HS035

HEARING STATEMENT

Chelmsford Local Plan

Matter 3 – Issue 3

Housing Provision

On behalf of
Landvest Developments Ltd
1329258 and 1397934

October 2026

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1. INTRODUCTION

1.1 This Hearing Statement is submitted on behalf of Landvest Developments Ltd (ID 1329258 and 1397934) in respect of Matter 3 of the Examination of the Chelmsford Local Plan and, specifically, the provision of small sites within the housing supply. Landvest Developments Ltd is promoting land to the north of Elm Green Lane, Danbury ("the Site") for residential development.

1.2 This Hearing Statement responds to the relevant Matters, Issues and Questions identified by the Inspectors insofar as they relate to the Local Plan's approach to small sites and whether sufficient land has been identified to meet the requirements of paragraph 70(a) of the NPPF as identified under Matter 3, Issue 3.

1.3 This Hearing Statement should be read alongside Landvest Developments Ltd's previous representation to the Focused Consultation Additional Sites (Regulation 19) Document. That representation identified concerns regarding the insufficient contribution made by sites of one hectare or less and sought the allocation of the Site at Danbury to assist in addressing this shortfall.

1.4 The Site promoted by Landvest Developments Ltd comprises approximately 0.94 hectares adjoining the Defined Settlement Boundary of Danbury and is capable of accommodating approximately six dwellings. The previous representation identified the Site as a suitable and sustainable small-scale extension to Danbury, with access available from Elm Green Lane. Danbury is identified as a Key Service Settlement within the emerging Local Plan.

1.5 Landvest Developments Ltd therefore maintains that the Plan has not adequately demonstrated compliance with paragraph 70(a) of the NPPF. Additional suitable small sites should be allocated, including the Site at Elm Green Lane, Danbury, to ensure that the Plan demonstrably provides at least 10% of its housing requirement on sites no larger than one hectare, diversifies housing supply and maximises opportunities for housing delivery.

1.6 As the Plan is being examined under transitional arrangements, references to the NPPF in this Hearing Statement are to the 2023 NPPF unless otherwise stated.

2. ISSUE 3 – WHETHER THE PLAN MAKES ADEQUATE PROVISION FOR HOUSING

Strategic Policy S6

Question 3.14 - Is the Plan consistent with national policy in relation to housing developments on sites no larger than one hectare?

2.1 The Plan does not currently demonstrate that it is fully consistent with national policy in respect of housing development on sites no larger than one hectare. Whilst the Council seeks to demonstrate compliance through its Housing Topic Paper, its own evidence does not clearly establish that the minimum 10% requirement will be met. This is particularly important given the contribution that small sites can make to diversifying housing supply and supporting delivery. Additional suitable small sites should therefore be allocated through the Plan, including Land North of Elm Green Lane, Danbury, to address this deficiency and ensure consistency with national policy.

2.2 The Council's Housing Topic Paper (May 2026) identifies that the Plan proposes 1,210 homes per year, equivalent to 22,990 homes over the 2022–2041 plan period.

2.3 The Council's Housing Topic Paper records that, as at April 2026, the Standard Method figure for Chelmsford was 1,433 homes per year. However, following the publication of updated dwelling stock figures, the Standard Method figure had increased to 1,448 dwellings per annum as at May 2026. The Plan's proposed requirement of 1,210 dpa therefore represents approximately 83.6% of the latest Standard Method figure and is 238 dwellings per annum below identified housing need. As above, the Plan is being progressed under the transitional arrangements and examined against the December 2023 NPPF.

2.4 The Council identifies that 1,398 dwellings are due to be delivered on sites of 1 hectare or less. It calculates this as 8% of the 17,380 homes contained within existing and new Local Plan allocations (11,953 existing + 5,427 new). It then identifies 787 self-build and custom-build homes required on developments of more than 100 dwellings. Paragraph 4.169 says that, when these are combined with the 1,398 dwellings on small sites, the proportion increases to 12.6% of existing and new Local Plan allocations. It then concludes in its NPPF checklist that the Local Plan includes sites to accommodate around 10% of the housing requirement on sites no larger than one hectare.

2.5 Paragraph 70 of the 2023 NPPF requires that:

> *Small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly. To promote the development of a good mix of sites local planning authorities should:*
>
> *a) identify, through the development plan and brownfield registers, land to accommodate at least 10% of their housing requirement on sites no larger than one hectare; unless it can be shown, through the preparation of relevant plan policies, that there are strong reasons why this 10% target cannot be achieved...*

2.6 The Council's approach does not clearly demonstrate compliance with paragraph 70(a) of the NPPF. The Housing Topic Paper identifies 1,398 dwellings on sites of one hectare or less, equivalent to only around 6.1% of the Plan's housing requirement of 22,990 dwellings. The Council subsequently arrives at a figure of 12.6% by including 787 self-build and custom-build homes to be provided within developments of more than 100 dwellings. It is unclear how this calculation arrives at 12.6% of the housing requirement.

2.7 In additional self-build and custom-build homes to be provided within developments of more than 100 dwellings are not demonstrated to be sites of one hectare or less and therefore should not automatically be treated as contributing towards the specific requirement in paragraph 70(a). Simply subdividing part of a large allocation into individual self-build plots does not, on the wording of paragraph 70(a), demonstrate that the development site itself is no larger than one hectare.

2.8 Paragraph 70 of the NPPF and smaller sites plays an important role in supporting small and medium scale (SME) developers, which is different to the availability of self build plots for individual housebuilders or those who require their own building plot. The two cannot be treated as addressing the same need.

2.9 The Plan's housing requirement of 1,210 dwellings per annum is only approximately 83.6% of the latest Standard Method figure of 1,448 dwellings per annum, representing a difference of 238 dwellings per annum. The Plan therefore also does not seek to meet identified housing need in full, further reinforcing the importance of maximising opportunities to allocate suitable and deliverable small sites. This further exasperates the undersupply of smaller sites.

2.10 As above, the Council's reliance on self-build and custom-build plots within larger developments does not demonstrate compliance with paragraph 70(a) of the NPPF. Policy DM1 requires 5% self-build homes within developments of more than 100 dwellings, and the Housing Topic Paper identifies 787 dwellings arising from this requirement. However, paragraph 70(a) is expressly concerned with the provision of housing on sites no larger than one hectare, rather than the size or tenure of individual plots within substantially larger development sites.

2.11 Accordingly, there is a strong case for allocating additional suitable small sites. This would ensure that the Plan demonstrably meets, rather than merely approximates, the minimum 10% requirement in paragraph 70(a), while also diversifying housing supply, assisting earlier delivery and making a greater contribution towards meeting the identified housing need.

2.12 NPPF paragraph 70 requires the identification of land to accommodate at least 10% of the housing requirement.

2.13 Ten percentage of the Local Plan requirement of 22,990 would equates to 2,299 homes. The current plan based on the Council's evidence in the housing topic papers provides for 1,398 homes (paragraph 4.169 housing topic paper). This represents an under supply of 901 homes against a requirement of 2,299. This is of course based against 10% of the current plan requirement of 83.6% of the Standard Method figure and the shortage will be even greater when assessed against the Standard Method requirement in full. Even if the Council's argument that some self build may contribute towards this need it is clear additional small sites should be allocated in the plan. Even if the Council's argument of including self build sites in the calculation were accepted this would appear to be 1,398 + 787 = 2,185 so it is unclear how this represents 12.6% of a Local Plan housing requirement for 2,299 homes. Even if calculated against 80% of the Standard Method, this would not represent 12.6% as referred to by the Council. It is clear additional small sites should be allocated to ensure the requirement of paragraph 70 are meet and the needs of SME developers are supported.

Land North of Elm Green Lane

2.14 Land North of Elm Green Lane comprises approximately 0.94 hectares of undeveloped agricultural land situated to the north-west of Danbury. The Site directly adjoins the existing Defined Settlement Boundary and existing residential development to the south, while remaining outside the Green Belt. It therefore represents an opportunity for a modest extension to the existing settlement.

2.15 Danbury is identified as a Key Service Settlement within the emerging Local Plan. The previous representations identify a range of services and facilities within the village, including the Village Hall, medical centre, leisure centre, Danbury Country Park, shops, cafés and other local facilities. Bus stops on Bell Hill are within less than a ten-minute walk of the Site and provide services towards South Woodham Ferrers and Chelmsford. The Site is therefore well related to an established settlement with existing services and opportunities to use public transport.

2.16 The Site is capable of accommodating a modest development of approximately six dwellings, with vehicular access available from Elm Green Lane. Its scale and relationship with the existing settlement make it particularly appropriate as a small-site allocation. At approximately 0.94 hectares,

it falls below the one-hectare threshold relevant to paragraph 70(a) of the NPPF and would therefore make a direct contribution towards the Plan's provision of housing on small sites.

2.17 There are protected trees along the Elm Green Lane frontage, Lingwood Common SSSI lies approximately 330 metres to the north, and Riffhams Registered Park and Garden lies beyond Riffhams Lane. As set out in the Regulation 19 Focused Consultation representation, the modest scale of development, together with appropriate siting and additional landscaping, would allow development to take place without adverse impacts on the protected trees, Registered Park and Garden or SSSI.

2.18 The Site is available and capable of delivery within the first five years of the Plan period. Its allocation would therefore not simply increase the numerical supply of small sites but would provide an identified opportunity for additional housing delivery in the early part of the Plan period.

2.19 Allocation of the Site would therefore provide a specific and deliverable response to the identified need for additional small-site provision. It would deliver approximately six homes on a site below one hectare, adjoining a Key Service Settlement and existing development. Its allocation would assist in diversifying the housing land supply and contribute directly towards satisfying the requirement of paragraph 70(a) of the NPPF.

Neighbourhood Plan

2.20 The Danbury Neighbourhood Plan was made on 20th December 2024. Its recent inclusion as part of the development plan does not however remove the need to consider further appropriate housing opportunities at Danbury through the Local Plan Review. The Neighbourhood Plan was prepared against an earlier evidence base, whereas the Council has subsequently identified a need for additional housing land.

2.21 Danbury is identified as a Key Service Settlement within the emerging Local Plan and is therefore an appropriate location in principle for proportionate additional growth. This is particularly relevant given the need to ensure that sufficient sites of one hectare or less are identified to satisfy paragraph 70(a) of the NPPF. The allocation of the Site in the Local Plan would complement, rather than undermine, the Neighbourhood Plan by providing a modest and deliverable contribution of approximately six dwellings on a 0.94 hectare site adjoining the Defined Settlement Boundary.

3. REMEDY

3.1 The issues highlighted in this Hearing Statement are considered capable of being addressed.

3.2 Suggested modifications include an amendment to Strategic Growth Site Policy 13 relating to allocations in Danbury to refer to the Site at Elm Green Lane, as set out below:

An allocation of around ~~100~~ 110 new homes to be accommodated within or adjoining the Defined Settlement Boundary of Danbury. The sites to accommodate this allocation are allocated through the 'made' Danbury Neighbourhood Plan and this Local Plan. Allocations are required to meet the following site development principles, along with the site specific policies within the Danbury Neighbourhood Plan Document.

Amount and type of development:

- In total around ~~100~~ 110 new homes of mixed size and type including affordable housing. The final amount of new homes will be confirmed through the planning application process.

Site development principles:

Movement and Access

- Provide safe and convenient pedestrian and cycle connections.

Historic and Natural Environment

- Conserve and enhance the Sites of Special Scientific Interest (SSSI) in and around Danbury (Blake's Wood and Lingwood Common SSSI, Woodham Walter Common SSSI and Danbury Common SSSI) ensuring any new development avoids direct impacts and mitigates indirect impacts (i.e. recreational damage) as a priority and provides any required mitigation measures where necessary (including those set within any emerging visitor impact studies / strategic solutions).

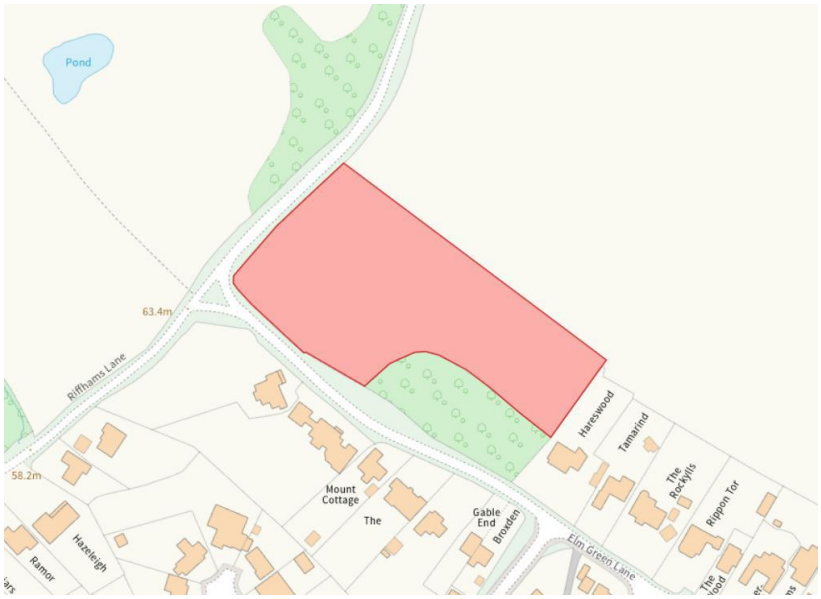
Site Infrastructure Requirements:

- Contributions towards addressing cumulative recreational pressure on SSSIs in proximity to the site.

Land North of Elm Green Lane, Danbury

Land North of Elm Green Lane, Danbury is allocated for a development of up to 10 homes on a site of less than 1.0ha. Development should provide a sensitive extension to the existing settlement, with vehicular access from Elm Green Lane.

3.3 There would also need to be a consequential amendment to the Policies Map identifying Land North of Elm Green Lane as a residential allocation. The site location and suggested boundary is shown below.



With the above in mind, in order to make the Plan sound, Strategic Growth Site Policy 13 should be modified to allocate Land North of Elm Green Lane, Danbury for up to ten dwellings, alongside consequential amendments to the Policies Map and reasoned justification. The modification would not require the existing allocations of the made Danbury Neighbourhood Plan to be revisited. Rather, it would supplement those allocations with an additional small site identified through the Local Plan Review, reflecting the updated housing evidence and contributing towards the requirement in paragraph 70(a) of the NPPF to identify land to accommodate at least 10% of the housing requirement on sites no larger than one hectare. The Site comprises approximately 0.94ha, adjoins the Defined Settlement Boundary and is capable of delivering approximately six to ten dwellings.