heritage assets
- (0) Site contains one or more designated heritage assets

##### How this is assessed:

Using the Local Plan GIS map, the proximity of the promoted site to areas Scheduled Monuments and Registered Park and Garden of Special Historic Interest is observed. Historic England's map (<https://historicengland.org.uk/listing/the-list/>) is used to observe the proximity of the site to any Listed Buildings.

#### 6.7. **Impact on Non-Designated Heritage Assets**

(Sustainability Appraisal Objective 13; Strategic Policy S3; Policies DM14 and DM24)

Non-designated heritage assets include: protected lanes, buildings of local land value and the inventory of landscape of local interest

- (5) Site does not contain any non-designated heritage assets
- (3) Site is adjacent to one or more non-designated heritage assets
- (0) Site contains one or more non-designated heritage assets

##### How this is assessed:

Using the Local Plan GIS map, the proximity of the promoted site to protected lanes is observed. Essex Garden Trust's Historic Designated Landscapes of Essex Handbook is used to observe the proximity of the site to a landscape of local interest. The Register of Buildings of Local Value is used to identify such assets, with proximity of these to the site observed using a GIS map.

#### 6.8. **Impact on Archaeological Assets**

(Sustainability Appraisal Objective 13; Strategic Policy S3; Policies DM15 and DM24)

- (5) Site is not thought to contain any assets of archaeological interest
- (3) Site is thought to be adjacent to one or more assets of archaeological interest
- (0) Site is thought to contain one or more assets of archaeological interest

##### How this is assessed:

Using the Council's Monuments & Geological Sites GIS map, the proximity of the promoted site to identified archaeological sites is observed. Where there is uncertainty, the Council's Heritage Officer will be consulted.

#### 6.9. **Mineral and Waste Constraints**

(Sustainability Appraisal Objective 12; Policy DM30)

- (5) Site is not within an identified Minerals or Waste Site nor a Minerals or Waste Safeguarding or Consultation Area
- (4) Site is wholly or partially within an identified Minerals or Waste Safeguarding or Consultation Area but does not require mitigation for development
- (2) Site is wholly or partially within an identified Minerals or Waste Safeguarding Area or Consultation Area and is either awaiting confirmation or has been deemed by the Minerals and Waste Planning Authority to require mitigation measures for development
- (0) Site is wholly or partially within an identified Minerals or Waste Site

##### **How this is assessed:**

Using the Local Plan GIS map alongside a Mineral Safeguarding Area GIS map – provided by Essex County Council – the proximity of promoted sites to identified minerals or waste sites, safeguarded areas and consultation areas is observed. Where a promoted site lies within a Minerals or Waste consultation area or has an area of 5ha or greater within a safeguarded area, Essex County Council will be consulted to confirm what mitigation measures are required.

#### 6.10. **Impact on Areas of Defined Open Space**

(Sustainability Appraisal Objective 5; Policies DM21, DM24 and DM26)

‘Other’ Green Space includes (but is not limited to) areas of planned strategic landscape enhances, future recreation areas and Sustainable Drainage Systems (SuDS)

- (5) Site does not lie within an area defined as Open Space, an existing/proposed Country Park or ‘Other’ Green Space
- (3) Site partially lies within an area defined as Open Space, an existing/proposed Country Park or ‘Other’ Green Space
- (0) The majority of the site (90% or more) lies within an area defined as Open Space, an existing/proposed Country Park or ‘Other’ Green Space

##### **How this is assessed:**

Using the Local Plan GIS map, the proximity of the promoted site to areas of defined Open Space, Country Park or Other Green Space is observed.

#### 6.11. **Impact on the Green Belt and Green Wedge**

(NPPF section 13, Sustainability Appraisal Objective 14; Strategic Policy S11; Policies DM6 and DM7)

- (5) Site does not lie within the Metropolitan Green Belt or Green Wedge
- (3) Site partially lies within the Metropolitan Green Belt or Green Wedge
- (0) The majority of the site (90% or more) lies within the Metropolitan Green Belt or Green Wedge

##### **How this is assessed:**

Using the Local Plan GIS map, the area of the promoted site that falls within the Green Belt or Green Wedge is measured.

#### 6.12. Land Classification

(Sustainability Appraisal Objective 7; Strategic Policies S4, S7, S8)

*Agricultural Land Classification are as per Natural England's ALC map East Region (ALC008)*

- (5) Site is predominantly Previously Developed Land
- (3) Site is predominantly Greenfield and primarily within the agricultural land classification/s: Grade 4, Grade 5, non-agricultural use, or urban use
- (0) Site is predominantly Greenfield and primarily within the land classification/s: Grade 1, Grade 2 or Grade 3

##### How this is assessed:

Using a GIS map with aerial photos, area measurement/s are taken to determine the proportionate ratio of Greenfield land to PDL that make up the promoted site. Greenfield land and PDL are as defined within the NPPF. Using Natural England's map ALC008, the Agricultural Land Classification for the promoted site is observed.

#### 6.13. Impact on Protected Natural Features

(NPPF section 15, Sustainability Appraisal Objectives 1 and 13; Strategic Policy S4; Policies DM13, DM16, DM17 and DM24)

*International/national protected natural features include: Ancient Woodland, Special Protection Areas, Special Areas of Conservation, RAMSAR, SSSIs, Marine Conservation Zone, and the Nature Recovery Network.*

*Local protected natural features include: Local Nature Reserves, the Essex Wildlife Trust Nature Reserve, TPOs, and Coastal Protection Belt.*

- (5) Site is in excess of 100m of any locally designated protected natural features and in excess of 500m of any international/national designated protected natural features
- (3) Site does not comprise of any protected natural features but is within 100m of a locally designated protected natural feature or within 500m of an international/national designated protected natural feature
- (0) Site partially or wholly comprises of one or more protected natural features

##### How is this assessed:

Using the Local Plan GIS map, the shortest distance between the promoted site boundary and the closest locally designated and nationally/internationally designated protected natural feature is measured.

#### 6.14. Impact on Flood Risk

(Sustainability Appraisal Objective 9; Strategic Policies S2 and S9; Policy DM18)

*Flood Risk Zones are as determined by the Environment Agency*

- (5) Site is wholly within Flood Zone 1
- (4) Site is wholly or partially within Flood Zone 2, with the remainder in Flood Zone 1
- (2) Up to 25% of the site area is within Flood Zone 3
- (1) 25%-50% of the site area is within Flood Zone 3
- (0) Over 50% of the site area is within Flood Zone 3

How this is assessed:

Using the Local Plan GIS map – or updated GIS map from the Environment Agency – the areas of the promoted site that fall within Flood Zones 2 and 3 are measured.

**6.15. Impact on Air Quality Management Areas**

(Sustainability Appraisal Objective 10; Policy DM30)

- (5) Site is in excess of 500m from a designated AQMA
- (3) Site is within 500m from a designated AQMA
- (0) Site is within a designated AQMA

How this is assessed:

Using the Local Plan GIS map, the GIS analytics feature shows a 500m buffer around the designated AQMAs. The relationship between the designation and buffer to the promoted site is then observed.

**6.16. Ground Condition Constraints**

(Sustainability Appraisal Objective 7; Policy DM30)

*The type and level of contamination identified on site provides an indication as to the level of ground treatment required to ensure the development is safe.*

- (5) Ground treatment is not expected to be required
- (3) Ground treatment is expected to be required on part of the site
- (0) Ground treatment is expected to be required on the majority (90% or more) of the site

How this is assessed:

Using the Council's Environmental Restrictions GIS map, the proximity of the promoted site to areas of ground contamination can be observed. Areas of promoted sites that lie within areas of ground contamination are considered to require ground treatment.

**6.17. Impact on Community Facilities**

(Sustainability Appraisal Objectives 4 and 5; Strategic Policy S5; Policies DM21 and DM22)

- (5) Development would not result in the loss of nor put additional strain on an existing/proposed school/healthcare facility/place of worship/sports, leisure, or recreation facility
- (3) Development would put additional strain on but not result in the loss of on an existing/proposed school/healthcare facility/place of worship/sports, leisure, or recreation facility
- (0) Development would result in the loss of an existing/proposed school/healthcare facility/place of worship/sports, leisure, or recreation facility

How this is assessed:

Using the SHELAA submission form and a GIS map, the development proposal is compared against the existing use to determine whether any community uses will be gained or lost. Development that would yield 10 or more dwellings is



considered to add strain on existing facilities unless such facilities are incorporated within the proposal

## Suitability Scoring

6.18. The maximum 'Suitability' score for sites assessed under the Retail Criteria is 75 (i.e. 15 criteria applied, each with a maximum score of 5). **Unless a capped constraint determines otherwise**, a Suitability RAG rating will then be attributed as follows:

- Sites scoring 80% or over are Green
- Sites scoring 40%-79% are Yellow
- Sites scoring less than 40% are Amber

6.19. In exceptional circumstances, suitability factors not listed above may be considered to give a different overall score. These exceptions will always be explained fully within the relevant site's output report.

## Availability Criteria

### 6.20. Ownership

- (5) Held by developer/willing owner/public sector
- (3) Promoter has an option to purchase site or collaborate with existing owner
- (0) Known to be in particularly complex/multiple ownership

#### How this is assessed:

This is determined using details provided within the SHELAA submission form. Where there is uncertainty, the site promoter will be contacted to clarify.

### 6.21. Land Condition

- (5) Vacant land and buildings
- (4) Established single use
- (3) Low intensity land use
- (2) Established multiple uses

#### How this is assessed:

Using the SHELAA submission form in conjunction with GIS maps, the current use of the land is determined.

### 6.22. Legal Constraints

- (5) Site does not face any known legal issues
- (3) Site may possibly face legal issues
- (0) Site faces known legal issues

#### How this is assessed:

This is determined using details provided within the SHELAA submission form. GIS maps are also used to identify if ransom strips exist.

## Availability Scoring

6.23. The maximum unweighted 'Availability' score for sites assessed under the Retail Criteria is 15 (i.e. 3 criteria applied, each with a maximum score of 5). An Availability RAG rating will then be attributed as follows:

- Sites scoring 80% or over are Green
- Sites scoring 40%-79% are Yellow
- Sites scoring less than 40% are Amber

6.24. In exceptional circumstances, availability factors not listed above may be considered to give a different overall score. These exceptions will always be explained fully within the relevant site's output report.

## Achievability Criteria

### 6.25. **Viability**

- (5) Development is likely viable
- (3) Development is marginal
- (0) Development is likely unviable

#### How this is assessed:

Using the SHELAA Viability Study, the site is algorithmically attributed a typology. Where each typology has then been appraised as either likely viable, marginal, or likely unviable, the appropriate category is attributed to the site.

### 6.26. **Timescale for Deliverability**

- (5) Up to 5 years
- (4) Over 5 years

#### How this is assessed:

This is determined using details provided within the SHELAA submission form. Where these details are not provided, the assessing officer makes a judgement based upon whether any mitigation is required, and the yield of dwellings anticipated.

## Achievability Scoring

6.27. The maximum unweighted 'Achievability' score for sites assessed under the Retail Criteria is 10 (i.e. 2 criteria applied, each with a maximum score of 5). **Unless a capped constraint determines otherwise**, an Achievability RAG rating will then be attributed as follows:

- Sites scoring 100% or over are Green
- Sites scoring 60%-99% are Yellow
- Sites scoring less than 60% are Amber

- 6.28. In exceptional circumstances, achievability factors not listed above may be considered to give a different overall score. These exceptions will always be explained fully within the relevant site's output report.

## 7. Community Facility Criteria

- 7.1. Any sites that have been promoted for a community facility will be assessed against the Suitability, Availability and Achievability criteria detailed below. For the purpose for this assessment, this includes proposals for education, healthcare, places of worship, sports, leisure, or recreation facilities.

### Suitability Criteria

- 7.2. Note that any underlined criteria represent where Policy Constraints are in place. If a site achieves a score of (0) against such criteria, the site will be capped at an Amber or Red RAG rating dependent on whether the site is contrary to local or national policy.

7.3. **Proximity to Employment Areas**

(Strategic Policy S8; Policies DM4 and DM29)

- (5) Site is outside of any existing/proposed employment allocation
- (3) Site is adjacent to an existing/proposed employment allocation
- (0) Site is wholly/partially located within an existing/proposed employment allocation

**How this is assessed:**

Using the Local Plan GIS map, the proximity of the promoted site to areas labelled Proposed Employment Area, Existing Employment Area and rural Employment Area is observed.

7.4. **Impact on Retail Areas**

(Strategic Policy S12; Policy DM5)

- (5) Development does not result in the loss of established shops and services within Chelmsford City Centre, South Woodham Ferrers Town Centre or any designated Neighbourhood Centres
- (0) Development would result in the loss of established shops and services within Chelmsford City Centre, South Woodham Ferrers Town Centre or any designated Neighbourhood Centres

**How this is assessed:**

Using the Local Plan GIS map, the site is checked to see if it falls within the City Centre, South Woodham Ferrers Town Centre or a designated Neighbourhood Centre. If so, information submitted by the promoter is used to determine whether loss of shops or services would occur.

7.5. **Public Transport**

(Sustainability Appraisal Objective 6; Strategic Policies S9, S10 and S11; Policies DM20 and DM24)

*Public transport services consist of proposed/existing bus stops, rail stations and park and ride facilities*

- (5) Site is within 400m walking distance of one or more services

- (0) Site is in excess of 400m walking distance from all services

How this is assessed:

Using a combination of the Local Plan GIS map and Essex Highways maps (<https://www.essexhighways.org/getting-around>), the GIS analytics feature showing walking distances from a promoted site is used to see if the site falls within the specified ranges to a bus stop, rail station and park and ride facility.

#### 7.6. **PROW and Cycling Connectivity**

(Sustainability Appraisal Objectives 5 and 6; Strategic Policies S2 and S9; Policies DM20 and DM24)

- (5) Site is within 100m walking distance to either a PROW or cycle network
- (0) Site is not connected to either an existing PROW or cycle network

How this is assessed:

Using the Essex Highways map (<https://www.essexhighways.org/getting-around>), the distance between the boundary of the site and the nearest PROW and cycle path is measured.

#### 7.7. **Vehicle Access**

(Strategic Policies S9 and S10; Policy DM20)

- (5) A route exists enabling vehicle access into/adjacent to the site
- (3) There are no visible constraints that would likely prevent the implementation of a route to enable vehicle access into/adjacent to the site
- (0) There are visible constraints that would likely prevent the implementation of a route to enable vehicle access into/adjacent to the site

How this is assessed:

Using a standard GIS (or OS) map, it is observed whether the existing road network connects to the site and if not, whether any physical features (such as a river, or housing, or protected areas) exist that would prevent implementation of an access route.

#### 7.8. **Impact on Designated Heritage Assets**

(Sustainability Appraisal Objective 13; Strategic Policy S3; Policies DM13 and DM24)

Designated heritage assets include: Grade 1 listed buildings, Grade 2\* listed buildings, Grade 2 listed buildings, Scheduled Ancient Monuments, Registered Parks or Gardens of Special Historic Interest, Conservation Areas

- (5) Site does not contain any designated heritage assets
- (3) Site is adjacent to one or more designated heritage assets
- (0) Site contains one or more designated heritage assets

How this is assessed:

Using the Local Plan GIS map, the proximity of the promoted site to areas Scheduled Monuments and Registered Park and Garden of Special Historic Interest is observed. Historic England's map

(<https://historicengland.org.uk/listing/the-list/>) is used to observe the proximity of the site to any Listed Buildings.

#### 7.9. **Impact on Non-Designated Heritage Assets**

(Sustainability Appraisal Objective 13; Strategic Policy S3; Policies DM14 and DM24)

Non-designated heritage assets include: protected lanes, buildings of local land value and the inventory of landscape of local interest

- (5) Site does not contain any non-designated heritage assets
- (3) Site is adjacent to one or more non-designated heritage assets
- (0) Site contains one or more non-designated heritage assets

##### How this is assessed:

Using the Local Plan GIS map, the proximity of the promoted site to protected lanes is observed. Essex Garden Trust's Historic Designated Landscapes of Essex Handbook is used to observe the proximity of the site to a landscape of local interest. The Register of Buildings of Local Value is used to identify such assets, with proximity of these to the site observed using a GIS map.

#### 7.10. **Impact on Archaeological Assets**

(Sustainability Appraisal Objective 13; Strategic Policy S3; Policies DM15 and DM24)

- (5) Site is not thought to contain any assets of archaeological interest
- (3) Site is thought to be adjacent to one or more assets of archaeological interest
- (0) Site is thought to contain one or more assets of archaeological interest

##### How this is assessed:

Using the Council's Monuments & Geological Sites GIS map, the proximity of the promoted site to identified archaeological sites is observed. Where there is uncertainty, the Council's Heritage Officer will be consulted.

#### 7.11. **Mineral and Waste Constraints**

(Sustainability Appraisal Objective 12; Policy DM30)

- (5) Site is not within an identified Minerals or Waste Site nor a Minerals or Waste Safeguarding or Consultation Area
- (4) Site is wholly or partially within an identified Minerals or Waste Safeguarding or Consultation Area but does not require mitigation for development
- (2) Site is wholly or partially within an identified Minerals or Waste Safeguarding Area or Consultation Area and is either awaiting confirmation or has been deemed by the Minerals and Waste Planning Authority to require mitigation measures for development
- (0) Site is wholly or partially within an identified Minerals or Waste Site

##### How this is assessed:

Using the Local Plan GIS map alongside a Mineral Safeguarding Area GIS map – provided by Essex County Council – the proximity of promoted sites to identified minerals or waste sites, safeguarded areas and consultation areas is observed. Where a promoted site lies within a Minerals or Waste consultation area or has an

area of 5ha or greater within a safeguarded area, Essex County Council will be consulted to confirm what mitigation measures are required.

**7.12. Impact on Areas of Defined Open Space**

(Sustainability Appraisal Objective 5; Policies DM21, DM24 and DM26)

'Other' Green Space includes (but is not limited to) areas of planned strategic landscape enhances, future recreation areas and Sustainable Drainage Systems (SuDS)

- (5) Site does not lie within an area defined as Open Space, an existing/proposed Country Park or 'Other' Green Space
- (3) Site partially lies within an area defined as Open Space, an existing/proposed Country Park or 'Other' Green Space
- (0) The majority of the site (90% or more) lies within an area defined as Open Space, an existing/proposed Country Park or 'Other' Green Space

**How this is assessed:**

Using the Local Plan GIS map, the proximity of the promoted site to areas of defined Open Space, Country Park or Other Green Space is observed.

**7.13. Impact on the Green Belt and Green Wedge**

(NPPF section 13, Sustainability Appraisal Objective 14; Strategic Policy S11; Policies DM6 and DM7)

- (5) Site does not lie within the Metropolitan Green Belt or Green Wedge
- (3) Site partially lies within the Metropolitan Green Belt or Green Wedge
- (0) The majority of the site (90% or more) lies within the Metropolitan Green Belt or Green Wedge

**How this is assessed:**

Using the Local Plan GIS map, the area of the promoted site that falls within the Green Belt or Green Wedge is measured.

**7.14. Land Classification**

(Sustainability Appraisal Objective 7; Strategic Policies S4, S7, S8)

*Agricultural Land Classification are as per Natural England's ALC map East Region (ALC008)*

- (5) Site is predominantly Previously Developed Land
- (3) Site is predominantly Greenfield and primarily within the agricultural land classification/s: Grade 4, Grade 5, non-agricultural use, or urban use
- (0) Site is predominantly Greenfield and primarily within the land classification/s: Grade 1, Grade 2 or Grade 3

**How this is assessed:**

Using a GIS map with aerial photos, area measurement/s are taken to determine the proportionate ratio of Greenfield land to PDL that make up the promoted site. Greenfield land and PDL are as defined within the NPPF. Using Natural England's map ALC008, the Agricultural Land Classification for the promoted site is observed.

#### 7.15. **Impact on Protected Natural Features**

(NPPF section 15, Sustainability Appraisal Objectives 1 and 13; Strategic Policy S4; Policies DM13, DM16, DM17 and DM24)

*International/national protected natural features include: Ancient Woodland, Special Protection Areas, Special Areas of Conservation, RAMSAR, SSSIs, Marine Conservation Zone, and the Nature Recovery Network.*

*Local protected natural features include: Local Nature Reserves, the Essex Wildlife Trust Nature Reserve, TPOs, and Coastal Protection Belt.*

- (5) Site is in excess of 100m of any locally designated protected natural features and in excess of 500m of any international/national designated protected natural features
- (3) Site does not comprise of any protected natural features but is within 100m of a locally designated protected natural feature or within 500m of an international/national designated protected natural feature
- (0) Site partially or wholly comprises of one or more protected natural features

##### How is this assessed:

Using the Local Plan GIS map, the shortest distance between the promoted site boundary and the closest locally designated and nationally/internationally designated protected natural feature is measured.

#### 7.16. **Impact on Flood Risk**

(Sustainability Appraisal Objective 9; Strategic Policies S2 and S9; Policy DM18)

*Flood Risk Zones are as determined by the Environment Agency*

- (5) Site is wholly within Flood Zone 1
- (4) Site is wholly or partially within Flood Zone 2, with the remainder in Flood Zone 1
- (2) Up to 25% of the site area is within Flood Zone 3
- (1) 25%-50% of the site area is within Flood Zone 3
- (0) Over 50% of the site area is within Flood Zone 3

##### How this is assessed:

Using the Local Plan GIS map – or updated GIS map from the Environment Agency – the areas of the promoted site that fall within Flood Zones 2 and 3 are measured.

#### 7.17. **Impact on Air Quality Management Areas**

(Sustainability Appraisal Objective 10; Policy DM30)

- (5) Site is in excess of 500m from a designated AQMA
- (3) Site is within 500m from a designated AQMA
- (0) Site is within a designated AQMA

##### How this is assessed:

Using the Local Plan GIS map, the GIS analytics feature shows a 500m buffer around the designated AQMAs. The relationship between the designation and buffer to the promoted site is then observed.



### 7.18. **Ground Condition Constraints**

(Sustainability Appraisal Objective 7; Policy DM30)

*The type and level of contamination identified on site provides an indication as to the level of ground treatment required to ensure the development is safe.*

- (5) Ground treatment is not expected to be required
- (3) Ground treatment is expected to be required on part of the site
- (0) Ground treatment is expected to be required on the majority (90% or more) of the site

#### How this is assessed:

Using the Council's Environmental Restrictions GIS map, the proximity of the promoted site to areas of ground contamination can be observed. Areas of promoted sites that lie within areas of ground contamination are considered to require ground treatment.

### 7.19. **Impact on Community Facilities**

(Sustainability Appraisal Objectives 4 and 5; Strategic Policy S5; Policies DM21 and DM22)

- (5) Development would not result in the loss of nor put additional strain on an existing/proposed school/healthcare facility/place of worship/sports, leisure, or recreation facility
- (3) Development would put additional strain on but not result in the loss of on an existing/proposed school/healthcare facility/place of worship/sports, leisure, or recreation facility
- (0) Development would result in the loss of an existing/proposed school/healthcare facility/place of worship/sports, leisure, or recreation facility

#### How this is assessed:

Using the SHELAA submission form and a GIS map, the development proposal is compared against the existing use to determine whether any community uses will be gained or lost. Development that would yield 10 or more dwellings is considered to add strain on existing facilities unless such facilities are incorporated within the proposal

## Suitability Scoring

- 7.20. The maximum 'Suitability' score for sites assessed under the Community Facility Criteria is 85 (i.e. 17 criteria applied, each with a maximum score of 5). **Unless a capped constraint determines otherwise**, a Suitability RAG rating will then be attributed as follows:

- Sites scoring 80% or over are Green
- Sites scoring 40%-79% are Yellow
- Sites scoring less than 40% are Amber

- 7.21. In exceptional circumstances, suitability factors not listed above may be considered to give a different overall score. These exceptions will always be explained fully within the relevant site's output report.

## Availability Criteria

### 7.22. **Ownership**

- (5) Held by developer/willing owner/public sector
- (3) Promoter has an option to purchase site or collaborate with existing owner
- (0) Known to be in particularly complex/multiple ownership

How this is assessed:

This is determined using details provided within the SHELAA submission form. Where there is uncertainty, the site promoter will be contacted to clarify.

### 7.23. **Land Condition**

- (5) Vacant land and buildings
- (4) Established single use
- (3) Low intensity land use
- (2) Established multiple uses

How this is assessed:

Using the SHELAA submission form in conjunction with GIS maps, the current use of the land is determined.

### 7.24. **Legal Constraints**

- (5) Site does not face any known legal issues
- (3) Site may possibly face legal issues
- (0) Site faces known legal issues

How this is assessed:

This is determined using details provided within the SHELAA submission form. GIS maps are also used to identify if ransom strips exist.

## Availability Scoring

- 7.25. The maximum unweighted 'Availability' score for sites assessed under the Community Facility Criteria is 15 (i.e. 3 criteria applied, each with a maximum score of 5). An Availability RAG rating will then be attributed as follows:

- Sites scoring 80% or over are Green
- Sites scoring 40%-79% are Yellow
- Sites scoring less than 40% are Amber

- 7.26. In exceptional circumstances, availability factors not listed above may be considered to give a different overall score. These exceptions will always be explained fully within the relevant site's output report.

## Achievability Criteria

### 7.27. **Viability**

- (5) Development is likely viable
- (3) Development is marginal
- (0) Development is likely unviable

#### How this is assessed:

Viability for this use is determined based upon supporting documentation provided by promoters. Where this is not provided or there is an undetermined outcome, viability is deemed marginal and further viability testing is recommended if site comes forward.

### 7.28. **Timescale for Deliverability**

- (5) Up to 5 years
- (4) Over 5 years

#### How this is assessed:

This is determined using details provided within the SHELAA submission form. Where these details are not provided, the assessing officer makes a judgement based upon whether any mitigation is required, and the yield of dwellings anticipated.

## Achievability Scoring

7.29. The maximum unweighted 'Achievability' score for sites assessed under the Community Facility Criteria is 10 (i.e. 2 criteria applied, each with a maximum score of 5). **Unless a capped constraint determines otherwise**, an Achievability RAG rating will then be attributed as follows:

- Sites scoring 100% or over are Green
- Sites scoring 60%-99% are Yellow
- Sites scoring less than 60% are Amber

7.30. In exceptional circumstances, achievability factors not listed above may be considered to give a different overall score. These exceptions will always be explained fully within the relevant site's output report.

## 8. Mixed Uses Criteria

- 8.1. Any sites that have been promoted for a mix of residential and at least one of: employment, retail or community facility use, will be assessed against the Suitability, Availability and Achievability criteria detailed below.

### Suitability Criteria

- 8.2. Note that any underlined criteria represent where Policy Constraints are in place. If a site achieves a score of (0) against such criteria, the site will be capped at an Amber or Red RAG rating dependent on whether the site is contrary to local or national policy.

8.3. **Proximity to Employment Areas**

(Strategic Policy S8; Policies DM4 and DM29)

- (5) Site is outside of any existing/proposed employment allocation
- (3) Site is adjacent to an existing/proposed employment allocation
- (0) Site is wholly/partially located within an existing/proposed employment allocation

**How this is assessed:**

Using the Local Plan GIS map, the proximity of the promoted site to areas labelled Proposed Employment Area, Existing Employment Area and rural Employment Area is observed.

8.4. **Impact on Retail Areas**

(Strategic Policy S12; Policy DM5)

- (5) Development does not result in the loss of established shops and services within Chelmsford City Centre, South Woodham Ferrers Town Centre or any designated Neighbourhood Centres
- (0) Development would result in the loss of established shops and services within Chelmsford City Centre, South Woodham Ferrers Town Centre or any designated Neighbourhood Centres

**How this is assessed:**

Using the Local Plan GIS map, the site is checked to see if it falls within the City Centre, South Woodham Ferrers Town Centre or a designated Neighbourhood Centre. If so, information submitted by the promoter is used to determine whether loss of shops or services would occur.

8.5. **Proximity to the Workplace**

(Sustainability Appraisal Objective 3; Strategic Policies S7 and S8)

- (5) Site is within 2km walking distance of an employment allocation
- (0) Site is in excess of 2km walking distance of an employment allocation

**How this is assessed:**

Using the Local Plan GIS map, the GIS analytics feature showing walking distances from a promoted site is used to see if the site falls within the specified ranges to a Proposed Employment Area, Existing Employment Area or Rural Employment Area.

#### 8.6. **Public Transport**

(Sustainability Appraisal Objective 6; Strategic Policies S9, S10 and S11; Policies DM20 and DM24)

*Public transport services consist of proposed/existing bus stops, rail stations and park and ride facilities*

- (5) Site is within 400m walking distance of one or more services
- (0) Site is in excess of 400m walking distance from all services

##### How this is assessed:

Using a combination of the Local Plan GIS map and Essex Highways maps (<https://www.essexhighways.org/getting-around>), the GIS analytics feature showing walking distances from a promoted site is used to see if the site falls within the specified ranges to a bus stop, rail station and park and ride facility.

#### 8.7. **PROW and Cycling Connectivity**

(Sustainability Appraisal Objectives 5 and 6; Strategic Policies S2 and S9; Policies DM20 and DM24)

- (5) Site is within 100m walking distance to either a PROW or cycle network
- (0) Site is not connected to either an existing PROW or cycle network

##### How this is assessed:

Using the Essex Highways map (<https://www.essexhighways.org/getting-around>), the distance between the boundary of the site and the nearest PROW and cycle path is measured.

#### 8.8. **Vehicle Access**

(Strategic Policies S9 and S10; Policy DM20)

- (5) A route exists enabling vehicle access into/adjacent to the site
- (3) There are no visible constraints that would likely prevent the implementation of a route to enable vehicle access into/adjacent to the site
- (0) There are visible constraints that would likely prevent the implementation of a route to enable vehicle access into/adjacent to the site

##### How this is assessed:

Using a standard GIS (or OS) map, it is observed whether the existing road network connects to the site and if not, whether any physical features (such as a river, or housing, or protected areas) exist that would prevent implementation of an access route.

#### 8.9. **Strategic Road Access**

(Sustainability Appraisal Objective 6, Strategic Policies S7 and S9)

- (5) Site has direct access to or is adjacent to the strategic road network
- (4) Site has direct access to or is adjacent to a primary road network

- (2) Site has direct access to or is adjacent to a safeguarded trunk road or B-road
- (0) Site has no direct access to nor is adjacent to the strategic road network, primary road network, a safeguarded trunk road or a B-road

How this is assessed:

Using a standard GIS (or OS) map, it is observed whether the existing road network connects or can be connected to the site and if so, what type of road network this is.

#### 8.10. **Impact on Designated Heritage Assets**

(Sustainability Appraisal Objective 13; Strategic Policy S3; Policies DM13 and DM24)

Designated heritage assets include: Grade 1 listed buildings, Grade 2\* listed buildings, Grade 2 listed buildings, Scheduled Ancient Monuments, Registered Parks or Gardens of Special Historic Interest, Conservation Areas

- (5) Site does not contain any designated heritage assets
- (3) Site is adjacent to one or more designated heritage assets
- (0) Site contains one or more designated heritage assets

How this is assessed:

Using the Local Plan GIS map, the proximity of the promoted site to areas Scheduled Monuments and Registered Park and Garden of Special Historic Interest is observed. Historic England's map (<https://historicengland.org.uk/listing/the-list/>) is used to observe the proximity of the site to any Listed Buildings.

#### 8.11. **Impact on Non-Designated Heritage Assets**

(Sustainability Appraisal Objective 13; Strategic Policy S3; Policies DM14 and DM24)

Non-designated heritage assets include: protected lanes, buildings of local land value and the inventory of landscape of local interest

- (5) Site does not contain any non-designated heritage assets
- (3) Site is adjacent to one or more non-designated heritage assets
- (0) Site contains one or more non-designated heritage assets

How this is assessed:

Using the Local Plan GIS map, the proximity of the promoted site to protected lanes is observed. Essex Garden Trust's Historic Designated Landscapes of Essex Handbook is used to observe the proximity of the site to a landscape of local interest. The Register of Buildings of Local Value is used to identify such assets, with proximity of these to the site observed using a GIS map.

#### 8.12. **Impact on Archaeological Assets**

(Sustainability Appraisal Objective 13; Strategic Policy S3; Policies DM15 and DM24)

- (5) Site is not thought to contain any assets of archaeological interest
- (3) Site is thought to be adjacent to one or more assets of archaeological interest
- (0) Site is thought to contain one or more assets of archaeological interest

How this is assessed:

Using the Council's Monuments & Geological Sites GIS map, the proximity of the promoted site to identified archaeological sites is observed. Where there is uncertainty, the Council's Heritage Officer will be consulted.

8.13. **Mineral and Waste Constraints**

(Sustainability Appraisal Objective 12; Policy DM30)

- (5) Site is not within an identified Minerals or Waste Site nor a Minerals or Waste Safeguarding or Consultation Area
- (4) Site is wholly or partially within an identified Minerals or Waste Safeguarding or Consultation Area but does not require mitigation for development
- (2) Site is wholly or partially within an identified Minerals or Waste Safeguarding Area or Consultation Area and is either awaiting confirmation or has been deemed by the Minerals and Waste Planning Authority to require mitigation measures for development
- (0) Site is wholly or partially within an identified Minerals or Waste Site

How this is assessed:

Using the Local Plan GIS map alongside a Mineral Safeguarding Area GIS map – provided by Essex County Council – the proximity of promoted sites to identified minerals or waste sites, safeguarded areas and consultation areas is observed. Where a promoted site lies within a Minerals or Waste consultation area or has an area of 5ha or greater within a safeguarded area, Essex County Council will be consulted to confirm what mitigation measures are required.

8.14. **Impact on Areas of Defined Open Space**

(Sustainability Appraisal Objective 5; Policies DM21, DM24 and DM26)

'Other' Green Space includes (but is not limited to) areas of planned strategic landscape enhances, future recreation areas and Sustainable Drainage Systems (SuDS)

- (5) Site does not lie within an area defined as Open Space, an existing/proposed Country Park or 'Other' Green Space
- (3) Site partially lies within an area defined as Open Space, an existing/proposed Country Park or 'Other' Green Space
- (0) The majority of the site (90% or more) lies within an area defined as Open Space, an existing/proposed Country Park or 'Other' Green Space

How this is assessed:

Using the Local Plan GIS map, the proximity of the promoted site to areas of defined Open Space, Country Park or Other Green Space is observed.

8.15. **Impact on the Green Belt and Green Wedge**

(NPPF section 13, Sustainability Appraisal Objective 14; Strategic Policy S11; Policies DM6 and DM7)

- (5) Site does not lie within the Metropolitan Green Belt or Green Wedge
- (3) Site partially lies within the Metropolitan Green Belt or Green Wedge
- (0) The majority of the site (90% or more) lies within the Metropolitan Green Belt or Green Wedge



How this is assessed:

Using the Local Plan GIS map, the area of the promoted site that falls within the Green Belt or Green Wedge is measured.

**8.16. Land Classification**

(Sustainability Appraisal Objective 7; Strategic Policies S4, S7, S8)

*Agricultural Land Classification are as per Natural England's ALC map East Region (ALC008)*

- (5) Site is predominantly Previously Developed Land
- (3) Site is predominantly Greenfield and primarily within the agricultural land classification/s: Grade 4, Grade 5, non-agricultural use, or urban use
- (0) Site is predominantly Greenfield and primarily within the land classification/s: Grade 1, Grade 2 or Grade 3

How this is assessed:

Using a GIS map with aerial photos, area measurement/s are taken to determine the proportionate ratio of Greenfield land to PDL that make up the promoted site. Greenfield land and PDL are as defined within the NPPF. Using Natural England's map ALC008, the Agricultural Land Classification for the promoted site is observed.

**8.17. Impact on Protected Natural Features**

(NPPF section 15, Sustainability Appraisal Objectives 1 and 13; Strategic Policy S4; Policies DM13, DM16, DM17 and DM24)

*International/national protected natural features include: Ancient Woodland, Special Protection Areas, Special Areas of Conservation, RAMSAR, SSSIs, Marine Conservation Zone, and the Nature Recovery Network.*

*Local protected natural features include: Local Nature Reserves, the Essex Wildlife Trust Nature Reserve, TPOs, and Coastal Protection Belt.*

- (5) Site is in excess of 100m of any locally designated protected natural features and in excess of 500m of any international/national designated protected natural features
- (3) Site does not comprise of any protected natural features but is within 100m of a locally designated protected natural feature or within 500m of an international/national designated protected natural feature
- (0) Site partially or wholly comprises of one or more protected natural features

How is this assessed:

Using the Local Plan GIS map, the shortest distance between the promoted site boundary and the closest locally designated and nationally/internationally designated protected natural feature is measured.

**8.18. Impact on Flood Risk**

(Sustainability Appraisal Objective 9; Strategic Policies S2 and S9; Policy DM18)

*Flood Risk Zones are as determined by the Environment Agency*

- (5) Site is wholly within Flood Zone 1
- (4) Site is wholly or partially within Flood Zone 2, with the remainder in Flood Zone 1



- (2) Up to 25% of the site area is within Flood Zone 3
- (1) 25%-50% of the site area is within Flood Zone 3
- (0) Over 50% of the site area is within Flood Zone 3

**How this is assessed:**

Using the Local Plan GIS map – or updated GIS map from the Environment Agency – the areas of the promoted site that fall within Flood Zones 2 and 3 are measured.

#### **8.19. Impact on Air Quality Management Areas**

(Sustainability Appraisal Objective 10; Policy DM30)

- (5) Site is in excess of 500m from a designated AQMA
- (3) Site is within 500m from a designated AQMA
- (0) Site is within a designated AQMA

**How this is assessed:**

Using the Local Plan GIS map, the GIS analytics feature shows a 500m buffer around the designated AQMAs. The relationship between the designation and buffer to the promoted site is then observed.

#### **8.20. Ground Condition Constraints**

(Sustainability Appraisal Objective 7; Policy DM30)

*The type and level of contamination identified on site provides an indication as to the level of ground treatment required to ensure the development is safe.*

- (5) Ground treatment is not expected to be required
- (3) Ground treatment is expected to be required on part of the site
- (0) Ground treatment is expected to be required on the majority (90% or more) of the site

**How this is assessed:**

Using the Council's Environmental Restrictions GIS map, the proximity of the promoted site to areas of ground contamination can be observed. Areas of promoted sites that lie within areas of ground contamination are considered to require ground treatment.

#### **8.21. Neighbouring Constraints**

(Sustainability Appraisal Objective 5; Policy DM29)

*For the purpose of this assessment, a site has a neighbouring constraint if existing B2 or B8 use classes are present on or adjacent to the site; if existing sports venues that have large spectator capacity (the racecourse, cricket stadium and Melbourne stadium in particular) are adjacent to the site; or if a major road or dual carriageway runs adjacent to the site.*

- (5) Site has no neighbouring constraints
- (3) Site has neighbouring constraints with potential for mitigation
- (0) Site has neighbouring constraints with no potential for mitigation

**How this is assessed:**

The SHELAA submission form asks for details of current uses on and adjacent to

the promoted site. The information provided by the site promoter in addition to using GIS maps with aerial photos enable the proximity of the promoted site to unsuitable neighbours to be observed. Given the nature of mixed use sites, it is assumed in this assessment, for the benefit of doubt, that unless the constraint surrounds the boundary of the site, mitigation is possible.

#### 8.22. **Proximity to Key Services**

(Sustainability Appraisal Objectives 4 and 5; Strategic Policies S5 and S7)

*Key services include: GP surgeries, primary and secondary schools, and supermarkets/convenience goods stores*

- (5) Site is within 800m walking distance of all services and/or the City Centre/South Woodham Ferrers Town Centre
- (3) Site is within 2km walking distance of all services and/or the City Centre/South Woodham Ferrers Town Centre
- (0) Site is in excess of 2km walking distance of one or more services and the City Centre/South Woodham Ferrers Town Centre

##### How this is assessed:

Using the Local Plan GIS map, the analytics feature showing walking distances from a promoted site is utilised to observe the proximity of the site to GP surgeries, schools, and convenience stores.

#### 8.23. **Impact on Community Facilities**

(Sustainability Appraisal Objectives 4 and 5; Strategic Policy S5; Policies DM21 and DM22)

- (5) Development would not result in the loss of nor put additional strain on an existing/proposed school/healthcare facility/place of worship/sports, leisure, or recreation facility
- (3) Development would put additional strain on but not result in the loss of on an existing/proposed school/healthcare facility/place of worship/sports, leisure, or recreation facility
- (0) Development would result in the loss of an existing/proposed school/healthcare facility/place of worship/sports, leisure, or recreation facility

##### How this is assessed:

Using the SHELAA submission form and a GIS map, the development proposal is compared against the existing use to determine whether any community uses will be gained or lost. Development that would yield 10 or more dwellings is considered to add strain on existing facilities unless such facilities are incorporated within the proposal

## Suitability Scoring

- 8.24. The maximum 'Suitability' score for sites assessed under the Mixed Use Criteria is 105 (i.e. 21 criteria applied, each with a maximum score of 5). **Unless a capped constraint determines otherwise**, a Suitability RAG rating will then be attributed as follows:

- Sites scoring 80% or over are Green
- Sites scoring 40%-79% are Yellow
- Sites scoring less than 40% are Amber

8.25. In exceptional circumstances, suitability factors not listed above may be considered to give a different overall score. These exceptions will always be explained fully within the relevant site's output report.

## Availability Criteria

### 8.26. **Ownership**

- (5) Held by developer/willing owner/public sector
- (3) Promoter has an option to purchase site or collaborate with existing owner
- (0) Known to be in particularly complex/multiple ownership

How this is assessed:

This is determined using details provided within the SHELAA submission form. Where there is uncertainty, the site promoter will be contacted to clarify.

### 8.27. **Land Condition**

- (5) Vacant land and buildings
- (4) Established single use
- (3) Low intensity land use
- (2) Established multiple uses

How this is assessed:

Using the SHELAA submission form in conjunction with GIS maps, the current use of the land is determined.

### 8.28. **Legal Constraints**

- (5) Site does not face any known legal issues
- (3) Site may possibly face legal issues
- (0) Site faces known legal issues

How this is assessed:

This is determined using details provided within the SHELAA submission form. GIS maps are also used to identify if ransom strips exist.

## Availability Scoring

8.29. The maximum unweighted 'Availability' score for sites assessed under the Mixed Use Criteria is 15 (i.e. 3 criteria applied, each with a maximum score of 5). An Availability RAG rating will then be attributed as follows:

- Sites scoring 80% or over are Green
- Sites scoring 40%-79% are Yellow

- Sites scoring less than 40% are Amber

8.30. In exceptional circumstances, availability factors not listed above may be considered to give a different overall score. These exceptions will always be explained fully within the relevant site's output report.

## Achievability Criteria

### 8.31. **Viability**

- (5) Development is likely viable
- (3) Development is marginal
- (0) Development is likely unviable

#### How this is assessed:

Using the SHELAA Viability Study, the site is algorithmically attributed a typology. Where each typology has then been appraised as either likely viable, marginal, or likely unviable, the appropriate category is attributed to the site. For uses that are not featured within the Viability Study, viability is determined based upon supporting documentation provided by promoters. Where this is not provided or there is an undetermined outcome, viability is deemed marginal and further viability testing is recommended if site comes forward.

### 8.32. **Timescale for Deliverability**

- (5) Up to 5 years
- (4) Over 5 years

#### How this is assessed:

This is determined using details provided within the SHELAA submission form. Where these details are not provided, the assessing officer makes a judgement based upon whether any mitigation is required, and the yield of dwellings anticipated.

## Achievability Scoring

8.33. The maximum unweighted 'Achievability' score for sites assessed under the Mixed Use Criteria is 10 (i.e. 2 criteria applied, each with a maximum score of 5). **Unless a capped constraint determines otherwise**, an Achievability RAG rating will then be attributed as follows:

- Sites scoring 100% or over are Green
- Sites scoring 60%-99% are Yellow
- Sites scoring less than 60% are Amber

8.34. In exceptional circumstances, achievability factors not listed above may be taken into account to give a different overall score. These exceptions will always be explained fully within the relevant site's output report.



## 9. Renewable Power Generation Criteria

- 9.1. Any sites that have been promoted for a renewable power generation facility will be assessed against the Suitability, Availability and Achievability criteria detailed below. This includes proposals from solar farms, wind farms, biomass farms or hydroelectric generation.

### Suitability Criteria

- 9.2. Note that any underlined criteria represent where Policy Constraints are in place. If a site achieves a score of (0) against such criteria, the site will be capped at an Amber or Red RAG rating dependent on whether the site is contrary to local or national policy.

9.3. **Public Transport**

(Sustainability Appraisal Objective 6; Strategic Policies S9, S10 and S11; Policies DM20 and DM24)

*Public transport services consist of proposed/existing bus stops, rail stations and park and ride facilities*

- (5) Site is within 400m walking distance of one or more services
- (0) Site is in excess of 400m walking distance from all services

How this is assessed:

Using a combination of the Local Plan GIS map and Essex Highways maps (<https://www.essexhighways.org/getting-around>), the GIS analytics feature showing walking distances from a promoted site is used to see if the site falls within the specified ranges to a bus stop, rail station and park and ride facility.

9.4. **PROW and Cycling Connectivity**

(Sustainability Appraisal Objectives 5 and 6; Strategic Policies S2 and S9; Policies DM20 and DM24)

- (5) Site is within 100m walking distance to either a PROW or cycle network
- (0) Site is not connected to either an existing PROW or cycle network

How this is assessed:

Using the Essex Highways map (<https://www.essexhighways.org/getting-around>), the distance between the boundary of the site and the nearest PROW and cycle path is measured.

9.5. **Vehicle Access**

(Strategic Policies S9 and S10; Policy DM20)

- (5) A route exists enabling vehicle access into/adjacent to the site
- (3) There are no visible constraints that would likely prevent the implementation of a route to enable vehicle access into/adjacent to the site
- (0) There are visible constraints that would likely prevent the implementation of a route to enable vehicle access into/adjacent to the site

How this is assessed:

Using a standard GIS (or OS) map, it is observed whether the existing road network connects to the site and if not, whether any physical features (such as a river, or housing, or protected areas) exist that would prevent implementation of an access route.

**9.6. Strategic Road Access**

(Sustainability Appraisal Objective 6, Strategic Policies S7 and S9)

- (5) Site has direct access to or is adjacent to the strategic road network
- (4) Site has direct access to or is adjacent to a primary road network
- (2) Site has direct access to or is adjacent to a safeguarded trunk road or B-road
- (0) Site has no direct access to nor is adjacent to the strategic road network, primary road network, a safeguarded trunk road or a B-road

How this is assessed:

Using a standard GIS (or OS) map, it is observed whether the existing road network connects or can be connected to the site and if so, what type of road network this is.

**9.7. Impact on Designated Heritage Assets**

(Sustainability Appraisal Objective 13; Strategic Policy S3; Policies DM13 and DM24)

Designated heritage assets include: Grade 1 listed buildings, Grade 2\* listed buildings, Grade 2 listed buildings, Scheduled Ancient Monuments, Registered Parks or Gardens of Special Historic Interest, Conservation Areas

- (5) Site does not contain any designated heritage assets
- (3) Site is adjacent to one or more designated heritage assets
- (0) Site contains one or more designated heritage assets

How this is assessed:

Using the Local Plan GIS map, the proximity of the promoted site to areas Scheduled Monuments and Registered Park and Garden of Special Historic Interest is observed. Historic England's map (<https://historicengland.org.uk/listing/the-list/>) is used to observe the proximity of the site to any Listed Buildings.

**9.8. Impact on Non-Designated Heritage Assets**

(Sustainability Appraisal Objective 13; Strategic Policy S3; Policies DM14 and DM24)

Non-designated heritage assets include: protected lanes, buildings of local land value and the inventory of landscape of local interest

- (5) Site does not contain any non-designated heritage assets
- (3) Site is adjacent to one or more non-designated heritage assets
- (0) Site contains one or more non-designated heritage assets

How this is assessed:

Using the Local Plan GIS map, the proximity of the promoted site to protected lanes is observed. Essex Garden Trust's Historic Designated Landscapes of

Essex Handbook is used to observe the proximity of the site to a landscape of local interest. The Register of Buildings of Local Value is used to identify such assets, with proximity of these to the site observed using a GIS map.

**9.9. Impact on Archaeological Assets**

(Sustainability Appraisal Objective 13; Strategic Policy S3; Policies DM15 and DM24)

- (5) Site is not thought to contain any assets of archaeological interest
- (3) Site is thought to be adjacent to one or more assets of archaeological interest
- (0) Site is thought to contain one or more assets of archaeological interest

How this is assessed:

Using the Council's Monuments & Geological Sites GIS map, the proximity of the promoted site to identified archaeological sites is observed. Where there is uncertainty, the Council's Heritage Officer will be consulted.

**9.10. Mineral and Waste Constraints**

(Sustainability Appraisal Objective 12; Policy DM30)

- (5) Site is not within an identified Minerals or Waste Site nor a Minerals or Waste Safeguarding or Consultation Area
- (4) Site is wholly or partially within an identified Minerals or Waste Safeguarding or Consultation Area but does not require mitigation for development
- (2) Site is wholly or partially within an identified Minerals or Waste Safeguarding Area or Consultation Area and is either awaiting confirmation or has been deemed by the Minerals and Waste Planning Authority to require mitigation measures for development
- (0) Site is wholly or partially within an identified Minerals or Waste Site

How this is assessed:

Using the Local Plan GIS map alongside a Mineral Safeguarding Area GIS map – provided by Essex County Council – the proximity of promoted sites to identified minerals or waste sites, safeguarded areas and consultation areas is observed. Where a promoted site lies within a Minerals or Waste consultation area or has an area of 5ha or greater within a safeguarded area, Essex County Council will be consulted to confirm what mitigation measures are required.

**9.11. Impact on Areas of Defined Open Space**

(Sustainability Appraisal Objective 5; Policies DM21, DM24 and DM26)

'Other' Green Space includes (but is not limited to) areas of planned strategic landscape enhances, future recreation areas and Sustainable Drainage Systems (SuDS)

- (5) Site does not lie within an area defined as Open Space, an existing/proposed Country Park or 'Other' Green Space
- (3) Site partially lies within an area defined as Open Space, an existing/proposed Country Park or 'Other' Green Space
- (0) The majority of the site (90% or more) lies within an area defined as Open Space, an existing/proposed Country Park or 'Other' Green Space



How this is assessed:

Using the Local Plan GIS map, the proximity of the promoted site to areas of defined Open Space, Country Park or Other Green Space is observed.

9.12. **Impact on the Green Belt and Green Wedge**

(NPPF section 13, Sustainability Appraisal Objective 14; Strategic Policy S11; Policies DM6 and DM7)

- (5) Site does not lie within the Metropolitan Green Belt or Green Wedge
- (3) Site partially lies within the Metropolitan Green Belt or Green Wedge
- (0) The majority of the site (90% or more) lies within the Metropolitan Green Belt or Green Wedge

How this is assessed:

Using the Local Plan GIS map, the area of the promoted site that falls within the Green Belt or Green Wedge is measured.

9.13. **Land Classification**

(Sustainability Appraisal Objective 7; Strategic Policies S4, S7, S8)

*Agricultural Land Classification are as per Natural England's ALC map East Region (ALC008)*

- (5) Site is predominantly Previously Developed Land
- (3) Site is predominantly Greenfield and primarily within the agricultural land classification/s: Grade 4, Grade 5, non-agricultural use, or urban use
- (0) Site is predominantly Greenfield and primarily within the land classification/s: Grade 1, Grade 2 or Grade 3

How this is assessed:

Using a GIS map with aerial photos, area measurement/s are taken to determine the proportionate ratio of Greenfield land to PDL that make up the promoted site. Greenfield land and PDL are as defined within the NPPF. Using Natural England's map ALC008, the Agricultural Land Classification for the promoted site is observed.

9.14. **Impact on Protected Natural Features**

(NPPF section 15, Sustainability Appraisal Objectives 1 and 13; Strategic Policy S4; Policies DM13, DM16, DM17 and DM24)

*International/national protected natural features include: Ancient Woodland, Special Protection Areas, Special Areas of Conservation, RAMSAR, SSSIs, Marine Conservation Zone, and the Nature Recovery Network.*

*Local protected natural features include: Local Nature Reserves, the Essex Wildlife Trust Nature Reserve, TPOs, and Coastal Protection Belt.*

- (5) Site is in excess of 100m of any locally designated protected natural features and in excess of 500m of any international/national designated protected natural features
- (3) Site does not comprise of any protected natural features but is within 100m of a locally designated protected natural feature or within 500m of an international/national designated protected natural feature
- (0) Site partially or wholly comprises of one or more protected natural features

How is this assessed:

Using the Local Plan GIS map, the shortest distance between the promoted site boundary and the closest locally designated and nationally/internationally designated protected natural feature is measured.

**9.15. Impact on Flood Risk**

(Sustainability Appraisal Objective 9; Strategic Policies S2 and S9; Policy DM18)  
*Flood Risk Zones are as determined by the Environment Agency*

- (5) Site is wholly within Flood Zone 1
- (4) Site is wholly or partially within Flood Zone 2, with the remainder in Flood Zone 1
- (2) Up to 25% of the site area is within Flood Zone 3
- (1) 25%-50% of the site area is within Flood Zone 3
- (0) Over 50% of the site area is within Flood Zone 3

How this is assessed:

Using the Local Plan GIS map – or updated GIS map from the Environment Agency – the areas of the promoted site that fall within Flood Zones 2 and 3 are measured.

**9.16. Impact on Air Quality Management Areas**

(Sustainability Appraisal Objective 10; Policy DM30)

- (5) Site is in excess of 500m from a designated AQMA
- (3) Site is within 500m from a designated AQMA
- (0) Site is within a designated AQMA

How this is assessed:

Using the Local Plan GIS map, the GIS analytics feature shows a 500m buffer around the designated AQMAs. The relationship between the designation and buffer to the promoted site is then observed.

**9.17. Neighbouring Constraints**

(Sustainability Appraisal Objective 5; Policies DM29 and DM30)

*For the purpose of this assessment, renewable power generation is considered to have possible adverse effects if a neighbouring use consists of residential development or community facilities*

- (5) Site is unlikely to have an adverse effect on neighbouring uses
- (3) Site is likely to have an adverse effect on neighbouring uses with potential for mitigation
- (0) Site is likely to have an adverse effect on neighbouring uses with no potential for mitigation

How this is assessed:

The SHELAA submission form asks for details of current uses on and adjacent to the promoted site. The information provided by the site promoter in addition to using GIS maps with aerial photos enable the proximity of the promoted site to unsuitable neighbours to be observed.

#### 9.18. **Impact on Community Facilities**

(Sustainability Appraisal Objectives 4 and 5; Strategic Policy S5; Policies DM21 and DM22)

- (5) Development would not result in the loss of nor put additional strain on an existing/proposed school/healthcare facility/place of worship/sports, leisure, or recreation facility
- (3) Development would put additional strain on but not result in the loss of on an existing/proposed school/healthcare facility/place of worship/sports, leisure, or recreation facility
- (0) Development would result in the loss of an existing/proposed school/healthcare facility/place of worship/sports, leisure, or recreation facility

##### **How this is assessed:**

Using the SHELAA submission form and a GIS map, the development proposal is compared against the existing use to determine whether any community uses will be gained or lost. Development that would yield 10 or more dwellings is considered to add strain on existing facilities unless such facilities are incorporated within the proposal

### Suitability Scoring

- 9.19. The maximum 'Suitability' score for sites assessed under the Renewable Power Generation Criteria is 80 (i.e. 16 criteria applied, each with a maximum score of 5). **Unless a capped constraint determines otherwise**, a Suitability RAG rating will then be attributed as follows:

- Sites scoring 80% or over are Green
- Sites scoring 40%-79% are Yellow
- Sites scoring less than 40% are Amber

- 9.20. In exceptional circumstances, suitability factors not listed above may be considered to give a different overall score. These exceptions will always be explained fully within the relevant site's output report.

### Availability Criteria

#### 9.21. **Ownership**

- (5) Held by developer/willing owner/public sector
- (3) Promoter has an option to purchase site or collaborate with existing owner
- (0) Known to be in particularly complex/multiple ownership

##### **How this is assessed:**

This is determined using details provided within the SHELAA submission form. Where there is uncertainty, the site promoter will be contacted to clarify.

#### 9.22. **Land Condition**

- (5) Vacant land and buildings

- (4) Established single use
- (3) Low intensity land use
- (2) Established multiple uses

How this is assessed:

Using the SHELAA submission form in conjunction with GIS maps, the current use of the land is determined.

**9.23. Legal Constraints**

- (5) Site does not face any known legal issues
- (3) Site may possibly face legal issues
- (0) Site faces known legal issues

How this is assessed:

This is determined using details provided within the SHELAA submission form. GIS maps are also used to identify if ransom strips exist.

## Availability Scoring

9.24. The maximum unweighted 'Availability' score for sites assessed under the Renewable Power Generation Criteria is 15 (i.e. 3 criteria applied, each with a maximum score of 5). An Availability RAG rating will then be attributed as follows:

- Sites scoring 80% or over are Green
- Sites scoring 40%-79% are Yellow
- Sites scoring less than 40% are Amber

9.25. In exceptional circumstances, availability factors not listed above may be considered to give a different overall score. These exceptions will always be explained fully within the relevant site's output report.

## Achievability Criteria

**9.26. Viability**

- (5) Development is likely viable
- (3) Development is marginal
- (0) Development is likely unviable

How this is assessed:

Viability for this use is determined based upon supporting documentation provided by promoters. Where this is not provided or there is an undetermined outcome, viability is deemed marginal and further viability testing is recommended if site comes forward.

**9.27. Timescale for Deliverability**

- (5) Up to 5 years
- (4) Over 5 years

How this is assessed:

This is determined using details provided within the SHELAA submission form. Where these details are not provided, the assessing officer makes a judgement based upon whether any mitigation is required, and the yield of dwellings anticipated.

## Achievability Scoring

9.28. The maximum unweighted 'Achievability' score for sites assessed under the Renewable Power Generation Criteria is 10 (i.e. 2 criteria applied, each with a maximum score of 5). **Unless a capped constraint determines otherwise**, an Achievability RAG rating will then be attributed as follows:

- Sites scoring 100% or over are Green
- Sites scoring 60%-99% are Yellow
- Sites scoring less than 60% are Amber

9.29. In exceptional circumstances, achievability factors not listed above may be taken into account to give a different overall score. These exceptions will always be explained fully within the relevant site's output report.

## 10. Overall Scores and Site Categorisation

- 10.1. Sites will each be RAG rated based upon their performance against the SHELAA criteria. A summary of the categorisation features in Table 1 below:

Table 1: SHELAA RAG Rating Summary

Red	Site is contrary to national policy and/or faces significant constraints or adverse impacts that cannot be mitigated.
Amber	Site scores poorly against criteria, is contrary to local policy, and faces moderate constraints that would require mitigation.
Yellow	Site scores well against criteria but has some characteristics contrary to local policy. Site faces minor constraints that would require mitigation. Site is considered developable.
Green	Site scores highly against criteria and demonstrates compliance with national and local policy. Site faces minimal constraints and is considered deliverable.

- 10.2. The process of attributing a RAG rating is a two-step process. Firstly, each site will receive an individual RAG rating for their Suitability, Availability and Achievability performance, as explained within the criteria above. The purpose of this step is to flag up where the strengths and weaknesses fall within each site.
- 10.3. The second step is to determine an overall RAG rating for the site. This is determined by taking the Suitability, Availability and Achievability RAG ratings, and identifying the least favourable colour of the three as detailed in Table 2 below:

Table 2: SHELAA Site Categorisation

Site Rating	Permutation	Suitability Rating	Availability Rating	Achievability Rating
Red	1	<b>Red</b>	Red/ Amber/ Yellow/ Green	Red/ Amber/ Yellow/ Green
	2	Red/ Amber/ Yellow/ Green	<b>Red</b>	Red/ Amber/ Yellow/ Green
	3	Red/ Amber/ Yellow/ Green	Red/ Amber/ Yellow/ Green	<b>Red</b>
Amber	4	<b>Amber</b>	Amber/ Yellow/ Green	Amber/ Yellow/ Green
	5	Amber/ Yellow/ Green	<b>Amber</b>	Amber/ Yellow/ Green
	6	Amber/ Yellow/ Green	Amber/ Yellow/ Green	<b>Amber</b>
Yellow	7	<b>Yellow</b>	Yellow/ Green	Yellow/ Green
	8	Yellow/ Green	<b>Yellow</b>	Yellow/ Green
	9	Yellow/ Green	Yellow/ Green	<b>Yellow</b>
Green	10	<b>Green</b>	<b>Green</b>	<b>Green</b>

Note: Colours highlighted in bold are definitive in determining the category band of a site.



## Chelmsford Policy Board

26 May 2022

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### Self-Build and Custom Housebuilding Register – Proposed Consultation

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#### Report by:

Director of Sustainable Communities

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#### Officer contacts:

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#### Purpose

To consider the consultation on the introduction of Parts 1 and 2 to the Chelmsford's Self Build and Custom Housebuilding Register, including how the Parts will be established and maintained.



### Recommendations:

1. Agree to consult on the proposal to introduce a locality test as set out in this report.
  2. Agree to the consultation process set out in this report and Appendices 2 and 3.
  3. That any subsequent adjustments to the locality test prior to consultation are delegated to the Director of Sustainable Communities in consultation with the Cabinet Member for Sustainable Development.
  4. To refer the consultation feedback and any subsequent proposed changes to the locality test to Cabinet for approval.
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## 1. Background

- 1.1 The Self-build and Custom Housebuilding Act 2015 (as amended)<sup>1</sup> places a duty on Chelmsford City Council to keep a Self-Build and Custom Housebuilding Register ('the Register') of individuals and groups who wish to acquire serviced plots of land to bring forward self-build and custom housebuilding projects.
- 1.2 The Council has a duty to grant enough development permissions to meet the demand identified on the Register. The Register therefore provides the Council with an understanding of the level and type of demand for self-build and custom build development within the administrative area.
- 1.3 In accordance with the Self-build and Custom Housebuilding Regulations 2016<sup>2</sup>, individuals and groups are currently able to apply to join Chelmsford's Register provided the following eligibility criteria is met<sup>3</sup>:
  - Applicant/s are aged 18 or over;
  - Applicant/s are a British citizen, a national of an EEA state, or a national of Switzerland; and;
  - Applicant/s are looking to acquire a serviced plot/s of land within the administrative area of Chelmsford to build a house to live in as their main residence.
- 1.4 Planning Practice Guidance<sup>4</sup> (PPG) states that authorities can choose to set additional eligibility criteria to join the Register, based upon locality. Adopting additional eligibility criteria in the form of a locality test creates a Part 1 and Part 2 to the Register, where Part 1 consists of those who meet the local

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<sup>1</sup> <https://www.legislation.gov.uk/ukpga/2015/17>

<sup>2</sup> <https://www.legislation.gov.uk/uksi/2016/950/made>

<sup>3</sup> Where a group is applying, every member of the group must meet the criteria

<sup>4</sup> <https://www.gov.uk/guidance/self-build-and-custom-housebuilding>

connection criteria set in addition to the criteria listed above.

- 1.5 This report proposes that Chelmsford introduce a locality test for the purpose of identifying those on or applying to join the Register who have a local connection to the administrative area of Chelmsford. This would align the Register with the priority mechanisms stipulated within the Planning Obligations Supplementary Planning Document (POSPD) (para 4.24) and supported in the Self-Build Advice Note (pg. 4), which seek to prioritise local demand.
- 1.6 The PPG advises that authorities seeking to introduce additional eligibility criteria, therefore introducing Parts 1 and 2 to their Self Build and Custom Housebuilding Register, consult on their proposals.

## 2. The Extent of Chelmsford's Duty to Grant Planning Permission

- 2.1 Chelmsford City Council have a duty to grant development permission to enough suitable serviced plots of land to meet the demand for self-build and custom housebuilding in their area. The level of demand is established by reference to the number of entries added to the Register during a base period.
- 2.2 The first base period begun on the day on which the register was established, 1 April 2016, and ended on 30 October 2016. Each subsequent base period is then the 12-month period immediately after the end of the previous base period. Subsequent base periods therefore run from 31 October to 30 October each year.
- 2.3 From the end of each base period, the Council has three years in which to permission an equivalent number of plots of land, which are suitable for self-build and custom housebuilding, as there are entries for that base period on the Register.

### Progress in meeting existing identified demand

- 2.4 The Self Build legislation does not specify how suitable permissions must be recorded, but the PPG offers the following examples of methods a relevant authority may wish to consider to determine if an application, permission or development is for self-build or custom housebuilding:
  - Whether developers have identified that self-build or custom build plots will be included as part of their development and it is clear that the initial owner of the homes will have primary input into its final design and layout;
  - Whether a planning application references self-build or custom build and it is clear that the initial owner of the homes will have primary input into its final design and layout; and

- Whether a Community Infrastructure Levy or Section 106 exemption has been granted for a particular development.

2.5 Following this guidance, the Council has identified a total of 184 suitable development permissions that have contributed to meeting the identified demand on the Register. These have primarily been identified by the third method listed above as officers are able to generate digital lists of applications that have been granted CIL relief.

2.6 Table 1 below shows the base period in which each of these were permitted.

Table 1: Number of suitable permissions granted split by Base Period

Base Period	No. of permissions granted
1. 01/04/16-30/10/16	N/A
2. 31/10/16-30/10/17	38
3. 31/10/17-30/10/18	43
4. 31/10/18-30/10/19	32
5. 31/10/19-30/10/20	39
6. 31/10/20-30/10/21	30
7. 31/10/21-01/04/2022	2
<b>TOTAL</b>	<b>184</b>

2.7 In terms of meeting the demand identified within the Self Build and Custom Housebuilding Register, Table 2 below shows how the permissions so far identified have shaped Chelmsford's performance in meeting the demand – accurate as of 1 April 2022.

Table 2: Chelmsford's performance in meeting demand identified through the Self and Custom Build Register based upon permissions granted

Base Period	Total no. Applicants on Register	Deadline for meeting Base Period demand	Development Permissions Granted to meet demand
1	18	30/10/2019	38
2	21	30/10/2020	43
3	36	30/10/2021	36
4	65	30/10/2022	65
5	42	30/10/2023	2
6	80	30/10/2024	0
7 (up to 01/04/22)	20	30/10/2025	0
<b>TOTAL</b>	<b>282</b>	<b>-</b>	<b>184</b>

Green indicates where the number of permissions granted following the respective base period have been sufficient in meeting demand.

2.8 Table 2 shows that to date, Chelmsford has successfully met the demand identified on the Self-Build and Custom Housebuilding Register through granting enough suitable permissions before the relevant deadlines.

## Forecast for meeting future identified demand

- 2.9 Table 2 doesn't account for plots that are in the process of coming forward through the allocated strategic sites. Chelmsford Local Plan Policy DM1 states that within developments of 100 dwellings or more, the Council will require 5% of dwellings to be self/custom build. Plots that are coming forward through this route are to be counted once the outline or full application has been approved.
- 2.10 Based upon the most up-to-date trajectory, it is anticipated that these plots will be countable at the dates specified within Table 3.

Table 3: Anticipated Self/Custom build provision from Local Plan sites

<b>Strategic Site</b>	<b>Number of Self and/or Custom Build Plots expected</b>		<b>Anticipated date that these plots can be counted towards demand</b>
SGS2 – West Chelmsford	(5% of 880) 44	121	Summer 2022
SGS8 – North of Broomfield	(5% of 512) 26		
SGS10 – North of South Woodham Ferrers	(5% of 1020) 51		
SGS1b – Former St Peters College	(5% of 245) 12	30	Financial year 2023/2024
SGS3a – East Chelmsford, Manor Farm	(5% of 250) 13		
SGS3c – East Chelmsford, Land South of Maldon Road	(5% of 100) 5		
SGS6 – North East Chelmsford	(5% of 3000) 150	193	Financial year 2024/2025
SGS7a – Great Leighs, Land at Moulsham Hall	(5% of 750) 38		
SGS7c – Great Leighs, Land North and South of Banters Lane	(5% of 100) 5		
CW1a – Former Gas Works	(5% of 250) 13	21	Financial year 2025/2026
SGS1d – Riverside Ice and Leisure Land	(5% of 150) 8		
CW1c – Lockside	(5% of 130) 7	7	Financial year 2026/2027
CW1d – Baddow Road Car Park	(5% of 190) 10	10	Financial year 2027/2028
SGS7b – Great Leighs, Land East of London Road	(5% of 250) 13	18	Financial year 2028/2029
SGS13 – Danbury	(5% of 100) 5		

SGS1e – Civic Centre Land	(5% of 100) 5	5	Financial year 2033/2034
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- 2.11 Comparing the remaining identified demand in Table 2 with the projections in Table 3, there is very low / no concern that Chelmsford will struggle to adhere to duty in meeting the demand for Self-Build and Custom Build development.

### 3. Proposal to Introduce a Locality Test

- 3.1 Where sites coming forward with 100 or more dwellings are required to provide a proportion of self-build and custom build plots – as per Local Plan Policy DM1 – both the Self-Build Advice Note and the POSPD state that the Council will secure a S106 obligation that will set out priority mechanisms ensuring the provision of self and custom build plots meet local need.
- 3.2 The POSPD expands further to specify that, as part of the priority mechanisms, one or more adults from the applicant household must live or work within the administrative area of Chelmsford. The S106 obligation will include reference to a restrictive marketing period of three months, whereby those evidencing a local connection will be given priority to purchase plots over other potential purchasers that do not work or live within Chelmsford.
- 3.3 To aide developers in the implementation of these priority mechanisms, and work towards prioritising local need, it is proposed to introduce a locality test to the Register itself. In accordance with the PPG, introducing a locality test will separate the Register out into a Part 1 and Part 2. Part 1 of the Register would detail those applicants who evidence that they have a local connection to Chelmsford in addition to meeting the standard eligibility criteria; whereas Part 2 details those who meet the standard eligibility criteria but do not have a local connection to Chelmsford.
- 3.4 In line with the Self Build and Custom Housebuilding Regulations 2016 and to remain consistent with the approach adopted within the First Homes Planning Advice Note, the recommendation is that the local connection test to be applied to the Register includes the following criteria:
- Individuals live and/or work within the Chelmsford administrative area; or
  - Individuals are an essential local worker as defined within the National Planning Policy Framework; or
  - Individuals are in the service of the regular armed forces of the Crown (as defined within section 374 of the Armed Forces Act 2006)  
(or are ex-personnel for a period equal to the length of the longest of any periods that may be required by the test for a condition to be satisfied)

## 4. Implications of Introducing a Part 1 and Part 2 to the Register

### The Council's duty to meet demand identified on the Register

- 4.1 The Self-Build and Custom Housebuilding Regulations 2016 state that authorities with two parts to the Register have a duty to grant enough development permissions to meet the demand only identified on the Part 1 of the Register. Both parts however must be considered when calculating the overall demand for self-build/custom-build housing in plan development.

### Prioritisation of those on Part 1

- 4.2 Those on Part 2 of the Register would not be precluded from pursuing self-build opportunities that arise within Chelmsford, but a priority mechanism would be in place to offer these opportunities to those with a local connection first.
- 4.3 In practice, this will take the form of a restriction upon the developer, secured through S106 obligation, to market their self-build and custom build plots to those with a local connection for a fixed period of time, before marketing to the wider population.
- 4.4 During this fixed marketing period, the Council will be able to raise awareness of this opportunity to those on Part 1 of the Register. Once the fixed marketing period has ended, the Council can raise awareness to the whole Register – Parts 1 and 2 – subject to there still being plots available.

### Periodic review of the locality test

- 4.5 The PPG recommends that if adopted, the locality test is periodically reviewed to ensure the test remains appropriate and is still achieving the desired effect. It is proposed that this be reviewed by when the POSPD is reviewed.

## 5. Consultation

- 5.1 Though not statutorily bound to do so, the PPG advises that authorities seeking to introduce additional eligibility criteria and therefore introducing Parts 1 and 2 to their Self Build and Custom Housebuilding Register consult on their proposals and to review their adopted locality test periodically to ensure the test remains appropriate and is still achieving the desired effect.
- 5.2 The consultation for the proposal to introduce a Part 1 and Part 2 to the Self-Build and Custom Housebuilding Register will be conducted via webform through the Council website. Wording for the webpage has been drafted and attached as Appendix 1 of this report. This wording summarises the proposal

and scope of the consultation on introducing the two parts to the Self-Build and Custom housebuilding Register. The webform survey itself is drafted and attached as Appendix 2 of this report.

- 5.3 This type of consultation would usually span 4-6 weeks and it is good practice to avoid holiday periods. It is therefore proposed that the consultation begin early June and end mid-July so as to avoid the summer holidays but allow sufficient time for stakeholders to respond.
- 5.4 The consultation will be accessible to all, and reference to the consultation will be featured on the Council's "Building your own home and community-led housing" webpage. In addition, notification of the consultation will be sent to all of those currently on the Register as this is the main group who will be impacted by the outcomes.

## 6. Next Steps

- 6.1 The consultation feedback will be reported back to Cabinet along with a recommendation as to whether the locality test set out in this report to split the Register into Parts 1 and 2 should be adopted.

### List of appendices:

Appendix 1 – Proposed webpage text: Consultation on proposed changes to the Self Build and Custom Build Register

Appendix 2 – Proposed consultation form: Consultation on changes to the Self Build and Custom Housebuilding Register

### Background papers:

Self Build and Custom Build Planning Advice Note

Planning Obligations Supplementary Planning Document

First Homes Advice Note

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## Corporate Implications

### Legal/Constitutional:

The Self-build and Custom Housebuilding Act 2015 (as amended) places a duty on Chelmsford City Council to keep a Self-Build and Custom Housebuilding Register of individuals and groups who wish to acquire serviced plots of land and for the Council to then grant enough development permissions to meet the demand identified on the Register.

The Self-build and Custom Housebuilding Regulations 2016 specifies that the following eligibility criteria must be met to join the Register:

- Applicant/s are aged 18 or over;
- Applicant/s are a British citizen, a national of an EEA state, or a national of Switzerland; and;
- Applicant/s are looking to acquire a serviced plot/s of land within the administrative area of Chelmsford to build a house to live in as their main residence.

Authorities can introduce additional eligibility criteria to split the Register into a Part 1 and 2. The Self-Build and Custom Housebuilding Regulations 2016 state that authorities with Parts 1 and 2 to the Register have a duty to grant enough development permissions to meet the demand only identified on the Part 1 of the Register. Both parts however must be considered when calculating the overall demand for self-build/custom-build housing in plan development.

Financial:

There is an existing administrative burden to maintain the Self and Custom Housebuilding Register. The introduction of the locality test would add minimal additional burden.

Potential impact on climate change and the environment:

Self and custom build development needs to adhere to the Council's sustainable development policies within the adopted Local Plan and the guidance within the Council's Making Places SPD. Prioritising plots for those with a local connection has potential to cut carbon emissions through reduced migratory travel into the area.

Contribution toward achieving a net zero carbon position by 2030:

Self and custom build development needs to comply with relevant policies and Building Regulations which are currently working towards a net zero carbon position by 2030. There is scope that such development will go above and beyond these policies and Building Regulations as many are interested in self and custom build for the opportunity to improve environmental performance of their home.

Personnel:

N/A

Risk Management:

N/A

Equality and Diversity:

An Equality Impact Assessment (EIA) has been conducted to assess the effects of introducing a locality test to the Self-Build and Custom Housebuilding Register.

Health and Safety:

N/A



Digital:

Support from Website and Content Analyst required for consultation period to ensure webforms are working and webpages are appropriately updated.

Other:

N/A

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Consultees:

Digital Services

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Relevant Policies and Strategies:

Local Plan Policy DM1

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# Appendix 1 – Draft webpage text: Consultation on proposed changes to the Self Build and Custom Build Register

## Consultation on proposed changes to the Self Build and Custom Build Register

The Self-build and Custom Housebuilding Act 2015 places a duty on Chelmsford City Council to keep a Self-Build and Custom Housebuilding Register (the Register). The Register details individuals and groups who wish to acquire serviced plots of land for self-build and custom housebuilding projects. We must then grant enough development permissions to meet the demand identified by the Register.

### Chelmsford's Current Register

We have maintained our Register since 2016. In accordance with the Self-build and Custom Housebuilding Regulations 2016 (the Regulations), individuals and groups are currently able to apply to join our Register provided they meet the following eligibility criteria:

- Applicant/s are aged 18 or over;
- Applicant/s are a British citizen, a national of an EEA state, or a national of Switzerland; and;
- Applicant/s are looking to acquire a serviced plot/s of land within the administrative area of Chelmsford to build a house to live in as their main residence.

The information on the Register provides us with an understanding of the demand for self-build and custom build development within the administrative area and is accounted for within the strategic planning for housing and redevelopment.

### Proposal and scope of the consultation

The Regulations allow for relevant authorities to set additional eligibility criteria for those seeking to join the Register based upon locality. Adopting this additional eligibility criteria splits the Register into two parts: Part 1 – Applicants that meet the eligibility criteria listed in Section 1 as well as any local eligibility conditions; Part 2 – Applicants meet the eligibility criteria listed in Section 1 but do not meet the local eligibility conditions.

Chelmsford City Council are proposing to introduce a Locality Test as part of the application process to join the Self-Build and Custom Housebuilding register. To identify those with a local connection, we are proposing that the Locality Test encompasses the criteria below:

- Applicant has been continuously living in the City Council administrative area for at least the last five years; or
- Applicant is in regular, continuous paid employment in the administrative area, and have been so for at least six months prior to the date of their application; or
- Applicant is an essential local worker as defined within the National Planning Policy Framework; or
- Individuals are in the service of the regular armed forces of the Crown (as defined within section 374 of the Armed Forces Act 2006), or formerly served in the regular forces.

The scope of this consultation therefore is to gauge the level of support for both the proposal to introduce a Locality Test as well as the recommended criteria.

The purpose of this proposal is to align the Register with the priority mechanisms set out within the Planning Obligations SPD, the Self-Build Advice Note and the First Homes Advice Note which each apply focus to meeting identified local demand first.

In practice, adopting a Locality Test for the Register will mean that when self-build or custom build plots in the administrative area become marketable, Chelmsford City Council can stipulate through legal agreements that these plots are first marketed to Part 1 of the Register (those with a local connection) for a set period before extending the marketing out to Part 2 of the Register and any other interested parties.

Further, the Regulations stipulate that those authorities who have two parts to their Self-Build and Custom Housebuilding Register are required to count entries on Part 1 only towards the number of serviced plots that they must grant permission for. Both Part 1 and Part 2 however must still be considered when calculating the overall demand for self-build/custom-build housing in Local Plan development.

### How those already on the Register will be affected

Adopting this proposal will mean that the Register will be split into two parts. New applicants to both parts of the Register will still need to evidence their age, nationality, and intention to acquire a plot within the administrative area, as outlined above. In addition, applicants seeking to be included on Part 1 of the Register will need to provide evidence that they have a local connection to Chelmsford.

Applicants that are already on the Register will initially be placed onto Part 2 of the Register since we have not previously tested their locality. All applicants already on the Register will be contacted and asked to provide evidence to verify

their eligibility should they wish to be added onto Part 1 of the Register.

Details of the documentation required to evidence locality will be determined in due course as this will be dependent on the determined eligibility criteria.

### We want to hear from you

Before adopting a Locality Test as part of the application process to join the Self-Build and Custom Housebuilding Register, we are interested in your views.

Please complete the short survey available below, letting us know the extent to which you agree or disagree with both the proposal of introducing a Locality Test, and for the recommended eligibility criteria forming this Locality Test.

## Appendix 3 – Proposed Consultation Form: Consultation on changes to the Self Build and Custom Housebuilding Register

## Consultation on changes to the Self Build and Custom Housebuilding Register

\* Required

1. First name \*

2. Last name \*

3. Organisation

4. Email address \*

5. Which of the following apply to you? \*

	Yes	No
I live within the Chelmsford administrative area	<input type="radio"/>	<input type="radio"/>
I am on the Chelmsford Self-Build and Custom Housebuilding Register and seek a self-build or custom build plot	<input type="radio"/>	<input type="radio"/>
I represent a developer	<input type="radio"/>	<input type="radio"/>
I represent a town or parish council	<input type="radio"/>	<input type="radio"/>
I represent an organisation	<input type="radio"/>	<input type="radio"/>

Next

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\* Required

6. To what extent do you agree/disagree with our proposal to introduce a Part 1 and Part 2 to the Self-Build and Custom Housebuilding Register? \*

People with a local connection would be added to Part 1

- ☐ Strongly disagree
- ☐ Disagree
- ☐ Neutral
- ☐ Agree
- ☐ Strongly agree

7. To what extent do you agree/disagree with the proposed local connection criteria? \*

- ☐ Strongly disagree
- ☐ Disagree
- ☐ Neutral
- ☐ Agree
- ☐ Strongly agree

8. Any other comments

Enter your answer

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**Chelmsford City Council  
Equality Impact Assessment**

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

<b>A: Assessor Details</b>	
<b>Name of policy / function(s):</b>	Introduction of a locality test to the Self-build and Custom Housebuilding Register
<b>Officer(s) completing this assessment:</b>	Amy Rayner
<b>Date of assessment:</b>	13 May 2022

<b>B: Summary Details</b>	
<b>Description of policy, strategy or activity and what it is aiming to do</b>	<p>The purpose of the proposal to introduce a locality test to the Self-Build and Custom Housebuilding Register is to be able to identify those on the Register who have an evidenced local connection to the administrative area of Chelmsford.</p> <p>This will align the register with the prioritisation mechanisms as set out within the Planning Obligations Supplementary Planning Document (POSPD) and Self-Build Planning Advice Note which seek to ensure local demand is prioritised.</p> <p>Where self-build or custom housebuilding plots come forward in accordance with Local Plan Policy DM1, developers are required by S106 obligation to market these plots to those with a local connection for a fixed time period before opening up the marketing to all others.</p> <p>Knowing who on the Register has an evidenced local connection to Chelmsford means that the Council can raise awareness of self-build opportunities to this group within the fixed marketing period, before notifying all others on the Register after this fixed marketing period has ended, helping to actively prioritise local demand.</p>

## Chelmsford City Council Equality Impact Assessment

	<p>The approach to introducing a locality test has been guided by the Self-Build and Custom Housebuilding Regulations 2016 (the Regulations). These stipulate that in adopting a locality test, the Register will split into a Part 1 and Part 2, whereby those on Part 1 have met the locality eligibility criteria set by the Council in addition to their eligibility criteria surrounding age, nationality, and desire to build within the administrative area as set out in the Regulations. Part 2 consists of those that have met the eligibility criteria surrounding age, nationality, and desire to build within the administrative area but have not met the Council's locality criteria.</p> <p>The Self-Build and Custom Housebuilding Regulations 2016 set out that in adopting a locality test and therefore splitting the Register into a Part 1 and Part 2, the statutory duty alters so as the Council are required to grant enough development permissions within the appropriate timeframes to meet the identified demand on Part 1 only. Both Parts 1 and 2 must still be considered when calculating the overall demand for self-build/custom-build housing in plan development.</p> <p> <input checked="" type="checkbox"/> new                      OR   <input type="checkbox"/> existing (<i>If existing, when was the last assessment? .....</i>)  <input type="checkbox"/> internal                OR   <input checked="" type="checkbox"/> external (i.e. public-facing)  <input checked="" type="checkbox"/> statutory            OR   <input type="checkbox"/> non-statutory         </p>
Policy Owner (service)	Spatial Planning
Scope: Internal - Service/Directorate/Council wide External – specify community groups	Internal – Directorate of Sustainable Communities External – Existing and future applicants to the Self-build and Custom Housebuilding Register, developers

### C: Assessment of impact

Using the information above, assess if the policy / function could potentially disproportionately impact on different protected groups.

**Chelmsford City Council  
Equality Impact Assessment**

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.

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?	No	No	Yes	Introduction of a locality test does not introduce a discrimination against age. However, the eligibility criteria as established by the Regulations – which must be complied for entry onto both Part 1 and Part 2 of the Register – specify that applicants must be of 18 years or over.	This is legislative and cannot be overcome.
<b>Disability</b> Consider all disabilities such as hearing loss, dyslexia etc as well as access issues for wheelchair users where appropriate	No	No	Yes		
<b>Pregnancy and maternity</b> Pregnant women and new and breastfeeding Mums	No	No	Yes		
<b>Marriage or Civil Partnership</b> Could this policy discriminate on the grounds of marriage or civil	No	No	Yes		

**Chelmsford City Council  
Equality Impact Assessment**

<b>Characteristic</b>	<b>Positive impact</b>	<b>Could adversely impact</b>	<b>No impact</b>	<b>How different groups could be affected</b>	<b>Actions to reduce negative or increase positive impact</b>
partnership					
<b>Sex</b> Is the service used by more than one gender and are the sexes given equal opportunity?	No	No	Yes		
<b>Gender reassignment</b> Is there an impact on people who are going through or who have completed Gender Reassignment?	No	No	Yes		
<b>Religion or belief</b> Includes not having religion or belief	No	No	Yes		
<b>Sexual Orientation</b> What is the impact on heterosexual, lesbian, gay or bisexual people?	No	No	Yes		
<b>Race</b> Includes ethnic or national origins	No	No	Yes	Introduction of a locality test does not introduce a discrimination against race. However, the	This is legislative and cannot be overcome.

**Chelmsford City Council  
Equality Impact Assessment**

Characteristic	Positive impact	Could adversely impact	No impact	How different groups could be affected	Actions to reduce negative or increase positive impact
				eligibility criteria as established by the Regulations – which must be complied for entry onto both Part 1 and Part 2 of the Register – specify that applicants must be a either a British citizen, a national of an EEA state or a national of Switzerland.	
<p><b>Are there any other groups who could find it difficult to access or make use of the policy / function?</b></p> <p>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.</p>	Yes	Yes	No	<p>Those unemployed or of no fixed address but residing within Chelmsford may have difficulty providing evidence of their locality to the administrative area.</p> <p>Those without access to a computer are unable to complete the registration form and submit any applicable evidence to join the Register</p> <p>Those with an existing connection to the local area – through either residence or employment</p>	<p>In the same way as the Housing Register applications are process, a wide variety of evidence will be accepted to evidence locality. This can include tenancy agreements, bills, council tax records, pay slips, employment contracts etc. Informal forms of evidence such as letters or photographs will be determined at the discretion of the Council on a case-by-case basis.</p> <p>Application to join the Self-Build and Custom Housebuilding Register can be made without use of the online form. The responsible officer can provide a paper form and details on how</p>

**Chelmsford City Council  
Equality Impact Assessment**

Characteristic	Positive impact	Could adversely impact	No impact	How different groups could be affected	Actions to reduce negative or increase positive impact
				gain a level of confidence that their desires to remain within the administrative area are prioritised	evidence can be provided by alternative means.

## Chelmsford City Council Equality Impact Assessment

### 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.

<b>1.</b>	<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>Engaged with Digital Services to draft a web consultation and web page detailing the proposals</p>
<b>2.</b>	<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>A webpage and online consultation can be set up to meet the Council's accessibility guidelines</p>
<b>3.</b>	<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>The Council currently have a handful of webpages which provide information in relation to the Self-Build and Custom Housebuilding Register. This includes links to the application form to join the register, an informative page on the different types for self and custom build developments, and advice and resource pages that provide links to external webpages with specialist information.</p> <p>Evidence in relation to existing demand on the register is published quarterly within the Self-Build and Custom Build Planning Advice Note – again, available on our website. This identifies current trends in demand relating to type of dwelling, location within the administrative area and number of bedrooms desired etc.</p> <p>The consultation on the proposal to introduce a locality test to the register will gauge levels of support and any concerns from those already on the register and possibly developers. This will help guide the Council on how/whether to implement the locality test.</p>

## Chelmsford City Council Equality Impact Assessment

<b>4.</b>	<b>For existing policies, strategy, activity only:</b> <b>What has changed since the last assessment?</b> <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>	Reason for proposal to introduce the locality test to the Self-Build and Custom Housebuilding Register is to align the approach to meeting identified demand with that stated within the Planning Obligations Supplementary Planning Document, the Self-Build Planning Advice Note and First Homes Planning Advice Note which all take the approach of prioritising local need/demand first.
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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.*

<b>1.</b>	<b>To eliminate unlawful discrimination, harassment and victimisation</b>	The measures identified above will reduce any negative impact on the identified protected groups.
<b>2.</b>	<b>To advance equality of opportunity between people who share a protected characteristic and those who do not</b> <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>	The measures identified above will ensure equality of opportunity between those with and without protected characteristics.
<b>3.</b>	<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</i>	Having transparency around our proposal and implementation of a locality test through details that will be featured on our webpages will foster good relations between those with and without a local connection. This is as there will be clear justification and robustness in the



**Chelmsford City Council  
Equality Impact Assessment**

	<i>between different groups and tackling prejudice)</i>	purpose and execution.
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F: Conclusion	
Decision:	Explanation:
<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>	Identified potential discrimination stems from legislation as opposed to the proposal to introduce a locality test. Measures have been identified to ensure any additional potential discrimination is avoided.
<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>	
<input type="checkbox"/> <b>Adverse impact but continue</b> <i>[For example: Negative impact has been objectively justified.]</i>	
<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>	

**Approved by:**

Lead Officer / Responsible officer: *Amy Rayner*

Date: 17/05/2022

**Chelmsford City Council  
Equality Impact Assessment**



Senior Manager:

Date:

17/05/2022

***[Please save a copy and send one to Human Resources for publication on the website as appropriate]***

## CHELMSFORD POLICY BOARD WORK PROGRAMME

26 May 2022

Date of Meeting	Report Subject
26 May 2022	<b>Longfield Solar Farm Development Consent Order (DCO)</b> – Consideration of Local Impact Report and Agreement of Future Delegations
	<b>Review of Chelmsford Local Plan</b> – Update
	<b>Strategic Housing and Employment Land Assessment (SHLAA)</b> – Consideration of Revised Methodology
	<b>Self and Custom Build Register</b> – Consideration of consultation on new Locality Test
30 June 2022	<b>Review of Chelmsford Local Plan – Issues and Options Consultation</b> – Consideration of consultation documents and agreement to consult.
<i>Standing or other items not currently programmed</i>	<p><b>Masterplans – Land at Great Leighs</b> - To consider final masterplan of site allocated in Local Plan ahead of consideration by Cabinet.</p> <p><b>Public Realm SPD</b> – New replacement SPD for consultation</p> <p><b>Chelmsford Garden Community - Development Framework Document (Masterplan), Infrastructure Delivery Plan and Planning Framework Agreement</b> – For consideration before referral to Cabinet for decision</p> <p><b>Updates for Working Groups</b> – Chairs of the Working Groups to report on their recent activities</p>